



Your reference:

Our reference: FOI_2023.0793

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 30/08/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0793

On 07/08/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

Can you please provide the following information for each of the following years: 2019, 2020, 2021, 2022, 2023 so far (from 1 January 2023 to 7 August 2023):

How many raids have police conducted of illegal HMOs (HMO = house in multiple occupation)?

Can you please also provide summaries of the most recent 10 cases. Please omit details that could identify the victims or breach GDPR/privacy rules, I am just interested in what police discovered. Can you describe the conditions in the property, how many people were staying there, how many beds or mattresses were there, how many bedrooms did the home actually have?

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary may hold some relevant information.

Unfortunately there is no central register for this information and no way to retrieve the information by way of electronic searches. There is no recording process for when a HMO is identified. If a warrant is carried out a location, it would be for another reason, not for the fact that the property is a HMO, therefore a manual review would be required of the associated warrant record to determine if it has been recorded that there are multiple occupants. There is no central recording system for when a warrant is executed. Even by narrowing this request down to the most likely department to potentially hold this information we have estimated that attempting to answer this request would far exceed the permitted time constraints, therefore Section 12 of the Act is applicable. This section does not oblige a public authority to comply with a request for information if the authority estimated that the cost of complying with the request would exceed the appropriate limit of 18 hours, equating to £450.00

Section 17(5) of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

In relation to your request Section 12 applies.

Section 12(1)– Fee Regulations states:

Section 1(1) of the Act does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit. (As detailed in the Data Protection and Freedom of Information Fees Regulations of 2004)

The appropriate limit at the moment is £450 calculated at an hourly rate of £25 per hour for all staff time incurred in:

- i. Determining whether information is held
- ii. Locating it
- iii. Retrieving it
- iv. Extracting the information to be disclosed from the other information.

In accordance with the Act, this letter represents a Refusal Notice for your request.

When applying Section 12 exemption our duty to assist under Section 16 of the Act would normally entail that we contact you to determine whether it is possible to refine the scope of your request to bring it within the cost limits. However, from the information we have outlined above I see no reasonable way in which we can do so.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary