



Your reference: n/a

Our reference: FOI_24_0523

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 11/06/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0523

On 15/05/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am requesting a breakdown of the number of fixed penalty notices issued by your police force to owners of vans for mobile phone use while driving, and the value of fines issued for these offenses. I am requesting figures for the period March 2022 – December 2023.

In particular, can you provide me with:

1. The total number of fixed penalty notices issued by your police force to owners of vans for mobile phone use while driving, from March 2022-December 2022.
2. The total value of fines issued as a result of these offenses, from March 2022-December 2022.
3. The total number of fixed penalty notices issued by your police force to owners of vans for mobile phone use while driving, from January 2023-December 2023.
4. The total value of fines issued as a result of these offenses, from January 2023-December 2023.

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

The Constabulary does not record what type of vehicle has received a fixed penalty notice in a retrievable format. In order to try and ascertain the total number of fixed penalty notices given to owners of vans for mobile phone use would require us manually reviewing all fixed penalty notices for the period requested. This would result in reviewing hundreds of records. This would take far longer than the 18 hours prescribed.

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.

Unfortunately, I'm unable to assist in suggesting ways of refining your request to come within the confines of Section 12 of the Act. Even reducing the timescale would not reduce the number of records enough that a manual review could be conducted within the timescale but still provide meaningful information.

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