



Your reference: N/A
Our reference: FOI_24_0880
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 18/10/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0880

On 26/09/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am looking for information regarding driving offences committed in 2023 and to date in 2024 linked with unsuitable footwear or clothing.

Specifically I am looking for:

- A list of all offences committed in 2023 and to date in 2024 (separated per year) that are linked to footwear or clothing
- Fines attributed to each offence
- Total cost of fines in 2023 and to date in 2024 (separated per year) that are linked to footwear or clothing
- Total number of offences committed in 2023 and to date in 2024 (separated per year) linked to footwear or clothing

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

The information that are requesting for the majority of your request is not stored in a way which permits easy retrieval. This is because there is no driving offence specifically linked with driving in unsuitable clothing or footwear that we can search on in order to obtain this information accurately for you. Therefore, the only way in which we would be able to confirm if we even hold this information first and foremost, would be to manually peruse through all driving-related reports that have been made since 2023 to 26/09/2024. This would exceed the 18 hours as prescribed by Section 12 of the Freedom of Information Act.

Under the circumstances I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a

flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it.

Please see below for suggestions on how you may be able to refine your request to come within the cost constraints of Section 12 of the Act.

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