



Your reference: N/A
Our reference: FOI_25_0450
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 23/05/2025

Dear

Gloucestershire Constabulary Freedom of Information request FOI_25_0450

On 24/04/2025 you sent an email constituting a request under the Freedom of Information Act asking the following:

Under the Freedom of Information Act 2000, please provide me with details of the following:

- Any incidents since 20 May 2018 where the owner of a motor vehicle has been stopped under the provisions of the Road Traffic Act 1988 and subsequently been issued with a penalty for having a vehicle on the public highway in an unroadworthy condition where the vehicle is not required to have a valid MoT certificate on account of its age.

Please provide, where available, details of the vehicle, any defects recorded and the penalty issued.

I understand that under the Act I am entitled to a response within 20 working days of your receipt of this request. Some parts of the request may be easier to answer than others.

Should this be the case, I request that you release information as soon as possible.

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

Unfortunately, it is not possible to electronically search for the information requested with regards to the details of the vehicles, the defects of the vehicles. In order to identify the requested information, a manual review of over 334 recorded cases would need to be conducted. This manual review would exceed the 18 hours as prescribed by Section 12 of the Freedom of Information Act.

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.

Under Section 16 duty to assist, a search of the case system with the code of RT88096 – use a motor vehicle without a test certificate, with the recorded outcomes.

If this would exist please submit a new FOI request.

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