

WILTSHIRE POLICE



XXXXXXX
By email

**Force Disclosure Unit
Police Headquarters**

London Road
DEVIZES
Wiltshire
SN10 2DN

Date 13th December 2022

Our Ref FOI 2022/913

Dear XXXXX,

I write in connection with your request for information dated 15th November 2022, concerning number and details of Road Traffic Accidents (RTAs) recorded in the Parish of Kington St Michael.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Following receipt of your request, research was conducted by the Justice Traffic department at Wiltshire Police. Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

Could you please provide information about Road Traffic Accidents (RTAs) in the Parish of Kington St. Michael in the last 10-years – or let me know how and where I can access this information?

If it's not possible to provide data reaching back 10-years, could you provide the information you do have available? If possible, could you provide details of:

1. The number of reports of dangerous driving or near misses within the parish.
2. The number of RTA's within the parish.
3. The location of each RTA.
4. Any reports of injury resulting from the RTA.
5. The severity of the RTA. For example, did the incident require intervention from the emergency services?
6. Whether a pedestrian, cyclist, or individual on horseback were involved in the RTA.
7. The cause of the RTA (and/ or contributing factors) recorded at the time.

Proud to serve and protect our communities

Our response:

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held.

Whilst I can confirm Wiltshire Police do hold the requested information, section 12(1) of the FOIA states:-

Section 1(1) 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.

Some of the information requested, and that forms part of the response to your request - namely in relation to 'damage only' RTAs and dangerous or near miss incidents - is not stored in a way which permits for easy retrieval. This information is not recorded in a way that is easily searchable within our systems. To establish the number of and details for 'damage only' RTAs and dangerous driving or near miss incidents would require manually reviewing each report within the last 10 years to determine whether the report was relevant to your request. However, as a gesture of goodwill, please see further down the letter for information that can be provided for 'injury' RTAs.

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. Therefore the whole of the request should fall under the exemption of section 12 of the Freedom of Information Act 2000.

Please also note that if one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

Ordinarily under our Section 16 obligation to provide advice and assistance we would advise you of a way to refine your request to a more manageable level. Due to the difficulties in obtaining the requested information, as outlined above, I cannot think of a way in which this could be achieved.

Although excess cost removes the Forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I can provide you with is documented below:

Caveats

- ❖ The below information is for 'injury' collisions only.
- ❖ The dates interrogated are 01.05.2012 to 30.04.2022. April is the last month this information was input and therefore is the most recent.
- ❖ The 'accidents involving' table shows the overall number of accidents within the timeframe (20 total). The 'casualties' table shows the number of casualties involved in these accidents within the timeframe (30 total).

Proud to serve and protect our communities

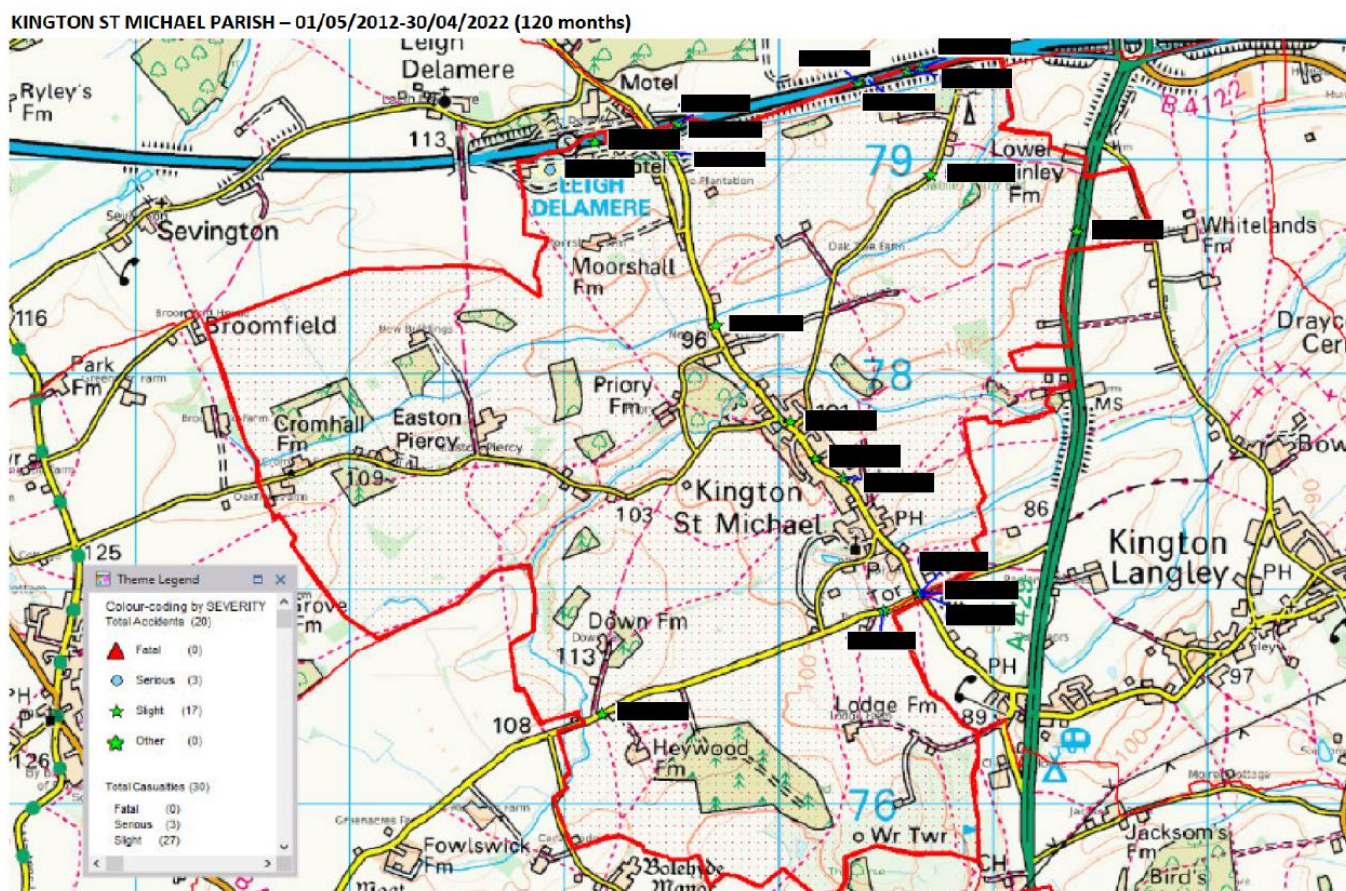
Could you please provide information about Road Traffic Accidents (RTAs) in the Parish of Kington St. Michael in the last 10-years – or let me know how and where I can access this information?

If it's not possible to provide data reaching back 10-years, could you provide the information you do have available? If possible, could you provide details of:

2. The number of RTA's within the parish.

Accidents involving:				
	Fatal	Serious	Slight	Total
Motor vehicles only (excluding 2-wheels)	0	3	15	18
2-wheeled motor vehicles	0	0	2	2
Pedal cycles	0	0	0	0
Horses & other	0	0	0	0
Total	0	3	17	20

3. The location of each RTA.



Please note, redactions have been made to remove incident reference numbers.

Proud to serve and protect our communities

4. Any reports of injury resulting from the RTA.

Casualties:				
	Fatal	Serious	Slight	Total
Vehicle driver	0	2	16	18
Passenger	0	1	8	9
Motorcycle rider	0	0	2	2
Cyclist	0	0	0	0
Pedestrian	0	0	1	1
Other	0	0	0	0
Total	0	3	27	30

5. The severity of the RTA. For example, did the incident require intervention from the emergency services?

To establish whether this information is held would require going into each report and manually reviewing to determine whether intervention from the emergency services was required. Although this would not necessarily exceed the time limit as a task in itself, it only adds to the already exceeded limit and therefore this task will not be carried out.

6. Whether a pedestrian, cyclist, or individual on horseback were involved in the RTA.

Please see response for question 2.

7. The cause of the RTA (and/ or contributing factors) recorded at the time.

	Weather Conditions	Road Surface	Darkness	Causation Factor	Confidence
1	Fine without high winds	Dry	Darkness - no street lighting	1st : Failed to look properly 2nd : Failed to judge other persons path or speed 3rd : Distraction in vehicle 4th : Inexperienced or learner driver / rider	1st : Very likely 2nd : Very likely 3rd : Possible 4th : Possible
2	Fine without high winds	Frost / ice	Daylight - street lights present	1st : Slippery road (due to weather) 2nd : Travelling too fast for conditions	1st : Very likely 2nd : Very likely
3	Raining without high winds	Wet / damp	Darkness - no street lighting	1st : Careless / reckless / in a hurry 2nd : Exceeding speed limit 3rd : Loss of control	1st : Very likely 2nd : Possible 3rd : [blank]
4	Fine without high winds	Dry	Daylight - street lights present	1st : Careless / reckless / in a hurry 2nd : Road layout (e.g. bend, hill etc) 3rd : Road layout (e.g. bend, hill etc) 4th : Travelling too fast for conditions 5th : Tyres illegal, defective or under inflated	1st : Very likely 2nd : Possible 3rd : Very likely 4th : Very likely 5th : Very likely

Proud to serve and protect our communities

5	Fine without high winds	Dry	Daylight - street lights present	1st : Swerved 2nd : Loss of control 3rd : Nervous / uncertain / panic 4th : Failed to judge other persons path or speed 5th : Failed to look properly	1st : Very likely 2nd : Very likely 3rd : Very likely 4th : Very likely 5th : Possible
6	Raining without high winds	Wet / damp	Daylight - street lights present	1st : Road layout (e.g. bend, hill etc) 2nd : Traffic calming (e.g. speed cushions etc) 3rd : Failed to judge other persons path or speed	1st : Very likely 2nd : Very likely 3rd : [blank]
7	Fine without high winds	Wet / damp	Daylight - street lights present	1st : Loss of control 2nd : Travelling too fast for conditions 3rd : Road layout (e.g. bend, hill etc) 4th : Inexperienced or learner driver / rider	1st : Very likely 2nd : Very likely 3rd : Very likely 4th : Very likely
8	Fine without high winds	Dry	Daylight - street lights present	1st : Disobeyed Give Way or Stop sign or markings 2nd : Junction overshoot	1st : Very likely 2nd : Very likely
9	Fine without high winds	Dry	Daylight - street lights present	1st : Distraction in vehicle 2nd : Following too close 3rd : Careless / reckless / in a hurry	1st : Very likely 2nd : Possible 3rd : [blank]
10	Fine without high winds	Dry	Darkness - no street lighting	1st : Fatigue 2nd : Failed to look properly	1st : Very likely 2nd : Possible
11	Fine without high winds	Dry	Daylight - street lights present	1st : Road layout (e.g. bend, hill etc) 2nd : Inadequate / Masked signs or road markings 3rd : Disobeyed Give Way or Stop sign or markings 4th : Failed to look properly 5th : Dazzling sun 6th : Vegetation	1st : Possible 2nd : Very likely 3rd : Very likely 4th : Very likely 5th : Very likely 6th : Very likely
12	Raining without high winds	Dry	Daylight - street lights present	1st : Poor turn or manoeuvre 2nd : Loss of control	1st : Very likely 2nd : Very likely
13	Fine without high winds	Wet / damp	Daylight - street lights present	1st : Illness or disability, mental or physical	1st : Very likely
14	Fine without high winds	Dry	Daylight - street lights present	1st : Failed to look properly 2nd : Failed to look properly	1st : Possible 2nd : Possible
15	Fine without high winds	Dry	Daylight - street lights present	1st : Failed to look properly 2nd : Failed to judge other persons path or speed	1st : Possible 2nd : Possible
16	Fine without high winds	Dry	Daylight - street lights present	1st : Illness or disability, mental or physical 2nd : Careless / reckless / in a hurry 3rd : Loss of control	1st : Very likely 2nd : Very likely 3rd : [blank]

17	Raining without high winds	Wet / damp	Darkness - no street lighting	1st : Loss of control 2nd : Slippery road (due to weather) 3rd : Inexperienced or learner driver / rider	1st : Very likely 2nd : Very likely 3rd : [blank]
18	Fine without high winds	Wet / damp	Daylight - street lights present	1st : Poor turn or manoeuvre 2nd : Loss of control 3rd : Slippery road (due to weather)	1st : Very likely 2nd : Very likely 3rd : [blank]
19	Raining without high winds	Wet / damp	Darkness - no street lighting	1st : Failed to look properly 2nd : Following too close 3rd : Failed to judge other persons path or speed	1st : Very likely 2nd : Possible 3rd : [blank]
20	Fine without high winds	Wet / damp	Darkness - no street lighting	1st : Failed to look properly 2nd : Impaired by drugs (illicit or medicinal) 3rd : Disobeyed Give Way or Stop sign or markings 4th : Junction overshoot 5th : Careless / reckless / in a hurry	1st : Very likely 2nd : Very likely 3rd : Very likely 4th : Very likely 5th : Very likely

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

The exemption applicable to the information requested is:

Section 12 – Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) 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.

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.

Please contact me if you would like to discuss the withheld information.

Yours sincerely,

Abigail Standidge

Phone: 01722 547081

Email: abigail.standidge@wiltshire.police.uk

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005



Proud to serve and protect our communities

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original Fol request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish to contact them, please visit <https://ico.org.uk/global/contact-us/>

Proud to serve and protect our communities