

WILTSHIRE POLICE



Force Disclosure Unit
Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 17th January 2023

Ref: FOI 2022/1018

Dear,

I write in connection with your request for information dated 26th December 2022 concerning misfuelling Police vehicles.

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.

Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

Q1) For each of the last five calendar years (2017 – 2021) can you please share how many instances there were of police vehicles having the incorrect fuel put in them. Please also provide any available data for 2022.

Q2) Can you please supply the cost to the force of rectifying the misfuelling and the vehicle. Please give the total cost for each calendar year from 2017 to 2021, if possible. Please also provide any available data for 2022.

Q3) For each of the last five years can you please advise how many instances there have been of police vehicles breaking down as a result of running out of fuel. Please provide figures for each year.

Our response:

The information that you are requesting (namely question 1) is not stored in a way which permits easy retrieval. Within the current system we use, we are not able to provide exact data on the number of misfuelling events that have occurred within the requested timeframe. This is because the job title for a repair may not reflect the actual cause of the defect – for example: a vehicle may have a job title of “rough running” (for which there can be multiple reasons for this), but it would not be until the diagnostics have been completed that you would find out that incorrect fuel was the cause of the issue;

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however, the job card title wouldn't be changed, as this reflects the issue initially reported. Therefore, to provide you with an accurate response would require manually searching each job reported to our Fleet department since 2017 to determine whether it is relevant to this request.

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 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.

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 am able to provide you are the answers documented below –

Q2) Can you please supply the cost to the force of rectifying the misfuelling and the vehicle. Please give the total cost for each calendar year from 2017 to 2021, if possible. Please also provide any available data for 2022.

The cost of repairing a misfuelled vehicle will vary due to differing circumstances. There are a few factors to consider when undertaking a repair of this nature. The labour charge would be costed at £38.40 per hour.

- 1. How much fuel was added?**
- 2. How much fuel was already in the tank?**
- 3. Was the engine started and the vehicle driven?**

From the information, a plan can be drawn up to decide how far the repair will need to go, from simply draining and refilling the fuel tank to a full strip down and clean of the fuel system.

- 1. Small amount of incorrect fuel – under 5 litres, fill the tank with the correct fuel, road test the vehicle, 1 hour.**
- 2. Misfuelled over 5 litres engine not started – drain tank and refill the tank would be allocated 2 hours of labour, no parts required.**
- 3. Misfuelled over 5 litres engine started – drain the tank, flush system, renew fuel filter would be approximately 4 hours of labour.**
- 4. Misfuelled over 5 litres engine started and driven, fault codes detected on road test – drain, flush system, renew fuel filter, renew injectors, and fuel pumps would be approximately 8 hours of labour, plus new parts as required by diagnostics.**

Q3) *For each of the last five years can you please advise how many instances there have been of police vehicles breaking down as a result of running out of fuel. Please provide figures for each year.*

There have been no vehicles that have run out of fuel.

Ordinarily under our Section 16 duty to provide advice and assistance, we would advise you how to refine your request to a more manageable level. However, due to the difficulties outlined above, I cannot see how this can be achieved in this particular case.

Section 17 of the Freedom of Information Act 2000 requires the 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.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Force Disclosure Decision Maker

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

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 FOI 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.

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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