

WILTSHIRE POLICE



XXXXXXX
By email

**Force Disclosure Unit
Police Headquarters**

London Road
DEVIZES
Wiltshire
SN10 2DN

Date 11th March 2023

Our Ref FOI 2023-274

Dear XXXXX,

I write in connection with your request for information dated 2nd March 2023, concerning speeding offences.

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:

I am writing to you under the Freedom of Information Act 2000 to request the following information:

- The number of speeding offences caught in your area, from the start of January 2019 to the end of January 2023. This includes fixed cameras, and those caught by police.
- The roads where these speeding offences occurred.

If it is not possible to provide all the information requested, please provide as much as available, e.g. most recent data or at least one of the points.

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:-

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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.

The information you are requesting - namely the location of the offences - is not stored in a way which permits for easy retrieval. To retrieve this data would require manually reviewing each individual notice in order to provide a response. This would exceed the time obligations Wiltshire Police have to provide a response to your 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. 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:

Please note:

The below data is for the period 01.01.2019 (00:00hrs) to 01.02.2023 (00:00hrs).

Wiltshire Police do not operate static or mobile speed cameras, therefore the below data relates to hand-held devices only.

The below data relates to Fixed Penalty Notices / Traffic Offence Reports issued, and also Niche offences (Court), for the below offences which have been progressed by the Force. Some of these offences may be included in the figures for both columns as if someone does not comply with a notice, or they request a Court hearing, this would then show in both columns.

Offence Code	Offence Description	Number of Notices Issued	Niche Offences
RR84019	Speeding - exceed 70 mph motorway limit - manned equipment	335	1326
RR84071	Speeding - passenger motor vehicle and trailer exceeding 60 mph - motorway - manned equipment	1	0
RR84130	Speeding - passenger motor vehicle and trailer exceeding 50 mph - single carriageway - manned equipment	2	0
RR84203	Speeding - exceed 5 / 18 / 20 / 30 / 40 / 50 / 60 mph limit for a goods vehicle - manned	15	7

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	equipment		
RR84205	Speeding - exceed limit for type of vehicle (not goods / passenger) vehicle - manned equipment	5	1
RR84210	Speeding - exceed 20 mph - Local Order - manned equipment	185	9
RR84211	Exceed 40 mph speed limit in contravention of a Local Traffic Order - manned equipment	639	124
RR84212	Exceed 50 mph speed limit in contravention of a Local Traffic Order - manned equipment	132	104
RR84213	Exceed 30 mph speed limit in contravention of a Local Traffic Order - manned equipment	4002	281
RR84214	Exceed 60 mph speed limit in contravention of a Local Traffic Order - manned equipment	8	2
RR84217	Exceed a temporary 30mph speed limit in contravention of a Local Traffic Order - manned equipment	1	2
RR84218	Exceed temporary 40 mph speed restriction in contravention of a Local Traffic Order - manned equipment	3	2
RR84219	Exceed temporary 50 mph speed restriction in contravention of a Local Traffic Order - manned equipment	2	6
SV77011	Speeding - motor vehicle exceed 70 mph on a dual carriageway - manned equipment	128	253
SV77015	Motor vehicle exceed 60 mph on single carriageway - manned equipment	75	82
Total		5533	2199

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

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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



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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.

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/>

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