

WILTSHIRE POLICE



XXXX – By email

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

Date 9th June 2025

Our Ref FOI 2025-343

Dear XXXX,

I write in connection with your request for information dated 25th March 2025, concerning driving without proper control of the vehicle.

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:

Under the Freedom of Information Act 2000, I would like to request the following information relating to the offence of driving without proper control of the vehicle (commonly associated with offence code CD10).

Please provide data for the last three calendar years: 2022, 2023 and 2024, with a monthly breakdown where possible.

Specifically, I would like to request the following:

Q1. The total number of cautions issued under the CD10 offence, broken down by month and year.

Q2. The total number of fixed penalties issued under the CD10 offence, broken down by month and year.

Q3. The total number of prosecutions initiated under the CD10 offence, broken down by month and year.

Q4. A full list or breakdown of all offences recorded under CD10 during this period.

Q5. Where available, any accompanying officer notes, incident descriptors, or free-text fields associated with CD10 offences.

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Q6. If possible, please indicate whether any of the CD10 offences were related to driving with pets in the vehicle (e.g. where the presence or behaviour of a pet may have contributed to the lack of control). This could include any relevant details recorded in officer notes or free-text fields.

Q7. Please indicate the number of fines issued under the CD10 offence during each period and where held, the total revenue generated from these fines, broken down by each month of each calendar year.

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.

The information you are requesting is not stored in a way which permits for easy retrieval. Unfortunately, our systems do not have a way of automatically filtering for this information and therefore, in order to locate the information that has been requested, we would be required to manually review each CD10 offence within the specified time period, of which there are over 1000.

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 note:

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.

Forces may use different recording systems, therefore it may be possible some Forces can provide this information where others cannot.

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 would advise you to contact HM Courts & Tribunals Service in respect of question 7, as they would hold fine information for these offences.

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.

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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,

Force Disclosure Decision Maker