



5th February 2019

Freedom of Information Request Reference N^o: FOI 000267/19

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 18th January 2019 in which you sought access to the following information:

For the calendar years of 2016, 2017 and 2018, please could you provide a yearly breakdown of how many driving-related offences were recorded in your constabulary for the following:-

- 1 A person sleeping while intoxicated in a vehicle.
- 2 A person beeping a horn for any reason other than alerting traffic of the driver's presence.
- 3 A person using the horn while the vehicle is stationary.
- 4 A person flashing their lights to warn other drivers of a speed trap.
- 5 A person driving too slowly.
- 6 A person applying makeup while driving.
- 7 A person allowing a passenger to cradle a baby in their arms while their vehicle is in motion.
- 8 A person allowing dirt to obscure their vehicle number plate.
- 9 A person failing to clear snow from their vehicle's roof when driving it.
- 10 A person resting on the hard shoulder.
- 11 A person driving in the fast motorway lane with a trailer/caravan adjoined to their vehicle.
- 12 A person swearing or making rude gestures to other road users while driving.
- 13 A person letting an animal roam free in their vehicle car (e.g. dog in passenger seat).
- 14 A person driving barefoot or in flip-flops.
- 15 A person driving with an unclear windscreen (such as a foggy windscreen in cold weather).
- 16 A person using an unfixed mobile phone as a SAT NAV while driving.
- 17 A person using a mobile phone to pay at a drive-through (using a phone while engine running).

Response to your Request

Norfolk and Suffolk Constabularies have considered your request and our response is below:-

When responding to a request for information under the terms of the Freedom of Information Act, a public authority is not obliged to provide information if the authority estimates that the cost of the retrieval of the information requested would be in excess of £450 (equivalent to 18 hours work).

The costs criteria relates to a request in its entirety, which means that if we cannot retrieve *all* of the information requested within the costs limit, we are not obliged to retrieve *any* of the information requested.

The Norfolk and Suffolk Constabularies estimate that to retrieve all the information you have requested would exceed cost in excess of £450 per force.

A number of your questions do not relate to offences which have specific offence codes and will be dealt with as one of the following:-

- Driving without due care and attention
- Driving without reasonable consideration for other road users
- Driving without due care and attention or without reasonable consideration for other road users
- Driving whilst not in proper control

During the 3 year period, there have been 376 offences recorded relating to 'not in proper control'.

Additionally, with regard to question 7, this is likely to be recorded as 'passenger not wearing a seatbelt', 'child not wearing a seatbelt' or possibly 'dangerous carriage of passengers'. During the period requested, there have been 1,082 of these offences recorded.

The circumstances of each of these offences would need to be reviewed in order to see if any hold information which are relevant to your questions listed above.

Based on 3-5 minutes each, this would exceed the appropriate limit for dealing with a Freedom of Information request, in terms of cost, and therefore Section 12(1) of the Freedom of Information Act applies.

Section 12(1) of the Freedom of Information Act states that a public authority is not obliged 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 Freedom of Information (Appropriate Limit and Fees) Regulations 2004, defines the 'appropriate limit' for the Norfolk and Suffolk Constabularies as £450 each, and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

Advice and Assistance

Although excess cost removes Norfolk and Suffolk Constabularies obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relevant to your request, which was 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.

Where a specific offence code exists in relation to your questions, please see the figures below:-

Traffic Offence Reports issued			
NORFOLK	2016	2017	2018
Drive a vehicle with registration mark obscured / indistinguishable	16	20	13
Keep a vehicle with registration mark obscured	1	1	0
Sound a horn / bell / gong / siren fitted to a vehicle whilst stationary on a road	3	1	0
Sound a horn / gong / bell / siren fitted to a vehicle in motion on a restricted road at night	1	0	0
Sounding unauthorised audible warning instrument on a vehicle	1	0	1
Use motor vehicle on a road when the glass was not maintained so as to afford the drivers unobscured vision	61	52	55

TOTAL	83	74	69
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SUFFOLK	2016	2017	2018
Drive a vehicle with registration mark obscured / indistinguishable	4	9	10
Keep a vehicle with registration mark obscured	0	0	1
Sounding unauthorised audible warning instrument on a vehicle	0	1	0
Use motor vehicle on a road when the glass was not maintained so as to afford the drivers unobscured vision	9	17	9
TOTAL	13	27	20

Please note, there are no motorways in Norfolk or Suffolk.

This response will be published on the Constabularies web-site under the Freedom of Information pages:-

<https://www.norfolk.police.uk/about-us/our-data/disclosure-log>

<https://www.suffolk.police.uk/services/freedom-information/disclosure-logs>

Should you have any further queries concerning this request, please contact Amanda Gibson, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;

<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 40 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW
OR
Email: freedomofinformation@norfolk.pnn.police.uk*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700