



## Freedom of Information Request Reference N°: FOI 002728-20

I write in connection with your request for information received by Suffolk and Norfolk Constabularies on 11 August 2020 which you sought access to the following information:

*"I would like to request the number of police vehicles written off in 2019, including the type of vehicle and cost of its replacement if known."*

### Response to your Request

The response provided below is correct as of 24 August 2020

Suffolk and Norfolk Constabularies have considered your request for information and the response is below.

A total of 12 Norfolk and Suffolk police vehicles have been written off during the 2019 calendar year. The make and models of those vehicles is provided below:

Make/Model	Total
Ford Fiesta	3
Ford Focus	5
Vauxhall Astra	4

The Constabularies do not provide individual costs of vehicle purchases as this would identify information that is commercially sensitive and is therefore exempt from disclosure.

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.

Section 17 of the Freedom of Information Act 2000 requires that Suffolk and Norfolk Constabularies, when refusing to provide such information (because the information is exempt) is to provide you, the applicant, with a notice ban which:

- (a) States that fact

- (b) Specifies the exemption(s) in question and
- (c) States (if that would not otherwise be apparent) why the exemption(s) applies.

The information is exempt from disclosure by virtue of the following exemption;

### **Section 43(2) – Commercial Interests**

Section 43 is a Qualified Class-Based exemption and I am therefore required to produce a Public Interest Test.

#### **Public Interest Test**

*(When applying a qualified exemption a public authority is required to consider whether In all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information'.)*

#### Considerations favouring disclosure

Where Public funds are being spent, there is a public interest in accountability and justification. In this case to provide documented figures for replacement prices will show we are open and transparent, one of the fundamental principles of the Act.

#### Considerations favouring non-disclosure

Third party interests might be jeopardised by the release of information that relates to sensitive commercial information and consequently could provide a competitive edge to other suppliers.

In this instance, to provide costs associated with individual vehicle costs that have been purchased would give competitors a significant and unfair commercial advantage over the current supplier, prejudicing the supplier's commercial interests.

#### **Balancing test**

The use of public funds is a strong factor favouring disclosure as it will identify that the Constabularies maintain effective centralised procurement to ensure the most cost-effective process.

However, to disclose information regarding costs for individual vehicles, will identify to other suppliers prices paid by the Constabularies, providing an unfair advantage in the procurement process. This would impact on commercial relationships, impeding tried and tested procurement processes, which would not be benefited by disclosure of this information.

On balance, the Public Interest favours non-disclosure as to do so may have implications to the processes in place within the Constabulary to enable such discounts.

Should you have any further queries concerning this request, please contact Clair Pack, 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 20 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  
Suffolk Constabulary  
Police Headquarters  
Martlesham Heath  
Ipswich  
Suffolk  
IP5 3QS  
OR  
Email: [information@suffolk.pnn.police.uk](mailto:information@suffolk.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 40 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](http://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