



Our Ref: 002757/20

Your Ref:

Address Correspondence to: Information Management

Date 26 August 2020

Freedom of Information Act 2000

I write further to your request for information received 19/08/2020.

I note you seek access to the following information:

1. *How many drivers have you charged (e.g. issued a fine/fixed penalty notice) with careless driving, broken down by calendar year, since 2013?*
2. *How many drivers have you charged (e.g. issued a fine/fixed penalty notice) for middle lane hogging offences specifically, broken down by calendar year, since 2013?*
3. *Please provide location/roads for all fines/penalties issued for careless driving (or the three roads where there have been the most careless driving offences) from 2019 and 2020 thus far broken down by calendar year*
4. *The total amount in income from any fines/penalties issued to drivers for 'careless driving' broken down by calendar year, since 2018?*
5. *The total amount in income from any fines/penalties issued to drivers for middle-lane hogging offences, broken down by calendar year, since 2018?*

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

Please see the attachment to the Email which relates to Traffic Offence Reports issued by Officers for Careless Driving (Row 1). Middle lane hogging would probably fall under the category of inconsiderate driving (row 2) however, without reading the circumstances of each file this cannot be confirmed. To provide this information would invoke a section 12 exemption as it would be necessary to check every file.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire 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(s) applicable to the information are as follows.

Section 12 – Cost of compliance exceeds appropriate limit.

In order to retrieve the information you have requested would therefore be in excess of the 18 hours specified by the Home Office as the time period for which a police force should allocate to a request under the Freedom of Information Act 2000.

In the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, the current regulatory limit which has been set by the Secretary of State for public authorities, which includes the police service, is £450 for the marginal costs which are the costs of finding, sorting, editing or redacting information and disbursements (printing, photocopying etc). The Association of Chief Police Officers have agreed a national standard of an hourly rate of £25 is to be charged for the time taken. In essence therefore, the costs equate to 18 hours work per request. It will be apparent therefore that within the time frame of 18 hours it will not be possible to extract the information to answer any of your questions.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under s12(1) as the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the “appropriate level” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force’s full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer

Leicestershire Police

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