



Our Ref: 003912/20

Your Ref:

Address Correspondence to: Information Management

Date 21 December 2020

I write in connection with your request for information under the Freedom of Information Act 2000 (FOIA), received on 24/11/2020 in which you requested the following information: -

I would like to make a FOI request about the number of gatherings dispersed by the police for exceeding the relevant limits/restrictions during the COVID period from March 16, 2020 to the most recent possible date (November 2020 onwards), categorised by the amount of people over which the gathering had violated the rules (for example if since November 5th a gathering of 7 people in a household had occurred where 1 person was neither living in that household nor in that household's bubble, then this would be in the lower category, whereas if a gathering of 206 people had occurred in a pub, when pubs were open and gatherings were limited to 6 people, then it would fit into the relevant category containing 200 people in excess of the limits at the time).

I can confirm, pursuant to s1(1)(a) of FOIA that this Force does hold the information you have requested.

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.

Leicestershire Police would be required to manually review 1244 incidents relating to COVID-19 in order to provide the information you have requested. This is because where any attendance for a COVID-19 related report (gathering or otherwise) has not resulted in a fixed penalty this incident will have been closed with a COVID-19 code, therefore it will not be possible to easily identify those where a gathering was dispersed and no FPN issued, pursuant to your request. This manual review would take in excess of 18 hours.

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.

Section 16 - Duty to Assist

Whilst Leicestershire Police cannot fulfill your specific request for the reasons detailed above, we can confirm that Leicestershire Police have issued 116 fixed penalty notices relating to people attending gatherings between 23rd March 2020 and 24th November 2020. We have broken these down into individual offences below:

7 x (LEICS ONLY) Participate in a group of two or more persons in a private dwelling in the protected area of Leicester City Council

27 x (LEICS ONLY) Participate in outdoor group in public or private place in Leicester during coronavirus emergency period

2 x (TIER 1) Participate in gathering of six or more persons in the Tier 1 area

1 x (TIER 2) Living in Tier 2 area participate in gathering of two or more persons which takes place indoors being outside the area

4 x (TIER 2) Participate in gathering of two or more persons which takes place indoors in the Tier 2 area

6 x Participate in gathering in outdoor place of more than two people in England – coronavirus

2 x Participate in gathering in public of more than two people in England during coronavirus emergency period

24 x Participate in gathering in public outdoor place of more than two people in England - coronavirus

2 x Participate in gathering indoors, in Public or Private place of more than two persons in England during coronavirus emergency period

13 x Participate in gathering of more than six people in any place during emergency period in England

27 x Participate in indoor gathering in England – coronavirus

1 x Participate in rave type gathering indoors of more than six people during emergency period in England

There have also been 8 fixed penalty notices issued for organisation of gatherings:

1 x (TIER 2) Hold / involved in holding a gathering of more than 30 people in private dwelling in the Tier 2 area

3 x Hold / involved in holding a gathering of more than 30 people on land in public outdoor place during emergency period

1 x Hold / involved in holding a rave type gathering of more than 30 people indoors during emergency period

3 x Hold / involved in holding gathering of more than 30 people in private dwelling during emergency period in England

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to the 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