

Our Ref: 008999/16



Freedom of Information Section
Nottinghamshire Police HQ
Sherwood Lodge, Arnold
Nottingham NG5 8PP

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

16 January 2017

Dear

Request under the Freedom of Information Act 2000 (FOIA)

I write in connection with your request for information, which was received by Nottinghamshire Police on 09/12/2016.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

RESPONSE

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold the information you have requested.

Please find below answers to your questions:-

¿ ***How many motorists did your police force stop and breathalyse each of the months below?***

¿ ***How many of those motorists for each month tested positive?***

For each Month from 2013 to 2016

December 2013 to November 2016

If there is a possibility the request exceeds the Section 12 limits of the act, can you provide assistance in narrowing my request to within practical limits.

Please see table of results below:

	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Total
All Force	964	800	816	890	1150	947	1060	940	1011	1006	994	1895	12473
Pos/Ref	87	87	97	110	128	112	105	108	94	94	84	97	1203

	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Total
All Force	989	923	1002	1014	1099	1245	1038	1056	1024	1264	1307	1613	13574
Pos/Ref	86	89	67	90	96	90	107	121	106	116	116	120	1204

	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Total
All Force	997	775	807	813	751	1038	766	744	713	802	805	1018	10029
Pos/Ref	95	100	113	109	97	120	94	95	82	129	132	111	1277

	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Total
All Force	796	604	743	687	711	757	741	590	587	682	638		7536
of which Pos/Ref	122	63	90	93	52	106	115	89	82	118	93		1023

- ¿ **How many resulted in convictions for drink driving?**
- ¿ **How many of these lost their driving licence?**

For each Month from 2013 to 2016

December 2013 to November 2016

This information is not recorded in an easily retrievable format. Convictions are recorded on an individual's conviction record held on the Police National Computer. Therefore, to locate, retrieve and extract the requested information requires a manual search of all records held in relation to positive breath tests to establish the offender's details and then conduct cross reference checks against the PNC to establish whether that individual had obtained a conviction. Information provided at question 1 of your request identifies that there are 4707 records relating to positive or refused breath tests which would be required to be searched.

It is estimated that to search one record and conduct the necessary cross reference checks would take approximately 15 minutes which would equate to approximately 1176.75 working hours. This takes the request over the cost threshold of 18 working hours and engages Section 12 (1) of the Act.

This letter constitutes a refusal notice under Section 17(5) of the Freedom of Information Act 2000 with Section 12(1) of the act being applied

12. – (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.

Should you wish for the Force to continue with your request, a more accurate figure will be provided within a fee's notice. The cost will need to be paid by you, prior to any further investigation. Please advise if you wish to proceed.

Alternatively you are invited to refine your request to bring it within the cost threshold – however, it is unlikely that such a refinement would bring the request within the cost threshold. It is more likely that this information could be better sourced from the Courts Service.

Under Section 12 of the Act, once one part of your request exceeds the cost threshold we are not obliged to provide any of the requested information. However, we are happy to provide you with that information as stated above which was able to be retrieved within the cost threshold.

Complaints Rights

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

Copyright

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9672507 or e-mail freedomofinformation@Nottinghamshire.pnn.police.uk quoting the above reference number.

Yours sincerely

Disclosure Officer

Are you dissatisfied with your response?

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;

How do I appeal?

All appeals should be made in writing and sent to:-

Information Management
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Notts
NG5 8PP

or alternatively freedomofinformation@nottinghamshire.pnn.police.uk

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

What if I'm still not satisfied?

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: casework@ico.org.uk