

Our Ref: 005566/16



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 25/07/2016.

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:-

Under the Freedom of Information Act 2000, please could you provide me with a list of all vehicles in use by Nottinghamshire Police?

For each vehicle please include the following:

- ¿ Make and model of vehicle***
- ¿ If the vehicle is owned or leased***
- ¿ Which team or department the vehicle is primarily used by***
- ¿ Which location the vehicle is primarily based at***
- ¿ When the procurement contract for each vehicle is set to expire or be renewed.***

This information is not recorded in an easily retrievable format. To locate, retrieve and extract the requested information requires a manual search of all records held in order to ascertain the details of each vehicle. Each vehicle record would need to be searched individually as we would need to ascertain

the year of each of each vehicle and, with the age profile of our fleet, as Manufacturers constantly change models we would need to look at each marque to assess the numbers of each model. Any relevant information would then need to be extracted in order to be disclosed. We may also need to consider operational sensitivity disclosing information about the vehicles used by each division. At the moment the total fleet is approximately 600 vehicles. Also the number of hires and types of vehicles can and will change from this number as the contracts are on-going.

We estimate that it would take approximately 5-6 minutes per record to search which, at the most conservative, would equate to approximately 50 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 – I can advise that we may be able to retrieve information relating to make and quantities of types of vehicle (i.e. 118 x Ford Focus / 66 Ford Fiesta etc.)

Nottinghamshire Police are unable to provide this information in relation to your request with regard to any covert vehicles as this information would be exempt by virtue of Section 31(1) Law Enforcement of the Freedom of Information Act 2000.

Section 31(1) are prejudice based qualified exemptions which requires the prejudice (harm) to be evidenced and a public interest test to be carried out.

Upon completion of this process I am then required to ascertain where the balance in compliance with both my duty to confirm or deny that information exists and/or in disclosure of any relevant information. Please see below.

31. – (1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice –

- a) the prevention or detection of crime
- b) the apprehension or prosecution of offenders

Overall Harm for Section 31(1)(a)(b)

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. In order to achieve these objectives police forces rely on intelligence from a variety of different sources.

The release of data relating to any possible covert could provide criminals with information that could be used to aid them in the commission of offences or evading detection. The release of information may harm operations and policing tactics.

The prevention and detection of crime is the foundation upon which policing is built and the Police Service has a clear responsibility to prevent crime, arrest those responsible for committing crime or those that plan to commit crime. However, there is also a duty of care to the public at large and to disclose information which could assist criminals has potential to undermine the operational integrity of operations and will adversely affect public safety.

Public Interest Considerations

Section 31

Considerations favouring disclosure

One of the underlying principles of the Freedom of Information Act is the need for authorities to be more open and transparent. In this case, to disclose information relating to numbers of vehicles used would reassure the community that the Police was constantly exploring all possible avenues to work towards the prevention or detection of crime; the apprehension or prosecution of offenders and also to protect the public.

Considerations favouring non-disclosure

Disclosure of the information may enable individuals or criminal organisations to identify information that could be used to aid them in the commission of offences or evading detection. Should this happen this would undermine on-going investigations, reveal policing techniques, risk the identification of individuals and risk undermining National Security in relation to National Policing systems.

Balance Test

The Police Service will not divulge information if to do so would prejudice National Security, place the safety of any individual at risk or undermine the rule of law and order. Whilst there is a public interest in the transparency of policing operations, and in this case, how a force conducts investigations, use of resources and steps taken, there is a very strong public interest in safeguarding the operational integrity of the police in this highly sensitive area, as a breach of this will adversely affect public safety and have a negative impact on both national security and law enforcement. Knowing that the

delivery of law enforcement is appropriate and balanced will only be overridden in exceptional circumstances. It is our opinion that for these issues the balancing test for disclosure is not made out.

This letter constitutes a refusal notice under Section 17(1) of the Freedom of Information Act 2000 with Section 31(1)(a)(b) being applied.

Please can you also confirm when the next cycle of vehicle procurement will begin or if this is an ongoing process.

Our Vehicle Contract expires in 2026

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