

Our Ref: 005343/20



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

**Tel:** 0115 967 0999  
**Ext** 318 0888  
**Fax:** 0115 967 2896

28 September 2020

**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 17/08/2020.

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.

***I would be grateful if you could please provide the following information under the Freedom of Information Act:***

***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?**

**Please prioritise your response to the questions in the order asked i.e. if time constraints do not allow for all questions to be answered, please answer Q1 first.**

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. To locate, retrieve and extract any information would require every penalty notice submitted for the time period requested by the applicant to be manually reviewed, to locate any issued in relation to the offence of careless driving specifically 'middle lane hogging' as there is no specific qualifier for this type of offence to separate it from other careless driving offences to which there are 2458 records relating to the offence 'Drive a mechanically propelled vehicle on a road / in a public place without due care and attention' over the time period specified by the applicant.

It is estimated that to search one record would take approximately 5 minutes which would equate to approximately 205 working hours (for 8 years' worth of records). 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 – perhaps by reducing the number of years you require data for, and resubmitting the request.

In accordance with the Act, once one part of the request is excess cost the whole request exceeds the cost threshold. However, in the spirit of the Act, we have provided the information which we were able to retrieve in relation to the other parts of your request.

**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?**

Answer: - 2458 - Drive a mechanically propelled vehicle on a road / in a public place without due care and attention

Year	Total
2013	5
2014	586
2015	478
2016	378
2017	268
2018	311
2019	283
2020	149

This letter constitutes a refusal notice under Section 17 (5) of the Freedom of Information Act 2000.

### **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 9670999 Ext 318 0888 or e-mail [freedomofinformation@Nottinghamshire.pnn.police.uk](mailto:freedomofinformation@Nottinghamshire.pnn.police.uk) quoting the above reference number.

Yours sincerely



Electronically signed on behalf of Information Request Team

## **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](mailto: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.

**Your request for review must be received within 28 calendar days of your response. If your request for review is not received within this time period a review will not be considered.**

## **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](mailto:casework@ico.org.uk)

Website: <https://ico.org.uk/>