

Our Ref: 004506/15



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

**Tel:** 101  
**Ext** 800 2507  
**Fax:** 0115 967 2896

04 August 2015

**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 07/07/2015.

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 some of the information you have requested.

Please find below answers to your questions:-

***I would like to submit a request for information regarding the eviction of a Mr Tom Crawford from his home at Fearn Close on the 2nd of July 2015.***

***The information I require is:-***

***a) the number of police officers involved in the eviction, not only those from Nottingham but also any brought in from other forces.***

Operation Whooper which took place on 2 July 2015 was a Policing Operation to prevent a breach of the peace and facilitate lawful protest during the repossession proceedings at 3 Fearn Chase, Carlton, Nottingham. It was not an operation to 'assist in the eviction'.

Nottinghamshire Police have previously responded to a similar request received under the Freedom of Information Act and our response to this is available to view on our website via the following link:



<http://www.nottinghamshire.police.uk/sites/default/files/documents/files/FOI%20004440%2015.pdf>

Please note that you must hold Ctrl and click on the above link to enable it to open.

This information is therefore exempt from disclosure under Section 21 of the Act: Information Reasonably Accessible by other means.

This letter constitutes a refusal notice under Section 17 (1) of the Freedom of Information Act 2000 with Section 21(1) of the act being applied.

**21.** – (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1) –

- a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2) b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

***b) the total and itemised cost of the above police officer's attending the eviction.***

Nottinghamshire Police have previously responded to an almost identical request received under the Freedom of Information Act and our response to this is available to view on our website via the following link:

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**21.** – (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1) –

- c) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- d) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2) b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

***c) The total police man hours so far spent on this civil matter, from the time of the police involvement up to the eviction date and its cost.***

Information not held. This information is not recorded as the majority of work with regards to the planning of the Policing Operation will have taken place as part of normal Officer's day to day duties and is therefore not recorded specifically with regards to this operation.

### **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](mailto: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](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.

### **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)