

FOI 2021-324

I write in connection with your request for information dated 8 April 2021 concerning correspondence noisy motorbikes.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requester. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Following receipt of your request, searches were conducted within the Office of the Police and Crime Commissioner (OPCC). I can confirm that the information you have requested is held by the Police and Crime Commissioner.

You wrote:

- 1) How many operational noise monitoring devices are held by Wiltshire Police?
- 2) The rules/procedures that govern their use.
- 3) The number of prosecutions for excess motor bike noise made in Wiltshire during the last 5 years.

Response:

The information that you are requesting regarding Question Three is not stored in a way which allows for easy retrieval. Wiltshire Police do not have the search facility to automatically gather this type of information. Therefore to ascertain this information for the requested time period, it would require manually searching and reading each and every vehicle offence and miscellaneous crime against society offence individually to determine if they related to excess motor bike noise and then if it stated whether there was a prosecution or not.

I have been advised by our Team Performance Department that this would be at least 21 thousand Occurrences to review.

Under the circumstances I am confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it. Therefore, the whole of the request falls under the exemption of section 12 of the Freedom of Information Act 2000.

Ordinarily under our Section 16 duty to provide advice and assistance, I would advise you of a way to refine your request to a more manageable level. However, due to the difficulties outlined above, I cannot see how this could be achieved in this case.

Section 17 of the Freedom of Information Act 2000 requires the Wiltshire 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 applicable to the information requested is:

Section 12: Exemption where cost of compliance exceeds appropriate limit

(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.

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this request.

