

FOI – 620/13

I write in connection with your request for information dated 6th December 2013 concerning your correspondence with the Police and Crime Commissioner.

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 in part by the Police and Crime Commissioner.

Your request has now been considered and it is not possible to meet your requirements in full.

You wrote:

1. How long had the PCC 'understood my personal views in relation to speeding' (quote from his handwritten letter).
2. Where did the idea arise that the requests in our joint letter sent on 05 February 2013 represented my views?
3. Why was our joint letter ignored, despite repeated reminders over a period of eight months?
4. Is there any possibility our joint letter will now be properly staffed and answered?
5. Since the PCC is presumed to have a duty to follow the law and act on behalf of the public good, if the answer to 4 above is no, you owe us all the explanation as to why. (Comment) The perception that these concerns represent only my personal views is flawed. Mrs Mayhew and I represent and pursue the interests of the overwhelming majority of residents in our area and our correspondence is released with their collective knowledge and consent.
6. See at end below:

Please note:

In *R v G* [2003] UK HL 50 Lord Bingham said with respect to inadvertence: It is clearly blameworthy to take an obvious and significant risk of causing injury to another. But it is not clearly blameworthy to do something involving a risk of injury to another if one genuinely does not perceive the risk. Such a person may fairly be accused of stupidity or lack of imagination, but neither of those failings should expose him to conviction of serious crime or the risk of punishment. For the past four years our concern here is caused because nobody with any authority to act on our behalf has bothered to come here to perceive or perhaps to feel, the daily risks to life.

Some action on this paragraph, taken from DfT document 1/2013, is what is sought:
26. Where there is poor compliance with an existing speed limit on a road or stretch of road the reasons for the non-compliance should be examined before a solution is sought. If the speed limit is set too low for no clear reason and the risk of collisions is low, then it may be appropriate to increase the limit. If the existing limit is in place for a good reason, solutions may include engineering measures or changes to the road environment to ensure it better matches the speed limit, or local education and publicity. Enforcement may also be appropriate, but should be considered only after the other measures and jointly with the police force.

6. How is this to be achieved from an 'organisation' (comprising Wiltshire council, the local highways Authority and the police) when all fail to act together or take a lead to achieve joint action?

Response

1. No information held. There is no record held by the OPCC of how long the PCC had 'understood your personal views in relation to speeding'.

2. No information held. No record is held relating to this question.

3. No information held. There is no record of why your original letter was not responded to.

4. A letter from the Commissioner is being sent to you separately.

5. See above.

6. No information held.

I am satisfied that all the relevant information has been passed to be, and been considered in the light of your request, within the time constraints applicable under the legislation.