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Mr T Behr

Sent by email to request-44378-
e0ce08a0@whatdotheyknow.com

Please ask for: Sarah Rhoden
Contact number: 0344 800 8020

Your ref:
My ref:

BSD/SJR/FOI690

23 August 2010

Dear Mr Behr

**Freedom of Information Act 2000 and Environmental Information Regulations 2004
Release of Information**

I am writing to confirm that Norfolk County Council has now completed its search for the information relating to driver improvement schemes that you requested on 12 August.

In accordance with the provisions of the Freedom of Information Act 2000, I have now processed your request. Each element of your request is shown in **bold** below, along with our response.

A. This is a question relating to your driver improvement schemes offered in place of a fixed penalty speeding charge, if you have such a scheme. Please could you provide information relating to:

A1. confirmation of its existence

We confirm that this scheme operates in Norfolk.

A2. cost of participating in this course

£70.

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A3. year of inception

The County Council has a contract with Norfolk Police to deliver this course on their behalf. The contractual arrangement started in June 2008, following a competitive tendering process. We do not hold any information about the year of inception of this course, and you may wish to contact Norfolk Police direct to request this information.

A4. details of who administers any such scheme

The Driver and Rider Development Team in the County Council's Casualty Reduction Section.

A5. details of who delivers the scheme

The Driver and Rider Development Team in the County Council's Casualty Reduction Section.

A6. details of how income is distributed, including beneficiaries of any or all income

The £70 course fee is allocated as follows:-

- £50 – Norfolk County Council
- £15 – Norfolk Police
- £5 – Road Safety Solutions

The County Council uses it's share of the fee to pay for the administration and operation of the scheme. Any surplus is retained by the County Council and ring fenced for spend on casualty reduction measures/schemes/projects in Norfolk. Norfolk Police use their share of the fee to cover their administration costs.

B. For each accounting year since inception, please provide:

B1. numbers of people participating in the driver improvement scheme each year including the most recent available figure;

The number of courses delivered to individuals by the County Council is as follows:-

- 1 June 2008 to 31 May 2009 – 7,100
- 1 June 2009 to 31 May 2010 – 10,709

We do not have any information on the number of courses delivered prior to June 2008, and you may wish to contact Norfolk Police direct to request this information.

B2. an annual breakdown of income;

An annual breakdown of income is provided below

- 1 June 2008 to 31 May 2009 – 7,100 x £70 = £497,000
 - Norfolk County Council allocation – 7,100 x £50 = £355,000
 - Norfolk Police allocation – 7,100 x £15 = £106,500
 - Road Safety Solutions allocation – 7,100 x £5 = £35,500

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- 1 June 2009 to 31 May 2010 – 10,709 x £70 = £749,630
 - Norfolk County Council allocation – 10,709 x £50 = £535,450
 - Norfolk Police allocation – 10,709 x £15 = £160,635
 - Road Safety Solutions allocation – 10,709 x £53,545

We do not have any information on income for courses delivered prior to June 2008, and you may wish to contact Norfolk Police or Road Safety Solutions direct to request this information.

B3. details of how income is spent or distributed, with annual breakdown;

See A6 and B2 above.

4. confirmation of who receives this income, with details of where this information is publicly accessible;

See A6 and B2 above.

5. confirmation of where this income appears in the accounts/budgets;

The County Council's income is shown in the Council's income and expenditure account against the 'Highways, Roads and Transport Services' heading. The Council publishes it's statement of accounts each year on it's website at

http://www.norfolk.gov.uk/Council_and_democracy/Council_tax_and_finance/Statement_of_accounts/index.htm

We do not hold any information on where income appears in the accounts/budgets of Norfolk Police or Road Safety Solutions. You may wish to contact these organisations direct to request this information.

6. if the council receives all the income, clarification of how the local police service is compensated for loss of income from fixed penalty fines;

See A6 above.

7. year by year cost of administering and delivering these courses;

In accordance with the FOI Act 2000 this letter acts as a Refusal Notice for this element of your request. The reason for this refusal is set out below.

8. which department of local administration is responsible for budgets relating to the driver improvement courses;

The Environment, Transport and Development Department.

9. copies of accounts where driver awareness course revenue and expenditure is detailed.

In accordance with the FOI Act 2000 this letter acts as a Refusal Notice for this element of your request. The reason for this refusal is set out below.

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Information about why elements of your request are refused

Exemption applied – Commercial Interest

Section 43(2) of the Freedom of Information Act provides that “information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it)”.

Reason why the exemption applies

The County Council currently has a contract with Norfolk Police to provide a driver improvement scheme. This contract was awarded through a competitive tender process and is for a fixed term. It is anticipated that Norfolk Police will carry out a further competitive tender process to award a new contract to provide this service after the current contract expires. It is also anticipated that the County Council would want to submit a tender for consideration as part of this process.

On this basis, it is considered that the information you have requested is commercially sensitive in that release of the information could impact on the Council’s ability to effectively participate in any future competitive tendering process.

Public Interest Test Reasons

The County Council has concluded that the public interest in maintaining this exemption outweighs the public interest in disclosure. This decision is based upon the following reasons:

There is a strong public interest in the County Council being able to submit a competitive tender for any future driver improvement schemes. Such schemes can form an integral part of our casualty reduction remit and also bring revenue into the council.

The details being withheld would be key factors in the pricing of any future bid we submit. Releasing these into the public domain would allow competitors to gain an insight into how we may price a future bid, consequently placing us at a disadvantage in the procurement process. This would not be in the public interest and the consequences of releasing this specific data in this case therefore outweigh the general public interest in knowing details of the council’s expenditure and operations.

You have the right of appeal through the Council's internal complaints procedure by setting out the grounds of your appeal in writing to the Freedom of Information Officer at:

Freedom of Information & Data Protection Unit
The Archive Centre
Martineau Lane
Norwich NR1 2DQ
e-mail: foi@norfolk.gov.uk
Telephone: 01603 222661

It would be helpful if you could quote the reference number **FOI 690** if you need to contact us again.

Yours sincerely

A handwritten signature in blue ink that reads "Sarah Rodden". The signature is written in a cursive, flowing style.

Support Manager

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