

Information Compliance and Disclosure Section
Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB
Tel: 01772 412144
Email: information@lancashire.pnn.police.uk



Kevin Blowe
Sent via email to: request-394852-3c63a819@whatdotheyknow.com

Date: 7th April 2017

Dear Kevin Blowe

FREEDOM OF INFORMATION APPLICATION REFERENCE NO: ICDS/FOI/001619/17

Thank you for your request for information received by Lancashire Constabulary on 13/03/2017 which was as follows:

A report in The Times on 11 March 2017 about opposition to the Cuadrilla drill site near Blackpool stated that "after complaints to the Home Office by local pro-business leaders, Lancashire Police are taking a tougher line with the protesters, some of whom are anti-capitalist activists."

<http://www.thetimes.co.uk/edition/news/fracking-farmer-refuses-to-be-intimidated-tvqlc5hqw>

Please can you provide copies of any correspondence Lancashire Police has received from either local business organisations or the Home Office regarding the protests at Preston New Road since the start of January?

Your request has now been considered and the information you are seeking cannot be provided at this time.

Please be advised copies of any correspondence received from local business organisations or the Home Office regarding the fracking protests has been deemed to be exempt from disclosure under the Freedom of Information Act 2000 by virtue of the following listed exemption:

31(1)(a) – Law Enforcement

Section 31 is a qualified and prejudice based exemption and there is therefore a requirement to articulate the harm that would be caused in disclosure as well as carrying out a public interest test. Details of these considerations can be found below.

Evidence of Harm

It must be remembered that any disclosure under Freedom of Information is a disclosure to the world. Therefore whilst not questioning the motives of the applicant, disclosure of this information, could be used by those intent on committing crime to target individual businesses. The issue of fracking is a sensitive one and those being affected by the protests may have written to the police in confidence and would not be willing for those issues to be shared in the public domain as to do so would make them vulnerable.

Factors Favouring Disclosure – Section 31

The police force is funded by the public and therefore it is important to be open and transparent. In the interests of transparency the disclosure of these documents would lead to a better informed public debate regarding a sensitive topic such as fracking, as the documents would display how the fracking

protests are affecting local businesses.

Factors Not Favouring Disclosure – Section 31

Disclosure of such letters could put local businesses in danger with anti-fracking protesters targeting their premises and creating an increase in crime.

Furthermore, if local businesses wrote to Lancashire Constabulary in confidence and thought the same would be released into the public domain, public confidence levels could be affected. This could then cause an increase in crime as crimes go unreported, the public taking matters into their own hands and the police having to find new methods of obtaining information which are more time consuming and costly to the force.

Balance Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The Police Service will never divulge information if to do so would compromise the policing purpose in the effective delivery of law enforcement.

Whilst there is a public interest in the transparency of Lancashire Constabulary and informing the public of concerns surrounding fracking and protests, we are of the opinion that the public confidence gained by releasing the requested information is outweighed when balanced with the potential impact it could have on law enforcement.

This letter serves to act as a refusal notice for this part of your request, as per S.17 (1) of the Act.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request an internal review of our decision, you should write to the Information Assurance Manager, Information Compliance and Disclosure Section, Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB or alternatively send an email to information@lancashire.pnn.police.uk. Details of the Constabulary's Freedom of Information Complaint Procedures can be found attached to this email.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner's Office cannot make a decision unless you have exhausted the complaints procedure provided by Lancashire Constabulary. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Compliance Team

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