



## Information Management

### Freedom Of Information

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Website: [www.westyorkshire.police.uk](http://www.westyorkshire.police.uk)

Our ref: FOI 1199/19

Date: 26/04/2019

Dear Alex C,

Thank you for your request for information, received by West Yorkshire Police on 21/02/2019.

You requested the following information:

For the sake of this FOI request, the term "speed camera(s)" applies to any fixed speed enforcement camera excluding any traffic light cameras or other cameras that do not have the ability to calculate a vehicles passing speed.

- 1) Whether or not the 4 speed cameras located on the A65 Coutances Way near Ilkley (Numbers 168, 169, 170 & 171) are currently in use to enforce speed, and if so I also request information regarding the:
- Speed of a vehicle needed to trigger the camera (not just the speed limit of the road),
  - Frequency the film is collected as I believe they are Gatso cameras (may be incorrect)

The speeds which are used to activate cameras are set in line with NPCC guidance, a copy of which can be viewed in the link below:

<http://library.college.police.uk/docs/appref/ACPO-Speed-Enforcement-Guidance.pdf>

West Yorkshire Police is unable to provide you with any further information in relation to this question, as it is exempt by virtue of Section 31(1) – Law Enforcement. Please see Appendix A for the full legislative explanation.

- 2) In addition to this I would like to see the calibration certificates for the four cameras mentioned above (168,169,170,171)

We are unable to identify the correct calibration certificate for these cameras unless a specific date/time is provided, as the cameras move around the housings across the force area.

3) Finally I request information regarding:

- The amount of motorists caught during previous years between the four speed cameras mentioned above

West Yorkshire Police introduced our current recording system in early 2013. The table below shows the number of offences recorded each calendar year from 2013.

Year	Offences
2013	81
2014	97
2016	179
2017	144
2018	8
2019	7
<b>Grand Total</b>	<b>517</b>

- The total revenue obtained from issuing fines to motorists caught speeding on that stretch of road over the past few years

Her Majesties Courts and Tribunal Service deal with the collection of money from any fines, therefore this information is not held by West Yorkshire Police.

Unfortunately West Yorkshire Police is unable to provide you with some of the information requested. Please see Appendix A for the full legislative explanation.

#### COMPLAINT RIGHTS

If you are not satisfied with how this request has been handled or with the information provided, please read the advice notice attached to this letter. If you do wish to take up your right of complaint, please remember to quote the reference number above, in any future correspondence.

Yours sincerely,

Kirsti Kaye  
Disclosure Officer

## **Appendix A**

The Freedom of Information Act 2000 creates a statutory right of access to information held by public authorities. A public authority in receipt of a request must, if permitted, state under Section 1(a) of the Act, whether it holds the requested information and, if held, then communicate that information to the applicant under Section 1(b) of the Act.

The right of access to information is not without exception and is subject to a number of exemptions which are designed to enable public authorities, to withhold information that is unsuitable for release. Importantly the Act is designed to place information into the public domain. Information is granted to one person under the Act, it is then considered public information and must be communicated to any individual, should a request be received.

### **DECISION**

Your request for information has been considered and I regret to inform you that West Yorkshire Police cannot comply. This letter serves as a Refusal Notice under Section 17 of the Freedom of Information Act 2000.

Section 17 of the Act provides:

(1) A public authority which, in relation to any request for information, is to any extent relying on a claim that information is exempt information must, within the time for complying with Section 1(1), give the applicant a notice which:-

- (a) States the fact,
- (b) Specifies the exemption in question, and
- (c) States (if that would not otherwise be apparent) why the exemption applies.

### **REASONS FOR DECISION**

The reason that we are unable to provide you with this information is covered by the following exemptions:

#### **Section 31(1) – Law Enforcement**

In relation to the above qualified and prejudice based exemption I am obliged to conduct a public interest test on the information held, and evidence the harm in disclosure. Here are my considerations:

#### **Harm**

The presence of speed cameras has had a positive impact upon road safety. It is widely known that speed cameras are not always active and the Police rely on the perception by drivers that a camera may be active and would therefore influence drivers to adjust their speed so as to not contract a fine. If the details that a specific camera location is operational or not were released, this would diminish their road safety effectiveness. It would encourage speeding and individuals would gamble on the chance that the cameras may or may not be operational. This would endanger the lives of other road users and pedestrians.

#### **Factors favouring disclosure**

Disclosure would adhere to the basic principle of being open and transparent and would allow for a more accurate public debate. It would also inform the public how the West Yorkshire Casualty Reduction Partnership tackles the issue of road safety, and confirm where speed is being enforced at camera locations.

#### **Factors favouring non-disclosure**

Information relating to whether a speed camera is currently in use to enforce speed, and the frequency at which camera film is collected is operationally sensitive. To disclose such information would not only

undermine the policing purpose, but would also encourage drivers to exceed the speed limit, breaking the law, making roads unsafe, and undermining the deterrent effect of speed cameras.

**Balancing Test:**

The Police Service is tasked with enforcing the law and protecting the community we serve and there is a public interest argument in ensuring we are open and transparent with regard to all areas of Policing. The ability of West Yorkshire Police to conduct such work is crucial to the principles of prevention and detection of crime, and keeping safer roads. It is therefore our opinion that the balance lies in favour of non-disclosure of the information at this time.

**Please note that police forces do not use generic systems or identical procedures for capturing the data. For these reasons this response to your questions, should not be used for comparison purposes with responses you may have received from other police forces.**

## COMPLAINT RIGHTS

1. Are you unhappy with how your request has been handled or you think the decision is incorrect?

You have the right to request that West Yorkshire Police review their decision. Prior to lodging a formal complaint, we encouraged that you discuss the decision with the case officer that has dealt with your request.

2. Ask to have the decision looked at again

The quickest and easiest way to have the decision looked at again, is to telephone the case officer that is nominated at the end of your decision letter. That person will be able to discuss the decision, explain any issues and assist with any problems.

3. Complaint

If you are dissatisfied with the handling procedures or the decision of West Yorkshire Police, made under the Freedom of Information Act 2000 regarding access to information, you can lodge a written complaint to have the decision internally reviewed.

A West Yorkshire Police internal review of your decision, will be carried out by a senior member of staff who is fully trained in interpreting Freedom of Information legislation. The review will be independent conducted, regardless to the original decision made.

Complaints will only be treated as valid, if they are received by West Yorkshire Police within a 60 day timeframe from the date of the decision letter. They must include the original FOI Reference Number and can only be submitted in writing, by using the following contact details:

foi@westyorkshire.pnn.police.uk

or

West Yorkshire Police  
FOI Internal Reviews  
PO Box 9  
Laburnum Road  
Wakefield  
WF1 3QP

In all possible circumstances, West Yorkshire Police will aim to complete and respond to your internal review within 20 working days. However this date may be extended in exceptional circumstances, by another 20 working days.

4. The Information Commissioner

If you are still dissatisfied with the internal review decision, made by West Yorkshire Police. You can then make an application to the Information Commissioner, for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at [www.ico.gov.uk](http://www.ico.gov.uk).

Alternatively, you can phone their helpline or write to them at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
FOI Help Line: 0303 1231113