

Data Protection Office

Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB

Tel: 01772 413203 / 412144

Email: FOI@lancashire.police.uk



Agnes Elong

Sent via email to: request-752017-2f329c64@whatdotheyknow.com

Date: 1 June 2021

Dear Ms Elong

FREEDOM OF INFORMATION APPLICATION REFERENCE NO: DPO/FOI/001467/21

Thank you for your request for information received by Lancashire Constabulary on 30/04/2021 which was as follows:

Q1 Can you please give me the list of the Lancashire Constabulary Vehicle Fleet from 2006-2013.

-Date: 2006-2013

-Model Year

-The Vehicle Make & Model

-Type of Vehicle (Including Van's Wheelbase and Roof Size) -Number of Doors (Example: 3-Door, 5-Door etc) -The Role of the Vehicle (Including Firearms Unit) -Marked or Unmarked -The Year the Vehicle was Commissioned -The Year the Vehicle was Decommissioned

Part 2

Q2 Is it true that the Firearms Unit used these vehicles as Armed Response Vehicles in past? (Yes or No For Each Vehicle).

1993-1997 Volvo 850 Estate

1994-1997 Volvo 850 Saloon

1997-2000 Volvo V70

1996-2000 Ford Galaxy

2000-2005 Volvo V70

Part 3

3A

Q3 May I also have the Full Helicopter Footage a High Speed Pursuit of a Stolen Minibus on 02/02/1998? It was the pursuit that was feature on ITV News Police Camera Action on 12/11/1998 and I thought you will have it since you gave the television program the Helicopter Video Camera (Helicopter Oscar Number 21) of that pursuit.

3B

Q4 May I also have the Full Helicopter Footage a High Speed Pursuit of two armed robbery suspects in a blue Ford Ka on 26/01/1999? It was the pursuit that was feature on ITV News Police Camera Action on 10/01/2000 and I thought you will have it since you gave the television program the Helicopter Video Camera (Helicopter Indiana 99) of that pursuit.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at s1(1)(a) is to confirm whether the information specified in a request is held. The second duty at s1(1)(b) is to disclose information that has been confirmed as being held. Where exemptions are relied upon Section 17 of the FOIA requires that we provide the applicant with a notice which: a) states that fact; b) specifies the exemptions in question and c) state (if that would not otherwise be apparent) why the exemption(s) applies.

Your request has now been considered and some of the information you are seeking is held but unfortunately, the request is felt to be exempt from disclosure under the Freedom of Information Act 2000 by virtue of the following listed exemption:

- **Section 12 (1) – Fees Regulations**

Please be advised that the information you have requested is not easily retrievable via a simple search of our systems and therefore it is not possible to complete this request. To determine the information requested in **question 1** would require us to check each vehicle file to establish the type of vehicle (including van's wheelbase and roof size), the number of doors (example: 3-door, 5-door etc), the role of the vehicle (including firearms unit) -marked or unmarked, the year the vehicle was commissioned and the year the vehicle was decommissioned.

There are approximately 900 vehicles per year to check for the 7 years of the request. At a conservative estimate of 2 minutes per record, this task would take 180 hours and as such, cannot be completed within the 18 hours 'Appropriate Limit' (as defined in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004). As a result, Section 12 of the Freedom of Information Act 2000 applies and regrettably this letter serves to act as a refusal notice for this request, as per S.17 (5) of the Act.

The Freedom of Information Act 2000 provides a general right of access to all types of recorded information held by public authorities, at the time a request is received. This right is outlined under Section 1 of the Act and has two aspects. Firstly the public authority must (unless an exemption applies) confirm whether or not the information requested is held. Secondly, where information is held, the public authority must (unless an exemption applies) communicate that held information to the applicant - in other words disclose the held data.

Section 84 of the Act additionally states, that the right of access is to recorded information. For example, an FOIA request would be for a copy of a policy document, rather than an explanation as to why a policy is in place. The Act does not cover general questions about, for example, a policy, instructions/guidance or decisions, or analysis, interpretations, explanations, assessments, opinions, comments or unrecorded discussions.

Although the application of Section 12 to a request removes the force's obligations to provide information under the Freedom of Information Act, as a gesture of goodwill and outside of the FOIA, I have supplied some information relative to the remainder of your request, which was more readily retrievable. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for this request.

Question 2

1993-1997 Volvo 850 Estate - No Information Held
1994-1997 Volvo 850 Saloon - No Information Held
1997-2000 Volvo V70 - No Information Held
1996-2000 Ford Galaxy - Yes
2000-2005 Volvo V70 - No Information Held

Questions 3 and 4

No information held. The Lancashire Police helicopter has been replaced by the National Police Air Service which was created in 2012.

Whilst we have no issue with providing you with information under the Freedom of Information Act, we consider the repeated nature of your requests regarding the same topic may be deemed to be vexatious in accordance with Section 14(2) of the Act. This is because a reasonable interval has not elapsed between the three previous requests received (our refs: 4212/20, 746/21 and 1467/21) in that there were 50 working days between requests one and two and then just 40 working days between requests two and three. Whilst not defined, a reasonable interval is considered to be 60 working days. Furthermore, the requests are all substantially similar and appear to lack any serious purpose, whilst also demonstrating an unreasonable persistence in obtaining information regarding force vehicles.

On this occasion whilst we have processed your request, we would kindly ask that you be mindful of the frequency of your requests going forwards.

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 Data Protection Officer, Data Protection Office, Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB or alternatively send an email to FOI@lancashire.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 via the following link:

<https://ico.org.uk/global/contact-us/> or by telephone on 0303 123 1113.

The Information Commissioner's Office request that you do not contact them by post during the Coronavirus pandemic as their offices are closed.

Yours sincerely

Information Access Team

Data Protection Office