



NEIGHBOURHOODS

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Our Ref: 13628
Enquiries: FOI@rochdale.gov.uk
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Dear Samantha,

Further to your recent Freedom of Information Request I am emailing to provide you with the below response to your request:

Notice of Refusal Issued under Section 12, Freedom of Information Act, (2000).

Under the Freedom of Information Act 2000, Rochdale Borough Council has a duty to supply any information on request, unless there is an exemption. Please be advised that to supply the information that you have requested for questions 1.c – 1.f, it is estimated to exceed the statutory limit of £450. Although this information is held, we are unable to supply it to you as it is estimated to take more than 18 hours to determine, locate, retrieve and extract the information. This request is therefore refused under Section 12 of the Freedom of Information Act 2000.

This section relieves a public authority from the obligation to comply with a request for information under Section 1(1) of the Act where the estimated time required to locate, review and extract the information exceeds a certain threshold set out in Regulations. The Regulations set out the cost limit for Government departments and for other public authorities. For local government, Regulation 3 states that the cost limit is £450 and Regulation 4(4) states that the prescribed hourly rate is £25 which equates to 18 officer hours.

In this case it is estimated that the time taken would be in excess of the statutory 18 hours time limit and in total would take 53 hours, as we do not hold the information on challenges to payment of fines, litter abatement notices, street litter control notices, and litter clearance notices in the requested format. To locate this information would involve looking at every file that could potentially fit within the scope of this request, a total of 212 files. We have estimated that it would take 15 minutes to locate and retrieve the requested information from each file. In total this would take 53 hours (212 files x 15 minutes = 3,180 minutes/53 hours).

We are however happy to provide you with the below information:

I would like to request the following information on:

- 1) Litter under the Environmental Protection Act 1990,
- 2) Public Space Protection Orders under the Anti-Social Behaviour, Crime and Policing Act 2014, and,
- 3) Community Protection Notices under the Anti-Social Behaviour, Crime and Policing Act 2014.

1. Data for the last 5 years on the following:

a) Under the EPA s88 how many fixed penalty notices for leaving litter were issued?

2012/13: 43

2013/14: 80

2014/15: 65

2015/16: 20

2016/17: 4

b) How many of these fines were paid and/or how many fines remain unpaid?

Of the total of 212 Fixed Penalty Notices issued for littering, a total of 159 were paid, 23 resulted in prosecutions and 30 were voided.

c) How many challenges have been made against payment of fines?

Exempt under Section 12

d) How many litter abatement notices were issued under the EPA s92?

Exempt under Section 12

e) How many street litter control notices were issued under EPA ss93-94?

Exempt under Section 12

f) How many litter clearance notices were issued under the EPA s92A?

Exempt under Section 12

2. Data from the time of commencement of Public Space Protection Orders (PSPOs):

a) Under the Anti-Social Behaviour, Crime and Policing Act (ASBCPA) 2014, s59 how many PSPOs have been made?

0

b) Under the ASBCPA, s67 how many individuals have failed to comply with the order?

0

c) How many fixed penalty notices were issued for PSPOs under the ASBCPA, s68?

0

d) Under the ASBCPA, s61 how many further various have been made to orders in effect?

0

e) Under the ASBCPA, s66 how many times has the validity of the orders been challenged?

0

f) How many of these fines were unpaid?

0

3. Data from the time of commencement of Community Protection Notices (CPNs):

a) Under the Anti-Social Behaviour, Crime and Policing Act (ASBCPA) 2014, s43 how many CPNs have been issued?

0

b) Under the ASBCPA s43 how many Community Protection Notices have been issued?

0

c) Under the ASBCPA, s52 how many fixed penalty notices have been issued?

0

d) Under the ASBCPA, s48 how many individuals have committed the offence of failing to comply with the order?

0

e) Under the ASBCPA, s46 how many appeals have there been against the CPNs?

0

f) How many fines remain unpaid?

0

If possible, it would be helpful if the data could be broken down by year, parish and type of litter offence (e.g. car litter, etc). If the council does not have the data (mentioned above) which body holds this data?

We feel that we have fulfilled your Freedom of Information request. However, please see the details on our [website](#) if you are unhappy with the service you have received in relation to your request,

wish to make a complaint or appeal against any decision we have made in response to your request.


Should you have any queries, please contact me.

Yours sincerely,

Information Governance Unit

Customers & ICT



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