

Data Protection Office

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

Tel: 01772 413203 / 412144

Email: FOI@lancashire.police.uk



T Roberts

Sent via email to: request-732472-14242381@whatdotheyknow.com

Date: 29 March 2021

Dear T Roberts

FREEDOM OF INFORMATION APPLICATION REFERENCE NO: DPO/FOI/000710/21

Thank you for your request for information received by Lancashire Constabulary on 01/03/2021 which was as follows:

Please could I access the following information; 1a. A list of all buildings occupied by Lancashire Police Staff/Officers 1b. The address including full postcodes of these locations.

1c; Whether these buildings are owned, rented or leased by Lancashire Police.

1d. The teams/departments occupying each building.

2a. A list of all building formerly occupied by Lancashire Police that have been disposed of since 2010.

2b. The date of which they were disposed.

2c. For how much there were sold (if applicable).

3a. What estate assets are proposed for future disposal.

3b. The date by which disposal is proposed.

3c. Are these assets currently being marketed for sale.

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 the requested information is held, however unfortunately it is not possible to provide a full response to your request as information relating to covert buildings is deemed to be exempt from disclosure under the Freedom of Information Act 2000 by virtue of the following listed exemption:

Question 1, 2 and 3

- **Section 31(1)(a) – Law Enforcement**

Section 31 is 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 the Freedom of Information Act must be treated as a disclosure to the world rather than to a particular applicant. To reveal details of all locations of buildings occupied by the Lancashire Constabulary would entail revealing details in relation to covert building locations also. Disclosure could demonstrate our operational capacity and lead to specific buildings being targeted, undermining the safety of sensitive information as well as revealing tactical resources available to the force. This could subsequently provide an overview of our operational capabilities in a highly sensitive policing area.

In addition, revealing the location of covert buildings could potentially undermine covert roles for individuals within the force linked to these buildings. This in turn would then undermine ongoing investigations and covert operations.

What might be considered by some as harmless information released under the FOIA, when incorporated with other available information can be analysed to create a detailed intelligence picture, which can then be used by those engaged in criminal activity to disrupt the prevention and detection of crime.

Factors Favouring Disclosure

The release of the locations of all buildings occupied by the Lancashire Constabulary would inform the public that we have adequate resources. Furthermore, this would provide transparency with regard to the use of public funds, in as much as the funds are being used correctly and appropriately.

Factors Against Disclosure

The public entrust the Police Service to make appropriate decisions with regard to their safety and protection and the only way of reducing this risk is to be cautious with what information is placed into the public domain. The Lancashire Constabulary has a responsibility to ensure it has the resources in place to deliver effective law enforcement ensuring that the prevention and detection of crime, apprehension or prosecution of offenders, and administration of justice is carried out appropriately. It is therefore a reasonable assumption that the Lancashire Constabulary has a number of covert buildings in use. However, revealing the specific location could demonstrate the Constabulary's operational capacity which in turn could be used by potential criminals.

The disclosure of location details of covert buildings occupied by the Constabulary could enable those involved in committing offences or terrorist attacks, to specifically target these buildings and any individuals present. Disclosure of this information may prejudice police activities and not only has the potential to reveal what resources are available, but also risk the safety of the sensitive information stored within these buildings, which in turn could aid any possible future terrorist attacks. Taking into account the current threat level of 'severe' no information which may aid a terrorist should be disclosed.

Additionally, disclosure of this information could potentially undermine covert roles for individuals within the force linked to these buildings. This in turn would then hinder the effectiveness of the relevant departments when trying to fulfil their duties, as well as undermine ongoing investigations and covert operations.

Balancing Test

The Police service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The Lancashire Constabulary will never divulge information if to do so would compromise the policing purpose in the effective delivery of law enforcement. 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. Consequently, at this moment in time, it is our opinion that the balance test favours substantively exempting the request in relation to covert building locations.

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

We will however provide information in relation to overt buildings only and this is contained within the enclosed Excel spreadsheet.

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