



Freedom of Information request 1174-15

Please send me the following information for trains leaving from Birmingham New Street for the years 2013, 2014 and for 2015:

- 1) I would ask for a breakdown of the 10 most common routes (Including the time of their departure) departing from New Street that required the intervention of BTP officers. I would also ask for the breakdown as to why they were called to that specific location.**
- 2) For each of the years, how many arrests/cautions/fines were made by officers on the premises of New Street Station.**
- 3) For each of the years, how many times were armed police involved in an incident.**
- 4) For each of the years, how much of your overall budget was used to fund the operations in Birmingham New Street?**

RESPONSE

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(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 exemption(s) in question and
- c) states (if that would not otherwise be apparent) why the exemption applies.

In relation to question 1 and 3 of your request, the following exemption applies:

Section 12 - Exemption where cost of compliance exceeds appropriate limit

Section 12 of the FOIA provides an exemption from a public authority's obligation to comply with a request for information where the cost of compliance is estimated to exceed the *appropriate limit*.

In relation to your request for details of incidents on trains which originated from Birmingham New Street, the information you have requested cannot be easily retrieved. British Transport Police does not routinely record the journeys of trains which officers are called to attend. In order to provide the answer to this question we would need to access each incident record separately. There were 696,862 incidents recorded by British

Transport Police from the 1st January 2013 to the 8th December 2015. It is estimated that it would take approximately 2.5 minutes to review each log to identify if the journey is recorded. Therefore, we estimate that it would take approximately 29,035 hours to comply with this part of your request.

British Transport Police does not routinely record the departure times of trains when officers are called to attend incidents. In order to provide an answer to this query, each incident log would need to be reviewed to identify whether this is recorded in the log. British Transport Police recorded 10,096 incidents at Birmingham New Street from the 1st January 2013 to the 08th December 2015. It is estimated that it would take a minimum of 2 minutes per incident to identify whether then incident took place on a train and which route it was scheduled to run. Therefore, we estimate that it would take an additional 337 hours to comply with this question.

In relation to question 3, British Transport Police recorded 10,096 incidents at Birmingham New Street from the 1st January 2013 to the 08th December 2015. It is estimated that it would take a minimum of 2 minutes per incident to identify whether West Midlands Police attended and whether they deployed their firearms officers. Therefore, we estimate that it would take an additional 337 hours to comply with this part of your request.

It is estimated that the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the "appropriate level" as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. In the case of the police service, the appropriate limit is £450 which has been calculated to equate to a total of 18 hours of work. If any part of the request exceeds the fees limit then Section 12 applies to the whole request.

This letter acts as a refusal notice under section 17(5) of the Freedom of Information Act 2000.

Although excess cost removes the force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information in relation to question 2, which was retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Question 2

Type of outcome	2013	2014	2015 (Up to 08/12/15)
Arrests	112	154	127
Cautions	62	37	15
Fines*	38	40	39

*Includes Penalty Notices for Disorder and Fixed Penalty Notices.