

RESOURCES DIRECTORATE

Information Compliance & Disclosure Section

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

Tel: 01772 413327 Fax: 01772 412123 Email: information@lancashire.pnn.police.uk

Peter Jones

Via www.whatdotheyknow.com

Via email: request-132496-c0b226bc@whatdotheyknow.com

02 November 2012

Dear Mr Jones,

FREEDOM OF INFORMATION APPLICATION REFERENCE NO: 4230/12

Thank you for your request for information received by Lancashire Constabulary on the 9th October 2012, which was as follows:-

Please provide me with the following information:

1. The number of times constables of Lancashire Constabulary have attended the execution of search warrants granted under section 366 of the Communications Act 2003. Please provide this information yearly since 2009. For the avoidance of confusion these search warrants are granted to Capita Business Services Ltd acting on behalf of the BBC and TV Licensing.

2. Any BBC/TV Licensing/Capita produced information held by Lancashire Constabulary in relation to the execution of search warrants granted under section 366 of the Communications Act 2003.

Your request has now been considered and the information you are seeking cannot be provided at this stage.

This is because no separate records are retained by the force in respect of any such warrants which may have been attended by officers.

Warrants under S.366 of the Communications Act 2003 would be granted directly to BBC / TV Licensing employees or their representatives, not to the Constabulary. Lancashire Constabulary's officers would only attend the execution of such warrants if specifically requested by the persons carrying out the warrant, for example to prevent a breach of the peace or to prevent other offences occurring. This would be recorded on an incident by incident basis on the Constabulary's Command & Control system, and would be attended by available local officers. There is no specific incident class which can be used to indicate incidents of this nature but, dependent upon the precise circumstances, it is anticipated these would most likely be classed as "510 - Pre-Planned Event"; "540 - Message"; or "541 - Police Generated Resource Activity" (these are as per the National Standards for Incident Recording - for more information please see <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/count-nsir11>).

NOT PROTECTIVELY MARKED

In the period 01/01/2009 - 30/09/2012, Lancashire Constabulary has recorded almost 258,000 incidents in these three classes. In order to ascertain if any of these were logs referring to assistance with a TV Licence related warrant it would be necessary to individually audit each of these incident logs. Due to the number of logs involved, this task cannot be completed within the 18 hour '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 task cannot be undertaken at this stage.

This letter serves to act as a refusal notice for this request, as per S.17 (5) of the Act.

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 and Information Officer, Corporate Support and Information Services – Information Compliance & Disclosure Section, Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB or alternatively send an email to information@lancashire.pnn.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 at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Bryony Hopkinson
Freedom of Information Disclosure Officer

NOT PROTECTIVELY MARKED