

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 11 August 2022

**Public Authority:** Nottinghamshire Police  
**Address:** Sherwood Lodge  
Arnold  
Nottingham  
NG5 8PP

### Decision (including any steps ordered)

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1. The complainant made a request for information relating to speeding offences recorded down Colliery Way (A6211) from 22 March 2022 to the date of the request. The request was made on 23 May 2022 and Nottinghamshire Police have failed to provide a response.
2. The Commissioner considers that the Nottinghamshire Police have breached section 10 FOIA in the handling of this request.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
  - Provide a response to the request in compliance with FOIA.
4. The public authority must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

### Request and response

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5. On 23 May 2022 the complainant made the following request for information under the FOIA for:

"I would like to request the following information:  
How many speeding offences have been recorded down Colliery Way (A6211) from March 22nd 2022 to present.

How many Notices of Intended Prosecution have been given out as a result of the offences.

What the final outcome was with regard to the offences.

Please break these down by individual cases - giving the date, time and speed recorded, as well as final outcome."

6. Nottinghamshire Police have failed to provide a response to this request.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 14 July 2022 and asked him to investigate whether Nottinghamshire Police had complied with section 10 FOIA in the handling of this request.
8. The Commissioner has considered whether Nottinghamshire Police complied with section 10 FOIA in this case.

### **Reasons for decision**

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#### **Section 10**

9. Section 10(1) provides that:

"Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."

10. Section 1(1) provides that:

"Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
(b) if that is the case, to have that information communicated to him."

11. The request was made on 23 May 2022 and Nottinghamshire Police have failed to respond to the request. This is despite the Commissioner contacting the public authority on 16 July 2022 to remind it of its obligations under FOIA to respond to the request. The Commissioner therefore finds that Nottinghamshire Police breached section 10(1) FOIA in failing to provide a response to this request.

## Right of appeal

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12. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from: First-tier Tribunal (Information Rights)

GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [grc@Justice.gov.uk](mailto:grc@Justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

13. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
14. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed.....**

**Gemma Garvey**  
**Senior Case Officer**

**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**