



## FREEDOM OF INFORMATION REQUEST

### FREEDOM OF INFORMATION REQUEST 2024/27231

Dear requester,

Thank you for your recent request under the Freedom of Information Act 2000.

**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.

The information that you are seeking is in relation to the following:

### REQUEST

We are requesting that you please share data around Fixed Penalty Notices issued to drivers splashing pedestrians with road water while driving which we believe is a "Careless, and inconsiderate, driving offence" according to the Road Traffic Act which states, *"If a person drives a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, he is guilty of an offence."*

1. Please fill out the below table regarding careless, and inconsiderate, driving offence FPNS.

Year	Total number of careless and inconsiderate driving offence FPNS issued	Value of the FPN fines issued to careless and inconsiderate driving offences per person	Total number of careless and inconsiderate driving offence FPNS issued <u>related to</u> motorists splashing pedestrians while driving	Value of the FPN fines issued to careless and inconsiderate driving offences <u>related to</u> motorists splashing pedestrians while driving per person
2023				
2022				
2021				



## RESPONSE

Year	Total number of careless and inconsiderate driving offence FPNs issued	Value of the FPN fines issued to careless and inconsiderate driving offences per person	Total number of careless and inconsiderate driving offence FPNs issued <i>related to</i> motorists splashing pedestrians while driving	Value of the FPN fines issued to careless and inconsiderate driving offences <i>related to</i> motorists splashing pedestrians while driving per person
2023	262			
2022	179			
2021	130			

To establish the circumstances and disposal method each of the **571 FPN's** issued a manual trawl would need to be conducted.

Unfortunately, we are unable to provide a further breakdown as it will exceed the 18-hour time limit to complete a request. It would take approximately **ten minutes** to review each individual record, which would equate to **95 hours** of research. Therefore, a Section 12 Excess Cost exemption has been applied.

### **Section 12 – Excess Cost**

The exemption applicable to the information you have requested for this question can be found at Section 12(1) of the Act and this refusal notice is issued under Section 17.

Section 12(1) “does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.”

In the case of a police force, the appropriate limit is set at £450, which is calculated at £25 per hour (i.e. 18 hours). Gwent Police would have to conduct a manual search to find and extract the information for this question. This would take more than 18 hours of staff time therefore we are unable to answer this question and the exemption is engaged.

We appreciate that you may be disappointed on this occasion that we are unable to provide the requested information. However, under Section 16 of the Freedom of Information Act 2000, we have a duty to assist you in relation to refining your request, where we may be able to answer some of your questions.

Please Note:

If you would like to contact this office to discuss this matter further, our contact details are on the accompanying email.



**HEDDLU  
GWENT  
POLICE**



Freedom of Information Act is a public disclosure regime, not a private regime. Any information disclosed under the Act is thereafter deemed to be in the public domain, and therefore freely available to the public and will be published on the Gwent Police website.

If, upon receiving a response to a freedom of information request, you are unhappy with the outcome, you may request an internal review. **This should be made within 40 working days of the initial response.**

Please direct any internal review requests to [FOI@gwent.police.uk](mailto:FOI@gwent.police.uk)

You have the right to request an appeal from the Information Commissioners Office about your Freedom of Information request, if you are dissatisfied with your internal review response.

ICO Contact Details:

The Information Commissioner's Office, Wycliffe House, Wilmslow, Cheshire, SK9 5AF

Tel: 0303 123 1113

Web: [www.ico.org.uk](http://www.ico.org.uk)

**Thank you for your interest in Gwent Police.**