



Heddlu Police

**DYFED-POWYS**

**FOI Reference: 014/2021**

**Request:**

Please provide the number of fail to stop road accidents reported to your force in 2020, including the types of vehicles involved (e.g. van, car, motorcycle)

**Clarification sought:**

Do you wish data for all types of accidents e.g. damage only, injury RTC's?

**Response from applicant:**

Yes, please provide data for all types of accidents.

**Response:**

Section 1 of the Freedom of Information Act 2000 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.

I can confirm that the cost of determining whether any information relative to your request is or isn't held is above the amount to which we are legally required to respond therefore we are withholding the whole of the requested information since we consider that the Section 12 (2) exemption the Cost of Compliance exceeds the Appropriate Limit applies to it.

Where exemptions are relied upon Section 17 of the Freedom of Information Act 2000 requires Dyfed Powys Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies. The following exemption has been applied to the whole of the information you have requested:

**Section 12(2) – The cost of compliance exceeds the Appropriate Limit**

Section 12(2) states: "...Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit."

The cost of determining what information is held, if any, relevant to your request 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. It is estimated that it would exceed 18 hours

(i.e. minimum of **38.45** hours) to comply with your request. The regulations can be located @ [www.legislation.hms.gov.uk/si/si2004/20043244.htm](http://www.legislation.hms.gov.uk/si/si2004/20043244.htm)

The Freedom of Information Department has been advised that the information in respect of your request for damage only road traffic collisions (RTCs) is not held in an easily retrievable format. Therefore, in order to establish what information, if any, is held in relation to your request would require the individual interrogation of all damage only RTCs over the time frame specified to identify if the RTC in question related to a fail to stop collision. It has been established that for the period as specified within the request (i.e. 2020) there are a total 769 damage only RTCs that would need to be reviewed. It has been estimated that it would take a minimum of 3 minutes to research a single damage only RTC for relevance to your request as outlined above, resulting in the following broken down time estimate.

2020 = 769 damage only RTCs @ 3 minutes per RTC = 38.45 hours

**Total of 38.45 hours to complete task**

Please note: The above time estimate relates only to damage only RTCs submitted to the Traffic Process Unit and does not include all damage only RTC's incidents reported to Dyfed Powys Police's force control room. However, it is highly likely that reviewing these incidents would also exceed the 18 hour time limit as the same methodology as outlined above would be used.

Please also note: Information relating to fail to stop injury RTCs has been provided at the end of the document as a gesture of good will and outside of the FOI act.

**In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice for the WHOLE of this request under Section 17(5) A public authority which, in relation to any request for information, is relying on a claim that section 12 or section 14 applies must, within the time for complying with section 1(1), give the applicant a notice stating that fact.** You may wish to refine and resubmit your request so that it reduces the time shown above to fall within the 18 hours, however with due regard to the time estimate provided above it is unlikely that refining your request will fall under the 18 hours as the same method and format will have to be undertaken. Should you require any further advice in relation to this matter please don't hesitate to contact the Freedom of Information Unit.

Please also be advised that should the request be refined, it does not remove the Force's right to cite exemptions if relevant.

*Although excess cost removes the forces obligations under the Freedom of Information Act to provide any further information, as a gesture of goodwill, I have provided information, relative to of your request which has been easily retrievable and outlined below. 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.*

**Fail to stop injury RTC data (covering the period of 01/01/20 – 30/11/20)**

<b>Type</b>	<b>Total</b>
<i>Pedal Cyclists</i>	<i>68</i>
<i>Taxi's</i>	<i>5</i>
<i>Motorcycles</i>	<i>119</i>

<i>Cars</i>	<b>841</b>
<i>Minibus</i>	<b>1</b>
<i>Bus</i>	<b>4</b>
<i>Other Motor Vehicle</i>	<b>22</b>
<i>Other Non-Motor Vehicle</i>	<b>2</b>
<i>Ridden Horses</i>	<b>2</b>
<i>Agricultural Vehicles</i>	<b>13</b>
<i>Goods vehicle under 3.5 tonnes</i>	<b>129</b>
<i>Goods vehicle between 3.5 and 7.5 tonnes</i>	<b>6</b>
<i>Goods vehicle over 7.5 tonnes</i>	<b>31</b>
<b>Total</b>	<b>1,243</b>

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(This is a response under the Freedom of Information Act 2000 and disclosed on 02/02/21)