



**NORFOLK**  
CONSTABULARY  
*Our Priority is You*



**SUFFOLK**  
CONSTABULARY  
*Taking pride in keeping Suffolk safe*

August 2020

**Freedom of Information Request Reference N<sup>o</sup>: FOI 002530/20**

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 24<sup>th</sup> July 2020 in which you sought access to the following information:

- 1 The question below relates to 'close pass operations', by which we mean:
  - any operation to target drivers who overtake a cyclist in a potentially careless / inconsiderate or dangerous manner. This may involve, for example, a police officer riding a bicycle and reporting (and filming) 'close passes', with drivers stopped by a separate officer for an appropriate intervention (e.g. roadside education or penalty). A number of police forces have been carrying out such operations since 2017.
  - any operation of this nature, whether carried out exclusively by the police force, or by the force alongside other services, and whether they were called 'close pass operations' or given a different name (e.g. 'safe' pass).

For each of the past four years (2016, 2017, 2018 and 2019, please provide answers for each year separately):

- A How many 'close pass operations' were carried out by the force?
- B As a result of these operations:
  - I How many individuals were stopped by police and received an educational intervention and/or verbal warning, regardless of whether further action was taken?
  - II How many individuals were offered an NDORS course as an alternative to prosecution?
  - III How many individuals were prosecuted for careless / inconsiderate or dangerous driving, including any issued with an FPN?
  - IV How many individuals were prosecuted, including any issued with an FPN, for offences other than careless / inconsiderate driving or dangerous driving?
- 2A As part of its enforcement of driving offences, does the force accept the submission of video evidence by members of the public to report driving offences, whether the recording device is handheld or attached to a vehicle or rider (e.g. dash/handlebar/helmet cameras)?

For each of the past four years (2016, 2017, 2018 and 2019, please provide answers for each year separately):

- B How many submissions of video evidence were received by the force relating to reports of driving offences?

- C How many of these reports:
- I Resulted in prosecution?
  - II Resulted in a driver being offered an NDORS course as an alternative to prosecution?
  - III Resulted in no further action being taken?
- D How many submissions of video evidence were received by the force relating to driving offences where the driver was reported to have overtaken a cyclist in a potentially careless / inconsiderate or dangerous manner (so called 'close passes')?
- E How many of these reports:
- I Resulted in prosecution?
  - II Resulted in a driver being offered an NDORS course as an alternative to prosecution?
  - III Resulted in no further action being taken?
- F How many full-time equivalent staff (whether officer or civilian) does the force employ to review the submission of video evidence relating to driving offences?

### **Response to your Request**

Norfolk and Suffolk Constabularies have considered your request and our response is below.

When responding to a request for information under the terms of the Freedom of Information Act, a public authority is not obliged to provide information if the authority estimates that the cost of the retrieval of the information requested would be in excess of £450 (equivalent to 18 hours work).

The costs criteria relates to a request in its entirety, which means that if we cannot retrieve all of the information requested within the costs limit, we are not obliged to retrieve *any* of the information requested.

Norfolk and Suffolk Constabularies estimate that to retrieve all the information you have requested would exceed cost in excess of £450 (per force).

With regard to question 2, the information you have requested is not held in an easily retrievable format. We can provide the number of video submissions from October 2017 onwards. However, to provide figures for the number prosecutions, as a result of video evidence being submitted, it would be necessary to review each driving offence file, as there is no way to electronically identify relevant cases. This would be an enormous task which would significantly exceed the cost limit for each Constabulary.

As advised, responding to your request would exceed the appropriate limit for dealing with a Freedom of Information request, in terms of costs, and therefore Section 12(1) of the Freedom of Information Act applies.

Section 12(1) of the Freedom of Information Act states that a public authority is not obliged to:

*“...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit”.*

The Freedom of Information (Appropriate Limit and Fees) Regulations 2004, defines the 'appropriate limit' for the Norfolk and Suffolk Constabularies as £450 and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

### Advice & Assistance

Although excess cost removes the Constabularies' obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relevant to your request, 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.

Q1 Research has been undertaken of close-pass operations and the following has been retrieved:

A In 2018, 2 operations in Norfolk and 0 in Suffolk.  
In 2019, 7 operations in Norfolk and 1 in Suffolk.

B As a result of the above, 7 individuals in Norfolk were stopped and received an educational intervention and/or verbal warning in 2018.  
In 2019, there were 31 individuals in Norfolk and 4 in Suffolk.

None were offered an NDORS course. Officers provide an educational input at the time of the offence and a course is not offered as part of the operation. A course may be considered by the Central Ticket Office in the instance of a Traffic Offence Report being issued for Careless Driving.

In 2018, 5 individuals in Norfolk were prosecuted or issued with an FPN.

Q2 The Constabularies have a facility for members of the public to submit Dash cam footage for review, although this is not called Operation Snap in Norfolk or Suffolk.

Information is held from October 2017 onwards. Please see figures below:

<b>Time Period</b>	<b>Number of Submissions</b>	<b>Number Progressed to a Fixed Penalty Notice</b>
October to December 2017	125	40
2018	944	499
2019	658	327
January to May 2020	150	100