



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2012-02504

**Keyword:** Road Policing

**Subject:** Speeding Fines on M1

### Request and Answer:

#### Question 1

How many speeding fines have been issued to date on both carriageways between M1 junction 3 (Black's Road) and A12 Westlink at Clifton Street for drivers breaking the variable mandatory speed limits, since the establishment of the new traffic control system in September 2010.

#### Question 2

How many speeding fines have been issued for breaking the normal mandatory speed limit during the same period?

#### Question 3

How many speeding fines were issued over the same stretch of roads in 2009 and 2010 until the establishment of the new traffic control system?

#### Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450 (18 hours).

In relation to questions 1 and 2 of your request, Roads Policing has advised that tickets issued for the breach of variable/normal mandatory speed limits are not easily identifiable on their database. To identify those drivers who breached the mandatory speed limit or the variable speed limit in this location would involve a manual trawl of tens of thousands of tickets to identify the time of occurrence and the grid reference for location. DOE Traffic Management controls the variable speed limit signage and it would be necessary to cross check each ticket issued by PSNI with DOE records to confirm if the variable speed limit was in operation at each particular time. Allocating 30 seconds to examine a minimum of 10,000 tickets would equate to 83 hours, grossly exceeding the 18 hour cost limit.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the 'appropriate limit'. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit; however the structure of the information, unfortunately makes this impossible.

Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions.

Although excess cost removes the PSNI's obligations under the Freedom of Information Act, I have provided below the information which was retrieved prior to realising 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 the request.

### **Answer 1**

Roads Policing has advised that since September 2010 to the present date, there have been 23 fixed penalty notices issued by police officers, who noted the location of the offence as 'Westlink' and the offence as 'excess speed'.

### **Answer 3**

There were 11 fixed penalty notices issued in 2009 and 7 issued between January – August 2010 by police officers, who noted the location of the offence as 'Westlink' and the offence as 'excess speed'.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing [foi@psni.pnn.police.uk](mailto:foi@psni.pnn.police.uk).

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ [www.psni.police.uk](http://www.psni.police.uk)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.