



James Hodson
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Our Ref: FOI2018/03074

REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/03074

I write in connection with your request for information received on 5th June. I note you seek access to the following information:

I am writing to you under freedom of information legislation to request the following information:

1. **What byelaws, public order offences exist or any other relevant types of offence exist in your force area concerning public urination?**
2. **How many offenders against these offences have been subject to a fine on summary conviction in your force area in the following calendar years:**
 - A. 2010
 - B. 2011
 - C. 2012
 - D. 2013
 - E. 2014
 - F. 2015
 - G. 2016
 - H. 2017
3. **What is the value of the fine issued to offenders your council area?**

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

Following enquiries within the Constabulary please see our response below.

Response – Hertfordshire Constabulary do not centrally record the number of issued Penalty Notices of Disorder for public urination. In order to answer your request each individual PND would require manually checking to decipher if it was issued to an individual for urinating in public.

We therefore, consider that the cost of complying with your request for information would exceed the appropriate limit of £450 as has been stated in the Freedom of Information (Fees & Appropriate Limit) Regulations 2004. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice under Section 12 (2) of the Freedom of Information Act.

Section 12(1) of the Freedom of Information Act 2000 provides that –

“(1) Section 1(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.

(2) 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.”

Section 17(5) of the Freedom of Information Act 2000 requires Hertfordshire Constabulary, 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.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice under Section 12 (2) of the Freedom of Information Act.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

James Hodson
Information Rights

Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.