

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 27 April 2020

**Public Authority:** Chief Constable of North Yorkshire Police  
**Address:** Alverton Court  
Crosby Road  
Northallerton  
North Yorkshire  
DL6 1BF

#### Decision (including any steps ordered)

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1. The complainant requested information relating to the sale of a specific car number-plate.
2. The Commissioner's decision is that North Yorkshire Police failed to respond to the request within 20 working days and therefore breached section 10(1) (time for compliance with request) of the FOIA.
3. As the response has been provided, the Commissioner does not require North Yorkshire Police to take any steps in relation to this decision notice.

#### Background

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4. As referenced in the request for information, the sale of the number-plate was reported by the BBC<sup>1</sup>.

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<sup>1</sup> <https://www.bbc.co.uk/news/uk-england-york-north-yorkshire-48789596>

## Request and response

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5. On 2 July 2019, the complainant wrote to North Yorkshire Police and requested information in the following terms:

*"I am writing in connection with the recent local BBC News story that indicates that North Yorkshire Police have sold a very valuable registration mark AJ 1 for a hammer price of £243,000.*

*In accordance with the Freedom of Information Act please could you supply me with the following information: -*

*1. When, date, was the decision made to sell the registration mark?*

*2. Who was consulted on the sale of the registration mark?*

*3. Who made the decision, and, if different, who gave authority for the registration mark to be sold?*

*4. Who was recorded as 'Grantee' on the DVLA Form V778 - Retention Document?*

*5. Who, if anyone, was shown as the 'Nominee' on the DVLA Form V778 - Retention Document?*

*6. What steps were taken to obtain a valuation of the registration mark prior to it being offered for sale?*

*7. What pre-sale valuations, detail values, were provided prior to offering the registration mark for sale?*

*8. What marketing was undertaken of the availability of the registration mark for sale?*

*9. When and where was the sale of the registration mark advertised?*

*10. What, if any, reserve price was placed on the sale?*

*11. Excluding costs for marketing and auctioneers premium what is the final figure realised from the sale of the registration mark for the benefit of North Yorkshire Police and the communities of North Yorkshire?"*

6. North Yorkshire Police provided its substantive response on 18 October 2019. It apologised for the delay in responding.

7. North Yorkshire Police confirmed it held the requested information and provided the complainant with a response to each part of his multi-part request.
8. Following an internal review, North Yorkshire Police wrote to the complainant on 22 November 2019 upholding its original position.

### **Scope of the case**

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9. Following earlier correspondence with the Commissioner, regarding North Yorkshire Police's failure to respond within the statutory timescales, the complainant confirmed, on 21 February 2020, that he was requesting a decision notice in this case.
10. The analysis below considers whether North Yorkshire Police complied with section 10(1) (time for compliance with request) of the FOIA.

### **Reasons for decision**

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11. Section 1(1) of the FOIA states that an individual who asks for information is entitled to be informed whether the information is held and, if the information is held, to have that information communicated to them.
12. Section 10(1) of the FOIA provides that a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.
13. The request in this case was submitted on 2 July 2019. It was acknowledged on the same day, the acknowledgement email advising:  
  
*"We are currently experiencing a very high volume of requests for information. We will endeavour to provide a response to your request as soon as we can".*
14. However, it was not until 18 October 2019 that North Yorkshire Police provided its substantive response.
15. The Commissioner therefore finds that North Yorkshire Police breached section 10(1) of the FOIA by failing to comply with section 1(1) of the FOIA within the statutory time period.

16. The Commissioner uses intelligence gathered from individual cases to inform her insight and compliance function. This aligns with the goal in her "*Openness by design*" strategy<sup>2</sup> to improve standards of accountability, openness and transparency in a digital age. The Commissioner aims to increase the impact of FOIA enforcement activity through targeting of systemic non-compliance, consistent with the approaches set out in her "*Regulatory Action Policy*"<sup>3</sup>.

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<sup>2</sup> [https://ico.org.uk/media/about-the-ico/documents/2615190/openness\\_by\\_-design\\_strategy\\_201906.pdf](https://ico.org.uk/media/about-the-ico/documents/2615190/openness_by_-design_strategy_201906.pdf)

<sup>3</sup> <https://ico.org.uk/media/about-the-ico/documents/2259467/regulatory-action-policy.pdf>

## Right of appeal

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17. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504  
Fax: 0870 739 5836  
Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)  
Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

18. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
19. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Laura Tomkinson**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**