

Date: 02/10/2024
Our ref: 01/FOI/24/013351/F

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/013351/F

I write in connection with your request for information dated 30/09/2024, received by Greater Manchester Police (GMP) for the following information:

- 1. the implied speed limit on M62 eastbound from junction 11 to M602 Eccles interchange from July 25th until August 10th***
- 2. Why the limit was applied in each case***
- 3. Number of drivers sent intention of prosecution notices and the speeds they were doing***

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm that some of information requested is held by GMP.

However, I am not obliged to provide the information requested as exemptions apply.

Section 17 of the Freedom of Information Act 2000 requires GMP, 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 information requested in relation to the actual speed at which the NIPs were issued*** have been exempt from disclosure by virtue of the following exemptions:

Section 31(1)(a)(b) Law Enforcement

Section 31(1)(a)(b) is prejudice based and qualified exemptions; there is a requirement to articulate the harm that would be caused in disclosing such information as well as carrying out a public interest test, which can be seen below.

Harm

To disclose the speed limits at which the NIPs have been issued will create misleading and potentially dangerous information into the public domain. This would create a perception that motorists may travel excess of the speed limit without fear of being caught. This may encourage individuals to travel above the speed limit in these areas. Individuals may believe thresholds are in place and by revealing such would encourage higher speeds. This would impact on the law enforcement capabilities of GMP in the prevention and detection of crime and the apprehension or prosecution of offenders.

Factors Favouring Disclosure

The disclosure details of the speed at which the NIPs have been issued would assist the populous in taking steps to better protect themselves. It would also show GMP's accountability and transparency in the use of public funds when policing.

Factors Favouring Non-Disclosure

Conversely to the factors in favour of disclosure, to publicly release the information would impact on the law enforcement capabilities of GMP and would undermine the effectiveness of the cameras and our road safety enforcement. It would allow a perception and encouragement that motorists may travel in excess of the speed limit, which would impact of GMP's ability to prevent and detect crime and apprehend or prosecute offenders. Additionally, this would undoubtedly increase the risk of the health and safety of other motorists.

Balancing Test

When balancing the public interest test GMP has to consider whether the information should be released into the public domain, therefore arguments need to be weighed against each other.

The most persuasive reason for disclosing the information would be the fact that disclosure would encourage transparency, which needs to be weighed against the strongest reasons for non-disclosure, which in this case is the likelihood of individuals being put at risk. The safety of the communities GMP police is of paramount importance and the Force would not detrimentally impact on that safety by disclosing harmful information in response to a FOI request.

Therefore, having considered all the factors for and against disclosure it is the decision at this time to maintain the above exemptions and withhold the information requested.

Please see below the remaining information that can be disclosed.

1. No information held - National Highways administer the changes to the speed limits. Please re-direct your FOI to them.
2. No information held - National Highways administer the changes to the speed limits. Please re-direct your FOI to them.
3. See exemption above and table below.

Number of NIPs issued from July 25th until August 10th
689

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