

14<sup>th</sup> November 2023

**Freedom of Information Request - Reference No: 23.010246**

Thank you for your request for recorded data held by South Yorkshire Police.

**Request**

1. How many drivers have been pulled over for 'middle lane hogging' in your force area, broken down by year for 2019, 2020, 2021, 2022 and 2023 to date?
2. How many drivers have been penalised (e.g. issued a fine and/or points) for 'middle lane hogging' in your force area, broken down by year for 2019, 2020, 2021, 2022 and 2023 to date?
3. The total number of drivers caught/penalised for careless driving in your force area broken down by year for 2019, 2020, 2021, 2022 and 2023 to date

**Response**

Section 17 of the Freedom of Information Act 2000 requires South Yorkshire Police, 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 following exemption applies to the disclosure of the information:

**Section 12(1) – Exemption where cost of compliance exceeds appropriate limit**

I approached the Central Ticket office for assistance with this request. They advise in order to determine whether an FPN was as a result of “middle lane hogging” would require the reading of every ticket statement. This would clearly be over the time limit allowed.

To explain, middle lane hogging would be recorded as **Drive a mechanically propelled vehicle on a road / in a public place without due care and attention or Drive a mechanically propelled vehicle on a road / in a public place without reasonable consideration to other users** , there is no way to retrieve the ones that are specific to middle lane hogging without a manual review of each one.

In this case there are over 2000 tickets that would need to be reviewed and this process to extract the level of detail to meet the criteria of your request would take much longer than 18 hours' work.

Guidance from the Information Commissioner to public authorities is that where one part of a request is reasonably estimated to exceed the appropriate limit then the authority is not obliged to consider or comply with the remainder of the request up to the point at which the appropriate limit has been reached. Please note point 30 of the below link:-

[https://ico.org.uk/media/for-organisations/documents/1199/costs\\_of\\_compliance\\_exceeds\\_appropriate\\_limit.pdf](https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf)

**Although excess cost removes the force's obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relative to your request, 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 neither does it bind South Yorkshire Police to any commitment that it will release information in such a manner in the future .**

Please see the below table of data to answer Q3

<b>Specific Driving Offences By Last 5 Calendar Year</b>						
	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>Grand Total</b>
Drive a mechanically propelled vehicle on a road / in a public place without due care and attention	94	144	287	570	560	<b>1655</b>
Drive a mechanically propelled vehicle on a road / in a public place without reasonable consideration to other users	9	15	36	158	280	<b>498</b>
<b>Grand Total</b>	<b>103</b>	<b>159</b>	<b>323</b>	<b>728</b>	<b>840</b>	<b>2153</b>

Please note, every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that data has been extracted from data sources used by this force for police purposes. The detail collected to respond specifically to your request is subject to the inaccuracies inherent in any large scale recording systems and information assets.

The figures provided therefore are our best interpretation of relevance of data to your request, but you should be aware that the collation of figures/data for any requests may have limitations, and this should be taken into account when those data are used

Police forces do not use generic systems or identical procedures for capturing the data. For these reasons this response to your questions should not be used for comparison purposes with responses you may receive from other police forces.