

Chief Constable
Chief Constable Robert Carden
Police Headquarters
Carleton Hall Penrith,
Cumbria
CA10 2AU



1 May 2025

Dear XXXXXXXX

FREEDOM OF INFORMATION REQUEST – FOI 474/25

I refer to your request for information received by Cumbria Constabulary on 24 April 2025. I note you seek access to the following information:

Any incidents since 20 May 2018 where the owner of a motor vehicle has been stopped under the provisions of the Road Traffic Act 1988 and subsequently been issued with a penalty for having a vehicle on the public highway in an unroadworthy condition where the vehicle is not required to have a valid MOT certificate on account of its age.

Please provide, where available, details of the vehicle, any defects recorded and the penalty issued.

In respect of your above request, I wish to clarify that fixed penalty notices are not issued in respect of vehicles that are unroadworthy. The drivers of such vehicles would be issued with a Vehicle Defect Rectification Notice within which they would be required to arrange for the defect to be rectified within a specified time and they would then have to provide evidence that this has been adhered to. In some instances, if a vehicle is deemed to be extremely unroadworthy then the vehicle would be seized.

Your request for information has now been considered and I can confirm the information you seek is held by Cumbria Constabulary. However, the information held is not in an easily retrievable format for the information you require to be extracted. There is no specific field within a Vehicle Defect Rectification Notice where information such as "MOT exempt" would be recorded and would rely on the Officer manually inputting this information within the free text field within such a notice.

Therefore, to provide a response to your request would require a manual review of the extensive number of Vehicle Defect Rectification Notice to establish if the vehicle was not required to have a valid MOT, and this information may not be accurate if this information not have been manually entered at the time by the Officer.

I have estimated the time required to extract the relevant information required will exceed the "appropriate limit" as this would require a manual review of all relevant entries.

The "appropriate limit" is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 and the current limit for police forces is set at £450, which equates to 18 hours of work.



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Section 12(1) of the Freedom of Information Act 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 will exceed the appropriate limit. In view of this, and in accordance with Section 17(5) of the Act, this letter serves as a Refusal Notice for your request.

In accordance with my duty under Section 16 of the Freedom of Information Act, 2000 (Duty to provide advice and assistance), I have tried to think of a way to recommend that your request may be refined to bring it under the limit explained above. At this time, unfortunately, I have no suggestions, due to the way that the information requested is recorded.

Complaint Rights

If you believe your request has not been properly handled, or you are otherwise dissatisfied with the outcome of your request, you have the right to request an internal review.

In the first instance, please email freedomofinformation@cumbria.police.uk quoting the FOI reference number and explain why you are dissatisfied. Your complaint will be considered and a response will be provided to you after your complaint has been investigated.

If you remain dissatisfied following conclusion of the internal review, you have the right, under section 50 of the Freedom of Information Act, to complain directly to the Information Commissioner.

The address for the Information Commissioner can be found below:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Complaints to the Information Commissioner can also be made online:

[Make a complaint | ICO](#)

I would like to take this opportunity to thank you for your interest in Cumbria Constabulary



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