



Disclosure Team
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Mr J McGoldrick
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data.access@justice.gov.uk

29 May 2019

Dear Mr J McGoldrick

Freedom of Information Act (FOIA) Request – 190509013

Thank you for your request dated 9 May 2019 in which you asked for the following information from the Ministry of Justice (MoJ):

Our group has 5,500 members and I hereby make a request for information under Fol rules. We want this information on Mersey Gateway penalty charges:-

TE9 WITNESS STATEMENTS FOR UNPAID PENALTY CHARGE

How many statements have been received by the TEC?

How many have been accepted and Merseyflow told to revoke the Recovery Order?

How many have been turned down? How many are awaiting a decision?

TE7 APPLICATIONS TO FILE A STATEMENT OUT OF TIME

How many applications have been received by the TEC?

How many have been accepted by Merseyflow?

How many have been opposed by Merseyflow and that rejection has been confirmed by a court officer on behalf of the TEC?

How many have been opposed by Merseyflow but the court officer on behalf of the TEC has decided to accept the application? How many are awaiting a decision?

TE3 RECOVERY ORDERS FOR UNPAID MERSEY GATEWAY PENALTY CHARGES

How many Orders have been made?

Your request has been handled under the FOIA.

I can confirm the MoJ holds some of the information you have requested. However, to provide as the request currently stands would exceed the cost limit set out in the FOIA.

Section 12(1) of the FOIA means public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. The appropriate limit for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information, and locating, retrieving and extracting the information.

Where section 12 applies to one part of a request we refuse all of the request under the cost limit as advised by the Information Commissioner's Office.

We believe that the cost of interrogating the (approximately) 170,000 cases which have been registered by Mersey Halton to date to identify which have had a TE9/TE7 filed and what the result was, would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

It may also help if I explain that we keep statistics of the number of unpaid penalty charges that have been registered via TEC but the individual penalty charge numbers are not held.

I note that you have been sent a response to your complaint under separate cover.

Although we cannot answer your request at the moment, we may be able to answer a refined request within the cost limit. You may wish to consider, for example, reducing the volume of your request, and or specifying a narrow period of time. Please be aware that we cannot guarantee at this stage that a refined request will fall within the FOIA cost limit, or that other exemptions will not apply.

For guidance on how to structure successful requests please refer to the ICO website on the following link: http://ico.org.uk/for_the_public/official_information

http://www.legislation.gov.uk/uksi/2004/3244/pdfs/uksi_20043244_en.pdf

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk

Disclosure Team, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

[Redacted Signature]

Northampton Business Centre