

NCC-032213-18- enforcement action smoking in vehicles

Good afternoon

I am completing an individual study module over the summer period at the University of ##### relating to road traffic legislation and changes in driver behaviour. I am writing to you under the Freedom of Information Act 2000 to request the following information;

1. The number of times the legislation has been enforced by the local authority in relation to the offence
2. of smoking in a private vehicle carrying passengers under the age of 18 since its introduction in October 2015. The two relevant offences are; 'Smoking in a vehicle in which a child was present' and 'Allow smoking in a vehicle with a child'. Note - Both offences are contrary to Regulation 11 (1A) of the smoke-free (exemptions and vehicles) regulations 2007 and the Health Act 2006.

Please can this be broken down (preferably by calendar years 2015-18) into;

- The number of verbal warnings issued through any proactive enforcement by the local authority
- The number of prosecutions associated with these offences.

Please be advised that requests have also been made to police forces for similar information. Although in many locations it is anticipated that the police force will enforce the law and educate for this offence the prosecuting agent however is the local authority.

If it is not possible to provide the information requested due to the information exceeding the cost of compliance limits identified in Section 12, please provide advice and assistance, under the Section 16 obligations of the Act, as to how I can refine my request.

If you have any queries please don't hesitate to contact me via email and I will be happy to clarify what I am asking for, my details are outlined below. Thank you for your time and I look forward to your response.

Kind regards,

Dear Requester,

Further to your freedom of information request below. Initial enquiries have drawn a blank I'm afraid it appears this is wholly a police matter, Nottinghamshire County Council carry out no enforcement action or hold any powers to do so. However disciplinary action by the Local Authority may be a separate matter for NCC employed staff that carry children. Was this information required or purely the information in general terms? If not, then for this request we hold no records and so the request is unanswerable at this time.

I shall await your clarification, should you have any further queries please do not hesitate to contact me directly on the details below. In addition to this and for future reference Nottinghamshire County Council regularly publishes previous FOIR,s and answers on its website, under Disclosure logs. (see link)<http://site.nottinghamshire.gov.uk/thecouncil/democracy/freedom-of-information/disclosure-log/>

You can use the search facility using keywords.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to the Team Manager, Complaints and Information Team, County Hall, West Bridgford, Nottingham, NG2 7QP or email complaints@nottscc.gov.uk.

Kind Regards

Good afternoon

Thank you for your prompt response to my query.

I do not require information relating to any internal disciplinary action that may be taken as a result of this offence.

Kind regards

Hi Requester

Thank you very much for clarity, I shall close the request.

Kind Regards