

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 11 August 2014

**Public Authority:** Driver and Vehicle Licensing Authority (DVLA)  
(An executive agency of the Department for Transport)

**Address:** Longview Road  
Morrison  
Swansea  
SA6 7JL

### Decision (including any steps ordered)

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1. The complainant has requested information relating to cherished car registration numbers. The DVLA refused to comply with the request under section 12 of the Freedom of Information Act 2000 (FOIA) as it said it would exceed the cost limit to do so.
2. The Commissioner's decision is that the DVLA has correctly applied section 12 FOIA in this case.
3. The Commissioner requires no steps to be taken.

### Request and response

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4. On 17 March 2014 the complainant made the following request for information under the FOIA for:

"I would like to analyse the cherished car registration numbers that have survived from the days before letters came fully into use [which

is 50 years ago this year]. However, I am fairly certain that DVLA does NOT record the date a registration was first used so could I request ...

EITHER

A list of car registrations that were first used before 1965 [if the first used date is known]

OR

A list of car registrations that either begin with a digit (0-9) or end with a digit."

5. On 28 March 2014 the DVLA responded. It said that it did not hold information in relation to the first part of the request. It said it did hold information in relation to the second part of the request but explained that it was not obliged to comply with this request as it would exceed the cost limit under section 12 FOIA to do so. It also said that even if it could comply with the request within the cost limit the requested information would be exempt from disclosure under section 40(2) FOIA.
6. The complainant requested an internal review on 15 April 2014. The DVLA sent the outcome of its internal review on 12 May 2014. It upheld its original position.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 16 June 2014 to complain about the way his request for information had been handled.
8. The Commissioner has considered whether the DVLA was correct not to comply with this request under section 12 FOIA.

### **Reasons for decision**

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9. Section 12(1) FOIA states that, "Section 1(1) 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 would exceed the appropriate limit."

10. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the "Regulations") sets the appropriate limit at £600 for the public authority in question. A public authority can charge a maximum of £25 per hour for work undertaken to comply with a request which amounts to 24 hours work in accordance with the appropriate limit set out above. If an authority estimates that complying with a request may cost more than the cost limit, it can consider the time taken in:
  - (a) determining whether it holds the information,
  - (b) locating the information, or a document which may contain the information,
  - (c) retrieving the information, or a document which may contain the information, and
  - (d) extracting the information from a document containing it.
11. The DVLA explained that its vehicle database is the register of vehicles that are and have been registered in Great Britain with almost 38 million vehicles currently active on the register. It said that the database records details of a vehicle (e.g. make/model/colour) and the vehicle's current as well as previous registered keeper (e.g. name and address). It explained that the database is accessed by entering the vehicle's vehicle registration number (VRN) or vehicle identification number (VIN). It confirmed that it is not designed or meant to be used as a management information tool. It said that DVLA does not have the need to produce the information requested ("a list of car registrations that either begin with a digit (0-9) or end with a digit") so a bespoke scan of the database with the assistance of DVLA's IT suppliers would be required. It reiterated that the information is not held in a simple Excel spreadsheet. It said that as the information requested would be held and located in DVLA's vehicle database, the application of section 12 applies only to the retrieving and extracting of that information.
12. The DVLA said that it wished to rely on the Decision Notice FS50345802 issued by the ICO on 2 June 2011 for the processes, timings and costings of producing a bespoke scan. This can be accessed using the following link:

<http://ico.org.uk/~media/documents/decisionnotices/2011/FS50345802.ashx>

In this case the ICO accepted that section 12 was applied and properly engaged by DVLA when considering the need for a scan of the vehicles database. The DVLA explained that the criteria of the scan in the current case would be different but the process to be followed would be the same and is the same as that described in 2011.

13. The DVLA said that the ICO also accepted that section 12 was applied and engaged correctly by DVLA when required to obtain a scan of the vehicles database in Decision Notice FS50197237 issued on 19 March 2009. This can be accessed using the following link:

[http://ico.org.uk/~media/documents/decisionnotices/2009/FS\\_50197237001.ashx](http://ico.org.uk/~media/documents/decisionnotices/2009/FS_50197237001.ashx)

14. For the same reasons as set out in the previous decision notices highlighted above the Commissioner does consider that due to the fact the DVLA would be required to conduct a bespoke scan of the database, it would exceed the cost limit to comply with this request. Section 12 FOIA was therefore correctly engaged in this case.

## Right of appeal

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15. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

16. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
17. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Pamela Clements**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**