

Further to your request for information of 16th February I can provide the following information,

With respect to the ex Dyfed-Powys police helicopter, registration G-DPPF:

1. The vendor.

The aircraft has not been purchased by NPAS but transferred under the terms of the Section 22A collaboration agreement. The aircraft will be disposed of as it will not be operated as part of the NPAS fleet. Information relating to progress of the disposal is attached.

2. The purchase price.

See above.

3. The base from which the aircraft will be operating from.

See above.

4. Correspondence with the Dyfed-Powys Police and Crime Commissioner relating to the future of the Dyfed-Powys Police helicopter.

Attached.

5. Correspondence with West Yorkshire Police / NPAS relating to the future of the Dyfed-Powys Police helicopter.

Attached.

6. Correspondence with Sloanes Helicopters relating to the future of the Dyfed-Powys Police helicopter.

No information is held.

Some information has been redacted from the documents attached. The reason for this is because we consider that an exemption applies. Under Section 17 of the Freedom of Information Act a public authority which is relying on an exemption must (a) state the fact, (b) specify the exemption and, (c) state why the exemption applies.

SECTION 40(2)(3)(a)(i) – PERSONAL INFORMATION

This section states that information is exempt if disclosure would contravene any of the data protection principles. The first data protection principle states that personal data shall be processed fairly and lawfully. This exemption is an absolute exemption. In this case the names of public servants are disclosed but the contact details have been redacted on the basis that, although there is a public interest in the accountability of public servants, disclosure of individual contact details would not add value.

SECTION 31(1)(a) LAW ENFORCEMENT

This section states that information is exempt information if its disclosure would, or would be likely to, prejudice the prevention of crime. S31 is a qualified exemption which requires a harm and public interest test to weight disclosure against non-disclosure.

NPAS is a national organisation that provides air capability to support policing. The service operates throughout England and Wales and assists police forces in promoting public and police safety, preventing and detecting crime, securing best evidence and supporting critical incidents. As such NPAS capability is fundamental to the activities of law enforcement which police forces engage in.

The harm which is likely to arise from disclosure of the information relates to the ability of the police to enforce the law. This is because the information relates to capabilities, techniques and negotiations involving NPAS.

Public Interest Test:

Factors favouring disclosure:

- Transparency in decision-making and negotiation
- Openness and accountability in relation to the expenditure of public money

Factors against disclosure:

- Undermining the police service's ability to engage in law enforcement by disclosing details of capability and techniques
- Allowing offenders or potential offenders to alter their behaviour to avoid detection leading to an increase in crime or a reduction in detection and to an increase in the fear of crime

Balancing test:

A key duty of the police service is to prevent and detect crime which may be prejudiced by release of this information. On balance, the decision is taken to redact this information.

S43(2) COMMERCIAL INTERESTS

This states that information is exempt information if its disclosure under this Act would, or would be likely to, prejudice commercial interests of any person (including the public authority holding it).

The exemption is a qualified exemption requiring a public interest test.

Factors in favour of disclosure:

- Openness and transparency in relation to the acquisition or disposal of assets funded by public money
- Demonstrating value for money and probity in managing public assets

Factors against disclosure:

- Prejudice to the Force's commercial interests by disclosure of information which may impede conclusion of the ongoing transaction in relation to the aircraft or which may damage the confidence and trust of the buyer

- Prejudice to the Force's commercial interests by disclosure of information which may mean that future contacts are negotiated at a less favourable rate
- Prejudice to the commercial interests of other bodies who are negotiating with NPAS if information is disclosed to show what their negotiating position is or what the agreed rate is.

Balancing Test:

On balance, the factors in favour of non-disclosure are felt to be stronger; potentially prejudicing not just current transactions but future ones too.

ASSISTANCE

The OPCC has a duty, under S16, to offer advice and assistance to people making requests for information.

NPAS is delivered through a 'lead force' model. The lead Force is West Yorkshire Police. As such the Chief Constable of West Yorkshire Police is the data controller for NPAS. Police and Crime Commissioners are parties to the collaboration agreement and the PCC for West Yorkshire chairs the NPAS strategic board.

Limited information is held by the OPCC in West Yorkshire. West Yorkshire Police, who have direction and control of NPAS, may hold further information.

I hope you are satisfied with the way your request has been handled. If you wish to appeal against the outcome of your request please write to the Chief Executive in the first instance as detailed in the attached appeal procedure.