

15 June 2010

Your Ref:

Our Ref: 0331/2010

Mr Martyn Dewar

Email: request-35349-011e494f@whatdotheyknow.com

Force Disclosure Unit
Police Headquarters
173 Pitt Street
GLASGOW
G2 4JS

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Dear Mr Dewar

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER 0331/2010

I refer to your request for information dated 18 May 2010, which was received by Strathclyde Police on that date.

Your request for information has now been considered and on 15 June 2010, a decision was made to provide some of the information requested by you. Some of the information requested by you is, however, considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Strathclyde Police to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies. Where information is considered to be exempt, this letter serves as a Refusal Notice and an explanation of the appropriate exemption is provided.

For ease of reference, I have provided a response to each of the questions posed by you, as detailed below.

Re: Carmunnock Road, Glasgow – G45/G44

I shall be obliged if you would disclose the following information.

The total number of Safety Cameras on this road (I believe this to be 3, but would appreciate some clarity)

The following exemption in terms of the Act is applicable to this question:

Section 25 – Information otherwise accessible

By means of an explanation, the information you have requested is already accessible via the Strathclyde Safety Camera Partnership website which can be accessed via the attached link:

http://www.strathclydecameras.com/cameras_byregion.asp

Strathclyde Safety Camera Partnership is a joint-working initiative to help reduce the number of road crash casualties at recognised accident locations in the West of Scotland. The Partnership operates a combination of fixed, mobile and red light camera sites across the Strathclyde Police area plus the SPECS average speed camera system which was installed on the A77 in July 2005.

On this occasion, and by way of assistance, I can confirm that there are two fixed cameras on Carmunnock Road at the following locations:

- Carmunnock Road, north near Lainshaw Drive
- Carmunnock Road, south near Croftpark Avenue

The number of drivers 'caught' speeding by the Safety Cameras on this road. If possible, the total revenue obtained from the above. I would like this information from 1 January 2005 if possible, but if such a timescale is not possible, please provide as much information as you can, within the time available to you.

The following exemptions in terms of the Act are applicable to this question:

Section 35 (1) (a) & (b) – Law Enforcement

Disclosure of the location of individual camera sites in conjunction with the number of Conditional Offer of Fixed Penalty Tickets paid in relation to each would provide the level of enforcement at each camera. Being aware of this information, would allow drivers to speculate on the possibility of being detected at each site. This would jeopardise the effectiveness of the camera as their primary purpose is to deter offenders. Thus, disclosing this information would, or would likely to, prejudice substantially the prevention and detection of crime and the apprehension or prosecution of offenders.

This is a non absolute exemption which requires the application of the public interest test.

Section 39 (1) – Health, Safety and the Environment

Road traffic laws are formulated with the purpose of ensuring the safety of all road users. It is well recognised that excessive speed is a danger to road users and often a contributory factor in road crashes. The use of safety cameras is a key strategy in deterring and detecting offenders at identified locations and this ensuring the safety of all road users. Disclosure of the information which has been exempted would serve to reduce the effectiveness of the cameras and consequently increase the risk to the safety of road users. Thus, disclosure would, or would be likely to endanger the physical health or safety of an individual.

This is a non absolute exemption and requires the application of the public interest test.

Public Interest Test

The public interest test factors in favour of disclosure surround the placing of accurate information into the public domain and accountability for the actions of the Force and the use of public funds.

The primary function of safety cameras is to enhance public safety through deterring persons from driving at excessive speed in contravention of road traffic laws. Any disclosure of information which would compromise this function and hence, lessen the effect of the cameras would increase the risk to the safety of the public.

It is therefore considered that the balance of the public interest test does, on this occasion, favour retention of the information requested.

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By way of assistance I have included the total number of paid Conditional Offers of Fixed Penalty throughout Strathclyde over the past five financial years:

YEAR	PENALTIES PAID
2005/06	31,983
2006/07	26,288
2007/08	19,734
2008/09	12,358
2009/10	9,107

Further information in relation to the amount of money generated through paid fines resulting from safety camera detections is already available on the Strathclyde Camera Safety Partnership website at http://www.strathclydecameras.com/about_finance.asp

Prior to April 2007 the Partnership costs were recovered from fines paid and the surplus returned to the (then) Scottish Executive. Since April 2007, the Partnership has been funded by means of grant from the Scottish Government, payable through the Scottish Safety Programme, a personal injury crash/casualty reduction initiative sponsored by the Justice Department. The grant aid covers the budgeted costs incurred in operating the safety camera service.

I hope this information is helpful, however, if you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance to request a review of the decision made by the Force. Should you wish to request such a review, please write to Mrs Sheena Brennan, Disclosure Manager at the above address within 40 working days of receiving this letter. Once informed of the Review Panel's decision, if you are still not satisfied, then you are entitled to apply to the Scottish Information Commissioner within six months for a decision. Contact details are; Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, telephone 01334 464610. I would like to take this opportunity to thank you for your interest in Strathclyde Police.

Should you require any further assistance concerning this matter please contact me directly on 0141 435 1217 quoting the reference number given.

Yours sincerely

Susan McGinlay
Sergeant

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