

Name: Mr G Brady

Address:

E-mail: xxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxxxxxx
If calling please ask for: Kenny
McKaig 01382 434577

Dear Sir/Madam

Freedom of Information Request Reference No. 20190112001

I refer to your request of 12/01/2019

In regards to question 8, regulation 10(4)(a) of the Environmental Information (Scotland) Regulations 2004 provides a Scottish public authority to advise when information is not held and to advise where the information is held, if known.

The information you have requested is not held, I therefore refuse this part of your request.

The information which I can provide is as follows:

1. Which department is responsible for enforcing against Littering?

Community Safety and Protection, Neighbourhood Services.

2. Do you use a private company to enforce against Littering? **No**
3. If you answered yes to question 2, could you confirm the name of the private company? **Not applicable.**
4. What is the full price of a Littering Fixed Penalty Notice (FPN)? **£80**
5. Do you have a discounted price for a littering FPN and if yes, how long is the discounted period? e.g. The FPN will be discounted to £50 if paid within 10 days. **No**
6. How many FPNs did you issue for littering in 2018? **30**
7. How many FPNs issued for Littering in 2018 were paid? **23**
8. How many FPNs issued for Littering in 2018 were prosecuted for failing to pay the FPN?

This would need to be directed to the Procurator Fiscal's service

9. How many FPNs issued for Littering in 2018 were for smoking-related materials e.g. Cigarette butts, rolled up cigarettes or Cigars? **This information is not recorded.**
10. Could you confirm which department is responsible for enforcing against Dog Fouling?

Community Safety and Protection, NEIGHBOURHOOD SERVICES

11. Do you use a private company to enforce against Dog Fouling? **NO**
12. If you answered yes to question 11, could you confirm the name of the private company? **Not applicable.**
13. What is the legislation you enforce Dog Fouling under? E.g. Dog Control Order, fouling of land act or PSPO etc.

DOG FOULING (SCOTLAND) ACT 2003

14. How many FPNs did you issue for Dog Fouling in 2018?

65

15. How many FPNs issued for Dog Fouling in 2018 were paid?

15

16. How many FPNs issued for Dog Fouling in 2018 were prosecuted for failing to pay the FPN?

NONE- UNABLE TO PROSECUTE UNDER THE LEGISLATION

17. Do you enforce against any other Dog Control Orders or PSPO's that are dog related?

CONTROL OF DOGS (SCOTLAND) ACT 2010

18. What is the full price of a Dog Fouling FPN?

£80, IF UNPAID AFTER 28 DAYS IT RISES TO £100

19. Do you have a discounted price for a Dog Fouling FPN and if yes, how long is the discounted period? E.g. The FPN will be discounted to £50 if paid within 10 days.

NO

20. How many Parks do you have within the local authority boundary?

25

21. If you have answered yes to questions 2 and 11, could you confirm the contract end date? **Not applicable.**

Your Right to Appeal

If you are unhappy with this reply you may require the Council to review its actions and decisions in relation to your request.

The requirement for review must:-

- be in writing or other permanent form (please address it to me);
- state your name and give an address for correspondence;
- specify the original request for information and the matter which gives rise to your dissatisfaction; and
- be made within 40 working days of the date of this response, although the Council may, if it considers it appropriate to do so, consider requirements for review after that time has passed.

Your requirement for review will be dealt with by the Chief Executive. He will reply to you in writing promptly and in any event within 20 working days. He may:-

- confirm my decision with or without modification;
- substitute a different decision for my decision;

and will give you his reasons for so doing.

If you are unhappy with the Chief Executive's decision you may then appeal to the Scottish Information Commissioner. You must submit your appeal to the Scottish Information Commissioner within six months of receiving the Chief Executive's decision. Further details on the Scottish Information Commissioner's appeal procedure can be found using the direct link www.itspublicknowledge.info/Appeal or email xxxxxxxx@xxxxxxxxxxxxxxxxxxxx.xxxx or telephone (01334) 464610 or write to Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Yours faithfully

Kenneth McKaig

Legal Manager