| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0068  Responded to: 01 February 2024 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## I would be grateful if you could please send me all the data you hold on traffic speeding in Stow. Specifically I would like (if it exists):

## - the results of any speed measurements carried out within Stow since January 2020

## - any other data gathered relating to speeds along the section of the A7 that is within Stow (including the highest speeds measured, not just averages and means, which I would like too). I would like as much detail as possible on this, including for example how many vehicles passed the measurement points in the duration of the observed period(s), and for the speeds of each vehicle to be available)

Police Scotland do not maintain a central record of speed measurements obtained during enforcement activity.

To providing an accurate response in regards to all data held on speeding in this location, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) - Excessive Cost of Compliance.

To explain, we would, as a minimum, need to ask all Officers who worked within the division during the time period to search their notebooks/ electronic devices to identify any relevant data. This would markedly exceed the 40 hours exemption threshold.

However, to be of assistance I have attached speed survey reports for A7, Stow from 2020 onwards.

## - how many times have the police issued a warning, fine, points or sought prosecution of speeding drivers in Stow since 2020

With regards to providing how many times a warning, fine or points have been issued to drivers speeding in this location I can advise I am refusing to provide the information sought in terms of section 12(1) - Excessive Cost of Compliance.

To explain, we would as previously explained need to ask all Police Officers who worked within the division during the time period to search their notebooks/ electronic devices to identify any relevant data. This would markedly exceed the 40 hours exemption threshold and cost well in excess of the current FOI cost threshold of £600 to process your request.

With regards to prosecutions of speeding drivers I can advise you that Police Scotland does not hold the requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, the role of the police in Scotland, in relation to crimes and offences, is to investigate the circumstances and where sufficient evidence exists to then report the matter to the relevant Procurator Fiscal. It is a matter for the Procurator Fiscal to decide on and to progress any prosecution through the courts. The disposal in relation to cases reported to the Procurator Fiscal is not routinely passed to the police, therefore, the Service do not hold the information requested.

By way of assistance, I have listed below contact details for the Crown Office and Procurator Fiscals Service who may be able to assist you in this matter:

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA or via <http://www.copfs.gov.uk/>

## - any information you hold on the effect on traffic speeds of the relatively new 20mph limit in Stow

I can advise that Police Scotland does not hold the above requested information.

In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, this information would be provided by your local authority. To be of assistance I have attached a link below for you to contact for futher details.

<https://www.scotborders.gov.uk/>

## - what the police's position is on the efficacy of 20mph speed limits in general, and what you would think about the council potentially raising the speed limit again to 30mph in the northern part of Stow

I can advise Police Scotland contributes widely to vary road safety forums, including the ongoing Scottish Government/Transport Scotland led 20mph Task Group.  More generally, Police Scotland works, alongside our road safety partners, toward attainment of the aims outlined within the Scottish Government’s Road Safety Framework 2030, one pillar of which is Safe Speeds.  However, it is the role of elected representatives rather than the police to determine policy in this regard.

## - what the police's position is on an average speed camera system within Stow.

The selection of speed camera sites, including average speed systems, is in accordance with the criteria and consultation requirements set out in the [**Scottish Safety Camera Programme Handbook**](https://www.transport.gov.scot/publication/scottish-safety-camera-programme-handbook/).  Police Scotland contributes to the collaborative governance framework as outlined in the handbook.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.