

Our Ref: IM-FOI-2022-2559  
Date: 21<sup>st</sup> December 2022



## FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

**We are making a request under the above Act for information relating to the A96, between the Blackburn layby and the Kingsfield Road flyover from September 2020 to date.**

- 1. Information including sight of any written or electronic communication detailing all reports of oil or road contaminant spillage on the A96, between the Blackburn layby and the Kingsfield Road flyover from September 2020 to date.**
- 2. Information including sight of any written or electronic communication detailing any reported complaints in relation to the A96, between the Blackburn layby and the Kingsfield Road flyover from September 2020 to date.**
- 3. Information including sight of any written or electronic communication detailing any reports of incidents occurring on the A96, between the Blackburn layby and the Kingsfield Road flyover from September 2020 to date.**

The table below provides the number of incidents recorded on Police Scotland's incident recording system, Webstorm, on the A96 between Blackburn and Kingsfield from 1<sup>st</sup> September 2020 to 30<sup>th</sup> November 2022.

Final Incident Type	2020	2021	2022
Road Traffic Collision	7	21	5
Road Traffic Matter	22	60	65
<b>Total</b>	<b>29</b>	<b>81</b>	<b>70</b>

*All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 13/12/2022. The data was extracted using the incident's raised date and by using Disposal codes TR-41 (Road Traffic Collision) and TR-43 (Road Traffic Matter).*

I can advise you that between 1<sup>st</sup> September 2020 and 30<sup>th</sup> November 2022, there have been 12 separate reports to Police Scotland of oil or road contamination.

Five of these incidents relate to a report of oil on the road.

Three of these incidents relate to petrol or diesel on the road.

Two of these incidents relate to mud on the road.

Two of these incidents relate to a spill on the road but do not specify the type of spill.

The table below provides the number of recorded Road Traffic Collisions on the A96 between Blackburn and Kingsfield from 1<sup>st</sup> September 2020 to 30<sup>th</sup> November 2022, by severity.

<b>Collision Severity</b>	<b>2020</b>	<b>2021</b>
Serious	1	1

*All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 13/12/2022.*

On the 12th June 2019, CRaSH was implemented within D Division. On the 3rd July 2019, CRaSH was implemented across the other Police Divisions within Police Scotland. CRaSH replaced the existing procedures for recording Road Traffic Collisions.

Please note that a reportable collision is defined under Section 170 of the Road Traffic Act 1988 and describes the legal responsibility on those drivers involved to report the matter to the police. Where those involved exchange personal details, there is no legal requirement to report a collision to the police and this applies particularly to non-injury collisions.

As such, there may have been other collisions within the location of your request, which were not reported to Police Scotland, nor which required a collision report to be created, and will therefore not be included within the statistics.

**4. Confirmation of the mapping reference system used to record incidents and road defects on the A96, between the Blackburn layby and the Kingsfield Road flyover from September 2020 to date.**

WEB GIS Mapping is a mapping system which is built into the incident recording system used by Police Scotland, Webstorm.

This system uses a recognised easting and northing co-ordinate system to record where an incident has occurred. The location or co-ordinates are selected by a controller based on the information provided to them by the call giver or from any correspondence should that be email, letter or caller to a public office.

**5. Any photographs taken in relation to complaints, reports or incidents concerning the A96, between the Blackburn layby and the Kingsfield Road flyover from September 2020 to date.**

In response to this question, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

## OFFICIAL

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, photographs obtained in relation to complaints, reports or incidents can be obtained by officers using their mobile devices when attending, which are then retained on Pronto and can be linked to the Webstorm reference.

Photographs could potentially also be emailed to the Police Scotland 'Contact Us' mailbox by members of the public in relation to any complaint, report or incident. These emails would be retained by the Service Centre and archived with an incident number attached to them.

To confirm if a photograph has been obtained in relation to any complaint, report or incident, case by case assessment of every Webstorm incident would have to be carried out to confirm if photographs were obtained, and check with officers who attended to confirm if they have taken photographs that were not linked to the Webstorm reference on Pronto.

This is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

Should you require any further assistance please contact Information Management Dundee, quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions. Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.police.uk](mailto:foi@scotland.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

**OFFICIAL**