| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2910  Responded to: 07 December 2023 |
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Your recent request for information is replicated below, together with our response.

## The number of call outs to incidents relating to Bonfires and fireworks during the period 25/10/2023 to 9/11/2023 in Ardrossan North Ayrshire

## How does the above answers compare to the similar time periods last year

I can provide that there are 4 incidents recorded in relation to fireworks for the time period 25 October to 9 November 2022. No incidents recorded for the time period 25 October to 9 November 2023.

In relation to fires, there were 10 incidents reported in total for the time period over the 2 years. Between 25 October to 9 November 2022, 3 incidents, of which 2 related to bonfires and between 25 October to 9 November 2023, 7 incidents, of which 4 related to bonfires.

## Copies of the incident reports for the above time period and geographical area

In terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, 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.

I can confirm that Police Scotland holds the information that you have requested.

The exemption(s) that I consider to be applicable to the information requested by you is/are as follows:

Section 38(1)(b) – Personal Data

Section 34(1)(b) – Investigations

Section 35(1)(a)&(b) - Law enforcement

Section 39(1) - Health & Safety

Public Interest Test

Information is exempt if it is held for the purposes of an investigation which in the circumstances may lead to a decision to report a matter to the Procurator Fiscal.

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

Public Interest Test

Public awareness would favour disclosure as it would contribute to the public debate surrounding the police handling of such an enquiry.

I would, however, contend that the efficient/ effective conduct of the service and public safety favours retention of the information as it cannot be in the public interest to release information that would prejudice law enforcement.

Accordingly, at this time the public interest lies in protecting the integrity of investigative and criminal justice procedures by refusing to provide the information sought.

I appreciate that there is a public interest in relation to police investigations. That said, it is essential that neither the investigation nor the potential for proceedings to be brought against an individual are put at risk.

## A copy of the vehicle damage reports which were sustained on attending the above area and time period which were directly relating to the incidents and the amount of time any vehicles were not operational as a result of the damage.

There is no reported damage of Police Scotland vehicles for both time periods.

## Injuries sustained by personnel attending the incidents and how many personnel received injuries.

## As a result of injuries were personnel needing time off duty due to the injuries.

The response to these 2 questions is nil for both time periods.

## Has there been any arrests made regarding the above incidents

Police in Scotland have the power to arrest an individual where there is sufficient evidence to support a charge against them - either for a common law offence or for a statutory offence where the statute empowers the police to arrest any person contravening its provisions.

There is however no mandatory recording process in relation to arrests as not all offenders are routinely arrested when they commit offences and some may be subject of a report to the Procurator Fiscal without ever having been arrested.

To be of assistance, I can provide that no crime reports were raised in relation to the above incidents.

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.