| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-0087Responded to: 01 February 2024 |
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Your recent request for information is replicated below, together with our response.

**Can you please confirm if the police will fine/charge people who exceed 20mph on roads with 20mph limit signs in a red circle, Or will the police only fine/charge people who exceed 30mph on roads where the signs indicate the limit is 20mph.**

**Can you please advise how many fines/charges/warnings that the Police have made to drivers who have exceeded 20mph but at a speed of 30mph or less?**

In response to these questions, I would first of all refer you to the [Speeding Standard Operating Procedure (SOP)](https://www.scotland.police.uk/spa-media/gmfjjitx/speeding-sop.doc).

The Lord Advocate’s Guidelines, which detail enforcement thresholds for speeding are considered exempt and, as such, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18.

Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.

Whilst we accept that doing so would better inform the public as to the enforcement thresholds in use, the overwhelming public interest lies in preventing road traffic offences and keeping people safe.

* If the information was held, it would be exempt from disclosure in terms of at least one exemption set out in the Act. In this instance, the following exemptions apply:

Section 35(1)(a)&(b) - Law Enforcement - disclosure would severely prejudice the prevention and detection of crime and the apprehension or prosecution of offenders. Accordingly, the information you have requested is exempt.

Section 39(1) - Health, Safety and the Environment - disclosure would endanger the physical health or safety of an individual. If the above information was disclosed it may encourage road users to commit offences, thereby endangering other road users and pedestrians and render the safety camera ineffective as a road safety measure.

In terms of the exemptions above, whilst we accept that disclosure would better inform the public as to the enforcement thresholds in use, the overwhelming public interest lies in preventing road traffic offences and keeping people safe.

**Can you also please confirm what communication Police Scotland have made with local authorities with respect to what enforcement Police Scotland will apply to roads with 20mph limits?**

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.

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, such correspondence is not centrally located and any officer or member of staff could potentially hold information of relevance to your request.

We have no means by which all correspondence held can be searched in terms of recipient type and/or subject matter.

That means that we would have to individually search the email accounts of all officers and staff, as well as network drive areas, both common and personal. Unfortunately, the research required to carry out this part of your request is clearly extensive

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 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 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.