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Our Ref: IM-FOI-2022-0962
Date: 20 May 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.

Can I please obtain which speeding cameras, specifically in Edinburgh, have caught the most drivers and are responsible for the most pay-outs, could you please provide me with the top 15 if that's possible? i.e the 15 speed cameras in Edinburgh that have been triggered by drivers the most between January 1, 2021, and December 31, 2021.

In response to this question please see the table below which provides the number of excessive speed activations.

Please be advised that the fixed and dual camera locations have been anonymised, I regret to inform you that I cannot provide you with the specific location of the fixed cameras as requested.

The information requested is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act).

Section 16 of the Act requires Police Scotland 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.

Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

Section 35 – Law Enforcement

If we were to disclose the information requested above it would give a clear indication of the level of enforcement of a particular camera and furthermore would set a precedent for the disclosure of the same information at every site across the area, which would severely prejudice the prevention and detection of crime and the apprehension or prosecution of offenders. Accordingly, the information you have requested is exempt.

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This is a non-absolute exemption which requires a public interest test.

Section 39 (1) – Health, Safety and the Environment

This information is exempt as its disclosure would or would be likely to endanger the physical health or safety of an individual. If the above information was disclosed it would indicate the level of enforcement at a specific site and show any patterns or trends in the use of the equipment which would encourage road users to commit offences, thereby endangering other road users and pedestrians and render the safety camera ineffective as a road safety measure.

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

Public Interest Test

It could be argued that public awareness and safety camera partnership accountability would favour disclosure. That said, the application of the exemptions listed above, the efficient/effective conduct of Police Scotland and overall public safety favour non-disclosure of the information. On balance it is considered that the public interest in disclosing site specific data is outweighed by the potential consequences to law enforcement and the impact such a release would have on road safety measures.

TOP 15 Sites - Speeding Detections between 1st January - 31st December 2021		
Address	Camera Type	Total
The A90 Road Edinburgh between Burnshot Flyover and Cammo Road	Mobile	2,467
Old Dalkeith Road, Edinburgh between Cameron Toll Gdns and Walter Scott Ave	Average Speed	1,496
Fixed 1	Fixed Speed	1,238
Fixed 2	Fixed Speed	823
Fixed 3	Fixed Speed	815
Dual 1	Dual	561
Fixed 4	Fixed Speed	530
Fixed 5	Fixed Speed	469
Fixed 6	Fixed Speed	385
Dual 2	Dual	383
Fixed 7	Fixed Speed	346
Fixed 8	Fixed Speed	315
Fixed 9	Fixed Speed	301
Fixed 10	Fixed Speed	267
East Fettes Avenue at its junction with Inverleith Place, Edinburgh	Mobile	195

Could you please also detail how much, in pound sterling, each camera has been responsible for issued speeding fines within this period.

In terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

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By way of explanation, Police Scotland does not hold information relating to the value of funds collated from speed camera activations. Fines are paid directly to the Scottish Courts and Tribunals service. I have provided their contact email address should you wish to redirect your enquiry to them.

foi@scotcourts.gov.uk

Should you require any further assistance please contact Information Management 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.pnn.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 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.