| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-1253Responded to: 30 May 2023 |
| --- | --- |

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

## Can you please share with me figures for the past 5 years of how many drivers of motor vehicles have been issued with an on-the-spot fixed charge penalty notice for breaching Rule 178 of the Highway Code, specifically encroaching past an Advanced Stop Line at a red light?

Having considered your request in terms of the Act, 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 meaning section 12(1) of the Act (Excessive Cost of Compliance) would apply.

By way of explanation, there is no specific offence of breaching Advance Stop Lines (Cycle Boxes). The offence you are referring to is motorists ‘Failing to Obey a Red Light’ which is encompassed into the crime classification of Drivers neglect of Traffic directions not Pedestrian Crossing.

The legislation states that if a car is able to stop at the first stop line, then it must do so however if the red box is within its braking distance then it may use this area.

Providing you with statistics specific to Advance Stop Line offences would require a manual check of each and every recorded offence under Section 36 of the Road Traffic Act 1988 to ascertain the exact circumstances.

To illustrate the numbers involved, our published Multi Member Ward [Crime Data](https://www.scotland.police.uk/spa-media/llhi1znw/mmw_crime_data_2021_22_q4.xlsx) shows that in the financial year 2021/22 there are 500 recorded offences of Drivers neglect of Traffic directions not Pedestrian Crossing (group 7). Therefore this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

Furthermore, it may also be necessary in some cases to cross-refer this information with other recorded information – for example, in police officer notebooks – to establish the full circumstances. Again, this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

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.