Our Ref: IM-FOI-2022-1875 Date: 29th September 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.

In relation to the approximately 20 garages that sit between Bruce Court TD9 7ER to the South and Bothwell Court TD9 7EP to the North and is accessed by road from Mayfield Drive in Hawick, believed to be known as the Bothwell Court garages.

For the last 7 years, can you provide crime/incident statistics in relation to these.

In relation to crime statistics 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, on review of the police beat which covers this area, it was determined that 7,220 crimes were recorded for the 7 year period from 2015/16 to 2021/22. Whilst it was hoped that these could then be mapped to the garage area, it was discovered that 611 of these crimes did not contain co-ordinate information to allow this to take place. Each of these crimes would need to be manually examined and contact made with the relevant enquiry officer to determine whether they were relevant to your search.

In this case 611 crimes would need to be manually checked. At a conservative estimate of 5 minutes per record, this equates to over 50 hours of work to provide the information requested.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

You may wish to consider submitting a request for a reduced time period or for a specific subset of crimes which may allow some information to be provided.





OFFICIAL

In relation to incident statistics, I can confirm that 67 incidents were found that occurred within a 75 meter radius of the garages. I have manually reviewed these and none of them relate to the garages.

For the last 7 years, can you provide any discussions or dialogue that took place involving Police Scotland and Scottish Borders Housing Association relating to these garages. I am also looking for any dialogue Police Scotland has had with any other groups, stakeholders or community bodies relating to criminality or any form of anti social behaviour even loosely linked to these garage areas. Essentially I am looking for any information that would indicate that these garages at any time over the last 7 year were an area of concern.

Having contacted the local community officers that cover this area I can confirm that they are unaware of any contact or discussions held in relation to anti-social behaviour at or linked to the garage area. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

By way of context, they have advised this is considered to be a very quiet area of Hawick and back to 2012, they have no knowledge of any issues in relation to the garages and they are not considered to be an area of concern.

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.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 <u>Disclosure Log</u> in seven days' time.



