

Our Ref: IM-FOI-2022-1304
Date: 06 July 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.

I am seeking information about dangerous cycling offenses committed in Glasgow City Centre.

Specifically, I am requesting the following information:

1. How many penalties were issued for cycling on the pavement between June 1st 2021 and June 1st 2022 for offenses committed within the boundaries of Glasgow City Centre? This figure should include all fixed penalty notices, fines and prosecutions - but not warnings or cautions.

Having considered this question 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.

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.

To explain, Police Scotland records crimes in line with the Scottish Government Justice Department crime classification codes.

The behaviours set out in your request do not align to specific offences - albeit such behaviours may result in an individual being charged with *careless or dangerous* cycling depending on the circumstances.

To be of assistance we also considered whether we could answer your request in terms of Fixed Penalty Notices issued, but again, there are no specific classifications that pertain to your request. The potentially relevant classifications include all vehicle types and it would not be possible therefore to provide information specifically for cycles within the cost limit.

We could supply data on recorded/ detected crimes of *dangerous and careless cycling* but these figures would include other behaviours beyond cycling on pavements.

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Should you wish this information on crimes, please submit a new request for information.

I can also advise you that Police Scotland does not hold prosecution information. As such, 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.

You may wish to contact the Crown Office and Procurator Fiscals Service (COPFS) which holds conviction information for Scotland. A request can be submitted to COPFS via email using the following address foi@copfs.gsi.gov.uk

2. Does Police Scotland have an official policy or guidelines for the crime of cycling on the pavement?

3. If so, please send me a copy of this policy or these guidelines.

I can advise you that there is no specific Standard Operating Procedure or guidance with regard to the stated offence, as such, 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.

Should you require any further assistance please contact Information Management - Dundee at foidundee@scotland.police.uk 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 [Disclosure Log](#) in seven days' time.

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