

Our Ref: IM-FOI-2022-1278
Date: 4th 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.

Could you please share with me information about the number of fines given in your area to drivers for 'incorrect disposal' of cigarette butts (e.g. throwing them out of the car window)?

How many of these fines have you issued in the past financial year (April 2021 - April 2022)

How much in total were these fines (for the same period of time).

In response to these questions, 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, in the event that Police Scotland had issued an 'ASB FPN' for littering, it would be recorded under that general heading and the crime recording systems used by Police Scotland have no means of searching for specific circumstances.

Case by case assessment of all ASB FPNs would have to be carried out, for the time period requested, to establish the circumstances and determine whether they were relevant to your request - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

You may wish to contact the Local Authorities as they are more likely to hold information of relevance.

Should you require any further assistance please contact Information Management Dundee, quoting the reference number given.

OFFICIAL

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.