

Our Ref: IM-FOI-2022-0335
Date: 24 February 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.

How many taxed abandoned vehicles on the public highway, with lapsed MOT's, were reported to Police Scotland in the last recorded year?

In response to your question I can advise you that although there is an incident classification code for abandoned vehicles on our incident recording system (STORM), there is no relevant marker which allow the automatic retrieval of whether the concerned vehicles have a MOT certificate or not.

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, the only way to provide an accurate response to your request would be to manually examine each and every relevant incident report to establish whether the MOT status is mentioned - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

To be of assistance we could provide you with the general figure for abandoned vehicles, bearing mind that details such as those in your question would not be retrievable. If this is of interest to you please advise.

YB06 [] is abandoned outside my home. Reported to Police in December 2021 the Inverness Resolution Unit reported difficulty in contacting the registered keeper. There has been no follow up. Perth and Kinross Council say they are powerless to act while the vehicle remains taxed. The wrecked vehicle in question is taxed through May 2022 and could remain outside my home for 6 months.

Unfortunately under the Act we cannot provide comment on this matter. You may wish to consider submitting a complaint. You can do this via this web link: [Contact Police Scotland - Police Scotland](#)

I look forward to your reply including the Police Scotland view on whether a change in the law is required to remove such dangerous vehicles from the public highway.

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The information requested by you is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). In terms of Section 8 of the Act, information which requires a yes or no answer or opinion is not a valid request.

Should you require any further assistance please contact Information Management - Dundee on 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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