| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0454  Responded to: 24th March 2023 |
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Your recent request for information is replicated below, together with our response.

**Braehead Arena, The Time Frequency, Public entertainment licence - 28 May 2022**

**Can you please email to me any police report and/or other available public information from Police Scotland viz the above event including but not limited to:**

**1) your response to the licencing authorities by Police Scotland viz the event in terms of Section 3(1) of Schedule 1 of the Civic Government (Scotland) Act 1982 and/or otherwise as relevant**

Please find the requested document attached.

I must advise that it has been necessary to withhold some of the information requested, therefore, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

* states that it holds the information,
* states that it is claiming an exemption,
* specifies the exemption in question and
* states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information you have requested and the exemption that I consider to be applicable is set out at:

* Section 30(c) - Prejudice to the Effective Conduct of Public Affairs
* Section 38(1)(b) – Personal Information

Section 30 (c) - Prejudice to the Effective Conduct of Public Affairs.

In this case an internal phone number has been redacted. To release these details publicly through FOI legislation could negatively impact on the operational effectiveness of the relevant department within Police Scotland. While it is acknowledged that the disclosure of this information would support transparency and better inform the public as to how the Service conducts its business, there are already established routes for the public to make contact with the police and the disclosure of these additional details would not support the effective conduct of public affairs. As a result, section 30(c) of the Freedom of Information (Scotland) Act 2002 is engaged.

## Section 38(1)(b) – Personal Information

Any information that could lead to the identification of individuals has been redacted. This is in accordance with Section 38(1)(b) of the Freedom of Information (Scotland) Act 2002 –Personal Information.

This relates to the name of any staff member within Police Scotland of a more junior role (below the rank of Superintendent or Head of Department). Those of a more senior rank have been included as it is deemed within the public interest to do so.

As such, the processing would be unfair and unlawful in respect of the individuals concerned and would therefore be in breach of the first principle of the Data Protection Act 2018. This is an absolute exemption, which does not require a public interest test to be conducted.

**2) all materials you hold/consult/reference risk management, risk mitigation/risk evaluation at this event and other "dance events" at this venue**

In response to your request, 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, your question is very broad and would essentially involve a manual trawl of our filing systems to find all of the relevant documentation for subsequent review.

In this case many thousands of records would need to be manually checked. It is estimated that this is a take that would take hundreds if not thousands of hours to complete.

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.

I would normally suggest a refined timescale or scope in order to comply with the cost threshold under the Act but I do not believe this would assist in this case.

**3) the cost to Police Scotland in terms of the aforementioned act**

**4) the cost to Police Scotland in policing the event on the day and any subsequent costs arising.**

In regards to questions 3 and 4, 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, whilst we do have some cost information noted in relation to this event, we do not have a specific cost code for all elements that would go to make up the total cost. The only way to obtain these would be for a manual review of the notebooks of each officer involved in the planning of the event as well as the policing of the event on the day to be conducted. We would need to determine how many hours were used in the preparation, planning and execution of the event. It is likely that the information requested, in particular in regards to the planning aspect would not be held at a level which would allow your request to be answered but it would exceed the cost threshold within the Act to confirm whether this was the case or not.

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.

To be of some assistance however, I can confirm that Police Scotland charged the organiser £12,584 in relation to our costs for the event. We also have specifically recorded that £5,578.41 in overtime payments were paid to officers involved in the event. Please note this figure relates to overtime only and does not record any standard on duty time.

**5) copies of correspondence between you, duly redacted as necessary, between 2017 to date, with https://www.ntia.co.uk/ and/or associated entities**

If I start off by just looking at the email aspect of your request, 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, we have previously attempted to conduct similar keyword searches to the one that would be required. In this case a search for emails containing the phrase “ntia” along with potentially others would be required.

Despite extensive efforts to retrieve emails requested by keyword it has become clear that whilst we do have the facility to conduct a keyword search but we do not have the facility to limit this to a particular date range.

This means that any mention of the keywords on any date would be returned. These are returned as individual full mailbox archive files for each mailbox that contains these keywords.

Once these archives are retrieved, a manual process is required to confirm which emails within each file contain the keyword required. This is further complicated by the fact that we will simply know there is at least one email within the mailbox archive that contains the keyword. There could be 1 or 100 and so each email would need to be manually checked for the topic requested.

During previous similar keyword requests we have conducted a rough estimate using one of our divisions (A Division) which accounts for a bit over 1,300 mailboxes. It is estimated that 100-200 of these may contain the keywords requested. If this is extrapolated across our other divisions this would give us a rough estimate of 2,400 to 3,600 mailbox files to review but it is expected this number may be higher due to the relative size of some of our divisions.

At an average estimate of 30 minutes to check each mailbox file concerned, this equates to around 1,200 to 1,800 hours of work to complete.

This is before we consider a review of additional correspondence such as files/notes/minutes/whatsapp messages etc held by Police Scotland which would again require a degree of manual searching. It is likely a full check of all documents held by the force would add thousands of additional hours to the time it would take to comply with the request.

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

In order to be of assistance, you may wish to consider reducing the scope of your request to a group of mailboxes or staff and limiting it to a particular time period which may allow it to be progressed.

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](mailto:foi@scotland.police.uk) 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](mailto:enquiries@itspublicknowledge.info) 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.