| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-2426  Responded to: xx October 2024 |
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Your recent request for information is replicated below, together with our response.

## I am looking for information regarding the consultation which was done around Forfar police station and the fact it was moving from town out to one of the council buildings.

## I am looking for all the questions and the answers given to the questions.

The requested information is attached – see excel sheet Information 1

I can confirm that no information has been withheld with the exception of information which is likely to identify individual participants.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002 I am refusing to provide you with the information sought and the exemption that I consider to be applicable to the information requested by you is set out at Section 38(1)(b) of the Act - Personal Data.

Information which would identify any individual whose details are not in the public domain cannot be disclosed. The release of this information to a third party would breach the requirement that exists in relation to processing personal information.

Personal data is defined in Article 4 of the General Data Protection Regulation (GDPR) as:

‘Information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’.

Section 38(2A) of the Act provides that personal data is exempt from disclosure where disclosure would contravene any of the data protection principles set out at Article 5(1) of the GDPR which states that:

‘Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject’.

Article 6 of the GDPR goes on to state that processing shall be lawful only if certain conditions are met. The only potentially applicable condition is Article 6(1)(f) which states:

‘Processing is necessary for the purposes of the legitimate interests pursued by […] a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data’.

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information, I do not agree that disclosure could be considered necessary in the circumstances.

Notwithstanding, I am further of the view that your interests are overridden by the interests or fundamental rights and freedoms of the data subjects.

On that basis, it is considered that disclosure of the information sought would be unlawful.

## Can someone also confirm the date the decision was made to move from the centre of town to the council building and also who made the decision.

To first provide the necessary context, I must advise you that the decision to close Forfar police station was not made due to the outcome of the consultation.

I can confirm that the decision to close the station was made on 11 September 2024 by the lead for Estates and H&S in Tayside.  The reason for the closure was due to a Health and Safety compliance issue.

For clarity, these are two parallel matters – the decision to move from the existing Forfar Police Station was made due to concerns relating to the deteriorating condition of the Forfar Police Station. Due to these concerns Police Scotland’s Corporate Finance Board considered and endorsed a request to consider a long-term solution for Forfar Policing on 2nd July 2024 which includes a long-term lease at William Wallace House. The long-term solution was subsequently approved by the SPA Accountable Officer on 4th July 2024.

In September, there was a requirement for Officers and Staff to exit Forfar Police Station as a result of Health & Safety Concerns. This was not a planned exit and was required to be completed urgently to ensure the health and safety of all Officers and Staff who were based in Forfar Police station.

The decision to move Officers into Angus House on a temporary basis was made on Wednesday 11th September due to these Health & Safety concerns. Subsequently CFO James Gray formally approved the temporary lease agreement on 20th September 2024 this lease agreement was made in agreement with the Local Division. This temporary relocation allows Officers to remain within the community they serve whilst a permanent accommodation solution is found in the local area.

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.