| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-0358Responded to: 28 February 2023 |
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Your recent request for information is replicated below, together with our response.

## Is there a speed tolerance on the fixed cameras used in your force area, and if so, what is the tolerance? For example, 10% + 2mph.

In response to this question, I would first of all refer you to the [Speeding Standard Operating Procedure (SOP)](https://www.scotland.police.uk/spa-media/gmfjjitx/speeding-sop.doc).

The Lord Advocate’s Guidelines, which detail enforcement thresholds for speeding are considered exempt and as such I am refusing to provide you with this information. Section 16 of the Act requires Police Scotland to provide you with a notice which:

1. States that it holds the information,
2. States that it is claiming an exemption,
3. Specifies the exemption in question and
4. States, if that would not be otherwise apparent, why the exemption applies.

I can confirm that the information sought is held by Police Scotland and the exemptions I consider applicable are as follows:

Section 35(1)(a)&(b) - Law Enforcement

If we were to disclose the information requested above it would severely prejudice the prevention and detection of crime and the apprehension or prosecution of offenders. Accordingly, the information you have requested is exempt.

Section 39(1) - Health, Safety and the Environment

This information is exempt as its disclosure would or would be likely to endanger the physical health or safety of an individual. If the above information was disclosed it may encourage road users to commit offences, thereby endangering other road users and pedestrians and render the safety camera ineffective as a road safety measure.

Public Interest Test

It could be argued that public awareness and accountability would favour disclosure. That said, the application of the exemptions listed above, the efficient/ effective conduct of Police Scotland and overall public safety favour non-disclosure of the information.

On balance it is considered that the public interest in disclosing threshold data is outweighed by the potential consequences to law enforcement and the impact such a release would have on road safety measures.

## How many fixed speed cameras are installed in your force area?

Please be advised that information regarding speed cameras is publicly available.

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

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

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”*

The information you are seeking is available via the following link:

[Cameras — Safety Cameras Scotland](https://www.safetycameras.gov.scot/cameras/)

## How many fixed speed cameras in your force area are

1. permanently turned on - 126 fixed speed cameras
2. permanently turned off - 28 dormant fixed speed cameras. The camera is usually covered with a ‘not in use’ sign. A site may remain dormant for a period of three years, after which a decision must be taken on whether it will be abandoned or re-activated.
3. temporarily in use - there are no fixed speed cameras temporarily in use

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 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 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.