| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0116  Responded to: 7th February 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

**Under FOISA 2002, please tell me how many accidents/collisions and injuries have been recorded on the A899 Northbound dual carriageway between Lizzie Bryce roundabout and the Almondvale Interchange, Livingston on-slip for each calendar year from 2019 to 2022 inclusive. For 2019, I’m content to receive data only from 3 July 2019 when the CRaSH recording system was introduced. Please provide the figures under the ‘reportable collision’ criteria as defined under Section 170 of the Road Traffic Act 1988, in the table-format used in your response of 30 November 2022 to IM-FOI-2022-2350** [**https://www.scotland.police.uk/spa-media/shafwmdw/22-2350-foi-response.pdf**](https://www.scotland.police.uk/spa-media/shafwmdw/22-2350-foi-response.pdf)

Please find the requested information in the two tables below. I would ask you to note the caveats provided below which apply to both tables:

## Recorded Road Traffic Collisions, A899, Between Almond Interchange and Lizzie Brice Roundabout, Broken on Collision Severity

| **Collision Severity** | **2020** | **2021** | **2022** |
| --- | --- | --- | --- |
| Serious | 1 | 0 | 0 |
| Slight | 1 | 0 | 1 |
| **Total** | **2** | **0** | **1** |

## Recorded Road Traffic Collision Casualties, A899, Between Almond Interchange and Lizzie Brice Roundabout, Broken on Casualty Severity

| **Casualty Severity** | **2020** | **2021** | **2022** |
| --- | --- | --- | --- |
| Serious | 1 | 0 | 0 |
| Slight | 2 | 0 | 1 |
| **Total** | **3** | **0** | **1** |

## Caveats

* All statistics are provisional and should be treated as management information. All data have been extracted from Police Scotland internal systems and are correct as at 24th January 2023.
* Data excludes non-injury collisions as per standard operating procedure.
* Specified areas have been selected using GIS Mapping. A section of the A899 has been selected between Almond Interchange and Lizzie Brice roundabout (based on the Grid East and Grid North).
* On the 12th June 2019, CRaSH was implemented within D Division. On the 3rd July 2019, CRaSH was implemented across the other Police Divisions within Police Scotland. CRaSH replaced the existing procedures for recording Road Traffic Collisions.
* Note - the data is subject to change and will be updated on the next extract of data from CRaSH on 3rd February 2023.

**For the van-based radar equipment that was used on the above section of road on 22 October ’22, please provide a copy of the calibration certificate for the equipment and the dates it is valid from and to. Also advise of the frequency that it must be calibrated as per the manufacturer's instruction.**

**Please also provide a copy of the appropriate documentation that proves that the operator that day was correctly trained and qualified and the relevant dates, including of any refresher training and quality checks undertaken on their work in general, by a more senior officer.**

In regards to these two questions, please find the requested information in 23-0116 Attachment 01. Please note it has been necessary to redact some information from both certificates. This is the name and signatures of those mentioned on the certificates.

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 that you have requested.

The exemption that I consider to be applicable to the information requested by you is section 38(1)(b) - Personal Data.

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 set out at Article 6(1)(f) which states:

‘Processing is necessary for the purposes of the legitimate interests pursued by the controller or 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, in particular where the data subject is a child’

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information and that disclosure may well be necessary for that purpose, I am nonetheless of the view that those interests are overridden by the interests or fundamental rights and freedoms of the data subject.

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

**Please advise me of how long the camera unit was in that position that day. Also the dates of its other activity at that location between 1 July 2022 and 22 October.**

**I would also like to know how many alleged speeding offences were recorded by this camera unit on each of these days.**

In regards to the 22nd October 2022 I can confirm the mobile camera unit was present for 1.69 hours with 6 offences being detected during that time.

In regards to the other information requested, please find this information in the table below.

| **Date** | **Hours Of Enforcement** | **Offences Detected** |
| --- | --- | --- |
| 09/07/2022 09:57 | 1.62 | 1 |
| 18/07/2022 15:01 | 1.27 | 4 |
| 22/07/2022 10:05 | 1.51 | 1 |
| 27/07/2022 10:10 | 1.13 | 2 |
| 01/08/2022 15:01 | 1.61 | 5 |
| 02/08/2022 14:48 | 1.8 | 8 |
| 06/08/2022 09:51 | 1.6 | 1 |
| 11/08/2022 09:51 | 1.6 | 4 |
| 19/08/2022 09:51 | 1.6 | 1 |
| 19/08/2022 12:01 | 1.6 | 1 |
| 21/08/2022 14:50 | 1.58 | 0 |
| 23/08/2022 17:47 | 1.82 | 10 |
| 25/08/2022 09:50 | 1.58 | 0 |
| 02/09/2022 17:49 | 1.83 | 5 |
| 03/09/2022 12:07 | 1.84 | 7 |
| 12/09/2022 18:36 | 1.78 | 10 |
| 13/09/2022 14:45 | 1.58 | 0 |
| 13/09/2022 16:53 | 1.58 | 0 |
| 18/09/2022 14:55 | 1.67 | 0 |
| 22/09/2022 17:25 | 1.82 | 15 |
| 23/09/2022 09:56 | 1.6 | 4 |
| 24/09/2022 10:03 | 1.8 | 3 |
| 26/09/2022 09:54 | 1.8 | 1 |
| 27/09/2022 15:01 | 1.85 | 0 |
| 27/09/2022 14:56 | 1.6 | 1 |
| 27/09/2022 17:06 | 1.58 | 0 |
| 30/09/2022 10:25 | 1.75 | 0 |
| 30/09/2022 12:30 | 1.75 | 0 |
| 05/10/2022 13:01 | 1.27 | 5 |
| 10/10/2022 16:05 | 1.58 | 0 |
| 13/10/2022 12:51 | 1.78 | 10 |
| 15/10/2022 12:21 | 1.6 | 3 |
| 15/10/2022 13:05 | 0.68 | 6 |
| 22/10/2022 18:07 | 1.69 | 6 |

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.