

**From:** Foi Enquiries  
**Sent:** 01 April 2019 15:41  
**To:** [REDACTED]  
**Subject:** EIR-19-0361 - Penalty Charge Notices  
**Attachments:** V2 - Further Information - Right to Review & Appeal.pdf; EIR-19-0361 - Penalty Charge Notices.csv

Dear [REDACTED],

Thank you for your information request of 11 March 2019. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

**The fields that I am looking for are:**

Please refer to the attached spreadsheet [EIR-19-0361 – Penalty Charge Notices](#).

**1. Number of PCNs issued by your council in 2018 (or in the last twelve-month period for which data exists, since 2015)**

1 January 2018 – 31 December 2018 = 39,251 PCNs issued.

- **Number of PCNs from the above category which were challenged**

For the same period 6120 appeals were received. This has been recorded on the spreadsheet.

- **Number of the above challenges which were made online, by post, or by other means (itemised)**

Please refer to the attached spreadsheet. All appeals must be made in writing as per the legislation and in 2018 Aberdeen City Council did not offer an online appeals service. As such, all appeals made to Aberdeen City Council were made by post or by email but we do not hold records to show the method of receipt. All appeals are dealt with using the same process regardless of the method of receipt.

ACC is unable to provide you with information on **the number of the above challenges which were made by post or by email** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

- **Number of the above challenged PCNs in each category which were upheld by the Council, and the number of the above challenged PCNs in which category which were not upheld/cancelled by the Council**

As explained in the attached spreadsheet, we do not hold figures to show how many PCN's were cancelled following an appeal and which were cancelled outwith the appeals process. The figure which has been provided shows the total number of PCN's which have been cancelled during the period in question.

ACC is unable to provide you with information on **the number of the above challenged PCNs in each category which were upheld by the Council and the number of the above challenged PCNs in which category which were not upheld/cancelled by the Council** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

**Finally, please let me know if there are any restrictions on using any of the data for research purposes.**

The information provided is available for re-use under the Re-Use of Public Sector Information Regulations 2015.

## **INFORMATION ABOUT THE HANDLING OF YOUR REQUEST**

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

We hope this helps with your request.

Yours sincerely,

Anna Buchan  
Access to Information Officer

**Grant Webster** | Access to Information Officer  
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We wish to advise you that the information which was released with this response is too large to be uploaded to our disclosure log. If you are interested in viewing the attachment, please contact us at [foienquiries@aberdeencity.gov.uk](mailto:foienquiries@aberdeencity.gov.uk), quoting the appropriate reference number, and we will provide you with a copy.