

# An Garda Síochána

Oifig Saorála Fáisnéise,  
An Garda Síochána, Teach áth Luimnigh,  
Lárionad Gnó Udáras Forbartha Tionscail,  
Baile Sheáin , An Uaimh,  
Contae na Mí.  
C15 ND62



Freedom of Information Office,  
An Garda Síochána, Athlumney House,  
IDA Business Park,  
Johnstown, Navan,  
Co Meath.  
C15 ND62

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website:  
[www.garda.ie](http://www.garda.ie)

Bí linn/Join us  

Ríomh-phoist:/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000454-2020 Request Part-Grant

*Dear*

I refer to your request, dated and received on 10<sup>th</sup> December, 2020 which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by An Garda Síochána.

Part 1(n) of Schedule 1 of the FOI Act states that An Garda Síochána is listed as a partially included agency "insofar as it relates to administrative records relating to human resources, or finance or procurement matters". Therefore, only administrative records that relate to human resources, finance or procurement shall be considered.

Your request sought:

*In accordance with Section 12 of the Freedom of Information Act, I request access to records which are non-personal and which I believe are held by An Garda Síochána.*

*I request the following records relating to Fixed Charge Penalty Notices.*

- (i) *The total number of fixed charge notices and/or fines that were paid in 2016, 2017, 2018, 2019 and 2020 up to and including the date of this request in Co Clare (i.e. the Garda divisions of Ennis, Ennistymon, Killaloe, Kilrush and Shannon), with a breakdown of offence type and Garda division*

I wish to inform you that I have decided to part-grant your request on 21<sup>st</sup> December, 2020.

The purpose of this letter is to explain my decision.

## 1. Findings, particulars and reasons for decision

Upon receipt, details of your request were forwarded to the relevant sections of An Garda Síochána who conducted a search for records containing the information you have requested.

Please see attached Appendices which set out the number and amount of fines paid for offences for the years 2016, 2017 and 2020 to date for the Clare Division. The figures were extracted based on the date the payments were processed by An Post. Therefore, some payments may relate to offences that occurred in the later stages of the previous years.

I wish to advise you that I am refusing the part of your request that seeks records for “*the Garda divisions of Ennis, Ennistymon, Killaloe, Kilrush and Shannon*”. This office has been advised that a manual trawl through each of the Fixed Charge Notices would be required in order to obtain the records in the format requested by you. This volume of work would cause a substantial and unreasonable interference with and significantly disrupt the workload of the relevant section of An Garda Síochána. I am therefore refusing this part of your request under Section 15(1)(c) of the FOI Act which states:

### ***Refusal on administrative grounds to grant FOI requests***

*15 (1) A head to whom an FOI request is made may refuse to grant the request where—*

*(c) in the opinion of the head, granting the request would, by reason of the number or nature of the records concerned or the nature of the information concerned, require the retrieval and examination of such number of records or an examination of such kind of the records concerned as to cause a substantial and unreasonable interference with or disruption of work (including disruption of work in a particular functional area) of the FOI body concerned,*

The Sections of the Freedom of Information Act 2014 that deny access to information are known as exemptions. In this regard, I am also refusing to provide records with regard to the years 2018 and 2019 in accordance with section 15 (1)(d) of the Freedom of Information Act 2014 which states:

*15. (1) A head to whom an FOI request is made may refuse to grant the request where –  
(d) the information is already in the public domain.*

This information was subject of a previous Freedom of Information request (FOI-000195-2020). An Garda Síochána publishes all decisions made on requests for non-personal information, including the full decision letter, on its website. The relevant decision and released records are available by following the link below.

<https://www.garda.ie/en/information-centre/freedom-of-information/decision-log/decision-letter-foi-000195-2020-fcn-s-2018-and-2019.pdf>

## 2. Right of Appeal

In the event that you are not happy with this decision you may seek an Internal Review of the matter by writing to the address below and quoting reference number **FOI-000454-2020**.

**Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, Navan, Co. Meath, C15 ND62.**

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Accountant, Garda Finance Directorate, Garda Headquarters, Phoenix Park, Dublin 8.

Payment can be made by electronic means, using the following details:

**Account Name:** An Garda Síochána Imprest Account

**Account Number:** 30000302

**Sort Code:** 951599

**IBAN:** IE28DABA95159930000302

**BIC:** DABAIE2D

**You must ensure that your FOI reference number FOI-000454-2020 is included in the payment details.**

You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal may be permitted in appropriate circumstances.

Please be advised that An Garda Síochána replies under Freedom of Information may be released in to the public domain via our website at [www.garda.ie](http://www.garda.ie)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you have any questions or concerns regarding the above, please contact the FOI Office by telephone at (046) 9036350.

  
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**PAUL BASSETT**  
**FREEDOM OF INFORMATION OFFICER**

25 DECEMBER, 2020.



# FCN Payments Recv Divisional (RPT\_FCPS\_088) - Clare Division

**Selected Period:**

**Between 01 January 2016 and 31 December 2016**

About This Report: Payments Received

Division	Clare	Divisional Count	7582	Amount €	€ 598050
Offence Group Description					
Speeding Offences			4429		371200
Fail to display a valid tax/insurance disc			983		65430
Use a mobile phone whilst driving			623		39630
Seat belt			326		20760
<b>Learner/Novice Driver Offences</b>			<b>253</b>		<b>19900</b>
Driving a vehicle without reasonable consideration			174		14960
Failing to obey parking signs and road markings			160		6840
Use a vehicle without NCT Test Certificate			157		10530
Public Order offences			122		14400
Park in a manner or location that causes a danger or obstruction			51		2220
<b>Parking or stopping in a clearway or disabled space</b>			<b>47</b>		<b>4080</b>
Use a vehicle/trailer without the required lighting			46		3150
Drink driving fixed penalty			42		11800
Use a vehicle with defective/dangerous tyres			39		3360
Crossing centre lines on a road way causing danger			31		2600
Fail to observe traffic signs & road markings			29		2230
Fail to stop at traffic lights (red & amber)			23		1880
Parking Offences - Hired Vehicles			7		300
Dangerous or endangering overtaking			7		600
Parking/entering a bus lane, bus contraflow, at a bus stop or taxi rank			4		180
Park/obstruct a entrance or exit to a Fire Station, Garda Station or Ambulance			4		160
Failure to obey mandatory signs, weight restrictions and reversing offences			3		180
Fail To Yield Right Of Way			3		280
Drive on or across a footway, cycle track or continuous white line			3		180
Pedal Cycle Offences			3		140
<b>Motorway Offences</b>			<b>2</b>		<b>160</b>



# FCN Payments Recv Divisional (RPT\_FCPS\_088) - Clare Division

**Selected Period:** Between 01 January 2016 and 31 December 2016

About This Report: Payments Received

Exceed vehicle weight	2	400
Parking/stopping in a loading bay or school entrance	2	80
Park within 5 metres of a road junction, traffic lights or pedestrian crossing	2	80
Fail to wear a crash helmet	2	160
Failure to obey with an instruction given by a Garda/School Warden	1	80
Goods/Passenger vehicle authorisation plate offences	1	60
Drive or park in a pedestrian area or street	1	40



# FCN Payments Recv Divisional (RPT\_FCPS\_088) - Clare Division

**Selected Period:**

**Between 01 January 2017 and 31 December 2017**

About This Report: Payments Received

Division	Clare	Divisional Count	7059	Amount €
<b>Offence Group Description</b>				
Speeding Offences			4147	350840
Fail to display a valid tax/insurance disc			826	54810
Use a mobile phone whilst driving			699	44850
Seat belt			316	19980
Learner/Novice Driver Offences			244	19560
Driving a vehicle without reasonable consideration			145	12280
Public Order offences			139	16520
Use a vehicle without NCT Test Certificate			108	7200
Failing to obey parking signs and road markings			87	3840
Use a vehicle with defective/dangerous tyres			84	7120
Park in a manner or location that causes a danger or obstruction			39	1680
Drink driving fixed penalty			36	8600
Use a vehicle/trailer without the required lighting			32	2010
Parking or stopping in a clearway or disabled space			32	2720
Fail to stop at traffic lights (red & amber)			31	2560
Crossing centre lines on a road way causing danger			25	2080
Fail to observe traffic signs & road markings			21	1540
Park within 5 metres of a road junction, traffic lights or pedestrian crossing			15	660
Failure to obey with an instruction given by a Garda/School Warden			7	640
Fail To Yield Right Of Way			5	440
Pedal Cycle Offences			5	200
Dangerous or endangering overtaking			4	320
Parking Offences - Hired Vehicles			3	200
Drive on or across a footway, cycle track or continuous white line			3	180
Motorway Offences			2	120
Drive/Park/stop in tram only street or cycle track			1	40



# FCN Payments Recv Divisional (RPT\_FCPS\_088) - Clare Division

**Selected Period:** Between 01 January 2017 and 31 December 2017

About This Report: Payments Received

Fail to wear a crash helmet	1	80
Park/obstruct a entrance or exit to a Fire Station, Garda Station or Ambulance	1	40
Exceed vehilce weight	1	200



# FCN Payments Recv Divisional (RPT\_FCPS\_088) - Clare Division

**Selected Period:** Between 01 January 2020 and 15 December 2020

About This Report: Payments Received

Division	Clare	Divisional Count	5575	Amount €
<b>Offence Group Description</b>				
Speeding Offences			3945	337000
Use a mobile phone whilst driving			557	36180
Fail to display a valid tax/Insurance disc			353	23910
Seat belt			153	10110
Learner/Novice Driver Offences			86	7010
Driving a vehicle without reasonable consideration			76	6440
Public Order offences			73	8240
Failing to obey parking signs and road markings			71	3160
Use a vehicle with defective/dangerous tyres			64	5640
Park in a manner or location that causes a danger or obstruction			39	1740
Use a vehicle without NCT Test Certificate			36	2460
Parking or stopping in a clearway or disabled space			19	2925
Crossing centre lines on a road way causing danger			18	1480
Fail to stop at traffic lights (red & amber)			15	1280
Exceed vehicle weight			10	2000
Use a vehicle/trailer without the required lighting			10	630
Failure to obey with an instruction given by a Garda/School Warden			8	680
Fail to observe traffic signs & road markings			7	540
Parking Offences - Hired Vehicles			7	430
Drink driving fixed penalty			5	1400
Parking/stopping in a loading bay or school entrance			5	200
Pedal Cycle Offences			4	180
Dangerous or endangering overtaking			4	360
Fail To Yield Right Of Way			4	320
Drive on or across a footway, cycle track or continuous white line			3	180
Park within 5 metres of a road junction, traffic lights or pedestrian crossing			1	40





# FCN Payments Recv Divisional (RPT\_FCPS\_088) - Clare Division

**Selected Period:** Between 01 January 2020 and 15 December 2020

About This Report: Payments Received

Failure to obey mandatory signs, weight restrictions and reversing offences	1	60
Drive or park in a pedestrian area or street	1	80