

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 DR90



Freedom of Information Office,
An Garda Síochána, Athlumney House,
IDA Business Park,
Johnstown, Navan,
Co Meath.
C15 DR90

Teileafón/Tel: (046) 9036350

Bí linn/Join us



Láithreán Gréasain/Website:

www.garda.ie

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000453-2017 Request Refused

Dear

I refer to your request, dated 13th October, 2017 and received on 16th October, 2017 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:

- *I request the following records for academic purposes. My request is to know how much income was generated from fines in relations to the littering of cigarette butts in County Dublin for the years 2015 and 2016.*

I wish to inform you that I have decided to refuse your request on the 3rd November, 2017.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

On receipt of your request, a search was conducted in the Fixed Charge Processing Office (FCPO) in Thurles, Co Tipperary. The FCPO process fixed charge notices (Fines) issued for a number of different offences. Currently the offence of Littering as set out under section 3 of the

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Litter Pollution Act 1997 is not included on the FCPO system and therefore the FCPO have no record of the amount of fines issues or paid relating to this type of offence.

In this regard, I am refusing your request in accordance with Section 15(1)(a) of the Freedom of Information Act 2014 which states:

Refusal on administrative grounds to grant FOI requests

15(1)(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken

Prosecutions for littering offences are provided for under section 25 of the Litter Pollution Act, 1997, and it provides for the fine to be paid to the Local Authority. I suggest that the local authorities would be better placed to compile a record of the fines issued in their functional areas.

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-000453-2017**.

**Freedom of Information Office,
An Garda Síochána,
Athlumney House,
IDA Business Park,
Navan,
Co. Meath,
C15 DR90.**

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: Garda Síochána Finance Section Public Bank Account
Account Number: 10026896
Sort Code: 900017
IBAN: IE86B0F190001710026896
BIC: BOFIE2D

You must ensure that your FOI reference number FOI-000453-2017 is included in the payment details.

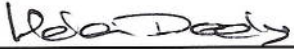
You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal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

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 me by telephone at (046) 9036350.

Yours sincerely,

 **SUPERINTENDENT**
HELEN DEELY
FREEDOM OF INFORMATION OFFICER

7th November 2017