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If calling please ask for

Mr K McKaig on (01382) 434577

Our Ref	KMcK/AG
Your Ref	
Date	22 November 2012

Dear Madam

Freedom of Information (Scotland) Act 2002 – 20120704004

I refer to your letter of 28 June and I apologise for the delay in replying. I would also apologise for not responding to your reminder. Your organisation made a similar request on 29th May 2009 which was replied to previously. I am therefore treating your new request as a request for all information from that date.

I enclose all of the documents as detailed in the attached list. However I would inform you that Section 30(c) of the Freedom of Information (Scotland) Act 2002 provides that information is exempt and does not require to be disclosed if that would prejudice substantially, or be likely to prejudice substantially, the effective conduct of public affairs.

I take the view that disclosing the other documents and information which you have requested would substantially prejudice the effective conduct of public affairs.

While Section 30(c) is subject to the Public Interest Test I take the view that in all the circumstances of the case the public interest in disclosing the information is outweighed by that in maintaining the exemption.

Your Right to Appeal

If you are unhappy with this reply you may require the Council to review its actions and decisions in relation to your request.

The requirement for review must:-

- be in writing or other permanent form (please address it to me);
- state your name and give an address for correspondence;
- specify the original request for information and the matter which gives rise to your dissatisfaction; and

If you have trouble understanding English please contact the address below

اگر آپ کو انگریزی سمجھنے میں مشکل پیش آتی ہے تو برائے مہربانی نیچے درج پتے پر رابطہ کریں:

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇੰਗلیش سمجھنے میں مشکل پیش آتی ہے تو ذیل پتے پر رابطہ کریں:

Jeżeli masz trudności w zrozumieniu języka angielskiego, skontaktuj się na poniżej podany adres:

如果你對英語理解有困難，請聯絡以下地址:

t:\documents\foisa\2012\november\20120704004 - duffy.doc

Dundee Translation & Interpretation Service, Mitchell Street Centre, Mitchell Street, Dundee DD2 2LJ.
Tel: 01382 435825 Fax: 01382 435805

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- be made within 40 working days of the date of this response, although the Council may, if it considers it appropriate to do so, consider requirements for review after that time has passed.

Your requirement for review will be dealt with by the Chief Executive. He will reply to you in writing promptly and in any event within 20 working days. He may:-

- confirm my decision with or without modification;
- substitute a different decision for my decision;

and will give you his reasons for so doing.

If you are unhappy with the Chief Executive's decision you may then appeal to the Scottish Information Commissioner. You must submit your appeal to the Scottish Information Commissioner within six months of receiving the Chief Executive's decision. Further details on the Scottish Information Commissioner's appeal procedure can be found at enquiries@itspublicknowledge.info or telephone (01334) 464610 or write to Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Yours faithfully


Kenneth McKaig
Legal Manager

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