



CORPORATE RESOURCES
REVIEWING OFFICER ROBERT MCILWAIN

Legal Services
HEAD OF LEGAL SERVICES SANDRA DICKSON

Our Ref: WAD/CDCREV-00065-7
Your Ref:
If calling ask for: Bill Dunn, Tel: 01698 454564
E-mail address: Bill.Dunn@southlanarkshire.gov.uk
Date: 11 June 2007

Mr R Freel
Secretary
Stonehouse Community Council
75 Lockhart Street.
Stonehouse
ML9 3LX

Dear Mr Freel,

Freedom of Information (Scotland) Act 2002
Request for a Review – Decision Notice – R2007- 15

I refer to your letter dated 11 May 2007 requesting a review under the provisions of the Freedom of Information (Scotland) Act 2002 ("FOISA").

A review has now taken place and I am responding on behalf of the Review Panel. The review relates to your request for information in a letter dated 17 March 2007. Your request was for information relating to the redevelopment of Stonehouse Community Hall. In particular, your second request was for "any internal reports, emails or internal discussion documents which discussed the possibility of linking the current facility with a social work building".

Community Resources responded to you but you were unhappy with that response and you submitted your request for a review.

Summary of the Decision of the Review Panel

The Review Panel decided to

- confirm that all of the information held by the Council has been supplied to you
- advise you that the Council does not hold some of the specific information requested in your request in terms of section 17 of FOISA and
- give you copies of two appendices to a briefing note and papers relating to a planning application by Mr. K. Weir to allow you have a complete picture.

Review Panel's Considerations

You requested a review in a letter dated 11 May 2007. In your letter, you expressed doubt that the Council had provided all of the requested information to you. You pointed out that

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the Council had not supplied a number of reports and actions outstanding since 2006 or decisions taken subsequently to him. In particular, you asked for

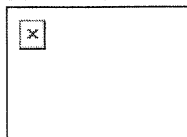
1. Any further correspondence
2. Copies of reports by the project officer to the senior management team
3. Copies of two appendices to a report to the then Executive Director (Community Resources) which while the covering report had been provided the appendices had not
4. Copies of the full brief prepared by a project group set up to develop accommodation schedules
5. Copies of correspondence with the local elected member
6. Copies of details of a planning application which had been submitted and
7. Copies of minutes taken at a design session, including information from Social Work.

As part of the review process, the review panel asked Community Resources to respond to these points. Their response was as follows. The possibility of a joint facility between Community Resources and Social Work Resources depended on the purchase of additional land. The purchase of this land would determine many of the matters raised by you. At this time, negotiations are ongoing for the purchase of the additional land. The Council has not concluded these negotiations. Therefore, the Council has not yet done some of the planned actions mentioned in the papers provided to you.

In particular, on each of the points raised by you, Community Resources responded as follows:

- 1) The Council does not hold any additional internal reports etc. as the issue of the integration and design of any joint facility will be undertaken once the additional land has been bought by the Council
- 2) Officers provided verbal Reports on the project and land acquisition. Consequently, the Council does not hold any further information in respect of these reports
- 3) Community Resources did not provided the appendices. Community Resources considered that the appendices were not part of the request. However they provided copies to send to you to give a complete picture
- 4) The briefing note mentions a project team to be brought together to refine accommodation schedules into a full brief. This full brief has not yet been prepared as it depends upon the Council buying the additional land. Accordingly, the Council does not hold the information
- 5) Community Resources have confirmed that all discussions with elected members were verbal and no notes taken. Accordingly, the Council does not hold this information
- 6) The Council had not made the planning application nor was the application made on their behalf. The land subject to the planning application is not the site proposed by the Council though the Council facility and the development would share access routes. The application is otherwise unconnected with the Council's proposals. Therefore, the Council does not hold this requested information. .
- 7) The Council does not hold minutes of the project team meeting as officers took no minutes. The team has met once and the main item discussed was the purchase of the land. The design brief cannot be prepared until the Council has bought the land. Therefore, the Council does not hold this information.

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The review panel were satisfied that the Council does not hold the additional information and therefore refused that part of the request. However, the Council does hold information relating to the planning application in Enterprise Resources. Your requests clearly related to the Council's plans for any joint facility between Community Resources and Social Work Resources. The planning application relates to the erection of a football and sports academy including a sports hall and outdoor pitches at land at Strathaven Road/Sandford Road, Stonehouse. Mr. K. Weir of Stonehouse Ahead submitted the application. It is separate from the Council's proposals and therefore was not subject to the request. Enterprise Resources have made copies of the planning application available and these are enclosed with this letter to provide you with background information.

If you are dissatisfied with the outcome of our review, you have the right to appeal to the Scottish Information Commissioner. You have six months from receiving this notice to appeal.

The Commissioner will decide whether the Council has dealt with your request properly. The Commissioner's contact details are as follows:-

Scottish Information Commissioner

Kinburn Castle

Doubledykes Road

St Andrews

Fife

KY16 9DS

Tel: 01334 464610

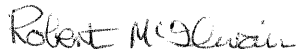
Fax: 01334 464611

e-mail: enquiries@itspublicknowledge.info

For further details, please see the Commissioner's website at www.itspublicknowledge.info.

If you are dissatisfied about the final decision of the Commissioner, you are entitled to appeal to the Court of Session on a point of law.

Yours sincerely



Robert McIlwain
Reviewing Officer

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