

Community and Enterprise Resources
Executive Director **Michael McGlynn**
Planning and Economic Development

Mr Robert Freel
robfreel@btinternet.com

Our ref: AB/LC/FOI/6590968
Your ref:
If calling ask for: Lesley Campbell
Date: 07 September 2018

Dear Mr Freel

Freedom of Information (Scotland) Act 2002 (FOISA)
Environmental Information (Scotland) Regulations (The EI(S)Rs)
Request for information regarding to Land at Lanark Road, (A72), Larkhall

Thank you for your letter dated 2 August in which you requested information relating to the above site.

Your letter requested the following information:

Details and copies of the Section 75 Agreements relating to the following applications

- HM/15/0470
- HM/15/0471
- HM/15/0487
- HM/07/0136

If the agreements had not been concluded, you requested details of the processing agreements entered into.

Freedom of information (Scotland) Act 2002 (FOISA)

The Council has considered that the information requested is exempt from the provisions of FOISA. The relevant exemption is that the information is subject to the Environmental Information (Scotland) Regulations 2004 (section 39(2) of FOISA).

The Council will go on to respond to your request in terms of EI(S)Rs.

Information held back in terms of Regulation 6(1)(b) of EI(S)Rs

Not applicable

Information released

HM/15/0487 – No Section 75 Agreement was required for this application. The decision notice was withheld until a financial contribution of £12,500 was submitted towards the upgrading of community facilities. This was received prior to the issuing of the consent and has not been spent to date.

HM/15/0487 - The application for a residential development was approved at Planning Committee on 26 April 2016 subject to a Section 75 Agreement to ensure that appropriate financial contributions are made at appropriate times during the development towards the following:

- Financial contribution towards community facilities and in lieu of on-site play facilities
- Financial contribution towards the provision of affordable housing.
- Financial contribution towards educational facilities

Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB

Email: planning@southlanarkshire.gov.uk

buildingstandards@southlanarkshire.gov.uk

Phone 0303 123 1015



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To date no agreement has been reached and no processing agreement has been entered into. There have been pre application discussions on the progression of the site although no formal applications have been submitted.

HM/15/0470 and HM/15/0471 – The two applications for residential developments were approved at Planning Committee on 1 November subject to a Section 75 Agreement to ensure that appropriate financial contributions are made at appropriate times during the development towards the provision of educational facilities, community facilities and affordable housing.

To date no agreement has been reached and no processing agreement has been entered into however there have been ongoing discussions on the level of contributions.

Request for review

We have an internal panel (the Review Panel) to deal with complaints from people who are not happy about the way that we have handled their request. Staff not involved in the original decision will handle any review.

If you want to complain, you can ask the Review Panel to look at the way that we have dealt with your request. It will consider whether we have complied with the requirements of the EI(S)Rs. Please note that if you wish to complain, you must do so by 02 November 2018. You must explain why you are not happy when requesting a review.

Please note that the Review Panel cannot look at any decisions taken by the Council or actions of the Council or any of its employees or a service provided by it that are not connected to the handling of your request for information.

You should send your request for a review to:

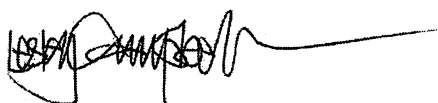
Mr. W. Dunn
Information Compliance Manager
Finance and Corporate Resources
Floor 13
Council Offices
Almada Street
Hamilton
ML3 0AA

Alternatively, you can request a review at foi.reviews@southlanarkshire.gov.uk

Appeal to the Scottish Information Commissioner

If you are not happy with the outcome of the review, you can appeal to the Scottish Information Commissioner. The Commissioner will decide whether we have dealt with your request properly. Please see the Commissioner's website at www.itspublicknowledge.info for further details.

Yours sincerely



Lesley Campbell
Area Manager