

FOI request - Stonehouse Hospital

From: Campbell, Lesley ENTR (Lesley.Campbell@southlanarkshire.gov.uk)
 To: robfreel@btinternet.com
 Date: Thursday, 2 May 2019, 15:59 BST

Dear Mr Freel,

Freedom of Information (Scotland) Act 2002 (FOISA)**Request for Information**

I refer to your information request received by the Council on 21 March 2019 in which you ask for the following information:

Copies of any reports, notes and information prepared for internal briefing or planning committee briefing that concerned the access / egress to the proposed sites in relation to the introduction or not of roundabouts on the A71 either prepared by roads department or external consultants in relation to traffic impact assessments, traffic impact analysis and flows as well as health and safety.

a) Barratt site at west of the village as you leave to go to Strathaven and adjacent to Stonehouse Lifestyles Centre.

b) Stonehouse Hospital site Pre 2018 including Planning application HM/06/0704 relating to Drawing 05646/100/101

c) Stonehouse Hospital site 2018 to date

I would apologise for the delay in responding however I have been trying to locate a missing file which you have requested.

Freedom of Information (Scotland) Act 2002 (FOISA)

The Council has considered that the information is subject to the Environmental Information (Scotland) Regulations 2004 and is therefore exempt from the provisions of FOISA under Section 39(2).

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

Response to request

Some of the information requested is exempt from the provisions of the EI(S)Rs because the information is already publicly available and easily accessible in another form or format. The relevant exemption is Regulation 6(1)(b). With regard to points a) and c) of your request, detailed information on the planning applications relating to the two sites is not provided. The information is available on the Council's website www.southlanarkshire.gov.uk by selecting Planning and Building Standards and then Planning application/warrant search and searching on the planning application reference HM/13/0448 for the site adjacent to Lifestyles which was developed by Barratt Homes and P/18/1515 and P/18/1516 for the current planning application by Persimmon Homes for the site of the former Stonehouse Hospital. Planning application reference HM/13/0448 has now been determined and as such the Traffic Statement is available to view on the Council's website.

With regard to planning application HM/04/0369, Residential development (Outline) I have retrieved this file from our archivist and there are drawings, documents and reports relating to the development of the site. The files are substantial with two documents containing over 200 pages each however are now available for inspection at the Council offices in Montrose House. Should you wish copies of particular documents or excerpts of any information contained in the files, we can provide these and depending on the extent of copying required may have to consider a charge. Please contact myself to arrange to view these and I can ensure someone is available to make any copies necessary.

Information withheld

The Council is refusing part of your request because the information that you have asked for is excepted from disclosure by the EI(S)Rs. The Council can withhold information where one or more exceptions listed in the EI(S)Rs apply. The relevant exception is

- ❖ The request involves making available material which is still in the course of completion, to unfinished documents or to incomplete data (Regulation 10 (4)(d))

How the exemption applies to the information that we are not releasing: The Resource has considered that the exception set down in Regulation 10(4)(d) applies to the information requested in that it refers to material which is still in the course of completion, to unfinished documents or to incomplete data. The correspondence relating to the introduction or otherwise of a roundabout serving the Stonehouse Hospital site has not been fully submitted and assessed in that the Council's Roads and Transportation Services have requested further information relating to the planning application to alter the access to the site and have not given their full comments.

Consequently, the Council cannot comply with your request in full because part of the information is exempt from the EI(S)Rs.

The Resource is refusing part of your request as the exception set down in Regulation 10(4)(a) applies in that the Council does not hold it. The file relating to the roundabout, pavement and associated services (HM/06/0704) has been misplaced and despite a search of both the Planning Service and the Council's Archives cannot be located. Staff in both locations will continue to try and locate the file however I cannot provide any documents from the file at this time. I shall of course contact you should the file be located.

Request for Review

The Council has a Review Panel to deal with complaints from people who are not happy about the way that it has 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 FOISA. Please note that if you wish to complain, you must do so by 31 May 2019. 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 11
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 the Council has dealt with your request properly. Please see the Commissioner's website at www.ispublicknowledge.info for further details.

Yours Sincerely,

Lesley Campbell
Area Manager (Hamilton & Clydesdale)
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Montrose House
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Hamilton
ML3 6LB

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