

Our Ref: FOI/EIR Ref 12535

Your Ref:

Date: 6 February 2013

Ms Susan Crosthwaite

Communications Unit

Council Offices

English Street

Dumfries DG1 2DD

Any enquiries please contact

Alex Little

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Dear Ms Crosthwaite

**FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 / ENVIRONMENTAL
INFORMATION (SCOTLAND) REGULATIONS 2004
REQUEST FOR INFORMATION**

I refer to your request for information and I am pleased to inform you that the Council has decided to provide you with some of the information asked for and it is enclosed. The Council has also decided not to disclose some of the information requested and as such this letter is also a Refusal Notice, which is explained further in this letter.

In relation to point 1 of your request this has been treated under the terms of the above Regulations and as such the Council has relied on the exception set out at Regulation 10(4)(e) which for ease of reference states that a Scottish public authority may refuse to make environmental information available to the extent that the request involves making available internal communications. In particular the information relates to Legal Advice sought by the Council and provided by a Solicitor. The Scottish Information Commissioner has found that such an exception may be applied where the information relates to privileged legal advice sought and obtained by the Council.

In respect of part two of your request please find below a link to where the public information is available;

http://rpu.dumgal.gov.uk/xpedio/groups/public/documents/committee_reports/027269.pdf

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If you require any further clarification, please do not hesitate to contact me, however if you are not satisfied with the way in which your request has been dealt with you may request a review of the decision by writing to:

- Senior Information Officer, at Communications Unit, Council Offices, English Street Dumfries DG1 2DD, within 40 days of receiving this letter.

Thereafter:

- The Office of the Scottish Information Commissioner at Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, Telephone: 01334 464 610.

If you are unhappy with a decision by the Scottish Information Commissioner, you may be able to take the matter to the courts or complain to the Scottish Public Services Ombudsman.

Yours sincerely

Alex Little
Senior Information Officer