

East Renfrewshire Licensing Board

Freedom of Information (Scotland) Act 2002 and the
Environmental Information Regulations (Scotland) 2004

Guide to Information

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VERSION CONTROL

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0.1	First draft	14/5/13
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Introduction

Section 23 of the Freedom of Information (Scotland) Act 2002 requires that all Scottish public authorities maintain a publication scheme. Publication schemes are high level, strategic documents in which a public authority commits to making published information available to the general public. This ensures that information held by authorities is open, accountable and transparent at all times.

The Board has adopted the Scottish Information Commissioner's "model scheme" and this is available at:

<http://www.eastrenfrewshire.gov.uk/index.aspx?articleid=1853>

About East Renfrewshire Licensing Board

The Licensing Board covers the area of East Renfrewshire Council. This is located to the south of the City of Glasgow, to the East of Renfrewshire, to the West of South Lanarkshire, and to the North of East Ayrshire.

The Board is generally responsible for overseeing the application of alcohol and gambling licensing legislation. The Board decides applications for licences and has powers to control alcohol and gambling licensed premises and activities. The Board is a separate legal entity from the Council

The Board comprises of five members elected from the councillors in East Renfrewshire. In addition, the council provides a Clerk or Depute Clerk of the Board and administrative assistance to the Board.

Accessing Information

The information published by East Renfrewshire Licensing Board is made available through the Council website. You can find information either by browsing the website:

<http://www.eastrenfrewshire.gov.uk/index.aspx?articleid=1>

or through the A-Z of services:

<http://www.eastrenfrewshire.gov.uk/index.aspx?articleid=3809>

Further information on all aspects of freedom of Information and the Environmental Information Regulations are available on the Council's Fol page:

<http://www.eastrenfrewshire.gov.uk/index.aspx?articleid=1853>

Information is also available in alternative formats or languages. For further information, see the contact details below.

If you are still having trouble finding any document listed under our scheme, please contact Customer First at our Eastwood or Barrhead offices at:

Eastwood Park
Rouken Glen Road
Glasgow G46 6UG

or

211 Main Street
Barrhead
G78 1FY

or at customerservices@eastrenfrewshire.gov.uk , or on 0141 577 3000.
Alternatively, contact <mailto:craig.geddes@eastrenfrewshire.gov.uk> for assistance.

Fees for Information

All the information available through the publication scheme and on the website is available free of charge.

If the information that you require is not available through the publication scheme, you may nonetheless request it. There is an online form for this purpose under the “do it online” tab at:

<http://www.eastrenfrewshire.gov.uk/index.aspx?articleid=1853>

While most such requests will not incur a charge, The Freedom of Information (Scotland) Act and the Environmental Information (Scotland) Regulations do permit charging in some circumstances.

In the event that a payment is required for the information you want, you will be advised of the charge and how it has been calculated. Information will not be provided to you until payment has been received

We reserve the right to impose charges for providing information in paper copy or computer disc / alternative formats. East Renfrewshire Council is mindful of its obligations under equality and anti-discrimination legislation when setting charges for alternative formats. Charges will reflect the actual costs of reproduction and postage to the authority, as set out below.

Reproduction costs

Black and white copy 10p per A4 sheet

Colour copy 30p per A4 sheet

Alternative formats

Computer discs £1 per CD-Rom / DVD

Plans and other hard-copy larger than A4 Actual cost of reproduction

Postage

Charged at the actual rate.

Research and information services are not “publications” and therefore fall outwith the scope of Freedom of Information. For example, certified extracts of registers, family history searches and property enquiry certificates involve the creation of new information. You can find out about these services by checking out the relevant pages on the website. Any such charges are set by the Council’s annual “Charging for Services” report.

Charges for information which is not available under the scheme

If you submit a request to us for information which **is not** available under the scheme the charges will be based on the following calculations:

FOISA:

- There will be no charge for information requests which cost us £100 or less to process.
- Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.
- We are not obliged to respond to requests which will cost us over £600 to process.
- In calculating any fee:
 - staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
 - Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.
 - Postage is charged at actual rate.

We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.

In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge.

Information will be provided to you within 20 working days on payment of the charge (less the time between when we initially received your request and when we sent you the fees notice). If you decide not to proceed with the request there will be no charge to you.

EIR:

We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released.

In the event that we decide to impose a charge, charges may be made for locating, retrieving and providing information to you. Charges for providing environmental information will be based on the actual cost of provision i.e. staff time, copying and postage charges calculated as set out below.

In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Schedule of Fees: charges for environmental information are calculated on the basis of the actual cost to the authority of providing the information. This will comprise: In calculating any fee:

- Staff time is calculated at cost calculated according to the actual time spent and the hourly rate (+oncosts) for the staff member, or members, involved.
- Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.
- Postage is charged at actual rate.

As specified under the EIRs, charges for Environmental information will not exceed a reasonable amount, and will in any event not exceed the costs of producing that information.

Personal Data

Requests for your own personal data are NOT dealt with under the Freedom of Information legislation. Rather, this information should be requested through the subject access provisions of the Data Protection Act. East Renfrewshire Council makes a charge of £10 to process such requests.

Further information is available from on the website at:

<http://www.eastrenfrewshire.gov.uk/index.aspx?articleid=1855>

Information Exempt from Disclosure

Sometimes we may not be able to provide certain information which is described in the scheme.

This may be an entire file, a document, or just parts of a document (for example, minutes of meetings might be published, but with personal information 'blacked out'). Information will only be withheld, however, where FoISA or EIR expressly permits it.

Examples of exempt information are where its disclosure would breach the law of confidentiality, harm an organisation's commercial interests, or endanger the protection of the environment. Information may also be withheld if it is someone's personal information and its release would breach data protection legislation.

Whenever information is withheld we will inform you of this, and will set out why that information cannot be released, and you will be notified of your right to ask for a review. Even where information is withheld it may, in many cases, be possible to provide copies with the withheld information edited out.

Copyright

East Renfrewshire Council holds the copyright for the vast majority of information in this publication scheme. All of this information can be copied or reproduced (but not re-used) without our formal permission, provided it is copied or reproduced accurately, is not used in a misleading context, and provided that the source of the material is identified.

The publication scheme may however contain information where the copyright holder is not the Council. In most cases the copyright holder will be obvious from the documents. In cases where the copyright is unclear, however, it is the responsibility of the person accessing the information to locate and seek the permission of the copyright holder before reproducing the material or in any other way breaching the rights of the copyright holder.

Access to the information does not mean that copyright has been waived, nor does it give the recipient the right to re-use the information for a commercial purpose. If you intend to re-use information obtained from the scheme, and you are unsure whether you have the right to do so, you are advised to make a request to the Council to re-use the information.

Feedback

FOISA requires that we review our publication scheme from time to time. As a result, we welcome feedback on how we can develop our scheme further. If you would like to comment on any aspect of this publication scheme or on FOI more generally then please contact us.

Please send any comments or suggestions to: Craig Geddes, Council Records Manager, at craig.geddes@eastrenfrewshire.gov.uk, or through Customer First offices at Eastwood or Barrhead by phone on 0141 577 3001 or by email at <mailto:customerservices@eastrenfrewshire.gov.uk>