

Mr David Hansen
c/o request-13801-5cabca70@whatdotheyknow.com

Your ref:

Our ref:
FOI/09/00858

Date:
10 September 2009

Dear Sir

**Review of the application of the Freedom of Information (Scotland) Act 2002 request
Forth Replacement Crossing – 3 Peer reviews
FOI/09/00858**

I have been asked by the Chief Executive of Transport Scotland to review, at your request, the application of the Freedom of Information Scotland Act 2002 (FOISA), specifically to review the “failure to provide the information in a readable form”. I was not connected in any way with the original analysis of your original question and come to the review with a fresh pair of eyes.

Under the terms of section 11 of FOISA a public authority is only required to provide information requested in a particular format where that request is “reasonably practical”. The documents that you sought do not exist in the particular format that you requested and in changing the documents to that format we would be potentially destroying information, an act which is specifically prohibited under FOISA. It was therefore not “reasonably practical” for us to provide the documents to you in plain text format.

Having reviewed the documents sent to you, I consider that whilst not perfect, they are readable and understandable and I therefore consider that Transport Scotland has met its obligations under FOISA. However, should you wish us to print them out and send them to you in hard copy please let me know and I shall arrange for this to be done.

You should note that the information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research you are doing and for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder. Most documents supplied by the Scottish Government will have been produced by government officials and will be Crown Copyright. You can find details on the arrangements for re-using Crown Copyright material on the OPSI website <http://www.opsi.gov.uk/click-use/index.htm>.

If you are still dissatisfied about the handling of your request, you have 6 months from the date of receipt of this letter to appeal to the Scottish Information Commissioner in writing detailing the

reasons for your dissatisfaction. The Scottish Information Commissioner can be contacted as follows:

Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Email: enquiries@itspublicknowledge.info
Tel: 01334 464610

Yours sincerely,

Alexander D. Ramage

Alexander D. Ramage
Head of Management Information Systems
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