

Brian Robin  
By email to: request-472693-  
81e5c507@whatdotheyknow.com

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**Finance & Corporate Services**

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Morag Ferguson  
03451 555555 ext. 442180  
morag.ferguson@fife.gov.uk

Your Ref:  
Our Ref: Q6.1.1/FCIR 21251  
R80.18/MF/ER

22 May 2018

Dear Mr Robin

**FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 ("the Act")  
REQUEST FOR REVIEW – REF Q6.1.1/FCIR: 21251 R80.18**

I refer to your email dated and received on 21 April 2018 and received on 23 April 2018 which has been taken as a request to review your information request. This has been passed to me for attention.

I note that on 21 March 2018 you requested the following information: -

“... any reports made against 58 Watt Crescent, Methil, KY8 2BN, particularly abandonment.”

In your email dated 21 April 2018 you made the following comment which has triggered my review as you have not received a response within the statutory 20 working-days' time scale: -

“As the abandonment report should be registered on a 'AB1' form, it should not be outwith the council's reach to respond within the lawfully agreed period.”

I have asked the relevant service to carry out an additional search to assist with my review.

The information you have requested is your own personal data. Therefore, I must apply the exemption contained in Section 38(1)(a) – personal data of which the applicant is the data subject. It would be a breach of the Data Protection Act 1998 to release this data to the public as a whole under the Freedom of Information (Scotland) Act 2002 procedure as it is your

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private information and instead it can be released solely to yourself by treating it as a subject access request under the Data Protection Act 1998.

However, I have been advised that you have in fact already made a relevant subject access request under reference FCIR: 19938 and that a response was issued to you by recorded delivery on 26 January 2018. Unfortunately, that letter was returned by the Royal Mail as 'Not Called For.' To arrange redelivery please contact the officer who dealt with the subject access request, Denise Boyack, on 03451 555 555 ext. 442371 or by email to [Denise.Boyack@fife.gov.uk](mailto:Denise.Boyack@fife.gov.uk)

Please accept my apologies that on this occasion the Council failed to issue an initial response to your information request (reference FCIR: 21251) within the 20-working days timescale. This was due to an unusually high number of requests received within the period.

I hope this is of assistance to you.

If you are dissatisfied with the Council's response to your request for a review in terms of the Regulations, you have the right to make an application to the Scottish Information Commissioner in terms of Section 47 of the Act. Any such application must be made before the expiry of six months after the date of receipt of this letter and should be sent to the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife KY16 9DS or you can appeal online at [www.itspublicknowledge.info/Appeal](http://www.itspublicknowledge.info/Appeal). You also have the right of appeal to the Court of Session (on a point of law only) if dissatisfied with a decision issued by the Commissioner.

Yours sincerely



PP- Morag Ferguson  
Head of Legal Services