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Mr Paterson

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Our Ref: Fol/18/00299 Review

12 March 2019

Dear Mr Paterson

Further to my e-mail of 27 February I have now completed my review of our response to your request under the Freedom of Information (Scotland) Act 2002 (FOISA) for a copy of all correspondence linked to Fol/18/03135 and for any colour coded documents to be released in colour.

I have concluded that you were provided with a copy of all relevant correspondence held in case file Fol/18/03135. The only documents not released as part of this Fol were:

- withheld documents
- documents released in part
- attachments highlighting the information to be redacted
- your initial request and review request
- letters sent to you
- documentation released to you.

Exemptions under a number of sections of FOISA apply to some of the information you requested. I've attached a print out of your case file and have detailed the exemptions below:

Section 25(1) applies to all correspondence available to you (your correspondence and the draft and final versions of correspondence issued to you).

Section 38(1)(b) applies to all personal information (names and phone numbers) redacted from the e-mails and documents released to you.

Section 33 (1)(b) and 36(1) apply to the information withheld in documents 1-27. All these documents are listed in the schedule of information released as part of this Fol (document 4) and details the exemptions applying to each document. These exemptions also apply to the 'response content' document as this collates documents 1-27 highlighting the information to be redacted. This was sent as an attachment to the Cabinet Secretary and Special Adviser for clearance.



The only information that is colour coded is to highlight sections to be redacted. The attachment from the Special Adviser (document 5) highlights some sections to be released and others to be redacted. These attachments were not released as you have the redacted versions of these documents.

All of the withheld and redacted documents are subject to an appeal and are currently being reviewed by the Scottish Information Commissioner.

If you are unhappy with the outcome of this review you have the right to appeal to the Scottish Information Commissioner about our decision within 6 months of receiving this letter. Information on how to make an appeal, along with an application form, is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

You can also contact the Commissioner at:

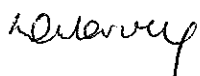
The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

E-mail: enquiries@itspublicknowledge.info

Telephone: 01334 464610

Should you then wish to appeal against the Commissioner's decision, there is a right of appeal to the Court of Session on a point of law only.

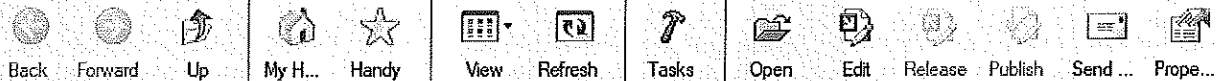
Yours sincerely,



Louisa Harvey

Policy Manager

Business Engagement and Regional Economic Partnerships Division



Name +

- DOCUMENT 1 - Submission update on feries contract - Partial release
- DOCUMENT 10 - Email from Kevin Hobbs to Graham Laidlaw - not released
- DOCUMENT 11 - Email from Kevin Hobbs to Tom Cousins
- DOCUMENT 12 - Email from Tom Cousins to Kevin Hobbs - Partial release
- DOCUMENT 13 - Submission from Roy Brannen - Partial release - exemption 33(1)(b) + 36(1)
- DOCUMENT 14 - Email from DG Economy to Cab Sec - Partial release
- DOCUMENT 15 - Submission from Roy Brannen to Cab Sec - Partial release - 33(1)(b) + 36(1)
- DOCUMENT 16 - Email from DG Economy to Ministers - partial release
- DOCUMENT 17 - Email from DG Economy to John Nicholls - partial release
- DOCUMENT 18 - Email from DG Economy to First Minister - Partial - 33(1)(b) + 36(1)
- DOCUMENT 19 - Email from DG Economy to Ministers - Partial (33(1)(b))
- DOCUMENT 2 - Briefing note for mtg with Jim McCol - Partial release
- DOCUMENT 20 - Email from DG Economy to SG Officials - partial - 33(1)(b)
- DOCUMENT 21 - Scottish Enterprise financing report - Partial
- DOCUMENT 22 - Briefing for Cab Sec - Partial - 33(1)(b) + 36(1)
- DOCUMENT 23 - Email from DG Economy to Officials - Partial
- DOCUMENT 24 - Email from John Nicholls to DG Economy - Partial release
- DOCUMENT 25 - Note of call between Roy Brannen and Jim McCol - Partial release
- DOCUMENT 26 - Email from Jim McCol to Cab Sec and DG Economy - Partial release
- DOCUMENT 27 - Email from DG Economy to Cab Sec and Officials - Partial release
- DOCUMENT 3 - Jim McCol mtg note - Partial release
- DOCUMENT 4 (86) - Cash Funding Situation - not released
- DOCUMENT 5 - Note of meeting with Jim McCol - Partial release
- DOCUMENT 7 - Jim McCol letter to Erik Ostergaard - not released
- DOCUMENT 8 - TS update and advice note - Partial release
- DOCUMENT 9 - Advice from Graham Laidlaw to Ministers - Partial release
- Fol - 18 - 03135 - Mr Paterson - Schedule of Information - Released in full (names redacted - 38(1)(b))
- Fol 18 03135 - Letter Response } 25(1) - already has a copy
- Fol 18 03135 - Original Letter Response } 25(1) - has copy
- Fol 18 03135 - REVIEW - Letter Response } 25(1) - has copy
- Fol 18 03135 - REVIEW - Letter Response } 25(1) - has copy
- Fol 18 03135 - Acknowledgement of Request - 25(1) - has copy
- Fol 18 03135 - Cab Sec Approval - email released - 38(1)(b) - names / personal info. Attachments - 25(1) - have redacted version.
- Fol 18 03135 - Mr Paterson - Response Content - copy docs 1 - 27, highlighting info to be redacted
- Fol 18 03135 - Mr Paterson - Response Content with redactions - 25(1) - has copy
- Fol 18 03135 - Original Request } 25(1)
- Fol 18 03135 - Response Content } 25(1)
- FOI 18 03135 - REVIEW - Acknowledgement } 25(1)
- Fol 18 03135 - SpAd Approval - email released 38(1)(b) - personal info. 25(1) h2 - copy redacted content

All withheld information currently at appeal stage.

All documents listed in the schedule of information released under Fol/19/00299

Exemption 33(1)(b) - withheld information

Exemption 25(1) for redacted versions

