

Our Ref: EIR190122Summers

Date: 16 February 2022

Ms Sarah Summers

Sent by e-mail only to: [request-823097-dd4bd811@whatdotheyknow.com](mailto:request-823097-dd4bd811@whatdotheyknow.com)

Dear Ms Summers

## Environmental Information Request

I refer to your request for information dated 18 January 2022 which was received by Glasgow Housing Association (GHA) on 19 January 2022.

We are dealing with your email as a request for environmental information under the terms of the Environmental Information (Scotland) Regulations 2004 (the "EIRs").

We consider that the requested information is environmental information in terms of the EIRs. An explanation as to we believe this to be the case is set out in Appendix 1 which is attached to this letter.

## Your request

You requested the following information:

*1) How many GHA properties and any associated properties such as cube etc (only if GHA oversees those and hence responsible for planning their smoke alarms too if applicable) (dwellings: flats, houses etc etc) in Glasgow are still yet to be installed with Smoke Alarms in accordance to the new Scottish Government law?*

*2) With reference to the number given in question one above, considering that smoke alarm installation will take around 2 hours per home/flat/dwelling etc to install how many working days or months would this approximately be expected to take (for all GHA social housing including any associated housing stock such as cube = if GHA is responsible for overseeing that) for all installations to be complete? (I refer also to the fact that I am aware that Scottish Government have indeed included flexibility for this purpose regarding their current deadline).*



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WGLH/MAR20/101799

## **Our response**

For ease of reference, I shall take each of your requests in the order numbered.

*1) How many GHA properties and any associated properties such as cube etc (only if ) GHA oversees those and hence responsible for planning their smoke alarms too if applicable) (dwellings: flats, houses etc etc) in Glasgow are still yet to be installed with Smoke Alarms in accordance to the new Scottish Government law?*

I can confirm that, as of 19 January 2022, there were 1353 properties remaining within the programme to be completed by GHA.

To the date of this letter, the programme is 99.9% complete.

*2) With reference to the number given in question one above, considering that smoke alarm installation will take around 2 hours per home/flat/dwelling etc to install how many working days or months would this approximately be expected to take (for all GHA social housing including any associated housing stock such as cube = if GHA is responsible for overseeing that) for all installations to be complete? (I refer also to the fact that I am aware that Scottish Government have indeed included flexibility for this purpose regarding their current deadline).*

### **Exception under Regulation 10(4)(a)**

Following a search of our electronic records, I have established that we do not hold the information that you have requested. That is to say we do not hold any document which contains the information you have requested in this part of your request. Accordingly, we have applied the exception in Regulation 10(4)(a) of the EIRs and are unable to comply with your request.

In applying regulation 10(4)(a) of the EIRs, I have considered the public interest test as required under Regulation 10(1)(b). I am satisfied that we do not hold this information in question. As we do not hold the information you have requested, I do not consider there to be any conceivable public interest in requiring that the information be made available. Therefore, the public interest in making the requested information available is outweighed by that in maintaining the exception in Regulation 10(4)(a) of the EIRs.

## **Review and appeal**

If you are dissatisfied with the way that we have dealt with your request, you are entitled to require that we review our decision. Please note that for a review to take place you must:

- Lodge a written request for a review within 40 working days of the date of this letter; and
- Include a correspondence address and a description of the original request and the reason why you are dissatisfied.

You can e-mail your request for an internal review to [informationreview@wheatley-group.com](mailto:informationreview@wheatley-group.com) or you can write to us at the following address:

Company Secretary, Governance Team, Wheatley House, 25 Cochrane Street, Glasgow, G1 1HL.

You will receive notice of the results of the review within 20 working days of receipt of your review request. The notice will state the decision reached as well as details of how to appeal to the Scottish Information Commissioner if you are still dissatisfied with the review response. You must request an internal review by way of the process outlined above before a complaint can be directed to the Scottish Information Commissioner.

The Scottish Information Commissioner can be contacted at:

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

Telephone: 01334 464610

E-mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

You can also use the Scottish Information Commissioner's online appeal service to make an application for a decision: [www.itspublicknowledge.info/appeal](http://www.itspublicknowledge.info/appeal)

Please note that you cannot make an appeal to the Scottish Information Commissioner until you have first requested an internal review.

Yours sincerely

Information Governance Team

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1. Appendix 1- Applicability of the Environmental Information (Scotland) Regulations 2004 to your request

## Appendix 1

Applicability of the Environmental Information (Scotland) Regulations 2004 to your request

I consider that the information that you have requested is environmental information in terms of the Environmental Information (Scotland) Regulations 2004 (the “**EIRs**”). This means that the information is exempt from disclosure under the Freedom of Information (Scotland) Act 2002 (“**the Act**”) because of the exemption contained at section 39(2) of that Act.

I believe that it is more appropriate to consider your request under the specific regulatory regime provided for environmental information. Further, I am of the opinion that the public interest in considering your request for environmental information in accordance with the terms of the EIRs outweighs the public interest in disclosure of such information under the terms of the Act.

“Environmental information” is defined in Regulation 2(1) of the EIRs and includes:

- measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements;
- activities affecting or likely to affect the elements of the environment (such as air and atmosphere, water, soil, land, landscape); and
- factors of the environment (such as substances, energy, noise, radiation of waste, including radioactive waste, emissions, discharges and other releases into the environment).

Your request is about property maintenance so would fall under the definition of environmental information.