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Information and Data Protection Team
Chief Executive's Department
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Phone: 0141 287 1055
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Our Ref: 7669779
21 December 2021

Sent by email: request-811102-fac16882@whatdotheyknow.com

Dear Mr Hand

Request under the Environmental Information (Scotland) Regulations 2004 ("The EIRs")

Thank you for your correspondence of 28 November 2021 where you asked for information relating to cycle lanes. For reference, the full details of your request are set out in the Annex to this letter.

The Council considers that the requested information is environmental information in terms of the EIRs. The explanation of why we believe this to be the case is set out in the Annex to this letter.

The Council's response is set out in the Annex to this letter and the relevant documentation is attached.

On inspecting our records it would appear that some of the information requested is covered by an exception contained within the EIRs. As you will see, some of the information has been redacted (blacked out). The reasons for this are contained within the attached Annex

Right to Request a Review

If you are unhappy with the way we have dealt with your request, you can ask us to formally 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. Please include the following information:

- Your full name and correspondence address;
- The reference quoted at the top of this letter; and
- The reason(s) why you are dissatisfied with the Council's response.

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Please address your request to the Director of Legal and Administration

Director of Director of Legal and Administration
Glasgow City Council
City Chambers
George Square
Glasgow G2 1DU

Email: FOIreviews@glasgow.gov.uk

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

For your information at this stage, an appeal can be made to the Scottish Information Commissioner if you do remain dissatisfied with the outcome of the Council's review decision. You can access the Commissioner's online appeal service portal to make an application for decision here: www.itspublicknowledge.info/appeal

Alternatively, you can contact the Scottish Information Commissioner using the following details:

Address: Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS.
Email: enquiries@itspublicknowledge.info
Telephone: 01334 464610

If you wish to submit a complaint to the Council in relation to the manner in which it has handled your request for information then you can do so by requesting that the Council review its decision. Details of how to request a review are set out in the above paragraph "Right of Review".

Yours sincerely

Information & Data Protection Team
Chief Executive's Department

Glasgow City Council's Privacy Statements: <https://www.glasgow.gov.uk/privacy>

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ANNEX

Why we are treating your request under the EIRs

The Council considers that the information that you have requested is environmental information in terms of 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.

We believe that it is more appropriate to consider your request under the specific regulatory regime provided for environmental information. Further, the Council is 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, and 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).

1. The removal between December 2020 and April 2021 of the exemptions for cycling (introduced under Spaces for People) at No Entry signs for streets in Dennistoun including Armadale Street, Craiglea Street, Meadowpark Street, Marne Street, Ingleby Dreiv, Whitehill Street and Craigpark.

This information is provided in the attached document.

You will note that some of the information contained within the attached document has been redacted (blacked out). We are of the view that this information is exempt from release under the EIRs. In particular, the Council considers that information regarding third parties and members of staff who are below Grade 9 exempt from the scope of a request made under the EIRs because of the exception contained in regulations 11(2) and (3) of the EIRs. In other words, in our opinion, disclosure of the information would involve disclosure of personal data as defined the UK General Data Protection Regulation and that such disclosure would breach the Data Protection Principles contained within Article 5(1) of the Regulation.

This information includes personal data relating to staff on lower grades and third parties who would not have any expectation that their details would be released in response to a request for information. In our opinion, it would be unfair to the individuals concerned for such information to be released into the public domain.

2. The removal of the light segregation along the London Road Spaces for People cycle lane at Parkhead.

On inspecting our records, it would appear that the Council does not hold the information which you have requested. Neither does anyone else hold it on our behalf.

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Accordingly, we are unable to comply with this aspect of your request in terms of regulation 10(4)(a) of the EIRs.

Copyright Notice

Please note that the information provided in response to your request is, unless otherwise indicated, copyright © Glasgow City Council 2021. It is supplied to you in terms of the Environmental Information (Scotland) Regulations 2004. Any further use by you of this information must comply with the terms of the Copyright, Designs and Patents Act 1988 as amended and/or the Copyright and Rights in Databases Regulations 1997. In particular, any commercial use or re-use of the information provided requires the prior written consent of the Council. Requests for such consent should be addressed to:

Colin Edgar
Head of Communication and Strategic Partnerships
Glasgow City Council
City Chambers
Glasgow G2 1DU

Email: Colin.Edgar@glasgow.gov.uk

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