



Linda Holt
lindaholt999@gmail.com

Our Reference: 202000019447

03 April 2020

Dear Linda Holt,

Thank you for your request dated 6 March 2020 under the Freedom of Information (Scotland) Act 2002 (FOISA). We sought clarification on the timescales for your request on 19 March 2020 but have yet to receive a response and therefore have limited the date range to material produced since 21 October 2019 when we responded to your earlier request.

Your request

You asked “*for all correspondence, notes of meetings and telephone calls and any other documentation referring to the Mossmorran Petrochemical Works/Fife Ethylene Plant/ExxonMobil involving ministers (particularly but not exclusively Paul Wheelhouse and Roseanne Cunningham) or members of their offices.*”

As the information you have requested is ‘environmental information’ for the purposes of the Environmental Information (Scotland) Regulations 2004 (EIRs), we are required to deal with your request under those Regulations. We are applying the exemption at section 39(2) of the Freedom of Information (Scotland) Act 2002 (FOISA), so that we do not also have to deal with your request under FOISA.

This exemption is subject to the ‘public interest test’. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption, because there is no public interest in dealing with the same request under two different regimes. This is essentially a technical point and has no material effect on the

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outcome of your request.

Response to your request

I enclose a copy of some of the information you requested concerning the Scottish Government in Annex B to this letter. Due to the volume of information Annex B is in three parts.

While our aim is to provide information whenever possible, in this instance we are unable to provide some of the information you have requested because exceptions under regulation 10(4)(e) and regulation 11(2) of the EIRs applies to that information. The reasons why that exception applies is explained in the Annex A to this letter.

Your right to request a review

If you are unhappy with this response to your request, you may ask us to carry out an internal review of the response, by writing to Bridget Campbell, Director of Environment and Forestry director.enfor@gov.scot. Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

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

Yours sincerely

Jason Sharp
EQCE : Environmental Quality Unit

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