



Charging for Environmental Information:

City Property (Glasgow) LLP and City Property Glasgow (Investments) LLP Schedule of Fees

Requests for environmental information are processed under the Environmental Information (Scotland) Regulations 2004 (“EIRs”), as well as under the Freedom of Information (Scotland) Act 2002 (“FOI”). As with FOI, it is possible to charge a fee for providing environmental information on request, although the specific charging rules are different. In particular, in marked contrast to FOI, there are no upper or lower limits to the fee which may be charged. Instead the Regulations merely state that the fees shall not exceed “a reasonable amount” and must not exceed the actual costs of producing the information requested. It is possible (as with FOI) to require payment in advance of providing the information, but written notice of this fact (equivalent to an FOI fees notice) must be given to the applicant, who then has 60 working days to pay. The compliance timescale clock is stopped during this time. City Property is obliged to publish a Schedule of Fees and information on circumstances in which a fee may be charged, waived or required to be paid in advance.

The following is City Property’s Schedule of Fees for purposes of the Environmental Information (Scotland) Regulations 2004:

Costs of locating, retrieving and assembling information:

1. Chargeable elements will be included in the calculation in accordance with the Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004, but without any disregard for the first £100 and without any discount on the elements above £100;
2. Staff costs will be charged on the basis of the actual hourly cost to the LLP of employing the staff in question for the time spent (which includes the employer’s national insurance and pension contributions).

This means that City Property will calculate the fee for an environmental information request on the basis of the same elements as can be included in the fees for compliance with FOI requests. However in contrast to mainstream FOI fees, actual staff time is not capped at a maximum of £15 per hour but is charged at the actual cost. The lowest grade member(s) of staff available to carry out the task (being of an appropriate grade to be dealing with the information in question and having the requisite skills and knowledge) will be used.

In addition to staffing costs, the fee will also set out any costs associated with putting the information into a particular format. For example, we may charge for photocopying and postage, but we will charge no more than it actually costs to do so. We will always tell you what the cost is before providing the information to you.

Our photocopy charge per sheet of paper is shown in the table below:

| Size of paper | Pence per single sided copy (black and white) | Pence per single sided copy (colour) |
|---------------|---|--------------------------------------|
| A4 | 10p | 30p |

We will recharge any postage costs at the rate we paid to send the information to you.

If information is provided in an electronic format, we may charge for the staff time it takes to scan the information. Please note that for information security reasons we will edit, print and scan any material which needs to be redacted (i.e. withheld information edited out) before emailing a soft copy. The costs of doing this will be included in the fee. Documents which exist in native electronic format and do not require redacting will generally be sent electronically if requested, without such costs being incurred.

We will normally provide the cost of supplying the information in the format which is cheapest to produce. This will normally be electronic. However, if a requestor has indicated a preference for a particular format or has not provided us with an email address, we will provide the cost of providing the information in another format, typically in the form of hard copy printouts.

Situations requiring payment in advance:

All fees for environmental information requests require to be paid in advance. This is to maintain consistency with the FOI rules.

Situations where the fee may be waived:

1. City Property may elect to waive the fee if satisfied that there is a genuine and widespread public interest in the publication of the information in question. This is unlikely to be the case where a request appears to be driven by commercial interests or is highly specific in terms of focus or geographical area.
2. City Property may elect to waive the fee if satisfied that it would be uneconomical to issue a fees notice and process payment.
3. City Property may elect to waive the fee where information is requested which consists of a mixture of environmental and non-environmental information, and the non-environmental information would not be subject to a fee in terms of the FOI legislation.
4. City Property may elect to apply a disregard of the first £100 of any fee and charge only 10% of the marginal costs between £100 and £550, if it has processed an environmental information request as a mainstream FOI request. This should not be taken as an indication that the same disregard will be applied to any similar requests in future.

A fee may be charged in all other cases based on the full chargeable elements.