

25 October 2023

Request under The Freedom Of Information (Scotland) Act 2002

Thank you for your Freedom of Information request dated 20 September 2023, in which you requested the following:

Under FOI I would please like to request all correspondence between owners of short-term let businesses and Visit Scotland with regards to the Scottish Government's short-term lets licensing scheme.

We sought a clarification around a timeframe the request should apply to and types of correspondence that should be included, noting that there is an upper limit on the cost of a request (£600) beyond which an authority does not have to comply with. You responded with the following clarification dated 26 September 2023:

To follow up, could we limit this to correspondence between industry engagement teams and STL providers?

We sought a further clarification around timescales, again drawing attention to the upper cost limit. You responded with the following clarification dated 27 September 2023:

Would it be possible to limit this to correspondence received after 1 January 2023?

We have considered your requests, and can respond as follows:

We instructed our IT department to conduct a search within the parameters outlined in your request and subsequent clarifications. That search generated 3,769 items.

If we apply a conservative 2 minutes to read each item and consider whether it comes under the scope of the request, this would take 125.6 hours of staff time. Applying a £15 per hour rate, this works out at a cost of £1,884, which is well above the exemption limit.

Given that the limit for the £600 exemption as outlined under sections 9, 12 and 13 of the Freedom of Information (Scotland) Act 2002 has been exceeded, we have not provided the information requested.

You may wish to consider refining your request further and we will do what we can to assist in providing the information you seek within the scope of the legislation.

We hope this information is helpful to you. If, however, you are not satisfied with our response or the manner in which we have dealt with your application, you may in the first instance contact our Chief Executive, Malcolm Roughead, whose contact details are set out below:

Mr Malcolm Roughead

Chief Executive
VisitScotland
Ocean Point One
94 Ocean Drive
Edinburgh, EH6 6JH
Telephone: 0131 472 2201
Fax: 0131 472 2223
E-mail: malcolm.roughead@visitscotland.com

If you wish to request a review of your application under either the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004, your request should be submitted to us in writing, or another permanent format (for example e-mail or voice recording), and be received by us within 40 days of the date of this letter. Any request for a review should also set out, in as much detail as possible, the reasons why you are not satisfied with our response or the manner in which we have dealt with your application.

If you are still not satisfied with our handling of your application after we have responded to your request for a review, you have a right to apply to the Scottish Information Commissioner for a decision on whether we have dealt with your request in accordance with the Act.

The Scottish Information Commissioner may be contacted at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews, Fife
KY16 9DS
Telephone: 01334 464610
Fax: 01334 464611
E-mail: enquiries@itspublicknowledge.info

You also have the right to appeal to the Court of Session in Scotland on a point of law concerning our response.