

# Case study



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Campaigner sees other people's comments about council proposals to change a woodland walk into a multi user cycle and pedestrian path.

Mrs Uprichard asked Fife Council to supply her with letters containing comments it had received as part of a public consultation exercise about upgrading a path through the Lade Braes woodland walk in St Andrews. The Council's Transportation Services was gauging public opinion on the introduction of a multi-user cycle and pedestrian path. The consultation included an exhibition held in the local town hall, a questionnaire to parents and guardians of pupils in local primary schools and a survey of users of the existing path.

The Council explained that the consultation exercise was part of a research project - an information gathering activity, not a planning process. There was no statutory requirement to gather the information and the responses received were comments, not "letters of objection". The Council had never intended making the responses public and withheld the information because it contained personal information about the respondents and release would therefore breach the first data protection principle – that personal information must be processed fairly and lawfully.

The Commissioner decided that it would not be fair for the responses to be disclosed in their entirety – the consultation exercise, in inviting comments, had not indicated that responses would be made public and he accepted that they contained personal information such as names and addresses.

However, he also decided that removal of the personal data from the letters would let Mrs Uprichard see the comments without being able to link them to any living individual. He therefore ordered the Council to release copies of the comments to Mrs Uprichard, with the personal data removed.

Mrs Uprichard has indicated that the information was useful in her personal campaign against the Council proposals.

**Download full decision here:**

<http://www.itspublicknowledge.info/applicationsanddecisions/Decisions/2006/200600357.asp>

**For more information please contact the Policy & Information Team on 01334 464610.**