

**tie Limited (tie)**  
**Registration Number SC230949**  
**Registered Office: City Chambers, High Street, Edinburgh, EH1 1YJ**

**Freedom of Information (Scotland) Act 2002**  
**Publication Scheme**

**1 Introduction**

1.1 This is a guide to the information routinely made available by **tie** as required under Section 23 of the Freedom of Information (Scotland) Act 2002 (**the Act**)

1.2 The Act gives a general right of access to all types of recorded information held by public authorities or publicly owned companies, sets out exemptions from that right and places a number of obligations on public authorities and publicly owned companies.

Under the Act, any person who makes a request to a public authority or publicly owned company for information is entitled to receive that information, subject to exemptions. **tie** will provide such information to any person who requests it in good faith (such good faith to be determined by **tie**)

1.3 Under Section 23 of the Act, **tie** must adopt and maintain a publication scheme setting out the information we routinely make publicly available. Our scheme has to be approved by the Scottish Information Commissioner, who is responsible for the enforcement of the Act. In addition, we have to review the scheme from time to time. In adopting (or renewing) our publication scheme, we are required to have regard to the public interest in:

- allowing public access to information we hold; and
- the publication of reasons for the decisions we make.

1.4 Our publication scheme must:

- set out the classes of information which we publish or intend to publish;
- say how we will publish the information in each class; and
- say if we will provide the information free of charge.

The purpose of our publication scheme is to let you know what information is readily available from us. By readily available we mean that the information can be obtained from us on request.

1.5 **tie** has regard to the public interest in the information it holds. In preparing to meet its obligation under the Act, including the drawing up of this publication scheme, it has been mindful of the value of openness and transparency.

**2 About tie**

2.1 **tie** is a company incorporated under the Companies Acts on 30 April 2002, which aims to establish, acquire, conduct and carry on the business and businesses of

providing or procuring the provision by others of any service, need or requirement with regard to and in respect of any transport projects.

2.2 The issued share capital is one share and this is held by The City of Edinburgh Council. There is an authorised share capital of £1,000 but no other shares have been issued.

### 2.3 **tie's Role**

2.3.1 The purpose of **tie** is

- 2.3.1 (a) (i) To promote, support and/or effect the development, procurement and implementation of projects defined or referred to in an integrated transport strategy as determined and varied from time to time by The City of Edinburgh Council; and to do all such other things as are incidental or conducive to the attainment of those objects;
- (ii) to carry on, promote or develop any trade or business in the field of transport required in connection with the said integrated transport strategy including the establishment and management of a Road User Charging Scheme (**RUC Scheme**), achieving statutory approval for the RUC Scheme, informing the public of the RUC Scheme, carrying out the development of the RUC Scheme, implementing the RUC Scheme and managing the operation of the RUC Scheme and to provide services of all kinds which may be required, directly or indirectly, in connection with any of the foregoing;
- (iii) to establish, acquire, conduct and carry on the business and businesses of providing or procuring the provision by others of any service, need or requirement with regard to and in respect of any transport projects. This includes heavy rail projects developed and delivered on behalf of others.

## 3 **Formulating the Scheme**

3.1 A Model Publication Scheme for Publicly Owned (Active) Companies and has been developed by the Scottish Information Commissioner. This publication scheme is based on that scheme and has been developed by **tie**. The Scottish Information Commissioner is responsible for the promotion and enforcement of the Act.

3.2 Section 23 of the Act provides that in adopting or renewing its publication scheme **tie** must have regard to the public interest in allowing public access to information about:

- the services provided by **tie**;
- the costs of those services;
- the standard attained by those services;
- the facts which form the basis of decisions taken by **tie** which are of importance to the public; and

- the publication of reasons for decisions made by it.

We have therefore included, as far as possible, information about those matters in this scheme.

3.3 The Board of **tie** has considered the Publication Scheme and has endeavoured to reach the correct balance between public interest and commercial confidentiality.

3.4 **tie** expects to review the scheme regularly and the process will be informed by the introduction of regular monitoring of requests for information.

## 4 **Responsibility for the Publication Scheme**

4.1 The person responsible for the overall running of the scheme is:

David Mackay  
Interim Chairman  
**tie** Limited  
Citypoint  
65 Haymarket Terrace  
Edinburgh  
EH12 5HD  
**Telephone:** 0131 623 8600  
**Fax:** 0131 622 8301  
**E-mail:** David.Mackay@tie.ltd.uk

4.2 The person responsible for the day to day administration of the Scheme is:

Howard Elwyn-Jones, Telephone 0131 623 8600  
**tie** Limited  
Citypoint  
65 Haymarket Terrace  
Edinburgh  
EH12 5HD  
email: foisa@tie.ltd.uk

## 5 **Availability of information and Exemptions**

5.1 (a) All information included in this scheme must be provided within a maximum of 20 days of the later of (i) the date of the request for information or if subsequent information is necessary in order to deal with the request, the date of receipt of any such subsequent information and (ii) payment of any fee charged (subject to the exemptions discussed below).

(b) From 1 January 2005, the general entitlement to make a request for information under section 1 of the Act will enable any member of the public to make a request for information.

**tie** aims to be as open as possible with the information it holds. However information may be withheld from any of the classes of information listed in Section 11 where it is considered that the disclosure may fall within one of the exemptions contained in the Act:

- That the disclosure may prejudice the commercial interest or confidentiality of any person or organisation including **tie**, or breach the law of confidentiality.
- That the information is personal information under the Data Protection Act 1998.
- That the Disclosure is otherwise prohibited by law.
- That the Disclosure may seriously prejudice law enforcement, legal proceedings or our regulatory or enforcement activity

5.2 When **tie** withholds information it will indicate why the information is being withheld. However, even where an exemption exists, it may nevertheless be possible to provide copies with the exempted information edited out. If you wish to complain about information which is being withheld from you please read the complaints section below.

## 6 Copyright

6.1 Information obtained from this Publication Scheme may be subject to **tie** copyright. If so it can be copied or reproduced without formal permission, provided it is copied or reproduced accurately, it is not used in a misleading context or for purposes prejudicial to **tie**'s commercial interest and provided that the source of the material is identified and the copyright status acknowledged. **tie** reserves the right of legal redress in the event of breach of these conditions relating to **tie** copyright.

6.2 Some material we include in our scheme may be the copyright of a third party. Our rights to hold and use such material do not extend to others. You must obtain authorisation from the copyright holder(s) concerned if you wish to copy or reproduce such material.

## 7 Accessing information under the Publication Scheme

7.1 There are various ways in which information can be accessed under the publication scheme:

**Online:** Some information listed in our publication scheme is available from **tie**'s website, [www.tie.ltd.uk](http://www.tie.ltd.uk)

**By email/electronic disc:** If the information you request is not available on this website but is listed in our publication scheme we will send it to you by email, wherever practicable or provide the information on an electronic disc. Contact [heather.manson@tie.ltd.uk](mailto:heather.manson@tie.ltd.uk). When requesting information, please include a telephone number so that we can telephone to clarify details, if necessary.

**By post:** All information is also available in a paper copy form. Please address your request to Heather Manson, **tie** Limited, Verity House, 19 Haymarket Yards, Edinburgh, EH12 5BH. When requesting information, please include the following details: your name and address, the information or documents you want to see and any fees applicable. Please include a telephone number so that we can telephone to clarify details, if necessary.

**By phone:** Information can be requested over the telephone by calling Heather Manson on 0131 622 8300 - please provide full contact details, including a telephone number, so that we can telephone to clarify any details if necessary. Information requested by phone will only be provided using the media outlined above.

**Personal Visits:** For some classes of information, you will need to make an appointment to view the information. Please contact Heather Manson.

- 7.2 Heather Manson is willing to assist individuals who have difficulty in identifying the information they require or formulating the request.

## 8 Charging Policy

- 8.1 There will be a standing charge of £10 for dealing with requests for information. In return, **tie** will provide hard copies of the information requested up to 100 sheets. Thereafter **tie** shall be entitled to recover all reasonable costs incurred in dealing with requests for information. This will be based on a charge of £15 per hour for staff time, 10 pence per sheet in excess of 100 sheets and the cost of any electronic disc provided and will be levied in the form of a charge per document. **tie** will advise the person requesting the information of the cost of each document in advance of provision of the information

- 8.2 Charges will be kept under review.

## 9 Complaints

- 9.1 Unfortunately sometimes things do go wrong. If the information you have received is not what you needed, whether under this Publication Scheme or otherwise under the Act, the person you are dealing with within **tie** will try to meet your requirement or explain why the information is not available.

- 9.2 If you believe that your complaint has not been handled fairly, impartially or promptly, and cannot be dealt with satisfactorily on an informal basis then you should contact Michael Howell, whose contact details can be found at Section 4

- 9.3 If we are unable to resolve any complaints, you can complain to the Scottish Information Commissioner who oversees the Act and whose contact details are below. From 1 January 2005, when the general rights of access comes into force, there will be a formal appeal mechanism when information is withheld. Further details on this will be available on the Commissioner's website at [www.itspublicknowledge.info](http://www.itspublicknowledge.info) before this date:

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
KY16 9DS  
**Telephone:** 01334 464 610  
**Fax:** 01334 464611  
**E-mail:** [inquiries@itspublicknowledge.info](mailto:inquiries@itspublicknowledge.info)

## 10 Feedback

- 10.1 As part of our statutory duty we are required to review our publication scheme periodically. **tie** welcomes comments, suggestions and views on how it can help develop our commitment to openness and transparency through the publication of information. For instance:
- Did you find the information you sought easy to locate and were the members of staff helpful?

- What did you like and dislike about this publication scheme?
- Is there any additional information you would like to see made available through the Publication Scheme?
- What improvements would you like to see in the format of the Publication Scheme?
- Do you have suggestions on how **tie** can be more open and transparent in the provision of information?

Please send your comments to:

Howard Elwyn-Jones  
**tie** Limited  
Citypoint  
65 Haymarket Terrace  
Edinburgh  
EH12 5HD

**Telephone:** 0131 623 8300

**Fax:** 0131 622 8301

**E-mail:** foisa@tie.ltd.uk

## 11 **Classes of Information**

- 11.1 The following classes set out the information which **tie** are making available under this publication scheme.

### **Class 1 - Legal framework**

**tie's** certificate of incorporation, memorandum and articles of association and address of the registered office.

#### **Format**

Website: [www.tie.ltd.uk](http://www.tie.ltd.uk)  
Email or electronic disc  
Hard Copy

#### **Timescale of availability**

From 30 November 2004

## **Fee**

Information accessed via the website is available free of charge

Information requested by email is available at a charge of £10.

Information requested on electronic disc is available at a charge of £10. plus the cost of the disc

Information requested in print is available free.

## **Class 2 - Financial resources**

The annual accounts and auditor's report for financial years commencing 2003/4;  
**tie** annual business plan for financial years commencing 2004/5.

### **Format**

Website: [www.tie.ltd.uk](http://www.tie.ltd.uk)

Email or electronic disc

Hard Copy

### **Timescale of availability**

From 30 November 2004 and thereafter within 28 days from final approval by The City of Edinburgh Council or the **tie** board, as appropriate

## **Fee**

Information accessed via the website is available free of charge

Information requested by email is available at a charge of £10.

Information requested on electronic disc is available at a charge of £10 plus the cost of the disc

Information requested in print is available at a charge of £10 which covers up to 100 pages and thereafter at a charge of 10 pence per page plus £15 per hour or part thereof for staff time spent fulfilling the request

## **Class 3 - Board meetings**

Minutes, agendas and papers of Board meetings from 1 January 2005

### **Format**

Website: [www.tie.ltd.uk](http://www.tie.ltd.uk)

Email or electronic disc

Hard Copy

### **Timescale of availability**

Within 28 days from the date of the subsequent board meeting which approves the minutes

## **Fee**

Information accessed via the website is available free of charge

Information requested by email is available at a charge of £10.

Information requested on electronic disc is available at a charge of £10 plus the cost of the disc

Information requested in print is available at a charge of £10 which covers up to 100 pages and thereafter at a charge of 10 pence per page plus £15 per hour or part thereof for staff time spent fulfilling the request.

## **Class 4 - Directors**

List of the names of current directors

### **Format**

Website: [www.tie.ltd.uk](http://www.tie.ltd.uk)

Email

Hard Copy

### **Timescale of availability**

From 30 November 2004 and thereafter within 28 days from any approved change

## **Fee**

Information accessed via the website is available free of charge

Information requested by email is available at a charge of £10.

Information requested on electronic disc is available at a charge of £10 plus the cost of the disc

Information requested in print is available at a charge of £10.