From: <u>Foi Enquiries</u>
To:

Subject: EIR-17-1170 - Inspections - Rosehill Court

**Date:** 31 August 2017 15:39:47

Attachments: Further Information - Right to Review & Appeal.pdf

EIR-17-1170 Rosehill Court Redacted.pdf

Dear ,

Thank you for your information request of 10 August 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

We are instructed on behalf of our client in respect of a dispute that has arisen between our client and Aberdeen City Council for an event that was discovered on the 1st March 2016. We understand that the Council is responsible for the maintenance of the building. On this basis:-

1. Can you please provide the date on which the felt that was on the roof top as at 01 March 2016 was installed at Rosehill Court, Aberdeen

Our records suggest the roof was installed during 1988 / 89 financial year.

**2.** Can you please provide the dates of any inspections, surveys or upkeep of the felt on the roof at Rosehill Court, Aberdeen from when it was installed until the 01 March 2016 Unfortunately our repair records only go back to February 2008 when the computer system changed. Please find copies of inspections carried out to the roof of Rosehill Court along with orders raised for our slaters to attend to the roof.

ACC is unable to provide you with information on the dates of any inspections, surveys or upkeep of the felt on the roof at Rosehill Court, Aberdeen from when it was installed until February 2008 as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

- **3.** Can you please provide us with any reports regarding the above question of said inspections, surveys or upkeep from when the felt was installed up until 01 March 2016 We do not retain slaters reports. Details of the work required are included in the work instruction issued.
- 4. Can you please provide the details of any major works that have taken place regarding the felt on the roof top at Rosehill Court, Aberdeen from when it was installed until the 01 March 2016

No record of any major works being carried out to the roof of the building.

5. Can you please provide the details of the works/repairs that have been carried out to the roof top since 01 March 2016.

Refurbishment works have been carried out to Rosehill Court however this did not include the renewal of the roof structure.

Please note that third party names and personal details, as well as the names of ACC Officers who are below Head of Service level have been redacted from the attached report. This is because ACC considers that this information is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby give notice that we are refusing your request under the terms of Regulation 11(2) in conjunction with 11(3)(a)(i) — Personal Information - of the EIRs.

In making this decision ACC considered the following points:

ACC is of the opinion that Regulation 11(2) applies to the information specified above as the information in question is personal information relating to living individuals, and the applicant is not the data subject.

ACC is of the opinion that Regulation 11(3)(a)(i) applies, as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). Third parties and ACC Officers who are below Head of Service level named within the attached documents would not expect ACC to release this information about them into the public domain under the EIRs (or the Freedom of Information (Scotland) Act 2002 (FOISA)).

We hope this helps with your request.

Yours sincerely,

Information Compliance Team

## INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

Information Compliance Team Customer Service Corporate Governance Aberdeen City Council 3rd Floor North Business Hub 17 Marischal College Broad Street ABERDEEN AB10 1AQ

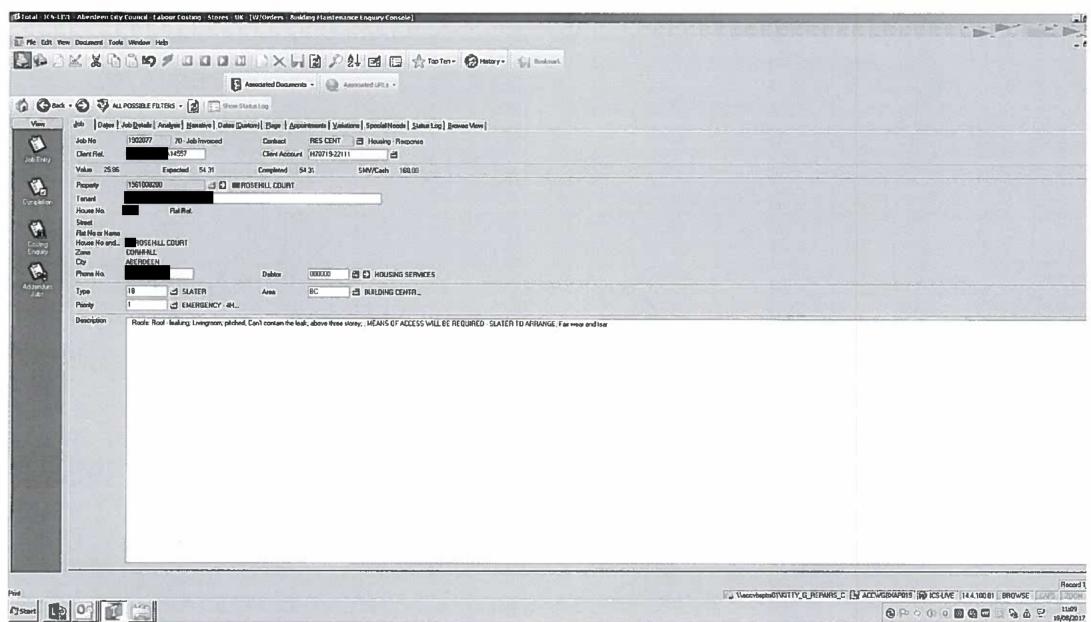
## foienquiries@aberdeencity.gov.uk

## Tel 03000 200 292

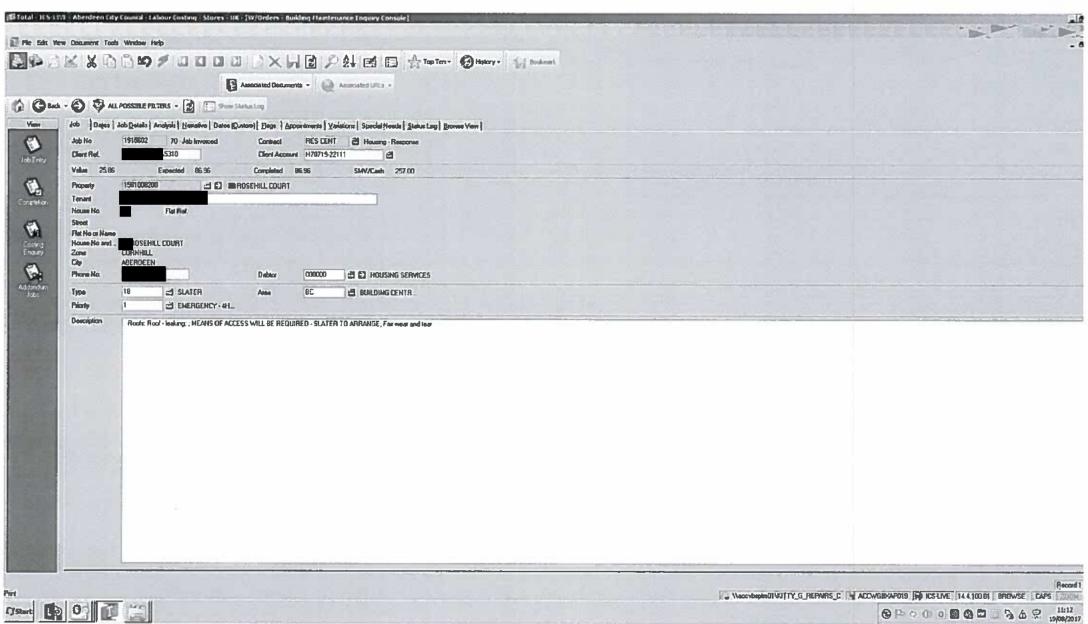
\*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.

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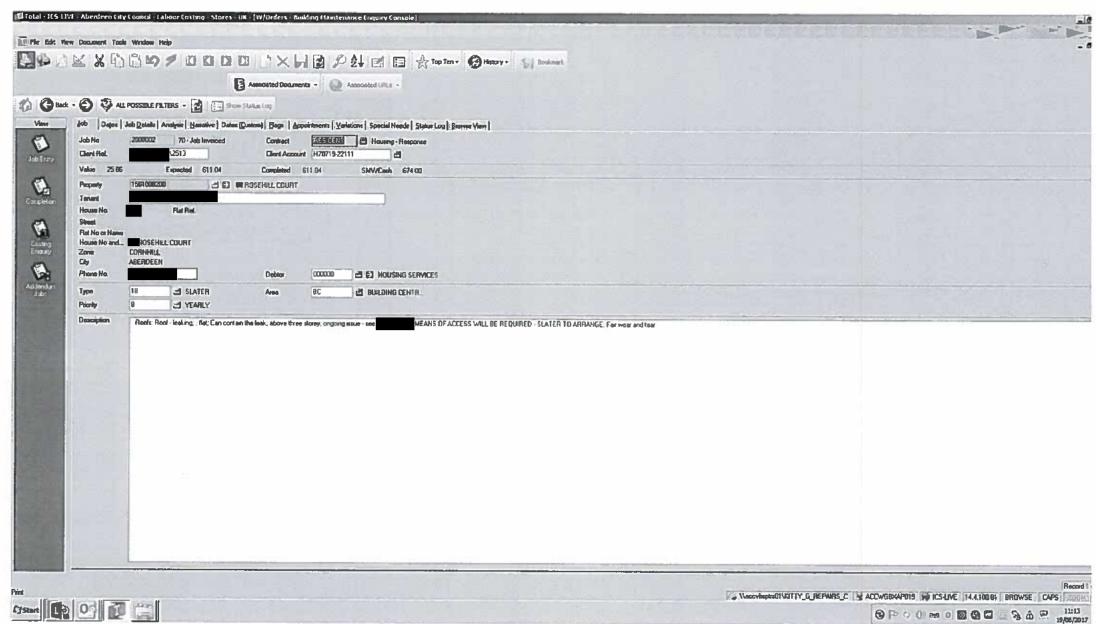
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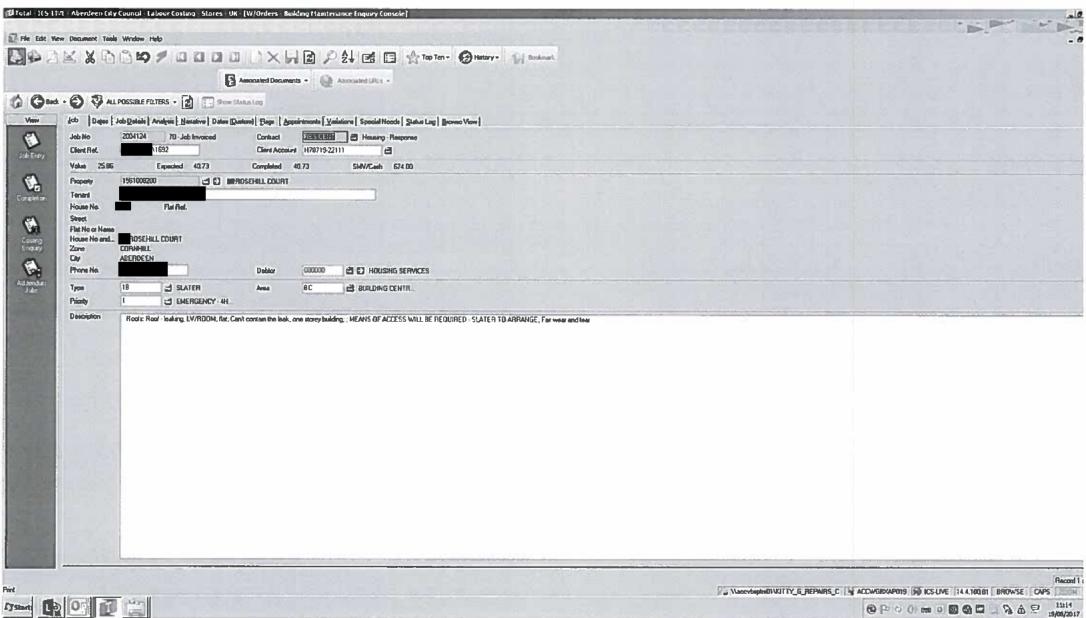
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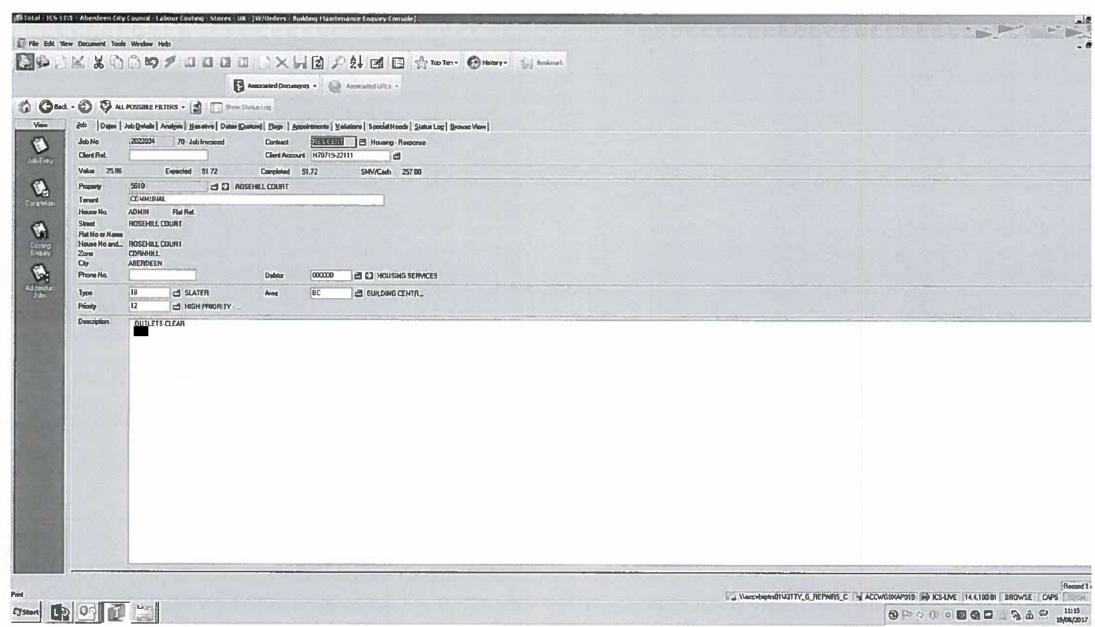
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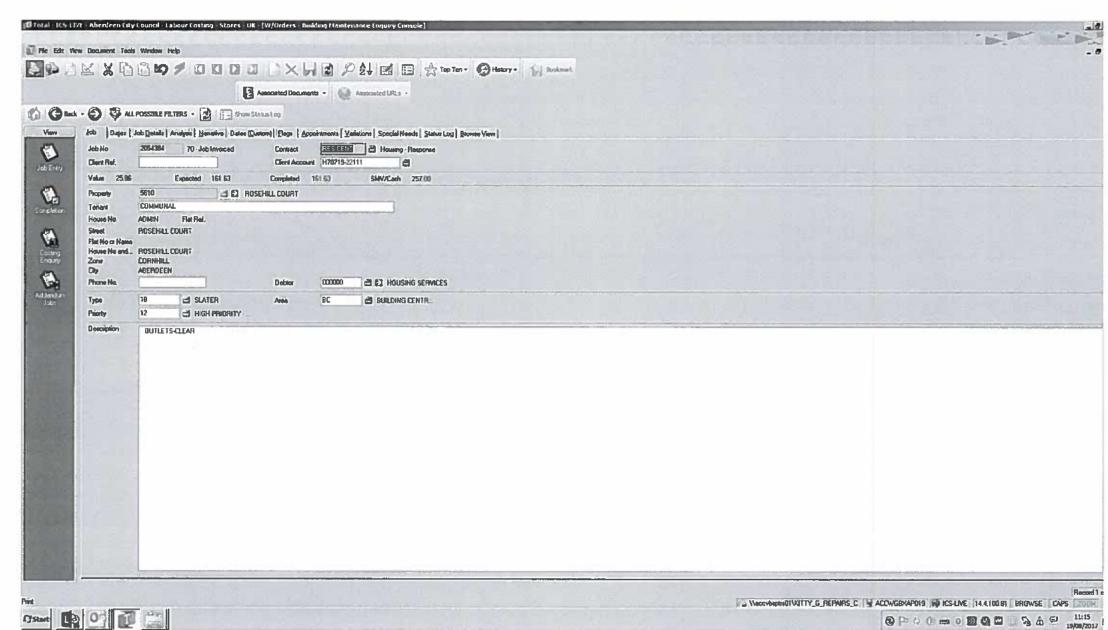
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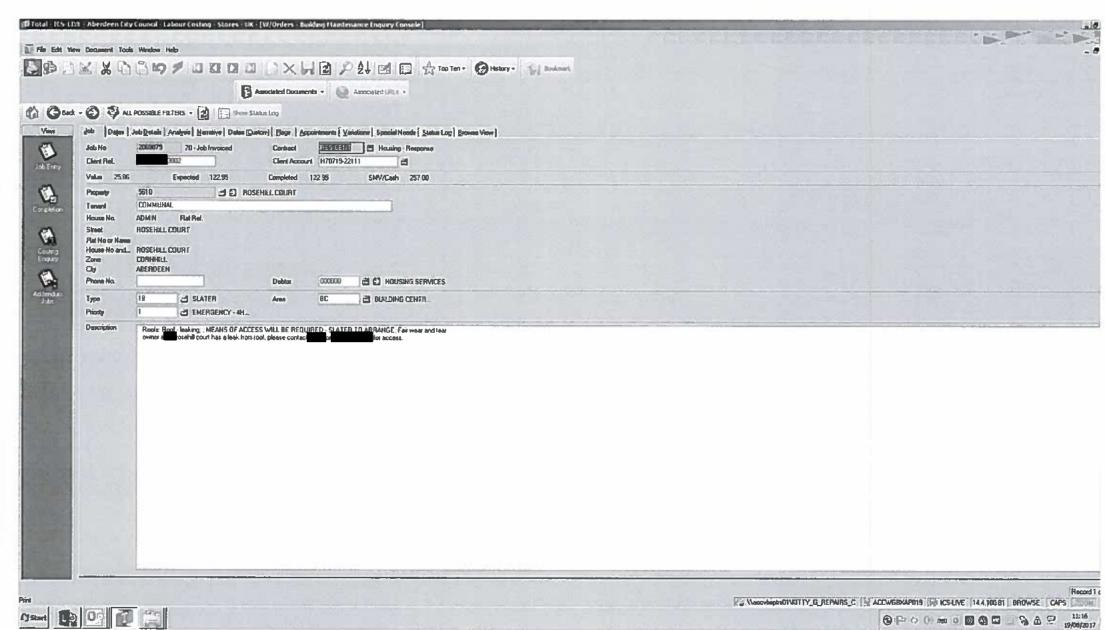
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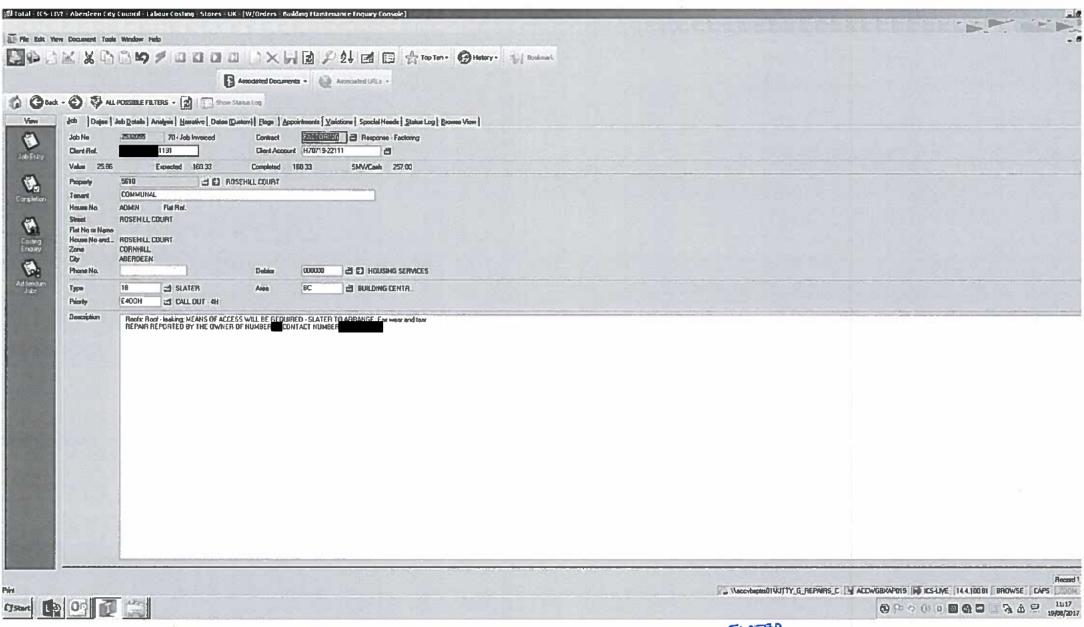
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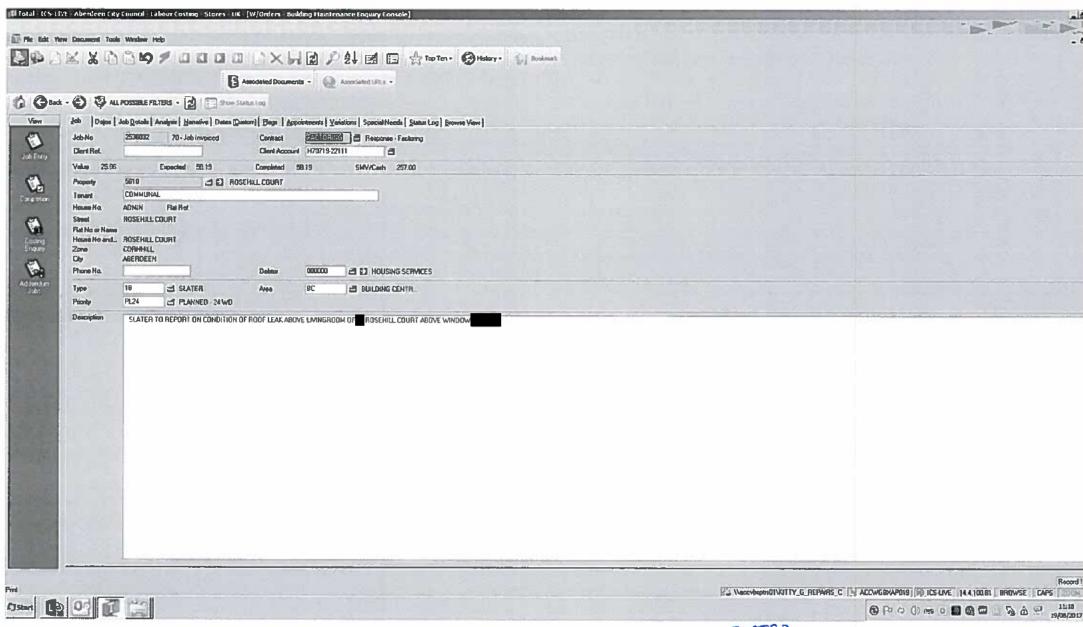


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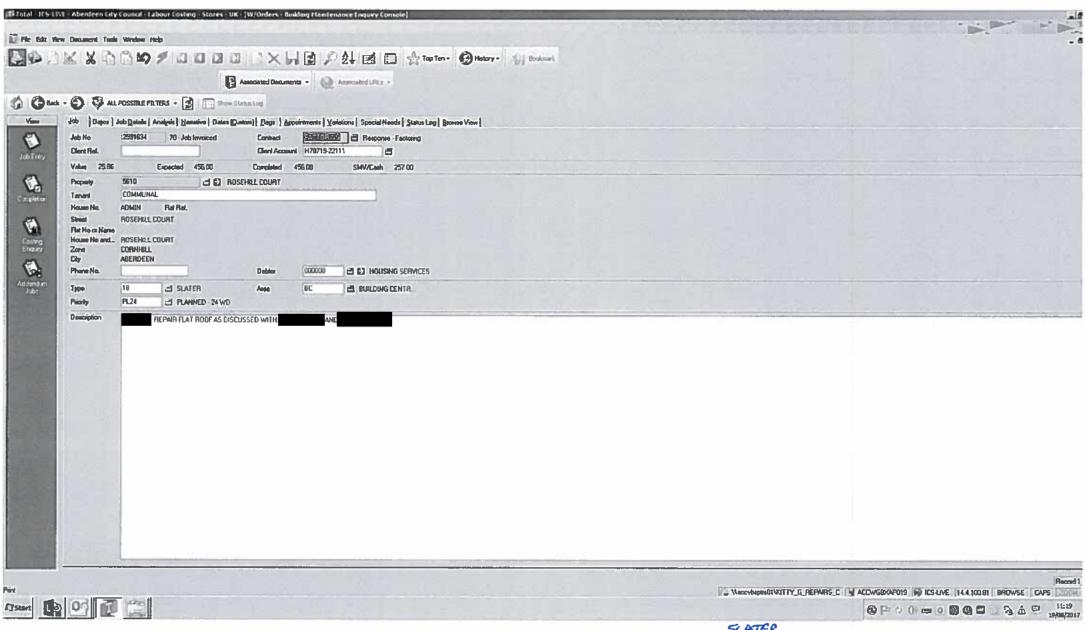
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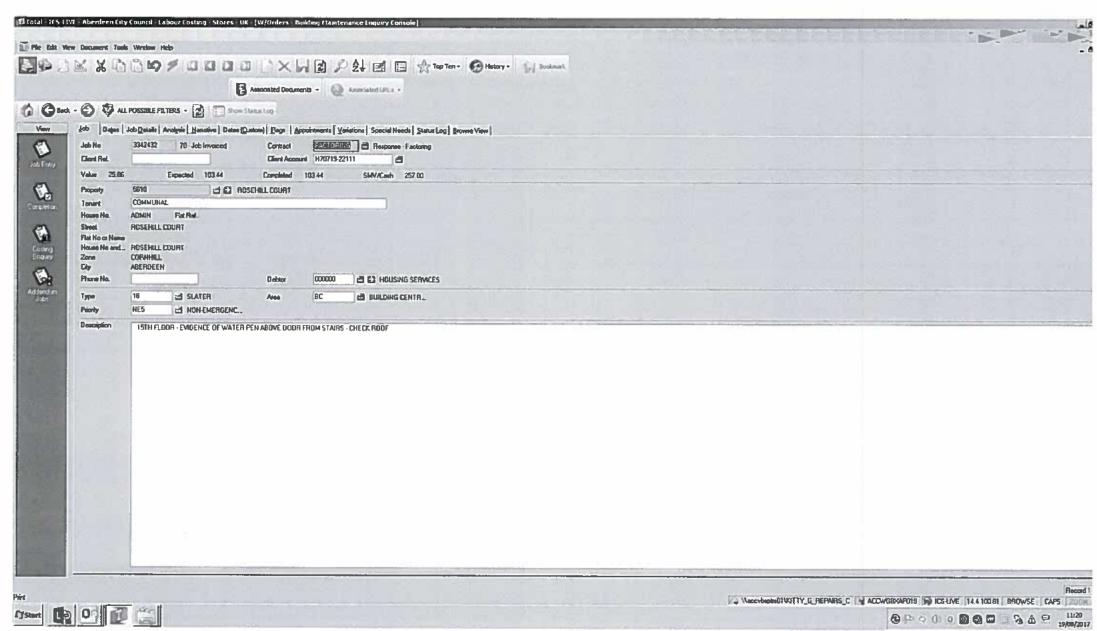


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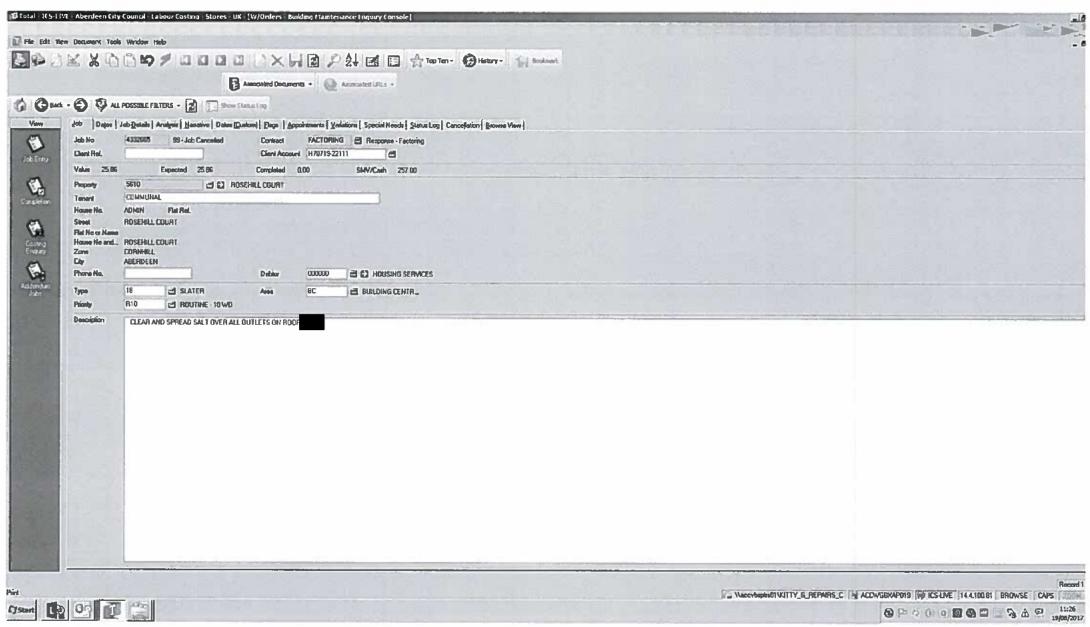
17-8 - 2015



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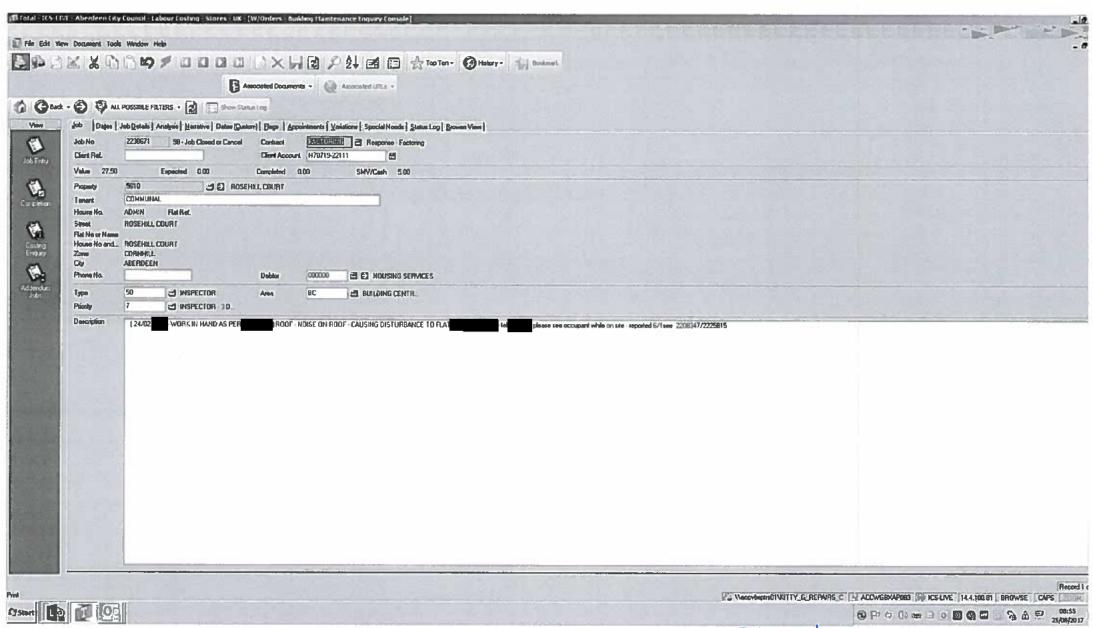
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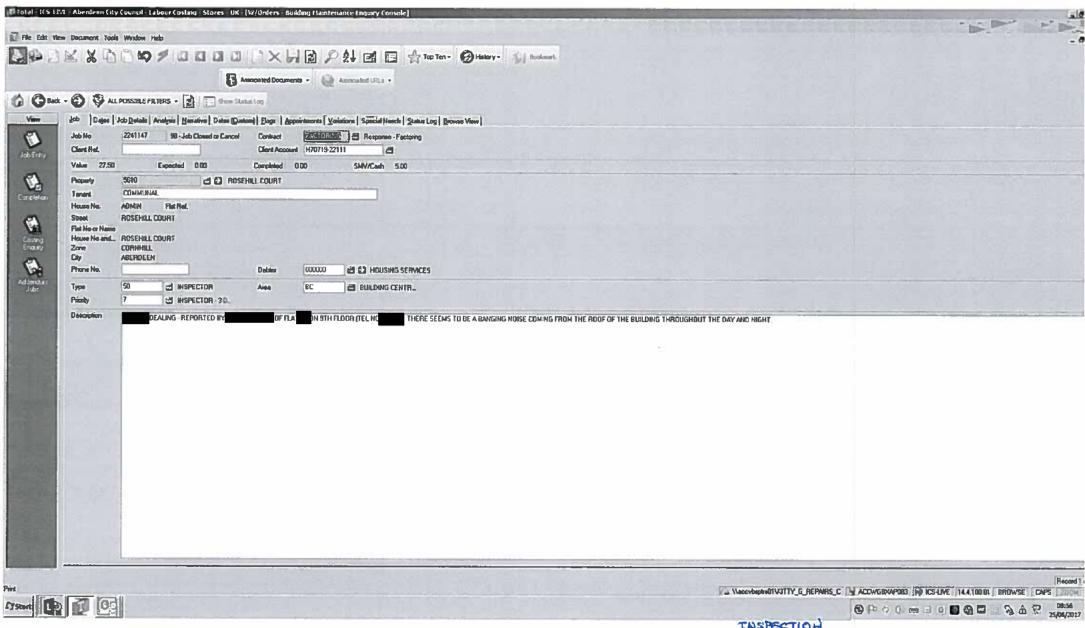
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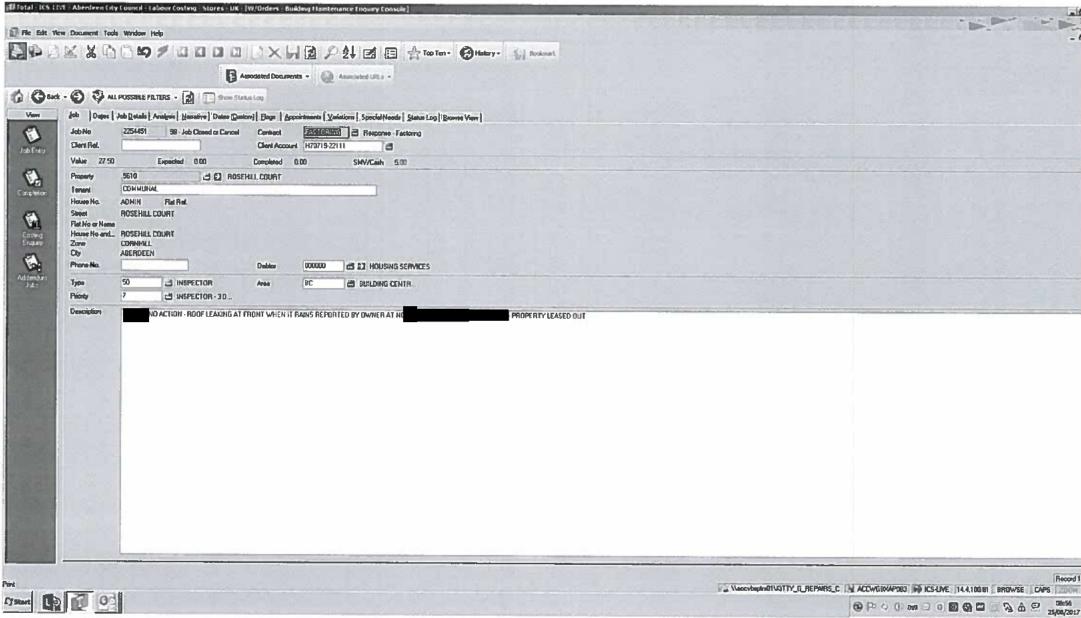
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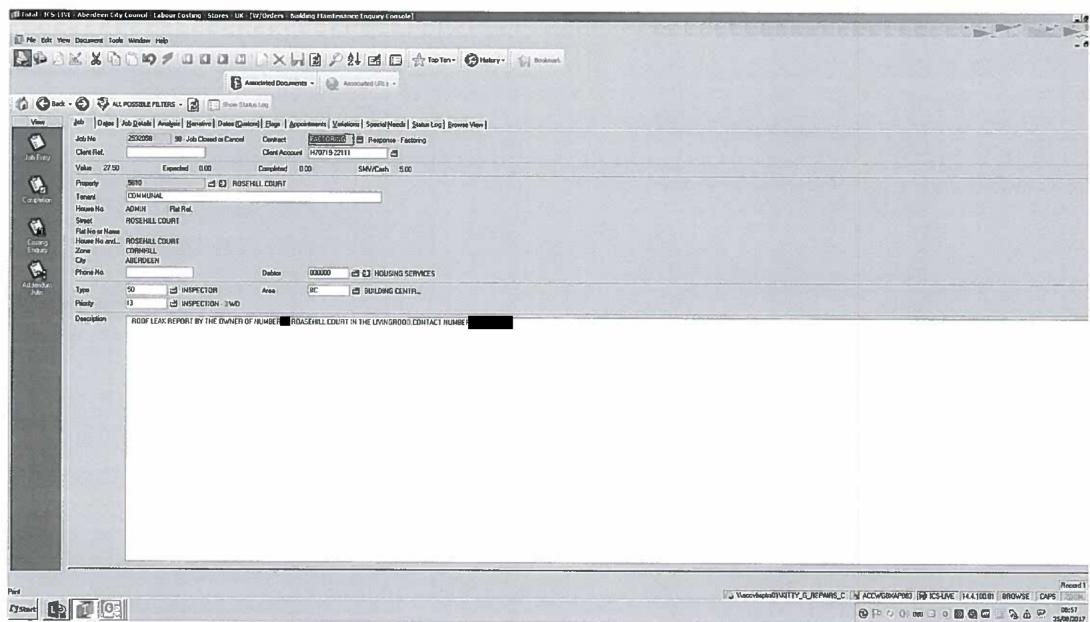


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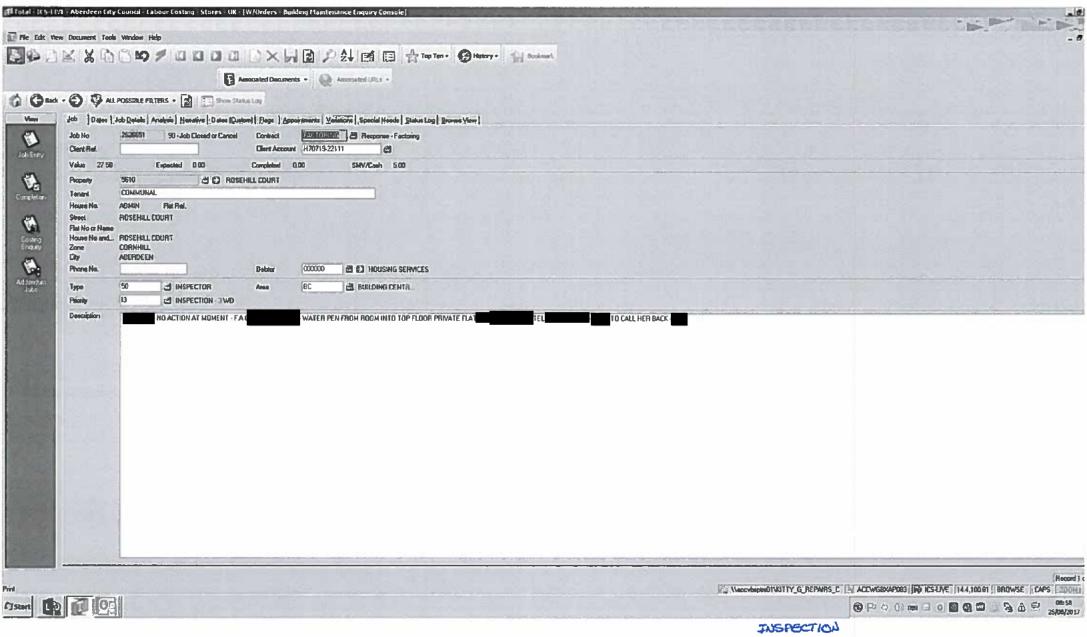


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INSTRUCTION 7-8-2015



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15-1-2016