

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-17-1586 - Bus Lane Penalties  
**Date:** 23 November 2017 15:35:13  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)  
[EIR-17-1586 - No Of PCNs Cancelled.xls](#)

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Dear [REDACTED]

Thank you for your information request of 30 October 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**How many fixed penalties have been issued for bus lane contravention at Auchmill Road, city bound at Haudigan since 1 January 2015.**

9327

**How many appeals have been made against contravention at same location in same timeframe.**

ACC stats show only the appeals received from September 2016 to date which are 734. This is because the system does not have the facility to input a date range.

ACC is unable to provide you with information on **how many appeals have been made against contravention at same location in same timeframe** 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.

**How many appeals have been successful by applicant for contraventions at same location in same timeframe.**

ACC does not keep the records in this format. A PCN may be cancelled for various reasons not only because of a successful appeal. ACC records show those PCNs that are paid, cancelled or unpaid.

ACC is unable to provide you with information on **how many appeals have been successful by applicant for contraventions at same location in same timeframe** 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.

**On what grounds have appeals been successfully appealed for the same location since 1 January 2015.**

The attached spreadsheet – EIR-17-1586 – No Of PCNs Cancelled - shows the cancellation criteria used and the number of PCNs cancelled. There is a set list of cancellation criteria to

choose from. Please note that successful appeal is not one of the criteria on this spreadsheet.

ACC is unable to provide you with information on **what grounds have appeals been successfully appealed for the same location since 1 January 2015** 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.

We hope this helps with your request.

Yours sincerely,

Salomeh Kheyri Rad  
Information Compliance Officer

### **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.

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\*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.  
Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

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## Bus Lane Cancellations

Criteria	Iss. January 2015	Iss. February 2015	Iss. March 2015	2016	2017	2018	Totals
2 PCNs Issued Same Day & Contr	0	0	0	1	3	0	4
Hired Veh Foreign Visitor	2	1	0	11	26	37	77
Bus Lane	3	0	2	0	6	17	28
CEO Error	0	0	0	0	14	1	15
Dispensation	0	0	0	2	0	0	2
Emergency (non-medical)	0	0	0	2	4	9	15
Foreign Vehicle	1	0	0	0	0	0	1
General Reason	0	0	0	105	0	1	106
Medic on Emergency Call-out	0	0	0	1	0	0	1
No Trace (Returned)	0	1	1	9	39	11	61
No Trace DVLA Files	2	0	1	6	16	3	28
Parking Manager	11	0	4	40	139	4	198
Police Officer on duty	188	114	124	864	67	49	1406
Processing Error	3	1	1	7	26	0	38
Representations Allowed	19	10	8	42	81	20	180
See Letter Details	26	3	4	2	0	1	36
Stolen	1	0	0	0	3	2	6
					<b>Total</b>		<b>2202</b>