

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-17-1625 - Accident at Stewart Crescent  
**Date:** 28 November 2017 15:54:28  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)  
[EIR-17-1625 - Stewart Crescent Reports\\_Redacted.pdf](#)

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Dear [REDACTED],

Thank you for your information request of 2 November 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**We act on behalf of our client in respect of an accident outside 90 Stewart Crescent, Aberdeen, AB16 5SR on 10 October 2017.**

**To assist us with our enquiries we would be grateful if you would provide the following documents:**

**Documents from the Highway Authority or local authority for a period of 12 months prior to the accident–**

**(i) Records of inspection for the relevant stretch of road/footway.**

Please see attached under 'condition survey'.

**(ii) Maintenance records including records of independent contractors working in relevant area.**

Please see our records attached under 'maintenance management'.

No works have been carried out at the above address in the past 12 months. The last works recorded were in August 2016, at 64 Stewart Crescent – Scottish Gas emergency leak.

**(iii) Statement of the Roads Authority's policy under the Code of Practice for Highway Maintenance Management (2005) or alternatively records of the Minutes of Highway Authority or Local Authority meetings where maintenance or repair policy has been discussed or decided.**

Please see below:

[http://www.aberdeencity.gov.uk/web/files/Roads/road\\_safety\\_inspection\\_manual.pdf](http://www.aberdeencity.gov.uk/web/files/Roads/road_safety_inspection_manual.pdf)

As **Statement of the Roads Authority's policy** is otherwise accessible on our website at the link provided above, it is exempt from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notice that we are refusing your request under the terms of Regulation 6(1)(b) - Information Already Publicly Available - of the EIRs.

**(iv) Records of complaints about the state of roads/footway at the accident locus for a 12 month period prior to the accident.**

There are no complaints recorded regarding the state of the roads/footway at Stewart Crescent in the 12 months prior to the date of the accident.

We follow the Scottish Local Authority Complaints Handling Procedure. Under this procedure, a

'complaint' is defined as "an expression of dissatisfaction regarding our actions, or lack of action, or the standard of service provided by us or on our behalf". There are some topics that cannot be considered as a 'complaint', including first time requests for a service e.g. reporting a pothole or broken paving slab.

For more information please visit [www.aberdeencity.gov.uk/complaints](http://www.aberdeencity.gov.uk/complaints) and refer to the 'What is a complaint?' section.

**(v) Records of other accidents which have occurred on the relevant stretch of road/footway within 12 months of the accident**

Aberdeen City Council Roads department have had no reports of any accidents for the location provided within the given timescale.

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 (blacked out) 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 Regulation 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) and second Data Protection Principle (personal information must only be processed for a specific and lawful purpose). ACC Officers who are below Head of Service level and third parties named within the attached document 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.

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Tel 03000 200 292

\*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).

[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Effective: 10/10/2016 to 10/10/2017

Contract: Roads Contract (General Maint) (RD01)

Display Action Officer: No

Site: STEWART CRESCENT (7601144)

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Locality: ABERDEEN, ABERDEEN CITY

Area: Aberdeen North

**Condition Survey**

Defect No:	Description	Log Date	Location	Defect Type	Class.	Organisation	Status	Job No.
<b>Asset:</b>	1,000.00	<b>Asset - Locn.:</b> N/08/2225 - STEWART CRESCENT		<b>Feature Type:</b> RDS Road Section		<b>Area:</b> Aberdeen North		
<b>Batch:</b> 539963 - Inspection Batch No actionable defects found				<b>Route:</b> Week: 29 - Area: 05		<b>Date:</b> 05/10/2017		
<b>Batch:</b> 530488 - Inspection Batch				<b>Route:</b> Week: 05 - Area: 05		<b>Date:</b> 24/04/2017		
464268	Repair edge damage along tar seam, 0.5m2 approx	24/04/2017	From Kettlehills Crescent to Longlands Place	Sunken Carriageway	Internal		Committed	714687
464267	Repair edge damage along tar seam, 0.5m2 approx	24/04/2017	From Deansloch Terrace to outside no.130	Sunken Carriageway	Internal		Committed	714688
<b>Batch:</b> 519398 - Inspection Batch No actionable defects found				<b>Route:</b> Week: 29 - Area: 05		<b>Date:</b> 08/11/2016		
<b>Asset:</b>	1,001.00	<b>Asset - Locn.:</b> 1 - Grass verge		<b>Feature Type:</b> RDS Verge		<b>Area:</b> Aberdeen North		
<b>Batch:</b> 539964 - Inspection Batch No actionable defects found				<b>Route:</b> Week: 29 - Area: 05		<b>Date:</b> 05/10/2017		
<b>Batch:</b> 530490 - Inspection Batch No actionable defects found				<b>Route:</b> Week: 05 - Area: 05		<b>Date:</b> 24/04/2017		
<b>Batch:</b> 519399 - Inspection Batch No actionable defects found				<b>Route:</b> Week: 29 - Area: 05		<b>Date:</b> 08/11/2016		
<b>Asset:</b>	1,003.00	<b>Asset - Locn.:</b> 1 - Footway		<b>Feature Type:</b> RDS Footway		<b>Area:</b> Aberdeen North		
<b>Batch:</b> 539965 - Inspection Batch No actionable defects found				<b>Route:</b> Week: 29 - Area: 05		<b>Date:</b> 05/10/2017		
<b>Batch:</b> 530893 - Inspection Batch				<b>Route:</b> Adhoc Inspection		<b>Date:</b> 27/04/2017		
464374	Two footway gullies, outside no.88 and to side of no. 94 need to be cleared by hand and jet cleaned.	27/04/2017	STEWART CRESCENT - SH	Blocked Gully	Internal		Committed	714827
<b>Batch:</b> 530491 - Inspection Batch No actionable defects found				<b>Route:</b> Week: 05 - Area: 05		<b>Date:</b> 24/04/2017		
<b>Batch:</b> 519400 - Inspection Batch No actionable defects found				<b>Route:</b> Week: 29 - Area: 05		<b>Date:</b> 08/11/2016		
<b>Batch:</b> 518726 - Inspection Batch				<b>Route:</b> Adhoc Inspection		<b>Date:</b> 01/11/2016		
461172	Repair tree root damage to footway, 3m x 2m approx	01/11/2016	Outside no.25	Tree Root Damage	Internal		Committed	709684

**Maintenance Management**

Job No.	Description	Location	Priority	Job Status	Entered	Completion	Works Order
<b>Asset:</b>	1,000.00	<b>Asset - Locn.:</b> N/08/2225 - STEWART CRESCENT		<b>Feature Type:</b> RDS Road Section		<b>Area:</b> Aberdeen North	
713354	Find and Fix 3 pothole filled by [REDACTED]	jctn with deansloch terrace	.Routine Maintenance	Contractor Completed	14/03/2017	13/03/2017	Act.
713356	Find and Fix 8 pothole filled by [REDACTED]	jctn with kettlehills crescent	.Routine Maintenance	Contractor Completed	14/03/2017	13/03/2017	Act.

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<b>Asset:</b> 1,000.00		<b>Asset - Locn.:</b> N/08/2225 - STEWART CRESCENT		<b>Feature Type:</b> RDS Road Section		<b>Area:</b> Aberdeen North	
713598	Find and Fix 1 potholes filled by [REDACTED]	opp 44	.Routine Maintenance	Contractor Completed	17/03/2017	07/03/2017	Act.
714660	Find and Fix 2 potholes filled by [REDACTED]	unknown	.Routine Maintenance	Contractor Completed	24/04/2017	21/04/2017	Act.
714687	Repair edge damage along tar seam, 0.5m2 approx (Sunken Carriageway)	From Kettlehills Crescent to Longlands Place	.RD 14 Day	Contractor Completed	24/04/2017	10/05/2017	Act. RD01/27048
714688	Repair edge damage along tar seam, 0.5m2 approx (Sunken Carriageway)	From Deansloch Terrace to outside no.130	.RD 14 Day	Contractor Completed	24/04/2017	10/05/2017	Act. RD01/27048
717694	Find and Fix 3 potholes repaired by [REDACTED]	o/s 17	.Routine Maintenance	Contractor Completed	17/08/2017	14/08/2017	Act.
<b>Asset:</b> 1,003.00		<b>Asset - Locn.:</b> 1 - Footway		<b>Feature Type:</b> RDS Footway		<b>Area:</b> Aberdeen North	
709684	Repair tree root damage to footway, 3m x 2m approx (Tree Root Damage)	Outside no.25	.RD 14 Day	Contractor Completed	01/11/2016	02/12/2016	Act. RD01/25077
714827	Two footway gullies, outside no.88 and to side of no. 94 need to be cleared by hand and jet cleaned. (Blocked Gully)	STEWART CRESCENT - SH	.RD 14 Day	Contractor Completed	27/04/2017	16/05/2017	Act. RD01/27094
<b>Asset:</b> 1,004.00		<b>Asset - Locn.:</b> 5 - Whin Park Road to Whin Park Place-Footway		<b>Feature Type:</b> RDS Footway		<b>Area:</b> Aberdeen North	
15728	Holes on bitmac f/p =400mm x 400mm (Sunken Footway)	No 47	.RD 7 Day	Job Closed	15/01/2008	22/01/2008	Est.
56829	Fill holes on bitmac f/p =2 x 300mm x 300mm (Sunken Footway)	No 51	.RD 14 Day	Job Closed	17/12/2008	05/01/2009	Est. RD01/1995
56830	Fill holes on bitmac f/p =2 x 300mm x 300mm (Sunken Footway)	No 55	.RD 14 Day	Job Closed	17/12/2008	05/01/2009	Est. RD01/1995
56831	Fill holes on bitmac f/p =2 x 300mm x 300mm (Sunken Footway)	No 47	.RD 14 Day	Job Closed	17/12/2008	05/01/2009	Est. RD01/1995
56832	Fill holes on bitmac f/p =2 x 300mm x 300mm (Sunken Footway)	No 59	.RD 14 Day	Job Closed	17/12/2008	05/01/2009	Est. RD01/1995
<b>Asset:</b> 1,010.00		<b>Asset - Locn.:</b> 3 - Longlands Place to Whin Park Road-Footway		<b>Feature Type:</b> RDS Footway		<b>Area:</b> Aberdeen North	
15727	Holes on bitmac f/p =400mm x 400mm (Sunken Footway)	At Longlands Place	.RD 7 Day	Job Closed	15/01/2008	22/01/2008	Est.
55112	Cut out and patch marked area on bitmac f/p = 2m x 2m (Tree Root Damage)	No 37	.RD 14 Day	Job Closed	26/09/2008	10/10/2008	Est.
56828	Fill holes on bitmac f/p =2 x 300mm x 300mm (Sunken Footway)	No 35	.RD 14 Day	Job Closed	17/12/2008	05/01/2009	Est. RD01/1995

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**Maintenance Management**

Job No.	Description	Location	Priority	Job Status	Entered	Completion	Works Order
<b>Asset:</b> 1,014.00		<b>Asset - Locn.:</b> 8 - Deansloch Terrace to Deansloch Crescent-Footway		<b>Feature Type:</b> RDS Footway		<b>Area:</b> Aberdeen North	
13343	ruttet bitmac f/p,make safe. (Sunken Footway)	122 =from garden gate to f/p crossing	.RD 7 Day	Job Closed	16/10/2007	23/10/2007	Est.
13344	Ruttet bitmac f/p,make safe (Sunken Footway)	130	.RD 7 Day	Job Closed	16/10/2007	23/10/2007	Est.
15725	Holes on bitmac f/p =2 m x 1m (Sunken Footway)	No 130	.RD 7 Day	Job Closed	15/01/2008	22/01/2008	Est.
<b>Asset:</b> 100,007.00		<b>Asset - Locn.:</b> 9051024948 - [REDACTED] STEWART CRESCENT, AB16 5TJ		<b>Feature Type:</b> W - Domestic Waste Property		<b>Area:</b> Aberdeen North	
10115767	Waste Other - Uplift 1 x 240L MR bin and 1 x 240L GW bin from drive - 2nd request - njc (Enquiry 714038)	[REDACTED] Stewart Crescent	.Routine Maintenance	Job Raised	03/08/2017		
10117577	Waste Other - please pick up 2 bins - one garden and one recycling - from driveway - (Enquiry 716992)	[REDACTED] STEWART CRESCENT - ** urgent 3rd request**sc	.Routine Maintenance	Job Raised	04/09/2017		
<b>Asset:</b> 100,029.00		<b>Asset - Locn.:</b> 9051022837 - [REDACTED] STEWART CRESCENT, AB16 5TB		<b>Feature Type:</b> W - Domestic Waste Property		<b>Area:</b> Aberdeen North	
10115999	Waste Other - new tenant, does not have a general waste bin, please send one out - jt (Enquiry 714366)	[REDACTED] STEWART CRESCENT	.Routine Maintenance	Job Raised	08/08/2017		
<b>Asset:</b> 100,107.00		<b>Asset - Locn.:</b> 9051024996 - [REDACTED] STEWART CRESCENT, AB16 5XF		<b>Feature Type:</b> W - Domestic Waste Property		<b>Area:</b> Aberdeen North	
10099479	Missed Bin - Hi	[REDACTED] Stewart Crescent Aberdeen	.Routine Maintenance	Job Raised	15/02/2017		
	<p>I was wondering if it was possible Ab165xf to arrange for my black bin to be emptied as we were on holiday and was delayed on coming home so didn't make it home on time to put my bin on the kerbside. We have a toddler who is still in nappys and our bin is full already so couldn't wait another 2 weeks</p> <p>Our address is [REDACTED] Aberdeen Ab165xf</p> <p>Many thanks [REDACTED]</p> <p>Sent from my iPhone (Enquiry 1043475)</p>						

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