

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-17-1924 - Inspection - Stewart Crescent  
**Date:** 15 January 2018 14:26:47  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)  
[EIR-17-1924 - Stewart Crescent Adoption Map.pdf](#)  
[EIR-17-1924 - Stewart Crescent Reports.pdf](#)

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Dear [REDACTED],

Thank you for your information request of 18 December 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 the period 10 May to 10 October 2016 –**

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

Please see attached under 'condition survey'. Please also see attached adopted footways/ roads map for the location, the areas in hatched red represent the area owned and maintained by Aberdeen City Council Roads Department.

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

Please see attached under 'maintenance management'

Our records indicate that during the period between 10th May 2016 and 10 October 2016, there were no works undertaken in the vicinity of the above address, either in the carriageway, or footway.

**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 link to Policy below:

<https://www.aberdeencity.gov.uk/sites/aberdeen-cms/files/Roads%20Safety%20Inspection%20Manual.pdf>

As **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** 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.

**Records of complaints about the state of roads/footway at the accident locus for the period 10 May to 10 October 2016**

There are no complaints logged regarding the state of roads/footway at the accident locus for the period 10 May 2016 to 10 October 2016.

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, broken paving slab or the general condition of the footway.

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.

**Records of other accidents which have occurred on the relevant stretch of road/footway for the period 10 May to 10 October 2016**

Aberdeen City Council Roads Department has received no reports of accidents, claims or intimations of claims for the given location during the requested 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 Site History 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) 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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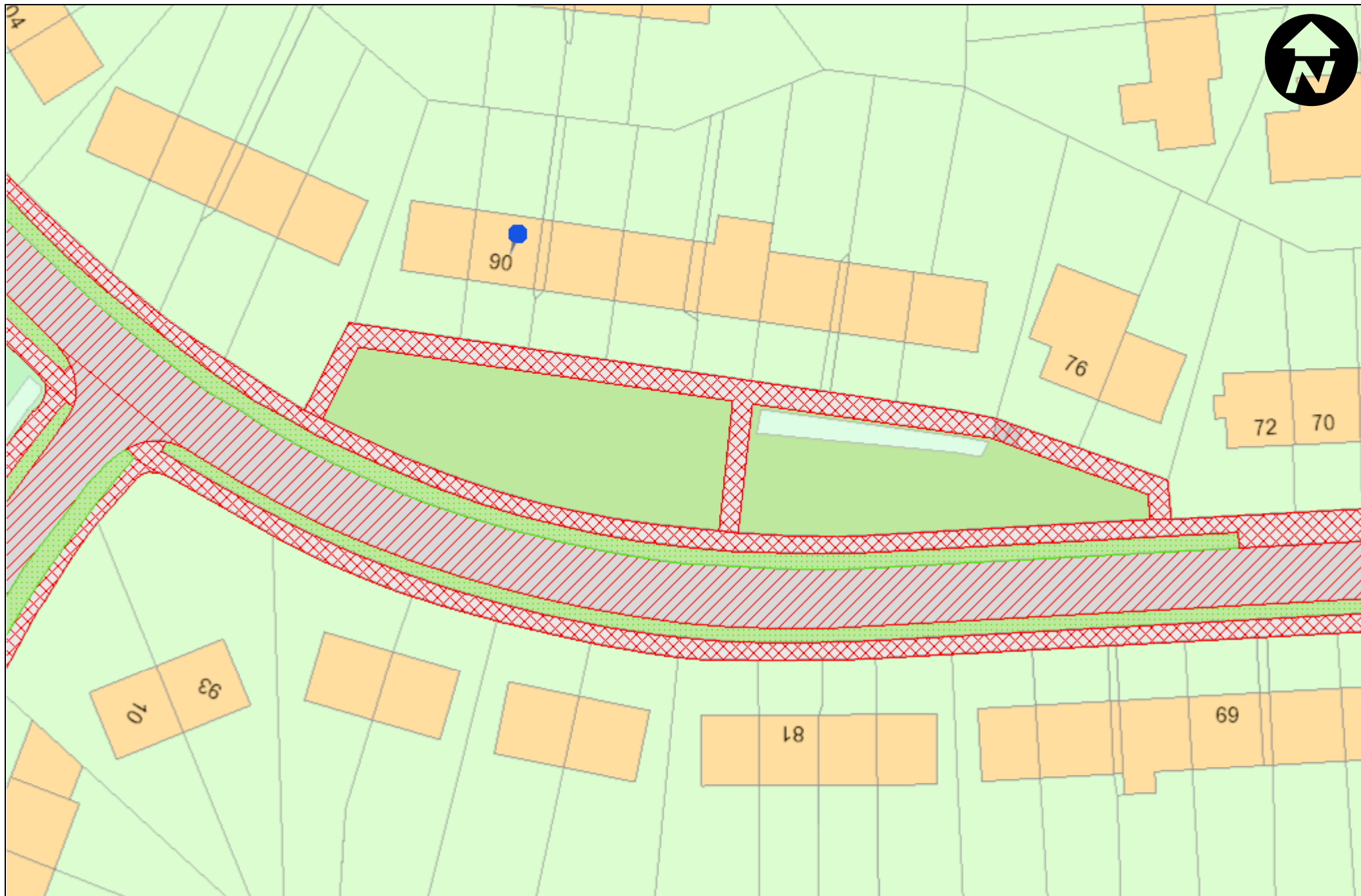
[foienquiries@aberdeencity.gov.uk](mailto:foienquiries@aberdeencity.gov.uk)

Tel 03000 200 292

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

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)



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Effective: 10/05/2016 to 10/10/2016

Contract: Roads Contract (General Maint) (RD01)

Site: STEWART CRESCENT (7601144)

Service: Roads

Display Action Officer: No

Site: STEWART CRESCENT (7601144)

Locality: ABERDEEN, ABERDEEN CITY

Area: Aberdeen North

**Condition Survey**

Defect No:	Description	Log Date	Location	Defect Type	Class.	Organisation	Status	Job No.
Asset:	1,000.00	Asset - Locn.: N/08/2225 - STEWART CRESCENT		Feature Type: RDS Road Section			Area: Aberdeen North	
Batch: 500620 - Inspection Batch			Route: Week: 05 - Area: 05				Date: 17/05/2016	
458462	Fill pothole, 300 x 300 x 40 approx	17/05/2016	At junction with Whin Park Place	Pot Hole	Internal		Archived	705007
458463	Fill two potholes, both 200 x 200 x 40 approx	17/05/2016	At junction with Deansloch Terrace	Pot Hole	Internal		Archived	705008
458464	Repair two areas of surface damage, both 600 x 600 x 40 approx	17/05/2016	At junction with Deansloch Terrace	Sunken Carriageway	Internal		Archived	705009
458465	Fill pothole, 300 x 300 x 40 approx	17/05/2016	At crossing point next to lamppost no.1	Pot Hole	Internal		Archived	705005
458461	Fill pothole, 200 x 200 x 40 approx	17/05/2016	Outside no.63	Pot Hole	Internal		Archived	705006
Asset:	1,001.00	Asset - Locn.: 1 - Grass verge		Feature Type: RDS Verge			Area: Aberdeen North	
Batch: 500621 - Inspection Batch			Route: Week: 05 - Area: 05				Date: 17/05/2016	
No actionable defects found								
Asset:	1,003.00	Asset - Locn.: 1 - Footway		Feature Type: RDS Footway			Area: Aberdeen North	
Batch: 500622 - Inspection Batch			Route: Week: 05 - Area: 05				Date: 17/05/2016	
458466	Repair section of footway, 2m x2m	17/05/2016	Outside no.17	Tree Root Damage	Internal		Archived	705011

**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	
705005	Fill pothole, 300 x 300 x 40 approx (Pot Hole)	At crossing point next to lamppost no.1	.RD 7 Day	Job Closed	17/05/2016	17/05/2016	Act. RD01/23249
705006	Fill pothole, 200 x 200 x 40 approx (Pot Hole)	Outside no.63	.RD 7 Day	Job Closed	17/05/2016	17/05/2016	Act. RD01/23249
705007	Fill pothole, 300 x 300 x 40 approx (Pot Hole)	At junction with Whin Park Place	.RD 7 Day	Job Closed	17/05/2016	17/05/2016	Act. RD01/23249
705008	Fill two potholes, both 200 x 200 x 40 approx (Pot Hole)	At junction with Deansloch Terrace	.RD 7 Day	Job Closed	17/05/2016	17/05/2016	Act. RD01/23249
705009	Repair two areas of surface damage, both 600 x 600 x 40 approx (Sunken Carriageway)	At junction with Deansloch Terrace	.RD 14 Day	Job Closed	17/05/2016	25/05/2016	Act. RD01/23272
708495	Clean and jet 37 gullies done by [REDACTED] on cyclic maintenance	whole street	.Routine Maintenance	Job Closed	14/09/2016	07/09/2016	Act.
<b>Asset:</b>	1,003.00	<b>Asset - Locn.:</b> 1 - Footway		<b>Feature Type:</b> RDS Footway		<b>Area:</b> Aberdeen North	
705011	Repair section of footway, 2m x2m (Tree Root Damage)	Outside no.17	.RD 14 Day	Job Closed	17/05/2016	20/09/2016	Act. RD01/24011
<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 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

Effective: 10/05/2016 to 10/10/2016

Contract: Roads Contract (General Maint) (RD01)

Site: STEWART CRESCENT (7601144)

Service: Roads

Display Action Officer: No

**Maintenance Management**

Job No.	Description	Location	Priority	Job Status	Entered	Completion	Works Order
<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	
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
<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.