

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-1878 - Damage to Vehicles
Date: 05 January 2018 14:36:27
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED]

Thank you for your information request of 6 December 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

1) How many claims has the Council received from drivers in the last 12 months (to most recent available) because of damage caused by potholes?

66.

2) How many of these claims were successful?

Less than 5.

Please note that, as the number is greater than 0 but less than 5 then the specific number has not been provided. Such low numbers could lead to identification of individuals.

As such, ACC is unable to provide you with this information as it is exempt from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 38(1)(b) in conjunction with 38(2)(a)(i) – Personal Information – of the FOISA.

In making this decision ACC considered the following points:

ACC is of the opinion that Section 38(1)(b) applies to the information specified above as the information in question is personal information relating to living individual(s), of which the applicant is not the data subject. ACC is of the view that disclosing exact numbers could enable the individual(s) involved to be identified.

ACC is of the opinion that Section 38(2)(a)(i) applies, as we consider that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). The individual(s) have not consented to the disclosure of their information, and ACC does not consider that they would expect ACC to release this information about them into the public domain under the FOISA.

3) What is the total amount that has been paid out as a result of the successful claims?

£650.00

We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance Officer

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

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

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