

**From:** Foi Enquiries  
**Sent:** 27 February 2019 12:56  
**To:** [REDACTED]  
**Subject:** EIR-19-0131 - Transport Models  
**Attachments:** V2 - Further Information - Right to Review & Appeal.pdf

Dear [REDACTED],

Please accept our sincere apologies for the delay in responding to your information request of 21 January 2019. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

• **Who is the contact point within the Highways and Transportation team for transport modelling?**

Ken Neil, Senior Engineer.

• **Please provide high level details of your existing strategic transport model/s.**

The Strategic Model is maintained by Nestrans, the Regional Transport Partnership and the Local Authorities have access to the outputs. The Strategic Model is a Saturn model that covers main routes in Aberdeen City and Aberdeenshire.

• **When was your transport model/s last updated?**

Strategic Model (ASAM) – 2018

Detailed Local Paramics models – 2012

• **Which organisation (e.g. Consultancy firm) developed your existing transport model/s?**

Systra

• **Which software does your existing model/s use? (e.g. Saturn, Visum)**

Strategic Model – Saturn

Detailed models – Paramics

• **How much did your existing model/s cost to develop?**

ACC is unable to provide you with information on **How much did your existing model/s cost to develop** as it is excepted 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 10(5)(e) – Confidentiality of commercial or industrial information - of the EIRs.

In making this decision ACC considered the following points:

Is the information commercial or industrial in nature?

Service is being provided by an external consultant through a competitive tender process. Releasing cost details would potentially damage the commercial interest of the consultant and potentially value for money for the Council in terms of contracts for similar future work.

Does a legally-binding duty of confidence exist in relation to the information?

The work is the subject of a legally-binding contract between the Council and the consultant and there is a duty of confidence in relation to work being carried out under that contract.

Is the information publicly available?

No.

Please describe how disclosure of the requested information would cause the level of harm required for this exception?

Providing details of tender returns would harm both the consultant providing the service and also make available to a body, information that is not available in the public domain. It may therefore prejudice future tenders for similar work. Tender details provided to the appropriate Committee for approval are taken as an exempt item so that they are not in the public domain. There is no direct evidence of harm but is standard practice that tender information is not made public as it may prejudice future similar work being put out to tender.

What are the public interest arguments?

ACC recognises that there is an element of public interest in this information in relation to 'following the public pound'. Release of this information would provide a guide on the cost for this type of work and we would be providing it if the work was carried out in-house.

However, ACC considers that, overall, the release of this information could harm the commercial interests of the consultant and would not be in the interest of the Council in terms of value for money for future similar types of work. Release may detrimentally ACC's ability to achieve best value in future procurements and, it is considered to be in the public interest for ACC to protect this ability.

As such, we consider that this information is excepted from release under the terms of Regulation 10(5)(e) – Confidentiality of commercial or industrial information - of the EIRs.

**• What are your proposed plans (e.g. Procurement) to update your current transport model/s?**

Updates at a suitable time after the opening of the AWPR, once traffic patterns have settled down. Probably towards the end of 2019. Strategic model will be updated first by Nestrans followed by the Local models but a detailed programme has still to be identified.

We hope this helps with your request.

Yours sincerely,

Grant Webster  
Access to Information 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.

**Grant Webster** | Access to Information Officer

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