

**From:** /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0AF2102975E24B24B33E25AD90C4EC39-GWEBSTER on behalf of FoI Enquiries  
**Sent:** 07 February 2019 07:34  
**To:** [REDACTED]  
**Subject:** FOI-19-0078 - Potholes  
**Attachments:** V2 - Further Information - Right to Review & Appeal.pdf

Dear [REDACTED],

Thank you for your information request of 11 January 2019. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

**1. How much money overall has been paid out by Aberdeen City Council in compensation as a result of claims (whether or not liability was accepted) relating to potholes involving (a) cyclists and (b) motorists in each of the last five financial years: 2013/14, 2014/15, 2015/16, 2016/17, 2017/18?**

**Please provide the responses for each year separately.**

Details of claims made against Aberdeen City Council relating to pothole claims can be found here:

<https://www.aberdeencity.gov.uk/services/council-and-democracy/financial-information-and-procurement/corporate-insurance>

We record the claim under our public liability policy as a pothole claim, and not whether it relates to cyclists and motorists therefore we cannot break this down any further.

ACC is unable to provide you with information on **How much money overall has been paid out by Aberdeen City Council in compensation as a result of claims relating to potholes broken down to cyclists and motorists in each of the last five financial years** as it is not held by ACC. In order to comply with its obligations under the terms of Section 17 of the FOISA, ACC hereby gives notice that this information is not held by it.

As claim information 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 Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 25(1) - Information Otherwise Accessible - of the FOISA.

**1. How many individual (a) cyclists and (b) motorists have received compensation as a result of legal claims relating to potholes in each of the last five financial years: 2013/14, 2014/15, 2015/16, 2016/17, 2017/18?**

**Please provide the responses for each year separately.**

The numbers of claims made against Aberdeen City Council relating to pothole claims can be found here:

<https://www.aberdeencity.gov.uk/services/council-and-democracy/financial-information-and-procurement/corporate-insurance>

We record the claim under our public liability policy as a pothole claim, and not whether it relates to individual cyclists and motorists therefore we cannot provide this figure for each category.

ACC is unable to provide you with information on **How many individual cyclists and motorists have received compensation as a result of legal claims relating to potholes in each of the last five financial years** as it is not held by ACC. In order to comply with its obligations under the terms of Section 17 of the FOISA, ACC hereby gives notice that this information is not held by it.

As claim information 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 Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 25(1) - Information Otherwise Accessible - of the FOISA.

**1. What is Aberdeen City Council's total expenditure on legal costs defending and settling legal claims, including both their own and the Claimants' legal costs, for pothole related claims in each of the last five financial years: 2013/14, 2014/15, 2015/16, 2016/17, 2017/18?**

**Please provide the responses for each year separately.**

The Legal team within Aberdeen City Council do not handle claims made against the Council; these are passed to our insurers in accordance with the terms and conditions of our policy with them.

If a settlement is made, this is not broken down by Aberdeen City Council on the claims management system therefore we are unable to provide an answer to this question.

ACC is unable to provide you with information on **total expenditure on legal costs defending and settling legal claims** as it is not held by ACC. In order to comply with its obligations under the terms of Section 17 of the FOISA, ACC hereby gives notice that this information is not held by it.

We hope this helps with your request.

Yours sincerely,

Grant Webster  
Access to Information 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.

**Grant Webster** | Access to Information Officer

Aberdeen City Council | Access to Information Team | Customer Feedback | Customer  
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