

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-17-0110 - Inspection Reports - Jesmond Drive  
**Date:** 30 January 2017 15:12:48  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)  
[Screenshot with locus hatched.pdf](#)

---

Dear [REDACTED],

Thank you for your information request of 17 January 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**In relation to the car park that services the retail units at Jesmond Drive, Bridge of Don, Aberdeen, we would be grateful if you would provide the following information:-**

**1. Is the car park owned by the Council?**

The carpark is privately owned by Asda and West Coast Estates Ltd.

**2. Is the car park an adopted road in terms of the Roads (Scotland) Act 1984?**

No.

**3. Does the Council have responsibility for the maintenance and repair of the car park?**

No.

**4. If the Councils does not have such responsibility does it hold information of who does?**

The responsibility of maintenance falls to the owners of the land. The car park is jointly owned by the Asda Superstore and West Coast Estates Ltd who own the parade of stores beside Asda.

**5. Please provide details of any previous complaints about the car park in the 12 months prior to the accident.**

No records held.

**6. Please provide copy inspection records for 12 months prior to the accident.**

Not applicable as it is not inspected by ACC.

**7. Please provide details of how inspections were undertaken.**

Not applicable.

**8. Please provide details of the frequency of inspections.**

Not applicable.

**9. Please provide maintenance records of the area held by the Council.**

Not applicable.

**10. Please provide information of any repairs made to the car park following the accident.**

Not applicable.

**We enclose a screenshot of a map showing the area. The car park that forms the subject of this request has been hatched in black ink.**

ACC is unable to provide you with information on **car park that services the retail units at Jesmond Drive, Bridge of Don, Aberdeen** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

We hope this helps with your request.

Yours sincerely,

Information Compliance 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.

Information Compliance Team  
Communications and Promotion  
Office of Chief Executive  
Aberdeen City Council  
Room 1-24  
Town House  
Broad Street  
ABERDEEN AB10 1AQ

[foienquiries@aberdeencity.gov.uk](mailto:foienquiries@aberdeencity.gov.uk)

01224 523827/523602

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)

