

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-16-0243 - Adopted Roads
Date: 17 March 2016 15:23:30
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED],

Thank you for your information request of 18 February 2016. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

We would be obliged if you can provide us with details of all the carriageways, footways and remote footpaths that are adopted for maintenance by Aberdeen City Council as the acting roads authority under the terms of the Roads (Scotland) Act 1984.

Wherever possible we would be grateful if the information could be prepared to include the following:

- **Street name**
- **Area/Town**
- **Description**
- **Length**
- **Classification**

ACC is unable to provide you with information on **details of all the carriageways, footways and remote footpaths that are adopted for maintenance by ACC as the acting roads authority under the terms of the Roads (Scotland) Act 1984 (street name, area/town, description, length and classification)** 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(4)(b) – Manifestly Unreasonable - of the EIRs.

In making this decision ACC considered the following points:

Is the request manifestly unreasonable?

ACC is of the view that the information requested is manifestly unreasonable under the terms of the Environmental Information (Scotland) Regulations 2004 (EIRs).

The request must impose a significant burden on ACC, be manifestly unreasonable or disproportionate

ACC is of the view that providing the breakdown information requested would require a disproportionate amount of time and the diversion of an unreasonable proportion of ACC's resources away from the operations of the Support Assistant Team in Roads Services.

To explain this, in order to extract this information, the list of adopted roads, footways and verges would need to be printed out (a huge amount of data). From this list, each item would need to be searched on the electronic system 'Confirm' and all relevant details extracted and recorded on a blank Word document or Excel spreadsheet. This step would need to be completed for each item on the original list. There may be parts of each road or footway which are not adopted by ACC and this would also need to be noted and referenced in order to provide the information. It is also possible that map screen shots would need to be provided to show exactly the area which ACC adopts.

Searching 1 item and extracting all details (not including noting parts that are not adopted by ACC) would take approximately 10 minutes. The list is extensive so as little as 200 items on the list would take around 33 hours, plus extra time for including maps and breaking down areas not adopted within certain streets/ roads.

It is estimated that to extract the requested information would require a team of at least 5 officers, however only 1 officer in the Support Assistant Team has the skill, knowledge and time to carry out the work to provide the requested information. This 1 officer is the only person processing claims for the roads department and therefore the time involved would mean that this officer would have to devote a significant amount of time away from their day to day work.

Has ACC provided reasonable advice and assistance to the applicant?

ACC would like to advise that it may be possible to provide the requested information in relation to a reasonable list of specific streets or roads that you are interested in, for example a list of up to 20 streets. Please do get in touch if this is something you would like to pursue.

What are the public interest arguments?

ACC recognises that there is a public interest in maintaining a level of transparency around the way it maintains carriageways, footways and remote footpaths in Aberdeen City. To this end, ACC has published responses to road and transport related requests on its online Disclosure Logs at the following web links:

2016 Disclosure Log:

http://www.aberdeencity.gov.uk/council_government/dp_foi/freedom_information/DisclosureLog2016/roads_transport_2016.asp

2015 Disclosure Log:

http://www.aberdeencity.gov.uk/council_government/dp_foi/freedom_information/DisclosureLog2015/roads_transport_2015.asp

2014 Disclosure Log:

http://www.aberdeencity.gov.uk/council_government/dp_foi/freedom_information/disclosurelog2014/roads_and_transport_2014.asp

2013 Disclosure Log:

http://www.aberdeencity.gov.uk/council_government/dp_foi/freedom_information/DisclosureLog2013/roads_transport_2013.asp

However, in this instance, ACC is of the view that the public interest in maintaining the manifestly unreasonable exception outweighs this general public interest, given the time required by the officer to provide the information and the impact this would have on the operations of the Support Assistant Team in Roads Services.

We hope this helps with your request.

Yours sincerely,

Anna Buchan
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.

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will be your phone company's access charge).

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