From: Foi Enquiries
To: [redacted]
Subject: EIR-16-0564 - Site History - Rose Street
Date: 13 May 2016 15:41:05
Attachments: Further_Information - Right to Review & Appeal.pdf

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Dear [redacted],

Your Ref: [redacted]

Thank you for your information request of 15 April 2016. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

Thank you for providing us with the information requested in our Freedom of Information Request (EIR-16-0373).

In the information provided we note that there were submissions made in the Site History report on the 29 February 2016. The first was in reference to a sunken paving slab at the Raeburn and Christie Car Park and the second was a broken, loose and rocking piece of cut slab up from Café Nero at the Horse Shoe Cover. These were both lodged as requiring urgent attention in the Maintenance Management section of the Site History Report.

We would be grateful if you would provide us with further information regarding the two defects and the repair work performed. We would also be grateful if you could provide us with any photographs that are held.
The only details that we hold on the defects are listed already in the description given on the maintenance management section. You can also note that next to each description there are several other headings such as 'priority' this tells you the timescale for repairs, both of which are 7 day repairs. Further along you have the headings 'entered' and 'completion' this tells you that the jobs were raised 29/02/2016 and completed the same day. The slabs were lifted and relayed.

We do not hold any photographs of the defects/repairs in question.

ACC is unable to provide you with information on **any photographs that are held** 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 note that there was a request for a personal injury claim form made on the 17 October 2015. We would be grateful if you would provide us with all information held regarding their accident. We would also be grateful if you would confirm the specific location and cause of their accident.
Although we received intimation of the incident and had sent out a claim pack to the claimant, we cannot provide any further information in terms of details of the incident as the claimant has

not yet returned the claim form to us. The only information I can provide is that the claimant had tripped on a sunken/raised slab and had allegedly suffered a broken wrist.

We hope this helps with your request.

Yours sincerely,

Grant Webster
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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