

Mr Jim Napier

Date 1 October 2013

RFI No EDIR:923

Your Ref

Email Address

jimnapier@blueyonder.co.uk

Dear Mr Napier,

REVIEW OUTCOME: Environmental Information (Scotland) Regulations 2004
SUBJECT: Braid Burn Flood Defences

Please accept my sincere apologies for the delay in responding to your request for information. This is due to the high volume and complexity of requests which are currently being received and processed by the Records & Information Compliance Unit.

I have considered your request for a review in relation to the provisions under the Environmental Information (Scotland) Regulations 2004 (EIRs) and the information requested is enclosed in the format requested below:

Question 1

Please provide the number of complaints received by telephone, letter or email relating to flooding on Braid Burn Path between the completion of the flood defence works and 31 July 2013.

Answer 1

No complaints relating to the Braid Burn Path between Oxgangs Road North and Colinton Mains Drive have gone through the official Council Complaints Process.

As I previously confirmed the City of Edinburgh Council identified five parties, including Firrhill Community Council, who made complaints relating to disturbances during construction of the defences and flooding from the road after construction to the Transport – Maintenance team.

The Council is complying with Regulation 11 of the EIRs and Principle 1 of the Data Protection Act 1998 regarding the protection of an individual's personal information and will not be providing you with the details of the other parties or their complaints.

As I have previously stated the Council can provide the individuals who registered these complaints with Transport - Maintenance with copies of their communications following a direct request from the individual to the Council.

Question 2

A copy of all communications between local Councillors and Council departments/ sections, and between the departments/sections themselves in relation to flooding on Braid Burn Path and Oxgangs Road North following the completion of the flood defence works.

Answer 2

Firrhill Community Council have received copies of all correspondence in relation to flooding on Braid Burn Path and Oxgangs Road following the completion of the flood defence works from Transport - Maintenance as they were copied in by either Transport - Maintenance staff or former Councillor Barry.

Question 3

Copies of reports following site visits to Braid Burn Path and properties on Oxgangs Road North to view, discuss or assess flooding issues resulting from complaints received since completion of the flood defence work.

Answer 3

Please find enclosed Project Note No. 184 Area 2 Colinton Mains in relation to flooding at Oxgangs Road North

There are no reports following site visits to Braid Burn Path and no conclusions have been reached relating to the path. All points that have been noted are contained in the correspondence referred to above, and are currently in your possession.

The Council is complying with Regulation 11 of the EIRs and Principle 1 of the Data Protection Act 1998 regarding the protection of an individual's personal information and will not be providing you with the condition surveys or site reports from the individual properties that have been completed.

These documents are personal information within the terms of the above legislation. If the owner of the property needs the Council to provide them with a replacement copy of the document then they should contact the Council directly to arrange this.

Question 4

The investigation report referred to in the meeting of November 2012.

Answer 4

Unfortunately the officers present at the November 2012 meeting do not recall mentioning the report that you are seeking. The only reports that are held by the Council for this area are the condition surveys, which as noted above we will not be providing, and the overland flows report, that we have provided.

If you are unhappy with this review outcome, or the way we handled your request and review, you have a right of appeal to the Scottish Information Commissioner. You must submit your complaint to the Commissioner within 6 months of receiving this review response. The Commissioner can be contacted at:

The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Telephone: 01334 464610

Fax: 01334 464611

Website www.itspublicknowledge.info

E-mail: enquiries@itspublicknowledge.info

Yours sincerely,

Chris Peggie

FOI Review Officer

For Head of Legal, Risk and Compliance