

Environmental Information Regulations – Response - 27036

I am writing to request information under the Freedom of Information Act 2000 and/or the Environmental Information Regulations 2004.

I am requesting all information held relating to a flooding event at or near the bridge on Church Lane, Kelsale, Suffolk, on or around 28 March 2018,

I am requesting:

1. Any photographic evidence of the flooding event

Suffolk County Council (SCC) does not hold any photographs taken at that time as none were provided of the incident by the customer, and it was not standard practice in 2018 to routinely take photographs of inspected sites.

2. Any incident reports related to the event

An incident customer report is recorded on Insight under reference 205161 with details 'road flooded' at location 'just past bridge on Church Lane' (see attached file: *Flood Report Church Lane, Kelsale 28-03-2018.pdf*).

A site visit was undertaken by a Highways Assessment Officer (HAO), and it was determined not to be at intervention level. An automated system-generated generic 'C01 – Not at Intervention Level' email was subsequently sent to the customer to confirm this was the case: the original outgoing is not stored on the customer report system plus correspondence from March 2018 would be subject to the 7-year retention rule so no longer available.

3. Any correspondence or notes recording the event

See above.

Redacted Information

All information released in response to a Freedom of Information Act 2000 (FOIA) or Environmental Information Regulation 2004 (EIR) request is deemed to be in the public domain. As such we must consider whether or not the requested information qualifies as personal information and should therefore not be released into the public domain.

The council has determined that this is personal information and is therefore exempt from disclosure under **section 40** of the FOIA and **regulation 13** of the EIR.

The Council considered the following, including the possible consequences of disclosure for the data subjects concerned and their reasonable expectations as to the use of their data:

- expectations of the individuals concerned about personal information being put into the public domain;
- reasonable expectations - the data subjects concerned would have a legitimate expectation of privacy concerning their personal information and would not have anticipated this being put into the public domain;
- whether or not the requested information could be anonymised; and

- balancing the individual's rights and the legitimate interests - In past cases the Information Commissioner has weighed the individual's rights to privacy against the public interest in disclosure. There is no presumption in favour of releasing personal data.

This is an absolute exemption, which means that if the condition is satisfied there is no additional public interest test to consider.

In assessing fairness, the Council considered the likely consequences of disclosure of the requested information. Personal information should not be used in ways that have unjustified adverse effects on the individuals concerned. The council also considered whether such disclosure would be within the reasonable expectations of the individuals, given that any response to a request under the FOIA or EIR is deemed to be in the public domain. The council believes that in this instance it is not fair to disclose personal data and is therefore withholding the requested information under section 40 of the FOIA and regulation 13 of the EIR.

**Flooding Report - Church Lane, Kelsale
28 March 2018**

No.	Date/Time	Event	Reference	Due/Done Date	Obj	Username	User Description	Authoriser	Description	CRNo
1	28/03/2018 15:50	Request recorded			N	SYMOLOGY	SYMOLOGY		Road Flooded	00205161
2	28/03/2018 15:50	Customer added	██████████		N	SYMOLOGY	SYMOLOGY			00205161
3	28/03/2018 15:50	Action recorded	SDC/MAILSDCH(5)	27/04/2018 15:50	N	SYMOLOGY	SYMOLOGY			00205161
4	28/03/2018 15:50	Event recorded	ZMA1 Recorded e-mail to Customer	28/03/2018 15:51	N	SYMOLOGY	SYMOLOGY		Email sent to customer	00205161
5	14/05/2018 13:46	Action cleared	SDC/MAILSDCH(3)		N	██████████	██████████			00205161
6	14/05/2018 13:46	Event recorded	T01 Transfer to Community Warden	14/05/2018 13:46	N	██████████	██████████			00205161
7	14/05/2018 13:46	Action recorded	COMWARD/██████████(8)	12/06/2018 13:46	N	██████████	██████████			00205161
8	14/05/2018 13:47	Action cleared	COMWARD/██████████(7)		N	██████████	██████████			00205161
9	14/05/2018 13:47	Event recorded	ADH CW Site Visit/Inspection	14/05/2018 13:47	N	██████████	██████████			00205161
10	14/05/2018 13:47	Standard inspection	ADH HAO Site Visit/Insp (11)	21/05/2018 13:47	N	██████████	██████████			00205161
11	17/05/2018 09:49	Inspection cleared	ADH HAO Site Visit/Insp (10)		N	██████████	██████████			00205161
12	17/05/2018 09:49	Event recorded	C01 Not at Intervention Level	16/05/2018 08:42	N	██████████	██████████			00205161
13	17/05/2018 09:49	Request cleared			N	██████████	██████████			00205161
14	17/05/2018 09:49	Event recorded	ZMA3 Clearance e-mail to Customer	17/05/2018 09:49	N	SYMOLOGY	SYMOLOGY		Email sent to customer	00205161