



Third Party Claim Notification Form

PLEASE COMPLETE THIS FORM AND RETURN SAME TO THE
POSTAL ADDRESS SHOWN ON THE ATTACHED LETTER HEADING

Claim Reference Number

[Redacted]

The information provided in this form will be handled in accordance with the Data Protection legislation. In addition to the person who issued this form, the information may be shared with the Scottish Ministers, their contractors, insurers and professional advisors. For more information about Data Protection, visit www.ico.gov.uk

Part 1 – About Yourself

1. Name

2. Address

[Redacted]

Post Code

3. Daytime Telephone Number
(including STD code)

[Redacted]

Part 2 – About your Vehicle (if Damaged)

1. Class (e.g. car, lorry, motorcycle,
moped, bicycle)

2. Make and model

3. Registration number (if motor
vehicle)

N/A

4. Name and address of insurers

5. Policyholder's name (if not claimant)

6. Have you claimed from your insurers in respect of this incident? Yes [] No []

7. If YES, policy number

Part 3 – About your Accident

1. Time and date of incident



2. Location of incident (e.g. A68, 2 miles south of Jedburgh). If you have any photographs relating to the incident, please enclose them. (See also 8 below regarding a sketch)

The cycling accident happened on a railway bridge some 1.75 miles North east of the Abingdon Services roundabout, Lanarkshire - see enclosed photographs showing location

3. In which direction were you travelling?

Heading east on A702 Towards Biggar

4. Please tick the boxes which best describe the conditions at the time of the incident

The road/footpath was wet dry icy other

The weather was clear foggy raining snowing other

5. At what speed were you travelling? (pedestrians should indicate whether they were walking/running etc)

Approx 17mph

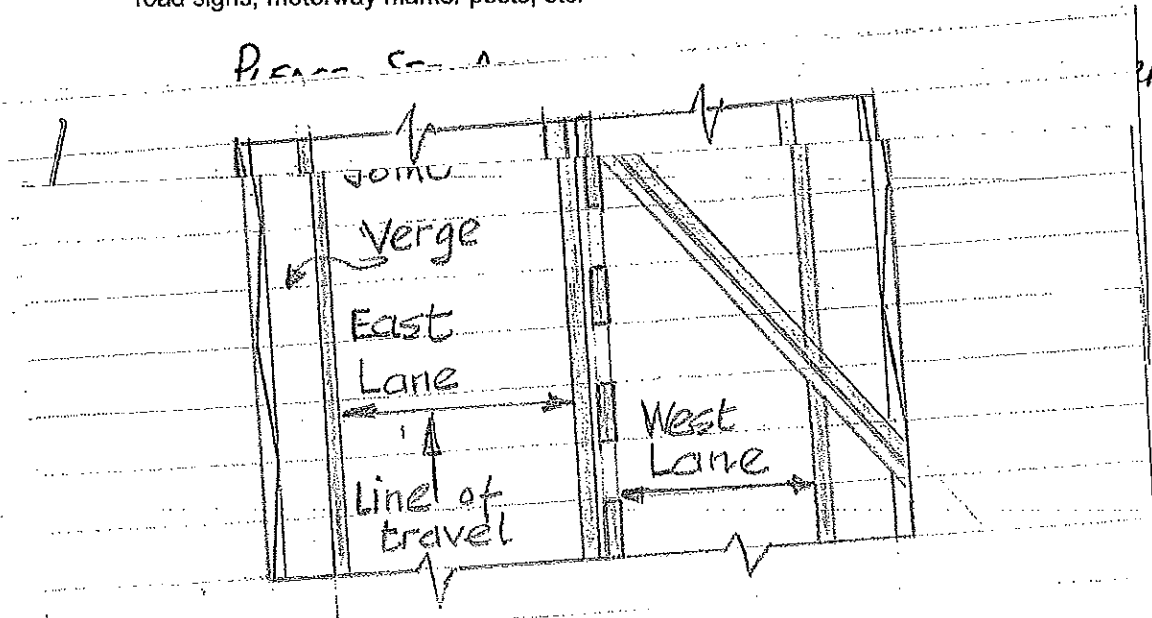
6. What warning signs did you see, if any, immediately before the incident

There were no signs or road markings warning of the expansion joint hazard running across the railway bridge.

7. Brief description of the events leading up to, during and immediately after the incident

[Redacted] riding from [Redacted] Upon arrival [Redacted] continued along the [Redacted] As we crossed the railway bridge my front wheel was gripped by the gap in the expansion joint running diagonally across my path. This caused my bike to go out of control resulting in me being thrown over the handle bars & [Redacted] on the opposite side of the road. Fortunately there was no oncoming traffic at the time of the accident.

8. Please provide in the space below a sketch of the location of the incident, showing landmarks such as bridges, road signs, motorway marker posts, etc.



PHOTOS

Part 4 – Particulars of damage and/or loss

1. Details of damage to vehicle N/A

2. Details of damage to property or other material loss [REDACTED]

3. Did you suffer any physical injury as a result of this incident? Yes [] No []

If YES, please complete the CRU Section of this form. Please also describe your injuries and indicate who treated you and when.

As a result of the crash, I was taken by ambulance. Following the crash on July

was admitted on

4. Amount of claim (please enclose written estimate/receipts) [REDACTED]

5. In order to prevent and detect fraud, additional investigations may be carried out as appropriate. If you are making a claim in respect of personal injuries, please complete the mandates attached. These documents authorise the hospitals, your general practitioner or other health or medical institutions that treated you to provide us with a medical report, disclose your medical history and your medical records only as regards the injuries you sustained arising from the circumstances of this claim. Complete the mandate in BLOCK CAPITALS. Do not detach it. Your attention is also drawn to the need to complete the enclosed CRU Section form.

Mandate

(Enter below the full name and address of the hospital, general practitioner or other health or medical institution where you received treatment and to which this mandate relates)

To [REDACTED]

I, [REDACTED] (enter your full name)

of [REDACTED] (enter your full address)

born on [REDACTED] (enter your date of birth)

hereby authorise you to provide to the Company and/or to the Scottish Ministers a full medical report or full statement of my medical history relative to injuries sustained by me

on [REDACTED], (enter date of accident)

as a result of [REDACTED]. (enter circumstances)

Signature [REDACTED]

Date [REDACTED]

NAME IN BLOCK CAPITALS [REDACTED]

Mandate

(Enter below the full name and address of the hospital, general practitioner or other health or medical institution where you received treatment and to which this mandate relates)

To:

I, _____ (enter your full name)

of _____ (enter your full address)

born on _____ (enter your date of birth)

hereby authorise you to provide to the Company and/or to the Scottish Ministers a full medical report or full statement of my medical history relative to injuries sustained by me

on _____, (enter date of accident)

as a result of _____ (enter circumstances)

Signature

Date

NAME IN BLOCK CAPITALS

Mandate

(Enter below the full name and address of the hospital, general practitioner or other health or medical institution where you received treatment and to which this mandate relates)

To:

I, _____ (enter your full name)

of _____ (enter your full address)

born on _____ (enter your date of birth)

hereby authorise you to provide to the Company and/or to the Scottish Ministers a full medical report or full statement of my medical history relative to injuries sustained by me

on _____, (enter date of accident)

as a result of _____ (enter circumstances)

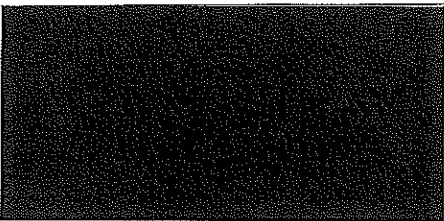
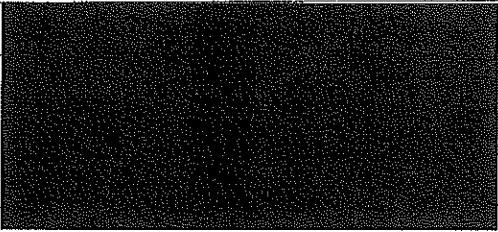
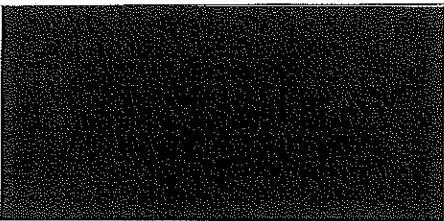
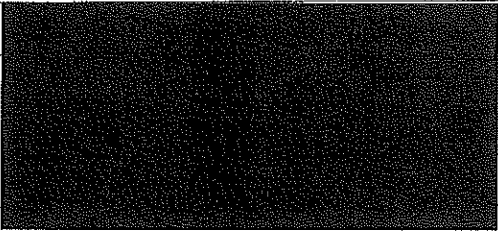
Signature

Date

NAME IN BLOCK CAPITALS

Part 5 – About witnesses to the incident

1. Please provide names and addresses of other occupants of your vehicle (if any) 

Name		Name	
Address		Address	
Name		Name	
Address		Address	

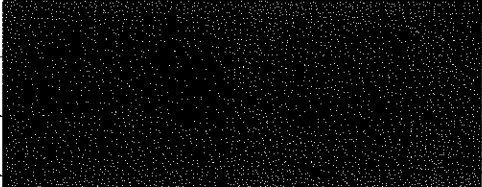
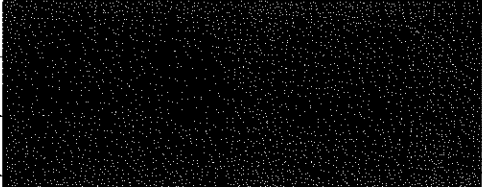
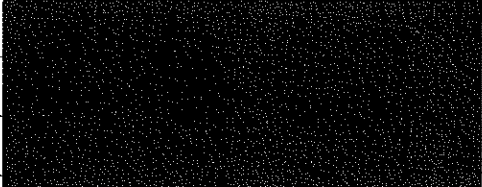
2. Were the police involved?	Yes [] No [<input checked="" type="checkbox"/>]
If YES, please give details	

3. Please provide names and addresses of other witnesses to the incident and say why they are witnesses (e.g. passer-by, other motorist)

Part 6 – Other Information and Signature

1. Please use this space to supply any other information that you think is relevant to the claim or to make any other comments

2. Please sign and date the form

Signature	
Date	
NAME IN BLOCK CAPITALS	

CRU SECTION
ONLY TO BE COMPLETED IF
YOU SUFFERED PHYSICAL INJURY

THE SOCIAL SECURITY (RECOVERY OF BENEFITS) REGULATIONS 1997

Please provide the following which must by law be passed to the Department for Work and Pensions by the party being claimed against. (Do not detach this form)

Full Name	
National Insurance No	
Date of Birth	
Details of your solicitor or representative (if appropriate)	
Name	
Address	
Postcode	
Reference	
Details of your employment at the time of the accident (if appropriate)	
Name of Employer	
Address	
Postcode	
Department	
Clock or Works Number	
I declare that the above information is correct to the best of my knowledge.	
Signed	
	Claimant/claimant's representative (delete as appropriate)
Date	
NAME IN BLOCK CAPITALS	

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE -Confidential - urgent
Date: 09 July 2015 10:26:50
Attachments: [image001.jpg](#)

[REDACTED]

Have also passed to BEAR for comment, hence the reference to Ian in error, but I need comment from Amey whether Amey has any knowledge of the incidents. This is not assigning responsibility it's just an FOI request. At the moment I have an alleged incident from 2009 and 2 other recent incidents. The recent incidents (2014) appear to be the rail bridge. I assume the 2009 incident is the river bridge, but I have no details and assume it was a third party claim submitted to BEAR.

Regards

[REDACTED]

From: [REDACTED]
Sent: 09 July 2015 10:16
To: [REDACTED] amey.co.uk
Cc: [REDACTED]@amey.co.uk
Subject: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE -Confidential - urgent

[REDACTED]

I now have the solicitors correspondence on two alleged incidents on 6 July 2014 ([REDACTED]) and 27 July 2014 ([REDACTED]), and understand this is being dealt with by Solicitors. Mine is an FOI request, so both these incidents are out-with the time frame of November 2006 to December 2009. I understand these are assumed to be at the Rail Bridge, can you confirm?

Do you have any information on [REDACTED] alleged incident which I understand was on 4 November 2009?

Regards

[REDACTED]

From: [REDACTED]
Sent: 08 July 2015 17:09
To: [REDACTED] amey.co.uk
Cc: [REDACTED]@amey.co.uk
Subject: FW: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE

[REDACTED]

Do you have any details of the alleged incident including the date?

Regards

[REDACTED]

From: [REDACTED] <[REDACTED]@amey.co.uk>
Sent: 07 July 2015 13:16
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE

...except that none of the projected dates :- 2/11, 19-20/11, 26-27/11 and 30/11-4/12 squares with the solicitor's date of the alleged incident.

G

[REDACTED] | South East Trunk Road Unit
[REDACTED] <[REDACTED]@amey.co.uk>
6a Dryden Road | Bilston Glen Industrial Estate | Loanhead | EH20 9LZ

From: [REDACTED] <[REDACTED]@transportscotland.gsi.gov.uk>
Sent: 07 July 2015 12:45
To: [REDACTED]
Subject: RE: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE

[REDACTED]

My reading of the BEAR extract is there was some weed control, grass cutting, barrier works and gully works in the area, which may have required TM?

Regards

[REDACTED]

From: [REDACTED] <[REDACTED]@amey.co.uk>
Sent: 07 July 2015 12:27
To: [REDACTED]
Subject: RE: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE

Thanks [REDACTED],

The Bear extract seems to coincide with what I sent, albeit I used the 'Actuals' rather than 'Intents'.

G

[REDACTED] | South East Trunk Road Unit
[REDACTED] <[REDACTED]@amey.co.uk>
6a Dryden Road | Bilston Glen Industrial Estate | Loanhead | EH20 9LZ

From: [REDACTED]@transportscotland.gsi.gov.uk
[REDACTED]@transportscotland.gsi.gov.uk]
Sent: 07 July 2015 12:18
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE

[REDACTED]

Thanks, very helpful as was your previous email. I received the attached email from BEAR, and I have asked for further details but grateful for any comments.

Regards

From: [REDACTED]@amey.co.uk]
Sent: 07 July 2015 11:24
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE

Good morning [REDACTED]

The circled area is indeed a short, concrete-decked bridge/culvert over a burn that flows into the Clyde. The road surface is continuous – i.e. there are no expansion joints.

IF (but see below) some kind of ‘works’ were being undertaken at that bridge, I could see no requirement for nearly half a mile of cones on the approach.

The ‘works’ to repair the damaged parapet at this location (to which I previously referred) were in October, 2006, based on a document recovered by your [REDACTED] confirmed by the personal recollections of the then Bridge Engineer, so irrelevant to this enquiry.

Have checked out this latest information from [REDACTED] but the outcome remains ‘negative’. I attach a spreadsheet (Extract from BEAR handover records) showing ‘Actual’ roadworks for the entire A702, 2nd to 16th November 2009 - there is nothing listed over that fortnight for the area in question and nothing whatever for Monday 9th. Whilst it’s not possible to disprove the allegation of ‘cones’ on the marked section - purely conjecture at this distance in time but the locus *might* suggest - for example – Network Rail or South Lanarkshire Council (litter-picking) operations - we can say with certainty that nothing was notified to the roads authority.

Have discussed further with [REDACTED] who has just sent you some photographs of the current condition of A702 010.

I’ve also had an accident retrieval carried out for the period 1 November to 31 December, 2009 for the section between Bridgend Road (south of the solicitor’s marked area) and Wandel House (property at top-right corner, north of the solicitor’s marked area) with a completely negative result. IF any incident (I use the term advisedly) was reported to the police, it wasn’t carried forward onto the TS Database.

Hope that’s of assistance but, as always, please don’t hesitate to get back to me.

[REDACTED]

[REDACTED]
[REDACTED] | South East Trunk Road Unit
[REDACTED]_amey.co.uk
6a Dryden Road | Bilston Glen Industrial Estate | Loanhead | EH20 9LZ

From: [REDACTED]@transportscotland.gsi.gov.uk
[REDACTED]@transportscotland.gsi.gov.uk]
Sent: 06 July 2015 10:36
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE

[REDACTED]

Cycle Law have now come back with the location of the roadworks in November 2009. Apparently the works were at the circled area, but TM (cones) ran from the bridge to the circled area (I spoke with [REDACTED] to confirm this). The circled area looks like a culvert.

Regards

[REDACTED]

[REDACTED]
*Transport Scotland,
Trunk Road and Bus Operations
Buchanan House,
58 Port Dundas Road,
Glasgow, G4 0HF*
[REDACTED]



Strike it Out: [preventing bridge strikes](#)

From: [REDACTED]@cyclelawscotland.co.uk [REDACTED]@cyclelawscotland.co.uk]
Sent: 06 July 2015 10:01
To: [REDACTED]
Subject: CLS - FOI/15/00728 - A702 010 CLYDE NEW BRIDGE

Dear [REDACTED],

Please find attached a map of the locus of the bridge to assist with your review.

Regards,

From: [REDACTED]@transportscotland.gsi.gov.uk
Sent: 3 July 2015 12:42
To: [REDACTED]@cyclelawscotland.co.uk
Cc: [REDACTED]@cyclelawscotland.co.uk
Subject: FOI/15/00728 - A702 010 CLYDE NEW BRIDGE

[REDACTED]

The attached letter confirms that I will be undertaking the internal review of this case.

Regards

[REDACTED]

[REDACTED]
[REDACTED]

*Transport Scotland,
Trunk Road and Bus Operations
Buchanan House,
58 Port Dundas Road,
Glasgow, G4 0HF*

[REDACTED]
[REDACTED]



Strike it Out: [preventingbridge strikes](#)

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Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuir sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sqaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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[REDACTED]

[REDACTED]

[REDACTED] cyclelawscotland.co.uk
www.cyclelawscotland.co.uk



Cycle Law Scotland is a trading style of Road Traffic Accident Law (Scotland) LLP

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COMPANY PARTICULARS: For particulars of companies within the Amey Group, please visit <http://www.amey.co.uk/Home/Companyparticulars/tabid/182/Default.aspx>. Amey plc, Registered Office: The Sherard Building, Edmund Halley Road, Oxford OX4 4DQ, Registered in England: 4736639
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Year	Date	Direction	Pursurer	Citation	Solicitor	Comments
2015	11/07/2015	NB	[REDACTED]	No	N/A	[REDACTED]

BRIDGE EXPANSION JOINT – CYCLIST HAZARD

[REDACTED]

Background Information

[REDACTED] has e-mailed Amey on behalf of his constituent, [REDACTED] regarding an incident on [REDACTED] at the [REDACTED] when [REDACTED] avers he fell from his pedal cycle.

Nothing is known of the incident apart from [REDACTED] own account, originally sent as an e-mail to South Lanarkshire Council. In this, he alleges the incident was due to either design or maintenance of the bridge expansion joint, which caught a wheel of his bicycle and threw him to the road.

Amey's Bridge manager confirms that the bridge expansion joint is to a standard design and is not in any way defective. However, it crosses the road at an oblique angle, defined by the alignment of the railway below and therefore cannot be altered. Nevertheless, [REDACTED] report has been referred to the manufacturer of the bridge joint, for advice on mitigating such a hazard and to Amey's AIP section for consideration of warning signs to cyclists.

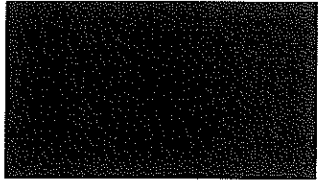
If [REDACTED] considers the incident arose due to negligence on the part of Amey, any arising claim will be assessed in the normal manner.

✓



Amey LG Ltd
6 Redheughs Rigg
South Gyle
Edinburgh
EH12 9DQ

Tel: +44(0)131 314 3000



Our Ref: A04.Draft
Your Ref:



Dear [Redacted]



A702 TRUNK ROAD – [Redacted]

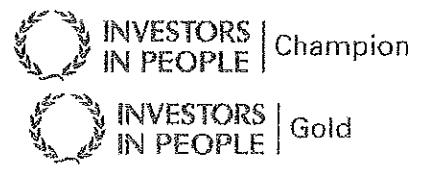
Thank you for your e-mail of [Redacted] on behalf of [Redacted] regarding an incident on [Redacted] at [Redacted] overbridge. As this forms part of the A02 trunk road, which Amey manage and maintain on behalf of Transport Scotland, I am responding as Operating Company Representative.

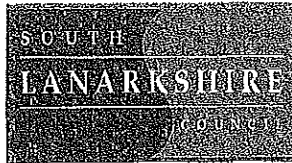
Whilst I am concerned to note [Redacted] report, and that he attributes the accident to the expansion joint on the bridge, this installation is to a standard design and is in good condition. In this particular location, however, the joints cross the carriageway at an obtuse angle, dictated by the alignment of the railway below. We have therefore brought the matter to the attention of the manufacturer and will immediately refer any recommendations to Transport Scotland.

In the meantime, should [Redacted] believe his incident has arisen due to negligence on Amey's part, we will be happy to consider his position on return of our standard claim form. This documentation has already been sent to him under separate cover.

I hope this is helpful and will be forwarding a copy to Transport Scotland.

Yours faithfully





Transport Scotland
Network Management
RECEIVED
13 APR 2015

Community and Enterprise Resources
Executive Director Colin McDowall
Support Services

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

Our ref: [Redacted]
Your ref: [Redacted]
If calling ask for: [Redacted]
Phone: [Redacted]
Date: 09 April 2015

Dear Sirs

Third Party Claim
Claimant's [Redacted]
Incident date - [Redacted]
Location [Redacted]

Please find enclosed correspondence received from [Redacted] concerning claims for two incidents which occurred at the above location.

The original correspondence received in [Redacted] was forwarded to Amey (South East Scotland) as we believed them to be the responsible party following the award of the contract in April 2014. However, due to a contract extension it appears that Amey re-directed the correspondence to Bear Scotland who has subsequently referred the matter back to us.

The Council has no maintenance responsibility or inspection regime for this area which has been listed as a trunk road since 1936 and the bridge (constructed circa 1973) is not listed as a Council asset.

Therefore, I am forwarding these claims to you for handling as I believe they fall within your remit. We have advised the claimant's Solicitors accordingly.

Yours faithfully

[Redacted signature block]

Encs

cc [Redacted]

Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB Phone: 0303 123 1015
Text Phone: 01698 454039 Email: enterprise.hq@southlanarkshire.gsx.gov.uk

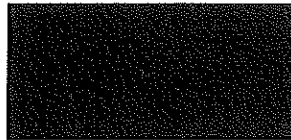


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Community and Enterprise Resources
Executive Director Colin McDowall
Support Services

Kerr Brown Partnership
Baltic Chambers
50 Wellington Street
Glasgow
G2 6HL

Our ref:
Your ref:
If calling ask for:
Phone:
Date:



09 April 2015

Dear Sirs

Your Clients - [REDACTED]
Incident date - [REDACTED]
Location - [REDACTED]

I refer to your letters dated [REDACTED] and previous correspondence in [REDACTED] regarding your clients' incidents at the above location.

As previously advised, the council has no maintenance responsibility for this area. The bridge at the location of the alleged incidents (constructed circa 1973) is part of the trunk road structure. The A702 has been a trunk road since 1936 and the bridge is not listed as a Council asset.

I have, therefore, passed copies of your correspondence to Transport Scotland who has overall responsibility for all trunk roads within Scotland. Any future correspondence should be directed to them at the following address:

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
[REDACTED]

Yours faithfully



cc Transport Scotland

Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB Phone: 0303 123 1016
Text Phone: 01698 454039 Email: enterprise.hq@southlanarkshire.gsx.gov.uk



INVESTOR IN PEOPLE



**Healthy
Working
Lives**

:\odma\meridio\edrmsdb001#3364012#5

**QBE European Operations
Claims**

Agelaim House, Central Park, New Lane, Leeds, LS11 5UF United Kingdom
Telephone +44 (0)113 736 9520 • facsimile +44 (0)113 290 6610
enquiries@uk.qbe.com
www.QBEurope.com



Kerr Brown Partnership
Baltic Chambers
50 Wellington Street
Glasgow
G2 6HJ

[REDACTED]
19/02/2015

Dear Sir or Madam

Our Insured: [REDACTED]

Claimant: [REDACTED]

Accident Date: 06/07/2014

We have now completed our enquires into this case and must inform you we are denying liability.

Our Insured are responsible to identify, maintain and repair the locus however they were not responsible for the design or construction of the bridge.
The accident was not caused by a defect but rather by the design of the expansion joint.

Your client's claim should therefore be referred to the appropriate Council.

Unfortunately the inspection records are not held by our Insured and will therefore have to be obtained from Transport Scotland.

We have no other documents to disclose.

Yours faithfully

[REDACTED]
Direct:
Email:
youm1

kerrbrown
partnership

UP AND COMING LAW FIRM OF THE YEAR 2009 & 2011



South Lanarkshire Council
Almada Street
Hamilton
ML3 0AA

[REDACTED] [REDACTED] Date: 24 March 2015

Dear Sirs

Our Client: [REDACTED]
Address: [REDACTED]
DOB: [REDACTED]
NI Number: TBC
Accident Date: 06 July 2014

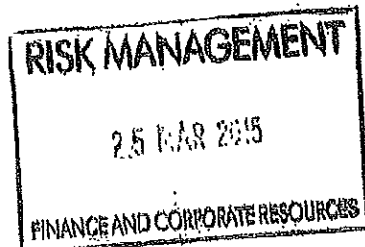
We refer to the above and to our previous correspondence to you of [REDACTED] a copy of which is attached.

You redirected us to Amey, who then redirected the claim to [REDACTED] insurers have now written to us blaming you for the accident, as you are responsible for the design and construction of the bridge.

We enclose a letter from QBE Insurance outlining Amey/BEAR Scotland's position. We request that you address this by way of return.

Yours faithfully

[REDACTED]
Kerr Brown



KERR BROWN PARTNERSHIP
LIMITED LIABILITY PARTNERSHIP

Gallie Chambers, 50 Wellington Street, Glasgow, G2 6JL. Tel: 0141 221 4880 Fax: 0141 221 9669 DX, GW68 email: enquiries@kerrbrown.co.uk

Mark J. MacMillan

Monica A. Brown Robert P. Kerr

Deborah Morris

QBE European Operations

Claims

Acolaim House, Central Park, New Lane, Leeds, LS11 5UP United Kingdom
Telephone +44 (0)844 736 9520 • facsimile +44 (0)113 290 6610
enquiries@ult.qbe.com
www.QBEurope.com




Kerr Brown Partnership
Baltic Chambers
50 Wellington Street
Glasgow
G2 6HJ



19/02/2015

Dear Sir or Madam

Our Insured: 

Claimant: 

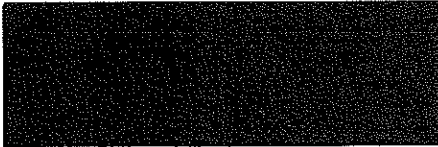
Accident Date: 27/07/2014

We have now completed our enquiries into this case and must inform you we are denying liability.

Our Insured are responsible to identify, maintain and repair the locus however they were not responsible for the design or construction of the bridge.
The accident was not caused by a defect but rather by the design of the expansion joint.

Your client's claim should therefore be referred to the appropriate Council.

Unfortunately the inspection records are not held by our Insured and will therefore have to be obtained from Transport Scotland.
We have no other documents to disclose.



Claims Adjuster
Leeds National Claims
Direct:
Email:
younr1

QBE European Operations is a trading name of QBE Insurance (Europe) Limited (No. 1761581) ("QIEL"); QBE Underwriting Limited (No. 1036198) ("QUL"); QBE Re (Europe) Limited (No. 1375053) ("QBE Re"); QBE Management Services (UK) Limited (No. 03153567) ("QMSUK") and QBE Underwriting Services (UK) Limited (No. 02262146) ("QUSUK"). QIEL, QUL and QBE Re are authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. QMSUK and QUSUK are both Appointed Representatives of QIEL and QUL. All the companies referred to above are registered in England and Wales with their registered offices at Plantation Place, 30 Fenchurch Street, London EC3M 3BD.

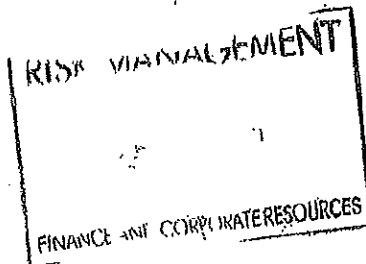


kerrbrown
partnership

UP AND COMING LAW FIRM OF THE YEAR 2009 & 2011



South Lanarkshire Council
Almada Street
Hamilton
ML3 0AA



Date: 24 March 2015

Dear Sirs

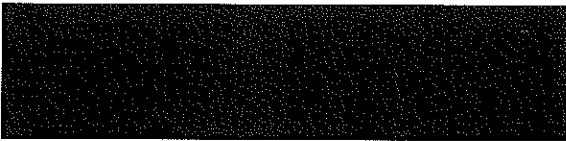
Our Client:

Address:

DOB:

NI Number:

Accident Date:



27 July 2014

We refer to the above and to our previous correspondence to you of a copy of which is attached.

You redirected us to Amey, who then redirected the claim to BEAR Scotland. BEAR Scotland's insurers have now written to us blaming you for the accident, as you are responsible for the design and construction of the bridge.

We enclose a letter from QBE Insurance outlining Amey/BEAR Scotland's position. We request that you address this by way of return.

Yours faithfully



KERR BROWN PARTNERSHIP
LTD (SCOTLAND)

Ballic Chambers, 50 Wellington Street, Glasgow, G2 6JH. Tel: 0141 221 4060 Fax: 0141 221 9669 DX: GW6B email: enquiries@kerrbrown.co.uk

Mark J. MacMillan

Monica A. Brown Robert P. Kerr

Deborah Morris

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: A702 Wandle Bridge, near Abington
Date: 08 July 2014 16:27:41

[REDACTED],

I received a call from a [REDACTED] concerning cycle incidents at this location. She reported that her husband's front bicycle wheel caught in the gap of the 'strengtheners'(sic) and he fell off, injuring himself not too seriously. He picked himself up and warned his wife of the situation and she cycled carefully over the strengthener but still her back bicycle wheel caught and threw her sideways. She informed me that she understood that there had been other similar incidents at this location. There was light rain at the time of her and her husband's incidents which she intimated had exacerbated the situation.

Finally she reports that there are two 'strengtheners' on or for the bridge. One is fine as the gap is not too wide but the other has too wide a gap which allows bicycle wheels to be caught in the groove/gap.

Please can you investigate this and take appropriate action ([REDACTED] – I have just taken a flier at [REDACTED] email address. If it is incorrect, please pass this email to him. Thanks [REDACTED])

Regards

[REDACTED]

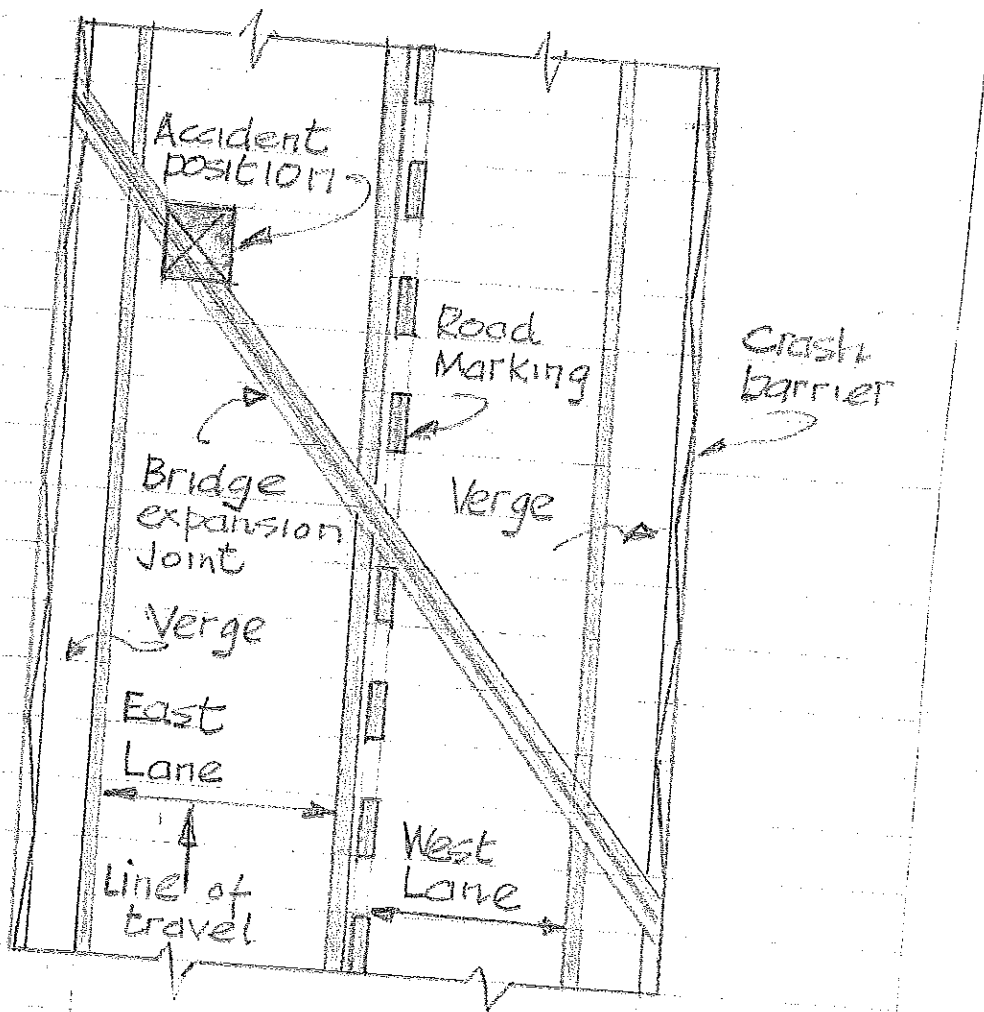
[REDACTED]



[REDACTED] Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4
OHF. Tel.No [REDACTED]

In 2014 Scotland Welcomes the World

To find out more click here



From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]
Date: 29 September 2015 14:17:46
Attachments: [REDACTED]

Hi [REDACTED]

Please complete the attached TPCOCR form and attach all relevant details from checklist.

This is a Personal Injury claim which we have to pass to our solicitors so can you please give me as much information as possible.

Please send response to [REDACTED]

Thanks

[REDACTED]

[REDACTED]



Third Party Claims – TPCOCR Cover Sheet



Claim Reference Number

The Claims Team require the following to be provided along with your TPCOCR

Document Type	Requested	Provided
Incidents Reported by OCR		<input type="checkbox"/>
Safety Inspection Records 6 months prior and 1 month after		<input type="checkbox"/>
Safety Patrol Records 6 months prior and 1 month after		<input type="checkbox"/>
Map providing Location of Incident		<input type="checkbox"/>
Photographs of Defect (before and after if possible)		<input type="checkbox"/>
Measurements of Defect		<input type="checkbox"/>
Temporary Repair Records (from Operatives' Timesheets etc)		<input type="checkbox"/>
Permanent Repair Records (from Operatives' Timesheets etc)		<input type="checkbox"/>
TM Records (from Operatives' Timesheets etc)		<input type="checkbox"/>
Gritting Records		<input type="checkbox"/>
Weather Records		<input type="checkbox"/>
Amey Vehicle Check Sheets		<input type="checkbox"/>
Grass Cutting Records		<input type="checkbox"/>

If the claim is not Amey's responsibility...

(Company) Name

Address

Email Address

Telephone Number

Please ensure all claims-related correspondence is sent by e-mail to dcp.scotland@amey.co.uk rather than individual e-mail addresses.



Third Party Claims Operating Company Report

Claim Reference Number

Part A – Summary Information

1. Date of Notification of Claim	
2. Date of transmission of Third Party Claims Notice form to claimant	
Date of receipt of completed Third Party Claims Notice form	
3. Date of completion of TPCOCR form	
4. Decision on claim by Operating Company	

Part B – Detailed Report

1. Operating Company	
2. Trunk Road and Exact location of incident (sketch, OS extract, photograph etc. shall be attached)	
3. Date and Time of Incident	
4. State source of information provided at question 2 and 3 above	
Particulars of witnesses (other than those provided by claimant) to the incident. If Operating Company employees this shall be stated and precognitions attached.	Name
	Address
	Name
	Address

5. Were the Police involved?	Yes [] No []
6. Does the claim refer to an incident alleged to be due to roadworks?	Yes [] No []
If YES, by whom were the works being carried out?	Operating Company [] Contractor [] Undertaker []
7. Contractor, Undertaker name and address if appropriate	
8. Nature of Roadworks	
9. What were the weather and road conditions at the time of the incident?	
10. Was winter service plant called out?	Yes [] No []
If YES, provide full details.	
11. Was precautionary treatment carried out at the locus prior to the incident?	Yes [] No []
If YES, give time, date, spread rates and other relevant information	
NB In the event that the claimant/Police Report alleges that the road surface was icy or had poor skid resistance etc, full details countering/agreeing this allegation should be given. Pertinent Precautionary Treatment Operations records and carriageway condition survey results shall be included.	
12. Is the incident alleged to have been caused through a Defect or obstruction in the road ?	Yes [] No []
If NO go to Question 13	
12.1 Had the Operating Company received notice or was it otherwise aware of the Defect or obstruction prior to the incident?	
12.2 If unaware, please comment on why regular inspections failed to identify the Defect?	
12.3 What is the inspection regime for this Trunk Road? (e.g. Safety Inspection, Safety Patrol, Winter Service Patrol)	

12.4 Please include records of dates and findings (Routine Management and Maintenance System output) of inspections and patrols immediately before and after this incident

12.5 How was the inspection carried out? (on foot, by van etc.)

12.6 If by van state whether by driver, driver and mate etc.

12.7 When had work last been undertaken at the location, and by whom, prior to the incident?

13. Please use this space to give any other relevant information, including details of any damage to Crown Property.

14. Operating Company's views on liability. Please indicate whether any reasonable action could have prevented this accident and whether there are grounds for treating the claim sympathetically.

15. Form completed by:

NAME IN BLOCK CAPITALS

Designation

Telephone No

Signature

Date

Form Countersigned by
Traffic Officer (Signature)

Date