

Department for **Transport**

XXXX XXXXX XXXXXX
Via email: XXXXXXXX@XXXX

XXXXX XXXXX
Department for Transport
Zone XXXX
Great Minster House
33 Horseferry Road
LONDON
SW1P 4DR
Direct Line: 020 7944 XXXX
XXXXXX@dft.gsi.gov.uk

Web Site: www.dft.gov.uk

08 June 2012

Dear XXXXXXXX,

REQUEST FOR INFORMATION – REF NO: F0008939

I refer to your request to the Highways Agency Information Line dated 22nd May requesting information under the Freedom of Information Act as follows:

"We would like information on the number of claims made per year that are specifically related to pothole damage (average for council, counties, nationally, London). What is the associated cost per pothole claim? How much of the cost is staff cost and how is the staff cost split up?"

This is to confirm that your request has been transferred to the Department for reply and this is being dealt with under the terms of the Freedom of Information Act 2000.

I read with interest of the project that you and your fellow students have been undertaking and appreciate the time and effort you have spent on developing a project to reduce the impact of potholes on the road-user. Whilst you can appreciate the Department is unable to be involved in assisting in developing products such as this, it is fair to say that the issue of potholes are one of the public's main local concerns as they are highly visible defects. I am sure you are aware that public opinion surveys consistently show that the repair of roads, footways and cycleways is very important to highway users and local communities.

Local roads make up around 98% of the road network and are the responsibility of the relevant local highway authority. Highway authorities have a duty under Section 41 of the Highways Act 1980 to maintain the highway network in their area. It is for each individual authority to assess which parts of its network are in need of repair and what standards should be applied, based upon their local knowledge and circumstances. The Department for Transport has no powers to intervene or to override local decisions in these matters.

The Department for Transport also recognises the importance of the local highway network to the economy and the public and has over the last few years provided extra funding, including an additional £200 million in March 2011 to assist local highway authorities to deal with exceptional damage caused by severe weather. This extra funding is on top of the £3 billion the Government has agreed to allocate to highway authorities in England over the four years to 2014/15.

You may wish to learn that the Parliamentary Under Secretary of State for Transport, Norman Baker MP, announced an initiative to review the pothole problem under the umbrella of the Department for Transport sponsored Highways Maintenance Efficiency Programme. A final report, which you may find of particular interest, has been published and is available for download from the following web address:

<http://assets.dft.gov.uk/publications/pothole-review/pothole-review.pdf>

I am afraid that the Department does not hold information centrally with respect of insurance claims made per year to local highway authorities. That said the pothole report referred to above does highlight some information, following a Freedom of Information request undertaken by the Guide Dogs (formerly the Guide Dogs for the Blind), and this can be found in Para 2.7 of the report. I am afraid that you will need to write to each individual local highway authority to obtain the information you are seeking in respect to claims and compensation. The following table provides a list of highway authorities in England which you may find helpful:

<http://assets.dft.gov.uk/publications/extra-funds-for-pothole-repairs-in-england/allocationsbyregion.xls>

The Highways Agency, which is an Executive Agency of the Department for Transport, and is responsible for operating, maintaining and improving the strategic road network in England on behalf of the Secretary of State for Transport does hold information as follows:

Pothole claims received by financial year	Total number of pothole claims received	Total value of pothole claims received	Total number of pothole claims settled	Total amount of settlement	Settlement value lowest claim to highest claim
1/4/2009 - 31/3/2010	427	£261,330.00	80	£24,827.00	£35 - £2,802
1/4/2010 - 31/3/2011	544	£266,581.00	57	£12,684.00	£42 - £2,855
1/4/2011- 31/3/2012	337	£258,265.00	27	£9,679.00	£40 - £5,250

As to your request as to the associated cost per pothole claim in regards to staff costs, I am afraid neither the Department nor the Highways Agency hold this information.

In keeping with the spirit and effect of the Freedom of Information Act 2004, all information is assumed to be releasable to the public unless exempt. The Department will, therefore, be simultaneously releasing to the public the information you requested, together with any related information that will provide a key to its wider context.

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within 40 working days of the date of this letter by writing to the Department's Information Rights Unit at:

Zone D/01

Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

If you have any queries about this letter, please contact me on 020 7944 XXXX. Please remember to quote the reference number above in any future communications.

Yours sincerely,

XXXXXXXXXX
Department for Transport

Your right to complain to DfT and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF