

## FREEDOM OF INFORMATION ACT 2000

Your request for information has now been considered and the Council's response to your questions is shown below.

**You asked:**

**Please could you answer the following questions for each of the 2011, 2012 and 2013 calendar years:**

- 1. How many claims did your authority receive for compensation for damage to people or vehicles as a result of poor road conditions?**
- 2. Of those claims, how many were successful and what amount of money was paid out in total?**
- 3. How many claims were challenged in court having been denied by your authority?**
- 4. How many claims brought in court were successful, and what amount was awarded by way of compensation to successful claimants in court?**

**ANSWER:**

Our data is not split between incidents which occur on the road and those that occur on the pavement. To provide this information we would need to go through 1778 claims at 90 seconds per case which would take us to a total of nearly 45 hours to find information for damage to either people or vehicles for the requested calendar years.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for local government is set at £450. This represents the estimated cost of one person spending more than 18 hours in determining whether the department holds the information, locating, retrieving and extracting the information.

This is therefore a Refusal Notice under section 17.1 of the Freedom of Information Act, because under the provisions of section 12.1 of the Act, the Council estimates that to comply with your request in its current form will exceed the appropriate limit.

Our response in the table below therefore includes data for claims received for both pavements and incidents occurring in the road for people and vehicles, as we cannot separate this information.

Please see table below for the requested information:

Calendar Year	Claims Received	Successful Claims	Paid	Litigated	Successfully Litigated	Amount Paid out - Litigated
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2011	305	43	£106,282	8	0	0
2012	217	22	£41,541	11	0	0
2013	265	26	£35,660	8	1	£15,061

The legislation allows you to use the information supplied for your own personal use. Please be aware that any commercial or other use, for example publication, sale, or redistribution may be a breach of copyright under the Copyright, Designs and Patents Act 1988 as amended unless you obtain the copyright holder's prior permission.

Not all the information that is supplied which is covered by copyright will be the Council's copyright, for example it may be the copyright of a government department or another Council. You should seek either the Council's consent or their consent as appropriate. The Council is willing to advise you of any such potential issues on request. In order to make a request to re-use the information please contact the Information Governance Manager using the details below.

If you are dissatisfied with the handling of your request please write to:

**Information Governance Manager**  
**Information and Support**  
**Leicester City Council**  
**FREEPOST (LE985/33)**  
**New Walk Centre**  
**LEICESTER LE1 6ZG**  
e-mail: [FOIA@leicester.gov.uk](mailto:FOIA@leicester.gov.uk)

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow SK9 5AF**  
**Telephone: 01625 545 700**  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.