28 February 2018

FREEDOM OF INFORMATION REQUEST – 178/18

Dear Sir/Madam

Your request for information has now been considered and the information requested is provided below.

Request:

Please would you supply the answers to the following three questions relating to pothole claims:

1. In each of the last five years, how much money overall has been paid out by Rutland County Council in connection with compensation claims (whether or not liability was accepted) relating to potholes involving:
   a. Cyclists?
      Answer: No compensation has been paid out to cyclists over the last 5 years
   b. Motorists in each of the last five years?
      Answer:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017/18</td>
<td>£811</td>
</tr>
<tr>
<td>2016/17</td>
<td>£55</td>
</tr>
<tr>
<td>2015/16</td>
<td>£0</td>
</tr>
<tr>
<td>2014/15</td>
<td>£150</td>
</tr>
<tr>
<td>2013/14</td>
<td>£330.83</td>
</tr>
</tbody>
</table>

2. How many individuals have received compensation as a result of claims relating to potholes in each of the last five years?
   a. Cyclists
      Answer: Not Applicable
   b. Motorists in each of the last five years?
      Answer:

<table>
<thead>
<tr>
<th>Year</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017/18</td>
<td>*</td>
</tr>
<tr>
<td>2016/17</td>
<td>*</td>
</tr>
<tr>
<td>2015/16</td>
<td>0</td>
</tr>
</tbody>
</table>
2014/15: *
2013/14: *

* In accordance with the Freedom of Information Act 2000 this email message acts as a Refusal Notice.

We can confirm that we hold the information however we are unable to supply it as we consider this information to be exempt due to the low number of individuals identified.

The Council is relying on Section 40(2) – personal information in that it believes the exemption applies because the information is personal information and we believe that disclosure would not be fair or lawful because it would breach the first data protection principle as outlined in schedule 1 of the Data Protection Act 1998. We consider that these individuals would have a reasonable expectation of privacy.

3. What is Rutland County Council’s total expenditure on legal costs defending and settling claims, including both their own and the Claimants’ legal costs, for pothole related claims in each of the last five years?

Answer: Rutland County Council does not keep records of legal costs because all claims are pursed through our insurers.

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If you are dissatisfied with the handling of your request please contact the Head of Corporate Governance, Rutland County Council, Catmose, Oakham, Rutland LE15 6HP
You can also complain to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House, Water lane
Wilmslow, Cheshire
SK9 5AF
Tel: 01625 545700

Yours faithfully

FOI Administrator
Corporate Support Team, Rutland County Council