

## **EIR Request (received 08 February 2021) - Reference: DFI/2021-0052**

In a previous FOI (DFI/2019-0445) you provided details for each calendar year, 2016-2019, of:

- 1) the number & location of surface defects on roads; and
- 2) related compensation claims.

Please provide me with the same figures and tables issued in the previous response updated 2016 to 2020.

## **Response (issued 08 March 2021)**

Thank you for your email dated 08 February 2021 requesting information under the Freedom of Information Act, in relation to the above.

In considering your request on behalf of the Department I have determined that the information requested falls under the aegis of the Environmental Information Regulations 2004 (EIR), as opposed to Freedom of Information Act 2000.

A guide explaining the Environmental Information Regulations can be found at:

<https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/what-are-the-eir/>.

In response to your request, this will be in the same format as information previously released under DFI/2019-0445. To clarify, we have again interpreted your query to relate to the number of carriageway, hard shoulder and layby surface defects recorded for repair over the period requested.

The information is contained in the attached spreadsheets with one tab for each of the requested calendar years. You should note that annual defect numbers repaired since 2014 cannot be directly compared to any year either before or after, due to differing levels of service in operation as a consequence of funding constraints.

With regard to the second part of your request for information pertaining to vehicle damage compensation claims relating to potholes. **Table 1**, below, details the number of claims received by the Department's Roads Claims Unit, where the alleged cause of the vehicle damage (VD) was a pothole or carriageway defect, during each of the calendar years 2016, 2017, 2018, 2019 & 2020.

**Table 1**

| <b>Calendar Year</b> | <b>Claims received for vehicular damage allegedly caused by a pothole</b> |
|----------------------|---|
| 2016                 | 1,777   |
| 2017                 | 723   |
| 2018                 | 4,557   |
| 2019                 | 1,219   |
| 2020                 | 1,663   |

Please note that claims received in a financial year are not always concluded in the same financial year. This is because inter alia, claims which are rejected may result in legal proceedings being issued, or claims received late in the year may not have the outcome decided until the following year. It is important that this distinction is made clear, as it would be incorrect to infer that claims concluded in any year relate to claims received in that year. The same applies to compensation payments.

**Table 2**, below, details the number of claims that were concluded with compensation paid, where the alleged cause of vehicle damage was a pothole, during the calendar years 2016, 2017, 2018, 2019 & 2020.

**Table 2**

| <b>Calendar Year</b> | <b>Claims received for vehicular damage concluded with compensation paid</b> |
|----------------------|--|
| 2016                 | 1,590  |
| 2017                 | 701  |
| 2018                 | 3,533  |
| 2019                 | 1,334  |
| 2020                 | 1,254  |

The NICS accounting system does not record the alleged cause for vehicle damage compensation payments. Therefore, the figures provided in **Table 3**, below, represent the compensation paid for all vehicle damage claims including pothole related claims.

**Table 3**

| <b>Calendar Year</b> | <b>Total value of vehicular damage compensation payments made</b> |
|----------------------|---|
| 2016                 | £321,849.03   |
| 2017                 | £183,828.53   |
| 2018                 | £751,926.96   |
| 2019                 | £503,022.70   |
| 2020                 | £306,703.95   |

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