**Freedom of Information Act / Environmental Information Regulations Request**

Reference: ECC16626919 04 24  
Response: 19 April 2024

I can confirm that Essex County Council does hold this information, and where we are able to release this, our response is listed below.

**Question 1 -** We would like to see all information including a copy of the inspection report for defect Reference Number: 2914038

Issue: obstruction of PRoW Location: footpath 53 South Woodham Ferrers

Please see the attached enquiry trace report and inspection photos.

Our current **Highway Maintenance Policy and General Principles** and our **Maintenance & Inspections Strategies** are publicly available online [www.essexhighways.org/roads-strategies.aspx#maintenance](http://www.essexhighways.org/roads-strategies.aspx#maintenance).

You will notice that some information has been withheld (redacted) this is due to an exception in the Environmental Information Regulations.

The exception applicable to the information is:

**EIR Regulation 12(3) & Regulation 13** - Personal data of third parties is exempt if disclosure would breach the principles of the Data Protection Act 2018. We believe that providing you with the information would breach the following Data Protection principles:

* Data shall be fairly, lawfully and transparently processed
* Data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes

We are applying this exemption because

1. we do not have the consent of the person who is the subject of the information to disclose it to you,
2. disclosure does not meet any of the Article 6 or 9 conditions that would make it “necessary”, and
3. disclosure of the information to you would not be connected to the purpose for which we have collected and are holding the information.

We further believe that the release of the requested information would cause unwarranted interference to the rights and freedoms and legitimate interests of the data subject(s). Such a disclosure would in our view constitute a breach of Article 8 in the Human Rights Act (the right to privacy and family life).

**Your Right to Know**

Democracy and Transparency

Essex County Council

Telephone: 033301 38989

Email: [YourRight.ToKnow@essex.gov.uk](mailto:YourRight.ToKnow@essex.gov.uk) | [www.essex.gov.uk](http://www.essex.gov.uk)