

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

Reference: ECC18709309 07 25
Response: 15 July 2025

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

**Clarification received on 08/07 - 2020-present will be fine for my purposes.**

1. **Under the FOI Act, please let me know how many times s58 is applied and how many times acceptance of fault is applied, as it is reasonable to see if all cases are considered equally**

I can confirm that Essex County Council does hold this information, however from our preliminary assessment, we estimate that compliance with your request would exceed the appropriate costs limit under section 12 of the Freedom of Information Act 2000. This is currently £450. This limit is calculated 18 hours of work at a cost of £25 per hour.

The information you have requested is not available because the information you have requested is not held in a reportable format and requires a manual interrogation of the 10,107 claims denied between 01/01/2020-09/07/2025 taking an estimated 10 minutes per record. This equates to over 1600 hours of work which exceeds the cost limit laid out in the Act’

This letter acts as a Refusal Notice in respect of your request.

Under section 16 of the Act, our duty to assist those requesting information we advise that we do not believe reframing your request would help bring it below the cost threshold as in 2025 alone 642 claims have so far been denied and reviewing all of these would take over 100 hours and therefore still exceed the cost limit.

In an effort to assist we can say that in general approximately 10% of the claims received are accepted. The vast majority of claims denied will be due to s58 or s41 of the Highways Act.

More information on the number of claims accepted and denied can be found on our website at [Claims Data | Essex Open Data](https://data.essex.gov.uk/dataset/claims-data-epzlz)

And information relating to insurance claims can be found [Make a claim | Essex County Council](https://www.essexhighways.org/roads-and-pavements/make-a-claim)

If you would like advice and assistance then please do not hesitate to contact us and we will provide further support.

**Your Right to Know**

Democracy and Transparency

Essex County Council

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