

## Response to Request for Information

Reference EIR 000269  
Date 8 April 2019

### *Highway Inspection Records*

#### **Request:**

I would like to make a Freedom of Information request in regards to the highways inspection records for Moseley Road in Wolverhampton from the 1<sup>st</sup> of November 2018 to the end of February 2019.

In response to your above request, we have considered your above question concerning inspection records for Moseley Road, Wolverhampton and regret to inform you that we have decided not to disclose this information.

The information you requested is being withheld as it falls under the exception:

Regulation 12(5)(b) – The course of justice and inquiries

In this case the council believes that the information requested can be withheld under Regulation 12(5)(B) which states that “a public authority may refuse to disclose information to the extent that its disclosure would adversely affect the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature.”

We believe that in disclosing the information requested it would then be possible for fraudulent claims for damage to be made against the council as all of the information needed to make a claim could be obtained from the information requested.

Having considered the public interest in releasing the data requested, we have reached the conclusion that the council has an obligation to prevent fraud where possible and protect public funds, we believe that by releasing the data requested, it could open the council to potential fraudulent claims that would make it harder for the council to satisfy its obligations; therefore we do not consider it to be in the public interest to release the data.

In reaching this decision we have referred to the ICO Decision Notice as listed below:

<https://ico.org.uk/media/action-weve-taken/decision-notices/2018/2553901/fer0777390.pdf>

[NOT PROTECTIVELY MARKED]