

Environmental Information Regulations – Response - 27509

First, can you confirm the information sent relates to the relevant section of the A134 just to the East of Sudbury? The grid references in all the incident reports sent seem to relate to locations in Essex?? although the descriptions indicate that they took place on the A134 near Sudbury -unless you use a different grid system to the Ordnance Survey?

The details given were for the location of the green dot on the map supplied. SCC does not hold any information for road defects in Essex. Co-ordinates are OSGB easting and northings.

Incidentally I also made an error when quoting the pothole position grid reference, as I inadvertently gave the grid reference for the centre of Sudbury instead. The approximate grid reference for the pothole itself was TL 89460 41710.

The details supplied were for the location given as a green dot on the map supplied under EIR ref 27434, which was not in the centre of Sudbury.

Incident report number 41420, which you included, was made on the 28th January, and I note the Aurora information only covered the period from 1st February. Can you confirm there were no earlier incident reports or Aurora data relating to this pothole, in the preceding week for example?

Request made under EIR 27434 was for 20-days prior to 20/03/2026 Therefore, the information supplied exceeded that request. There were no prior incidents at this location.

Could you also email me files for photos 81.jpg, 82.jpg and 83.jpg which are included in your response? These appear to show the same stretch of road, and I would like to look more closely at the pothole shown. Why is the pothole position in the report blacked out in 82jpg and 83jpg?

The pothole position has not been blacked out. These images are of each direction of the road taken at the location of the pothole; they do not contain the pothole. The images contain information that cannot be disclosed under the Data Protection Act. The redactions relate to vehicles that were using the highway at the time the photographs were taken. The two .jpeg images are supplied with redactions.

This pothole seems to have been classified as P4. Can you confirm details of what this indicates and the criteria on which this risk category is determined?

P4 is a Cat-4 as described in SCC's Highways Maintenance Operational Plan (HMOP), which can be found at <https://www.suffolk.gov.uk/roads-and-transport/highway-maintenance/highway-asset-management/highway-maintenance-operational-plan>

Finally there is reference in the information to an attached report '27343_Report.pdf' regarding a formal complaint on the deplorable state of A134, but I don't appear to have this. Could you send it again please?

The full complaint is being withheld under r.13 of the Environmental Information Regulations 2004 as it constitutes the personal data of the complainant, we can however

confirm that the complaint was regarding “Dangerous and Deplorable State of the A134 (Bury St Edmunds to Sudbury)” and was submitted in February.

Redacted Information – explanatory notes

All information released in response to a Freedom of Information Act 2000 (FOIA) or Environmental Information Regulation 2004 (EIR) request is deemed to be in the public domain. As such we must consider whether or not the requested information qualifies as personal information and should therefore not be released into the public domain.

The council has determined that this is personal information and is therefore exempt from disclosure under **section 40** of the FOIA and **regulation 13** of the EIR.

The Council considered the following, including the possible consequences of disclosure for the data subjects concerned and their reasonable expectations as to the use of their data:

- expectations of the individuals concerned about personal information being put into the public domain;
- reasonable expectations - the data subjects concerned would have a legitimate expectation of privacy concerning their personal information and would not have anticipated this being put into the public domain;
- whether or not the requested information could be anonymised; and
- balancing the individual’s rights and the legitimate interests - In past cases the Information Commissioner has weighed the individual’s rights to privacy against the public interest in disclosure. There is no presumption in favour of releasing personal data.

This is an absolute exemption, which means that if the condition is satisfied there is no additional public interest test to consider.

In assessing fairness, the Council considered the likely consequences of disclosure of the requested information. Personal information should not be used in ways that have unjustified adverse effects on the individuals concerned. The council also considered whether such disclosure would be within the reasonable expectations of the individuals, given that any response to a request under the FOIA or EIR is deemed to be in the public domain. The council believes that in this instance it is not fair to disclose personal data and is therefore withholding the requested information under section 40 of the FOIA and regulation 13 of the EIR.