

**County Council Meeting – 18 May 2023****Question to Councillor David Williams  
Cabinet Member for Highways and Transport****By Councillor Afsar**

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**Question**

On a regular basis myself as a County Councillor receives complaints from residents regarding claiming for damages to motor vehicles due to faulty Highways issues and uneven pavements / trip hazard injuries. Can I have the latest data for insurance claims made and paid out because of Highways claims and personal injury?

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**Reply**

The existence of a highway defect does not in itself constitute a legal liability on the council. The courts have accepted that Highway Authorities cannot be on hand at all times to repair or put right each and every defect or remove every piece of debris the moment it arises on the road. Instead, highway authorities should have a reasonable regime in place to identify and action safety defects in a timescale corresponding to the level of risk they pose to highway users.

To meet this duty like most other Local Highway Authorities we inspect all roads, footways and cycleways at regular intervals. The public can also report safety defects directly to the council online or through the MyStaffs app. Identified defects are risk assessed and given an order of priority for repair.

The council is only liable where it has failed to maintain these systems and processes or where the timescale for completing the repair exceeds that assigned for the level of risk. This is why, especially during and immediately after the winter season, crews are often fully utilised attending to higher risk category 1 and 2 defects, and return at a later date to deal with lower risk category 3 defects.

Highway claims data for the last 5-years shows that during this period an average of around 1,600 third-party highway claims have been received by the council each year. The council's successful repudiation rate is around 70%, meaning that on average less than 500 claims are accepted each year with a total cost in the order of £1.25m/year.

The extra £30m being invested in road repairs over the next two years is expected to further improve this picture. This will allow more repairs to be carried out within legal timescales, helping to further reduce the risk of personal injury and property damage claims.

On top of repairing around 30,000 potholes each year this extra £30m investment will:

- enable five more major road reconstruction schemes at key locations into our towns;
- the resurfacing of nine junctions/roundabouts;
- an extra 800,000 sq.m of pothole prevention surface treatments; and
- additional work to repair and improve many old highway drainage systems.

Central Government have also recently announced further funding of over £4.8M to fix more roads and of this £2M will be used to repair local County Councillor led prioritised pothole repairs.

Fixing more roads is a top priority for the Council. We want the people of Staffordshire to see an improvement in our highways over the next few years and are most grateful for help from the public who can report specific highway defects to us online and through the MyStaffs app - helping with the planning and co-ordination of efficient and effect repairs.

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