

Our ref: FOI 751,899  
Your ref:

Richard Jones  
[request-406812-a1c2986f@whatdotheyknow.com](mailto:request-406812-a1c2986f@whatdotheyknow.com)

Mrs D Davies  
Operations Directorate Services Team  
Manager  
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199 Wharfside Street  
Birmingham B1 1RN

08 August 2017

Dear Mr Jones

Thank you for your Freedom of Information (FOI) request dated 16 May 2017 asking for additional information in relation to your previous FOI request (ref: 738,640). I apologise for the delay in responding to your request.

In your email you asked for the following information:

*you told me FOI 738,640 the ASC is not prescriptive as to the methodology to be adopted by the service provider. The specific processes have been developed and evolved between the insurance industry and our service providers to provide improved granularity and consistency required. It was found that the 1153 number was used by KHL as a basis for averaging some cost elements*

*the ASC is prescriptive as to the methodology to be adopted by the service provider. send me all information you have about this. send me all information that you have about The specific processes have been developed and evolved between the insurance industry and our service providers to provide improved granularity and consistency required. Send me all information you have about It was found that the 1153 number was used by KHL as a basis for averaging some cost elements*

I can confirm that we do hold the information relating to the methodology to be adopted by service providers. However, under Section 21 of the Act, we are not required to provide information which is already reasonably accessible to you. The information you requested, relating to various ASC contracts, has been made available through previous FOI responses:

<https://www.gov.uk/government/publications/asset-support-contract-annexes-foi>

<https://www.gov.uk/government/publications/area-13-third-party-charges-foi>

<https://www.gov.uk/government/publications/asset-support-contract-foi>

<https://www.gov.uk/government/publications/technical-validation-clarification-for-asset-support-contracts-foi>

I attach a leaflet provided by one of our service providers (Kier) as an example of where our service providers have attempted to provide improved granularity and consistency.

In our response dated 30 July 2016 (ref [738,640](#)) we fully explained the reasoning behind the 1153 number and the revision of its use. Below is the relevant extract from that response, for ease of reference:

*“With regard to the stated “1153 method”, the number 1153 relates to the assumed amount of third party claims as stated in the Area 3 tender documents. This was a notional number that the tenderers used to build up their tender submission for the sub £10,000 claims. It was not envisaged as the actual future number of claims but simply a benchmark for submitted tenders by Highways England.*

*It was found that the 1153 number was used by KHL as a basis for averaging some cost elements. As stated, this process has now been reviewed and revised. For clarity, it is understood that any contentious or unsettled claims - priced under the old methods - have been resubmitted under the new process, as agreed with the insurance industry. Please note these are private matters between the service provider and the third parties’ insurers.”*

If you are unhappy with the way we have handled your request you may ask for an internal review. Our internal review process is available at:

<https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

If you require a print copy, please phone the Information Line on 0300 123 5000; or e-mail [info@highwaysengland.co.uk](mailto:info@highwaysengland.co.uk). You should contact me if you wish to complain.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner’s Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote reference number 751,899 in any future communications.

Yours sincerely

Mrs D Davies

Email: [Ops\\_dst@highwaysengland.co.uk](mailto:Ops_dst@highwaysengland.co.uk)