



Our Ref: FOI 769,534

Jacob Smith  
request-531104-253991a1@whatdotheyknow.com

**Green Claims Team**

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[www.highwaysengland.co.uk](http://www.highwaysengland.co.uk)

08 April 2019

Dear Mr Smith

**Request for information under the Freedom of Information Act 2000**

Thank you for your request for information dated 11 March 2019.

I have dealt with your request under the terms of the Freedom of Information Act 2000.

In your request you said:

**I am referred to <http://www.englandhighways.co.uk/area-9-investigation-confusion/>. If there is an investigation you hold information. Is the investigation finished or not?**

Following complaints from loss adjusters, Highways England commissioned an independent investigation into the pricing in Area 9 of below threshold (i.e. below £10,000) claims for damage to the strategic road network (sometimes referred to as Damage to Crown Property (DCP) or Green Claims). The investigation revealed a lack of transparency in the pricing of Green Claims in Area 9, citing the lack in the Asset Support Contract of any schedule of rates (labour or materials) for third party repairs.

As none of the ASCs contain schedules of rates, and Highways England considers that the lack of transparency applies equally to above threshold claims (i.e. those above £10,000) claims as well as claims below threshold it was considered that a review covering all areas was required.

Whilst the investigation into Area 9 in isolation was concluded it was widened into a root and branch review to improve the end-to-end process for the recovery of Green Claims generally. This review is ongoing and a final report has not been produced.

If you are unhappy with the way we have handled your request you may ask for an internal review within 2 months of the date of this response for Freedom of Information requests and within 40 days for Environmental Information Regulations requests.

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 FOI 769,534 in any future communications.

Yours sincerely

Green Claims Team