

## Request

I am instructed on behalf of British Telecommunications plc in connection with a damage claim being brought against our client. The address for the required information is:

**ADDRESS REDACTED.**

To assist me with my investigations, and in accordance with the Freedom of Information Act 2000, I require copies of the highway inspection records together with all opening/closing notices, defect notices and records of complaints for 24 months prior to 16 August 2022. Please also provide a copy of the first highway inspection after 16 August 2022.

## Response

I am refusing to provide this information under Section 21 of the Freedom of Information Act, on the basis that it is reasonably accessible to you by other means.

The information you have requested is available to you under the Civil Procedure rules, which predate the FOI Act. Section 21 is designed to ensure that FOI is not used for disclosures of information where a mechanism for that disclosure already exist.

Section 21 is an absolute exemption, and does not require a public interest test.

I hope the information is clear and answers your request. If you are unhappy with any aspect of this response, an independent senior officer will review this decision. Please let me know if you would like to arrange this.

You can also complain to the Information Commissioner, who is the regulator for Freedom of Information. His website is <https://www.gov.uk/government/organisations/information-commissioner-s-office> and his helpline number is 0303 1231113. His staff may ask you to exhaust our internal complaints procedure if you choose to complain to his office now.