

FOI 7042197 for the establishment of the North Finchley Partnership Board Response

I can confirm that London Borough of Barnet holds the information you requested.

However, we believe that the exemptions detailed below apply to some/all the information you requested and so we are withholding that information. Please see the Refusal Notice below.

This request is made under the provisions of the Freedom of Information Act and Environmental Information Regulations and is submitted on behalf of xxxx
The request relates to the establishment of the North Finchley Partnership Board ('NFPB').

The term 'documents' used below includes documents whether in written or in electronic formats and includes reports, papers, notes, emails, letters and memoranda.

1. Please provide copies of any documents created after 27 November 2018 (the date of the meeting of the Assets, Regeneration and Growth Committee at which the Report 'Title North Finchley Town Centre Development - update' was considered) relating to the progress made in establishing the NFPB and including any considering the progress in securing applications and nominations for membership of the NFPB and any relating to the timing of its first meeting.

The most recent update is available in the Housing and Growth committee papers of 24 November 2020:

<https://barnet.moderngov.co.uk/documents/s61178/Update%20on%20the%20revitalisation%20of%20North%20Finchley%20Town%20Centre.pdf>

2 the following extract list is taken from the document ' NORTH FINCHLEY PARTNERSHIP BOARD - TERMS OF REFERENCE Final draft for adoption 11 December 2018' found at

https://www.barnet.gov.uk/sites/default/files/nfpb_terms_of_reference_final_draft_18.12.11.pdf

'As agreed at Policy & Resources Committee on 13 February 2018 and based on further advice from officers at Barnet Council, it is suggested that NFPB should comprise local stakeholders including:

[omitted]

- Businesses and traders, both tenant and or landlord representatives - retail (x2);***
- Food & Beverage (x1) office tenant (x1); business services tenant (x1)***
- Individual residents and Resident Group representatives (x3)***
- Community and faith organisations (x2)***
- Local schools representative (x1)***

2.1 For each of the above categories, how many nominations/ applications for appointment to the NFPB have been received?

2.2 For each category, please provide the name of each business or other organisation nominated/ which has applied and, for the category 'individual residents, the roads and postal district (N12, etc- not the postcode) in which the relevant individuals reside (but not their names)

2.3 Please provide contact details for the officers/ Re staff responsible for seeing to the establishment of the NFPB.

We consider that the absolute exemption set out in Section 40 (Personal information) subsection 2 applies to the information requested. Therefore, we have decided to withhold the information. Although you have not requested the names it could be possible to identify individuals from the chain of questions below.

The main contact is Jamie.robinson@barnet.gov.uk

Refusal Notice Section 40(2)

[Part 1 of Schedule 19](#) of the Data Protection Act 2018 amends the personal data exemption under section 40 of the Freedom of Information Act 2000(FOI). These are consequential amendments designed to ensure that the correct provisions of the GDPR and the new Act are referenced instead of the now repealed DPA 1998. They will not fundamentally impact when personal data can, and cannot, be disclosed in response to an FOI request.

Personal Information is governed by the Data Protection Act legislation and is defined as any information relating to an identified or identifiable natural person ('data subject')". It adds that: an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location number, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The withheld information is exempt because disclosure would contravene the first data protection principle which requires that personal data is processed fairly and lawfully. Disclosure of the requested information would breach this principle and in particular the requirement of fairness.

Also because individuals working for the council have a reasonable expectation of privacy and do not expect that the council would disclose their names or contact details in response to a freedom of information request, especially as they are relatively junior and not in public facing roles. The council's redaction policy states that officers' names and contact details under the level of Assistant Director will generally not be released. All of the posts redacted are under the Assistant Director level.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.