

Response Signs Advertising Saracens (ref: 7046196)

In October 2019 I made a request, your reference number 5695561, about the contract between Barnet Council and Saracens for the use of 58 signs advertising the club, placed at various points around the borough. I was told that the authority was 'exploring new arrangements' in regard to the renewal of the contract.

Please give me copies of all correspondence relating to these 'explorations' and tell me, on a yearly basis since 2013, how much revenue has accrued from the advertising on these signs.

If there has been no contract for several years, and no income, why has the council left these signs in place and given free advertising to the club?

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

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

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The original contract commenced in 2013 and ran until May 2019. Negotiations for a fresh advertising agreement commenced following the expiry of that contract. This has not progressed since December 2019 because of the impact of the national emergency of Covid-19 from early 2020. The focus and priority of the council in line with government guidance during this period has been primarily on delivering essential services and to support the health and economic needs of the residents and businesses of Barnet. The epidemic also had a devastating impact on the advertising market and also on sports venues which affects the nature of the negotiations.

Please give me copies of all correspondence relating to these 'explorations' and tell me, on a yearly basis since 2013, how much revenue has accrued from the advertising on these signs.

In excess of £50,000 plus VAT was received during the period that the contract ran. We are withholding the exact figure and we are also withholding the correspondence relating to negotiations as they have not yet been concluded. We consider that the qualified exemption set out in Section 43 (Prejudicial to commercial interests) subsection 2 applies to the information requested. Therefore, we have decided to withhold the information.

In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

- The council's commitment to transparency.
- Legitimate public interest in the expenditure, income, and contracts
- Residents should be able to understand what income is received by the Council from putting up signs in the Borough and whether this represents value for money,

Factors in favour of withholding

- A fresh contract has not been entered into and discussions were halted by Covid and need to be completed.

- Disclosing details of what suppliers are prepared to pay when discussions are not concluded would prejudice them and undermine negotiations to get the best deal and would also harm the ability of suppliers to bid in a fair way
- Premature and ad hoc disclosure of incomplete discussions would be highly likely to prejudice and harm those discussions and the interests of all parties.

If there has been no contract for several years, and no income, why has the council left these signs in place and given free advertising to the club?

The signs were not removed because of the impact of the Covid-19 epidemic which halted negotiations. The council has had to prioritise essential services during this period. The epidemic also had a devastating impact on the advertising market and also on sports Central Government has given guidance to Authorities to work with partners/suppliers/contractors to ensure that they were not over burdened by financial agreements.

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.