

15 April 2019
Our ref: 5241928

Thank you for your request received on 10 April 2019, for the following information:

Under the Freedom of Information Act, please provide me with the following details:

1. The number of Fixed Penalty Notice's issued to drivers for idling their vehicles (known as a stationary idling offence) as permitted under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002
The time range I am interested in is for each of the four years 2015, 2016, 2017 and 2018.

I would like the above information to be provided to me as electronic copies.

If this request is too wide or unclear, I would be grateful if you could contact me as I understand that under the Act, you are required to advise and assist requesters. If any of this information is already in the public domain, please can you direct me to it, with page references and URLs if necessary.

If the release of any of this information is prohibited on the grounds of breach of confidence, I ask that you supply me with copies of the confidentiality agreement and remind you that information should not be treated as confidential if such an agreement has not been signed.

I understand that you are required to respond to my request within the 20 working days after you receive this letter. I would be grateful if you could confirm in writing that you have received this request.

I look forward to hearing from you.

We have processed this request under the Environmental Information Regulations 2004.

Response

The council holds the information requested and it is attached/ the answers to your questions are below

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The time range I am interested in is for each of the four years 2015, 2016, 2017

and 2018.

Therefore regulation 12(4)(a) applies to your request. Regulation 12(4)(a) provides an exception to the duty to disclose information when information is not held.

The Environmental Health department do informally advise businesses and vehicle users not to idle engines but officers powers have not been enacted to be able to serve fixed penalty notices under the Highways Act. The reason for this is that before the FPN is issued you have to verbally warn the driver whilst idling which then is most likely for them to stop idling the engine before the FPN is issued.

No Notices have been served by Community Safety, Highways, Environmental Health or Parking teams for the period in question.

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) The London Borough of Barnet, North London Business Park, Oakleigh Road South, London, N11 1NP

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.

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