

9 July 2019  
Our ref: 5410529

Thank you for your request received on 11 June 2019, for the following information:

**Please take this as either an FOI request or a request under the EIR, for details of the protected trees in the area I have highlighted on the attached.**

**Please refer to the Council's legal department for advice and update me on their view when the advice has been provided?**

**To send a letter confirming that trees on a site are protected, but then not making any attempt to define the number of trees protected, the type of Order and the reference number of the TPO is completely unhelpful, to the point of ridiculous.**

**Does a tree owner in Barnet now just get a 'yes the trees are protected, but you need to come in to the office or pay a fee to get the details of what actually is protected'?**

**To make it clear I do not (at this stage) want a copy of the TPO, merely confirmation of what is protected within the area highlighted on the attached aerial photograph.**

**I can just about (although not quite) understand the charge for an e-mailed TPO plan and schedule, but surely you must be able to confirm the type, age and reference number of the TPO and also clarify which or how many trees within the area I have highlighted are subject of the Order?**

**Your clarification would be most welcome.**

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

## **Response**

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

However, we consider that the following exceptions apply to some of the information requested.

**Is the response below for real, in reply to my query asking for details of which trees are protected on a site (see e-mail chain below)?**

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**Your clarification would be most welcome.**

We consider that Regulation 6(1)(b) applies to the information requested because the information requested is already publicly available and easily accessible.

If you wish to check exactly which trees are included in a Tree Preservation Order (TPO) you could consider the following options:

(i) Copies of TPOs are available for public inspection by prior arrangement at Planning Reception - 2 Bristol Avenue, Colindale, London, NW9 4EW

However, please note that the TPO documents are not kept at Planning Reception and must be ordered in advance. It is therefore recommended that you provide at least 24 hours' notice to ensure that the document(s) can be delivered and made available at the Reception when you arrive.

The Planning Reception is open Monday to Friday between 9am and 5pm – but is closed for lunch between 1 and 2pm.

- Please telephone Planning Trees admin on 020 8359 4047 (or e-mail [planningtrees@barnet.gov.uk](mailto:planningtrees@barnet.gov.uk)) to arrange so that the relevant Order(s) can be made available for you. It would be useful if you could include your contact telephone number in case of query.

(ii) TPO Schedule Item data may also be downloaded from:

Open Barnet Portal - <https://open.barnet.gov.uk/dataset/tree-preservation-orders-within-the-london-borough-of-barnet>

However, you will need a GIS system to be able to access the TPO information spatially - otherwise it is shown as spreadsheet, with the addresses/situation cited on the Order when made (which may subsequently have been changed).

On the Open Barnet website the “spreadsheet” is a dataset containing “polygons for Tree Preservation Order Schedule Items within the London Borough of Barnet” and should be read with an appropriate GIS program – which would enable you to view

the location and extent of the individually, group, area and woodland designated Tree Preservation Orders in the Borough in their current context. As you are aware you would not be able to accurately identify designated protected trees from textual data alone in the absence of the relevant spatial mapping and the Open Barnet website is caveated accordingly.

### **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](http://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](mailto: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](http://www.ico.org.uk)). There is no charge for making an appeal.

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