



London Borough of Barnet,  
2 Bristol Avenue,  
Colindale,  
London NW9 4EW  
17 July 2019  
Our ref: 5459428

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

**I am writing to request information under the Freedom of Information Act 2000. I would be interested in any information held by your organisation regarding the below:**

**Legal action against councils**

- \* How many legal challenges have been made against the council by a resident, in each of the last five financial years?**
- \* What was the reason given for each legal challenge?**
- \* Please could you identify for each challenge, which service it was in relation to?**
- \* Specify for each challenge whether it was won or lost by the council**
- \* What are the estimated total legal costs of each legal challenge?**

**I would like the above information to be provided to me via email, preferably. Please find attached a suggested spreadsheet for the information.**

**If this request is too wide or unclear, I would be grateful if you could let me know as 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 would be grateful if you could confirm in writing that you have received this request. I look forward to your response within 20 working days as outlined by the statute.**

We have processed this request under the Freedom of Information Act 2000.

**Response**

We are refusing your request under section 12 because we estimate that compliance with your request will exceed the "appropriate limit" under section 12. The appropriate limit is £450 which is equivalent to 18 hours at £25 per hour. The per hour figure is set by Regulations rather than actual salary paid to any officers handling requests. The appropriate limit includes the time it will take the council to discover if it holds the information requested,

to locate it, extract it and collate it as well as putting it into any particular format requested by the requester.

We have calculated that it will take approx 85 hours to comply with your request. Our calculation is as follows:

We do not hold the information in categories/format requested. The costs to identify the relevant cases would exceed the appropriate limit as it would require a manual check of the contents of each case that could fall under judicial reviews and legal challenges with regards: adult social care, children's services, planning decisions, housing allocations.

Over the 5 year period requested there at least 1700 cases to check. Some matters will be electronic but others are paper files and closed paper file are stored off-site. Once a case is identified and located, a conservative estimate of 30 minutes perusal would exceed the appropriate limit.

### **Advice and Assistance**

Due to the way the information is held we can offer no further assistance on how to narrow down your request.

### **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.