

28 August 2019  
Our ref: 5510820

Thank you for your request received on 29 July 2019, for the following information:

**I would like to ask in the last 10 years how many compulsory purchase order has been made against properties by Barnet Borough Council.**

**I would like to ask the below to be given in the following table format in excel if possible:**

- 1) Address**
- 2) Date of compulsory purchase order**
- 3) Reason for compulsory purchase order**
- 4) Price paid by Barnet Council**
- 5) Is the property still held**
- 6) If sold what price paid**
- 7) Method of sale eg auction etc.**
- 8) If the property is still held will it be available for sale?**

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.

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- 2) Date of compulsory purchase order***
- 3) Reason for compulsory purchase order***
- 4) Price paid by Barnet Council***
- 5) Is the property still held***
- 6) If sold what price paid***
- 7) Method of sale eg auction etc.***
- 8) If the property is still held will it be available for sale?***

Please see attachment

Detail on Individual addresses was not provided in order to retain the anonymity of individuals whose properties were purchased to facilitate development following demolition.

Information on addresses has been provided in a generic format relating to groups of addresses that fall within specified CPOs as this puts in place safeguards to maintain the rights and freedoms of the individuals concerned and to protect their privacy.

We consider that regulation 13 (Personal information) applies to the information requested.

Therefore, we have decided to withhold the information.

## **Refusal Notice**

[Part 1 of Schedule 19](#) of the Data Protection Act 2018 amends the personal data exception Regulation 13 of the Environmental Information Regulations 2004. 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amendments designed to ensure that the correct provisions of the GDPR and the new Act are referenced instead of the now repealed DPA 1998.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 EIR request.

We consider the information is subject to Regulation 13 because to release it would be a breach of the Data Protection Act 2018.

Personal Information is governed by the Data Protection 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.

## **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.