



Assurance Group
London Borough of Barnet,
2 Bristol Avenue, Colindale,
London NW9 4EW
25 September 2019
Our ref: 5561613

Thank you for your request received on 19 August 2019, for the following information:

Please can I request under the Freedom of Information Act the following information in relation to any Private Finance Initiative contracts ever struck by yourselves:

- 1) For each contract, the projected total (whole life) cost of the scheme, in £, detailed when the scheme was first agreed (i.e. the original projected cost of all Unitary Charge Payments over the full life of the scheme).**
- 2) The projected total (whole life) cost of the scheme, in £, as at August 1, 2019 (i.e. the real cost for previous years and projected cost for future years of all Unitary Charge Payments over the full life of the scheme).**

If there is a difference between A and B, please can you provide details of:

- a) The date(s) the projected costs changed**
- b) The reason(s) the projected costs changed**

Please can I also request:

- 3) A copy of the original contract/agreement;**
- 4) An itemised list of any payments made to the PFI contractors for services not included in the original PFI deal, from the beginning of the deal to the current date, and to include exact details of what was being paid for.**

If the following request cannot be met within cost limits, please can you provide me with guidance and assistance on how I may refine my request.

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

Response

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

However, we consider that the following exemptions apply to some of the information requested. The remaining information is not withheld and is below.

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- 2) The projected total (whole life) cost of the scheme, in £, as at August 1, 2019 (i.e. the real cost for previous years and projected cost for future years of all Unitary Charge Payments over the full life of the scheme).**

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The only PFI initiative is the Street Lighting contract for all its street lighting, other illuminated street signs and bollards.

The PFI Service Provider is Barnet Lighting Services Limited (BLS). BLS sub-contracts all the street lighting service to Bouygues Energies & Services (Bouygues E&S), formerly ETDE Infrastructure Limited (ETDE).

The published details of the contract (ref: 700650) can be found in the contracts register at:

<https://open.barnet.gov.uk/dataset/barnet-contracts-register-2018-19>

and at:

<https://www.barnet.gov.uk/roads-and-pavements/road-maintenance/street-lighting-and-furniture>

We consider that the qualified exemption set out in Section 43 (Prejudicial to commercial interests) subsection 2 applies to some of the information requested. Therefore, we have decided to withhold the rest of the information requested about the contract.

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

- Furthering the understanding, and participation in the public debate of issues
- facilitate the accountability and transparency of public authorities for decisions taken
- facilitate accountability and transparency in the spending of public money

- Allowing individuals to understand decisions made by public authorities affecting their lives and, in some cases, assist individuals in challenging those decisions

Factors in favour of withholding

- Damage to business reputation or the confidence in customers or suppliers or investors may have in it,
- Detrimental impact on the commercial revenue of the councils and its contractors or threaten to secure finance and weaken position in a competitive environment
- Council position in a competitive environment, market sensitivity of information and potential usefulness to competitors
- Negative effect on competitiveness if competitors were to have access to this information

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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/>

<https://www.barnet.gov.uk/your-council/finance-funding-and-pensions/procurement-tenders-and-contracts>

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.