

28 January 2020

Our ref: 5922732

Thank you for your request received on 2 January 2020, for the following information:

Under the Freedom of Information Act I would like to ask for statistics on the following:

- 1. How many cremations did your crematorium(s) perform in 2019?**
- 2. How many of these cremations opted not to hold a service (also known as direct cremations) at your crematoria in 2019?**
- 4. How many were commitals in 2019?**
- 5. What is your current price for a standard funeral with a service held at Midday on a weekday including all relevant charges (environmental fee/medical referee fee/etc)? How many minutes long is this service allotted as standard?**
- 6. What is your current price for a direct cremation with no service including all relevant charges (environmental fee/medical referee fee/etc)?**
- 7. Do you charge any fees in addition to the standard cremation fee such as environmental fees, medical referee fees, improvement fund fees? If so, how much are these?**
- 8. Do you have any refrigerated storage? If so, for how many deceased?**
- 9. Do you currently fine those who overrun their allotted service times? If so, how much are fines and what was the total sum of fines in 2019?**
- 10. Do you currently or are you considering running the local authority's own funeral service?**
- 11. What was the profit/loss for crematorium and/or cemetery operations during the last fiscal year?**

If the decision is made to withhold some of this data using exemptions in the Data Protection Act, please inform me of that fact and cite the exemptions used.

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. The remaining information is not withheld and is below

Under the Freedom of Information Act I would like to ask for statistics on the following:

1. How many cremations did your crematorium(s) perform in 2019?

1109

2. How many of these cremations opted not to hold a service (also known as direct cremations) at your crematoria in 2019?

94

4. How many were commitals in 2019?

52

5. What is your current price for a standard funeral with a service held at Midday on a weekday including all relevant charges (environmental fee/medical referee fee/etc)? How many minutes long is this service allotted as standard?

630

6. What is your current price for a direct cremation with no service including all relevant charges (environmental fee/medical referee fee/etc)?

210

7. Do you charge any fees in addition to the standard cremation fee such as environmental fees, medical referee fees, improvement fund fees? If so, how much are these?

No

8. Do you have any refrigerated storage? If so, for how many deceased?

No

9. Do you currently fine those who overrun their allotted service times? If so, how much are fines and what was the total sum of fines in 2019?

No

10. Do you currently or are you considering running the local authority's own funeral service?

No

11. What was the profit/loss for crematorium and/or cemetery operations during the last fiscal year?

Refusal Notice

The London Borough of Barnet (the Council) and Capita plc (Capita) set up Regional Enterprise Ltd. (RE) as a joint venture vehicle to deliver the Development and Regulatory Services for the Council. The contract for the delivery of these services commenced on 1st October 2013 and is scheduled to run over a ten year term includes Cemetery and Crematorium.

A copy of the contract can be found here <https://open.barnet.gov.uk/dataset/e659v/regional-enterprise-ltd-re-contract>

We consider that regulation 12 (5) (e) (Confidentiality of commercial or industrial information) applies to the information requested because we consider that disclosure of the information requested would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.

Therefore, we have decided to withhold the information.

The Council has determined that the withheld Information relates to sensitive commercial information held on a confidential basis by the applicant;

- the party submitting the Withheld Information was not under a legal obligation to supply the Withheld Information and did not supply it in circumstances that would entitle the Council to disclose it other than pursuant to the EIR;
- the party submitting the Withheld Information to the Council has not consented to its disclosure; and
- disclosure of the Withheld Information would, or would be likely to, adversely affect the confidentiality of commercial information where that confidentiality (arising from the circumstances of its submission to the Council) protects legitimate economic interests
- Public interest test considerations

This information is commercially sensitive to the tenderers and it is important to their competitiveness that they are able to remain as a participant in the market.

When considering public interest for and against disclosure of this requested information, the Council considers that the public interest in withholding the information from disclosure to the wider world outweighs the public interest in disclosure.

In applying the public interest test the Council gave careful consideration to the arguments for and against disclosure.

Factors in favour of disclosure

When considering factors which would favour disclosing the information, the Council had to assess whether disclosure of the information would

- assist the public to understand and challenge our decisions.
- allow for more informed debate on the issue;
- Promote accountability and transparency for our decisions and in our decision making process
- Assist the public to understand and challenge our decisions.

Factors against disclosure

Against these considerations the Council had to balance the likelihood of disclosure having an adverse affect on the commercial interest of the tenderers concerned and the Council itself.

- The reason for this is by releasing the information it would be potentially damaging to the business of the supplier to share their pricing with third parties and would likely prejudice the commercial interest of the parties concerned. The Council considers that it would not be in the public interest to release this information as it is likely to be damaging to the business of the supplier. It might also have a negative impact on fair competition in future tender processes and that it is not common knowledge and

would likely be used by competitors in a particular market to gain a competitive advantage. The Council also considers that disclosure of such information would be damaging to the Council's commercial interest as it would be likely to:

- (a) discourage companies/individuals from providing the Council with commercially sensitive information in the future or undertaking contracts with the Council;
- (b) adversely affect the Council's bargaining position during future contractual negotiations.

The public interest in withholding the requested information outweighs the public interest in disclosure of the requested information, and this information cannot be supplied to you.

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) 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.

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