

1st floor
NLBP
5 February 2020
Our ref: 6035888

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

I am asking you, under the Freedom of Information Act, the location of the nearest three 'alternative parking locations' to the place where I had stopped to collect the visitor's parking permit which was awaiting me. This is easily obtainable by you, by interrogating recorded information which you are or certainly should be certain to hold.

I am further asking you for the legal basis of your proposed levying of the full charge in the case of a formal challenge being rejected at Adjudicator level, and for your understanding of the next stage of an appeal beyond the Adjudicator, which I would take to be the Ombudsman rather than the civil Courts as this is an administrative and not a judicial decision.

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

Response

The council holds the information requested and it is the answers to your questions are below:

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- Please see <https://www.barnettraffweb.co.uk/> - Any further specific enquiries should be addressed to the Highways team.

I am further asking you for the legal basis of your proposed levying of the full charge in the case of a formal challenge being rejected at Adjudicator level, and for your understanding of the next stage of an appeal beyond the Adjudicator, which I would take to be the Ombudsman rather than the civil Courts as this is an administrative and not a judicial decision.

- Full charge is per the legislated appeals process. Please refer to the Traffic Management Act 2004, The Civil Enforcement of Parking Contraventions (England)

General Regulations 2007 S.I. 2007/3483 and Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 S.I. 2007/3482.

Because a separate legislated process exists LGO does not form part of the process for decision making on Penalty Charge Notices (PCNs). The adjudicator is the highest step in the statutory process, the adjudicator's decision is legally binding, is subject to internal review by the adjudication service in strictly limited circumstances and can only be further challenged through judicial review. We cannot offer legal advice on that process, any further advice on this process should be sought through independent legal counsel.

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.