



London Borough of Barnet,  
2 Bristol Avenue,  
Colindale,  
London NW9 4EW  
25 February 2020  
Our ref: 6019064

Thank you for your request received on 28 January 2020, for the following information:

**In the Council's statement to Enforcement Appeal reference APP/N5090/C/19/3229937, the Council say that:**

**'1.16 Through no fault of their own, the appellant missed the deadline for an appeal and the ENF/01134/17 notice therefore took effect. However, the LPA later agreed to a request from the owner's agent that it would be appropriate to withdraw the original notice and to replace it like for like.'**

- 1. Please explain what the circumstances were in which the Local Planning Authority agreed to withdraw the original Enforcement Notice, even though the deadline for an appeal had passed?**
- 2. In what way was it no fault of the Appellants own that they missed the appeal deadline?**
- 3. Please explain who made this decision?**
- 4. Did the person responsible for this decision consult with any Councillors over this decision? If so, who?**

We have processed this request under the Environmental Information Regulations 2004.

## **Response**

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

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- 1. Please explain what the circumstances were in which the Local Planning Authority agreed to withdraw the original Enforcement Notice, even though the deadline for an appeal had passed?***
- 2. In what way was it no fault of the Appellants own that they missed the***

***appeal deadline?***

***3. Please explain who made this decision?***

***4. Did the person responsible for this decision consult with any Councillors over this decision? If so, who?***

We were informed by the owner's planning agent on 10<sup>th</sup> April that an appeal had been submitted in respect of the first enforcement notice (EN1) but due to a procedural misunderstanding the submission was made on the day the notice took effect and not the day before as required. There is no suggestion that the appellant's themselves were in anyway responsible for the delay in submission. Given the circumstances that council considered it appropriate to withdraw EN1 and re-serve.

The decision to withdraw and re-serve was made by the planning enforcement manager in discussion with the head of development management (Fabien Gaudin) as per the planning enforcement process. Councillors for wards in the vicinity of the Hippodrome (Golders Green; Cllr Dean Cohen, Cllr Melvin Cohen, Cllr Reuben Thompstone Garden Suburb: Cllr Rohit Grover, Cllr John Marshall, Cllr Gabriel Rozenburg Childs Hill: Cllr Shimon Ryde, Cllr Peter Zinkin, Cllr Anne Clarke) have been consulted throughout the process.

### **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.