



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
26 February 2020
Our ref: 6014264

Thank you for your request received on 29 January 2020, for the following information:

To Whomever it may concern,

In 2013, planning legislation was changed to allow conversion of office premises to residential use under permitted development rights without seeking planning permission. This was provided for under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013: A temporary permitted development right for change of use from offices (Class B1(a)) to residential (Class C3).

Please would you let me know in writing if you hold information of the following description:

A list of all properties (and the names of the developers/company owners) in your council which have been granted permission to convert office space to residential use since the introduction of this legislation.

Please also provide an annual breakdown, since 2013/14, of money paid by the council to the owners of said properties (or properties of this type in other areas) for the housing, temporary or otherwise, of residents.

Where possible, please stipulate the nightly rate charged by the companies providing housing and the number and age of occupants (or merely a breakdown of the occupants into adults and minors).

For example:

2014/15: The council paid Company A, providing temporary accommodation in a property converted from office space to residential under the aforementioned government Act, £XXX over the financial year to house X number of residents. X number of residents were adults, Y were minors. Company A charged a fee of £X per night/per occupant/residential unit.

2014/15: The council paid Company B...£XXX to house X number of residents...in a property outside of the council's catchment area.

I would like a copy of the information and would prefer for it to be sent by email if possible.

If any part of the information requested is covered by one or more of the absolute exemptions in the Act please treat this request as a request for that part of the information which is not covered by the absolute exemption. If you need further details in order to identify the information requested or a fee is payable please let me know as soon as possible.

If you are of the view that there may be further information of the kind requested but it is held by another public authority please let me know as soon as possible. Please continue with this application as quickly as possible.

I believe that the information requested is required in the public interest for the following reasons: 1. To uphold public confidence that the council has thorough policies on the type of information it is obliged to record.

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.

A list of all properties (and the names of the developers/company owners) in your council which have been granted permission to convert office space to residential use since the introduction of this legislation.

However, we believe that the exceptions detailed below apply to all the information you requested and so we are withholding that information. Please see the Refusal Notice below.

This information is available on our Barnet website using the following links: for the detail of how many housing units the property provides, the date permission granted and the name of the developer/ owner see

<https://publicaccess.barnet.gov.uk/online-applications>

and for the remaining information see the relevant spreadsheet showing all applications granted by year

<https://open.barnet.gov.uk/dataset/planning-applications>

Please also provide an annual breakdown, since 2013/14, of money paid by the council to the owners of said properties (or properties of this type in other areas) for the housing, temporary or otherwise, of residents.

Where possible, please stipulate the nightly rate charged by the companies providing housing and the number and age of occupants (or merely a breakdown of the occupants into adults and minors).

This information is not held in the format requested and would have to be created

Regulation 12 (4)(b) is subject to the public interest test where the public interest factors in favour of disclosure are weighed against the public interest factors in favour of maintaining the exception.

Factors in favour of disclosure:

- The presumption in favour of disclosure in Reg 12 (2)

- Openness and transparency of the council
- Accountability for its actions and spending of public money

Factors in favour of maintaining the exception

- proportionality of the burden on the public authority's workload, locating and retrieving all information requested would require searches of individuals who owned property since 2013, which, and depending on the parameters used for the search, could potentially return a very high level of information, not all of which would necessarily relate to this particular issue. These would then have to be manually checked to determine whether they were relevant to the request.

The council has concluded that the weight of the public interest factors in favour of maintaining the exception exceed those in favour of disclosure.

Some of this information would be held by another Public Authority. Housing services (including homelessness, allocations, housing repairs and so forth) are provided by Barnet Homes who are an Arm's Length Management Organisation (ALMO) who manage the council's housing stock and associated services on the council's behalf. They are a public authority under Freedom of Information Act 2000 and so you may make a FOI request to them. Their contact details are:

Email: talk2us@barnethomes.org

Post: The Data Controller

Barnet Homes

2 Bristol Avenue,

Colindale,

London NW9 4EW

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.