



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
15 April 2020
Our ref: 6239888

Thank you for your request received on 8 April 2020, for the following information:

To this end I would be grateful if you could kindly confirm / provide the following information;

- 1). Is the provision and maintenance of your current street furniture (e.g. Bus Shelters) funded or partially subsidised by advertising?**
- 2). Do other outdoor advertising contracts exist unrelated to Street Furniture provision (e.g. Free standing 6 sheet units / wall mounted displays on Local Authority owned buildings and land)?**
- 3). If so, please confirm the contract start and end dates, together with the name(s) of the incumbent Media Owner / Maintenance provider.**
- 4). Please also provide number and type of advertising panels involved (e.g. digital / back-lit) and the advertising revenue generated if possible.**

I would be interested in any other relevant information held by your organization regarding this request.

I understand that I do not have to specify particular files or documents and that it is your department's responsibility to provide the information I require. If you need further clarification, please contact me by email.

I would like to receive the information in Word or Excel format.

If my request is denied in whole or in part, I ask that you justify all deletions by reference to specific exemptions of the Act. I reserve the right to appeal your decision to withhold any information or to charge excessive fees.

I would be grateful if you could confirm by email that you have received this request and look forward to your response within 20 working days as outlined in the Statute.

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.

1). Is the provision and maintenance of your current street furniture (e.g. Bus Shelters) funded or partially subsidised by advertising?

Yes

2). Do other outdoor advertising contracts exist unrelated to Street Furniture provision (e.g. Free standing 6 sheet units / wall mounted displays on Local Authority owned buildings and land)?

Yes

3). If so, please confirm the contract start and end dates, together with the name(s) of the incumbent Media Owner / Maintenance provider.

Bus Shelter and Free Standing 6 sheet units – Clear Channel – just awarded – 15 year contract.

Digital Advertising displays – individual License and Leases with J.C Decaux and Clear Channel.

Roundabouts Contract – tender analysis just completed and ready to award contract – see Refusal Notice below.

Gateway Signs Contract - tender analysis just completed and ready to award contract – see Refusal Notice below.

Lamp Post Banners – provided via existing Street Lighting PFI Contract

The PFI Service Provider is Barnet Lighting Services Limited (BLS). BLS subcontracts 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/streetlightingand-furniture>

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4). Please also provide number and type of advertising panels involved (e.g. digital / back-lit) and the advertising revenue generated if possible.

A mixture of Digital and back lit displays – 90 in total (6 Sheet) and D48 digital for larger displays – 6 in total. The income generated is considered commercially sensitive. See Refusal Notice below

Refusal Notice

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

Therefore, we have decided to withhold the information.

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

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 and revenues accrued.

- 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.