



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
25 June 2020
Our ref: 6325352

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

Please accept this as our formal request under the Freedom of Information Act for the following information:

- 1. Details of the cause of the fire;**
- 2. Copies of any reports, invoices, documents or correspondence regarding the cause of the fire and any investigation into the fire;**
- 3. Copies of all documents, reports and correspondence with *[Name of complainant redacted]*;**
- 4. Details of any concerns or complaints raised in relation to the repair and/or security of 27 Sanders Lane and the Council's responses to those concerns/complaints; and**
- 5. Any other information which may touch upon or concern the above matter.**

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 and attached.

1. Details of the cause of the fire;

See attachments, some personal data has been redacted – see Refusal Notice below. However Building Control's role is to ensure that the site is safe and not to investigate the cause of the fire.

2. Copies of any reports, invoices, documents or correspondence regarding the cause of the fire and any investigation into the fire;

See documents, some personal data has been redacted – see Refusal Notice below. However Building Control's role is to ensure that the site is safe and not to investigate the cause of the fire.

3. Copies of all documents, reports and correspondence with *[Name of complainant]*

We hold communications from the complainant which have been supplied to you under separate cover with their consent – see Refusal Notice below

4. Details of any concerns or complaints raised in relation to the repair and/or security of 27 Sanders Lane and the Council's responses to those concerns/complaints; and

5. Any other information which may touch upon or concern the above matter.

See documents, some personal data has been redacted – see Refusal Notice below. We have had three DS Cases relating to 27 and/or 29 Sanders Lane.

- DS/18/0060 (27 Sanders Lane) - Subsidence Resulting in Unsafe Building
- DS/19/0074 (27 Sanders Lane) - Fire To 27 Sanders Lane Spreading Across Roof And In To Number 29 Sanders Lane
- DS/19/0075 (29 Sanders Lane) - Fire To 27 Sanders Lane Spreading Across Roof And In To Number 29 Sanders Lane

When the fire occurred we didn't have to order more fencing for 27 as we already had that site fenced off. However we called Wates to site and got them to extend the fencing to 29. So, there is some crossover between the subsidence case and the fire case in terms of documents relating to site security. I have included all the documents relating to DS/18/0060 dating from 19/10/2019 (when we were called to site as a result of the fire) however on timesheets etc. information relating to the period prior to 19/10/2019 has been redacted as out of scope/ personal data of owner of the property – see Refusal Notice below.

Copy of notes from complaint file, some personal data has been redacted – see Refusal Notice below.

Environmental Health Report 27 Sanders Lane, London, NW7 1B

- Complaint first received 19/06/2019 (RP/19/05876) from [Name of complainant redacted]. – “House has been empty since beginning of December. Is attracting crime, vermin and is structurally unstable. Has been referred to building control and is due to be demolished”.
- 19/6/19 Environmental Health visited the property and contacted the owner about securing it. The owner informed EH that he had to move out due to structural collapse and that the insurance company are dealing with the property as it needs to be demolished and rebuilt.
- Letter sent to owner – 20/06/2019
- EH Informed that the owners insurance company had the property secured – 21/6/2019
- Building Control were notified – 20/6/2019
- At this point there was no further action that EH could take regarding the empty property. The property is empty due to structural collapse and the owner would not want a grant as it is his home and he would be moving back once the property has been rebuilt. Planning permission has been granted <https://publicaccess.barnet.gov.uk/online-applications/> search on property address for formal decision notice(s) and associated documentation.
- No further complaints were received.
- A further EH visit was made on 25/9/2019, when it was noted that there seemed to be further structural movement but the property remained secure.

- Email to planning enforcement 10/2/2020 updating the case officer. Planning Enforcement has confirmed that they only became involved after the fire so do not hold any further information relevant to the request.

Refusal Notice

We consider that regulation 13 (Personal information) applies to some of the information requested.

Therefore, we have decided to withhold the information.

[Part 1 of Schedule 19](#) of the Data Protection Act 2018 amends the personal data exception Regulation 13 of the Environmental Information Regulations 2004. These are consequential amendments designed to ensure that the correct provisions of the GDPR and the new Act are referenced instead of the now repealed DPA 1998. They will not fundamentally impact when personal data can, and cannot, be disclosed in response to an EIR request.

We consider the information is subject to Regulation 13 because to release it would be a breach of the Data Protection Act 2018.

Personal Information is governed by the Data Protection legislation and is defined as any information relating to an identified or identifiable natural person ('data subject')". It adds that: an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location number, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The withheld information is exempt because disclosure would contravene the first data protection principle which requires that personal data is processed fairly and lawfully. Disclosure of the requested information would breach this principle and in particular the requirement of fairness because individuals working for the council have a reasonable expectation of privacy and do not expect that the council would disclose their names or contact details in response to an information rights request, especially as they are relatively junior and not in public facing roles. The council's redaction policy states that officers' names and contact details under the level of Assistant Director will generally not be released. All of the posts redacted are under the Assistant Director level.

Further information

The London Fire Brigade may hold relevant information to your information request, so please make a request direct to the public authority at: <https://www.london-fire.gov.uk/about-us/transparency/freedom-of-information-request/>

The Metropolitan Police may hold relevant information to your information request, so please make a request direct to the public authority at: <https://www.met.police.uk/foi/>

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.