

1st floor
NLBP
14 July 2020
Our ref: 6405753

Thank you for your request received on 15 June 2020, for the following information:

Please provide copies of PCNs issued over the last 4 years by London Borough of Barnet or its contracted agent, but only those satisfying all of the following criteria:

- 1) PCNs issued for alleged 31J offences
- 2) PCNs concerning the junction of High Rd (N12) with Ravensdale Avenue
- 3) PCNs where the penalty charge was paid without challenge

For each of the copied PCNs supplied please provide the video footage evidence, or the links to the website where the footage can be viewed.

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

Response

I can confirm that London Borough of Barnet holds some of the information you requested.

However, we consider exemptions apply to some of the information requested. The remaining information is not withheld and below:

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- 3) PCNs where the penalty charge was paid without challenge**

For each of the copied PCNs supplied please provide the video footage evidence, or the links to the website where the footage can be viewed.

We consider that the absolute exemption set out in Section 40 (Personal information) subsection 2 applies to the information requested. Therefore, we have decided to withhold the information regarding the copied PCN and video footage evidence.

However, the total number of PCN's meeting the requies of the request is 3152. This number is since 30-11-2018 when information is held in a reportable format due to a system change.

Refusal Notice Section 40(2) _

[Part 1 of Schedule 19](#) of the Data Protection Act 2018 amends the personal data exemption under section 40 of the Freedom of Information Act 2000(FOI). 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amendments designed to ensure that the correct provisions of the GDPR and the new Act are referenced instead of the now repealed DPA 1998.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 FOI request.

Personal Information is governed by the Data Protection Act 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, vehicle registration mark, 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.

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.