

17 July 2020
Our ref: 6379752

Thank you for your request received on 22 June 2020, for the following information:

Re: 55 Ridge Hill NW11 8PR

By way of an FOI request will you please respond to the following question relating to the above property:-

- 1) How many complaints have been received in connection with uses or activities carried out at the property in the past 10 years**
- 2) What was the nature of those complaints?**
- 3) Please provide full copies of complaints received after redaction of personal information**
- 3) How many planning investigations have been initiated in the 10 years prior to the date hereof?**
- 4) What was the nature of the planning investigation**
- 5) Please provide copies of all file notes generated in response to the said planning investigation(s)**
- 6) Please advise on the questions raised on any planning contravention notices issued with respect to the property. Please provide copies of the PCN issued.**
- 7) Please provide copies of replies to any Planning Contravention Notices issued**
- 8) Please provide reference numbers for any planning enforcement notices issued with respect to the property**
- 9) Please provide copies of PINS appeal decision letters issued with respect to the property.**
- 10) Have any there been any planning prosecutions carried out under section 179 T&CPA? If so, please provide details of the summons and court decision.**

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. Please see refusal notice below

1) How many complaints have been received in connection with uses or activities carried out at the property in the past 10 years

2) What was the nature of those complaints?

Building works, erection of outbuilding, conversion of the house into flats

3) Please provide full copies of complaints received after redaction of personal information -

We consider that regulation 13 (Personal information) applies to the information requested. Therefore, we have decided to withhold the information. See Refusal Notice below

3) How many planning investigations have been initiated in the 10 years prior to the date hereof?

12

4) What was the nature of the planning investigation

Normal planning enforcement investigations

5) Please provide copies of all file notes generated in response to the said planning investigation(s) =

See attached casenotes

6) Please advise on the questions raised on any planning contravention notices issued with respect to the property. Please provide copies of the PCN issued.

None

7) Please provide copies of replies to any Planning Contravention Notices issued

Not applicable

8) Please provide reference numbers for any planning enforcement notices issued with respect to the property

N/a

9) Please provide copies of PINS appeal decision letters issued with respect to the property.

None

10) Have any there been any planning prosecutions carried out under section 179 T&CPA? If so, please provide details of the summons and court decision.

None

Refusal Notice

[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.

Therefore, we have decided to withhold the information. The contact details (name of complainants, addresses, phone numbers, email addresses) have been redacted from the disclosed information because it is the personal information of the complainants. This is as we consider it to be excepted under Regulation 13 (1) because its disclosure would be unfair processing and so contrary to the first Data Protection Act 1998 principle and so would come under the condition in Reg 13(2). Personal information is governed by the Data Protection Act 1998 (DPA) and is defined as any *data which relate to a living individual who can be identified) from those data, or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller.*

The 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

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.