



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
30 November 2020
Our ref: 6792772

Thank you for your request received on 11 November 2020, for the following information:

The request relates to repeated flooding adjacent to Chaville Court, Beaconsfield Road, Friern Barnet N11 3AH.

Please provide copies of all documents held relating to the flooding, its causes, the responsibility for it and remediation measures and originating within the last 2 years, including-

- 1. correspondence with Thames Water;**
- 2. documents relating to any discussion of works by Barnet Homes or others to alleviate difficulties in access to and egress from Chaville Court during periods when flooding is present;**
- 3. documents relating to the consideration of any measures under statutory provisions concerning nuisance, environmental protection, public health and the like, including the provisions of the Environmental Protection Act 1990.**

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 attached.

The request relates to repeated flooding adjacent to Chaville Court, Beaconsfield Road, Friern Barnet N11 3AH.

Please provide copies of all documents held relating to the flooding, its causes, the responsibility for it and remediation measures and originating within the last 2 years, including-

- 1. correspondence with Thames Water;***
- 2. documents relating to any discussion of works by Barnet Homes or others to alleviate difficulties in access to and egress from Chaville Court during periods when flooding is present;***

Thames Water have confirmed that they do own the drains in that particular area and the investigation into the blockages continues.” Please see attached information.

Historically, the Council have raised the sewer flooding issue at Chaville Court (N11 3AH) to Thames Water. Thames Water is the responsible Risk Management Authority as the flooding happens due to the overflowing foul water manhole (Thames Water asset) near the underpass. However, LBB as Lead Local Flood Authority has a duty to work with the Risk management Authorities. Through these historic discussions Thames Water consistently stated that none of the remedial solutions that they had considered were cost beneficial and that the investment would not be economical, as the flooding was only to the footpath, not internal property flooding. See the attached email from Thames Water on 17 th December 2018 (email titled: Beaconsfield Road by Chaville Court).

The Council escalated this flooding issue and had a meeting with Thames Water in Barnet Council Office on 7 th November 2019 . It was agreed that Thames Water will provide us a summary note of the options considered, so that Council can work together to alleviate the flooding issue in the area.

After that, the Council escalated the issue again with Thames Water on 26 th February 2020, due to concerns about progress on this flooding issue. The Council went back to Thames Water on a further six occasions over the summer of 2020 - 18 th June 2020, 1 st July 2020, 9 th July 2020 , 22 nd July 2020, 18 th August 2020 and 19 th August 2020. (see email chain : N11 3AH Sewer Flooding enquiries)

Finally Thames Water provided an update on 19 th August 2020 with a note of what options have been considered and their cost benefit summary.

Following this a meeting was arranged with Thames Water on 26 th August 2020 . It was agreed that Thames Water would be undertaking surveys in the area which included jet cleaning, dye testing/CCTV surveys to investigate the network and find any misconnections. Though the manhole cover that surcharges and causes flooding of the footpath is linked to the foul network, the surcharging is noted to be storm responsive, which indicates that there are misconnections in the network. This was further reinforced by the finding of stones and lot of sediment in the manhole which is usually not normal for a foul network manhole. The Council agreed to arrange access for the Thames Water team to the Bethune Park for the surveys to be completed. After this meeting an update was sent to the Ward Members on 26 th August 2020. (see email chain: re: footpath under....)

A further meeting with Thames Water was arranged on 8 th October 2020. At that time the CCTV surveys were completed and misconnections were investigated. It was agreed that these misconnections need to be diverted and currently surveys are being undertaken in the adjacent Network Rail land to ascertain where the extra storm water can be diverted, which is currently flowing into the foul manhole near the underpass. After this meeting as well, an update was sent to the Ward Members on 8 th October 2020. (see email chain: re: footpath under....)

The next meeting is scheduled for 27 th November 2020 to determine the next steps`.

3. documents relating to the consideration of any measures under statutory provisions concerning nuisance, environmental protection, public health and the like, including the provisions of the Environmental Protection Act 1990.

None held

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.

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

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.