



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
2 March 2021
Our ref: 6983872

Thank you for your request received on 2 February 2021, for the following information:

Concerning serious environmental offences such as illegal fly-tipping, the naming and shaming of individuals could be justified so as to increase its visibility and maximise its deterrent effect in the regulation of illegal dumping and unauthorised waste activity.

Under the Freedom of Information Act can you, please provide me with the following information :

*** Can you confirm if you publish on your website the names of individuals who are prosecuted or fined for environmental offences (littering, fly-tipping, illegal dumping or unauthorised waste activity)?**

o Please reference the specific parts of the applicable legislation that give you the powers to publish individuals names in the public domain

*** Can you confirm if you share with other organisations the names of individuals who are prosecuted for environmental offences (littering, fly-tipping, illegal dumping or unauthorised waste activity)?**

o Please reference the specific parts of the applicable legislation that give you the power to share these individuals names.

If you have completed a DPIA relating to same, please send me a copy.

We have processed this request under the Environmental Information Regulations 2004.

Response

The council holds the information requested and the answers to your questions are below

**** Can you confirm if you publish on your website the names of individuals who are prosecuted or fined for environmental offences (littering, fly-tipping, illegal dumping or unauthorised waste activity)?***

We do not publish details of persons fined by fixed penalty for environmental offences on the Council's website.

o Please reference the specific parts of the applicable legislation that give you the powers to publish individuals names in the public domain

See answer above

**** Can you confirm if you share with other organisations the names of individuals who are prosecuted for environmental offences (littering, fly-tipping, illegal dumping or unauthorised waste activity?)***

The council only shares information of the nature in accordance with its statutory duties. For example information is shared on a case by case basis with the police and the Environment Agency for the purpose of resolving environmental offences such as fly tipping or the removal of waste from land.

o Please reference the specific parts of the applicable legislation that give you the power to share these individuals names.

Section 115 of the Crime and Disorder Act 1998 gives power to any person to disclose information to a relevant authority, or any person acting on behalf of a relevant authority, when necessary or expedient for the purposes of any provision of the Act.

If you have completed a DPIA relating to same, please send me a copy.

The council has not completed a DPIA for this specific process.

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.