

15 April 2021
Our ref: 7117744

Thank you for your request received on 15 March 2021, for the following information:

I am a fire investigator appointed by Axa, the insurer of the owner of 39 Station Road, HA8 7HX in relation to a fire that occurred in the premises on 6 May 2020. I would like to request the following information:

- * Please can you provide any available information about the construction and history of the premises**
- * Please can you provide any available information relating to any fire safety concerns that have been raised at the premises.**
- * Please can you confirm whether there have been any enforcement actions in relation to the property in the last 10 years and if so, provide the full details.**
- * I understand that six tenants were living in the flat above the premises and evacuated on the day of the fire. Please can you confirm whether you hold any information about the occupancy of the property, such as whether it was registered as an HMO or whether there have been any investigations or housing or other enforcement actions in the last 10 years; if so, please can you provide the full details.**

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.

We consider that regulation 13 (Personal information) applies to the information requested. Therefore, we have decided to withhold the information. Please see refusal notice below

- * Please can you provide any available information about the construction and history of the premises***

See weblink: www.barnet.gov.uk/planning-and-building/planning/find-and-comment-planning-applications

Reference	Site	Description	Decision	Decision Date	Decision Dispatched
W00089A	33 - 39 Station Road, Edgware	Redevelopment to provide 2 shop units at ground level and 2 floors of offices over.	Refused	24.10.1973	24.10.1973
W05731	39 Station Road, Edgware	Shopfront	Withdrawn	07.06.1978	07.06.1978
W05731A	39 Station Road, Edgware	New shopfront.	Approve subject to conditions	08.09.1982	08.09.1982
W05731B	39 Station Road, Edgware	Advert	Approve subject to conditions	08.09.1982	08.09.1982
H/02852/08	39 Station Road, Edgware, Middx, HA8 7HX	Change of use from A2 (professional offices) to A5/A3 (take away/restaurant). Conversion of first floor into one self contained flat.	Withdrawn	13.10.2008	13.10.2008
H/01448/09	39 Station Road, Edgware, Middx, HA8 7HX	Change of use from Class A2 (professional services) to Class A3 and A5 (take-away and restaurant.) Conversion of first floor into one self-contained flat with alterations to the shopfront. Associated flue and silencer equipment on rear elevation.	Approve subject to conditions	07.07.2009	07.07.2009

We have no record of any Building Control Applications at the property post 1990 (our computerised index runs from 1990 – present). Our pre 1990 records are unclear as to when the property was built. However, From the attached card that it predates the creation of the London Borough of Barnet in 1965 (the first four references listed on that card are pre-Barnet references).

We have a record of the Building Control Dangerous Structure Case relating to the property in 2008.

Reference	Site	Description	Date Received
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Please can you provide any available information relating to any fire safety concerns that have been raised at the premises.

Please see attached letter to London Fire Brigade from Environmental Health Officer.

In the attached Food Hygiene reports there are references to fire issues or issues that could lead to fire risk eg build up of grease in the cooker ventilation system.

**** Please can you confirm whether there have been any enforcement actions in relation to the property in the last 10 years and if so, provide the full details.***

Case ref	Address	Date received	Breach	Enforcement notice?	Status
ENF/01491/15	39 Station Road Edgware HA8 7HX	01.12.2015	Building Works	No	Case closed
ENF/00206/17	39 Station Road Edgware HA8 7HX	23.02.2017	Without Planning Permission, the Erection of a Wooden Structure and Associated Staircase on the Flat Roof to the Rear of the Property.	Yes - complied	Case closed
ENF/00245/17	39 Station Road Edgware HA8 7HX	03.03.2017	Construction of a Wooden Structure used as a Separate Residential Dwelling	No	Case closed
ENF/00895/17	39 Station Road Edgware HA8 7HX	13.07.2017	Construction of a Staircase onto Flat Roof	No	Case closed

ENF/01530/17	39 Station Road Edgware	30.11.2017	Illegal Wooden Staircase	No	Case closed
ENF/1402/18	HA8 7HX 39 Station Road Edgware	20.09.2018	Unauthorised First Storey Rear Extension	No	Case closed
ENF/0619/20	HA8 7HX 39 Station Road Edgware	27.05.2020	Use of First Floor Rear Extension as Residential	No	Pending consideration
	HA8 7HX				

Environmental Health

Date	Case ref:	Site	Description
30/11/2017	RP/17/13795	39 Station Road, Edgware, HA8 7HX	Complaint Accumulation/ Deposit of rubbish EH Visited and could not see any overflowing bins. Case closed. Complaint Accumulation/ Deposit of rubbish
11/07/19	RP/19/06695	39 Station Road, Edgware, HA8 7HX	EH Site visit. Bins in orderly fashion and no foul smell witnessed. Case closed. Complaint: Rubbish, rats and blocked drain in the alley at rear of 39 Station Road
28/05/20	RP/20/03532	39 Station Road, Edgware, HA8 7HX	Site visit – no blocked drain, accumulation from waste and inert materials stored on roof top with no signs of rodent issues Commercial premises appeared to be closed to fire issues

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Enforcement Notices

Date	Site	Description
19/12/2017	Planning Enforcement	<p>Planning enforcement notice served requiring:</p> <ol style="list-style-type: none"> 1 Cease the use of the unauthorized first storey rear extension as a self-contained dwelling. 2 Demolish the first storey rear extension and staircase to the rear 3 Permanently remove all constituent materials resulting in the works above.

Health and Safety Team

Date	Site	Description
8/10/2018	Health and Safety	Prohibition Notice served to prohibit the use of the first floor rear staff-room due to unsafe access staircase and lack of guarding to rear flat roof

Private Sector Housing Team

Date	Case ref:	Site	Description
24/07/2018	RP/18/07369	39 Station Road, Edgware, HA8 7HX	HMO complaint. Extension and illegal staircase. EH Visited. Premises not used for residential purposes. Case closed.
19/05/2020	RP/20/03283	39 Station Road, Edgware, HA8 7HX	Complaint - Fire and illegal HMO.

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.

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.