

11 June 2021
Our ref: 7318592

Thank you for your request received on 13 May 2021, for the following information:

Under the Freedom of information Act 2004 I request

All copies of the Air Quality Monitors results for April 2021 from the Barratt London Site known as Ridgeway Views NW7 1AA

This has been requested following long term concerns over inadequate mitigation measures, both historical and live, to ensure loose asbestos fibres known to be on site have been kept dampened down on piles of spoil and that no contamination is spread on to the highway by inadequate wheel washing until such time as they can be encased with a deter to dig membrane and have 30 to 60 cm of fresh topsoil applied.

This was by way of planning condition.

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.

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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 find attached the Air Quality Report

The EH team has responded to all complaints by visiting and assessing the site management.

There is a rigorous Remediation Implementation Plan (RIP) that covers much of the detail on how any asbestos in the dust is managed. The RIP was first carried out during the planning process which has been approved by Barnet Council and is all on the public planning portal.

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

Asbestos is also managed by a number of other Health and Safety regulations. Before the buildings were demolished the asbestos in the buildings was removed and all the asbestos survey files are in the Barratts office; the Environmental Health team has gone through them.

The Environment Agency was involved in the pre - demolition and pre handover work for Barratts. This was all available in the site office.

The Council does not hold copies of the asbestos reports. All of the approved remediation and contamination reports that do reference asbestos management are on the planning portal.

Recently, for Phase 4 and 5 works, Barratts have subcontracted to Idom (and Landmark) to carry on with the RIP, so there is a follow up Remediation Implementation Plan by Idom. This details the levels of contamination, waste management and on site monitoring. The Council's Environmental Health (EH) team has assessed it and it is satisfactory. It shares a lot of the information with the original Cognition and RSK Geotechnical Reports; there is a lot of cross referral to original site maps and the works methodology is similar. This is in line with current good industry practice and guidance which is cross referred. All of the contamination across the site is referenced and the methods of dealing with it are detailed.

The stockpiles in phase 4 and 5 where the quadrant was next to Ridgeway have been tested and did not have asbestos at detectable limits meaning they posed no risk of harm. EH has checked the test results for the stockpiles.

Air quality monitoring on site has shown asbestos below detectable levels in the air that is considered no risk of harm. The asbestos air monitoring using pumps was

carried out over 7 different visits from 18 May to current day by Life Environmental Services, an accredited asbestos specialist company (independent). EH has seen their test results.

The dust monitoring carried out by Barratts continually on site since the start of the works is in two set positions; one near St Vincent School and one near the nursery on Burton Hole lane. These show no significant exceedances from February 2021 to April 2021.

The attached report shows that there is **one** (overnight) exceedance on **20/21 April** which was attributed to elevated background which is a reasonable explanation and this has been explained in the text.

All staff EH met on site during visits were fully appraised of dust and asbestos management. There is a watching brief at the site meaning a specialist is available at all times. Watching briefs are provided by RSK and Idom on the whole site.

EH has asked for the height of the stockpiles to be lowered to 2m on my first visit this year on the 20 April 2021. The stockpiles were subsequently reduced to this height.

That visit was due to a proactive request by Idom to come and discuss their waste management. After this visit had been arranged and around the time of the visit, we received complainants of dust this year which meant EH was able to respond to the complaints due to EH visits.

The roadways have been watered down on a rotational (regular) basis by a bowser over around the site. Trucks moving off site have their wheels washed down at the exit of the site. This was improved since our initial visits and subsequent communications with managers at Barratts and also via the consultants at Idom who are carrying out the monitoring. Earlier EH had received complaints about this and we visited the site and agreed with the complainants that there was inadequate wheel washing at the time of the visit and asked for immediate increases in watering down. This was relayed in the first two visits and email/ phone communications. Watering down is acceptable on site. EH asked for updates on asbestos monitoring and dust and air quality monitoring. EH are in regular communication with the consultants and site managers on site whilst we have complaints.

During the four visits there has been no evidence of dust clouds from stockpiles nor dust being elevated on site due to vehicular movement. There was no likelihood of dust nuisance. EH were on site each visit for approximately an hour to two hours and walked over Phases 4 and 5 and the back fields. The monitoring reflects what EH has seen on our visits.

The mitigation management is seen as satisfactory and the monitoring is satisfactory.

We consider that regulation 13 (Personal information) applies to some of the information requested, specifically the names of consultants who prepared the attached report. Therefore, we have decided to withhold the information.

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.

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.