



2 Bristol Avenue,
Colindale, NW9 4EW
23 July 2021
Our ref: 7506656

Thank you for your request received on 22 July 2021, for the following information:

Please help with information on past acquisitions of properties, which could have belonged to the council, a housing association or similar, and could have been acquired via a Right-to-Buy or similar scheme.

The following addresses in Barnet might have been purchased from former social housing:

**3 Alexandra Grove, N12 8NU
165 Friern Barnet Lane, N20 0NN
43 Durnsford Road, N11 2EL.**

We have processed this request under the Freedom of Information Act 2000.

Response

I can confirm that London Borough of Barnet holds the information you requested.

However, we believe that the exemptions detailed below apply to some/all the information you requested and so we are withholding that information. Please see the Refusal Notice below.

Please help with information on past acquisitions of properties, which could have belonged to the council, a housing association or similar, and could have been acquired via a Right-to-Buy or similar scheme.

The following addresses in Barnet might have been purchased from former social housing:

***3 Alexandra Grove, N12 8NU
165 Friern Barnet Lane, N20 0NN
43 Durnsford Road, N11 2EL.***

If so, could you please provide the names of the individuals who were buyers and pre-existing tenants under the scheme.

We consider that the absolute exemption set out in Section 21 (Information accessible by other means) applies to the information requested because the information requested is already reasonably accessible elsewhere.

Some of this information will be available from the Land Registry: <https://www.gov.uk/search-property-information-land-registry>

Regarding information on the names of individuals and similar information, we consider that the absolute exemption set out in Section 40 (Personal information) subsection (2) applies to the information requested. Therefore, we have decided to withhold the information.

Refusal Notice Section 40(2)

[Part 1 of Schedule 19](#) of the Data Protection Act 2018 amends the personal data exemption under section 40 of the Freedom of Information Act 2000(FOI). 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amendments designed to ensure that the correct provisions of the GDPR and the new Act are referenced instead of the now repealed DPA 1998.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 FOI request.

Personal Information is governed by the Data Protection Act 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.

Refusal Notice Section 40(5)

[Part 1 of Schedule 19](#) of the Data Protection Act 2018 amends the personal data exemption under section 40 of the Freedom of Information Act 2000(FOI). 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 FOI request.

The council neither confirms nor denies that it holds the information requested. The council is not obliged to confirm or deny that it holds information if giving the confirmation or denial to a member of the public would contravene any of the data protection principles. In this case confirmation or denial would provide personal information which would contravene the first principal in the Data Protection Act 2018. A response to a FOI request is considered to be made to the whole world and to be publicly available and not provided only to the requester.

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.