

London Borough of Barnet
2 Bristol Avenue,
Colindale,
London, NW9 4EW
6 October 2021
Our ref: 7637872

Thank you for your request received on 8 September 2021, for the following information:

This FOI request relates to the following two Civil Penalty Notices (PCNs) issued by Barnet that were subject to independent adjudication. In each case the independent Adjudicator found that there were compelling reasons why the PCN should be cancelled and recommended that the PCN should be cancelled. Please tell me whether the independent Adjudicator's recommendation was followed in each case. In each case if the independent Adjudicator's recommendation was not followed, please tell me the reason why it was not followed.

Cases

**PCN AG37956228 VRM DSK633
PCN AG37930075 VRM KM64KUV**

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

Response

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

This FOI request relates to the following two Civil Penalty Notices (PCNs) issued by Barnet that were subject to independent adjudication. In each case the independent Adjudicator found that there were compelling reasons why the PCN should be cancelled and recommended that the PCN should be cancelled. Please tell me whether the independent Adjudicator's recommendation was followed in each case. In each case if the independent Adjudicator's recommendation was not followed, please tell me the reason why it was not followed.

Cases

PCN AG37956228 VRM DSK633

"The vehicle had been parked on the public footway which had been a contravention and enforced in London since 1974. Although it is appreciated that there had been a concern over the drivers wife's health issues when visiting and staying at the property, this does not set an exemption to parking on the footway. After the driver

had dropped their wife at the property where they were to stay, the vehicle should have then been moved to an alternative location or property driveway which they were visiting, where it would not causing an obstruction to pedestrians. It was therefore considered that the recommendation could not be accepted on this occasion."

PCN AG37930075 VRM KM64KUV

"When reviewing the case, it was noted that the application for a replacement disabled badge was received on the 02/11/2020 as the badge had been stolen (21 days prior to the contravention). Although the disabled badge had been posted and should have been received prior to the date of the contravention, it was decided to accept the recommendation and close the notice."

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 Records & Information Management Service, Assurance Group, 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.