

London Borough of Barnet  
2 Bristol Avenue,  
Colindale,  
London, NW9 4EW  
10 November 2021  
Our ref: 7723172

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

**I am requesting any information regarding a pre-application planning submission and general correspondence regarding the development of Eysham Court 69 Station Rd Barnet EN5 1PS by the new Freeholder Eysham Court Freehold Ltd and Barnet Park Homes Ltd or any other person. There is a suggestion that they want to knock down all the flats one purchased and then build 80 flats. 35% being affordable housing..**

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 believe that the exceptions detailed below apply to all of this information and this is withheld. Please see the Refusal Notice below.

## **R12(5)(e) Confidential commercial information**

We consider that regulation 12 (5) (e) (Confidentiality of commercial or industrial information) applies to the information requested because we consider that disclosure of the information requested would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.

Therefore, we have decided to withhold the information.

Barnet Homes are not developing this site at the moment.

if any pre-application discussions are disclosed at this stage, it may prejudice the effective conduct of public affairs. This can be particularly relevant at the outset of major applications where a lot of exploratory discussion are still taking place.

The disclosure of this exploratory information is likely to prejudice the process of leading to a proper determination of any subsequent planning application submitted for the development of this site.

## **Factors in favour of disclosure**

- The general proposition of maximizing openness that the EIR and the Council aspire to
- The benefits of ensuring transparent and accountable government by disclosing how the Council receives and spends public money;

## **Factors in favour of withholding**

- Releasing the requested information could prejudice the Council's future negotiation capabilities and reduce the confidence third parties have with the Council in order to facilitate the decision making process. Both the Council and any third party contractor would be reluctant to have free and frank discussions if all that is discussed is subject to scrutiny with no safe space for 'confidential communications', the requested information may prejudice pending or future decisions which would be detrimental to the Council and or third parties.

In all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information.

The public interest in withholding the requested information outweighs the public interest in disclosure of the requested information.

Therefore, we have decided to withhold the information.

## **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](http://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](mailto: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](http://www.ico.org.uk)). There is no charge for making an appeal.