

London Borough of Barnet,
2 Bristol Avenue, Colindale,
London NW9 4EW
7 June 2022
Our ref: 8269628

Thank you for your request received on 11 May 2022, for the following information:

We are carrying out some research and would like to request the following information, in accordance with the Freedom of Information Act:

- 1. How many lifts are managed by the organisation (including all passenger lifts, platform lifts, goods only lifts, dumb waiters etc)?**
- 2. Do the lifts have a comprehensive (including maintenance visits, parts and labour included) or basic (maintenance visits only included, all call outs / repairs charged additionally) maintenance contract?**
- 3. How much is the annual maintenance cost per lift (e.g. 'headline' cost on last tender quote)?**
- 4. a) How much in addition to contract (i.e. question 3, above) is spent per year (i.e. call outs due to misuse etc)?**
b) How much in addition to contract is spent per annum on major works such as installations and refurbishments?
- 5. When is the current contract due for renewal?**

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 of this information and this is withheld. Please see the Refusal Notice below.

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- 2. Do the lifts have a comprehensive (including maintenance visits, parts and labour included) or basic (maintenance visits only included, all call outs / repairs charged additionally) maintenance contract?***

All lift contracts are standard level which cover maintenance visits with labour and parts included.

3. How much is the annual maintenance cost per lift (e.g. 'headline' cost on last tender quote)?

We believe that this information is commercially sensitive because it discloses unit costs

4. a) How much in addition to contract (i.e. question 3, above) is spent per year (i.e. call outs due to misuse etc)?

b) How much in addition to contract is spent per annum on major works such as installations and refurbishments?

Our lifts are managed and used by staff and is not residential use

5. When is the current contract due for renewal?

The current contract ends on the 31st August 2022 with award being made for the new currently which will start on the 1st September 2022

S43 - Commercial interests

We have concluded that this information is exempt under section 43(2) of the Freedom of Information Act 2000 (FOIA) because the disclosure of this information would be prejudicial to the London Borough of Barnet's and partners commercial interests. This is a qualified exemption and the public interest test applies

We consider that the qualified exemption set out in Section 43 (Prejudicial to commercial interests) subsection 2 applies to the information requested. Therefore, we have decided to withhold the information.

Factors in favour of disclosure

- the importance of transparency in the decision-making process relating to the spending of public money to ensure that procurement processes are conducted in an open and honest way.
- It is also important for the public to see taxpayers' money being used effectively and public authorities getting value for money.

Factors in favour of withholding

- Disclosing the unit costs of contracts would undermine the competitiveness of the lift maintenance contractor
- There is a strong risk that the Council's bargaining position for the future will be prejudiced and commercial organisations may become reluctant to enter into further free and frank negotiations. This would undermine the Council's ability to fulfil its role effectively and prevent it from achieving the value for money that is so important in future negotiations and procurement tenders.
- The commercial interests of the third parties with whom we do business may also be prejudiced if details of specific prices or services are disclosed to the public and their competitors.
- Disclosure of this information would provide any likely competitor with significant details of how the company develops and sells its service. This would create an unfair disadvantage to the company in the open market, whereby anyone could take their proposed procedures and costing, build their own solution based on these and offer it at a lower rate. This would cause

financial loss to the company who may be unable to compete with substantially similar or even identical offering at a lower cost. In addition, the winning tender includes information relating to the specific performance of a sub-contractor. Disclosing this information could damage their position in obtaining futures contracts and affect their reputation in the market.

For these reasons we consider that the public interest in withholding the information outweighs the public interest in disclosure.

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.