

London Borough of Barnet
2 Bristol Avenue,
Colindale,
London, NW9 4EW
16 June 2022
Our ref: 8308755

Thank you for your request received on 10 June 2022, for the following information:

This email is a formal request for information under the Freedom of Information Act and associated legislation

We wish to understand the following

1. On how many occasions between 1st June 2020 and 8th June 2022 has a householder planning application been withdrawn from planning committee due to representations being made beyond the councils stated consultation period

Please provide a list of occasions at referred to in item 1

Please provide copies of all representations received that caused the application to be withdrawn from committee as referred to in item 1

To assist you in complying with this request - we are seeking to understand if the treatment of our Client is irregular or otherwise

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

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Information on withdrawn cases is held.

R6(1)(b) - Material already published

Under Regulation 6(1)(b) of EIR, we are not required to provide information in response to a request if it is already reasonably accessible to you by other means. You can search on Status of Application (Withdrawn) and Type of Application (Householder) for the given period using the Advanced Search function.

The information relevant to your request is published online at the following link:
<https://publicaccess.barnet.gov.uk/online-applications/search.do?action=advanced>

Officer would need to search through documents to confirm reason for withdrawal.
Please refusal below

R12(4)(b) - Manifestly unreasonable

Regulation 12(4)(b) of the Environmental Information Regulations 2004 provides an exception to the disclosure of information in situations where the request is manifestly unreasonable. This exception may be invoked where the request places a substantial and unreasonable cost or burden of dealing with it. Information. The purpose of the exception is to protect public authorities from exposure to a disproportionate burden or an unjustified level of distress, disruption or irritation, in handling information requests.

This is a qualified exception under EIR which means that consideration must also be given to whether in all the circumstances of the case the public interest favouring disclosure is greater than the public interest in maintaining the exemption. The public interest means what is in the best interests to the public.

Public interest test considerations

I have considered whether the public interest in maintaining the exception outweighs the public interest in disclosing the information requested. There are a number of public interest arguments that weigh in favour of disclosing the information you have sought:

- The general proposition of maximising openness to which the EIR and the Council aspire;
- The benefits of ensuring transparent and accountable government

However, there are also public interest arguments against disclosure:

- It is estimated that there are 2 withdrawn cases per Committee, and as there are 50 Committees an officer would need to go into each case and go through all the documentation to find the reason for withdrawal/deferral. It is estimated that this would take 20 minutes on average for each case, bearing

in mind some cases have hundreds of documents giving a total time of 33.33 hours.

(20 minutes times 100 cases divided by 60 minutes = 33.00 hrs)

- The diversion of resources that will be necessary in providing the information requested negatively impact on its ability to deliver its core functions

The Council considers that the public interest in withholding the requested information outweighs the public interest test in disclosure of the requested 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

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.

