

London Borough of Barnet  
2 Bristol Avenue,  
Colindale NW9 4EW  
6 September 2022  
Our ref: 8342349

Thank you for your request received on 31 August 2022, for the following information:

**Dear Sir or Madam,**

**In line with the precedent set by Lambeth Council, who released a list of all vacant properties within its jurisdiction in response to a FOI request; please provide a list of all vacant properties known to your council, either council-owned or recorded under the Empty Private Sector Homes Scheme and Vacant commercial properties.**

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

## ***Commercial Properties***

### **Refusal Notice**

#### **S21 - Material already published**

Under section 21 of the Act, we are not required to provide information in response to a request if it is already reasonably accessible to you by other means.

The information relevant to your request is published online at the following link:

[Empty commercial properties – Barnet Open Data](#)

## ***Private Properties***

#### **S31 – Law Enforcement**

We do not publish information that could indicate vacant properties as we consider that this information is exempt under Section 31(1) (a) of the Freedom of Information Act 2000. Under section 31(1) (a) of the FOI Act an exemption applies where disclosure would be likely to prejudice the prevention and detection of crime. The disclosure of the information would be likely to prejudice the prevention of crime as it would highlight addresses of empty properties and make them more vulnerable to squatting, associated crime and other forms of criminal activity including but not limited to criminal damage, extraction of electricity and the stripping of empty properties and would increase the social and economic costs in these areas as a result.

While debating if the use of this exemption is applicable we have considered the public interest test.

#### Reasons for withholding

- There is a strong public interest in avoiding the likely prejudice to the prevention of crime.
- Tackling these types of crimes would involve a significant strain on public expense and it is in the public interest to ensure that public resources are used cost-effectively.
- The public interest in avoiding damage to property
- The potential for indirect consequences of crime, for example the impact on neighbouring properties of crimes perpetrated on the empty properties

#### Reasons for disclosing

- To release the information would be in the spirit of openness and transparency in which the Council operates.
- The need to bring empty properties back into use.

#### Balance

Whilst the London Borough of Barnet recognises the need to bring empty properties back into use, there is an inherent public interest in preventing crime from being committed and ensuring the efficient use of public and police resources. The Council therefore considers in this case that the public interest favours withholding the requested information.

### ***Council owned properties***

Housing services (including homelessness, allocations, housing repairs and so forth) are provided by Barnet Homes who are an Arm's Length Management Organisation (ALMO) who manage the council's housing stock and associated services on the council's behalf. They are a public authority under Freedom of Information Act 2000 and so you may make a FOI request to them. Their contact details are:

Email: [talk2us@barnethomes.org](mailto:talk2us@barnethomes.org)

Post: The Data Controller  
Barnet Homes  
2 Bristol Avenue,  
Colindale,  
London NW9 4EW

Please make your request directly to Barnet Homes.

## Further information

Further information The Empty Properties team may be able to put you in touch with owners who want to bring their empty properties back into use. The Empty Properties page on the council's website [www.barnet.gov.uk/housing/private-housing/empty-properties](http://www.barnet.gov.uk/housing/private-housing/empty-properties)

The link provides information about the Empty Homes Team who are able to pass on the details of people interested in buying empty properties to owners interested in selling

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.