

London Borough of Barnet
2 Bristol Avenue,
Colindale,
London, NW9 4EW
15 December 2022
Our ref: 8757416

Thank you for your request received on 28 November 2022, for the following information:

I would like to request the food safety officer's report for the following restaurant:

<https://ratings.food.gov.uk/business/en-GB/1539863>

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.

I would like to request the food safety officer's report for the following restaurant:

<https://ratings.food.gov.uk/business/en-GB/1539863>

R12(4)(d) - Material which is still in the course of completion, unfinished documents or incomplete data

We consider that regulation 12(4)(d) - Material which is still in the course of completion, unfinished documents or incomplete data applies to the information requested because we consider that the request involves information that is in draft form.

Therefore, we have decided to withhold the information.

In applying this exception, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

Transparency and Openness in the workings of Local Authorities

Factors in favour of withholding

Disclosing incomplete data.

Allowing public authorities to publish information in a manner and form and at a time of their own choosing.

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

We consider that regulation 12(4)(d) - Material which is still in the course of completion, unfinished documents or incomplete data applies to the information requested because we consider that the request involves information that is in draft form.

In the case of the food report, the document is an unfinished, unofficial, and unsigned version of the same document which does not fully represent the originating authority's views. Release could give a misleading and inaccurate picture.

The general argument in favour of releasing information is that there is a public interest in being able to scrutinise aspects of the Local Authorities where that information might be easy to access and will not prejudice the London Borough of Barnet. Against disclosure the argument is the public interest in permitting public authorities to publish information in a manner and form and at a time of their own choosing. It is a part of the effective conduct of public affairs that the general publication of information is a conveniently planned and managed activity within the reasonable control of public authorities. Where the decision has been made in principle to publish, there is a reasonable entitlement to make arrangements to do so. Therefore, we have decided to withhold the information.

The report will be available once complete.

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.