

London Borough of Barnet
2 Bristol Avenue,
Colindale NW9 4EW
4 January 2023
Our ref: 8632868

Thank you for your request received on 7 November 2022, for the following information:

I wish to make an FOI to determine the following information in respect of the above for a period of the last three years, the current and future plans for the next three years within a radius of 1 mile of the above postcode (for the avoidance of doubt to include the details of those responsible if not LB of BARNET)

- 1 the maintenance / cleaning schedule**
- 2 evidence of implementation and any failures**
- 3 plans to deal with any failures**
- 4 the repair work carried out and to be carried out**
- 5 as above plans to deal with any failures**

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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We confirm the following in reply to the FOI request relating to gully and drainage clearance:

- LBB have a cyclical maintenance programme to clean all their gullies. Gullies on major roads are cleaned a minimum of every 6 months. Other gullies are cleaned every two years. Gullies deemed as critical can be cleaned more regularly than the above.
- In addition to this there is a programme of one-off gully cleans when these are reported by constituents or highlighted by our investigations.
- There is a capital programme each year that implements improvements or addresses failures in the highway drainage. A report is attached which summarises jobs raised since July 2021 across the borough (doesn't include one-off gully cleans). The works prior to this were under a separate system and are no longer easily accessible.
- Whilst a record is maintained of every gully that is cleaned, with details, date and time, we are unable to confirm the specific information requested, within 1 mile radius of N2 0EW, as it would mean locating, interrogating and retrieving 3000 individual reports from 2 information systems, taking up to 250 hours. As such this would be covered by a Refusal Notice as below.

Refusal Notice 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. 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 the 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. These factors are that the decision making processes of public functions should be transparent and open to scrutiny in order to inform the public debate. The case against is the burden on the public authority and diversion away from its core business.

Advice and Assistance If information is required on more specific gullies we would be able to provide this.

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.