

London Borough of Barnet
2 Bristol Avenue,
Colindale NW9 4EW
22 February 2023
Our ref: 9040984

Thank you for your request received on 23 January 2023, for the following information:

History of Finchley Lido Construction

- 1. Details held on history of the Lido's construction, and how it was paid for, and who decided the design and standard of the pool construction?**
- 2. I would like to know how much it costs annually to run the swimming pools at Finchley Lido? By this I mean the electricity and gas and maintenance any other costs including repairs?**

Previous plans published for the Finchley Lido site

- 3. I am in receipt of the council's magazine "Barnet First" issue 61 march 2015 page 4 article titled £20 million proposals to rebuild Copthall and Church Farm leisure centres. It states " Finchley and Hendon Leisure Centres could also be rebuild at their existing sites in the next decade. Can you confirm that that is what the council wrote in their publication?**
- 4. May I have the name of who at the council deals with Regal in regard to granting them the sale of the present Finchley Lido site?**

Public scrutiny of plans and decision making responsibilities

- 5. May I have the date(s) of the council sessions where the future of the site was discussed?**
- 6. May I have the record of who was at the meeting(s) and what was said at the meetings?**
- 7. May I have the date and time of the next 20 meetings concerning anything to do with the future Finchley Lido?**
- 8. May I have a list of the 5 people on the council most involved in the discussion of Finchley Lido and the prospect of it becoming housing?**

Financial appraisal

- 9. May I know how much money Barnet council hopes to make off of the sale or other wise disposing of Finchley Lido site?**

Public Consultation on current plans for Finchley Lido's future?

10. Please advise who is responsible for the consultation on Finchley Lido's future and is responsible for preparing the information content contained within it?

11. Who are the officers who spoke to interested parties and local resident about the Council plans and how were they chosen?

12. Future plans for Finchley Lido site?

13. Is it true that the council has a long range plan in conjunction with Regal or any other developer to close the Lido and build a high rise or other type of housing on the site?

14. May I know if the people of Barnet have any right to retain an existing leisure site?

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.

History of Finchley Lido Construction

1. Details held on history of the Lido's construction, and how it was paid for, and who decided the design and standard of the pool construction?

The existing Finchley Lido Leisure Centre was constructed in c.1996 under a design and build contract with THI Developments Ltd (developer), Ellis Williams Partnership (architect) and Higgs and Hill Ltd (main design and build contractor). Building control services were provided by London Borough of Barnet. It is not clear from archived documents as to how the design and standard of the pool construction was decided.

2. I would like to know how much it costs annually to run the swimming pools at Finchley Lido? By this I mean the electricity and gas and maintenance any other costs including repairs.

Better (Greenwich Leisure Limited) provide management and operation of Finchley Lido Leisure Centre on behalf of the Council as part of a management contract.. Better are responsible for full utility and operating costs of the leisure facility therefore the council is unable to share any commercial information pertaining to these items. See Refusal Notice below.

As part of the contract, the council are responsible for the asset (roof and structure of the leisure centre) An average of c. £2,000 has been spent annually (from 2018 to date) on maintenance and repairs to the roof which typically includes gutter clearance and fixing any minor leaks. In March 2019, the pool hall was closed to the public to enable completion of a remedial programme which included structural works to the roof. The cost of these works was c.£1.415m

Moderngov which lists all key decisions taken by the Council

The following link refers to the approved Phase 1 DPR:

<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7342>

The following link refers to the approved Phase 2 DPR:

<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7427>

The following link refers to the approved Phase 3 DPR

<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7483>

Previous plans published for the Finchley Lido site

3. I am in receipt of the council's magazine "Barnet First" issue 61 march 2015 page 4 article titled £20 million proposals to rebuild Copthall and Church Farm leisure centres. It states " Finchley and Hendon Leisure Centres could also be rebuild at their existing sites in the next decade. Can you confirm that that is what the council wrote in their publication?

Confirmed

4. May I have the name of who at the council deals with Regal in regard to granting them the sale of the present Finchley Lido site?

We presume this query is referring to the sale of the leasehold interest at Great North Leisure Park. This transaction is between third parties, please refer to the Engage FAQ on ownership status, see link [Finchley Lido Leisure Centre engagement | Engage Barnet](#).

Public scrutiny of plans and decision making responsibilities

5. May I have the date(s) of the council sessions where the future of the site was discussed?

The Council is analysing engagement feedback received, and this will be reported to the Policy and Resources committee in the future, see link

<https://barnet.moderngov.co.uk> dates are to be confirmed.

6. May I have the record of who was at the meeting(s) and what was said at the meetings?

This has not been discussed in any committee meetings to date.

7. May I have the date and time of the next 20 meetings concerning anything to do with the future Finchley Lido?

No scheduled meetings at present.

This will likely be reported to the Council's Policy and Resources Committee in the future, see link <https://barnet.moderngov.co.uk>

8. May I have a list of the 5 people on the council most involved in the discussion of Finchley Lido and the prospect of it becoming housing?

Different service areas have been involved across the Council from Growth, Greenspaces, Estates and Development.

Financial appraisal

9. May I know how much money Barnet council hopes to make off of the sale or other wise disposing of Finchley Lido site?

The Council is not disposing its freehold interest of the Great North Leisure Park site. The leasehold sales transaction is between third parties.

Public Consultation on current plans for Finchley Lido's future

10. Please advise who is responsible for the consultation on Finchley Lido's future and is responsible for preparing the information content contained within it?

Engagement was delivered by both the Greenspaces and Growth.

11. Who are the officers who spoke to interested parties and local resident about the Council plans and how were they chosen?

Engagement was delivered by various members from the Greenspaces and Growth teams who are involved in this potential redevelopment proposal.

12. Future plans for Finchley Lido site

The council released a public update on the Finchley Lido Leisure Centre Engagement via Engage Barnet on 17 February 2023 confirming next steps which will inform future plans, see link [Finchley Lido Leisure Centre engagement | Engage Barnet](#)

13. Is it true that the council has a long range plan in conjunction with Regal or any other developer to close the Lido and build a high rise or other type of housing on the site.

See Finchley Lido FAQ via Engage Barnet with regard to the change of the head leaseholder, see link [Finchley Lido Leisure Centre engagement | Engage Barnet](#)

14. May I know if the people of Barnet have any right to retain an existing leisure site?

Please see Local Plan for the designated Use Class for the land, see link [Planning policies and Local Plan | Barnet Council](#)

Refusal Notice

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.

The information relevant to your request is published online at the above links.

R13 – Personal data

We have also redacted the names of individuals by virtue of Regulation 13 of the Environmental Information Regulations 2004, as disclosure of this information to the public generally, in the Council's view, would not be consistent with the data protection principle found in Article 5.1(a) of the General Data Protection Regulation (GDPR) lawfully, transparently and fairly. We have considered whether disclosure is lawful and fair and whilst it may be lawful under Article 6.1(f) GDPR (legitimate interests) it would not be fair to the individuals concerned who would not expect the names of junior employees to be disclosed as part of such a request.

We consider that regulation 13 (Personal information) applies to the information requested.

Therefore, we have decided to withhold the information.

R12(5)(e) Commercially sensitive

We consider that regulation 12 (5) (e) (Confidentiality of commercial or industrial information) applies to the information requested because we consider that disclosure of the information requested would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.

Greenwich Leisure Limited run the Council's leisure centres under the brand Better, this information was received in confidence and we have been informed that it is commercially sensitive and not within the public domain. The potential for economic harm to the contractor and risk of related legal action against the Council outweighs the public interest in release of this information.

Accordingly the information requested falls within Regulation 12(5)(e) as it is commercial information. The question arises as to whether in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information.

It is in the public interest for some of the requested information not to be disclosed as it would potentially undermine the planning process. As a result the following exceptions under the Environmental Information Regulations are considered to apply.

We have considered whether the public interest in maintaining the exception outweighs the public interest in disclosing the information. 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 that the EIR and the Council aspire to;
- The benefits of ensuring transparent and accountable government by disclosing how the Council receives and spends public money;

However, there are also public interest arguments against disclosure:

- Releasing the requested information could prejudice the Council's future negotiation capabilities and reduce the confidence third parties have with the Council in order to facilitate the decision making process. Both the Council and any third party contractor would be reluctant to have free and frank discussions if all that is discussed is subject to scrutiny with no safe space for 'confidential communications', the requested information may prejudice pending or future decisions which would be detrimental to the Council and or third parties.

The public interest in withholding the requested information outweighs the public interest in disclosure of the requested information.

Therefore, we have decided to withhold the 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.