

London Borough of Barnet
2 Bristol Avenue,
Colindale,
London, NW9 4EW
3 March 2023
Our ref: 9189304

Thank you for your request received on 14 February 2023, for the following information:

Property Purchase - Freedom of Information Request

I am in the process of purchasing the following property: [Address redacted N2 0]

Please would you send me all existing planning applications or notices in relation to this property? I would also like to know if there have ever been any complaints made by or directed at this property.

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.

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 planning applications are all available to view on the website via the planning application search function. The request is published online at the following link: <https://publicaccess.barnet.gov.uk/online-applications/>

You can locate planning applications using the **Applications tab** and planning enforcement notices using the **Enforcements tab**

We update and maintain our local land charges register.

The register holds information about:

- Planning permissions or conditions which will affect your use of the property or land.
- Financial charges or debts which you'll become liable for if you buy the land.
- Proposals to build new infrastructure in the surrounding areas, such as a new road or train track.
- Trees on the property that are protected by a Tree Preservation Order.
- Who maintains the road and footpath outside the property.
- Whether the property is a Listed Building.
- If the house or land is in a conservation area.

Benefits of a local land charge search

When you buy a property or a piece of land, you should carry out a local land charge search so you can find out if any issues are affecting the land or property.

A local land charge search prevents you from buying a piece of land or property without knowing about the restrictions, charges or obligations that come with it.

Please note that there is a fee attached.

<https://www.barnet.gov.uk/planning-and-building-control/local-land-charges>

No planning enforcement complaints have been made against the property.

We cannot release details of complaints made by the owners of the property as this could identify the complainant. Any complaints, if they had been made and we are unable to confirm or deny that this is the case, would be our policy to withhold.

R13 – Personal data

Request for complaints made by the owners of the property withheld 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..

We consider that regulation 13 (Personal information) would apply to the information requested if held.

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.