

London Borough of Barnet
2 Bristol Avenue, Colindale, NW9 4EW
3 April 2023
Our ref: 9317856

Thank you for your request received on 3 March 2023, for the following information:

Since April 2018, how many fines for unreasonably prolonged or missed managed works under section 74 of the New Roads and Streetworks Act 1991, has the Council issued on Thames Water and what was the total value of these fines?

Please refer to the attached document. There were 345 overruns by Thames Water in the period of 2018 – 2023, we will not be able to confirm the cost of each s74 charge as it will take approximately 30 mins to check each one for the charge information, sometimes S74s are cancelled or mitigated.

We have processed this request under the Freedom of Information Act 2000.

Response

I can confirm that the council holds the information you requested. However, we are withholding the information because we consider that the following exemption exemptions and exceptions apply to it.

S12 - Cost limit (Exceeds Appropriate Limit)

We are refusing your request under section 12 because we estimate that compliance with your request will exceed the "appropriate limit" under section 12. The appropriate limit is £450 which is equivalent to 18 hours at £25 per hour. The per hour figure is set by Regulation rather than actual salary paid to any officers handling requests. The appropriate limit includes the time it will take the council to discover if it holds the information requested, to locate it, extract it and collate it as well as putting it into any particular format requested by the requester.

We have calculated that it will take approx 30 minutes to check each one for the charge information.

to comply with your request. Our calculation is as follows:

$346 * 30 \text{ minutes} = 7.20833333 \text{ days}$

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.