

London Borough of Barnet  
2 Bristol Avenue,  
Colindale,  
London, NW9 4EW  
9 May 2023  
Our ref: 9502960

Thank you for your request received on 31 March 2023, for the following information:

**Dear Barnet Borough Council,**

**I wish to make an FOI request under the Freedom of Information Act, 2003.**

**Please provide, within 20 working days:**

- 1) The number of premises (this means hotels as well as any other premises that have been repurposed) currently being used in the council area to house asylum seekers/migrants/ those individuals waiting to be processed.**
- 2) Please provide the number of individuals being housed in the council area.**
- 3) Please provide the names of the premises being used to house these individuals (if unable to provide this information please proceed with the rest of the request)**
- 4) The estimated annual cost to the council of housing and supporting these individuals (if unable to provide this information please proceed with the rest of the request)**

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

## **Response**

I can confirm that London Borough of Barnet holds the information you requested.

However, we believe that the exemptions detailed below apply to some of this information and this is withheld. Please see the Refusal Notice below.

**Dear Barnet Borough Council,**

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Four

- 2) Please provide the number of individuals being housed in the council area.***

Please see refusal notice below.

**3) Please provide the names of the premises being used to house these individuals (if unable to provide this information please proceed with the rest of the request)**

Please see refusal notice below.

**4) The estimated annual cost to the council of housing and supporting these individuals (if unable to provide this information please proceed with the rest of the request)**

The direct cost of accommodating asylum seekers is met by the Home Office, however the Council does support our asylum seeking population in a number of ways. We estimate that this costs around £600,000 a year.

### **Refusal Notice: S41 - Information Provided in Confidence**

Section 41(1) of the Freedom of Information Act 2000 (FOIA) provides that information is exempt if it was obtained by a public authority from any other person and that disclosure to the public by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

We consider that unauthorised disclosure of this information would amount to an actionable breach of confidence, therefore this information is withheld.

The information provided to the Council was explicitly provided in confidence with the express understanding that it will be held in strict confidence and will not be disclosed, reproduced, stored in a retrieval system or used, in whole or in part and will not be released, in whole or in part, to any third party without prior consultation with, and the written consent of the third party.

The third party had a legitimate expectation that this confidence will be upheld and the information that they provided remain confidential. This information would be potentially harmful if disclosed.

I am satisfied that the information is not trivial, nor is it available by other means. It therefore has the necessary quality of confidence.

The duty of confidence is not absolute and the courts recognise circumstances under which such information may be disclosed

- Where the person to whom the duty is owed consents
- Where disclosure is required by law
- Where there is an overriding public interest in disclosure

In this case we consider that the public interest in favour of maintaining the confidence outweighs the public interest in disclosing this information.

The person to whom the duty is owed has not provided consent and disclosure is not required by law.

We have considered the following factors:

<b>Factors in favour of disclosure</b>	<b>Factors in favour of withholding</b>
The public have an interest in promoting openness and	Release of the information in question has significant potential

transparency.

Disclosure of the requested information would allow the public to satisfy themselves that matters were being dealt with appropriately and lawfully.

Disclosure would allow the public to better understand the decision which has been made and would allow the authority to be held to account.

There is no credible allegation of misconduct, wrongdoing or any risk to the public, therefore this argument carries no weight.

to impact upon the willingness of parties to deal with the Council in future or to disclose confidential information to the Council which would not be conducive to open and transparent dealings between the Council and third parties.

The public have an interest in the Council being able to conduct its affairs in an appropriate manner and to achieve best value and efficiency.

If parties are unwilling to deal with the Council this would distort tender processes and would be prejudicial to achieving best value and efficiency.

The information is not trivial or available from another source.

Disclosure would constitute an actionable breach of confidence.

Whilst there are arguments on each side, in the circumstances of the case, there is no overriding public interest in disclosure and so the information is withheld.

## **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](http://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](mailto: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](http://www.ico.org.uk)). There is no charge for making an appeal.