

London Borough of Barnet
2 Bristol Avenue,
Colindale NW9 4EW
11 December 2024
Our ref: 13368132

Thank you for your request received on 12 November 2024, for the following information:

I am requesting the following information regarding the Strategic Planning Committee briefing took place on 14 November 2023:

- 1. Attendance Records: Which councillors and council officers attended the meeting?**
- 2. Correspondence for Meeting Arrangement: Any correspondence between Barnet Council, Ballymore, TfL, and any other relevant parties relating to the organization and scheduling of the meeting.**
- 3. Post-Meeting Correspondence: Any correspondence or documentation arising from or following the meeting.**
- 4. Invitations to Councillors: Details of any correspondence inviting councillors to the briefing.**
- 5. Legal Basis: What was the legal basis for holding this meeting?**
- 6. Compliance with Barnet Constitution: How did this briefing comply with the Barnet constitution regarding procedures for council meetings, including the production of minutes?**
- 7. Standard Practice: Is it standard practice for councillors to hold briefings with applicants in private or confidential settings? If so, under what conditions is this allowed?**
- 8. Code of Transparency: How does this briefing meet the code of practice on transparency?**
- 9. Additional Briefings: Have there been any further briefings between Ballymore and councillors?**

I look forward to your prompt and comprehensive response to ensure full adherence to the principles of transparency and public accountability.

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.

I am requesting the following information regarding the Strategic Planning Committee briefing took place on 14 November 2023:

- 1. Attendance Records: Which councillors and council officers attended the meeting?**
- 2. Correspondence for Meeting Arrangement: Any correspondence between Barnet Council, Ballymore, TfL, and any other relevant parties relating to the organization and scheduling of the meeting.**
- 3. Post-Meeting Correspondence: Any correspondence or documentation arising from or following the meeting.**
- 4. Invitations to Councillors: Details of any correspondence inviting councillors to the briefing.**
- 5. Legal Basis: What was the legal basis for holding this meeting?**
- 6. Compliance with Barnet Constitution: How did this briefing comply with the Barnet constitution regarding procedures for council meetings, including the production of minutes?**
- 7. Standard Practice: Is it standard practice for councillors to hold briefings with applicants in private or confidential settings? If so, under what conditions is this allowed?**
- 8. Code of Transparency: How does this briefing meet the code of practice on transparency?**
- 9. Additional Briefings: Have there been any further briefings between Ballymore and councillors?**

I look forward to your prompt and comprehensive response to ensure full adherence to the principles of transparency and public accountability.

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.

I am requesting the following information regarding the Strategic Planning Committee briefing took place on 14 November 2023:

- 1. Attendance Records: Which councillors and council officers attended the meeting?***

Cllr Barnes Cllr Chakraborty Cllr Cohen Cllr Duschinsky Cllr Farrier Cllr Greenspan Cllr Lemon Cllr Young Neeru Kareer [Name redacted] Planning Manager [Majors], [Name redacted] Planning Performance and Development Manager

- 2. Correspondence for Meeting Arrangement: Any correspondence between Barnet Council, Ballymore, TfL, and any other relevant parties relating to the organization and scheduling of the meeting.***

See attached

3. Post-Meeting Correspondence: Any correspondence or documentation arising from or following the meeting.

See attached

4. Invitations to Councillors: Details of any correspondence inviting councillors to the briefing.

See attached

5. Legal Basis: What was the legal basis for holding this meeting?

Planning Pre-application process.

6. Compliance with Barnet Constitution: How did this briefing comply with the Barnet constitution regarding procedures for council meetings, including the production of minutes?

7. Standard Practice: Is it standard practice for councillors to hold briefings with applicants in private or confidential settings? If so, under what conditions is this allowed?

8. Code of Transparency: How does this briefing meet the code of practice on transparency?

For the response to Q6, 7 and 8 please see paragraph 7, taken from the Members Planning Code:

[Members' Planning Code of Practice](#)

7. Pre-application discussions

7.1 Discussions between a potential applicant and the Council prior to the submission of an application can be of considerable benefit to both parties and are encouraged by the National Planning Policy Framework. However, it would be easy for such discussions to become, or to be seen by objectors to become, part of a lobbying exercise, on the part of the potential applicant. If potential applicants seek to meet Planning Committee Members than any such pre-application meeting should be organised through officers.

9. Additional Briefings: Have there been any further briefings between Ballymore and councillors?

No further planning briefings between Ballymore and SPC briefings.

Refusal Notice

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.

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.