

Mr Andrew Wilson

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Friday 13 October 2023

Dear Mr Wilson

Thank you for your recent correspondence to the council, following your complaint made to the Information Commissioner's Office (ICO), in relation to your Environmental Information Regulations (EIR) request.

The ICO are currently reviewing this case, and they advised that you contact the council with regards to data you consider missing from the council's response. In most cases the ICO would investigate all such elements of a complaint, however on this occasion they have requested that we respond directly to you on these points.

For the sake of ease, and to avoid any confusion, I have addressed each of your points separately below.

1. I expected that the Council would provide a range of material that might include, for example: Correspondence with Peabody (including the two Project Directors it has had since August 2020) the Community Plan For Holloway trustees and employees, members of the CP4H Women's Building Working Group, and members of the public regarding: a feasibility study proposal by a named consultancy; discussions of the conditions under which the Council, Peabody and CP4H might participate in the study; a £10,000 donation for the study offered and subsequently withdrawn by an anonymous donor.

**Our Response:** I can confirm that the council reviewed all the information that was held at the time of your request which included correspondence. This information was reviewed with a view to disclosure, and, as you are aware, some information was withheld. The council is satisfied that it has identified all information that falls within the scope of your request.

2. Memos or minutes about the setting up of the current Steering Group, including information about: the criteria for being invited to join the Group; its Terms of Reference; its members and their qualifications.

**Our Response:** The council does not hold copies of memos or minutes as described. A Terms of Reference was not provided in our response, as your original request focused on correspondence in relation to the "women centre". The council does have access to Terms of Reference, but as this is a shared document with Peabody, we will first seek their views before disclosure. We will provide a response to this no later than 20 October 2023.

3. Background information about the feasibility study currently under way. The disclosure includes a redacted email from Peabody on 20 March this year, with a Steering Group agenda

item in which a consultancy called Inner Circle is scheduled to present how it will carry out the feasibility study. No information is included about what must have occurred previously such as the tender (if any) under which Inner Circle was hired, the value and term of the contract, and the work to be carried

**Our Response:** I can confirm that the council considers the information held on this matter, to be commercially sensitive, however, we are currently seeking the views of Peabody regarding the disclosure of this data. We will provide a response to this no later than 20 October 2023.

4.Minutes and supporting documents from the Steering Group meetings.

**Our Response:** I can confirm that the council does not hold this information.

5.The disclosed material features several glaring gaps in time, including the entire year of 2022. Material related to the feasibility study is provided from 30 July 2020 to 1 August 2021, followed by a 19-month gap broken finally on 1 February 2023.

**Our Response:** The period you have referenced, was a time when the project changed hands, and the senior officer leading on this left the council. This was an oversight on our part, and I will contact our IT department and access to their account to search for any relevant information. We will provide a response to this no later than 20 October 2023.

6.The disclosure does not list or refer in any way to the materials withheld, so it is impossible to know whether the exceptions were properly applied, or whether material could have been disclosed with further redactions .For example, nothing has been provided regarding the Council's communications with Peabody or principal architect AHMM regarding either the feasibility study or the Steering Group, despite the substantial amount of public money invested in the project (e.g. £39 million grant from London Mayor's Office). The disclosure does not indicate whether this lack of information is justified by 12 4 (e) or (f), but it appears to be applying a blanket exception regarding information from or to Inner Circle, Peabody and AHMM.

**Our Response:** As you have escalated this matter to the ICO, they will investigate this on your behalf. The council will comply with their requests to view information and any subsequent decision. However, I do recognise that the council has applied exceptions to data but have not provided any detail of the material these relate to. I have therefore, provided a spreadsheet that details the dates of emails sent, and summary and the applied exception.

7.Finally, disclosure argues that under 12 4 (e), on balance, the public interest is served by withholding information in order to protect "full and frank discussion" within and about the Steering Group, and that this outweighs the public's interest in "understanding and participation in public debate of current issues" and "accountability and transparency in decision-making and functions." Given that no internal information is provided, or even any indication of internal discussion or decisions made (e.g., re: the Feasibility Study tender), there is no way of knowing if this claim is valid.

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**Our Response:** As advised above the ICO is currently investigating the council's application of exceptions, and at this time we will be guided by their decision. Until any decision has been made, I am unable to comment further.

As previously advised this matter is be investigated by the ICO and we will wait for their decision before addressing any further issues.

Yours sincerely

Brad Pearton  
Access to Information Manager  
Islington Council

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