

London Borough of Barnet,  
2 Bristol Avenue,  
Colindale,  
London NW9 4EW  
13 January 2022  
Our ref: 6634092

Thank you for your request received on 28 September 2020, for the following information:

**For every Written Warning (WW) that has been issued by LB Barnet (under Part 4, Chapter 1 of the Anti-Social Behaviour, Crime & Policing Act 2014, and as a precursor to a Community Protection Notices (CPN) being served) from 2016 to-date, please provide:**

- + issue date of the WW**
- + a direct quote from the WW stating the nature of the alleged conduct a**
- + direct quote from the WW stating what action the recipient must take**
- + whether the WW was followed by a CPN, and the issue date of that CPN**
- + whether the CPN was challenged in the County Court, and the outcome of**
- + that challenge whether a fine was issued and the amount of the fine**

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.

***For every Written Warning (WW) that has been issued by LB Barnet (under Part 4, Chapter 1 of the Anti-Social Behaviour, Crime & Policing Act 2014, and as a precursor to a Community Protection Notices (CPN) being served) from 2016 to-date, please provide:***

- + issue date of the WW***
- + a direct quote from the WW stating the nature of the alleged conduct a***
- + direct quote from the WW stating what action the recipient must take***
- + whether the WW was followed by a CPN, and the issue date of that CPN***
- + whether the CPN was challenged in the County Court, and the outcome of***
- + that challenge whether a fine was issued and the amount of the fine***

Please see the attached file which includes a list of all closed/ completed cases held on our case management systems.

## **Refusal Notice**

### **R12(5)(b) The course of justice, fair trial or inquiry of a criminal or disciplinary nature**

We consider that regulation 12(5)(b) (The course of justice) applies to the information requested because we consider that disclosure of the information requested would adversely affect the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature.

The information requested forms part of an enforcement case as it concerns matters of enforcement and investigations into an alleged breach. Disclosure could prejudice the way the London Borough of Barnet conducts investigations and any other matter it has a duty to investigate.

This is a qualified exception under the EIR which means that consideration must also be given to whether in all the circumstances of the case the public interest favouring disclosure is greater than the public interest in maintaining the exception. The public interest means what is in the best interests of the public, not what is of interest to the public.

We have considered the public interest the disclosure of this information. These factors are that the decision making processes of public functions should be transparent and open to scrutiny in order to inform the public debate. The disclosure of information in relation to enforcement and investigations, would compromise proceedings. In these circumstances of the case it is our view that the public interest in maintaining the exception outweighs the public interest in disclosing the information. Therefore we have decided to withhold the information where it relates to live enforcement cases.

### **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.