

Date: 06/05/2022

Ref: CAM3201

Dear Requester

Thank you for your request for information dated 11/04/2022 about Map data for all Camden operated council estates. We have dealt with this under the Environmental Information Regulations 2004.

Response

The council holds some of the information requested. However we are withholding the information because it is excepted. The answers to your questions are below. We have stated where we are withholding information and what exceptions apply. Please see the refusal notices at the end of the answers which explain how and why the exceptions apply.

Map data for all Camden operated council estates

Under the Freedom of Information Act 2000, I would like to request Geographic Information System (GIS) data of the polygons used to generate these maps, or, if this is not possible, PDF or similar file format files of all the maps that are signposted. I understand that the Council currently releases point based data about overall estates on their data open portal.

The maps that you requested were created using the Ordnance Survey's (OS) Mastermap data. Under the terms of our Public Sector Geospatial Agreement licence with the OS we are unable to provide the GIS files for these maps. We do not hold the information in any other map format. See the refusal notice below.

As the information not held is environmental we have to comply with a technicality and tell you that because it is not held it is excepted under Regulation 12 (4)(a). The Information Commissioner does not require a public interest test where the information is not held.

Refusal Notice:

The exception that applies is regulation 12(5)(c) which states that a public authority may refuse to disclose information to the extent that its disclosure would adversely affect intellectual property rights. The Council pays for services from Ordnance Surveys (OS), and we sign a license agreement which prohibits us sharing data which does not belong to us, with any third parties.

In applying this exception the Council has also considered the balance of the public interest in line with the EIR 2004.

The public interest argument for releasing this information is:

- The Council would be providing a service in an open and transparent way.

The public interest arguments for withholding the information are:

- The Council must carry out its work in a legal and ethical manner.
- The Council should not have its trust damaged by breaking license agreements with suppliers.
- It is not in the Council's interests to damage the commercial viability of another company or organisation.

We have decided that the public interest in withholding the information outweighs the public interest in disclosing it.

We considered whether the presumption in favour of disclosure in the regulations overrides the decision to withhold and have concluded that it does not.

Advice and Assistance:

As advice and assistance, you can view various maps relating to Council estates on the Council's Open Data Portal at the following location <https://opendata.camden.gov.uk/>

Further Information:

We do not give our consent for any names and contact details provided in this response to be sent marketing material. Any such use will be reported to the ICO as a breach of General Data Protection Regulations and the Privacy and Electronic Communication Regulations.

Why not check our Portal [Open Data Camden](#) before making a new request as your question may already be answered by a previous [FOI response](#) or in one of our many useful and interesting datasets.

Your Rights

If you are not happy with how your response was handled you can request an Internal Review within 2 months of this letter by email to foireviews@camden.gov.uk or post: Information and Records Management Team, London Borough of Camden, Town Hall, Judd Street, London WC1H 9JE. Please quote your case reference number. If you are not satisfied with the Internal Review outcome you can complain to the Information Commissioner's Office at casework@ico.org.uk telephone 0303 123 1113, or post to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. The ICO website www.ico.org.uk may be useful.

Yours sincerely

Philip Lewis
Information Rights Officer