

22 March 2016

**Our Ref: e18841**

**Re: Request for information under the Freedom of Information Act 2000**

Your request for information which was received on 21 March 2016 has been considered.

Please find our response below.

**Your request:**

- 1) The number of PCNs issued for parking outside permitted hours in the marked bays on Cross Deep outside St Catherine's School between September 2015 and February 2016 inclusive.*
- 2) The number of successful appeals against those PCNs.*
- 3) The number of those PCNs (in part 1) issued between 7am and 9am on weekday mornings.*
- 4) The number of PCNs issued for bus lane offences at the same location (camera 89) in the same period.*
- 5) The number of the PCNs in part 4 that were issued between 7am and 9am on weekday mornings.*
- 6. The number of successful appeals against the PCNs in each of part 5 and part 4.*

**Our response:**

- 1) Total Cross Deep Zone D PCNs from 01/09/15-28/02/16 = 30 PCNs issued
- 2) We can confirm that there were fewer than 5 cancelled PCNs. We cannot provide a more exact figure as we consider that to do so may allow an individual to be identified. Please see Appendix 1 for further details.

3) We can confirm that there were fewer than 5 PCNs issued in this timeframe.

4) Bus Lane camera 89 from 01/09/15 to 28/02/16 = 79 PCNS in total

5) As above camera 89 = 67 PCNs issued in total from 07.00-09.00 Monday to Friday

6) We can confirm an approximate of 5 PCNs from the total of 79 PCNs were cancelled.

Of the PCNs issued from 7-9am; we can confirm that fewer than 5 were cancelled.

Again, we cannot provide a more exact figure as we consider that to do so may allow an individual to be identified. Please see Appendix 1 for further details.

Kind regards

Data Protection & Information Officer



## **Appendix 1**

### **Section 40(2): Personal Information**

Specifically in terms of the provisions of the Freedom of Information Act 2000 this information is exempt under Section 40(2) as “personal data other than that of the requestor”

The definition of personal data is set out in Section 1 of the Data Protection Act 1998 and provides:

*“Personal data” means data which relate to a living individual who can be identified—*

*(a) from those data, or*

*(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual;*

### **Provision of figures relating to fewer than 5 incidents**

Richmond Council has applied the reasoning in the following Information Commissioner Decision [FS50543792](#)

Paragraphs 15 & 16:

*15. The Commissioner has considered the information and the number of individuals involved and has concluded that if the Council were to disclose the exact number in each category, particularly if the numbers for any were one, it could be possible to identify the individuals concerned. By aggregating the information the Council has minimised the possibility of identification.*

*16. The Commissioner does however note that the chances of any member of the public being able to cross-reference this information to identify specific individuals is not high but given the low numbers involved there is a risk that specific individuals could be identified by a person with knowledge of special educational needs and appeals in the area. The Council has stated that the complainant in this case is an individual who has knowledge of this. In addition, the Commissioner recognises that other individuals, such as parents at schools or Council employees may be able to identify individuals. Therefore, on the balance of probabilities, the Commissioner accepts the information is personal data.*

Similarly, we consider a determined individual with other knowledge of this matter may be able to use the specific figures to attempt to identify the individuals involved. We therefore consider that this information constitutes personal data.

We have now considered whether overall disclosure would breach any of the principles of the Data Protection Act.

In reaching a view I have taken account of the individuals reasonable expectations of what would happen to their personal data, whether disclosure would be incompatible with the purposes for which it was obtained and whether disclosure would cause any unnecessary or unjustified damage to the individuals.

In this instance the data subjects would not have any reasonable expectation that the specific details would be made public. I consider that the disclosure of this information to members of the public could cause damage or distress to the data subjects.

I have concluded that it is neither in accordance with the Data Protection Act 1998 principles nor in the public interest to release this specific data.

You have the right of appeal against the decision. If you wish to appeal please set out in writing your grounds of appeal and send to:

Corporate Complaints and Access to Information Manager  
Community Engagement and Accountability Team  
Adult and Community Services  
3rd Floor Civic Centre  
44 York Street  
Twickenham  
TW1 3BZ

E-mail: [foi@richmond.gov.uk](mailto:foi@richmond.gov.uk)

If you are dissatisfied with the outcome of the internal appeal you may appeal further to the Information Commissioner's Office at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
fax: 01625 524 510  
DX 20819  
[www.ico.org.uk](http://www.ico.org.uk)