

## **Environmental Information Regulations 2004 (EIR)**

### **Decision notice**

**Date:** 24 May 2023

**Public Authority:** Hertsmere Borough Council  
**Address:** Elstree Way  
Borehamwood  
Herts  
WD6 1WA

#### **Decision (including any steps ordered)**

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1. The complainant requested information from Hertsmere Borough Council ("the Council") relating to a specific public house.
2. The Commissioner's decision is that on the balance of probabilities, the Council does not hold further information within the scope of the request.
3. The Commissioner does not require the Council to take any steps.

#### **Request and response**

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4. The complainant made the following information request to the Council on 13 March 2023:

"Please could you supply any records relating to :-

Any records, correspondence, letters or emails between any Agent, Employee or Director connected with or on behalf of Griggs Homes & its associated entities and Hertsmere Borough Council, including its Officers or its Councillors, or any individuals

or entities acting on behalf of Hertsmere Borough Council relating to The White Hart Public House, South Mimms between January 1st 2022 and 13th March 2023.”

5. The Council provided the complainant with information within the scope of the request relating to preapplication advice.

## **Reasons for decision**

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6. This reasoning covers whether the Council holds further information within the scope of the request which has not been disclosed.
7. In their initial complaint to the Commissioner, the complainant stated that they have asked for any information held by the Council relating to the White Hart Public House from between 1 January 2022 and 13 March 2023. Their request was not limited to just information relating to pre-application advice sought by the White Hart Public House. They therefore consider the Council to hold further information within the scope of their request.
8. The Council considers that it has disclosed all the information it holds within the scope of the request. In its submissions to the Commissioner, the Council explained that it has conducted a search of its planning database and document management systems using the relevant site address and public house name as its search terms. This search identified some information relating to a request for pre-application advice, made in October 2021, concerning the White Hart Public House. This information has been disclosed to the complainant.
9. The Council explained that its has also conducted a search of its Assets of Community Value (ACV) register and legal database using the relevant site address and public house name as search terms. However, no information within the scope of the request was located.
10. The Commissioner is satisfied that the Council has carried out adequate searches for information held within the scope of the request. Therefore, his decision is that on the balance of probabilities, the Council does not hold further information within the scope of the request.

## Right of appeal

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11. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

12. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Ben Tomes**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**