

## **I. Information on correspondent submitting the communication**

1. Full name: Professor Brad BLITZ, on behalf of the Hendon Residents' Planning Forum  
Permanent address: [REDACTED]  
Address for correspondence on this matter: as above  
Telephone: [REDACTED]  
Email: [REDACTED]

## **II. Party concerned**

2. The London Borough of Barnet.

## **III. Facts of the communication**

3. The London Borough of Barnet (hereafter 'LB Barnet') is a suburban London borough in North London. It is one of the 32 local authority districts that make up the county of Greater London, which was created on 1 April 1965 by the London Government Act 1963.<sup>1</sup> It forms part of Outer London and is the largest London borough by population with 384,774 inhabitants, also making it the 13th largest district in England.<sup>2</sup>
4. Hendon is a ward situated within LB Barnet. It is an historic area, with a civic centre dating back to Roman occupation and its presence was recorded in the Domesday Book – the survey of much of England and parts of Wales completed in 1086 on the order of King William the Conqueror. Hendon ward has an estimated population of 19,650.
5. The civic centre of Hendon is the Burroughs, a street that runs through the old town where the library, town hall, church, fire station, and former pub are located.
6. In 2014, Middlesex University concentrated its activities on its Hendon campus on the Burroughs and leased several LB Barnet owned buildings and land.
7. As a local authority, LB Barnet is responsible for running local services including planning and environmental protection. Regulation set by Central Government is enforced at the local level and is supported by local authority initiatives, including public information activities relating to development, planning and the environment.
8. As one of the London boroughs, the LB Barnet is responsible for preparing a Local Plan. Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents (taken as a whole). The development plan for an area is made up of the combination of strategic policies (which address the priorities for an area) and non-strategic policies (which deal with more detailed matters). Paragraphs 17 to 19 of the National Planning Policy Framework describe the plan-making framework which allows flexibility in the way policies for the development and use of land are produced.<sup>3</sup>
9. Local Plans set out a framework for the future development of an area on a 15-year horizon. They define the priorities for an area, strategic policies, the framework for neighbourhood

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<sup>1</sup> See: London Government Act 1963. Available at: <https://www.legislation.gov.uk/ukpga/1963/33> Accessed 27 February 2020.

<sup>2</sup> "Population Estimates for UK, England and Wales, Scotland and Northern Ireland, Mid-2019". Office for National Statistics. 6 May 2020. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland> Accessed 27 February 2020.

<sup>3</sup> <https://www.legislation.gov.uk/ukpga/2017/20/section/8>

plans, land allocations, infrastructure requirements, housing needs, requirements for safeguarding the environment, and measures for adapting to climate change. Local Plans are also the starting-point for considering whether planning applications should be approved.<sup>4</sup>

10. In addition to the Local Plan a borough may produce Supplementary Planning Documents (SPD) which build upon and provide more detailed guidance about policies in the Local Plan. Legally, they do not form part of the Local Plan and are not subject to independent examination, but are material considerations in determining planning applications.
11. All local authorities should abide by Local Government Association (LGA) guidelines, including recommendations that consultations should last up to 12 weeks, unless in exceptional circumstances when the consultation period should be extended.
12. London boroughs consult the Mayor at different stages in the production of Local Plan. When a borough publishes a proposed submission development plan document, it is required to request the Mayor's formal opinion on whether the local plan is in general conformity with the London Plan. The Mayor gives an opinion on general conformity with the London Plan within 6 weeks from the date of the request is made. After that point, the Plan is subject to scrutiny by the Secretary of State for Housing, Communities and Local Government.
13. On 27 January 2020, the LB Barnet initiated a consultation over its Draft Local Plan for the entire borough, which included its vision for growth and development over a 15-year period (2021-2036). In order to comply with its requirement of public consultation, the LB Barnet left one hard copy of the document provided in concealed folder in the Hendon public library.
14. On 10 February 2020, the UK government introduced with immediate effect the Health Protection (Coronavirus) Regulations 2020. These imposed restrictions on any individual considered by health professionals to be at risk of spreading the virus.<sup>5</sup>
15. On 11 February 2020, the Secretary of State for Health, reminded the public of the advice to remain in doors for 14 days if they developed symptoms of COVID-19.<sup>6</sup>
16. On 25 February 2020, the Secretary of State declared that the incidence or transmission of novel Coronavirus constituted 'a serious and imminent threat to public health', and stated that the measures outlined in these regulations were considered 'an effective means of delaying or preventing further transmission of the virus'.<sup>7</sup>
17. On 1 March 2020, the Secretary of State set out a Battle Plan, including advising the public to remain and work from home.<sup>8</sup>
18. On 3 March 2020, the UK Prime Minister Boris Johnson introduced an 'action plan', including advising more people to work from home.<sup>9</sup>
19. On 12 March, the UK Prime Minister advised that the UK was 'moving out' of contain phase and into delay. He advised that all with symptoms should self-isolate and warned that a national lockdown was approaching.<sup>10</sup>

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<sup>4</sup> <https://www.gov.uk/guidance/plan-making>

<sup>5</sup> <https://www.gov.uk/government/news/health-secretary-announces-strengthened-legal-powers-to-bolster-public-health-protections-against-coronavirus>

<sup>6</sup> <https://www.gov.uk/government/speeches/coronavirus-health-secretarys-statement-to-parliament>

<sup>7</sup> <https://www.legislation.gov.uk/ukxi/2020/129/contents/made>

<sup>8</sup> <https://www.gov.uk/government/news/health-secretary-sets-out-government-battle-plan-for-covid-19>

<sup>9</sup> <https://www.gov.uk/government/news/coronavirus-action-plan-launched>

<sup>10</sup> <https://www.gov.uk/government/speeches/pm-statement-on-coronavirus-12-march-2020>

20. On 16 March 2020, the UK government published industry guidance including asking people to self isolate for 7 days if they feel unwell.<sup>11</sup>
21. On 16 March 2020, the LB Barnet consultation closed, after the Secretary of State for Health called for ‘unnecessary social contact’ to cease.<sup>12</sup>
22. On 27 November 2020, LB Barnet, through its partner Capita produced an Outline Business Case for the Hendon Hub, a mixed-use regeneration proposal on The Burroughs, Hendon, in conjunction with its key stakeholder Middlesex University (MU). The document states

*‘Following approval of the Strategic Outline Case (SOC) by Committee in June 2019, London Borough of Barnet (LBB) has progressed Hendon Hub, a mixed-use regeneration proposal on The Burroughs, Hendon, in conjunction with its key stakeholder Middlesex University (MU), to Outline Business Case (OBC).’*

23. The redacted Outline Business Case states that one benefit of the proposed development is the ‘Ability to rise through the University rankings with regard to ‘student experience’ (a key indicator used by students when choosing a place to study for higher education)’.
24. The redacted Outline Business Case identifies three major sites included within the proposed development: Ravensfield, Fenella and Town Hall Car Park site (“RFC”), Meritage Centre (“MC”), and Building 9 (“B9”) which includes the Hendon Library building.
25. The redacted Outline Business Case states *‘A supplementary planning document (SPD) is currently being prepared which will form the planning framework for the Burroughs, together with the emerging Local Plan. Public consultation for the SPD, with consultation for the Hendon Hub to follow thereafter.’*
26. On 8 December 2020, two hours before the Strategic and Planning and Resources Committee meeting Hendon resident Tony Mason sent an email marked ‘URGENT: Policy and Resources Committee - Tuesday 8th December, 2020 6.00 pm (Challenge to exemption of Agenda item 17)’. He wrote *‘I am challenging the decision (by both LBB Officers and LBB Councilors) to make item 17 of the P&RC Meeting of 8th Dec 2020 an exempt item (under Schedule 12A of LGA) to prevent approx. 400 pages of the Hendon Hub “Outline Business Case” from being placed in the public domain.’*
27. On 8 December 2020, LB Barnet, the meeting went ahead. Upon conclusion its meeting, the Strategic Planning and Resources Committee voted to approve the draft Outline Business Case for the Hendon Hub.<sup>13</sup> The Committee also recorded that,
 

*‘subject to consultation, approves Hendon Library moving to a temporary location, whilst construction works take place, and then on to the new proposed permanent location within the scheme.’ And ‘the potential inclusion of Compulsory Purchase Orders (CPO) in the programme and that further proposals will be brought back to P&R Committee or Housing & Growth Committee, if necessary’.*
28. On 16 December 2020, local Hendon resident Tony Mason sent a follow up email to LB Barnet regarding the decision of 8 December 2020 stating that he has written to the LB Barnet Information Governance Officers formally invoked EIR and requesting:

<sup>11</sup> <https://www.gov.uk/government/news/government-publishes-updated-covid-19-industry-guidance>

<sup>12</sup> <https://hansard.parliament.uk/Commons/2020-03-16/debates/235689EC-0A18-4488-BFCF-9F012A1A0C1B/Covid-19?highlight=social#contribution-23B5F689-F997-47EB-813F-329779B28576>

<sup>13</sup> <https://www.times-series.co.uk/news/18932357.barnet-councillors-agree-first-stage-hendon-redevelopment/>

- a. *The original (signed-off) Public Interest Test (PIT) document that supports the Schedule 12A exemption decision related to Item 17 of the 8th Dec P&RC Meeting (Note: I have attached an "Example\_Schedule 12A PIT template" used by other local authorities as part of normal information governance process and I would expect that LBB would have an equivalent document specific to Item 17)*
  - b. *The full "Outline Business Case" i.e. information that LBB claim is as exempt under Item 17 of the 8th Dec P&RC Meeting.*
29. Tony Mason advised that in his view, LB Barnet was acting unlawfully. He noted that the "Hendon Hub Proposal" presentations shown by Council officer Suzi Carter were not available on the website for public consultation and requested that they be made available.
30. On 26 December 2020, Hendon resident Tony Mason sent a What'sApp message, copied into an email informing neighbours that he had submitted a formal Environmental Information Regulation" (EIR) Request asking that Barnet Council releases into the public domain the FULL "Outline Business Case" (OBC) related to the Hendon Hub Development.
31. On 11 January 2021, LB Barnet published, 'Hendon: The Burroughs and Middlesex University Supplementary Planning Document (SPD)' and initiated a 6-week consultation, ending on 22 February 2021.
32. The SPD - Hendon: The Burroughs and Middlesex University proposes to transfer 'community assets' including the Hendon Library and Town Hall to Middlesex University as well as much land for development. The proposal sets out the construction of 792 student dorms in a residential neighbourhood, and includes 17 Compulsory Purchase Orders, 10 jobs at risk, and the loss of car parking for residents.
33. On 11 January 2021, LB Barnet also published a Draft Equality Impact Assessment.
34. On 11 January 2021, LB Barnet published dates for future consultations and asked all interested parties to register.
35. On 21 January 2021, Barnet Council organised an online consultation from 6 -7pm, about the Draft SPD Hendon – The Burroughs and Middlesex University. This meeting was chaotic. Factually incorrect information was provided by the Council officers, including the size of current buildings and the history of the area. Development on Middlesex University car park was included in the powerpoint presentation as a potential opportunity.
36. On 21 January 2021, Ngaire Thomson, a Council planning officer organising the meeting released the emails of attendees, which were made public. This breach of the UK Data Protection Act was subsequently reported. During the event, she advised that a transport survey had been conducted in May 2020 during the national lockdown.
37. On 2 February 2021, an email from resident Simone Simmons to Ngaire Thomson requesting to participate in the upcoming online consultation was returned and marked – deleted, unread.
38. On 5 February 2021, Hendon local business owner Robert Glazer sent a message to Ngaire Thomson advising they had did not receive invitations to online consultation meetings, even though he had requested to attend.
39. On 27 January 2021, LB Barnet provided Tony Mason with their full initial response including: redacted Draft Outline Business case and other unredacted appendices.

40. On 28 January 2021, Tony Mason requested an internal review of the initial response to his EIR request.
41. On 2 February, on behalf of the Hendon Residents Planning Forum, Mrs. Hayley Blitz wrote to the Chair of the Board of Governors of Middlesex University Mrs. Geraldine Proudler and attached an open letter signed by more than 600 individuals. The letter stated:

*'We are dismayed that there has been no consultation between the University and residents and local businesses. We are therefore writing to invite you and the other governors to a meeting. We would appreciate having the opportunity to put our questions regarding the University's proposed development to you directly.'*
42. On 3 February 2021, Barnet Council organised an online consultation from 6 -7pm about the SPD. Residents were unable to speak, microphones disabled, as officers presented information in a lecture format. Factually incorrect information was provided by LB Barnet officers, but participants were unable to challenge their assertions. The chat function was heavily moderated, and was inaccessible to those dialling in by phone. Development on Middlesex University car park was included in the powerpoint presentation.
43. On 5 February 2021, Nick Lynch, Senior Policy Planning Officer wrote to all residents whose emails had been leaked, apologised but suggested that the breach was the fault of a resident, Alexander Fischbaum, not the Council officer concerned.
44. On 6 February, Prof. Brad Blitz wrote to the Chief Executive of LB Barnet to record that residents and local businesses had been denied the right to participate in the consultation, and that he would be reporting the data breach by Ngaire Thomson.
45. On 6 February, Prof. Brad Blitz wrote to Jessica Farmer, the Monitoring Officer of LB Barnet, the solicitor who advises on legal compliance, to advised of the data breach by Ngaire Thomson.
46. On 6 February, Prof. Brad Blitz wrote to the Information Commissioner's Office (ICO) to report the data breach by Ngaire Thomson.
47. On 8 February 2021, Victoria Blyth, Privacy & Data Protection Lead (Deputy DPO) – Records & Information Management, responded to Blitz acknowledging his email, recording that the data breach was reported to the Data Protection Officer, and is being investigated and asked for further information.
48. On 9 February 2021, Prof. Nic Beech, Vice-Chancellor of Middlesex University wrote to Mrs. Hayley Blitz of the Hendon Residents Planning Forum, to say the University would like to speak to her.
49. On 12 February 2021, Prof. Brad Blitz wrote by email to the Leader of Barnet Council, Councillor Dan Thomas regarding the invitation he had received to the third consultation, noting that the organisers had changed the date of the event and that only some of those who had previously registered have been informed. Blitz also alerted the Leader to a statement from the Forward Planning Team, that advised that once adopted, the SPD 'will provide for a material consideration for the determination of planning applications within the SPD boundary'. Blitz wrote, 'This is misleading. The Local Plan must first be adopted and approved by the Secretary of State.'
50. On 15 February 2021, Lucy Law, Office Manager and Executive Assistant to the Chief Executive wrote to acknowledge receipt of Blitz's letter to John Hooton.

51. On 17 February 2021, Barnet Council organised an online consultation from 6 -7pm about the SPD. Residents were muted and microphones disabled as officers presented information in a lecture format. Factually incorrect information was again provided by LB Barnet officers, but participants were unable to challenge their assertions. The chat function was heavily moderated and was inaccessible to those dialling in by phone.
52. During the online event, participants noted that development on Middlesex University car park was excluded from the powerpoint presentation – it was no longer listed as a development opportunity. This was confirmed by the officer leading the event.
53. On 18 February 2021, Prof. Nic Beech, Vice-Chancellor of Middlesex University wrote to Mrs. Hayley Blitz to advise that the University could not meet with residents during the LB Barnet consultation phase.
54. On 22 February 2021, the consultation over the SPD ended at midnight. There had been no consultation between the University and residents.
55. On 26 February 2021, LB Barnet launched the ‘Hendon hub’, described as an ‘innovative and exciting proposal [that] will integrate new academic and civic spaces along The Burroughs in Hendon and other nearby sites.’<sup>14</sup>
56. On 27 February 2021, LB Barnet published a leaflet advertising the new ‘Hendon Hub consultation’ a non legally binding process; but stating that LB Barnet would be building 792 new student dorms and re-providing parking.
57. On 27 February 2021, Hayley Blitz wrote to the Hendon Hub email address provided, requesting plans for the proposed developments for Hendon.
58. On 27 February 2021, Asha of Hendon Hub <hendonhub@glhearn.com> wrote to Mrs. Hayley Blitz and sent indicative ‘boards’ for the new development. The boards present diagrams of proposed new buildings.
59. On 28 February 2021, Tony Mason wrote to Prof. Brad Blitz to confirm that LB Barnet has not responded by the 20-day due date further to his request for an internal review of the initial EIR response.

#### **IV. Provisions of the Convention with which non-compliance is alleged**

60. Article 6 - Public Participation in Decisions on Specific Activities
  - a. *Para 3. The public participation procedures shall include reasonable time-frames for the different phases, allowing sufficient time for informing the public [in accordance with paragraph 2 above] and for the public to prepare and participate effectively during the environmental decision-making.*
  - b. *Para 4. Each Party shall provide for early public participation, when all options are open and effective public participation can take place.*
  - c. *Para 8. Each Party shall ensure that in the decision due account is taken of the outcome of the public participation.*

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<sup>14</sup> <https://www.barnet.gov.uk/news/council-plans-hendon-hubs-new-library-public-spaces-and-he-facilities-open-public-review>

61. Article 7 - Public Participation Concerning Plans, Programmes and Policies Relating To The Environment (whole article).
62. Further we note the relevance of UK domestic law, regulations and decisions by UK courts including: UK Local Government Act 1972, Schedule 12A; UK government guidelines, including The HM Code of Practice on Consultation; and, Local Government Association guidelines.

## **V. Nature of alleged non-compliance**

63. The above events, acts, omissions or situations demonstrate a failure by the public authorities concerned to comply with or enforce the Convention. LB Barnet has failed to comply with Article 6 paras 3, 4, and 8 and Article 7 of the Convention.

64. Violations of the Convention Article 6(3) include:

- a. Launching three consultations in the middle of a pandemic, which did not include reasonable time-frames and sufficient time for informing the public. We note that the three consultations over: i) the draft Local Plan; ii) draft SPD; and, ii) the Hendon hub, were timetabled for just 6 weeks - less than half the normal recommended time of the Local Government Association and throughout a pandemic.
- b. Preventing residents from preparing for and participating effectively during the environmental decision-making process by:
  - i. failing to provide access to online links to public consultations,
  - ii. deleting requests to join consultations, and
  - iii. denying participants the right to speak, to raise questions, or challenge LB Barnet officers during consultations.

65. Violations of the Convention Article 6(4) include:

- a. Failing to provide access to documentation, and by insisting on electronic consultations in the middle of the pandemic which disadvantaged older residents, and those without access to internet; and,
- b. Unlawfully redacting necessary information in the draft Outline Business Case, contrary to UK Environmental Information Regulations.

66. Violations of the Convention Article 6(8) include:

Failing to take into account the outcome of public participation. LB Barnet has reversed planning procedure to prevent public consultation and scrutiny. It has developed and published plans for development without scrutiny, and without agreement of the relevant local authority committee, the Mayor's Office and Secretary of State; and, as required by UK regulations regarding adoption of the Local Plan.

67. Violations of the Convention Article 7 include:

- a. Failing to make appropriate practical and/or other provisions for the public to participate during the preparation of plans and programmes relating to the environment, by
- b. insisting on 6-week online consultations during a pandemic, which exclude the elderly and non-internet users;
- c. failing to inform residents of consultations by not providing links to them;
- d. denying participants the right to speak in consultations,

- e. denying participants answers to questions by not answering them and by over moderating comments.
68. Failing to provide a transparent and fair framework, having provided the necessary information to the public by:
- a. Circumventing government regulations regarding scrutiny -- LB Barnet claim the Hendon Hub was approved in June 2019, before the Draft Local Plan was submitted and scrutinised by the Mayor of London's Office and the Secretary of State for Housing, Communities and Local Government. However, the Hendon hub is not subject to UK government regulations.
  - b. Obfuscating the process of consultation by having two consecutive but separate consultations (SPD and Hendon Hub), which are not legally binding or related.
  - c. Withholding plans and not making them publically available during the consultation phase and by abrogating provisions of the UK Local Government Act 1972 that demand the right to scrutiny by those affected by the development, the Mayor's Office and the Secretary of State for Housing, Communities and Local Government.
  - d. Failing to consult with residents and other stakeholders - residents were never consulted in June 2019 when LB Barnet claim the Hendon Hub was agreed.
  - e. Failing to provide documentation - there is no record on file of the minutes of meetings of the Strategic and Planning Committee of June 2019 when LB Barnet claim the Hendon Hub was agreed.
  - f. Breaching procedure - the LB Barnet Strategic Planning and Resources Committee has not met to review and approve the outcome of the SPD consultation which concluded on 22 February 2021, but is publically claiming that: a) it has already identified benefits the project will deliver for local residents; b) that they *will* be developing new student accommodation; and c) seek to re-provide parking.
  - g. Changing the content of proposals for development from one consultation to another – some 'development opportunities' e.g. the proposed development of Middlesex University's car park, that featured in the first (January 2021 and second consultations (February were removed from the third consultation (17 February 2021)
  - h. Misleading participants: the 'Hendon Hub' is not bound to consider objections submitted during the SPD consultation of 11 January to 22 February 2021.
  - i. Failing to comply with UK Local Government regulations by not documenting the Public Interest test, required by Schedule 12A of the Local Government Act 1972.
  - j. Conducting transport surveys during a national lockdown, to present an inaccurate assessment of the traffic flow and parking need.
  - k. Failing to protect the privacy of individuals, by making their email addresses public
  - l. Incorrectly listing the size of buildings, history of the area, and rationale for development.
  - m. Falsely claiming the educational rationale for the development i.e. improving the position of Middlesex University in the National Rankings through the provision of new student dorms, even though student accommodation is not measured in the National Student Survey, which informs the rankings
  - n. Releasing over redacted documents that deny readers the necessary information about proposed developments
69. The communication identifies a general failure to protect the rights of Hendon residents.

## **VI. Use of domestic remedies**

70. We have used the following domestic remedies:
- a. Petitioned local councillors by email and letter; we have received some replies requesting further information.

- b. Submitted complaint regarding abuse of process by email and letter to LB Barnet Leader of the Council (7 February 2021); no response received.
- c. Submitted complaint regarding abuse of process during consultation by email and letter to LB Barnet Chief Executive (7 February 2021).
- d. Submitted complaint regarding abuse of process by email and letter to LB Barnet Monitoring Officer, Jessica Farmer.
- e. Submitted objections by email to local MP, Matthew Offord; we have also tried to reach him by phone, text, and FB messenger – no response received.
- f. Submitted requests (16 December 2020) to LB Barnet relying on EIR/Freedom of Information provisions; Tony Mason author of the request received a heavily redacted document on 27 January 2021.
- g. Submitted complaint online to Information Commissioner’s Office (6 February 2021); received acknowledgement that they are investigating the complaint.
- h. Submitted complaint to LB Barnet Leader Dan Thomas regarding data breach (7 February), received acknowledgement that they are investigating the breach on 8 February 2021.

71. Individuals and groups cannot complain directly to the Secretary of State for Housing, Communities and Local Government, who has no authority to review matters relating to Local Government planning matters. The only remaining domestic remedy is to request a full judicial review. However, such a process is prohibitively expensive, especially given that many of those affected are elderly pensioners, many others have been badly affected by the lockdown which has increased unemployment levels in the Borough. A Judicial Review is also slow – as a result of the pandemic there is a huge backlog of cases in UK courts. Further, a Judicial Review would be limited in scope and not touch on the substantive rights included in the Convention - any decision would find only on the lawfulness process. We therefore request that the Committee give full consideration to this communication.

**72. VII. Use of other international procedures**

73. We have not invoked other international procedures but recognise that in its rulings on the right of privacy, as guaranteed by Article 8 of the ECHR, the Court has drawn upon Articles 6 (8) and 9 (2) of the Aarhus Convention in ECHR and has produced important case law (see: *Taşkın and Others v. Turkey* (app. no. 46117/99) Judgment of 10 November 2004).

74. We recognise that even though the UK is no longer a member of the European Union, the EU Trade and Cooperation Agreement states that the Aarhus Convention remains in effect and note the application of non-regression clauses in that agreement.

**75. VIII. Confidentiality**

76. I am not requesting that any of this documentation be kept confidential

**77. IX. Supporting documentation (copies, not originals)**

78. List of Annexes

79. Annex 1: Relevant national legislation including statutory instruments, case law, and regulations.

- a. Local Government Act 1972,
- b. Planning and Compulsory Purchase Act 2004.
- c. Environmental Information Regulations 2004.
- d. The LGA document, LGA Conversations – New Guide to Engagement.
- e. The HM Code of Practice on Consultation.

- f. *R v Brent London Borough Council, ex p Gunning, (1985) 84 LGR 168.*
- g. *R v North and East Devon Health Authority ex parte Coughlan [2001] QB 213 [108],*
- h. *R (oao) Moseley v Haringey LBC [2014] UKSC 56.*
- i. *Flaxby Park Ltd v Harrogate Borough Council [2020] EWHC 3204 (Admin) (25 November 2020).*

80. Annex 2: Relevant correspondence with LB Barnet

- a. Draft Local Plan,
- b. Outline Business Case for Hendon Hub.
- c. Tony Mason email to Strategic Planning and Resources Committee 8 December 2020
- d. LB Barnet Council Minutes of Meeting of Strategic Planning and Resources Committee 8 December 2020 Strategic Planning and Resources Committee 8 December 2020,
- e. Tony Mason email to LB Barnet Councillors, 16 December 2020.
- f. Tony Mason email to neighbours, 26 December 2020.
- g. LB Barnet document – Hendon: the Burroughs and Middlesex University Supplementary Planning Document (SPD).
- h. LB Barnet Transport Survey.
- i. Chat record of SPD consultation event of 21 January 2021.
- j. Email from Hendon resident Simone Simmons to LB Barnet officer Ngaire Thomson, 2 February 2021.
- k. Email from Hendon business owner Rob Glazer to LB Barnet officer Ngaire Thomson, 5 February 2021.
- l. Email from Tony Mason to John Hill at LB Barnet ([requests@barnet.gov.uk](mailto:requests@barnet.gov.uk)) requesting an internal review, 28 January 2021.
- m. Email from Hayley Blitz to Mrs Geraldine Proudler, Chair of Middlesex University Board of Governors, 2 February 2021.
- n. Signatures and comments sent to Mrs Geraldine Proudler, Chair of Middlesex University Board of Governors, 2 February 2021.
- o. Email from LB Barnet officer Nick Lynch to those affected by data breach.
- p. Email from Prof. Brad Blitz to John Hooton Chief Executive of LB Barnet, advising of abuse of process, 6 February 2021.
- q. Letter from Prof. Brad Blitz to Monitoring Officer of LB Barnet, advising of data breach, 6 February 2021.
- r. Proof of complaint to Information Commissioner’s Office (ICO) sent to Prof. Brad Blitz, 6 February 2021.
- s. Email from Victoria Blyth to Prof. Brad Blitz acknowledging email re. data breach.
- t. Email from Letter from Prof. Nic Beech, Vice-Chancellor of Middlesex University, to Hayley Blitz of Hendon Residents’ Planning Forum, inviting her to a meeting, 9 February 2021.
- u. Email from Prof. Brad Blitz to LB Barnet Councillors, 12 February 2021.
- v. Email from Lucy Law, EA to Chief Executive John Hooton, 15 February 2021.
- w. Email from Prof. Nic Beech, Vice-Chancellor of Middlesex University to Hayley Blitz stating University could not meet with residents during SPD consultation.
- x. LB Barnet launch of Hendon hub online.
- y. LB Barnet flyer announcing launch of Hendon hub.
- z. LB Barnet development ‘boards’ for Hendon including illustrated plans.
- aa. Email from Tony Mason to Prof. Brad Blitz re denial by LB Barnet of internal review, 28 February 2021.

81. X. Signature



Professor Brad K. Blitz, London, 28 February 2021.