

FOI number: **HBC\_FOI\_20200377**  
Date FOI Received: **23/06/2020**  
Department: **Environmental Health**  
Title: **Mobile shack bar in Shenley**  
Description: **Complaints regarding mobile snack bar in Shenley**

**Request: (As Redacted sent by requestor)**

Freedom of Information questions regarding the mobile snack bar located in Andrews Close shops in Shenley.

1. How many complaints have been received about the mobile snack bar, which operates from Andrews Close shops in Shenley and on what dates?
2. Were any of the complaints from Shenley Parish or Hertsmere Borough councillors?
3. Please provide a copy of all related correspondence (emails, letters, etc).

**Response: (Response as Redacted sent by service)**

The council confirms that it holds information of the type you have requested. The council's environmental health authority has a duty to investigate alleged statutory nuisances and breaches of the food hygiene regulations and breaches of public health regulations generally. In doing so, it must make enquiries and gather evidence for the purposes of an investigation. This evidence is confidential.

The council refuses to disclose the requested information and relies on the exemption at regulation 12 (5) (b) Environmental Information Regulations 2004. This exempts the council from making the disclosure because it would adversely affect the ability of the environmental health authority to conduct an inquiry of a criminal nature.

The Council also relies on the exemption at regulation 13 (1) (a) and (2A) in that a disclosure of information to the public would contravene any of the data protection principles, in particular art 5.1 (b) General Data Protection Regulation which provides that personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with the initial purposes.

The public interest in not prejudicing the ability of the environmental health authority to conduct an inquiry of a criminal nature including the gathering of and protecting the confidentiality of evidence outweighs the public interest in this evidence being publicly disclosed.

If you have any queries about the processing of your request then please do not hesitate to contact me. Further information explaining the Council's process for responding to information requests together with a complaints/appeals procedure is available in our reception or via our website at:

<https://www.hertsmere.gov.uk/Your-Council/Official-Publications--Guides--Policies/Access-to-Information.aspx>

The Information Commissioner oversees the application of the Freedom of Information Act. You may contact the Information Commissioner at:

Information Commissioners Office  
Wycliffe House, Water Lane  
Wilmslow  
Cheshire SK9 5AF

Telephone: 01625 545700 Website: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Please include the above reference number on all correspondence related to this request.

Thank you for your request.

Kind regards

Information Services