

GREATER LONDON AUTHORITY

██████████
(By email)

Our Ref: MGLA130220-2725

10 March 2020

Dear ██████████

Thank you for your request for information which the Greater London Authority (GLA) received on 13 February 2020. Your request has been dealt with under the Environmental Information Regulations (EIR) 2004.

You asked for:

...a copy of the NRMM register complete with engine type that have been allowed into London. I believe this is in the public's interest and will be interesting for the engine makers, when I asked for this at your office 3 years ago I was told by a member of the GLA environmental team 'Perkins (engine maker) have control of the register it and will not give it to us' Or do I now advise our production facilities and the European Courts that it appears the UK is allowed can fit GLA approved after-market devices to non-compliant engines just for London 4 years after the UK agreed to the directive?

Our response to your request is as follows:

The engine maker Perkins do not own or control the register and they never have done. Until recently the register was held by the Environmental Research Group at King's College London on the GLAs behalf, from January this year it was moved on to GLA servers.

Please find attached a copy of the Non-Road Mobile Machinery (NRMM) register. Please note that some fields within the register have been withheld from disclosure under Regulation 12 (5)(b), The course of justice and inquiries exception and Regulation 13, Personal information.

Regulation 12 (5)(b) The course of justice and inquiries

This exception is very wide in coverage, in this instance it is used to cover material covered by any adverse effect on law enforcement. An adverse effect in this case relates to all aspects of the prevention and detection of crime and is engaged because the release of this information would, or would be likely to, prejudice the prevention or detection of crime.

Public disclosure of exemption identification will allow persons with malintent to undermine the aims of the NRMM register by using another supplier's identification to use retrofitted or specialist equipment without authorisation.

We also consider that data which can be linked to site or supplier specific inventories would be likely to facilitate onsite theft and/ or vandalism. The machinery found on construction sites are expensive, which means that replacing these stolen items can produce significant financial pressure.

Regulation 13 (Personal information)

Information that identifies specific employees constitutes as personal data which is defined by Article 4(1) of the General Data Protection Regulation (GDPR) to mean any information relating to an identified or identifiable living individual. It is considered that disclosure of this information would contravene the first data protection principle under Article 5(1) of GDPR which states that Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject

Public interest

The GLA acknowledges that there is a public interest in transparency in relation to the operation of machinery which has met the standards set out in our policies, either by original manufacture or by retrofit. This is particularly true for the construction sector which is a significant contributor to London's air pollution.

However, the public interest is best served by ensuring withholding minimal data which would otherwise be likely to have a detrimental effect on efforts by the construction sector to prevent criminal activity. The public interest is served by releasing a sufficient volume of data to facilitate public understanding of the NRMM register and be able to draw conclusions on the impact of on the environment from that data.

For further information please visit:

<https://www.london.gov.uk/what-we-do/environment/pollution-and-air-quality/nrmm>

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely


Information Governance Officer

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>