



Homes England

Date: 22 August 2023

Our Ref: RFI4433

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

██████████
By Email Only

Dear ██████████

RE: Request for Information – RFI4433

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA).

You requested the following information:

I'm ██████████ writing a piece on the Balfron Tower in east London for ██████████. As I understand from a response to this FOI request the stock transfer of the tower from LB Tower Hamlets to Poplar HARCA was approved by the then CLG and completed in 2007. The terms of the transfer included sale of improved homes in Balfron Tower, the FOI states and there was also a gap funding award of £8.7 million.

Are you able to tell me if there were any clawback clauses on this transfer or gap funding? The tower's flats are now not being sold but being turned into rental properties, does that go against any of the agreements in the original transfer or gap funding arrangements?

For clarity, the previous FOIA request you referenced in your request was issued by Homes England, reference RFI2813 and is accessible via the following link:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/870775/RFI2813-Poplar Harca Ltd and Balfron Tower Developments LLP.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/870775/RFI2813-Poplar_Harca_Ltd_and_Balfron_Tower_Developments_LLp.pdf)

Response

We can confirm that Homes England does not hold the information detailed in your request.





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To conclude that the information is not held, we have searched with our Record Management team who would have the requested information if held.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. To comply with this duty we are able to confirm we previously held information relating to the stock transfer of Balfour Tower to Poplar HARCA, however it has been destroyed in line with our retention schedule. Homes England, or its predecessor organisation the Homes and Communities Agency (HCA), were not involved with the transfer of the site and it was managed by the Ministry of Housing Communities and Local Government, now the Department for Levelling Up, Housing and Communities.

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled, you may request an internal review. You can request an internal review by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: infogov@homesengland.gov.uk

Information Governance Team
Homes England
Windsor House
6th Floor
42-50 Victoria Street
London
SW1H 0TL
United Kingdom

6th Floor
Windsor House
42 - 50 Victoria Street, Westminster
London, SW1H 0TL

0300 1234 500
@HomesEngland
www.gov.uk/homes-england





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Your request for review must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response. Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for review will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link:

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

The Information Governance Team
For Homes England

