



Our Reference: FOI000437

BY EMAIL ONLY

27 February 2015

Dear Mr Redmond

Request for Information

Thank you for your email dated 3 February 2015 requesting information on the Empty Homes Programme in Nottinghamshire and Derbyshire. For ease of reference your request is below:

Please can you provide the following information relating to the Empty Homes Programme in Nottinghamshire and Derbyshire:

1, Total number of properties in the 2012 to 2015 programme to be listed by provider in Nottinghamshire with addresses for each property

2, How much spent on each property in Nottinghamshire

3, Total number of properties in the 2012 to 2015 programme to be listed by providers in Derbyshire with addresses for each property

4, How much spent on each property in Derbyshire

5, How much funding is still available in Nottinghamshire or Derbyshire for the empty homes programme 2012 to 2015

Most of the information you have requested is published by the Homes and Communities Agency (HCA) and is available via website [here](#). Please follow the link and consult the report 'Schemes confirmed by the HCA' which shows all the schemes in the Affordable Homes Programme. You will then be able to select the tab for the Empty Homes Programme which provides information up until December 2014.

In relation to question 5 please note that funding isn't allocated by Local Authorities but on the basis of quality bids submitted by Registered Providers offering value for money. You are able to view the amounts currently allocated to schemes in Nottinghamshire and Derbyshire in the report via the link provided above.

Whilst we do hold up to date information (post December 2014) we are unable to provide this to you as it is exempt from disclosure under Section 22 of the Freedom Information Act (FOIA).

Section 22 – Information intended for future publication

Section 22 of the FOIA says that information is exempt if, at the time a public authority receives a request for it:

- the public authority holds it with a view to its publication;
- the public authority or another person intends to publish the information at some future date, whether determined or not; and
- in all the circumstances it is reasonable to withhold the information prior to publication.

In this case the information you have requested is held by the HCA and is intended for publication in June 2015. In order to engage Section 22 of the FOIA, a public authority must first determine whether or not it is reasonable in all the circumstances to withhold the requested information prior to publication before considering the public interest test.

The information that has been requested is extensive and could be very valuable. We consider that if the HCA were to release this information to one individual as a result of a request for information it could put them at an advantage to the world at large. Moreover, if the planned publication were accelerated the HCA would not have the due time to collate and compile the correct information.

Section 22 is subject to a Public Interest Test (PIT) which weighs the balance of disclosure versus non-disclosure before publication.

PIT – factors in favour of disclosure

The HCA recognises that there is a legitimate public interest in the disclosure of official information held by any public authority. Disclosure helps promote the principles of transparency and accountability, which are central to the effective operation of information access legislation.

We also understand that there is a legitimate public interest in the way in which public authorities make decisions, especially where those decisions impact upon the places in which people live and work, and the way in which we interact with the private sector.

PIT – Factors in favour of non-disclosure

As mentioned above, the release of this information prior to planned publication may give one person an advantage over another which would not be in the public interest, especially if that information were to be used for personal, commercial or criminal gain.

If the publication date of this information were to be accelerated due to a request for information the HCA would not have the time or space to collate and compile the data as well as process it in accordance with other statutory obligations.

Moreover the information is published on a quarterly basis and therefore available regularly to the public.

Taking everything above into consideration, we have determined that the public interest in the withheld information falls in favour of non-disclosure at this time. We would stress that the public interest is continually changing and that whilst we are unable to release this information at this time, we may be able to reconsider its disclosure in the future.

If you have any questions regarding this response or any further queries you can contact us at the following addresses and quote your unique reference number found at the top of this letter:

Email: mail@homesandcommunities.co.uk

Mail: Information Access Officer
Homes and Communities Agency
Fry Building
2 Marsham Street
London
SW1P 4DF

If you are unhappy with the way Homes and Communities Agency has handled your request you may ask for an internal review. You should contact

Head of Legal Services
Homes and Communities Agency
Fry Building
2 Marsham Street
London
SW1P 4DF

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely

Naomi McMaster
Information Access Officer
Homes and Communities Agency

