

Date: 15/02/18  
Our Ref: RFI2588  
Your Ref: FOI Request – Stama Development (Salford) Limited  
Tel: 0300 1234 500  
Email: foi@homesengland.gov.uk



Homes  
England

██████████  
By Email Only

Windsor House  
50 Victoria Street  
London  
SW1H 0TL

Dear ██████████

**RE: Request for Information – RFI2588**

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

*Please provide all information, documentation and correspondence from January 2014 to date that is held by Homes England and the former HCA and its employees and/or agents and their employees in relation to:*

*(i) Stama Development (Salford) limited; and*

*(ii) The development of land of the former Salford Central Police Headquarters at the Crescent.*

**Response**

We are able to inform you that we do hold the information that you have requested. However, to comply with your request would exceed the appropriate limit for the cost of compliance. We therefore rely on section 12, exemption where the cost of compliance exceeds the appropriate limit under the FOIA.

The full text of the legislation can be found on the following link and we have quoted section 12 below for ease.

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

**Section 12 - Exemption where cost of compliance exceeds appropriate limit**

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

(3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

(4) The Minister for the Cabinet Office may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority:

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

(5) The Minister for the Cabinet Office may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

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We have considered the current wording of your request and in its current scope we have determined that to establish where all elements of the information is held, to locate the information, retrieving the information and extracting the information would exceed the appropriate limit in terms of timeframes.

Under the terms of the Act we are not obliged to provide any information compiled in the course of our searches prior to concluding section 12 is engaged.

### **Advice and Assistance**

In compliance with the Section 45 Code of Practice and to offer advice and assistance under section 16 of the FOIA, you may wish to consider narrowing the scope of your request and further limiting the timeframe. It also might be of assistance if you consider stating the information you are seeking, are you after a specific document or email chain.

Please note that due to the broad scope of your request we cannot confirm that any further request would not also exceed the section 12 cost limit at this time.

### **Section 12 Calculation**

We are aware that this request is the revised request for RFI2514 to which you've asked for a calculation that shows how we deemed section 12 of the FOIA applied. Therefore, please see below the calculation for both RFI2514 and RFI2588.

The appropriate limit determined by the Freedom of Information Act 2000 and support by guidance from the Information Commissioners Office which applies to Homes England is currently £450.00 or if it would take over 18 hours of staff time (we rate staff time at £25 per person per hour).

This calculation can be used to:

- determine whether we hold the information;
- to find the requested information;
- to retrieve the information; and
- to extract the requested information from our records.

We are able to confirm that your request has currently taken 8 hour of staff time. This has been to determine if we hold the information and to find the information that falls within the scope of your request. We have estimated that it would take a further two days to extract the information in order to provide you with the information to form a response. We have reached this conclusion as the information held still needs to be further extracted by our In-House Legal Team and by the Information Access Team.

### **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 by writing to;

The Information Access Team  
Windsor House  
50 Victoria Street

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You may also complain to the Information Commissioner 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,  
**Information Access Team**  
For Homes England