

Date: 14/05/19
Our Ref: RFI2669
Your Ref: FOI Request – Brenchley 21 Funding Submission
Tel: 0300 1234 500
Email: foi@homesengland.gov.uk



Homes
England

[REDACTED]
By Email Only

Windsor House
Homes England – 6th Floor
50 Victoria Street
London
SW1H 0TL

Dear [REDACTED]

Thank you for your request for information, which was processed under the Freedom of Information Act 2000 (FOIA).

For clarification, you requested the following information:

I understand that Brenchley21 CIC, company number 10877990, have submitted an application for funding from Homes England to support their company. Under the Freedom of Information Act that you provide me with a copy of their submission and all associated materials and information, this can be provided as either electronic copy or a paper copy.

Response

We are able to confirm that we do hold information that falls within the scope of your request.

Section 43 - Commercial interests

The information requested engages section 43(2) of the FOIA as its release would be likely to, prejudice the commercial interests of the Agency.

Section 43 is a qualified exemption. This means that in order to withhold information under this exemption, we must consider the public interest in disclosure.

Public Interest Test – Factors in favour of disclosure

Homes England is compliant with the government agenda of transparency and recognises the benefit of publishing the information, particularly when it concerns how Homes England undertakes its work.

Public Interest Test – Factors in favour of non-disclosure

Homes England believes that it should not disclose information surrounding the application made by Brenchley21 CIC.

Whilst Homes England and Brenchley21 CIC are still in contact following this application, we believe that disclosing this information would be likely to prejudice the commercial interests of the third party concerned and would also pose a threat to the Agency's internal process.

To disclose information surrounding the application, at this moment in time, would be likely to detrimentally affect our ongoing and potential future commercial relationship and contractual obligations with this third party. This would prejudice the ability of Homes England to effectively manage the terms of the matter and could financially prejudice Homes England which would not be an effective use of public money.

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It is also our view that disclosure of the application information could be detrimental concerning future applications of a similar nature; if the wider public is provided with such information it could be used to exploit the process for profit or other gain.

If we were to redact information held within the documentation surrounding the application the information held would be of little advantage to the wider public.

The full text of in the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/43>

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
Homes England – 6th Floor
Windsor House
50 Victoria Street
London
SW1H 0TL

Or by email to foi@homesengland.gov.uk

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