

Date: 28/06/2019
Our Ref: RFI2710
Your Ref: FOI Request – Housing Association Evictions
Tel: 0300 1234 500
Email: foi@homesengland.gov.uk



Homes
England

██████████
By Email Only

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

Dear ██████████,

RE: Request for Information – RFI2710

Thank you for your email of 28 June 2019, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

I submit this request for specific information regarding drug-related evictions from housing associations in England. This information is sought under the Freedom of Information Act 2000 (FOIA 2000).

1. What was the total number of evictions made in 2017/18, and of these, how many of the grounds for possession were drug-related? Please note that drug-related grounds for possession includes, but is not limited to, the following:

a. Serious drug offences (as defined in Schedule 3 to the Anti-social Behaviour, Crime and Policing Act 2014) i.e. production and supply of controlled drugs, possession of controlled drugs with intent to supply, occupiers of premises permitting unlawful production / supply of controlled drugs or opium / cannabis smoking to take place on the premises, cultivation of cannabis plant for financial gain; or

b. Breach of a Criminal Behaviour Order (sections 94 and 97 Anti-social Behaviour, Crime and Policing Act 2014) e.g. requirement to attend a drug awareness course or to engage in drug treatment, prohibition from using the internet for drug dealing activity; or

c. Breach of a tenancy agreement related to drugs e.g. for possession / use of controlled drugs / psychoactive substances on the premises, “illegal or immoral use of the property”.

2. Please attach all documents (e.g. policies, procedures, memos, template contracts, correspondence) held by the local authority pertaining to evictions from council housing, which specifically refer to drugs (i.e. controlled drugs or psychoactive substances).

Response

I am able to confirm that Homes England does not hold the information detailed in your request. This is because there is no legal or business reason for Homes England to do so.

Homes England and the Regulator of Social Housing became separate bodies on 1 October 2018.

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>

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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 that your request should be directed to the Regulator of Social Housing and we have provided their details below.

Freedom of Information requests

Please write to:
Referrals and Regulatory Enquiries team - FOI request
1st Floor – Lateral
8 City Walk
Leeds
LS11 9AT
United Kingdom

Email
enquiries@rsh.gov.uk

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