

Date: 17/09/19
Our Ref: RFI2769
Your Ref: FOI Request – 75 Rantree Fold, Basildon
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 Sirs

RE: Request for Information – RFI2769

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:

Pursuant to the Freedom of Information Act 2000 please provide copies of: -

1. *Homes and Communities Agency maintenance records for T6 (Tree 6) for the last 15 years.*
2. *Confirmation of any other complaints or claims from residents regarding T6 in the last 15 years.*
3. *Any technical or engineering evidence, reports or opinion obtained in respect of item 2 above.*
4. *Subsidence risk management plans for T6 and other vegetation under the ownership and/or control of Homes and Communities Agency.*

Response

We will address each of your points below;

- 1) *Homes and Communities Agency maintenance records for T6 for the last 15 years.*
- 3) *Any technical or engineering evidence, reports or opinion obtained in respect of item 2 above.*
- 4) *Subsidence risk management plans for T6 and other vegetation under the ownership and/or control of Homes and Communities Agency.*

We can 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.

In order to conclude that the information is not held, we have searched with our Estate 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>

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2) *Confirmation of any other complaints or claims from residents regarding T6 in the last 15 years.*

We can 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. We do however hold records of same claim from June 2017 however this does not fall within the scope of your request.

In order to conclude that the information is not held, we have searched with our Estate 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>

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 faithfully,
Information Access Team
For Homes England