

Date: 28/11/19
Our Ref: RFI2847
Your Ref: FOI Request – Butts Bridge, Alton, Hampshire
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]

RE: Request for Information – RFI2847

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:

Re: Major works Butts Bridge, Alton, Hampshire

- 1. Please can you advise cost of the initial estimate for this work.*
- 2. Please can you advise total cost of over run work, above the initial estimate.*
- 3 Please provide full details of funding split i.e who is paying for this work*
- 4 Please advise cost of any planned work and funding details, for improvement works to Chawton Park Road and the existing narrow train bridge in Northfield Lane, as a result of significant increase in traffic the Treloars development in Alton, Hampshire, will bring.*

Response

We can confirm that we do hold information that falls within the scope of your request.

Please find enclosed to this response Annex A which is a copy of Schedule 1 of the Section 106 Agreement that surrounds this matter. Schedule 1 of the agreement provides information surrounding the funding split which answers point 3 of your request.

To provide advice and assistance in accordance with our duty under Section 16 of the FOIA we can clarify that the Butts Bridge works are required as an obligation under the S106 agreement for the development of the Homes England site at the former Lord Mayor Treloar hospital and another local development site at Selborne Road. The works are therefore funded by these developments. The funding split is 60% Lord Mayor Treloar and 40% Selborne Road.

In response to point 4 of your request, the development of the Lord Mayor Treloar site will provide a new junction on Chawton Park Road into the housing development and a financial contribution is being made by Crest (Homes England's developer), to Hampshire County Council for local highway improvements including the junction of Chawton Park Road and Whitedown Lane, and other traffic management measures. These are also required by the S106 agreement. There is no requirement to alter the bridge on Northfield Lane.

Homes England holds further information that falls within the scope of your request which would answer the other points of your request however in this case we are withholding the information under section 43(2).

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Section 43 - Commercial interests

Under section 43(2) Homes England is not obliged to disclose information that would, or would be likely to, prejudice the commercial interests of any party.

The information requested relating to costings engages section 43(2) of the FOIA as it is commercial in nature and its release would be likely to prejudice the commercial interests of Homes England and other interested parties to the information.

Homes England has identified that the information requested, if released, would be likely to prejudice the effective operation of the development.

Section 43 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether or not it is in the wider public interest for the information to be disclosed.

Arguments in favour of disclosure:

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money.

Arguments in favour of withholding:

- *Releasing information surrounding costings that forms part of a competitive process and which is subject to contract before a decision has been made would be likely to compromise the process;*
- *Releasing the information would be likely to negatively impact on future negotiations surrounding the costings as interested parties may feel unable to provide all the information requested for fear of disclosure;*
- *Any decision based on incomplete information could lead to poorer outcomes which would not be an effective use of public money; and*
- *The consequences of releasing data that is part of a wider ongoing negotiation could damage our relationships with partners and put these potential funding allocations at risk. This would not be in the public interest as this could put potential homes and the development in jeopardy.*

Having considered the arguments for and against disclosure of the information, we have concluded that at this time, the balance of the public interest favours non-disclosure.

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

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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