

Date: 04/12/19  
Our Ref: RFI2836  
Your Ref: FOI Request – Community Housing Fund  
Tel: 0300 1234 500  
Email: foi@homesengland.gov.uk



Homes  
England

[REDACTED]  
By Email Only

Windsor House  
Homes England – 6<sup>th</sup> Floor  
50 Victoria Street  
London  
SW1H 0TL

Dear [REDACTED]

**RE: Request for Information – RFI2836**

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 am doing some research into the Community Housing Fund*

<https://www.gov.uk/government/publications/community-housing-fund-prospectus>

*Please can you provide me with the following:*

- *A list of all applicants to the fund so far.*
- *For each applicant, can you say whether they were successful or unsuccessful in their bid and also include how much funding they were allocated.*

*If possible, I would like to receive this information in a spreadsheet adhering to the following format:  
Name of organisation, Successful/unsuccessful, amount allocated*

**Response**

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

We can confirm that 194 applications have been allocated (successful) totalling £21.1m. Further to this we can confirm that there have been 9 applications that were not allocated (unsuccessful) and that there are currently 81 applications that are currently being assessed and that are yet to be determined whether successful or unsuccessful (pending).

We are unable to provide some information due to the reasoning below however we enclose to this response Annex A which details applications that have been successful and where we have concluded our internal process and so contracts that been entered between the parties and Homes England.

**Section 43 - Commercial interests**

Under section 43(2) Homes England is not obliged to disclose some information as it would, or would be likely to, prejudice the commercial interests of other parties and Homes England.

The information specifically requested relating to names of applicants that have been successful (subject to contract), unsuccessful and names surrounding pending applications and their funding amounts 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.

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Homes England has identified that the information requested, if released, would be likely to prejudice the effective the integrity of the Community Housing Fund.

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 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:

**Successful Applications (subject to contract) and Pending Applications**

- Releasing information that forms part of a competitive process before a contractual agreement has been made would be likely to compromise the process;
- Releasing the information at this moment in time could reveal financial information of the applicants which may in turn affect their commercial interests;
- Releasing information in relation to one party in a competitive application process would be likely to distort competition, making it a less competitive process, which would not be in the public interest; and
- Disclosure would result in third parties being deterred from submitting an application if it knew details would be disclosed prior to contract.

**Unsuccessful Applications**

- Disclosure would result in third parties being deterred from submitting an application if it knew details would be disclosed prior to contract.
- Information surrounding these unsuccessful applications may have been subject to public scrutiny and has commercial sensitivities which to disclose may result in inaccurate or misleading information being in the public domain.
- Though we acknowledge the public interest in the information requested, we cannot identify a wider public interest in publishing the information.

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;

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Email: [foi@homesengland.gov.uk](mailto:foi@homesengland.gov.uk)

The Information Access Team  
Homes England – 6<sup>th</sup> Floor  
Windsor House  
50 Victoria Street  
London  
SW1H 0TL  
Or by email to [foi@homesengland.gov.uk](mailto: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