



Homes
England

Date: 20/03/2020

Our Ref: RFI2944

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

██████████
By Email Only

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

Dear ██████████

RE: Request for Information – RFI2944

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

Northstowe Phase 1B Infrastructure Project – Freedom of Information Request

I act for the second Defendant in a claim that is being made against them for personal injuries. The accident occurred during the course of the development on the 14th September 2016, in which I understand the Homes and Community Agency was customer. The Employer appears to have been Gallagher Projects Limited and my client, Hawk Plant UK Limited were the Principal Contractor. The project name was Northstowe Phase 1B Infrastructure and the Project Number was PWO328.

I require a copy of the Main Contract that was in place at the time between the parties and make this request under the Freedom of Information Act 2000.

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.

In order to conclude that the information is not held, we have searched with both our Records Management and Northstowe teams 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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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 the relevant team have advised that as Homes England was a customer, the contract between the two parties (Gallagher Projects Limited and Hawk Plant UK Limited) is not held by Homes England.

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

Or by email to infogov@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,

The Information Governance Team
For Homes England

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