



Homes
England

Date: 11/06/20

Our Ref: RFI2973

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 – RFI2973

Thank you for your request for information which we have processed in accordance with the Freedom of Information Act 2000 (FOIA).

The wording of your request is detailed below for reference;
Provide a copy of the valuation report of Stretford Memorial Hospital, Manchester.

Response

We can confirm that we do hold a copy of a valuation report of Stretford Memorial Hospital, in Manchester.

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 this valuation report 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.

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:

- To disclose the valuation report to the wider public would be likely to prejudice any future development of the site, which in turn would have a detrimental effect on the NHS Trust and any future interested parties.

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To expand, third parties could use the information to distort the market for their own gain which would then lead to a significant reputational, commercial and financial loss to those invested in the site.

- Disclosure of this report would likely lead to lobbying from residents and/or other third parties as assumptions may be made based on the information contained within the report without proper consultation. This would be likely to prejudice the commercial interests of the NHS Trust, specifically when trying to achieve best value for money and potential development targets.
- Homes England has a duty to support relationships with third parties in order to achieve best value for public money. Releasing information ahead of the proper planning process would be likely to prejudice the NHS Trust and the Local Council's statutory role.
- Furthermore, the report was shared with Homes England in a confidential nature to provide advice and assistance to the NHS Trust. Third parties may feel unable to provide all the relevant necessary information in the future for fear of disclosure which would impact the ability of Government officials to make effective and informed decisions.

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 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/>



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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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