



Homes
England

Date: 26 November 2020

Our Ref: RFI3203

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 [REDACTED]

RE: Request for Information – RFI3203

Thank you for your recent email, which was processed under the Environmental Information Regulations 2004 (EIR). You requested the following information:

*Brislington meadows bs4 Bristol
Can I have a copy of the wildlife ecology report for this site*

Response

We can confirm that we do hold some information that falls within the scope of your request. However, this information is exempt from disclosure under the following exception:

Regulation 12(4)(d)

Regulation 12(4)(d) of the EIR provides an exception to the duty to disclose environmental information where the material is still in the course of completion, an unfinished document or incomplete data.

The information we hold in relation to wildlife/ecology at this site engages this exception because the information collected at this stage has not yet been finalised into a formal 'Ecology Report'.

Public Interest Test

Regulation 12(4)(d) is subject to a public interest test with a presumption in favour of disclosure.

Factors in favour of disclosure

- Homes England acknowledge that there is a presumption in disclosure regarding environmental information as well as a public interest in promoting transparency in how we undertake our work and allocate public money; and
- Homes England acknowledge that there is a public interest in the ecology and environment at this site.

Factors in favour of withholding

- The initial information currently collected will be superseded by more recent and up-to-date information that is currently in the process of being collected, verified, and collated. To release the incomplete data would not give an accurate appraisal of the ecology at this site. There would be a 'chilling effect' if this draft/incomplete data were released as the information has not been consulted on or finalised. The chilling effect is that the information relates to a site where boundaries may be subject to change due to ongoing

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work on the masterplan. As plans for the site in question are still under consideration there is still a specific need for the decision makers to have frank discussions regarding this information and to disclose it at this time would prejudice this.

- A finalised 'Ecology Report' will be produced once the masterplan has been finalised and the consultation process completed with the council and key stakeholders. Further environmental surveys and data will be gathered in the coming months and a final 'Ecological Impact Assessment Report' will be produced. At this point the information will no longer form part of incomplete or draft documents.

Having considered the arguments for and against disclosure of the information, we have concluded that at this time disclosure of the information would have an adverse effect on both Homes England and stakeholders. The balance of the public interest favours non-disclosure.

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