



Homes
England

Date: 23 December 2020

Our Ref: RFI3232

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 – RFI3232

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

- *How many properties have Help to Buy loans have been provided against properties that are impacted by either ACM or HPL cladding (yearly volume, since the scheme's launch to the present day)*
- *How many requests for Help to Buy redemptions (partial or full) have been made against properties that have ACM or HPL cladding present, (monthly volume since 2017 to the present day)*
- *How many approvals for Help to Buy redemptions (partial or full) have been made against properties that have ACM or HPL cladding present (monthly volume since 2017 to the present day)*
- *How many requests for redemption for Help to Buy loans have been made that a substantive response has not been provided to more than three months after the request's initiation*

And finally,

- *What is Homes England's (or any of the organisations that it delegates responsibility to (e.g. Target HCA)) policy for redemption requests on properties that have ACM or HPL cladding*

Response

We are able to inform you that we do hold the information that you have requested. However, to comply with your request would exceed the appropriate limit for the cost of compliance. We therefore rely on section 12, exemption where the cost of compliance exceeds the appropriate limit under the FOIA.

The full text of the legislation can be found on the following link and we have quoted section 12 below for ease;
<https://www.legislation.gov.uk/ukpga/2000/36/contents>

Section 12 - Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

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(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

(3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

(4) The Minister for the Cabinet Office may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority:

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

(5) The Minister for the Cabinet Office may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

We have considered the current wording of your request and in its current scope we have determined that to establish where all elements of the information is held, to locate the information, retrieving the information and extracting the information would exceed the appropriate limit in terms of timeframes.

Under the terms of the Act we are not obliged to provide any information compiled in the course of our searches prior to concluding section 12 is engaged.

Advice and Assistance

In compliance with the Section 45 Code of Practice (Paragraph 14) and to offer advice and assistance under section 16 of the Freedom of Information Act 2000, you may wish to consider narrowing the scope of your request.

Please note that due to the broad scope of your request we cannot confirm that any further request would not also exceed the section 12 cost limit at this time.

To provide general advice and assistance regarding your request, we can confirm that we do not collect data on the number of “requests” to staircase from Help to Buy Lease holders.

We would advise that under a Help to Buy Equity Mortgage, requests for staircasing are not “accepted” or “rejected”. Should an Equity Mortgage holder wish to staircase or redeem, a RICS appointed independent valuer will provide a valuation for the property. If Homes England is satisfied that the valuation provided represents Market Value then the mortgagee will be able to staircase part of the loan should they wish.



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Section 21 - Information accessible to applicant by other means.

We are able to inform you that some of the information you have requested is available elsewhere.

The full text of the legislation can be found on the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/21>

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. As such we can advise that some information that falls in scope of your questions 1-3 has been published in a report by the National Audit Office which can be found via the link below;

<https://www.nao.org.uk/report/investigation-into-remediating-dangerous-cladding-from-high-rise-buildings/>

Regarding your final question on policy, we can confirm that we act in accordance with the Equity Mortgage as the contract between us and the homeowner. We reserve the right to agree the RICS Valuer before the homeowner instructs them, in accordance with contract. This is set out in Customer Information Pack and related guidance on

<https://www.myfirsthome.org.uk/>.

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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