

Date: 26 January 2021 Our Ref: RFI3259 Tel: 0300 1234 500 Email: infogov@homesengland.gov.uk

By Email Only

Making homes happen

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

Dear

# RE: Request for Information – RFI3259

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

Under the Freedom of Information Act can you please let me know how many housing developments Homes England are involved in on the Isle of Wight.

I would also ask how many of these developments are on greenfield sites.

#### **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.

(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section1(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:

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(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.

To assist you in doing so, and to explain why the S12 cost limit is exceeded in this case, it may help if you better understand how Homes England can be 'involved' in any housing development.

Homes England has a number of funding schemes which could be 'involved' in supporting development on the Isle of Wight, a list of which can be found here: <u>Homes England funding programmes - GOV.UK (www.gov.uk)</u>.

Homes England may also be 'involved' in housing development on the Isle of Wight on land that it owns.

We can advise that Homes England's internal structure is not focussed around geographical location, rather structured to mirror the funding schemes we administer. We also have separate teams who look after Homes England Land assets. Each of these teams operate somewhat independently and Homes England does not have one centralised system which would hold the requested information. Therefore to extract the information in your request, each of the different funding and land teams would have to individually search for any developments we are 'involved' in on the Isle of Wight. The majority of these systems also do not automatically record whether these sites are on 'greenfield' or other land. Therefore further information would have to be manually cross-referenced with any information extracted from each individual system.

We can further advise that to extract the requested information for Help to Buy supported properties alone would exceed the cost limit.

You could narrow the scope of your request by specifying a particular funding scheme or particular development that Homes England are providing funding for or whether your request relates to land that Homes England owns. You could also narrow the scope by providing a specific time period.

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You could further narrow by advising if you are requesting this information in relation to developments where Homes England is supporting developer funding through the Help to Buy scheme.

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.

#### **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 – 6<sup>th</sup> 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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