



Homes  
England

Date: 19 February 2021

Our Ref: RFI3300

Tel: 0300 1234 500

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

Making homes happen

By Email Only

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

Dear [REDACTED]

**RE: Request for Information – RFI3300**

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

*Residents living on what is termed 'phase 1' of the Tall Trees development at Yarm, have been advised by the Minister of State for Housing that the bid for funding to be provided to Broadacres Housing Association for the development of phase 2 of the Tall Trees site, was supported as it took into consideration "...situated on a main bus route, with the train station linking to Darlington and Stockton.....".*

*I believe such a statement is open to question.*

*Could I therefore request under the Freedom of Information Act that you:*

- 1. Provide the relevant part of the bid documentation which states the above, including name, job title, company and date of the submission.*
- 2. If the above submission was by Broadacres Housing Association, who from Stockton Borough Council supported the bid, (name, job title and date).*

**Response**

We can confirm that we do hold some information that falls within the scope of your request. We will address each of your points in turn.

***1. Provide the relevant part of the bid documentation which states the above, including name, job title, company and date of the submission.***

We are 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 our Affordable Housing team 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.

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The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

#### 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 although our Affordable Housing team moderated and approved the bid for funding for Tall Trees, the bid does not contain the information requested. The bid does not contain any reference to bus routes or train stations.

It may be that this information formed part of the Planning Application between Broadacres and the Local Authority. The planning application is not a required document for Homes England to assess and we do not have sight of the planning application as part of our bid approval process. The planning application is dealt with directly between the provider (Broadacres) and the Local Authority. We can advise that you may be able to request the planning application from the Local Authority, though cannot confirm it contains the information you are seeking.

#### ***2. If the above submission was by Broadacres Housing Association, who from Stockton Borough Council supported the bid, (name, job title and date).***

We can confirm that Broadacres submitted a bid for funding for the Tall Trees development under the Affordable Housing Programme and this was supported by Stockton Borough Council.

The support of the Council is provided in the attached Annex A.

We have redacted information in Annex A and are withholding from disclosure the personal information requested, as this is exempt from disclosure under Section 40(2) of the FOIA.

#### Section 40 – Personal information

We have redacted information on the grounds that it constitutes third party personal data and therefore engages section 40(2) of the FOIA.

To disclose personal data, such as names, contact details, addresses, email addresses and personal opinions could lead to the identification of third parties and would breach one or more of the data protection principles.

Section 40 is an absolute exemption which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exemption is engaged.

The full text in the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/40>

#### Advice and Assistance

We have a duty to provide advice and assistance in accordance with section 16 FOIA. To contextualise our involvement in this development we can advise that Broadacres Housing Association are an Affordable Housing Investment Partner with Homes England under the terms of the Shared Ownership and Affordable Homes Programme 2016 to 2021. Further information on this programme can be found here: [Shared Ownership and Affordable Homes Programme 2016 to 2021: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/544444/Shared_Ownership_and_Affordable_Homes_Programme_2016_to_2021_guidance.pdf).



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Broadacres submit bids for funding under the Affordable Housing Programme via Homes England's Investment Management System (IMS). The Tall Trees scheme was submitted via IMS to Homes England in January 2020 for inclusion in the Broadacres programme of funding.

### **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. You can request an internal review by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

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

Your request for review must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response. Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for review will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) 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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s. 40(2)

**From:** s. 40(2) @stockton.gov.uk>  
**Sent:** 17 January 2020 12:30  
**To:** s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: LA proforma - Tall Trees  
**Attachments:** Jan2020 approved HE LA pro forma - Tall Trees.xlsx

This document was classified as: OFFICIAL

Completed (supported) scheme pro-forma attached.

s.

s. 40(2)

Economic Growth and Development Services

Direct Line: s. 40(2)  
Mobile: s. 40(2)  
Email: s. 40(2) @stockton.gov.uk

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**From:** s. 40(2) @homesengland.gov.uk]  
**Sent:** 14 January 2020 13:51  
**To:** s. 40(2) @stockton.gov.uk>  
**Subject:** LA proforma - Tall Trees

Hi s.

Broadacres have submitted a bid to Homes England, proposing to deliver 13 Affordable rent (and 45 Shared Ownership) properties at a site called Tall Trees Green Lane in Stockton.

Could you please advise whether the LA supports this proposal for the 13 affordable rent properties on this site? I'd be grateful if you could complete the proforma attached.

Many thanks

s.

s. 40(2)



Homes  
England

s. 40(2)

St George's House  
Kingsway  
Team Valley  
Gateshead  
NE11 0NA

## #MakingHomesHappen

We're the government's housing accelerator. We have the appetite, influence, expertise and resources to drive positive market change. [Find out more and help make this happen.](#)



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Please forward any Freedom of Information Requests to: [enquiries@homesengland.gov.uk](mailto:enquiries@homesengland.gov.uk)

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For information about how we process data and monitor communications please see our [Personal Information Charter](#).

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Although we have endeavoured to ensure that this e mail and any attachments are free from any virus we would advise you to take any necessary steps to ensure that they are actually virus free.

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## Affordable Homes CME Programme LA Pro Forma

Individual site name:	Tall Trees Green Lane
Provider:	Broadacres
Local Authority:	Stockton
LA Officer Name:	s. 40(2)
Your Contact Tel:	s. 40(2)
Your Email:	s. 40(2) <a href="mailto:stockton.gov.uk">@stockton.gov.uk</a>

Please complete this pro forma for the above detailed project. Data input is only required in the light blue highlighted cells. In cells indicating 'Select', please select one of the options from the drop down menus. Other cells are free text but please try to be as concise as possible.

**1 Confirmation of local authority support for new supply**

1.1 Please confirm that your local authority supports this site forming part of the Affordable Homes CME Programme

Bid supported

1.2 If your local authority does not support the HCA funding this site please specify why and steps that could be taken to address concerns

1.3 Does the site have planning approval?

Yes

1.4 Expected date for full planning approval to be achieved?

**2 Other comments**

2.1 If appropriate please detail below any other comments in relation to this site.

*Thank you for completing this form.*