



Homes  
England

Date: 26 May 2021

Our Ref: RFI3448

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 ██████████

**RE: Request for Information – RFI3448**

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

*Under what circumstances would HIF grants be withdrawn once they had been granted?*

**Response**

We can advise that we have interpreted “*withdrawn*” in your request to refer to occasions where HIF funding that has been granted would be requested to be repaid or further payments stopped.

We are able to inform you that we do hold the information that you have requested. However, we rely on section 21, exemption where information is available to the applicant elsewhere.

The full text of the legislation can be found on the following link and we have quoted section 21 below for ease.

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

**21 - Information accessible to applicant by other means.**

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available

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in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

### **Advice and Assistance**

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA.

Where HIF funding is granted to a recipient, Homes England and the recipient enter into a funding agreement. This funding agreement sets out the terms and conditions of the loan, and the events that would result in the loan being asked to be repaid or further payments stopped.

HIF funding falls into two types of funding, 'Forward Funding' schemes and 'Marginal Viability' schemes. For each of these two schemes please find on the following links the template funding agreements which set out the terms and conditions that apply to this funding.

Forward Funding agreement: [RFI3100 - HIF Grant Determination Agreements.pdf \(publishing.service.gov.uk\)](#)

Marginal Viability agreement: [RFI3351 - HIF Land East of Otley.pdf \(publishing.service.gov.uk\)](#)

### **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. 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/>



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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