



Homes
England

Date: 23 June 2021

Our Ref: RFI3475

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 – RFI3475

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

I would like information and data over the last three to five years on both land purchased from private landowners and public bodies to understand the following please –

- *Where the site is located*
- *The date the site was acquired by Homes England*
- *The reason for the Homes England purchase*
- *The date the application (and whether it was outline, reserved matters, full) was submitted when the land was in the ownership of Homes England*
- *The number of dwellings being applied for*
- *The outcome of that application and the date of the decision notice*
- *The date of the sale of the land to a housebuilder and who that was*
- *The start of house construction on the site*

Response

We can inform you that we do hold some of 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, an 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 and to locate, retrieve and extract the information would exceed the appropriate limit in terms of compliance timeframes set by legislation

Under the terms of the FOIA 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 accordance with the Section 45 Code of Practice (paragraph 14) and to offer advice and assistance under section 16 of the FOIA, you may wish to consider narrowing the scope of your request.

We can advise that the section 12 limit is reached particularly due to the request in questions 4, 5 and 6 which are in relation to planning applications. We can advise that Homes England does not generally collect information relating to planning applications as these are dealt with by the relevant local authority. Therefore, we would have to manually check the information held for each site to determine if this information is held. If it were held, we would then have to manually extract it from each site file.

Where you have asked for information regarding the date a site was acquired by Homes England and the date of sale, we can advise that we would be able to provide some information in relation to acquisitions if this were requested as part of a refined request. However, please note that some information that falls in scope of your request will also be publicly available at Land Registry via the following link: <https://www.gov.uk/get-information-about-property-and-land> and therefore if requested would engage section 21 (information accessible to the applicant by other means) of the FOIA and may be exempt from disclosure.



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We will consider any new request for information as worded in line with our requirements under FOIA. However, 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. 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

The Information Governance Team
Homes England – 6th 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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