



Homes  
England

Date: 1 March 2022

Our Ref: RFI3752

Tel: 0300 1234 500

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

Making homes happen

By Email Only

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

Dear Sir/Madam

**RE: Request for Information – RFI3752**

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA).

You requested the following information:

- 1) *Could you again confirm if any requests for funding have now been submitted (and / or approved) by Bournemouth Churches Housing Association Limited (BCHA) in relation to purchasing of property within Yeovil, most specifically the purchase of 166 Hendford Hill (also Known as Acacia Lodge), Yeovil, BA20 2RG*
- 2) *Additional could you provide information on a rejected funding request raised by Bournemouth Churches Housing Association Limited (BCHA) for "A redevelopment plan for Newton Road was proposed at a cost of over £5m; Homes England initially indicated support for this early proposal" (to confirm Newton Road is a property in Yeovil full details 4-18 Newton Rd, Yeovil BA20 1NF)*

*Could you confirm if*

- a) *any discussion took place between Homes England and BCHA in relation to the above redevelopment plan?*
- b) *did the discussions progress to a formal submission by BCHA?*
- c) *was this request refused by Homes England either information in advance of any request being submitted or following a formal submission?*

**Response**

We can confirm that we do hold some of the requested information. We will address each of your questions in turn.

OFFICIAL



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**1) Could you again confirm if any requests for funding have now been submitted (and / or approved) by Bournemouth Churches Housing Association Limited (BCHA) in relation to purchasing of property within Yeovil, most specifically the purchase of 166 Hendford Hill (also Known as Acacia Lodge), Yeovil, BA20 2RG**

We can confirm that a bid to the Affordable Homes Programme 2021-2026 was submitted on 30<sup>th</sup> September and withdrawn on 29<sup>th</sup> November by BCHA for Acacia Lodge. The bid was withdrawn before any 'approval' process began.

**2) Additional could you provide information on a rejected funding request raised by Bournemouth Churches Housing Association Limited (BCHA) for "A redevelopment plan for Newton Road was proposed at a cost of over £5m; Homes England initially indicated support for this early proposal" (to confirm Newton Road is a property in Yeovil full details 4-18 Newton Rd, Yeovil BA20 1NF)**

*Could you confirm if*

**a) any discussion took place between Homes England and BCHA in relation to the above redevelopment plan?**

We can confirm that we do hold information in the scope of this question. Correspondence in relation to a potential funding application in relation to Newton Road is held by Homes England. For clarity, we can confirm that no funding request was submitted by BCHA in relation to Newton Road. The correspondence held by Homes England was received as part of early discussions between the parties and did not progress to a formal submission. Therefore as no submission was received, no funding request in relation to Newton road was 'rejected'.

The correspondence held is being withheld from disclosure in accordance with the following exemption:

### **Section 43 - Commercial interests**

Under section 43(2) Homes England is not obliged to disclose information that would, or would be likely to, prejudice the commercial interests of any party.

The information requested relating to Newton Road engages section 43(2) of the FOIA as it is commercial in nature and its release would be likely to prejudice the commercial interests of Homes England and other interested parties to the information.

Homes England has identified that the information requested, if released, would be likely to prejudice the effective operation of our funding schemes and would be likely to prejudice the interests of the third party.

Section 43 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether or not it is in the wider public interest for the information to be disclosed.



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Arguments in favour of disclosure:

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money; and
- Homes England acknowledge that there is an ongoing planning application in relation to works at a related site (Acacia Lodge) and that some information may relate to that ongoing application.

Arguments in favour of withholding:

- The information contains financial and delivery information in relation to a development proposal that the third party may be progressing at other sites. The information contained within contains appraisals and delivery options that the third party is yet to secure planning permission/options on and therefore disclosure before these submissions have taken place would prejudice the ability of the third party to secure these approvals. This would not be in the public interest as it would nullify public funds already spent and could prejudice the delivery of much needed accommodation;
- Releasing the information could reveal financial information of a third party which may in turn affect their own commercial interests. The consequences of releasing data that is part of potential other funding applications could damage our relationships with partners and put these potential funding allocations at risk. If this information were in the public domain there could be expectations from the public and potential future partners about the value of sites and the value of potential works. This would mean that prices could be inflated and negotiating positions put at risk. This would not be in the public interest as this could put much needed potential homes in jeopardy, and would undermine Homes England's position and ability to deliver against its objectives and targets in our Strategic Plan;
- Disclosing confidential information that has been shared with Homes England in an advisory capacity by a third party would prejudice our relationships with current and potential future partners. Homes England has to support relationships with partners and protect their confidential information. Those wishing to put forward proposals will be reluctant to do so at all, or to provide sufficiently detailed information, much of which is financially and commercially sensitive, if they consider that Homes England would disclose such information publicly. Public disclosure of information would therefore mean that funding applications received would be less comprehensive than would otherwise have been the case, meaning that Homes England's ability to undertake effective due diligence will be impaired. This would result in decision makers not having before them all relevant information, meaning the decisions will be less robust and less likely to deliver value for money. Any decision based on incomplete information could lead to poorer outcomes which would not be an effective use of public money; and
- Homes England has been unable to identify a wider public interest in disclosing the information requested.

Having considered the arguments for and against disclosure of the information, we have concluded that at this time, the balance of the public interest favours non-disclosure.

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

<https://www.legislation.gov.uk/ukpga/2000/36/section/43>



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**b) *did the discussions progress to a formal submission by BCHA?***

**&**

**c) *was this request refused by Homes England either information in advance of any request being submitted or following a formal submission?***

We can confirm that Homes England does not hold the information detailed in your request.

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.

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 BCHA has not submitted any application to the Affordable Homes Programme for funding at Newton Road.

#### **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:



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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

Making homes happen