



Homes England

Date: 10 February 2023

Our Ref: RFI4206

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

By Email Only

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

Dear [REDACTED]

RE: Request for Information – RFI4206

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. I would like a list of all developments for which you provided shared ownership funding to Estuary housing association*
- 2. I would like a list of all developments and properties where leaseholders have actually staircased their properties*

Response

We can inform you that we do hold some of the information that you have requested. For clarity we will address each of your questions in turn.

- 1. I would like a list of all developments for which you provided shared ownership funding to Estuary housing association*

We can confirm that we do hold the requested information. Please see the following table that sets out the postcode and local authority area of funding provided to Estuary Housing for each of our Shared Ownership funding streams.

Programme	Postcode	Local Authority
11-15 programme	RM20 4DN	Thurrock
11-15 programme	SS0 7BB	Southend
15-18 programme	SS2 5DX	Southend
15-18 programme	SS0 7FA	Southend
16-21 programme	SS0 0JS	Southend
16-21 programme	SS2 5PQ	Southend
16-21 programme	SS2 6LR	Southend



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We rely on Section 40 (2) of the FOIA to withhold full address details of the funding allocations in the table above from disclosure.

Section 40 – Personal information

We are withholding 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 addresses 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>

2. I would like a list of all developments and properties where leaseholders have actually staircased their properties

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

To conclude that the information is not held, we have searched with our Shared Ownership 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.

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 Homes England does not collate information on staircasing of properties where we have provided assistance with shared ownership 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



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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

OFFICIAL