



Homes
England

The Housing and Regeneration Agency

Date: 17 April 2024

Our Ref: RFI4640

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI4640

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:

Please can you provide the following information:

How much have you paid Lenvi to administer the Help to Buy scheme in each of the following financial years, in £:

2023/24 (so far)

2022/23

How much have you paid Target to administer the Help to Buy scheme in each of the following financial years, in £:

2023/2024 (so far)

2022/2023

2021/2022

Response

We can confirm that we do hold the information that you have requested. We advised on 18 March 2024 that a qualified exemption applied to the information that fell within the scope of your request and that we required further time to determine whether the public interest favoured disclosure or non-disclosure. However, we have now determined that the exemption at section 43(2) of the FOIA to withhold information that is commercial information is no longer engaged. Therefore, we were unable to issue this

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42 - 50 Victoria Street, Westminster
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response within the timescale set out in the legislation. We apologise for the delay in progressing your request and for any impact this has had on you.

How much have you paid Target to administer the Help to Buy scheme in each of the following financial years, in £: 2023/2024 (so far), 2022/2023, 2021/2022

How much have you paid Lenvi to administer the Help to Buy scheme in each of the following financial years, in £: 2023/24 (so far)

We can 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>

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





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Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. We can advise the information is part of our transparency data which is publicly available on our gov.uk site under 'Homes England's Spend for transactions over £250'. This data is published monthly via the below link and is contained within an excel spreadsheet. We advise that you search in column E 'supplier' for Target Servicing Limited for Target data and Equiniti Gateway Limited for Lenvi data. The spend amounts can be found in column G.

<https://www.gov.uk/government/publications/homes-england-spend-for-transactions-over-250>

How much have you paid Lenvi to administer the Help to Buy scheme in each of the following financial years, in £: Mar 2024

We can inform you that we do hold the information that you have requested. However, we rely on section 22, exemption where information is intended for future publication under the FOIA.

The full text of the legislation can be found on the following link and we have quoted section 22 below for ease.

<https://www.legislation.gov.uk/ukpga/2000/36/section/22>

Section 22 - Information intended for future publication.

(1) Information is exempt information if:

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) the information was already held with a view to such publication at the time when the request for information was made, and
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

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Section 22 is a qualified exemption. This means that in order to withhold information under this exemption, we must consider the public interest in disclosure.

Public Interest Test – Factors in favour of disclosure

- Homes England is compliant with the government agenda of transparency and recognises the benefit of publishing the information, particularly when it concerns how Homes England undertakes its work.

Public Interest Test – Factors in favour of non-disclosure

- The information will be publicly available in Homes England's Spend for transactions over £250 which are published monthly. It is reasonable that a public authority does not divert resources where the information is readily available to the public. To disclose information via FOIA that is available on our main gov.uk site would increase the likelihood of future requests being made under FOIA for similar publicly available information. This would divert resources away from requests for information that would not otherwise already be in the public domain. This would cause detriment to Homes England's ability to promptly deal with requests under FOIA.

Therefore, after careful consideration we have concluded that at this time, the balance of the public interest favours the non-disclosure.

Advice and Assistance

In compliance with the Section 45 Code of Practice (Paragraph 14) and to offer advice and assistance under section 16 of the FOIA we can advise the information will be in Homes England's Spend for transactions over £250 (link below) for March 2024 which is expected to be published by no later than June 2024.

<https://www.gov.uk/government/publications/homes-england-spend-for-transactions-over-250>

How much have you paid Lenvi to administer the Help to Buy scheme in each of the following financial years, in £: 2022/23

We can 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.





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To conclude that the information is not held, we have searched with our Help to Buy Finance 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 Lenvi was not administering the Help to Buy scheme at this time as Target were contracted to do so.

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

Information Governance Team
Homes England
Windsor House
6th Floor
42-50 Victoria Street
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United Kingdom

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.





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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

