



Homes
England

Date: 9 August 2024

Our Ref: RFI4788

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI4788

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. Details of Grants Awarded:

- The dates and amounts of grants provided to properties managed by Zenith Property Management for remedial work due to unsafe cladding.
- The names of the buildings managed by Zenith that received these grants.
- The names of the project managers at Zenith who specifically handled each grant or claim.

2. Repayments and Ineligibility:

- A full breakdown of all projects managed by Zenith Property Management that have had to repay funds to Homes England or the fire safety fund. This should include repayments due to ineligibility, fraud, poor property development, or any other reason where a claimant did not abide by the rules or the agreement of receiving the funding.
- Any projects where funding was reversed and all or part of the grant has been requested back to Homes England or the sponsor of the monies. This should also include any projects currently under investigation or outstanding.
- Additionally, a summary of similar repayment cases nationwide to provide context on whether such issues are widespread.

3. Communications and Correspondence:

6th Floor
Windsor House
42 - 50 Victoria Street, Westminster
London, SW1H 0TL

0300 1234 500
@HomesEngland
www.gov.uk/homes-england





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- Copies of any correspondence between Homes England, Zenith Property Management, and the Ministry of Housing, Communities and Local Government regarding the funding, scrutiny, and any issues that have arisen.
- 4. **Inspection Reports and Audits:**
 - Copies of any inspection reports, audits, or assessments conducted by Homes England or any other relevant body related to the grants and the use of funds for properties managed by Zenith.
- 5. **Criteria and Guidelines for Funding:**
 - Detailed information on the criteria and guidelines used by Homes England to approve and monitor the grants, including any documentation on how compliance is verified.
- 6. **Complaints and Investigations:**
 - Information on any complaints or investigations into Zenith Property Management or specific projects managed by them, particularly those related to the fire safety fund.
 - Information on any current investigations into the use of the fire safety fund by Zenith Property Management or any projects they manage, including details of the issues under investigation and the status of these investigations.
 - Additionally, a summary of nationwide complaints and investigations related to the fire safety fund to understand the broader context.

Response

We wrote to you on 3 July 2024 informing you that we required additional time to consider the public interest test, as we were considering the public interest in disclosure in relation to section 38 – health and safety. Whilst conducting this review, it became apparent we had not identified all the information that fell within scope of the request. Please accept our apologies for the misapplication of the public interest test extension.

We can inform you that we do hold 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, 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.





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<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.

(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, to locate the information, retrieving the information and extracting the information would exceed the appropriate limit in terms of timeframes.

Under the terms of the act, 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 compliance with the Section 45 Code of Practice (Paragraph 2.10) and to offer advice and assistance under section 16 of the Freedom of Information Act 2000, you may wish to consider narrowing the scope





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of your request. In particular, your question regarding communications and correspondence is wide ranging considering the number of project Zenith are managing. We are likely able to issue a response to this request in accordance with the cost limit in relation to your other questions.

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

Information Governance Team
Homes England
Windsor House
6th Floor
42-50 Victoria Street
London
SW1H 0TL
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.

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.

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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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