



Homes
England

The Housing and Regeneration Agency

Date: 20 February 2025

Our Ref: RFI5022

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI5022

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:

This request is made pursuant to Section 1 of the Freedom of Information Act 2000 with reference to the below article relating to Building Safety Fund Guidance for New Applications updated on 2 April 2024.

<https://www.gov.uk/government/publications/building-safety-fund-guidance-for-new-applications-2022/building-safety-fund-guidance-for-new-applications-2022#what-we-will-fund>

I note that whilst this document confirms that the government will fund reasonable capital costs associated with remedial works on high-rise residential buildings, it provides no data as to what will be considered reasonable. I cannot see that there is any data as to the amount granted to successful applicants who have submitted their PAS 9980:2022 compliant FRAEW assessment and application form to. I am also unable to find information, in the article or otherwise, as to the standardised figures for "market rates" across the country generally or the "cost benchmarks" which are referred to.

As such, I wish to request the following information:

1. **Once a successful PAS 9980:2022 compliant FRAEW assessment and application form have been accepted by the MHCLG, what is the average percentage of funding granted?**

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2. **Once a successful PAS 9980:2022 compliant FRAEW assessment and application form have been accepted by the MHCLG, what percentage of applicants are awarded funding of more than 75% of the costs submitted.**
3. **In making such applications, awards are granted by reference to "market rates". What are the accepted "market rates" or "cost benchmarks" used by the MHCLG when assessing the following headings for a property situated in Birmingham City Centre current at the time of this enquiry:**
 - a. Labour rate (per day)
 - b. Project Manager's Fee (per day);
 - c. Site Manager's Fee (per day);
 - d. Scaffolding rate (per day); and
 - e. Cladding remediation cost (per square metre).
4. **What are the accepted market rates for the headings in question 3 for other regions / cities in the UK?**

Response

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 Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provides for the appropriate limit referred to in section 12(1). Section 3(3) of this Regulation provides that the appropriate limit is £450.

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, 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

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. To comply with this duty, we advise you may wish to consider narrowing the scope of your request.

We can advise that the cost limit is particularly reached due to question 1 and 2 and providing the average percentage of funding granted for the FRAEW assessments and applications. As this information is not readily available, we would need to review every individual application requested in order to calculate the percentage of funding granted for every FRAEW building. Additionally, there is also some qualitative data such as applications that have had a funding decision but have since transferred to the developer that

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would need to be taken into account for an accurate percentage calculation. At this stage it was determined that to comply with your request would exceed the appropriate limit for compliance.

You might wish to consider refining your request by specifying a time period for submitted applications. This would significantly reduce the number that would need to be reviewed in order to comply with your request.

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
The Lumen
2nd Floor
St James Boulevard
Newcastle Helix
Newcastle upon Tyne
NE4 5BZ
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.

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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,

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For Homes England

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