



Homes
England

The Housing and Regeneration Agency

Date: 6 November 2024

Our Ref: RFI4885

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

By Email Only

Dear

RE: Request for Information – RFI4885

Thank you for your recent email, which was processed under the Environmental Information Regulations 2004 (EIR).

You requested the following information:

Please can I make a formal request for the following information held by Homes England concerning the property known as Cornish Works (formerly known as George Barnsleys), Cornish Street, Sheffield S6 3AA for the period 2012 to September 2024:

- 1. All correspondence between Homes England and Sheffield City Council and all telephone notes and meeting notes (and any other relevant documentation) concerning discussions between Homes England and Sheffield City Council;**
- 2. All correspondence between Homes England and Carter Jonas and all telephone notes and meeting notes (and any other relevant documentation) concerning discussions between Homes England and Carter Jonas;**
- 3. All correspondence between Homes England and ARUP and all telephone notes and meeting notes (and any other relevant documentation) concerning discussions between Homes England and ARUP;**
- 4. All correspondence between Homes England and any other third party**

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

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Response

We can confirm that we do hold some of the requested information. However, we are withholding this information from disclosure under the following exception:

Regulation 12(4)(b) – Manifestly unreasonable

Regulation 12(4)(b) of the EIR provides an exception to the duty to disclose environmental information where the request is manifestly unreasonable. We have identified that we hold at least 1,100 documents that contain information that falls within scope of your request. The information requested engages this exception because reviewing the information concerning Cornish Works represents a substantial volume of time and resource which we consider would cause a disproportionate burden on Homes England's resources.

The documents contained within the files relate to funding which will contain commercially confidential information of both Homes England and involved third parties. Due to the nature of the documents that contain the environmental information requested, commercially confidential information which may fall under regulation 12(5)(e) would be woven intrinsically throughout each document.

Furthermore, we recognise that the documents contain information which can identify individuals and would engage the exception contained in Regulation 13.

We cannot identify a lawful basis for processing this information for the purpose of disclosure under the EIR and we are therefore required to withhold it from disclosure. We consider that it would present a disproportionate burden on our resources to consider regulation 12(5)(e) and regulation 13 in each document.

Public Interest Test

Regulation 12(4)(b) is subject to the Public Interest Test. Once the exception has been engaged it is then necessary to consider the balance of the public interest in maintaining the exception or disclosing the information.





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Under regulation 12(2) Homes England must apply a presumption in favour of disclosure, in both engaging the exception and carrying out the public interest test. In relation to engaging the exception, this means that there must be clear evidence that disclosure would have the adverse effect listed in regulation 12(4)(b).

Public interest in favour of disclosure:

- Homes England acknowledges that there is a presumption in favour of disclosure regarding environmental information as well as a public interest in promoting transparency in how we undertake our work and allocate public money; and
- Homes England acknowledges that there is a public interest in development processes and the robustness of the applications and planning in such developments.

Public interest in maintaining the exception:

- Homes England is a small public authority with limited resources. Identifying the environmental information that would engage regulation 12(5)(e) and regulation 13 in all of the documents identified in scope of this request would place a disproportionate burden on our resources and would prevent us from answering other requests.
- Much of the requested environmental information consists of information that was provided to Homes England by third parties. Homes England would be required to consult with involved third parties about the disclosure of the environmental information and considers that the review of this information would place a disproportionate burden on the other third parties involved.
- We estimate that there are at least 1,100 documents contained within scope of the requested information. The documents consist of emails, letters, and images. We estimate that reviewing the information held would take in excess of 495 hours of staff time to review. This is calculated at 27 minutes per document and includes identifying any environmental information that would engage regulation 12(5)(e) and regulation 13, conducting the Public Interest Test and applying redactions if appropriate. We do not consider that this is a proportionate use of our limited resources and will impact our ability to respond to other requests and disrupt the delivery of Homes England's work.
- Homes England has been unable to identify a wider public interest in disclosing the information requested.

Having considered the argument for and against disclosure of the information, we have concluded that at this time, the balance of the public interest continues to favour non-disclosure.

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Advice and Assistance

We have a duty to provide advice and assistance in accordance with regulation 9(1) of the EIR. In accordance with this duty, we can advise that you may wish to consider narrowing the scope of your request.

When considering a further request, we must advise that a more specific request for information is more likely to be achievable, rather than all information relating to our communications with third parties over a wide range of time.

Please note that due to the broad scope of your request we cannot confirm that any further request would not also be considered manifestly unreasonable pursuant to regulation 12(4)(b) EIR.

Right to make Representations

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 a reconsideration of our response (Internal Review). You can make this representation by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: infogov@homesengland.gov.uk

The Information Governance Team
Homes England
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Your request for reconsideration must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response (Reg 11(2)). Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for reconsideration 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,

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For Homes England

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