



Homes  
England

The Housing and Regeneration Agency

Date: 29 November 2024

Our Ref: RFI4932

Tel: 0300 1234 500

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

By Email Only

Dear [REDACTED]

**RE: Request for Information – RFI4932**

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 share emails and meeting minutes between Homes England and registered providers discussing guidance set out in the Secretary of State's 19th December 2023 letter to registered providers ([https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F6580866fed3c3400133bfafb%2FSecretary\\_of\\_State\\_letter\\_-\\_Shared\\_Ownership\\_and\\_Building\\_Safety.pdf&data=05%7C02%7Cinfogov%40homesengland.gov.uk%7C5901beb8322c4ca1555708dcfce1a99f%7Cfaa8e2690811453882e74d29009219bf%7C0%7C0%7C638663296150184552%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ij1haWwiLCJXVCi6Mn0%3D%7C60000%7C%7C%7C&sdata=zvBRbBwUZV5l8lJL8nnljv1lrHwE%2FZFjAQ4v0EwLpZo%3D&reserved=0](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F6580866fed3c3400133bfafb%2FSecretary_of_State_letter_-_Shared_Ownership_and_Building_Safety.pdf&data=05%7C02%7Cinfogov%40homesengland.gov.uk%7C5901beb8322c4ca1555708dcfce1a99f%7Cfaa8e2690811453882e74d29009219bf%7C0%7C0%7C638663296150184552%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ij1haWwiLCJXVCi6Mn0%3D%7C60000%7C%7C%7C&sdata=zvBRbBwUZV5l8lJL8nnljv1lrHwE%2FZFjAQ4v0EwLpZo%3D&reserved=0)) and related changes to the Capital Funding Guide, focusing on the two specific sets of guidance below:

"When assessing subletting requests, you may relax any restrictions on the level of rent that can be charged, that might ordinarily be applied to prevent a home from being used for commercial purposes."

"it is essential that you make the details of all relevant policies freely available on your websites in a clear and accessible manner."

**Response**

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

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

0300 1234 500  
@HomesEngland  
[www.gov.uk/homes-england](http://www.gov.uk/homes-england)





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To conclude that the information is not held, we have searched with our Affordable Housing 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 there was no e-mail correspondence or meeting minutes of communication between Homes England and providers relating to the updated guidance quoted in your request.

The updates to the Capital Funding Guide were made alongside and as a result of the letter published by the then Secretary of State for the Department for Levelling Up, Housing and Communities (now the Ministry of Housing, Communities and Local Government).

The letter you specify in your request was prepared by the Secretary of State and department officials with Homes England merely ensuring that the letter and the Homes England updates to the Capital Funding Guide guidance were aligned.

Homes England's role was limited to implementation of the changes. As this was a published letter to affordable housing providers from the Secretary of State, Homes England took the view that any additional direct communication with providers was not necessary.

You may be interested to know we publish updates to the capital funding guide here:

<https://www.gov.uk/guidance/capital-funding-guide/updates>

### **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.

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Information Governance Team

Homes England

The Lumen

2<sup>nd</sup> 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.

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

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