



Homes
England

The Housing and Regeneration Agency

Date: 31 January 2025

Our Ref: RFI5021

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI5021

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

You requested the following information:

Firstly: As a custodian of taxpayer monies, we would like to receive a copy of all details relating to Homes England's funding to Advent Developments Adel Ltd, Advent Developments Holdings and any other business associated with the Directors of the above named businesses that are in receipt of Homes England Funding.

We would like all details relating to these deals, everything and anything that we are legally entitled to.

Secondly: We want all communications from Homes England relating to Eternal Homes and our project at Adel Square Leeds, by the developer Advent Developments Adel Ltd.

We want all information that we are entitled to by law, relating to ourselves and the development.

We are particularly interested in communications of [REDACTED] and [REDACTED] of Homes England, including but not exclusively to [REDACTED].

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

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Response

We can confirm that we do hold some of the requested information. However, to comply with your request would present a disproportionate burden on our resources. We therefore rely on regulation 12(4)(b), exception where the request is manifestly unreasonable.

The full text of the legislation can be found on the following link and we have quoted regulation 12(4)(b) below for ease.

<https://www.legislation.gov.uk/ukxi/2004/3391/regulation/12>

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. The information requested engages this exception because the information we hold related to all funding provided to Advent Developments Adel Ltd and communications from Homes England relating to Eternal Homes and the project at Adel Square Leeds represents a substantial volume of information. We consider that identifying the full extent of the information that falls within scope and reviewing that information to determine whether or not it is subject to an exception would cause a disproportionate burden on Homes England's resources.

We have searched our electronic filing system and identified that we hold in excess of 1200 electronic documents on these matters.

Your request for "all details relating to these deals, everything and anything that we are legally entitled to..." means that in order to comply fully with your request, we would need to review each document to determine whether or not it related the points raised in your request for information.

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.

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





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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 our relationship with developers and the management of public funds 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 exceptions, likely to be regulation 12(5)(e) (commercial or industrial information), regulation 12(5)(f) (interests of the person who provided the information to the public authority) and regulation 13 (personal data), 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.
- Some 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 reviewing the information held would take in excess of 189 hours of staff time to review, determine, and extract the requested information. This is calculated at 9 minutes per file. This time calculation includes locating, retrieving and extracting the information, identifying any environmental information that would engage regulation 12(5)(e), 12(5)(f) 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.

Advice and Assistance

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Regulation 9(1) provides that an authority must provide advice and assistance to applicants. In accordance with this we have provided some specific advice below relating to the nature of the requested information, in order to assist you with future requests on this matter.

The wording of your request to “all details relating to these deals, everything and anything that we are legally entitled to...” is the major factor in engaging regulation 12(4)(b). We would strongly recommend that any revised request does not include such a broad request, and this could be narrowed by date, recipients and/or limited in scope to the existing scheme between Homes England and Advent Developments Adel Ltd, to which Eternal Homes is associated with.

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.

For further assistance the Information Commissioner’s Office have some useful information online that you might find helpful:

<https://ico.org.uk/for-the-public/official-information/how-to-write-an-effective-request-for-information/>

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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