



Homes England

Date: 21 May 2025

Our Ref: RFI5130

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI5130

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

You requested the following information:

1. **A list of all -cides used by Homes England. This is inclusive of, but not limited to: any and all avicides, biocides, fungicides, herbicides, insecticides, pesticides, and rodenticides.**
2. **The annual cost and volume of purchase of each of these -cides, broken down by -cide, from January 2014 to December 2024. Please list this on a spreadsheet (CSV), broken down by:**
 1. -Cide
 2. Product Name
 3. Volume Purchased
 4. Price Paid
 5. Purchase Date
3. **A list of each of these -cides' use, by volume. Through this I am trying to ascertain whether the purchased volume is matched by the used volume, so if there is a record of expired or unused -cides too, that would be ideal. Please add this to the above CSV as an additional column, also on an annual basis over the same time period. Please list volume in either litres or kilograms, whichever is more appropriate.**
4. **Only if available and easily accessible, the location and purpose of each specific -cide's use. For the former, this may be classified by: location grouping, address, coordinate, or otherwise.**

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The Housing and Regeneration Agency

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If any of the individual pieces of information listed above are not available but others are, like cost and volume, then please signal this while responding with the other available information. Additionally, if records are only available for a time period less than that specified above, please provide these instead of rejecting the request as a whole.

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/uksi/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 records requested under this enquiry are not held by Homes England in a central repository, as the Agency does not apply cides to the estate directly. We appoint professional contractors to undertake landscape maintenance and invasive non-native species control on our land holdings. Whilst records are maintained by the contractors, due to the volume of Homes England land and the number of contracts in place to manage this, we consider responding to this request for information would cause a disproportionate burden on Homes England's resources.

To reach this decision, we conducted a sample search for three years for our centrally recorded landscape maintenance contracts and located 337 transactions recorded under the category of 'landscape maintenance' between April 2022 and February 2025. Each file would need to be individually reviewed to identify and extract information in scope and consider the applicability of any exceptions. We could also not confirm that information relating to the use of cides was not contained in any other contract.

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We have considered whether it would be appropriate to rely on regulation 7(1) of the EIR, which would permit Homes England to extend the time limit for compliance to a maximum of 40 working days in order to facilitate compliance with the request. However, we still consider that the complexity and volume of information requested means that it is impracticable to comply with the request within 40 working days.

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 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 the disclosure of environmental information increases public trust in how we undertake our responsibilities as a public authority.

Public interest in maintaining the exception:

- Responding to the request would place a disproportionate burden on the public authority in terms of time, resources, and cost. This could divert significant resources away from other essential functions and services, ultimately impacting Homes England's ability to fulfil its core responsibilities effectively;
- Homes England is a small public authority with limited resources. Collating and identifying the environmental information in scope of this request would place a disproportionate burden on our resources and would prevent us from answering other requests. This would therefore restrict the general right of access to information, due to staff having to spend time dealing with the request.





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- Homes England may be required to engage with third party contractors to obtain the environmental information and considers that this would place a disproportionate burden on the other third parties involved;
- 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

Regulation 9(1) provides that an authority must provide advice and assistance to applicants. In accordance with this, we can advise that within our contracts we only specify the use of the herbicide glyphosate. We do not hold information on costs and volume of purchase as glyphosate is purchased directly by contractors for application on our sites through each respective contract.

To narrow your request, you may consider limiting it to an individual site or a specific time period. For example, the three-year statutory retention period for Plant Protection Product regulations.

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.

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The Information Governance Team

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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,

The Information Governance Team

For Homes England

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