



Crown
Commercial
Service

REQUEST FOR INFORMATION

FOR

**MONITORING THE “PUBLIC LAND FOR HOUSING
PROGRAMME” TO DETERMINE THE NUMBER OF HOMES
BUILT ON LAND RELEASED BY GOVERNMENT**

REF CCZZ16A35

FOR

**DEPARTMENT FOR COMMUNITIES AND LOCAL
GOVERNMENT**



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1. REQUEST FOR INFORMATION (RFI) SCOPE

- 1.1 The Department for Communities and Local Government or 'DCLG' (here after referred to as "The Authority") requires information on the ability to provide regular site level data on the number of homes commenced and completed on land released by government, and the progress of those sites through the planning system, as part of the Public Land for Housing Programme in order to understand the complexity of the requirement and to assist with drafting a specification.
- 1.2 Organisations are requested to provide written feedback on the points raised in this document, with particular focus on the themes in section 4 – information required, submitting their responses via email to Niche@crowncommercial.gov.uk by 17:00 Tuesday 6th December.
- 1.3 Organisations are also asked to advise if they would be interested in bidding for this opportunity as part of their response to the Request for Information. If Organisations are not interested, it is requested that a reason be submitted as this is valuable feedback for the Authority to consider.
- 1.4 The Authority has not specified a format for the detailed response as this can limit creativity and make it difficult to understand. Organisations are therefore freely available to present information in their desired format.

2. BACKGROUND TO THE AUTHORITY

- 2.1 The Authority has a driving focus to increase housing supply and make it easier for the 86% of people who say they want to own their own home, to achieve that aspiration.
- 2.2 The Authority will enable a shift in power from central to local government, with decentralisation bringing power closer to local communities. We want cities to have more control over transport, housing, skills and healthcare with elected metro mayors. We support local authorities to help create strong local economies and deliver high quality, value for money services.
- 2.3 The Authority's objectives are to:
- Drive up housing supply;
 - Increase home ownership;
 - Devolve powers and budgets to boost local growth in England; and
 - Support strong communities with excellent public services.
- 2.4 The Authority's ambition is to deliver 1 million new homes over the next 5 years. It has the most ambitious plan to build affordable homes since the 1970s and the Authority is focused on accelerating housing supply by speeding up the planning process, bringing forward public sector land and helping small builders.



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- 2.5 The Authority will lead the Government's programme to release land for 160,000 homes by 2020, with The Authority directly contributing land for 36,000 new homes.

3. BACKGROUND TO THE REQUIREMENT

- 3.1 The Authority has made a commitment to Parliament (the Public Accounts Committee (PAC)) to monitor the number of homes built on land released by Government under the Public Land for Housing Programme. The Authority has committed to "monitor the broad progress developers are making on land released by the public sector in this parliament, including build out." (Appendix 1&2 – NAO and PAC reports 2016). The first programme ran from 2011-2015, and also included land released before 2011 back to 1997. The second programme began in May 2015, and ends in March 2020, by which time it is estimated that across both programmes land with capacity for 269,000 homes will have been released by government across more than 2000 sites. A large proportion of sites have capacity for fewer than 20 homes. There are also sites with capacity for many thousands of homes where construction will take many years, and sites may be sub-divided and developed in phases, complicating the task of tracking development.
- 3.2 Both the previous and current programmes were not designed to track house building at an individual site level. The programme targets relate to the release of land with capacity for homes, rather than the delivery of homes on the land.
- 3.3 The Authority has put in place arrangements to secure from government departments, releasing land as part of the second programme, electronic shape files that will show the boundary of the site sold in order to allow a Potential provider to match the specific site to local data about the construction of new homes.
- 3.4 The first programme released land with capacity for over 109,000 homes, across 942 sites, over up to 18 years (1997-2015). A list of these sites is available on PAC website-provide in Appendix 1&2. As there was no requirement to track these sites there is limited information available to support accurate matching with the planning pipeline to enable data to be collected on the number of homes already built, and, where the site has not been completed, monitor housebuilding until the site has been completed.
- 3.5 The Authority has asked departments to search their archives and other records and provide it with shape files, but it does not know how successful this will be so may need a Contractor to undertake this initial site identification using limited existing data such as postcodes.
- 3.6 Further details on the scope of the programme can be found within the Appendices at the end of this document. Some categories of land released by government, particularly MOD land such as Annington Homes, do not enter the planning system as the dwellings already exist. There may be other cases of permitted development where offices are converted to residential use. These sites will therefore not require tracking.



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4. INFORMATION REQUIRED

- 4.1 The Authority requires Organisations to submit responses on the potential options for undertaking this exercise, methodology and sources of the data, and the outline costs.
- 4.2 The Authority is also requesting written feedback from suppliers on the following themes:
- 4.2.1 The aim of this work is to monitor the previous and current Public Land for Housing programmes in the same way, at the same time. The Authority would welcome views on the benefits of taking a different approach to the old and new programmes.
 - 4.2.2 The Authority plans to publish data on the number of homes built at a site level on an annual basis as part of an Annual Report on the programme, and provide programme level analysis such as regional patterns, pace of housebuilding, accuracy of estimates of housing capacity. The Authority requires advice on:
 - 4.2.2.1 the scale and complexity;
 - 4.2.2.2 options for gathering specific data on:
 - the number of homes started each year;
 - the number of homes completed each year; and
 - the different types (tenure) of homes built.
 - 4.2.2.3 the reliability of data collected, and the best approach to ensure compliance with "official statistics" requirements; and
 - 4.2.2.4 and potential cost of undertaking a data gathering exercise that will be reliable in demonstrating that land sold by government has been used to deliver new homes.
 - 4.2.2.5 Is there anything else which should be considered as part of this project?
 - 4.2.2.6 Organisations are also asked to advise if they would be interested in bidding for this opportunity as part of their response to the Request for Information. If Organisations are not interested, it is requested that a reason be submitted as this is valuable feedback for the Authority to consider.



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4.3 All information submitted by Organisations shall be kept for audit purposes for seven (7) years from the Deadline for submission of a RFI Response.

5. REQUEST FOR INFORMATION TIMETABLE

5.1 Please see the below for the RFI's timetable:

DATE	ACTIVITY
Tue 29 Nov	Publication of the Request for Information
Tue 29 Nov	Clarification period starts
17:00 Thu 1 Dec	Clarification period closes
17:00 Fri 2 Dec	Deadline for the publication of responses to RFI Clarification questions
17:00 Tue 6 Dec	Deadline for submission of a RFI Response
Wed 7 Dec	Analysis of RFI responses
w/c Mon 12 Dec	Confirm next steps to RFI Respondents

6. CLARIFICATION PERIOD

6.1 Organisations may raise questions or seek clarification regarding any aspect of this Request for Information at any time prior to the Clarification Deadline. Questions must be submitted via email to Niche@crowncommercial.gov.uk before the deadline within section 4.

6.2 Crown Commercial Service will not enter into exclusive discussions regarding the requirements of this Request for Information with Organisations.

6.3 To ensure that all Organisations have equal access to information regarding this Request for Information, the Crown Commercial Service will publish all its responses to questions raised by Organisation's on an anonymous basis.

6.4 Responses will be published in a Questions and Answers document to all Organisations who have registered their interest via email to Niche@crowncommercial.gov.uk.

6.5 At times, the Crown Commercial Service may issue communications via email where a notification will be sent to the email address provided for the Request for Information



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contact. Organisations must therefore ensure that this mailbox is reviewed on a regular basis.

7. COSTS

7.1 The Authority will not reimburse any costs incurred by an Organisation (including the costs or expenses of any members of its Group of Economic Operators (if acting as a Lead Contact), Sub-Contractors or advisors) in connection with the preparation and/or submission of the Organization's Request for Information response, including (without limit) where:

- 7.1.1 The Request for Information is cancelled, shortened or delayed for any reason (including, without limitation, where such action is necessary due to non-compliance or potential non-compliance with the law, including the Regulations);
- 7.1.2 All or any part of the Request for Information is at any time amended, clarified, added to or withdrawn for any reason;
- 7.1.3 The Organisation and/or its Respondent is disqualified from participation in this Request for Information for any reason, including breach of these Terms of Participation.

8. RIGHT TO CANCEL OR VARY THIS REQUEST FOR INFORMATION

8.1 The Authority reserves the right, subject to the rules set out in the Regulations, to:

- 8.1.1 Change the basis of or the procedures for this Request for Information at any time;
- 8.1.2 Amend, clarify, add to or withdraw all or any part of the Request for Information at any time, including varying any timetable or deadlines set out in the Request for Information; and:
- 8.1.3 Cancel all or part of this Request for Information at any stage and at any time.

9. RIGHT TO CONFIRM OR REQUEST UPDATED RFI INFORMATION

9.1 The Authority reserves the right to require Organisations to confirm that their Request for Information response remains accurate at all stages of the Request for Information process and/or to request updated Information.

9.2 The Authority also reserves the right to specify additional standards or requirements according to their particular requirements.

10. CONDUCT - SPECIFIC OBLIGATIONS

10.1 The Organisation must not directly or indirectly canvass any Minister, officer, public sector employee, member or agent regarding this Request for Information or attempt to



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obtain any information from the same regarding this Request for Information (except where and as permitted by the Request for Information). Any attempt by the Organisation to do so may result in the Organisation's disqualification from this Request for information.

11. NOTICES TO ORGANISATIONS

- 11.1 This Request for Information and any related documents referred to have been prepared by the Crown Commercial Service on behalf of the Authority for the pre-market test to gather information.
- 11.2 Whilst prepared in good faith, the Request for Information documents are intended only as a preliminary background explanation of the Authority's activities and plans. Therefore it isn't intended to form the basis of any decision on whether to enter into any contractual relationship with the Authority.
- 11.3 The Request for Information documents do not purport to be all inclusive or to contain all of the information that Organisation's may require.
- 11.4 Neither the Authority or its advisors, or the directors, officers, partners, employees, other staff, agents or advisers of any such body or person:
- 11.4.1 Makes any representation or warranty (express or implied) as to the accuracy, reasonableness or completeness of the Request for Information documents;
 - 11.4.2 Accepts any responsibility for the information contained in the Request for Information documents or for its fairness, accuracy or completeness; or
 - 11.4.3 Shall be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication.
- 11.5 Nothing in the Request for Information documents is, or should be, relied upon as a promissory or a representation as to the Authority's ultimate decisions in relation to the Request for Information
- 11.6 The publication of the Request for Information documents in no way commits the Authority to award any contract.

12. CONFIDENTIALITY

- 12.1 Subject to the exceptions referred to in paragraph 12.2, the contents of the request for information are being made available by the authority on the conditions that the organisation:
- 12.1.1 Treats the Request for Information as confidential at all times, unless the information is already in the public domain;



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- 12.1.2 Does not disclose, copy, reproduce, distribute or pass any of the Information to any other person at any time or allow any of these things to happen, except where, and to the extent that, the Information has been publicised in accordance with paragraph 12 (Freedom of Information);
 - 12.1.3 Only uses the Information for the purposes of preparing a Response (or deciding whether to respond); and
 - 12.1.4 Does not undertake any promotional or similar activity related to this Request for Information within any section of the media.
- 12.2 An Organisation may disclose, distribute or pass any of the Information to its members of its Group of Economic Operators (if acting as a Lead Contact), Sub-Contractors, advisers or to any other person provided that:
- 12.2.1 This is done for the sole purpose of enabling the Organisation to submit its response and the person receiving the information undertakes in writing (such written undertaking to be made available to the Authority on the Authority's request) to keep the information confidential.
 - 12.2.2 It obtains the Authority's prior written consent in relation to such disclosure, distribution or passing of Information; or
 - 12.2.3 The disclosure is made for the sole purpose of obtaining legal advice from external lawyers in relation to this Request for Information;
 - 12.2.4 The Organisation is legally required to make such a disclosure; or
 - 12.2.5 The information has been published in accordance with paragraph 12 (Freedom of Information).
- 12.3 The Authority may disclose information submitted by Organisations during this Request for Information to its officers, employees, agents or advisers or other government departments who are stakeholders in this Request for Information.
- 12.4 All Central Government Departments and their Executive Agencies and Non Departmental Public Bodies are subject to control and reporting within Government. In particular, they report to the Cabinet Office and HM Treasury for all expenditure.
- 12.5 Further, the Cabinet Office has a cross Government role delivering overall Government Policy on public procurement – including ensuring value for money and related aspects of good procurement practice.
- 12.5.1 For these purposes, the Authority may disclose within HM Government any of the Organisation's documentation or information (including any that the Organisation considers to be confidential and / or commercially sensitive such as specific information in its response) submitted by the Organisation to the Authority during this Request for Information.



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Organisations taking part in this Request for Information consent to such disclosure as part of their participation in the Request for Information process.

13. FREEDOM OF INFORMATION

- 13.1 In accordance with the obligations and duties placed upon public authorities by the FoIA (Freedom of Information Act 2000) and the EIR (Environmental Information Regulations 2004) and in accordance with any Government Code of Practice on the discharge of public authorities' functions under the FoIA all information submitted to the Authority may be disclosed under a request for information made pursuant to the FoIA and the EIR.
- 13.2 Organisations should note that the information disclosed pursuant to a FoIA or EIR request may include, but is not limited to, the disclosure of its Request for Information response (including any attachments or embedded documents).
- 13.3 If the Organisation considers any part of its Response or any other information it submits to be confident or commercially sensitive, the Organisations should:
- 13.3.1 Clearly identify such information as confidential or commercially sensitive;
 - 13.3.2 Explain the potential implications of disclosure of such information taking into account and specifically addressing the public interest test as set out in the FoIA; and
 - 13.3.3 Provide an estimate of the period of time during which it believes that such information will remain confidential or commercially sensitive.
- 13.4 If the Organisation identifies that part of its Response or other information it submits is confidential or commercially sensitive, the Authority in its sole discretion will consider whether or not to withhold such information from publication. Organisations should note that, even where information is identified as confidential or commercially sensitive, the Authority may be required to disclose such information in accordance with the FoIA or the EIR.
- 13.5 The Authority is required to form an independent judgement of whether the Organisation's information referred to in paragraph 13.4 is exempt from disclosure under the FoIA or the EIR and whether the public interest favours disclosure or not. The Authority cannot guarantee that any information indicated as being confidential or commercially sensitive by the Organisation will be withheld from publication.
- 13.6 If the Organisation receives a request for information under the FoIA or the EIR during and in relation to this Request for Information, it should be immediately referred to the Authority.



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14. INTELLECTUAL PROPERTY RIGHTS

- 14.1 The Request for Information issued shall remain the property of the Authority and shall be used by the Organisation only for the purposes of this Request for Information.
- 14.2 The Organisation grants the Authority an irrevocable, perpetual, non-exclusive licence to copy, amend and reproduce any intellectual property contained within its Response for the purposes of carrying out this Request for Information; complying with the law and/or any government guidance; and/or carrying out the Authority's business activities. This licence shall also permit the Authority to sublicense the use of the Organisation's Response to its advisers or sub-contractors or other Contracting Bodies for the same purposes.

15. NO INDUCEMENT OR INCENTIVE

- 15.1 The Organisation acknowledges and agrees that nothing contained within the Request for Information shall constitute an inducement or incentive nor shall have in any other way persuaded an Organisation to submit a Response or enter into any other contractual agreement.

16. LAW AND JURISDICTION

- 16.1 Any dispute (including non-contractual disputes or claims) relating to this Request for Information shall be governed by and construed in accordance with the laws of England and Wales.
- 16.2 The courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim that arises out of or in connection with this Request for Information (including non-contractual disputes or claims).

17. CONTACT INFORMATION

Procurement Lead	
Name:	Frances Dickson
Telephone Number:	0345 010 3503
Email Address:	Niche@crowncommercial.gov.uk



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APPENDIX 1

Suggested data to be published annually for each site

Items 1-9 will be provided by Departments as part of their quarterly returns for the Programme.

Items 10, 11 and 12 may be provided by the Department selling the site if it has been sold with planning permission. Otherwise these fields will need to be completed by the Contractor.

Items 13 – 16 will be provided by the Contractor.

1. Sold by (Department)
2. Site Name
3. Site Address
4. Site Postcode
5. Local Authority
6. Disposal Year (date)
7. Forecast Housing Capacity at point of disposal
8. Allocated in Local Plan? (Y/N)
9. Latest Planning Status (inc not required)
10. Date Planning Permission secured
11. Housing Capacity in Planning Permission
12. Planning Reference Number
13. Started on site? (Y/N)
- 14. Number of homes built each year**
 - a. Starts
 - b. Completions
15. Date of completion of site
16. Type and tenure of homes built



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APPENDIX 2

Programme Definitions

Which sites are eligible for the programme?

To be eligible for the programme a site must be suitable for housing. This happens once:

- a conditional contract, development agreement or building licence with a private sector partner is signed or freehold transfer takes place (whichever is sooner); and
- there is planning certainty that the site will be developed for housing. This could be positive commitment or support from the local planning authority, inclusion in a local plan, outline planning permission or full planning permission.

A site cannot come into the programme unless both of the above criteria have been met. Evidence regarding planning certainty will be required to validate the proposed use of the site and ensure the estimated homes are deliverable.

What counts as a 'home'?

In the context of this programme a home is a self-contained dwelling – that is, where all the rooms (including kitchen, bathroom and toilet) in a household's accommodation are behind a single door which only that household can use.

It includes:

- new build homes
- new affordable or starter homes
- new rental accommodation
- new student accommodation
- new accommodation for health service and military service personnel
- a home previously leased to the Ministry of Defence by Anningtons and sold back to the market
- a home leased to the Ministry of Defence by Anningtons and sub-let to the market
- care homes

How is housing capacity assessed?

Before any planning application is made departments make an initial estimate of housing capacity by taking into account a site's developable area and local housing densities. In the absence of other information a standard assumption of 40 homes per developable hectare is used.

At a later stage the estimate of housing capacity can be revised using information included in:

- a planning allocation or planning permission
- a Local Plan or



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- a valuation or other formal site assessment.

All estimates must represent a net increase in the available housing stock and the programme's assurance processes will check that these estimates are accurate. This is described in chapter four.

How are different types of homes counted?

Student accommodation

The programme uses Valuation Office Agency classification for student accommodation where a single dwelling comprises a number of bedrooms around communal living space and shared facilities. A 1:4 ratio of dwelling:bedspaces is used.

New Service Family Accommodation (SFA)

New housing built on Ministry of Defence land for service personnel and their families. These are self-contained new homes so are counted on a 1:1 ratio as they represent a net addition to the housing market.

New Single Living Accommodation (SLA)

New housing built on Ministry of Defence land for single service personnel comprising accommodation with communal living space and shared facilities. As with student accommodation this will be counted using a 1:4 ratio of dwelling:bedspaces.

What type of land disposal is included in the programme?

Direct Sales

A freehold disposal, grant of long lease exceeding 99 years, or other transfers of public land to the private sector for the purpose of house building. Direct sales may include the grant of building lease, conditional disposals or other contractual arrangements which require a developer to build homes on the public land it has bought.

Direct Delivery

Direct delivery of homes can count towards the programme. However, as this approach does not involve the disposal of land until the individual homes are sold, Direct Delivery homes can only be claimed on allocation for residential or granting of outline planning permission and where a:

- contractual commitment has been entered into to deliver the infrastructure to service the homes to be claimed;
- contractual agreement has been entered into with a third party for the construction of the homes; or
- joint venture agreement has been entered into to deliver the homes.

Joint Disposals/Linked Land

Public land which is sold alongside land held by one or more parties, as a single package for housing. This is distinct from third party facilitation or ransom strips (which are not included in the programme) as the land involved in joint disposals is included as part of the development and is used to deliver homes.