



Our Reference:

BY EMAIL ONLY

15 December 2014

Dear

**Request for Information**

Thank you for your email dated 26 November 2014 requesting information on a Derelict Land Grant (DLG) made by English Partnerships (EP) to Leicestershire County Council (LCC). For ease of reference your request is below:

*"I understand that during 1996/1997 English Partnerships which is now a part of the Homes and Communities Agency (HCA) had provided Leicestershire County Council (LCC) with Land Reclamation Funding (Derelict Land Grant) (see item below and attached pdf). This was to remediate land known as Donisthorpe Woodlands which included a site referred to as the Moira Road Car Park.*

*This grant was to the tune of £815,800 for woodland planting and landscape works. On the matter of repayment the County Council had been advised that an 'After Value' would not be sought by the HCA in the event that the site was used for public open space. However, it was also outlined that the HCA would not be pursuing any 'after value' after about 15 years even if the site was used for any other purpose deemed acceptable by the council'*

*As such could you please answer and/or confirm the following:*

- 1. Was £815,800 in Derelict Land Grant given to LCC for the Donisthorpe Woodland during 1994-1998?*
- 2. What were the original conditions requiring the repayment*
- 3. Was the grant repayable?*
- 4. Was the grant repaid or did the HCA 'write it off'*
- 5. Did the HCA ask for and receive 'after value' for this site*
- 6. If so how much was repaid*
- 7. Could you provide any/all communications between the HCA and LCC regarding this matter? Particularly in relation to the grant outlined above and final decision being made on how repayment would be treated or written off."*

We have now had an opportunity to investigate your request and are writing to communicate our response. We have conducted a thorough search of our records which has identified only a small amount of information related to the DLG you refer to in your request.

We conducted searches on the Homes and Communities Agency's (HCA) deeds management system, which stores the deeds the HCA physically holds (as well as documents the HCA has inherited from its predecessor organisations such as EP). We searched using keywords such as "Donisthorpe", "Donnisthorpe" and "Moir". We also tried to identify files using the date referred to in your email attachment, 27 March 1995 (the date of a transfer of the land) to ascertain whether we hold a copy of the transfer you mention. These searches all returned no relevant results.

We then conducted an electronic search of the files the HCA holds which are managed by Iron Mountain, who maintain our archived physical records. We used the same keywords as above. These searches returned several results which mention a DLG concerning "Donisthorpe" and "Moir". Based on the titles of these files, the majority of them did not appear to relate to the creation of Donisthorpe Woodlands and instead were related to railway cuttings in the area.

We initially recalled from archive three files which appeared to be potentially relevant for this request. From these files, two of them did not relate to the creation of Donisthorpe Woodlands but were concerning railway cuttings as mentioned above.

The remaining file was concerning "Donisthorpe Colliery and Tip", with a reference number given of 48/J2400/11/1. This file contains a number of DLG claim forms, one of which dated 13/3/96 cites the total approved gross expenditure for the matter with the above reference number as £815,800 – the amount you refer to in your email. Please note that these forms can be used to make a claim against more than one DLG. We enclose with this letter a copy of the claim form which contains minor redactions which are made due to the information being outside the scope of your request as it relates to different, unrelated DLG.

However, the file also contains another claim form linked to this reference number, dated 5/2/97, which shows the total approved gross expenditure as £827,699. We also enclose a copy of this form; the redactions made are again where the information relates to a different, unrelated DLG. The referred document dated 5/2/97 is the most recently dated claim form in this file,

This file also contains a number of pro forma letters from EP to LCC confirming payments of DLGs. We enclose a copy of these letters alongside this response. However, please note that the payments of DLGs are grouped together, and so multiple grant payments may be referred to in each letter. We have redacted information where it refers to an unrelated DLG. This file contains no correspondence other than that listed above.

Based on the information identified in the aforementioned file, we then conducted a search of our Iron Mountain records for the reference number "48/J2400/11/1", which identified one further file. This file was recalled from archive and a search was conducted. The file contains a number of drawings and maps related to this project, as well as a

number of tender documents related to this work. It also contains two letters from LCC to EP which are dated 20/1/95 and 24/1/95 which are attached to this letter and provided without redactions. There is also a document from LCC dated 2/6/98 accepting the investment offer from EP, however we do not hold a copy of the investment offer itself.

Based on the information presented above, we are able to respond to your Question 1 as detailed in the preceding paragraphs – that there was a DLG for this work which at one point did total £815,800, however we cannot confirm what the final amount was. The letter of acceptance (referred to in the previous paragraph) suggests a total amount of £877,794, which is a greater amount than the latest DLG claim form we hold states, as referred to earlier in this letter.

As we do not hold any information on the terms of the grant agreement in this matter or any information on the events that took place regarding this matter after the grant was awarded, such as any repayment that may have been demanded, we are not able to provide any information regarding your Questions 2-6. In response to your Question 7, the attached documents (detailed in the above paragraphs), are the only correspondence between the HCA/EP and LCC we hold concerning this grant award.

By way of explanation, this DLG was awarded by EP (which went on to form the HCA) and therefore it is possible that we did not receive all the documentation on this matter when this transfer from the EP to the HCA occurred in 2009, so we may not hold all the information relevant to this matter.

We understand that you have also made this request for information to Leicestershire County Council, who was the recipient of this DLG, and we hope that they are able to provide you with fuller answers to your request.

If you have any questions regarding this response or any further queries you can contact us at the following addresses and quote your unique reference number found at the top of this letter:

**Email:** [mail@homesandcommunities.co.uk](mailto:mail@homesandcommunities.co.uk)

**Mail:** Information Access Officer  
Homes and Communities Agency  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

If you are unhappy with the way Homes and Communities Agency has handled your request you may ask for an internal review. You should contact

Head of Legal Services  
Homes and Communities Agency  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

Homes and Communities Agency  
Fry Building, 2 Marsham Street, London, SW1P 4DF

0300 1234 500  
[homesandcommunities.co.uk](http://homesandcommunities.co.uk)

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

Naomi McMaster  
Information Access Officer  
Homes and Communities Agency