

Date: 03/09/2019  
Our Ref: RF12758  
Your Ref: RF12758 – Land Parcels Redditch  
Tel: 0300 1234 500  
Email: foi@homesengland.gov.uk



Homes  
England

██████████  
By Email Only

Windsor House  
Homes England – 6<sup>th</sup> Floor  
50 Victoria Street  
London  
SW1H 0TL

Dear ██████████,

**RE: Request for Information – RF12758**

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

*Further to my previous request under Freedom of Information legislation (your reply ref. "RF12721" ). Thank you for your reply with attachments. I have examined the data therein; there are two Land Registry Title Plan references which are of particular interest:*

*HW19600  
HW87565*

*Please may I have full details and copies (or sight of) all relevant information/documentation that Homes & Communities Association hold concerning the transfer of land parcels associated with these two Land Registry Title Plans between Redditch Development Corporation (RDC) and / or The Commission for The New Towns (CNT) to either or both of Homes & Communities Association (HCA) / Homes England (HE), such transfers relating to residual plots / parcels of land left over from the construction of the Redditch New Town and surrounding housing areas during the late '70s – early '80s.*

*I have been advised by Redditch Borough Council that " ... any records associated with disposal of land previously associated with the Redditch Development Corporation, were transferred to Homes England, formerly Homes & Communities Agency".*

*I would be happy to accept all correspondence / the requested information via email attachment (standard file extensions are acceptable e.g. PDF, Excel, Word etc.), in order to save expenditure against the public purse in respect of postage costs.*

Homes England can confirm that we do hold some of the information detailed in your request. We will address each of the title numbers in turn.

**Response regarding Title number HW19600**

We are able to inform you that we do hold the information that you have requested. However, we rely on section 21, exemption where information is available to the applicant elsewhere.

The full text of the legislation can be found on the following link and we have quoted section 21 below for ease.

<https://www.legislation.gov.uk/ukpga/2000/36/section/21>

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21 - Information accessible to applicant by other means.

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

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 that all documentation held by Homes England in relation to HW19600 is available from the Land Registry for a small fee.

**Response regarding Title number HW87565**

I am able to confirm that Homes England does not hold the information detailed in your request. This is because there is no legal or business reason for Homes England to do so.

In order to conclude that the information is not held, we have searched with our Deeds and Records management 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 that documentation in relation to HW87565 should be available from the Land Registry for a small fee. As legal successors to land from other organisations, despite our best efforts we do not always receive records from an organisation. This may be the case where records are destroyed on closedown or were not stored by said organisation.

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**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 by writing to;

The Information Access Team  
Homes England – 6<sup>th</sup> Floor  
Windsor House  
50 Victoria Street  
London  
SW1H 0TL

Or by email to [foi@homesengland.gov.uk](mailto:foi@homesengland.gov.uk)

You may also complain to the Information Commissioner 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,

**Information Access Team**  
For Homes England