



Homes  
England

Date: 11 November 2020

Our Ref: RFI3171

Tel: 0300 1234 500

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

Making homes happen

██████████  
By Email Only

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

Dear ██████████

**RE: Request for Information – RFI3171**

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR).

You requested the following information:

*RE: Daedalus Village, Lee-on-the-Solent - Asbestos and Radioactivity*

*Can I please ask you to give me the following information (either a paper copy or a link to an online document):*

- **Environmental Impact Assessment(s)**, carried out at appropriate stages of the development of Daedalus Village
- **Radioactive Waste Inventory 2011**, or any other documented evidence of past (and present) levels of radioactivity on the site
- **The Land Contamination Register** from the start of the development – I am assuming that the site was formally placed on the register, so that the developers (and house-buyers) would know the history of the site
- **Certification of safe removal of the asbestos** – I am assuming that the asbestos has been removed or is being managed in accordance with the proper standards and that there is no longer any contamination at the site. I would like to see confirmation of this

**Response**

We can confirm that we do hold some of the requested information, which is provided as detailed below.

**Regulation 13 – Personal Data**

We have redacted information on the grounds that it constitutes third party personal data and therefore engages Regulation 13 of the EIR.

To disclose personal data, such as names, contact details, addresses, email addresses and personal opinions could lead to the identification of third parties and would breach one or more of the data protection principles.

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Regulation 13 is an absolute exception which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exception is engaged.

The full text in the legislation can be found on the following link;  
<http://www.legislation.gov.uk/uksi/2004/3391/regulation/13/made>

**1. Environmental Impact Assessment(s)**

This is available on the Gosport Borough Council Planning Portal on the following link:

<https://publicaccess.gosport.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LN4TGWHO03K00>

**2. Radioactive Waste Inventory 2011, any other documented evidence of past (and present) levels of radioactivity on the site**

The information that falls in scope is provided as the following Annexes:

- Annex A – Daedalus Site Investigation Report
- Annex B – HMS Daedalus Walkover Gamma Survey
- Annex C – Land Quality Assessment Intrusive Investigation
- Annex D – Land Quality Assessment Radiological Investigation
- Annex E – Land Quality Assessment Remediation Proposal
- Annex F – Land Quality Statement
- Annex G – Radiation Walkover Survey Report
- Annex H – Supplementary Land Quality Assessment

**3. Land Contamination Register**

I am able to confirm that Homes England does not hold the information detailed in your request.

In order to conclude that the information is not held, we have searched with our Daedalus Development 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>

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 the Land Quality Statements as provided in Annex A are shared with the public/developers.

**4. Certification of safe removal of the asbestos**

This is provided as the attached Annex I.



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

Or by email to [infogov@homesengland.gov.uk](mailto:infogov@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,

**The Information Governance Team**

For Homes England

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