



Homes
England

Date: 11 February 2021

Our Ref: RFI3283

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

By Email Only

Windsor House
Homes England – 6th Floor
50 Victoria Street
London
SW1H 0TL

Dear [REDACTED]

RE: Request for Information – RFI3283

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

RE: Betteshanger site in the Dover District Council (DDC) area – planning reference 20/00419

"It is now clear that this project will make best use of a site which has seen a significant level of publicly funded investment in the form of infrastructure brought forward by SEEDA and subsequent Agencies to pump-prime the land for development. This investment included the delivery of roads and utilities to serve the platforms created across the former colliery site."

I would like to ask for the sources of information on the Betteshanger development used by Homes England on which this judgement is based.

Response

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>

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.

OFFICIAL



Homes
England

Making homes happen

Date: 11 February 2021

Our Ref: RFI3283

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

(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. The information that falls within your request are the following documents, available on the links provided:

- National Audit Office report: 'Regenerating the English Coalfields' [Regenerating the English Coalfields - National Audit Office \(NAO\) Report](#)
- Memorandum by The South East England Development Agency (SEEDA): 'SEEDA – The Regeneration of the Kent Coalfield' [House of Commons - Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions - Written Evidence \(parliament.uk\)](#)

We can advise that the Betteshanger project was transferred from SEEDA to Homes England when SEEDA closed in 2012.

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 – 6th Floor
Windsor House
50 Victoria Street
London
SW1H 0TL

Or by email to 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.

OFFICIAL



Homes
England

Date: 11 February 2021

Our Ref: RFI3283

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Yours sincerely,

The Information Governance Team

For Homes England

Making homes happen