



Homes
England

Date: 5 February 2021

Our Ref: RFI3278

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

[REDACTED]
By Email Only

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

Dear [REDACTED]

RE: Request for Information – RFI3278

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

Please could I be directed to the individual/s who dealt with the following transactions to confirm the below details.

Land at Majestic Way Aqueduct TF4 3SA

- *Sale Date: 18/11/2020*
- *Tenure: Freehold*
- *Buyer: Living Space Housing Limited*
- *Proposed land use: Residential Development*

Are you able to confirm the price achieved for each sale?

Response

We are able to inform you that we do hold the information that you have requested.

We can advise that the proposed land use is residential development.

However, the remaining information that you have requested is exempt from disclosure under the following exemptions:

Section 22 - Information intended for future publication.

We rely on section 22, exemption where information is intended for future publication under the FOIA to withhold the sale date, tenure and buyer and price.

The full text of the legislation can be found on the following link and we have quoted section 22 below for ease.
<https://www.legislation.gov.uk/ukpga/2000/36/section/22>

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Section 22 - Information intended for future publication.

(1) Information is exempt information if:

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) the information was already held with a view to such publication at the time when the request for information was made, and
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

Section 22 is a qualified exemption. This means that in order to withhold information under this exemption, we must consider the public interest in disclosure.

Public Interest Test – Factors in favour of disclosure

Homes England is compliant with the government agenda of transparency and recognises the benefit of publishing the information, particularly when it concerns how Homes England undertakes its work.

Public Interest Test – Factors in favour of non-disclosure

The information will be publicly available at land registry once the sale registration is complete. It is reasonable that a public authority not divert resources where the information is readily available to the public.

Therefore after careful consideration we have concluded that at this time, the balance of the public interest favours the non-disclosure.

Advice and Assistance

In compliance with the Section 45 Code of Practice (Paragraph 14) and to offer advice and assistance under section 16 of the Freedom of Information Act 2000 we can advise that the information will be available via the following link: [Get information about property and land - GOV.UK \(www.gov.uk\)](https://www.gov.uk). The title number for the land is SL86437. The application has been registered and is currently 'pending'.

Section 40 – Personal information

We have are withholding the transaction manager's name and contact information on the grounds that it constitutes third party personal data and therefore engages section 40(2) of the FOIA.

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.

Section 40 is an absolute exemption 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 exemption is engaged.

The full text in the legislation can be found on the following link;
<https://www.legislation.gov.uk/ukpga/2000/36/section/40>



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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 any general enquiries regarding this land/sale can be addressed to the transaction manager of this site through our general enquiries team on the following details: enquiries@homesengland.gov.uk/ 0300 1234 500. The enquiries team will be able to assist with any information that is not exempt from disclosure under FOIA.

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.

Yours sincerely,

The Information Governance Team
For Homes England

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