



Homes  
England

Date: 10 May 2021

Our Ref: RFI3423

Tel: 0300 1234 500

Email: 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 – RFI3423**

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

*I am writing to express my concern about the management of litter on a development site in my local area. The site in question is Hopsgardens at Kingsmead in Faversham.*

*Please see the attached photos which show a lot of litter, predominantly polystyrene, which has been left lying around on the site. Worse still, as you can see from the photos, some of the polystyrene has escaped the site and ended up in trees and grass verges. It would appear to me that the developers are taking no steps to manage or stop the spread of this waste. My concern is that they don't care about the local area or its residents and wildlife.*

*As I'm sure you are aware, polystyrene and its components are hazardous to the environment, wildlife and humans.*

*These photos were taken 3 or 4 weeks ago. I walked past the site again yesterday and the situation is looking even worse.*

*If this is happening at this one site, I have no doubt that it is happening at sites across the country.*

*I would like to know if you have any policies regarding waste management on development sites and, if so, why aren't they being followed?*

*I am also requesting that action be taken at the site in question as it seems unfair that the local residents, wildlife and environment should have to bear the burden of this pollution which could easily be mitigated.*

**Response**

We are 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 Estates Management, Development and Affordable Housing teams who would have the requested information if held.

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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 advise the following in order to contextualise our involvement at this site.

Homes England does not own the land detailed in your request, nor do we have a direct relationship with the developer. We have provided funding under the Shared Ownership and Affordable Homes Programme 2016-2021 (SOAHP) to the Clarion Housing Group to support affordable homes being built on this land. Our relationship with Clarion is through a funding agreement in which Homes England do not make any stipulations regarding construction or waste management as this falls outside the scope of our involvement which is purely funding related.

We suggest that you contact the developer (Crest Nicholson) or your local authority who may be able to address the waste at this site.

### **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. You can request an internal review by writing to Homes England via the details below, quoting the reference number at the top of this letter.

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

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

Your request for review must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response. Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for review will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) 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/>



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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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