



Homes  
England

Date: 11 May 2021

Our Ref: RFI3420

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 – RFI3420**

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

*Would you please provide copies ( any format) of any representations made to Homes England ( if any were made) by any individual or organisations supporting/ advocating/ promoting your acquisition of Fence Avenue .*

**Response**

We can confirm that we do hold information that falls within the scope of your request, which is attached as Annex A.

**Section 40 – Personal information**

We have redacted information contained within Annex A 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>

**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)

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Homes England – 6<sup>th</sup> Floor  
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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/>

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

OFFICIAL



Department for  
Communities and  
Local Government

David Rutley MP  
House of Commons  
London  
SW1A 0AA

**Alok Sharma MP**  
*Minister of State for Housing and Planning*

**Department for Communities and Local  
Government**  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

Tel: 0303 444 3430  
Fax: 020 7035 0018  
Email: [Alok.sharma@communities.gsi.gov.uk](mailto:Alok.sharma@communities.gsi.gov.uk)

[www.gov.uk/dclg](http://www.gov.uk/dclg)

Our Ref:3439082

23 August 2017

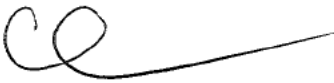

Dear Mr Rutley

Thank you for your letter of 21 July, to the Rt Hon Sajid Javid MP, on behalf of s. 40(2) of the King's School in Macclesfield, Cheshire SK10 1DA, about the school's relocation and the sale of its former site for development as housing. I am replying as the Minister for Housing and Planning.

The Housing White Paper: *Fixing Our Broken Housing Market* sets out an ambitious set of proposals to tackle housing affordability. It will deliver more land, speed up build out, diversify the market, and support people who need help now. It shows that the Government is committed to building a country that works for everyone. This includes a wide range of Government programmes like Starter Homes to help more young first-time buyers into home ownership. Further information on the Housing White Paper can be found at: <https://www.gov.uk/government/publications/fixing-our-broken-housing-market>

The Government is committed to maximising the use of brownfield land. As you are aware, £1.2 billion has been committed to a Starter Home Land Fund to ensure delivery of Starter Home led development on brownfield sites that might not otherwise be developed. The Government has announced 30 local authority partnerships as part of this fund – selected on the basis of their potential for early delivery. We will confirm the next steps for the programme in due course.

I am sorry to learn of the current uncertainty regarding the funding allocation for the King's School. My officials are working with the Homes and Communities Agency (HCA) to deliver housing sites, as part of taking forward the White Paper commitments. I note that the HCA have contacted the school, and have offered to meet with them to discuss how to support the school's ambitions. Please do let me know if you feel I can be of further assistance.

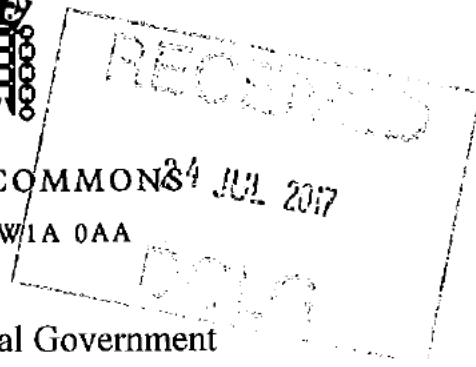
  
 **ALOK SHARMA MP**

SIGNED ON BEHALF  
OF MINISTER IN  
HIS/HER  
ABSENCE

DAVID RUTLEY MP



HOUSE OF COMMONS  
LONDON SW1A 0AA



The Rt Hon Sajid Javid MP  
Secretary of State for Communities and Local Government  
Department for Communities and Local Government  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

21<sup>st</sup> July 2017

Dear Secretary of State

**Re: The King's School, Cumberland Street, Macclesfield, Cheshire SK10 1DA**

Please find enclosed a letter that I have received from **s. 40(2)**  
**s. 40(2)** of the King's School in Macclesfield, regarding the school's relocation  
and the sale of its former site for development as housing.

I should be most grateful for your comments on the issues raised. Specifically, the  
school would be glad, given the situation that it faces, for any advice on how the  
Government could help it achieve its ambitions.

Thank you for your help with this matter. I look forward to hearing from you.

With best wishes,

**s. 40(2)**

David Rutley MP  
Enc

18th July 2017

STRICTLY PRIVATE AND CONFIDENTIAL

David Rutley MP  
House of Commons  
London  
SW1A 0AA

*Dear David,*

Thank you for your time on the telephone last week. You suggested it would be helpful if I wrote to you to summarise our current position with regard to our 2020 Project: the relocation of the school to a new greenfield site on the outskirts of Macclesfield and the sale of the current town-centre sites for housing. The school now has a full consent for the new school and outline consent for the housing sites.

Our sites at Fence Avenue and Westminster Road have been marketed with the benefit of the permission for 450 homes and a completed s106 agreement. Although we received strong interest in the sites from house builders and positive offers, the main challenge for us remains how to build the new school whilst waiting for the main receipts. Most house builders are unwilling to advance payments without demanding a substantial discount because of their return-on-capital requirements. Many banks are adverse to development risk, although supportive of our business case.

We were therefore delighted to be introduced to the Homes and Communities Agency (HCA) recently, following a meeting with Cheshire East Council and the Cheshire and Warrington LEP. The HCA are the government's housing delivery agent and following an initial meeting with the regional lead, they were quick to follow up our meeting with an offer on the site. This not only delivers the government's housing priorities of starter homes for young people, supported older people's housing and delivery at pace at the heart of the Northern Powerhouse, but would give us the comfort and certainty of partnering with government which, in turn, would guarantee high quality design and certainty of delivery.



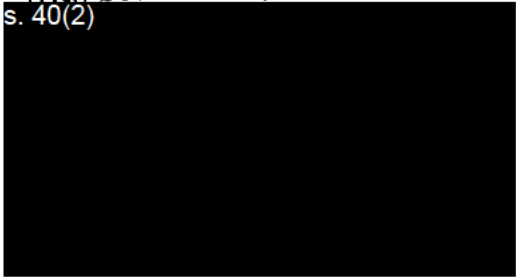
However, I was disappointed last week to be told by s. 40(2) regional head of the HCA, that government priorities were under review and therefore the HCA was being told it was unable to make a formal commitment to the school while the review was underway. In order to achieve our current opening target, we will need to be in contract by 26th September 2017. It is clear that the local HCA are as frustrated as we are, given the national urgency in delivering homes and the fact we have a site with planning ready and willing to go.

Whilst, of course, I understand the government's need to review its finances and priorities, I had hoped that housing would remain a key objective. Indeed, the Secretary for State for DCLG addressed the LGA Conference only a week ago and urged local authorities to be brave and ambitious and to deliver the growth their towns and communities need. Yet, here we have a case where the Local Authority and HCA have a much needed and welcome housing scheme ready to go, but central government is effectively telling us to put housing delivery on hold while it reassesses its priorities; potentially jeopardising the project.

The building of the new school will see VAT receipts of around £9m to the Treasury, whilst the boost to the local economy has been estimated at tens of millions. As MP for Macclesfield, I am sure the significance will not be lost on you, nor the confused message being sent by central government who have long challenged local authorities (and quite pointedly Cheshire East) to build the homes the country most urgently needs.

I am enclosing the recent letter from s. 40(2) which sets out the HCA's position.

With best wishes,  
s. 40(2)





Homes &  
Communities  
Agency

The Kings School in Macclesfield

s. 40(2)

Savills  
Belvedere  
12 Booth Street  
Manchester  
M2 4AW

06 July 2017

To Whom It May Concern

**Land at Westminster Road and Fence Avenue, Macclesfield**

Further to my letter dated 20 June 2017 regarding the above and in anticipation of the School's board meeting on Saturday 08 July 2017, I am writing to set out the recently emerged position from DCLG regarding funding availability.

As you are aware, locally, we have worked extremely hard over a short period of time to prepare a robust offer to the School to facilitate the delivery of its expansion plans. Unfortunately, during this time, we have been overtaken by a number of events at a national level including a general election resulting in a minority government, appointment of a new housing minister and the tragic events in north Kensington.

As a consequence, the Government is currently in the process of reviewing its priorities regarding funding for housing projects. Given this lack of clarity, we are unable to make a formal commitment to the School regarding the potential acquisition of its assets at Westminster Road and Fence Avenue in time for the School's board meeting. We are reviewing this situation on a daily basis and remain extremely keen on acquiring these sites and will advise you immediately if the situation should change.

We are very disappointed to find ourselves in this unique position, however feel that it is in the best interests of the School to be open and transparent about the current situation in order for it to make an informed decision regarding its business plan.

We understand DCLG and Government are in discussions about future funding allocations and will advise you as soon as this information is available.

Homes and Communities Agency  
Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington, WA3 7QH

0300 1234 500  
homesandcommunities.co.uk

s. 40(2)

We apologies for any inconvenience however we have only been made of this situation at very late notice. We are happy to meet to discuss in detail if there are still opportunities for he HCA to support the School's ambitions.

Yours sincerely

s. 40(2)

A large black rectangular redaction box covers the signature area.

Head of North West Accelerated Delivery