



Homes
England

Date: 9 June 2021

Our Ref: RFI3469

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 ██████████

RE: Request for Information – RFI3469

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

Can you help me in relation to a grant you made to Runnymede Borough Council (RBC) of £41.80m last year so highway improvements can be carried out to the A320 so they can bring forward residential developments totally dependent on these works being completed?

1. RBC say they have undertaken to have all the A320 works completed by March 2024?

2. Can you confirm there is such an obligation?

3. Does the obligation extend to Surrey County Council who are arranging the highway works?

I fear RBC maybe obligated and this obligation is totally dependant on SCC who are under no such obligation?

4. If RBC do not complete the works by March 2024 what is the implication?

5. If the A320 works costs exceed £41.80m will Homes England fund the shortfall or is that down to RBC and/or SCC?

Response

Questions 1-4

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 Housing Infrastructure Grants 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.

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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 confirm that Homes England has entered into a funding agreement regarding infrastructure works at the A320 with Surrey County Council (SCC) not Runnymede Borough Council (RBC).

For further information in relation to Runnymede Borough Council, we would advise that you submit a Freedom of Information request to them directly.

Question 5 -If the A320 works costs exceed £41.80m will Homes England fund the shortfall or is that down to RBC and/or SCC?

We can confirm that we do hold the information you have requested.

As advised, it is Surrey County Council (SCC) that are undertaking the highway works to the A320. The funding agreement between Homes England and SCC contains provisions stating that should the costs exceed the funding provided, the local authority will be responsible for any overruns required to complete delivery of the scheme.

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. Further information regarding terms and conditions of grant payments can be found at the following link on page 15: [Title \(publishing.service.gov.uk\)](#)

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

The Information Governance Team
Homes England – 6th 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.



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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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