



Homes
England

Date: 18 June 2021

Our Ref: RFI3344

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 – RFI3344

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

Stafford Magistrates Court

Re the above property; please list all the stages and financial information from closure to current situation ie today 23/2/2021.

We asked for clarification regarding your request and you advised as follows:

- 1) *When was the last court sitting?*
- 2) *What costs were involved whilst court was "mothballed"?*
- 3) *When was a valuation made?*
- 4) *How many valuers were employed?*
- 5) *Which valuer enabled the sale of the property*
- 6) *What possible selling prices were ascertained?*
- 7) *What costs were budgeted for selling?*
- 8) *What was the final selling price?*
- 9) *What fees were paid to selling agent(s)?*
- 10) *When was the property finally transferred to the buyer?*

Re the matter of some confusion to you on disposal: I am referring to the disposal to Stafford Council

Response

We can confirm that we do hold some of the requested information and will address each of your questions in turn.

- 1) ***When was the last court sitting?***
- 2) ***What costs were involved whilst court was "mothballed"?***

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 responsible project team 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. We can advise that Stafford Magistrates Court was previously owned by the Ministry of Justice (MOJ). It was then acquired by Homes England who have subsequently disposed of the site to Stafford Council. Therefore, we advise that the MOJ may hold the information that falls in scope of this part of your request. You can submit a Freedom of Information request directly to the MOJ via the following link: data.access@justice.gov.uk.

3) *When was a valuation made?*

The date of the valuation was 17 January 2020.

4) *How many valuers were employed?*

Homes England employed one valuer from its framework of valuers, being Thomas Lister Limited.

5) *Which valuer enabled the sale of the property*

We are able to confirm that Homes England does not hold the information detailed in your request. This is because there is no business reason for Homes England to do so.

In order to conclude that the information is not held, we have searched with our Project 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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Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. As such, we can advise that valuers do not "enable" the sale of a property. They merely undertake a Report and Valuation of the intended site for transfer purposes.

6) *What possible selling prices were ascertained?*

The current market value provided via the Valuation Report was £320,000.

7) *What costs were budgeted for selling?*

We are able to confirm that Homes England does not hold the information detailed in your request. This is because there is no business reason for Homes England to do so.



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In order to conclude that the information is not held, we have searched with our Land 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.

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. As such we can advise that Homes England does not have a 'budget' or specific fund set aside to dispose of individual sites that we own.

8) What was the final selling price?

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.

(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. We can advise that the sale price is publicly available at Land Registry via the following link: [Get information about property and land - GOV.UK \(www.gov.uk\)](#) under Title number SF550640.



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9) What fees were paid to selling agent(s)?

We are able to confirm that Homes England does not hold the information detailed in your request. This is because there is no business reason for Homes England to do so.

In order to conclude that the information is not held, we have searched with our Land 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.

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. As such we can advise that no agents were employed in the disposal of the site from Homes England to Stafford Council and therefore no fees were paid.

10) When was the property finally transferred to the buyer?

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.

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We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. We can advise that the transfer date is publicly available at Land Registry via the following link: [Get information about property and land - GOV.UK \(www.gov.uk\)](#) under Title number SF550640.

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.

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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