



Homes
England

Date: 8 October 2021

Our Ref: RFI3572

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

██████████
By Email Only

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

Dear ██████████

RE: Request for Information – RFI3572

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA).

You requested the following information:

Please could you provide all material (including emails and other electronic documents) relating to the selling/leasing of the former Lancaster Moor Hospital site to PJ Livesey. This should include material concerning:

- a. any non-compliance with the Estate Management Scheme; particularly in the areas of Campbell House and the Cricket Pitch (including the Pavilion),*
- b. the transfer of Common Areas,*
- c. what conditions/restrictions there are/were regarding selling/leasing of the land and,*
- d. information regarding the sale of Freehold to Campbell House residents.*

Also, we request material relating to discussions, meetings, decisions (including the rationale of any decisions made) etc relating to the responsibilities of the leaseholders/residents of Campbell House towards the maintenance of the Cricket Pitch (including the Pavilion).

We are aware of the existence of the Lease dated 11 September 2013 between Homes and Communities Agency and PJ Livesey Living Space (6) Limited and PJ Livesey Holdings Ltd. and request a copy of same including all attachments.

Response

We can confirm that we do hold some of the information that falls within the scope of your request. We will address each of your points in turn.

- a) Please could you provide all material (including emails and other electronic documents) relating to the selling/leasing of the former Lancaster Moor Hospital site to PJ Livesey.***

OFFICIAL



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- b) Also, we request material relating to discussions, meetings, decisions (including the rationale of any decisions made) etc relating to the responsibilities of the leaseholders/residents of Campbell House towards the maintenance of the Cricket Pitch (including the Pavilion).**

Please find enclosed Annex A which contains information we hold in relation to **a)** the selling/leasing of the former Lancaster Moor Hospital site to PJ Livesey. Also contained within this Annex is information relating to **b)** the maintenance of the Cricket Pitch. However, we rely on Section 40 (2), Section 42 and Section 43(2) of the FOIA to withhold some of the information from disclosure. We are also withholding and have therefore redacted information contained within Annex A that does not fall within scope of your request.

Section 42 – Legal Professional Privilege

Under section 42(1) of the FOIA Homes England is not obliged to disclose information that constitutes advice given under legal professional privilege (LPP) which protects confidential communications between lawyers and clients which is a fundamental principle of English law.

Section 42 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether it is in the wider public interest for the information to be disclosed.

Arguments in favour of disclosure:

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money.

Arguments in favour of withholding:

- Homes England believes that there is a strong argument to withhold the correspondence held in order to safeguard full and frank legal advice, which in turn is fundamental to the administration of justice.

Having considered the arguments for and against disclosure of the information, we have concluded that at this time, the balance of the public interest favours non-disclosure.

The full text of the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/42>

Section 40 – Personal information

We have redacted 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.



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The full text in the legislation can be found on the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/40>

Section 43 - Commercial interests

Under section 43(2) Homes England is not obliged to disclose information that would, or would be likely to, prejudice the commercial interests of any party.

The information requested relating to costs engages section 43(2) of the FOIA as it is commercial in nature and its release would be likely to prejudice the commercial interests of Homes England and other interested parties to the information.

Homes England has identified that the information requested, if released, would be likely to prejudice the effective operation of future development of the land.

Section 43 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether or not it is in the wider public interest for the information to be disclosed.

Arguments in favour of disclosure:

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money.
- Homes England acknowledges that there is a public interest in the Lancaster Moor Hospital site.

Arguments in favour of withholding:

- The information relates to and directly affects ongoing commercial negotiations that Homes England and the third party are undertaking regarding future proposals of the wider site. If this information were released it would be likely to disadvantage Homes England's and the third party's commercial position and have a negative impact on the ongoing development of the wider site. This would also be likely to have the same negative effect on future commercial activity and other Homes England funding. This would not be in the public interest as it would put future development at risk, inflate prices and damage Homes England's reputation as a partner. This would negatively affect public money and nullify work already undertaken;
- If information regarding value that has been and will be derived were in the public domain there could be expectations from the public and potential future partners about the value of the site and the value of potential future works. This would mean that prices could be inflated and negotiating positions put at risk. This would not be in the public interest as it would be likely to result in poorer value for public money;
- Releasing the information could reveal financial information between Homes England and third parties which may in turn affect their commercial interests. The consequences of releasing data that is part of a wider ongoing matter would likely prejudice any potential funding allocations of the third party concerned. This would not be in the public interest as this could put potential homes in jeopardy;
- Releasing the information would be likely to negatively impact future development processes as third parties may feel unable to provide all the information requested for fear of disclosure, which would impact the ability of Government officials to make effective, informed decisions and work effectively with partners. This would be likely to negatively impact allocation of public money;



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- Releasing information in relation to a third party in a competitive market would be likely to distort competition, making it a less competitive process. This would not be in the public interest as it would be likely to lead to third parties being unable to secure works for market value, or be successful in securing approvals for works and services. This would be likely to have a negative effect on future commercial activity. This would not be in the public interest as it would negatively affect Homes England's position as the government's housing accelerator and our ability to create successful and trusting relationships with partners; and
- Homes England has been unable to identify a wider public interest in disclosing the information requested.

Having considered the arguments for and against disclosure of the information, we have concluded that at this time, the balance of the public interest favours non-disclosure.

The full text of the legislation can be found on the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/43>

- c) We are aware of the existence of the Lease dated 11 September 2013 between Homes and Communities Agency and PJ Livesey Living Space (6) Limited and PJ Livesey Holdings Ltd. and request a copy of same including all attachments.***

We can inform you that we do hold some of 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>

Section 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.



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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 Lease between the Homes and Communities Agency (now Homes England) and PJ Livesey dated 11 September 2013 is publicly available from the Land Registry for a small fee via the following link: [Get information about property and land - GOV.UK \(www.gov.uk\)](#). The title number for the main site in your request is LAN22612, and a copy of the lease is available using title number LAN144317.

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

OFFICIAL

From: EXTERNAL s. 40(2) on behalf of s. 40(2)
To: s. 40(2)
Subject: Re: Transfer of freehold at Campbell House, Lancaster Moor Hospital
Date: 25 April 2014 14:37:06
Attachments: not in scope

s. 21

s. 40(2)

s. 42

(please use this reference in all correspondence)

s. 40(2) (Direct Email: s. 40(2) fdrlaw.co.uk)

25th April 2014

By Email Only: s. 40(2) hca.gsi.gov.uk

Dear s. 40(2)

RE: Transfer of freehold at Campbell House, Lancaster Moor Hospital

I hope to have spoken to you before you receive this email but I understand from speaking to s. 40(2) that we are now in a position to complete the freehold transfer of the footprint at Campbell House excluding the cricket pitch area.

The terms of the Lease for Campbell House are such that the freehold in that area is to be transferred to the developer at the point that they are able to issue the first Interim Completion Certificate for an apartment in that block which I understand happened earlier this week but no doubt you will confirm.

On the assumption that we are at that stage s. 40(2) and I have been working on a draft version of the Transfer and I enclose a copy of the latest tracked version for your consideration and approval. Separately I also enclose the three plans which have been specifically produced to accompany this Transfer which you will see from Legal Plan A shows the area to be transferred to the developer edged red immediately adjacent but below the site access road and excluding the cricket pitch which is shown hatched black.

In accordance with the terms of the Campbell House lease there is no consideration payable for this transfer but I also wanted to run through with you how I understand the various plot sales will now be dealt with going forward in respect of Campbell House.

s. 42

a) s. 42

s. 42

[Redacted]

[Redacted]

[Redacted]

[Redacted]

I hope that this is all in order but I would be grateful if you could arrange to telephone me upon receipt to confirm your approval to the form of transfer including plans and also to capture upon the current status of the transfer and sale of s. 40(2) as set out above.

I look forward to hearing from you.

Kind regards.

Yours sincerely

s. 40(2)

For and on behalf of
FDR Law

s. 40(2)



T s. 40(2)
s. 40(2) fdrlaw.co.uk
W| www.fdrlaw.co.uk
A | 21 Bold Street, Warrington. WA1 1DG
DX 743430 - WARRINGTON 15



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please refer to www.fdrlaw.co.uk

 Please consider the environment before printing this email

s. 40(2)

From: s. 40(2)
Sent: 21 May 2014 15:19
To: s. 40(2)
Subject: RE: Land at Campbell House, Lancaster – Freehold Transfer
Attachments: s. 21

Hi s. 40(2)

Thanks for the update.

s. 40(2) has now confirmed that the monies due to the HCA for Campbell House are £s. 43

s. 42

Kind regards

s. 40(2)

s. 40(2)

s. 40(2)

Homes and Communities Agency | 1 Piccadilly Gardens | Manchester | M1 1RG
Direct Dial: s. 40(2) | Mobile: s. 40(2)

homesandcommunities.co.uk

From: s. 40(2) [mailto:s.40(2)@fdrlaw.co.uk] **On Behalf Of** s. 40(2)

Sent: 21 May 2014 12:49

To: s. 40(2) [mailto:s.40(2)h@cottrills.co.uk]

Cc: s. 40(2)

Subject: Land at Campbell House, Lancaster – Freehold Transfer

s. 42

(please use this reference in all correspondence)

s. 40(2) (Direct Email: s. 40(2) [fdrlaw.co.uk](mailto:s.40(2)@fdrlaw.co.uk))

21 May 2014

By Email: s. 40(2) [@cottrills.co.uk](mailto:s.40(2)@cottrills.co.uk)
cc: s. 40(2) [hca.gsi.gov.uk](mailto:s.40(2)@hca.gsi.gov.uk)

Dear s. 40(2)

RE: Land at Campbell House, Lancaster – Freehold Transfer

I refer to our telephone conversation earlier today and am pleased to note we have now completed the Transfer and dated it 21 May 2014.

I will let you have the Transfer executed by my client in the post and would be grateful if you could do the same but in the meantime I set out our client account details for you to transfer the monies you are holding from the various plot sales. I note that you will deal separately with my colleague s. 40(2) on the plot sale matters going forward.

Our Bank details are:

s. 43
[Redacted]

s. 43
[Redacted]

Kind regards.

Yours sincerely

s. 40(2)
**For and on behalf of
FDR Law**



s. 40(2)
s. 40(2)

T | s. 40(2)
E | s. 40(2) [fdrlaw.co.uk](mailto:s.40(2)@fdrlaw.co.uk)
W | www.fdrlaw.co.uk
A | 21 Bold Street, Warrington. WA1 1DG
DX 743430 - WARRINGTON 15



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s. 40(2)

From: EXTERNAL s. 40(2) on behalf of s. 40(2)
<s. 40(2)@fdrlaw.co.uk>
Sent: 10 June 2014 17:07
To: s. 40(2)
Subject: Re: Land at Campbell House - Freehold Transfer
Attachments: s. 21

s. 42

(please use this reference in all correspondence)

s. 40(2) (Direct Email : s. 40(2)@fdrlaw.co.uk)

10^h June 2014

By Email Only: s. 40(2) hca.gsi.gov.uk

Dear s. 40(2)

RE: Land at Campbell House – Freehold Transfer

I enclose a copy of the Transfer executed by Liveseys for your records dated 21st May 2014.

I can confirm the originals have been forwarded to the Agency in Milton Keynes for safekeeping.

Kind regards.

Yours sincerely

s. 40(2)
**For and on behalf of
FDR Law**



s. 40(2)
s. 40(2)
T | s. 40(2)
E | s. 40(2)@fdrlaw.co.uk
W | www.fdrlaw.co.uk
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s. 40(2)

From: s. 40(2) @hewitsons.com>
Sent: 28 November 2019 09:44
To: s. 40(2)
Subject: RE: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]
Attachments: s. 42

Hi s. 40(2)

s. 42

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Kind Regards

s. 40(2) | Hewitsons LLP | ☎ +44 (0)s. 40(2) | F: +44 s. 40(2)
✉ s. 40(2) @hewitsons.com | www.hewitsons.com

From: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Sent: 27 November 2019 15:44
To: s. 40(2) <s. 40(2)@hewitsons.com>
Subject: RE: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]

Thanks s. 40(2)

s. 42

[Redacted]

Thanks,

s. 40(2)
s. 40(2)
11th Floor, No. 1 Mann Island, Liverpool, L3 1BP
T: s. 40(2)
M: s. 40(2)
homes-england

OFFICIAL

From: s. 40(2) <s. 40(2)@hewitsons.com>
Sent: 27 November 2019 15:15
To: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Subject: RE: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]

Hi s. 40(2)

I write further to our telephone discussion of earlier this afternoon.

s. 42

s. 42

I hope this assists.

Kind Regards

s. 40(2) | s. 40(2) | Hewitsons LLP | ☎ +s. 40(2) | F: +44 (s. 40(2)) |
✉ s. 40(2)@hewitsons.com | www.hewitsons.com

From: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Sent: 27 November 2019 14:04
To: s. 40(2) <AdeobaKulepa@hewitsons.com>
Subject: FW: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site

As discussed.

Advice appreciated.

Thanks,

s. 40(2)
s. 40(2)
11th Floor, No. 1 Mann Island, Liverpool, L3 1BP
T: s. 40(2)
homes-england

OFFICIAL

From: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Sent: 27 November 2019 09:48
To: s. 40(2) <s. 40(2)@homesengland.gov.uk>; s. 40(2) <s. 40(2)@homesengland.gov.uk>
Subject: FW: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site

Hi s. 40(2)

Please see below and attached as briefly mentioned yesterday. Do you have any idea about any of this?

s. 40(2) – just to keep you in the loop, we have been contacted by the residents at Campbell House at Lancaster Moor about them obtaining the freehold for their properties from PJ Livsey.

Thanks

s. 40(2)

s. 40(2)

North West Public Sector Land



T: s. 40(2)

M: s. 40(2)

E: s. 40(2) [homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)

Homes England
110 Birchwood Boulevard
Birchwood
Warrington
WA3 7QH

s. 40(2)

[@HomesEngland](https://twitter.com/HomesEngland)

#MakingHomesHappen

We're the government's housing accelerator. We have the appetite, influence, expertise and resources to drive positive market change. [Find out more and help make this happen.](#)



OFFICIAL

From: s. 40(2) [@googlemail.com](mailto:s.40(2)@googlemail.com)>

Sent: 26 November 2019 19:23

To: s. 40(2) <s. 40(2) [homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)>

Cc: s. 40(2) [@sky.com](mailto:s.40(2)@sky.com)>; s. 40(2) [s. 40\(2\) @gmail.com](mailto:s.40(2)@gmail.com)>; s. 40(2)

<s. 40(2)s. 40(2) [s. 40\(2\) @hotmail.com](mailto:s.40(2)@hotmail.com)>; s. 40(2) [s. 40\(2\) @gmail.com](mailto:s.40(2)@gmail.com)>; s. 40(2)

[s. 40\(2\) @hotmail.com](mailto:s.40(2)@hotmail.com)>; s. 40(2) [s. 40\(2\) @gmail.com](mailto:s.40(2)@gmail.com)>; s. 40(2) [s. 40\(2\) @hotmail.com](mailto:s.40(2)@hotmail.com)>;

s. 40(2) [s. 40\(2\) @hotmail.com](mailto:s.40(2)@hotmail.com)>; s. 40(2) [s. 40\(2\) @hotmail.com](mailto:s.40(2)@hotmail.com)>;

Subject: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site

Good evening s. 40(2)

As requested I enclose a copy of my letter to you in connection with the Freehold of the seven Campbell House properties at Lancaster Moor Hospital site.

You kindly agreed to investigate Homes England's current position in relation to the intended freehold transfer. Any information you can provide for us would be very welcome as we would like to draw this long-running matter to a close soon.

I can be reached at the address and /or telephone numbers on the attached letterhead.

Many thanks in anticipation of your assistance

s. 40(2)

Homes England is the trading name of the Homes and Communities Agency. Our address for service of legal documents is Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington, WA3 7QH. VAT no: 941 6200 50. Unless expressly agreed in writing, Homes England accepts no liability to any persons in respect of the contents of this email or attachments.

Please forward any Freedom of Information Requests to: enquiries@homesengland.gov.uk

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s. 42

s. 42

s. 40(2)

Tel: s. 40(2)
Mobile s. 40(2)

24th November 2019

FAO s. 40(2)
s. 40(2)

Homes England – North West
Warrington Office
Arpley House
110 Birchwood Boulevard
Warrington WA3 7QH

Dear s. 40(2)

Re: Freehold discussion on properties at Campbell House, Lancaster Moor Hospital

Thank you for your time on Friday. I was given your details by the Homes England central switchboard and you are obviously aware of the Lancaster Moor site. I agreed with you that I would describe our query in an email. I am grateful to my neighbours s. 40(2) and s. 40(2) for a detailed timeline associated with our questions. I can let you have this detail if you require it but for this email, I have summarised the key dates below:

Campbell House is the stone building immediately to the south of the Lancaster Moor Annexe and faces onto the cricket pitch and pavilion. Our home s. 40(2) forms the central portion of Campbell House. There are seven properties in total and I am writing to you on behalf of all of our neighbours in the building.

Essentially, all of the seven properties were purchased from PJ Livesey (Builder) in late 2013/early 2014 – upon completion of the Campbell House renovation. At that time Homes England (HCA) was the Freeholder and PJ Livesey the primary Leaseholder. Our understanding was that upon completion of the Moor Hospital redevelopment and as Livesey quit the site – the freehold of our property footprint would be transferred to us as homeowners. We were invited to join the Management company in connection with the transfer and had expected our freehold to be acquired smoothly.

The Leases we have specify that the transfer of Lease would happen on payment of a nominal sum (£^{s. 43}). On 6th May 2017 however we were contacted by PJ Livesey's solicitors Slater Heelis with an offer to sell the Lease to us for a total sum of £s. 43. The deadline for completion was set to 25 September 2017. Despite the clear departure from the (nominal) Lease conditions all of the neighbours agreed to purchase, but in the event the offer expired. We understand that PJ Livesey had not agreed with Homes England (HCA), the right to sell the leasehold. In the process of our solicitors' reviewing the sale conditions, they uncovered a

prior Lease in existence (dated 11 September 2013) - agreed between Homes England (HCA) and PJL - and relating to the overall Lancaster Moor site. There appear to be some onerous conditions within the Lease – in relation not to our home footprint but to the cricket pitch - that we believe were not made clear to the owners of Campbell House at the time of our purchases. Having been unable to meet their own deadline for sale of the Campbell House Lease, Livesey notified us that they intended to buy the cricket pitch from HCA: simultaneously – to transfer the entire parcel of cricket pitch/homes (and its responsibilities) to us. Not surprisingly our solicitors made clear our refusal to accept this manoeuvre.

As I explained to you in our telephone conversation, we have had no further contact from Livesey over the matter. The position was made more complex as you know, by the cricket pavilion being demolished in the intervening period. We understand that consequently, Council Enforcement action has proceeded against PJ Livesey and is nearing its completion. This makes it imperative that we are able to understand the current intentions of our Freeholder and the builder acting as 'intermediate'. The issue of developers selling homeowners' leases is a topical one, with related discussions in government circles and in the press.

Our questions:

Are we correct in our assumption that Homes England remains our Freeholder? If yes, are Homes England able to assist us to acquire the freehold of our building and its immediate footprint? Is there a mechanism for the transfer to proceed directly between Homes England and ourselves? What would the procedure involve and how might we 'kickstart' the process – given that we have held the properties now for over five years?

We would be very grateful for any investigation by Homes England that would help us realise our wish to acquire the freehold of our properties as we had expected to do when we opted to live in the Lancaster Moor community.

Many thanks for your help

Yours sincerely

S. 40(2)

(for and on behalf of homeowners at properties S. 40(2) Campbell House, Lancaster Moor Hospital Site)

s. 40(2)

From: s. 40(2) s. 40(2) @hewitsons.com>
Sent: 19 December 2019 12:03
To: s. 40(2)
Subject: RE: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]
Attachments: s. 42

Hi s. 40(2)

Kind Regards

s. 40(2) | s. 40(2) | Hewitsons LLP | ☎ +44 (0) s. 40(2) | ✉
s. 40(2) @hewitsons.com | www.hewitsons.com

From: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Sent: 19 December 2019 11:43
To: s. 40(2) <s. 40(2)@hewitsons.com>
Subject: RE: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]

Hi s. 40(2)

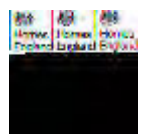
s. 42

[Redacted content]

Many thanks

s. 40(2)

s. 40(2)



T s. 40(2)

E: s. 40(2) [homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)

Homes England
1st Floor Churchgate House
56 Oxford Street
Manchester
M1 6EU

s. 40(2)
[@HomesEngland](https://twitter.com/HomesEngland)

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From: s. 40(2) <s. 40(2)@hewitsons.com>
Sent: 19 December 2019 11:33
To: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Subject: RE: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]

Hi s. 40(2)

s. 42

Kind Regards

s. 40(2) | s. 40(2) | Hewitsons LLP | ☎ +44 s. 40(2) | ✉
s. 40(2) [@hewitsons.com](mailto:s.40(2)@hewitsons.com) | www.hewitsons.com

From: s. 40(2) <s. 40(2)@hewitsons.com>
Sent: 19 December 2019 11:25
To: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Subject: RE: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]

Hi s. 40(2)

s. 42

s. 42

I hope this assists.

Kind Regards

s. 40(2) | s. 40(2) | Hewitsons LLP | +44 (s. 40(2)) |
s. 40(2) | @hewitsons.com | www.hewitsons.com

From: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Sent: 18 December 2019 15:44
To: s. 40(2) <s. 40(2)@hewitsons.com>
Subject: FW: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]

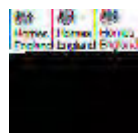
Hi s. 40(2)

s. 42

Many thanks

s. 40(2)

s. 40(2)



s. 40(2)

E: s. 40(2)@homesengland.gov.uk

Homes England
1st Floor Churchgate House
56 Oxford Street
Manchester
M1 6EU

s. 40(2)

@HomesEngland

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From: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Sent: 28 November 2019 16:09
To: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Cc: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Subject: FW: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]

s. 42

[Redacted]

[Redacted]

Happy to discuss.

Thanks,

s. 40(2)
s. 40(2)
11th Floor, No. 1 Mann Island, Liverpool, L3 1BP
T: s. 40(2)
[homes-england](#)

OFFICIAL

From: s. 40(2) <s. 40(2)@hewitsons.com>
Sent: 27 November 2019 15:15
To: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Subject: RE: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site [IWOV-A.FID2954537]

Hi s. 40(2)

I write further to our telephone discussion of earlier this afternoon.

s. 42

s. 42

I hope this assists.

Kind Regards

s. 40(2) | Hewitsons LLP | +44 s. 40(2) |
s. 40(2) @hewitsons.com | www.hewitsons.com

From: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Sent: 27 November 2019 14:04
To: s. 40(2) s. 40(2)@hewitsons.com
Subject: FW: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site

As discussed.

Advice appreciated.

Thanks,

s. 40(2)
s. 40(2)
11th Floor, No. 1 Mann Island, Liverpool, L3 1BP
T: s. 40(2)
homes-england

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From: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Sent: 27 November 2019 09:48
To: s. 40(2) <s. 40(2)@homesengland.gov.uk>; s. 40(2) <s. 40(2)@homesengland.gov.uk>
Subject: FW: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site

Hi s. 40(2)

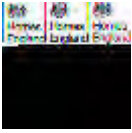
Please see below and attached as briefly mentioned yesterday. Do you have any idea about any of this?

s. 40(2) – just to keep you in the loop, we have been contacted by the residents at Campbell House at Lancaster Moor about them obtaining the freehold for their properties from PJ Livsey.

Thanks

s. 40(2)

s. 40(2)



T: s. 40(2)
M: s. 40(2)
E: s. 40(2) [homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)

Homes England
110 Birchwood Boulevard
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s. 40(2)
[@HomesEngland](https://twitter.com/HomesEngland)

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From: s. 40(2) [@googlemail.com](mailto:s.40(2)@googlemail.com)
Sent: 26 November 2019 19:23
To: s. 40(2) <s. 40(2) [homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)>
Cc: s. 40(2) [@sky.com](mailto:s.40(2)@sky.com)> s. 40(2) s. 40(2) [.com](mailto:s.40(2)@gmail.com)>; s. 40(2) [s. 40\(2\)@hotmail.com](mailto:s.40(2)@hotmail.com)>; s. 40(2) [s. 40\(2\)@gmail.com](mailto:s.40(2)@gmail.com)>; s. 40(2) [s. 40\(2\)@hotmail.com](mailto:s.40(2)@hotmail.com)>; s. 40(2) [s. 40\(2\)@gmail.com](mailto:s.40(2)@gmail.com)>; s. 40(2) s. 40(2) [s. 40\(2\)@hotmail.com](mailto:s.40(2)@hotmail.com)>; s. 40(2) [s. 40\(2\)@hotmail.com](mailto:s.40(2)@hotmail.com)>
Subject: Discussion on Freehold transfer for Campbell House properties, Lancaster Moor Hospital site

Good evening s. 40(2)

As requested I enclose a copy of my letter to you in connection with the Freehold of the seven Campbell House properties at Lancaster Moor Hospital site.

You kindly agreed to investigate Homes England's current position in relation to the intended freehold transfer. Any information you can provide for us would be very welcome as we would like to draw this long-running matter to a close soon.

I can be reached at the address and /or telephone numbers on the attached letterhead.

Many thanks in anticipation of your assistance

s. 40(2)



Homes England is the trading name of the Homes and Communities Agency. Our address for service of legal documents is Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington, WA3 7QH. VAT no: 941 6200 50. Unless expressly agreed in writing, Homes England accepts no liability to any persons in respect of the contents of this email or attachments.

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T +44 (0) 1908 247010 F +44 (0) 1908 24702 [W www.hewitsons.com](http://www.hewitsons.com)



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s. 40(2)

From: s. 40(2)
Sent: 19 December 2019 14:19
To: s. 40(2)
Subject: RE: Campbell House Lancaster Moor

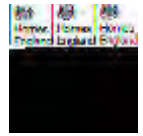
Hi s. 40(2)

No problem, and apologies again it took a while to get back to you.

Kind regards

s. 40(2)

s. 40(2)



T: s. 40(2)

E: s. 40(2) [homesengland.gov.uk](https://www.homesengland.gov.uk)

Homes England
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56 Oxford Street
Manchester
M1 6EU

s. 40(2)

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From: s. 40(2) [redacted]@googlemail.com>
Sent: 19 December 2019 14:18
To: s. 40(2) [redacted] <s. 40(2) [redacted]@homesengland.gov.uk>
Subject: Re: Campbell House Lancaster Moor

Thanks s. 40(2) [redacted]
Your reply is much appreciated. not in scope [redacted]

Kind regards
s. 40(2) [redacted]

Sent from my iPhone

On 19 Dec 2019, at 13:23, s. 40(2) [redacted] <s. 40(2) [redacted]@homesengland.gov.uk> wrote:

Hi s. 40(2) [redacted]

There are different building leases for the various phases of the Lancaster Moor development.

The Cricket Pitch forms part of the Open Space and is separate from the leases granted at Campbell House.

The Development Agreement provides for the Open Space to be transferred to the management company/developer – my understanding is that Homes England agreed to sell the Cricket Pitch to PJ Livesey.

It would not be appropriate for Homes England to comment on what PJ Livesey plans to do with the Cricket Pitch once it is under its ownership. This is for any interested party to discuss with PJ Livesey.

Hope this helps.

Many thanks

s. 40(2) [redacted]

s. 40(2) [redacted]

<image001.jpg>

T: s. 40(2) [redacted]

E: s. 40(2) [redacted]@homesengland.gov.uk

Homes England
1st Floor Churchgate House
56 Oxford Street
Manchester
M1 6EU

s. 40(2) [redacted]
[@HomesEngland](#)

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<image002.jpg>

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From: s. 40(2) [redacted] <[redacted]@googlemail.com>
Sent: 17 December 2019 15:28
To: s. 40(2) [redacted] <s. 40(2) [redacted]@homesengland.gov.uk>
Subject: Re: Campbell House Lancaster Moor

Many thanks s. 40(2) I will pass your response onto my immediate neighbours. Just on my first reading of your email message, I'm a little confused over whether your reading of the Leases suggests that the Cricket Pitch/Common Land lease is separate from lease of Campbell House (as we hope and believe). Or, it is entirely up to PJJivesey to dispose of the Leases in any combination they choose? Any thoughts, given that the Cricket Pitch is yet to be transferred?

Kind regards

s. 40(2) [redacted]

Sent from my iPhone

On 17 Dec 2019, at 12:59, s. 40(2) [redacted] <s. 40(2) [redacted]@homesengland.gov.uk> wrote:

Dear s. 40(2) [redacted]

Thank you very much for your email, and apologies for the delay in getting back to you but Homes England was covered under Purdah during the recent General Elections.

I have looked into this matter for you, and the freehold of Campbell House was transferred to PJ Livesey who then subsequently granted leases to the end purchasers. The provisions of the leases between PJ Livesey and the end purchasers is a private arrangement between PJ Livesey and their tenants and so it would not be appropriate for Homes England to comment.

With regard to the cricket pitch, PJ Livsey agreed to buy this, and the sale requires Homes England to transfer the cricket pitches to the Developer/ManCo . Once the Open Space Land (which includes the Cricket Pitch) has been transferred, any subsequent buyer will be required to maintain the cricket pitches in accordance with the transfer between Homes England and the Developer/Management Company, unless the Developer/Management Company decides to retain and maintain the cricket pitches. We have not yet transferred the cricket pitch so PJ Livsey are responsible for maintenance currently.

From looking at the standard plot sales transfer for Lancaster Moor, it suggests that

the Management Companies are responsible for the maintenance of the Common Areas and Open Space Land (Cricket Pitch forms part of this) with the residents granted right to use the Common Areas and the Open Space Land for the purposes which they are intended subject to any reasonable regulation which the relevant Management Company may impose.

I hope this provides some clarity on the situation.

Kind regards

s. 40(2)

s. 40(2)

T: s. 40(2)

E: s. 40(2) [homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)

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s. 40(2)

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-----Original Message-----

From: s. 40(2) [@googlemail.com](mailto:s.40(2)@googlemail.com)

Sent: 16 December 2019 12:13

To: s. 40(2) <s. 40(2) [homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)>

Subject: Campbell House Lancaster Moor

Hi s. 40(2)

Sorry to hassle you but I wondered whether you had made any progress over our Freehold Purchase from Homes England?

Look forward to hearing from you

Best wishes

s. 40(2)

s. 40(2)

From: s. 40(2)
Sent: 19 August 2021 11:09
To: s. 40(2)
Subject: FW: Moor Park Estate - Lancaster (Case Ref: ZA38546) CRM:0275450

s. 40(2)



s. 40(2)

From: s. 40(2) <s. 40(2)@homesengland.gov.uk>
Sent: 12 August 2021 13:40
To: s. 40(2)@homesengland.gov.uk; s. 40(2)@homesengland.gov.uk
Cc: s. 40(2) <s. 40(2)@homesengland.gov.uk>; s. 40(2)@homesengland.gov.uk
Subject: RE: Moor Park Estate - Lancaster (Case Ref: ZA38546) CRM:0275450

Hi s. 40(2)

Further to our call earlier this week, please see some points back on the points in the email from s. 40(2) in red below.

Homes England had a landownership at Lancaster Moor which was disposed of partly to Story Homes (31st July 2013) and partly to PJ Livsey (11th September 2013)

Homes England was contacted by s. 40(2) (resident of Campbell House) in 2019 in regards to the ongoing maintenance of the Cricket Pitches. This letter mentions that the residents were going to proceed with the purchase at £^{s. 43} but this option expired. At the time we spoke to our solicitors Hewitsons who assisted us in our response.

s. 42

I have emailed s. 40(2) from Hewitsons again this week in regards to this, but s. 40(2) has not yet come back to me. s. 40(2) is picking up the contract management of this project moving forwards, and she has been copied into the emails to s. 40(2) please can you update s. 40(2) once we get a response s. 40(2)

Hi s. 40(2)

I hope you are well.

The enquiries team have forwarded the below email which you are also copied into from s. 40(2). Whilst we suggest that Government Relations send the response given the enquiry has come from an MP, we'd really appreciate your steer on how to respond and any information you have to help us understand the background, especially in relation to the comments about the responsibility for the maintenance of the cricket pitch falling onto Campbell House residents.

Please do let me know if you are not best placed to assist and if so, suggestions for who to contact.

Cheers

s. 40(2)

s. 40(2)



s. 40(2)

----- Original Message -----

From: s. 40(2) @parliament.uk>;
Received: Tue Aug 10 2021 14:06:57 GMT+0100 (British Summer Time)
To: Homes England Enquiries <enquiries@homesengland.gov.uk>; Enquiries Queue <Enquiries@homesengland.gov.uk>;
Cc: s. 40(2) <s. 40(2)@homesengland.gov.uk>;
Subject: Moor Park Estate - Lancaster (Case Ref: ZA38546)

Dear Homes England & s. 40(2)

Moor Park Estate, Lancaster – 2013 Leasehold Agreement between Homes England & PJ Livesey

I am writing to you on behalf of constituents of mine who reside at the newly built Moor Park Estate in Lancaster, within my constituency. I understand that residents have previously written to Homes England about their concerns with this leasehold and received a response from s. 40(2) who I have copied into this email.

I write specifically on behalf of the residents of s. 40(2) Campbell House at this development, who had previously attempted to purchase their leasehold off developer PJ Livesey for £s. 43. I understand that this deal was set to proceed but was vetoed by Homes England due to complexities surrounding the leasehold also covering the site of a cricket pitch and pavilion.

I understand that a lease dated 11/09/2013 exists between the Homes and Communities Agency (now Homes England) and PJ Livesey. This lease relates to the whole of the Moor Hospital site and included sections relevant to the aforementioned cricket pitch site which stated that, once works were complete, responsibility for ongoing maintenance of the cricket pitch and pavilion would pass exclusively to the residents of Campbell House. This was a detail residents were not made aware of upon purchase of their properties by PJ Livesey. I know also that PJ Livesey had intended to purchase the cricket pitch site from Homes England in 2017 to transfer this to the sole responsibility of the Campbell House residents.

I would be grateful if you could provide full details about Homes England's involvement at this location, including details of your leasehold agreement with PJ Livesey, and why it was written into this lease that sole responsibility for the cricket pitch site would transfer to the residents of ^{s. 40(2)} Campbell House – especially given it is a publicly accessible site which anyone is able to access?

I look forward to your reply.
Yours sincerely,

s. 40(2)