



Homes
England

Date: 6 October 2021

Our Ref: RFI3602

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 – RFI3602

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:

In 2016 Chalgrove Airfield was transferred from the Ministry of Defence to the Homes and Communities Agency (HCA) with the intention of developing the site for housing. There are increasing concerns about this decision, made at ministerial level, and I believe it is in the public interest to open that process to wider scrutiny. I am therefore requesting the release of all information available to the minister when the decision was made.

Chalgrove Airfield is used by the Martin Baker Aircraft Company to test military ejector seats. A recent report from the Civil Aviation Authority states “The (Chalgrove Airfield) site cannot accommodate both a housing development and Martin-Baker Aircraft Company Limited’s specialised operation”. As a direct result of that report, the planning proposal submitted by Homes England to South Oxfordshire District Council has been withdrawn for revision. These events suggest that the minister was poorly briefed in 2016.

The proposed development of Chalgrove Airfield requires new road building to bypass neighbouring villages. The Airfield has been labelled a brown-field site but in fact is mostly laid to grass. Development will thus have clear negative environmental impacts. As we are now in a declared climate emergency, the assessments of environmental impact made at the time of transfer to the HCA should be open to scrutiny. Were alternative, potentially less environmentally harmful options considered for the site and if so, what were they?

I note that two similar previous Freedom of Information requests to the Ministry of Defence were declined (FOI2017/03134 and FOI2107/08012). Section 36(2)bii of the Freedom of Information Act (FOIA) was used to justify this. This is a conditional exemption and I contend that the public interest is now best served by disclosure. The “free and frank exchange of views for the purposes of deliberation” referred to in Section 36(2)bii of the FOIA will be facilitated rather than inhibited by disclosure.

Response

We can confirm that Homes England does not hold the information detailed in your request. We will address each of your points in turn.

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1) I am therefore requesting the release of all information available to the minister when the decision was made.

We can confirm that Homes England does not hold the information detailed in your request.

To conclude that the information is not held, we have searched with our Acquisitions 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. To comply with this duty, we can confirm that Homes England does not hold the information which was available to the Secretary of State for Defence when the decision was made. You may wish to submit a new Freedom of Information request directly to the Ministry of Defence (MoD) via the below link; information held in relation to the Secretary of State for Defence is held by the MoD, therefore they are in a better position to provide the required information:

[Publication scheme - Ministry of Defence - GOV.UK \(www.gov.uk\)](#)

2) Were alternative, potentially less environmentally harmful options considered for the site and if so, what were they?

We can confirm that Homes England does not hold the information detailed in your request.

To conclude that the information is not held, we have searched with our Acquisitions 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. We can confirm that we do not hold any information relating to alternative options being considered. This is because, in 2016 when the Homes and Communities Agency (now called Homes England) purchased the site from the MoD, it was purchased because of its potential as a site for housing. There were no alternative options considered.



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It may be useful for you to know what we as Homes England do which is that we primarily provide funding to councils, developers, and other applicants to support their housebuilding. Homes England also acquire and dispose of land to partners to support development. We are responsible for increasing the number of homes that are built in England, including affordable homes and homes for market, sale or rent. Further information on who we are and what we do can be found on our website:

[About us - Homes England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/about-us-homes-england)

Further Advice and Assistance

We note that you have referenced two similar previous requests submitted directly to the MoD which were declined and section 36(2)bii of the FoIA was used as justification.

Further to our duty to provide advice and assistance in accordance with section 16 of the FoIA, we can confirm that in respect of the two mentioned requests, Homes England does not hold any information concerning those two requests and any comments or concerns with their responses should be communicated to the MoD.

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 these 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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