



# Homes England

The Housing and Regeneration Agency

Date: 24 October 2023

Our Ref: RFI4496

Tel: 0300 1234 500

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

[REDACTED]  
By Email Only

Dear [REDACTED]

## **RE: Request for Information – RFI4496**

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:

### **Gardiners lane south development Basildon**

**For nearly 30 years now the Gardiners lane south development Development saga has been hanging over the sports clubs and one remaining house, so 3 years ago Inland homes put in an application for the building of new homes and a sports hub, which was granted. So would like to know when did Homes England sell the land where the sports clubs sit. And are the sports clubs on leases and when do these run out. And what happens now that Inland homes has gone into administration.**

### **Response**

We can inform you that we do hold some of the information that you have requested. We will address each of your questions in turn below.

### **when did Homes England sell the land where the sports clubs sit.**

We can confirm that we do hold the requested information. However, we rely on section 21, exemption where information is available to the applicant elsewhere.





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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.

### 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 transfer date is publicly available on the Land Registry via the below link. The title number for the site in your request is **AA48686**.

<https://www.gov.uk/get-information-about-property-and-land/copies-of-deeds>





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**And are the sports clubs on leases and when do these run out. And what happens now that Inland homes has gone into administration.**

We can 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.

To conclude that the information is not held, we have searched with our Disposals 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 we do not hold information on the administration of Inland Homes or whether the sports club are on leases as they have not been granted by Homes England. However, as advised above, we recommend that you search on the Land Registry under the title number **AA48686**.

## 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)

Information Governance Team  
Homes England  
Windsor House  
6<sup>th</sup> Floor

6<sup>th</sup> Floor  
Windsor House  
42 - 50 Victoria Street, Westminster  
London, SW1H 0TL

0300 1234 500  
@HomesEngland  
[www.gov.uk/homes-england](http://www.gov.uk/homes-england)





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42-50 Victoria Street  
London  
SW1H 0TL  
United Kingdom

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

