



Homes England

Date: 14 November 2023

Our Ref: RFI4511 & RFI4513

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

██████████
By Email Only

Dear ██████████

RE: Request for Information – RFI4511 & RFI4513

Thank you for your requests for information which were processed in accordance with the Freedom of Information Act 2000 (FOIA). We have aggregated the above requests for information, as they both refer to the same matter.

You requested the following information:

RFI4511

Under title AA11301 - HCA/Homes England is the listed proprietor dated as of 26/02/2020.

Prior to this date, Homes England and HCA did not own this land, nor did they have possession, so please provide all information as to how much Homes England/HCA paid, or how they obtained it.

RFI4513

- 1. Please provide in relation to the properties at Gardiners Close, Basildon, Essex, and property linked to, known as Basildon Rifle and Pistol Club (title number EX703868), Land at Courtauld Road (title number EX764997), and any other property (please identify and provide a title number for it) if there is any, making up the parcels included in the phase 4 development for Gardiners Lane South:-**
 - a. If land has sold/transferred or is in the process of being sold/transferred, please provide the following information,**
 - i. The sum agreed for each parcel,**
 - ii. The sum paid for each parcel,**
 - iii. Was any land or housing units exchanged as part of a deal for payment,**
 - iv. The date that funds were transferred to Homes England/HCA,**
 - v. The date funds were received by Homes England/HCA Solicitor.**
 - vi. The date transfer of land took place,**





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- vii. Which company paid Homes England/HCA,
- viii. Which company were the various plots of land transferred to, from Homes England/HCA,
- ix. Whether there were, or are, any claw backs attached to any of the properties, or, was it a straight sale with no clawbacks or uplifts etc.

b. If however Homes England have not yet received money or transferred the Basildon Rifle and Pistol Club site and Courtauld Road site, please indicate the reason, given as planning was passed for 22/00677/REM on 5 December 2022, and the transfer and sale was meant to follow the securing of detailed planning, such that please still indicate the following as proposed or agreed in advance:

- i. The sum agreed for each parcel,
- ii. Was any upfront payment secured,
- iii. Was any land or housing units exchanged or meant to be exchanged as part of a deal for payment,
- iv. The date the funds were meant to be transferred to Homes England/HCA,
- v. Was or is there a time period that payment had/has to be made following planning,
- vi. Has failure to pay on time breached the contract,
- vii. Which company is meant to pay Homes England/HCA,
- viii. Which company were the various plots of land meant to be transferred to, from Homes England/HCA,
- ix. Whether there were, or are, any claw backs attached to any of the properties, or, is it meant to be a straight sale with no clawbacks or uplifts etc.

Please refer to the various plots individually where possible and relevant unless sold by phase.

- 2. Since phase 3 had a reported resale / onward transfer to development company Stonebond/leaf living on the exact same day,
 - a. did Homes England/HCA have any knowledge/agreement with Inland Homes / Basildon Developments Ltd, to await the resale of the land or to secure a deposit for its resale, in order to purchase the land from Homes England as potentially they knew the developer did not have the funds.
 - b. Such that, is/was the same scenario happening with land associated with phase 4.

Such that Homes England have knowledge/agreement that in order to be paid by Inland Homes/Basildon Developments Ltd, Inland Homes/Basildon Developments Ltd need to secure a deposit or the resale of the land to make payment.





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3. As it has been announced that Inland Homes have gone into administration and as the following I request information of, such of these prices and other information will be disclosed to administrators and potentially other buyers in a potential takeover, such that this will no longer be restricted information;

Please provide in relation to the properties at Gardiners Lane South, Basildon, Essex, being all remaining land titles included in phases 5-10 including the school area, which I believe most of the title numbers are as follows, to which I have included to make the request easier.

P52212

EX704271

AA11301

AA48686

EX128646

EX241199

EX536998

EX703617

EX703773

EX703609

EX703736

EX504282

EX364124

EX20330

EX288849

EX579656

EX628572

EX464802

- a. Have any parcels of the whole site already been transferred, ahead of detailed planning,
- b. If so, please provide the sum paid for each parcel, and
- c. If so, the date that funds were/will be transferred to Homes England/HCA,
- d. If not, please provide the sum agreed for each phase/parcel or per title number, once detailed planning has been obtained,
- e. Is/has any land or housing units been agreed (or is agreed to be) exchanged as part of a deal for any payment,





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f. State whether there are any claw backs attached to any of the properties, or, are they straight sales with no clawbacks or uplifts etc.

g. How much has been agreed for the house at the address 20 The Fryth Basildon, SS14 3PL - Title number P52212, that is attached to the land at Gardiners Close on phase 5.

Response

We have considered your above requests, the history of past FOIA requests made to us by you and have concluded that a response to your request is refused under section 14(1) of the FOIA. Section 14(1) is designed to protect public authorities by allowing them to refuse vexatious requests which are requests that have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress.

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

<https://www.legislation.gov.uk/ukpga/2000/36/section/14>

There is no obligation in FOIA on Homes England to detail the tests applied to determine that Section 14(1) applies to your requests. However as part of our duty under section 16 FOIA to provide advice and assistance, we can confirm that we have considered the Information Commissioner's Office (ICO) [guidance](#) for public authorities on the test to be applied when considering if a request is vexatious.

Homes England recognises the importance of public access to information. However, section 14(1) allows us to also consider the context and history when assessing the proportionate impact of disruption on the organisation.

We have received 21 requests in relation to this site from you, and other individuals we believe are acting together with you, over a period of more than four years. This includes requests made outside of the FOIA regime, such as Data Subject Access Requests (DSARs) and frequent correspondence between yourself and other individuals we believe are acting together, and Homes England's site Project Team and our Legal department. These requests total approximately 159 questions asked in relation to this site and the DSARs were a clear example of attempts to gain information about Inland Homes, Basildon Development Corporation and Homes England's connection to this site.





Homes England

The Housing and Regeneration Agency

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We have considered the history of dealings with Homes England from you and those who we believe are acting in concert with you, and we consider the impact and disruption on resources is not proportionate to the purpose and wider public value in the release of the requested information.

We have previously provided you with information which you are entitled to under FOIA in relation to this site and have previously advised that some of the information is publicly available on the Land Registry. We note that your second request (our ref: RFI4513) is a similar request which you made previously (our ref RFI4067), the only difference being that you have now referenced additional title numbers which further evidences the persistence to gain information we have refused to disclose previously.

We have determined that your requests for information are weighed towards a 'personal' rather than 'public' interest and that FOIA is not the appropriate route for pursuing your enquiries. Given the history of requests made, we do not consider that any further response(s) issued would result in the matter being closed to your satisfaction.

Under section 14(1) there is no requirement to carry out a public interest test or to confirm or deny whether the requested information is held.

Once the first section 14(1) refusal notice has been issued, we will not continue to acknowledge or respond to further requests of the same nature. Please take this as the first refusal notice. However, should a reasonable interval elapse before a new request is received from you that is substantially different in nature, we will process said request under the FOIA.

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

Information Governance Team
Homes England
Windsor House
6th Floor

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

0300 1234 500
@HomesEngland
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

