



Date: 21 June 2024

Our Ref: RFI4613

Tel: 0300 1234 500

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

██████████  
By Email Only

Dear ██████████

**RE: Request for Information – RFI4613**

Thank you for your email, which was processed under the Environmental Information Regulations 2004 (EIR). Please accept our sincere apologies that we have not been able to provide this response to you in accordance with the timeframes set out in the legislation. We recognise that we have also not kept you up-to-date as to our progress with your request. Our handling of your request falls below the standard of service we aim to provide and we would like to thank you for your patience and understanding.

You requested the following information:

**Thank you for the information you provided on the 23 January with respect to my FOI request RF14576 in which asked for a copy of the response from Mr G Harris, Senior Project Manager at the South East England Development Agency (SEEDA) to an email dated 27 May 2008 from Mr Tim Flisher, Development Control Manager at Dover District Council regarding the expiry of planning permission for the visitors' centre and the section 106 Agreement.**

**Unfortunately, the information you provided does not contain the information I requested about the visitors centre and S106 Agreement (dated August 2004, which I have a copy of).**

**In the email of 27 May 2008, from Mr Flisher to Mr Harris, Mr Flisher writes:**

**'At this stage, I have not checked whether any other conditions are outstanding. However, could I draw your attention to the following:**

- **The planning permission for the temporary visitors' centre expired on 30 November 2007. I am not aware that an application has been made either for its retention or for its replacement by an alternative building.**



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- **The S106 Agreement which accompanied the 2004 permission.'**

## **Response**

### **Regulation 12(4)(a) – Information not Held**

Under regulation 12(4)(a) of the EIR, Homes England may refuse to disclose information if the requested information is not held by that public authority.

When relying on Regulation 12(4)(a), Homes England must also advise details of any other public authority to whom the requestor could redirect their request to, and in accordance with this we can advise that Dover District Council may hold the requested information.

Regulation 9(1) provides that an authority must provide advice and assistance to applicants and in accordance with this we can advise that, as explained previously, we do hold information relating to Betteshanger Country Park but not in an easily retrievable format. We have located correspondence sent to and from Gordon Harris but have been unable to locate any correspondence that meets the scope of your request.

In order to confirm the information is not held, we have reviewed all of the correspondence on file sent to and from Gordon Harris in 2008 and 2009. We have observed that records of correspondence were kept and filed. We have also conducted searches of the electronic records we hold relating to the Betteshanger development more generally and not limited to Gordon Harris, Tim Flisher or correspondence to rule out filing errors and we have still been unable to identify any correspondence that meets the scope of your request, other than what was provided in RFI4576.

In your request, you helpfully identified that Gordon Harris may have responded in a letter, rather than email, to Tim Flisher. We have located letters sent by Gordon Harris but have been unable to identify correspondence that meets the scope of your request.

### **Right to make Representations**

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 a reconsideration of our response (Internal Review). You can make this





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representation 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)

The Information Governance Team

Homes England

6<sup>th</sup> Floor

Windsor House

42 - 50 Victoria Street

London

SW1H 0TL

Your request for reconsideration must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response (Reg 11(2)). Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for reconsideration 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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