



Homes England

Date: 20 May 2014

Our Ref: RFI4718

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI4718

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:

I'm submitting a FOI request for any and all information relating to the commercial terms, ownership of and any other information relating to the sale or commercial arrangements of Homes England land titles EX313877, EX704362 and EX704373.

Response

We can confirm that we do hold some of the requested information. We can inform you that we do hold 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) the purposes of subsection (1)—

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

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(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 are able to confirm that the commercial terms, ownership details and details relating to the sale and commercial arrangements of the Land on the East Side of Pound Lane, Basildon is publicly available on the Land Registry via the following link: <https://www.gov.uk/get-information-about-property-and-land>. The title numbers to use for the searches are either **EX313877**, **EX704362** or **EX704373** as all will contain the same/similar details about the proprietor. The ownership details can be found within the Register document. Please ensure to select "Order official copy of register, title plan and/or documents" in order to request additional documents such as the 'Transfer'.

We can advise that the site originally formed part of a custom build pilot programme and was sold with restrictions on title ensuring the delivery of custom build homes and to ensure that the developer did not 'flip' the site to one developer who would in turn develop the whole site. Contained within the Transfer dated 30 June 2023 are the commercial terms and arrangements of the transfer which can be found within Clause 12.8.1, Clause 12.8.2 and The Third Schedule. Please note that clause 12.8.1 applies as the residential units that have not yet been constructed.

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.

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Information Governance Team

Homes England

Windsor House

6th Floor

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

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