



Homes  
England

The Housing and Regeneration Agency

Date: 26 July 2024

Our Ref: RFI4749

Tel: 0300 1234 500

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

[REDACTED]  
By Email Only

Dear [REDACTED]

**RE: Request for Information – RFI4749**

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA). Please accept our apologies for the delay in issuing this response to you.

You requested the following information:

Original Request:

**I wish to make a request for information under the freedom of information act. Please provide the financial arrangements - which relate to our property - as detailed in page 48 of the Lease.**

We request clarification and you confirmed the following:

**The information I requested relates to page 48 of the Lease, I believe the section is the overage provision.**

**Apparently, Homes England take a share of the said value increases by way of Overage as detailed below. The information which I requires is how much was paid to Homes England by the developer (The Lease holder) for our particular property as per the clauses below. - [REDACTED]**

**Response**

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 Development team who would have the requested information if held.

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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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 are able to confirm that overage is calculated based on the overall performance of the entire site rather than being allocated or apportioned to individual plots. Therefore, we do not hold an overage payment value for your individual unit.

## **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  
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.

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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

