



Further to your information request FOI/EIR 24/25-053, please find your question and our response below.

Request:

Under the Freedom of Information Act 2000, I would like to request the following information pertaining to Section 106 agreements under the Town and Country Planning Act:

1. The total number of Section 106 agreements between developers and the Council for each financial year since 2010.
2. For the total number of planning obligations agreed under Section 106 since 2010, please provide the number of agreements that fall under each of the following categories:
 - a. Delivered in line with S106 and to expectations
 - b. Expected to be delivered in full in due course
 - c. Delivered but with agreed changes
 - d. Not delivered as agreed
 - e. Outcome unknown
3. Of the total S106 agreements made between 2010 to present, the number that resulted in a financial payment to the Council instead of a building or construction obligation.
4. Of financial contributions collected under Section 106, how much remains unspent.

Response:

This information is exempt from disclosure under Section 12(4)(b) of the Freedom of Information Act 2000. In respect of those requests that are answered in full, partially or the total refused, please take this as notice under FOIA, that we:

- a) Consider the information as exempt from disclosure under the Act.
- b) Claim exempt under sections of the Act:

Section 12(4)(b) Manifestly Unreasonable

- c) State why the exemption applies:

12(4) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that – (b) the request for information is manifestly unreasonable

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for local government is £450. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, locating, retrieving, and extracting the information.

I have spoken to the department responsible for answering, and they have advised that they cannot respond to your request within the timescale allowed, as the requested information is not held centrally, they would have to manually extract the data.

They have asked if you can reduce your request by specifying which S106 obligations you are interested in, i.e. waste bins, affordable housing, farming restrictions, transport, education, tenancy restrictions etc. It would also assist us in being able to respond to your request if you could also reduce the timescale that you are enquiring about.

This concludes your request FOI/EIR 24/25-053.

If information has been refused, please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in the first instance you may approach foi@eastcambs.gov.uk and request a review. A request for review must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.