

Data Protection Officer
Freedom of Information
NW Leicestershire District Council
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Leicestershire
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FREEDOM OF INFORMATION REQUEST 1063

I write further to your email dated 15 January 2020.

Your request has been dealt with under the terms of the Freedom of Information Act 2000, explained on our [freedom of information](#) page.

Your request:

I am writing to request a spreadsheet containing the following information regarding all the live S106 agreements within the district of North West Leicestershire:

- S106 reference number
- Development
- Site applicable (eg. 'Building A' of a particular school)
- Location
- Contracted/forecast £ due
- Received to date
- Amount outstanding
- Specified use

The information we require is on the live section 106 agreements (the current list rather than an exhaustive list of all of the section 106's that ever were), also including outline permissions or full applications relating to sites that have not yet started.

You clarified:

I am referring to all of the following:

- Sites with a S106 which are being built out at the moment;
- Sites with planning permission and a s106 Agreement irrespective of whether they are being built out or not;
- Where there is any S106 agreement where any monies have not been spent as yet.

Our response:

I can confirm that we hold the information you have requested. However, complying with this request would exceed the cost limit of £450. Where we estimate that complying with a request will cost in excess of £450 or 18 hours of officer time we will refuse this request under section 12 of the FOIA.

In this case, the first category you clarified contains an estimated 25 sites which would each take around 25 minutes to collect depending on the complexity of the case, a total of approximately 10 hours of officer time. In the second category we estimate there are about 70 such sites. Assuming the same rate of work (i.e. 10 hours per 25 sites) this would be around 28 hours of officer time. The third category would only require updating, an estimated 1.5 hours of work. The total time to complete your request is estimated to be 39.5 hours.

When applying section 12, the Council has a duty to advise customers of ways they may reduce the scope of the request to bring it within the cost limit. In this instance, if you did not require the second category of S106 agreements we could provide the other two within the cost limit.

I would also make it clear that where the County Council is included in the S106 (e.g. education, highways) they are responsible for their own monitoring and you are advised to contact them separately.

The supply of information in response to a freedom of information request does not confer the right to re-use the information. UK copyright law allows information supplied for the purposes of private study and non-commercial research to be used without permission. Information supplied can also be re-used for the purposes of news reporting except for in the case of photographs.

GOING FORWARD

If you are dissatisfied with the information supplied please feel free to contact me on the number above for any queries in relation to this response. Please note that in responding to further enquiries I can only comment on the information contained within this correspondence and cannot provide any further information that may pertain to an additional FOIA request.

Please remember to quote the Authority's three digit reference number given at the top of this email in any future communications.

If you remain dissatisfied following the conclusion of the above informal review, you have the right to ask for an internal review. A request for a review whether formal or informal should be submitted within two calendar months of the date of receipt of the response to your original letter and should be sent to DPO@NWLeicestershire.gov.uk or the address above.

Further details on our appeals and complaints procedure can be found on our website [here](#).

If you remain dissatisfied following the conclusion of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at accessicoinformation@ico.org.uk.