

FREEDOM OF INFORMATION ACT 2000 – Section 106 Agreements

Your request for information has now been considered and the Council's response to your questions is shown below.

You asked:

- 1. Please provide a figure, annual figure, for the last ten available years for the number of section 106 agreements agreed by the council. For the avoidance of doubt this figure should include the total number of contracts, whether they have been sealed or not, whether they are or remain in draft form or in pre-application form. For clarity, total number includes sealed or unsealed, concluded, draft and pre-application.**

Answer: Details of planning permissions with S106 agreements can be accessed via web page: <http://fdweb.leicester.gov.uk/planning/fdweb/> Choose Cabinet = Development Control. On the search page, choose Document Type = Decision Notice and Decision Notice Category = Agreement. This gives 216 results.

The total number of signed agreements by year are:

2001	6
2002	13
2003	14
2004	8
2005	21
2006	14
2007	17
2008	16
2009	30
2010	30
2011	28

We do not hold records of pre-application discussions in a way that would enable us to identify any with draft agreements, but we are not aware of any which included such drafts.

- 2. Further, please provide details on the number of contracts in breach or not yet performed, such that monies or obligations are owing to the council. Please provide details of the outstanding financial value or the obligations for each of the last ten available years.**

Answer: The outstanding agreements, that is, those where money could potentially still be paid to the council are:

	Number	Value £'s
2005	3	91,880
2006	5	1,875,465
2007	5	1,602,188
2008	10	911,721
2009	16	439,972
2010	24	382,599
2011	23	533,146

(NB None pre 2005)

There are 2 agreements where payment was due and has not been made.

There are 9 resolutions to grant planning permission subject to S106 agreements that have not been entered into.

3. Finally, if any contracts have been renegotiated, please provide the number of renegotiated contracts per year for the last ten available years.

Answer:

In total 3 have or are in the process of re-negotiation through deed of variation.

1 deed entered into 2005

1 deed entered into 2008

1 deed subject of a committee resolution in 2010 but not yet completed.

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If you are dissatisfied with the handling of your request please write to:

**Head of Information Governance
Information and Support**

**Leicester City Council
FREEPOST (LE985/33)
New Walk Centre
LEICESTER LE1 6ZG**

e-mail: FOIA@leicester.gov.uk

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

**Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Telephone: 01625 545 700
www.informationcommissioner.gov.uk**

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to Head of Information Governance before contacting the Commissioner.

Yours sincerely

**Lynn Wyeth
Head of Information Governance**