

London Borough of Barnet
2 Bristol Avenue,
Colindale,
London, NW9 4EW
18 May 2023
Our ref: 9631240

Thank you for your request received on 19 April 2023, for the following information:

Freedom of Information Request: Section 106 and Affordable Housing Delivery

I write to make a Freedom of Information request seeking data on section 106 agreements and housing delivery.

We are researching the extent to which Section 106 commuted sums are being used by Councils to fund affordable housing delivery in England. We are also interested in whether Councils are involved in directly delivering housing, through housing delivery vehicles, arms-length bodies, Council-owned companies or similar. We are seeking information from local planning authorities across England.

For some of the questions, it may be easiest to set out the response in tables - we have prepared some blank tables ready to populate.

In the event that the Council does not have the specific data we have requested, a similar figure would be helpful (for example, if the data is available over a different timescale to that which we have requested).

Your help in this matter is very much appreciated and we look forward to hearing from you.

Section 106

Q1) How much Section 106 funding (i.e. commuted sums) has been received for affordable housing delivery broken down on a per annum basis for the period between 2012/13 and 2021/22?

Q2) How much Section 106 funding has been spent on affordable housing delivery broken down on a per annum basis for the period between 2012/13 and 2021/22?

Q3) How many affordable housing units have been secured directly through the Council making use of Section 106 funding broken down on a per annum basis for the period between 2012/13 and 2021/22?

Q4) How much Section 106 funding secured for affordable housing broken down on a per annum basis for the period between 2012/13 and 2021/22 has been clawed back by developers?

Q1: commuted sums for affordable housing received (per annum) Q2: commuted sums for affordable housing spent (per annum) Q3: affordable housing units funded by commuted sums (per annum) Q4: commuted sums for affordable housing clawed back (per annum)

2012/13

2013/14

2014/15

2015/16

2016/17

2017/18

2018/19

2019/20

2020/21

2021/22

5) How many affordable housing units will be delivered from current schemes the Council has agreed to fund from Section 106 agreements?

Housing Delivery Vehicle

6) Does the council have a housing delivery housing delivery vehicle, such as an arms-length body, a Council owned company, or through development undertaken by the Council itself?

7) If no to Q6:

Does the Council have a published plan or intention to establish a housing delivery vehicle?

8) If yes to Q6:

8a. The number of NET housing completions delivered by the councils housing delivery vehicle broken down on a per annum basis for the period between 2012/13 and 2021/22.

8b. The number of NET affordable housing completions delivered by the councils housing delivery vehicle broken down on a per annum basis for the period between 2012/13 and 2021/22.

8c. What are the primary sources of funding for the housing development vehicle?

Q8a: net housing completions by housing delivery vehicle Q8b: net affordable housing completions by housing delivery vehicle

2012/13

2013/14
 2014/15
 2015/16
 2016/17
 2017/18
 2018/19
 2019/20
 2020/21
 2021/22

We have processed this request under the Freedom of Information Act 2000.

Response

I can confirm that London Borough of Barnet holds the information you requested. However, we believe that the exemptions detailed below apply to some of this information and this is withheld. Please see the Refusal Notice below.

	Q1: commuted sums for affordable housing received (per annum)	Q2: commuted sums for affordable housing spent (per annum)	Q3: affordable housing units funded by commuted sums (per annum)	Q4: commuted sums for affordable housing clawed back (per annum)
2012/13	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request **	0
2013/14	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request **	0
2014/15	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request**	0
2015/16	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request**	0
2016/17	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request**	0

2017/18	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request**	0
2018/19	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request**	0
2019/20	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request**	0
2020/21	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request**	0
2021/22	See attached spreadsheet and link*	See attached spreadsheet and link*	Make separate request**	0

Footnote

* Please see attached Excel workbook, Worksheet 1. Shows the affordable housing financial contributions received and spent. We have not paid any affordable housing money back to developers.

Worksheet 2 Since the requirement for Infrastructure Funding Statements came in, we have recorded affordable housing units secured on site in Exacom. The second spreadsheet shows the information we have recorded. This only goes back to 19/20 as it wasn't recorded in the same way before then.

Worksheet 3. This is the project expenditure list.

Most of the information is also available online at the link below.

Refusal Notice

S21 - Material already published

Under section 21 of the Act, we are not required to provide information in response to a request if it is already reasonably accessible to you by other means.

This can be obtained from the Exacom public facing module [London Borough of Barnet| PFM - S106 \(exacom.co.uk\)](https://www.exacom.co.uk/s106).

Please go to s106, financial and then click on affordable housing or affordable housing review mechanism and it will bring up a list of the relevant contributions and dates received.

Footnote **

This information is held by Barnet Homes

Housing services (including homelessness, allocations, housing repairs and so forth) are provided by Barnet Homes who are an Arm's Length Management Organisation (ALMO) who manage the council's housing stock and associated services on the council's behalf. They are a public authority under Freedom of Information Act 2000 and so you may make a FOI request to them. Their contact details are:

Email: talk2us@barnethomes.org

Post: The Data Controller

Barnet Homes

2 Bristol Avenue,

Colindale,

London NW9 4EW

5) How many affordable housing units will be delivered from current schemes the Council has agreed to fund from Section 106 agreements?

This is held by Barnet Homes (as above)

Housing Delivery Vehicle

6) Does the council have a housing delivery housing delivery vehicle, such as an arms-length body, a Council owned company, or through development undertaken by the Council itself?

This is held by Barnet Homes (as above)

7) If no to Q6:

Does the Council have a published plan or intention to establish a housing delivery vehicle?

N/A

8) If yes to Q6:

8a. The number of NET housing completions delivered by the councils housing delivery vehicle broken down on a per annum basis for the period between 2012/13 and 2021/22.

8b. The number of NET affordable housing completions delivered by the councils housing delivery vehicle broken down on a per annum basis for the period between 2012/13 and 2021/22.

8c. What are the primary sources of funding for the housing development vehicle?

Q8a: net housing completions by housing delivery vehicle Q8b: net affordable housing completions by housing delivery vehicle

2012/13

2013/14

2014/15

2015/16

2016/17

2017/18

2018/19
2019/20
2020/21
2021/22

This is held by Barnet Homes (as above)

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Records & Information Management Service, Assurance Group, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.