

London Borough of Barnet
2 Bristol Avenue,
Colindale NW9 4EW
31 May 2024
Our ref: 12064724

Thank you for your request received on 1 May 2024, for the following information:

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**

I would like this information provided in an Excel spreadsheet or other digital document format if possible. If full information is not available, please provide partial information instead of a refusal.

We have processed this request under the Environmental Information Regulations 2004.

Response

I am writing to inform you that we have searched our records and although we hold some of the information requested, some of the information you requested is not held by London Borough of Barnet.

We have provided answers to your request below.

1. The total number of Section 106 agreements between developers and the Council for each financial year since 2010.

869

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**

S106 agreements are delivered as outlined in the agreement.

For a list of S106 agreements attached to planning consent see Spreadsheet. The parameters of the search is calendar year not fiscal year (1 Jan 2010 - 1 May 2024).

Please find the attached report filtered to the number agreements that resulted in a financial payment to the Council. These are publicly available here using the planning reference from the spreadsheet and entering into search box here:

[Simple Search \(barnet.gov.uk\)](https://www.barnet.gov.uk/simple-search)

Barnet CIL receipts and expenditure are set out in the Annual Monitoring Report, but does not give the level of detail you have requested. Essentially the Council collects the monies and then allocates to a Council Department who then spend the money.

[Authorities Monitoring Report | Barnet Council](#)

The latest available report is 2019/2020. Annual Monitoring reports will be made available at this link as and when finalised.

Refusal Notice

Therefore regulation 12(4)(a) applies to your request. Regulation 12(4)(a) provides an exception to the duty to disclose information when information is not held. The information is not held in the format requested.

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.

17 agreements that resulted in a financial payment to the Council.

4. Of financial contributions collected under Section 106, how much remains unspent

£218,290.68 Unallocated.

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.