

London Borough of Barnet
2 Bristol Avenue,
Colindale NW9 4EW
15 October 2024
Our ref: 13061984

Thank you for your request received on 3 October 2024, for the following information:

Dear Barnet Borough Council,

I believe that councils are constantly bombarded by FOI requests, with questions relating to unspent/unexpended S106 monies, as various articles have been published in various newspapers and trade magazines over the last 7-10 years.

I am also guilty of raising similar questions.

I want to change this, I want to make a difference. Under the current structure, after 5-10 years, unspent/unexpended monies has to be returned to the party that paid (in most cases) and if councils are faced with this, intended plans don't happen and worthy causes fail. But, it does avoid the money falling into a black hole where the money can not be used by the council.

How much money is sat in this black hole, one where the council can't use it but the developer doesn't know it's there. This is another pointless situation, with neither party benefitting.

Imagine if the unspent/unexpended money was defined and returned to the developer/person that paid and that the receiving party made a contribution back to the council, towards solving the issue of homelessness within the borough?

I would like to help. Would you be willing to engage further around this topic?

Do you have an excel sheet of unexpended/unused/unspent s106 contributions as the particular clawback of 5/7/10 years has expired? Perhaps we could start there?

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 all of this information and this is withheld. Please see the Refusal Notice below.

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.

The information relevant to your request is published online at the following links:

[Community Infrastructure Levy \(CIL\) | Barnet Council](#)

[London Borough of Barnet PFM - Home \(exacom.co.uk\)](#)

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.