Thank you for your request for information, dated 28 October 2019 (and acknowledged on 30 October), in which you asked for the following information:

For each of the past five complete financial years, please can you say:

Q1. How much money has the council received in section 106?
Q2. How much of the money received has been allocated?
Q3. How much of the money has been spent?
Q4. How much money received in section 106 contributions does the council currently hold?
Q5. Can I also ask how many approved applications the district valuer has deemed unviable without section 106 contributions - and what would the total value of these S106 payments have been if the district valuer did deem them viable? Please can this information be broken down by planning reference no, the developer, how much in S106 contributions the council originally asked for, how much was deemed viable following the district valuer’s assessment?
Q6. What is the total gap per year of section 106 funding requested and section 106 money received?

OUR RESPONSE\(^a\)

Please see also the notes (a) –(f) that can be found on the second page of this response.

<table>
<thead>
<tr>
<th>Year received</th>
<th>Received(^b)</th>
<th>Spent</th>
<th>Project allocations</th>
<th>Maintenance allocations</th>
<th>Not yet allocated</th>
<th>Currently held(^d,e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014/15</td>
<td>£5,515,024</td>
<td>£3,009,902</td>
<td>£1,302,685</td>
<td>£159,513</td>
<td>£1,042,924</td>
<td>£2,505,122</td>
</tr>
<tr>
<td>2015/16</td>
<td>£3,666,788</td>
<td>£1,880,104</td>
<td>£926,502</td>
<td>£88,122</td>
<td>£772,060</td>
<td>£1,786,684</td>
</tr>
<tr>
<td>2016/17</td>
<td>£1,768,046</td>
<td>£254,491</td>
<td>£912,872</td>
<td>£0</td>
<td>£600,683</td>
<td>£1,513,555</td>
</tr>
<tr>
<td>2017/18</td>
<td>£2,758,456</td>
<td>£198,873</td>
<td>£443,862</td>
<td>£145,749</td>
<td>£1,969,972</td>
<td>£2,559,583</td>
</tr>
<tr>
<td>2018/19</td>
<td>£1,680,252</td>
<td>£20,310</td>
<td>£988,322</td>
<td>£653,541</td>
<td>£8,080</td>
<td>£1,659,942</td>
</tr>
</tbody>
</table>

A5. The City Council does not hold records relating to the information requested about applications deemed unviable without S106 contributions by the district valuer.

A6. For the five-year period for which information has been requested, the amount in S106 funding received has matched the amount requested\(^4\), with one exception. In this case, a developer started to pay the £6,468 requested but struggled to pay it in full. To address the problem, the Council has arranged for the amount to be paid in instalments, with £796 still outstanding as at 31 March 2019. The answer to your question is, therefore, a £796 gap in 2018/19.
Notes

a. We have changed the order in which we have answered the questions to make it easier to explain the amount of S106 contributions currently held. The table represents a snapshot of our latest S106 funding records, as at the date of response. The S106 funding allocations are regularly reviewed and updated, so the details will change. The figures in the table have been rounded to the nearest £.

b. The ‘received’ column sets out the S106 contributions received by Cambridge City Council in the past five completed financial years (April-March). In most cases, this relates to the year in which full payments or latest/final instalments were received. However, for particularly large contributions from major growth sites, we have broken down the payments into the years in which instalments were received. The amount ‘received’ includes any indexation and interest added.

c. We have separated out S106 funding allocations into two columns (A2a and b) covering:
   i. project allocations - S106 funding for projects to mitigate the impact of development either where the specific purposes have been stipulated in the S106 agreement or where the project uses of generic S106 contributions (agreed prior to April 2015) have been identified following reports to the Council’s scrutiny or area committees; and
   ii. maintenance allocations - S106 contributions set out in S106 agreements for the future maintenance of amenities (e.g., open spaces and play areas) adopted by the Council, especially those on the major growth sites. Please note that current records of maintenance allocations may be over-stated as some of this funding has now been spent. We are in the process of updating these records.

d. The amount of S106 contributions, received in 2014/15-2018/19, that the Council currently holds (A4b) includes both allocated S106 funds (A2a and b) plus received contributions that have not yet been allocated to projects (A4a). Although you have not specifically asked for the ‘not yet allocated’ column, we have provided it anyway because it helps to explain how the ‘currently held’ column is calculated. Given that the ‘currently held’ figure includes maintenance allocations, the note of caution in c[ii] above (about amounts possibly being over-stated) applies to answer A4b too.

e. S106 funding for mitigation projects is used within expiry dates set by S106 agreements. Where none are stipulated, the Council aims to spend contributions appropriately within 10 years (or sooner) of the receipt of the full payment. In line with this approach, please note that the Council also holds some S106 funds which were received prior to 2014/15.

f. Whilst the value and purpose of S106 contributions are set out in S106 agreements, they are not requested by the Council until the agreed trigger points for payment (related to the progress of the development) are met. For example, trigger points in S106 agreements can be based on the start of construction or occupation of the first (or, say, the 50th or 100th) home. Answer A6, therefore, takes account of amount of S106 money due at the time that it was requested (which tends to be more than the amount originally agreed as because it is index-linked). Consistent with our answers to your previous questions, we have presented our reply in line with when contributions were received within the five-year period, not by the date when they were requested.

We hope that you are satisfied with this response. If you have any further questions, please do not hesitate to contact us. For more information about the City Council’s use of S106 contributions, please visit www.cambridge.gov.uk/s106.
Appeals Process

The Council is committed to transparency and openness, and we aim to comply fully with the laws that govern access to information. If you have any cause to believe that the terms of the FOI Act or EIR Regulations are not being met by us, please let us know in the first instance.

If you are still dissatisfied, you can address your complaint to the Information Governance Manager who will undertake an Internal Review of your case. Internal review requests should be submitted within two months of the date of receipt of the response to your original request. Beyond this, you have the subsequent option to contact the Information Commissioner’s Office.

Copyright

Provision of this information does not automatically infer the right to copy publish or alter the information. In most cases the Council will own the copyright of the information provided here, or the information will be provided under the Open Government Licence (OGL), but the rights to some information may belong to a third party and if so a re-use licence may be required. Please contact us for advice.

Information Management Team

3C Shared Services

Telephone: 01954 713318 or 01480 388850
Email (for Cambridge City Council): foi@cambridge.gov.uk

3C Shared Services is a strategic partnership between Cambridge City Council, Huntingdonshire District Council and South Cambridgeshire District Council