



Further to your information request FOI/EIR 25/26-192, please find your question and our response below.

Request:

I am submitting this request under the Freedom of Information Act 2000. Please provide information relating to active Section 106 planning obligations within your authority, specifically where such obligations pertain to residential developments.

1. Live Section 106 Obligations

Please supply a list of all residential developments currently subject to a live Section 106 planning obligation. For each development, include:

- Development name and full site address
- Postcode, if available
- Planning application reference number
- The nature of the obligation (e.g. Discount Market Sale, shared ownership, affordable rent, etc.)
- Whether the obligation remains as originally executed or has been substantively modified

2. Copies of Executed Agreements

For each listed development, please provide a copy of the original executed Section 106 agreement. If multiple agreements exist, please include all applicable versions clearly labelled by development name.

3. Supporting Location Documentation

Where held, please also provide:

- Site location plans or boundary maps that accompany the relevant planning agreement or application submission
- Any internal indexing or file management used to associate agreements with their location or planning reference (e.g. folder structure, metadata, or naming conventions)

If possible, please structure electronic delivery so documents are grouped or clearly labelled by development location or site name. This aids accurate filing and future reference.

Response:

This information is exempt from disclosure under Section 12(4)(b) of the Freedom of Information Act 2000. In respect of those requests that are answered in full, partially or the total refused, please take this as notice under FOIA, that we:

a) Consider the information as exempt from disclosure under the Act.

b) Claim exempt under sections of the Act:

Section 12(4)(b) Manifestly Unreasonable

c) State why the exemption applies:

12(4) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that – (b) the request for information is manifestly unreasonable

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for local

government is £450. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, locating, retrieving, and extracting the information.

Section 106 agreements are not considered to be live until they have been fully discharged. This is when all of the clauses within the agreement have been satisfied which can take a number of years even after completion of works on site. The Council does not hold the information in a format which is easily retrievable as we would need to manually check every clause of every S106 agreement going back significant years.

This concludes your request FOI/EIR 25/26-192.

If information has been refused, please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in the first instance you may approach foi@eastcambs.gov.uk and request a review. A request for review must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.