

Bhoseok Nam

Reply by Email: [bnam.1990@gmail.com](mailto:bnam.1990@gmail.com)

Telephone: 01636 655216/7

Email: [freedom@nsdc.info](mailto:freedom@nsdc.info)

Your ref:

Our ref: **RFI-2016-0990**

12 September 2016

Dear Sir or Madam

**Request for information: RFI-2016-0990**

I can confirm that Newark and Sherwood District Council holds some of the information you have requested about agreed developer contributions in Section 106 agreements from April 2004 to March 2014

Unfortunately I have to inform you that on this occasion we are refusing your request under the exemption at section 12, where the cost of compliance exceeds the appropriate limit, of the Freedom of Information Act 2000. Therefore, this letter serves as a refusal notice as required under section 17 of that Act.

The appropriate limit is set out in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. The appropriate limit for a local authority is £450 at a set hourly rate of £25 per person which equates to 18 hours of officer time. Work that can be taken into account for estimating the appropriate limit is to determine if the information exists, locate the information, retrieve the information and extract the information.

Unfortunately we do not extract all developer contribution information into any form of searchable system at the time a Section 106 agreement is made. Consequently, to comply fully with your request, we would need to read all the Section 106 agreements that had been created over this ten year period and, where a developer contribution is found to have been a condition, we would then have to manually extract and collate that information.

Based on the above we have estimated that to comply fully with your request would require some 28 officer hours, this equates to £700 at the prescribed hourly rate.

As an alternative we can suggest that there are the following options where we could:

- provide information on affordable housing contributions over the period you have defined
- provide a schedule of the planning applications where a Section 106 planning agreement exists so that you could view these via our planning portal
- provide copies in pdf format of all Section 106 agreements.

If you require this information you will need to re-submit a new request to us at [freedom@nsdc.info](mailto:freedom@nsdc.info) advising which option/s would be preferable.

If you have any further queries or concerns please do not hesitate to contact us. If we do not hear from you within 40 days, starting the day after the date of this letter, we will consider the request closed.

If following our response to your query you are still dissatisfied you have the right to request an internal review. This will be conducted by the Director of Safety or the Deputy Chief Executive who have not been involved with the request or complaint until this point. Should you wish to proceed to this stage please advise us quoting the reference number at the top of this page.

Should you be dissatisfied with the outcome of any internal review to the Council you have a further right of appeal to the Information Commissioner's Office, details of which can be found on the Information Commissioner's website [www.ico.org.uk/](http://www.ico.org.uk/)

More details of this complaints process are available to view on our website at the following link: [www.newark-sherwooddc.gov.uk/yourcouncil/makingarequestforinformation/accesstoinformation-complaintsprocedure/](http://www.newark-sherwooddc.gov.uk/yourcouncil/makingarequestforinformation/accesstoinformation-complaintsprocedure/)

Yours sincerely

A handwritten signature in black ink, enclosed in a red rectangular box. The signature appears to be 'David Clarke'.

David Clarke  
Information Governance Officer