

Information Access Team



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Our reference: 1244261

Your reference: request-928969-dc1d58d6@whatdotheyknow.com

Date: 27 January 2023

Dear Chrissy Barnes

Freedom of Information Act 2000

On 14th December 2022 Hertfordshire County Council received the following request for information from you:

Regarding S106 agreements granted from 1st January 2000 and 31st December 2005, please provide the following information:

- * *Funds received*
- * *Funds allocated*
- * *Funds spent, and on what*
- * *Funds unspent*
- * *Funds repaid*

I sincerely apologise for the delay in our response. Your request for information has been considered under the Freedom of Information Act 2000. I can confirm that Hertfordshire County Council does hold the information you have requested. Our response is as follows.

The information is provided separately for Highways and Growth and Infrastructure, as the two departments work semi-independently.

Due to the age of the agreements in question, there have been changes in systems and staff, and therefore it is important to note the following:

- The current finance database was implemented in 2004 and HCC no longer hold financial only records for S106 balances before this date.
- The previous S106 recorded system was implemented in 2010, and at this point, only records for S106 Agreement Contributions which had not had all of their money Sent by this date were added.
- It is therefore possible that were both more S106 Agreements and more Funds Received/Spent that are not recorded below (for both Highways and Growth).

County of opportunity

- Information on Spent money (where not all the money was spent for individual contributions, but some was spent pre 2010), has been collated and verified where possible, but to investigate these remaining records will take over 18 hours.
- This is especially true of Highways records, where single contributions have often been spent on a larger number of detailed schemes; please take the Funds Allocated and Remaining balance below to be accurate.
- Refunds have been repaid to the Developers where schemes listed within the S106 Agreements (i.e. those required for mitigating the developments) were not able to be implemented within the deadlines, and details of these refunds recorded separately from the S106 Agreement information. For the Highways Refunds, the amounts have included Interest in some instances, although this has not been recorded as extra income within the S106 system.

Summary:

*** Funds received**

Please see attached spreadsheets for the details of the S106 Agreements and Money Received from each

Highways: £24,379,685.02

Growth: £15,246,277.09

*** Funds spent, and on what**

Information on Each Scheme/Project listed

Known Highways Schemes: £5,975,288.72

Growth Projects: £13,786,579.25

*** Funds repaid**

Funds repaid to 8 Developers for 11 Developments

Highways Refunds: £432,984.57

Growth Refunds: £136,859.29

*** Funds allocated**

Approved Schemes detailed

Highways: £70,146.45

Growth: £1,012,742.45

*** Funds unspent**

These have been recorded by Obligation and clause

Highways: £899,215.06

Growth: £310,096.10

If you have any questions, please do not hesitate to contact me, quoting the reference number on this correspondence. To find out more about Freedom of Information, please visit <http://www.hertfordshire.gov.uk/your-council/work/foi/>

If you are unhappy with the way the County Council has handled your request for information you may request an internal review of the request. This will be carried out by a member of the County Council Legal Services Team, who has had no prior involvement with the request. Requests for an internal review should be sent to the Information Governance Unit at the address above (within 2 months of this correspondence) and should detail in writing your grounds of appeal.

If you are unhappy with the outcome of the internal review you are entitled to ask the Information Commissioner to investigate your complaint. You should write to: FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

Daisy Maniez
Information Access Practitioner