

Date: 13/09/2019
Our Ref: RFI2781
Your Ref: FOI Request – Developer Obligations
Tel: 0300 1234 500
Email: foi@homesengland.gov.uk



Homes
England

██████████
By Email Only

Windsor House
Homes England – 6th Floor
50 Victoria Street
London
SW1H 0TL

Dear ██████████

RE: Request for Information – RFI2781

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

1. *The amount of money that is currently held by Local Councils that has been earned through financial contributions from: Developer Obligations/Community Infrastructure Levy/Section 106 obligations.*
2. *The amount of money that has been collected each year for the last 5 years from: Developer Obligations/Community Infrastructure Levy/Section 106 obligations.*
3. *The amount of money from question 2 that has been spent in each year.*

I understand that items like Developer Obligations/Community Infrastructure Levy/Section 106 obligations are administered at a Local Authority level. If Homes England do not hold a central register or collect statistics from Local Authorities on this matter, could you explain why you do not?

Response

I am able to confirm that Homes England does not hold the information detailed in your request. This is because there is no legal or business reason for Homes England to do so, as the requested information does not fall within our remit.

In order to conclude that the information is not held, we have searched with our Legal and Planning teams who would have the requested information if held.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. To comply with this duty we are able to confirm that this information may be held by the Ministry of Housing, Communities and Local Government. Their details can be found below.

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Knowledge & Information Access Team
Ministry of Housing, Communities and Local Government
2nd floor NW, Fry Building
2 Marsham Street
London
SW1P 4DF
United Kingdom
mhclgcorrespondence@communities.gov.uk

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled you may request an internal review by writing to;

The Information Access Team
Homes England – 6th Floor
Windsor House
50 Victoria Street
London
SW1H 0TL

Or by email to foi@homesengland.gov.uk

You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

Information Access Team
For Homes England