

Dear Sir,

Section 106 Information

I write with reference to your request for additional documents/information arising from the CIL examination on the 10th August 2016.

You have requested further information from the council in relation to the contributions that have been delivered through S106 and S278 agreements between 2011 and 2015. You have also asked for details of what the council has sought from development over the same period. Further thought and discussions in the office has highlighted some challenges and issues with this approach:

- The extraction and collation of information from every Section 106 that has been signed between 2011 and 2105 would be a very significant task and we are unlikely to be able to achieve this by the 18th August.
- The ability to gather information upon the costs/requirements of S278 agreements is also problematic as these are usually negotiated directly with the County Council, and again are unlikely to be sourced and analysed in time.
- The ability to quantify the value of the affordable housing that has been achieved will be difficult as there are a wide range of variables within each site e.g. tenure, location. The same challenge also applies when trying to attach a financial value to infrastructure provision in-kind, e.g. school sites, community halls etc.
- Section 106 agreements are signed at a certain point in time and the resultant obligations/contributions are only received when certain trigger points are met. Many of our larger schemes were approved prior to 2011 and are only just beginning to deliver their obligations.

We respectfully suggest that it would be more helpful if we were to provide you with greater detail on the level of contribution that has been sought and secured from our larger development sites across the district. These developments formed the basis of our CIL viability appraisals and we have much more information in respect of the costs and viability of these sites, including detailed reports from the District Valuer that provide clear advice on the level of contribution that each scheme can realistically deliver.

We would also clarify the S106 sums used within the CIL viability work, and explain the impact of S106 obligations in terms of their effect on total cost; and their relative impact on development in comparison to the proposed CIL rate.

I appreciate that this is a slight departure from the information that you were originally seeking however we believe that this will provide a much clearer 'picture' on the viability of sites that are truly comparable to the Urban Extension.

I look forward to hearing your thoughts on our suggested approach.