

Reference: FOI 39168 BUCKS 14Y

Subject: Section 106 and CIL Contributions

I can confirm that the CCG does hold some of the information requested; please see response below:

QUESTION	RESPONSE
<p>Section 106 and CIL contributions -</p> <p>Any correspondence from 2017 to 24th May 2021, including emails, letters, minutes of meetings and any other recorded information in relation to the development of the Section 106 and CIL contributions between the Clinical Commissioning Group and Buckinghamshire Council (both as AVDC and BC at any organisational level) and any representative of Bucks Council at any level of seniority.</p> <p>For the avoidance of doubt this includes but is not limited to 16/00424/AOP (Hampden Fields), 16/01040/AOP (Woodlands) and Vale of Aylesbury Local Plan (VALP).</p>	<p>I regret to inform you that the CCG is unable to fully answer this question as the resource that we calculate would be required to respond to your questions, would exceed the appropriate limit set out within the Section 12 of the Freedom of Information Act 2000 (FOIA) for complying with requests - please see below further information*</p> <p>Please note however, information is already in the public domain via Buckinghamshire Council website. This can be viewed using the relevant planning application references 16/00424/AOP or 16/01040/AOP.</p> <p>Please see additional information attached: CCG response to_ Vale of Aylesbury Local Plan (VALP) Proposed Submission_FINAL_Redacted CCG response to VALP Question_2018 04 11_Redacted 02_2020_CCG Response_ Aylesbury Garden Town Masterplan consultation_Redacted</p>

* Section 12(1) of the FOIA states that public authorities are not obliged to comply with a request for information if it estimates that the cost of determining if it holds the relevant information, locating and retrieving the information and, where necessary, extracting the information from a document would exceed the appropriate limit (as specified in Section 12 of the Act). This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information and equates to 18 hours work.

Locating information; requires all people (up to 8) involved in S106 discussions with Buckinghamshire Council to search for information in individually held records e.g. emails. Estimated average 1 hour per person = 8 hours. 1 person to do search of shared folders = 3 hours. Total 11 hours.

Retrieval of information; transfer of information for collation, up to 8 people ½ hour per person = 4 hours. Retrieval and transfer of information on shared files, 1 person = 2 hours. Total 6 hours.

Extraction of information; collation of information, checking for information governance compliance, redactions etc, 1 person = 4 hours.

Therefore in compliance with section 17 of the Act, this letter is to inform you that it will not be possible to respond fully to your request within the cost threshold set out by the [Freedom of Information and Data Protection \(Appropriate Limit and Fees\) Regulations 2004](#)

Please note: The CCG may be able to provide some further information should you be able to provide the below:

- Confirmation whether all S106 correspondence required or just relating to specific projects.
- Reduction in time period for the information requested.
- Further definition of nature of correspondence to be shared.

- * We have redacted signatures, direct email address and 3rd party names as the CCG considers it is exempt from disclosure. We are not obliged, under [Section 40\(2\)](#) of the Freedom of Information Act 2000 (FOIA), to provide information that is the personal information of another person if releasing would contravene any of the principles set out in article 5 of the GDPR. In this instance we believe that the release of this information would contravene the first principle (lawfulness, fairness and transparency) and therefore Section 40(2) is engaged.

The information provided in this response is accurate as of 3 August 2021, and has been authorised for release by Robert Majilton, Deputy Chief Officer and Director of Sustainability & Transformation for NHS Buckinghamshire CCG.