



Information Governance Team

Postal Address:
Coventry City Council
PO Box 15
Council House
Coventry
CV1 5RR

www.coventry.gov.uk

E-mail: infogov@coventry.gov.uk

Phone: 024 7697 5408

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Dear Sir/Madam

Freedom of Information Act 2000 (FOIA)

Request ID: FOI619788853

Thank you for your request for information relating to developer has yet to fulfil their obligation of paying a commuted sum.

You have requested the following information:

I would be grateful if you could provide me with the following information on all known cases whereby the Developer has yet to fulfil their obligation of paying a commuted sum and transferring the Open Space to the Council.

- a. Site Name/Address of all Unadopted Areas of Public Open Space within the Council's Jurisdiction.**
- b. Name of Developer associated with the corresponding site.**
- c. Date of the Section 106 Agreement to which the Open Space applies.**
- d. The Agreed Commuted Sum Value to be paid by the Developer.**
- e. Planning Application Reference(s).**

We hold the information which you have asked for, but we have estimated that the cost of meeting your request would exceed the cost limit of £450 specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees Regulations 2004). This represents the estimated cost of one person spending 18 hours or more, in determining whether the information is held, locating,

retrieving and extracting it.

The requested information is held in a nonreportable format which would require an officer to manually records to determine what information is held and collate the relevant data. This will exceed 18 hours work. Your request has been refused under section 12(2) of the Act.

However, in order to fulfil our obligations under Section 16 of the FOI Act to advise and assist you, we advise that we can provide you with information relating to the last ten years.

Over the past 10 years, since 1 April 2013, there are two agreements that contain (as yet) unfulfilled obligations to transfer open space land to the Council and to pay commuted sums for maintenance. The agreements are shown in the table below.

| Application ref. | S106 date | Current site status | Agreement ref. |
|-------------------------|------------------|----------------------------|-----------------------|
| OUT/2018/3225 | 03/06/2021 | Under construction | Schedule 4 |
| OUT/2014/2282 | 12/02/2018 | Under construction | Schedule 2 |

The supply of information in response to a FOI/EIR request does not confer an automatic right to re-use the information. You can use any information supplied for the purposes of private study and non-commercial research without requiring further permission. Similarly, information supplied can also be re-used for the purposes of news reporting. An exception to this is photographs. Please contact us if you wish to use the information for any other purpose.

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: infogov@coventry.gov.uk

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email icocasework@ico.org.uk.

Please remember to quote the reference number above in your response.

Yours faithfully

Information Governance