29 March 2018

FREEDOM OF INFORMATION REQUEST – 282/18

Dear Sir/Madam

Your request for information has now been considered and the information requested is provided below.

Request/ Response:

I’m looking into the issue of affordable housing provision in our towns, districts and boroughs.

Could you please release the following information under the Freedom of Information Act please?

1. Your affordable housing targets for private developers.

   Answer: Rutland County Council currently requires sites of 11 dwellings or above to have 30% of affordable housing on site, subject to viability. Sites of between six and ten dwellings in villages currently have to provide a financial contribution for off-site affordable housing equivalent to 30% affordable housing.

2. For housing schemes (above 15 homes) given planning permission since April 1, 2014 where viability assessments were NOT used:

   a. The total number of schemes

      Answer: 4

   b. The total number of houses within those schemes

      Answer: 185

   c. The percentage of affordable housing achieved

      Answer: 44%

   d. The shortfall in the number of affordable houses in these schemes.

      Answer: Not applicable as the average level on these sites exceeds the affordable housing target.
3. For housing schemes (above 15 homes) given planning permission since April 1, 2014 where viability assessments WERE used:

a. The total number of schemes
   Answer: 2

b. The total number of houses within those schemes
   Answer: 43 + 19

c. The percentage of affordable housing achieved
   Answer: 27% (this includes the number of homes an off-site affordable housing contribution for one of the sites was calculated to provide).

d. The shortfall in the number of affordable houses in these schemes.
   Answer: 2 (based on current policy).

4. A copy of each viability assessment you have received for the above schemes (redacting commercially sensitive information if necessary).

Answer: In accordance with the Freedom of Information Act 2000 this email message acts as a Refusal Notice.

Under Section 43 of the Act - commercial interests: that disclosure of the information may prejudice the commercial interests of another person as the information could provide the recipient with an unfair advantage. This is because the Council believes that disclosure of this information would prejudice the commercial interests of the provider, as it would harm the provider’s ability to compete in the market. The public interest test has been applied and in all the circumstances of the case, the Council considers that the public interest in maintaining the exemption is greater than the public interest in disclosure.

The viability information for one of the sites (Land to the rear of North Brook Close, Greetham reference 2013/1042/FUL) contains commercially sensitive information and any possible disclosure of any parts of it would be under the Environmental Information Regulations and not the Freedom of Information Act, which you requested it under, because the implications of the assessment involves specific physical environmental impacts. If you would like the release of a copy of this report to be considered, please could you do so under the Environmental Information Regulations.

The other viability assessment from a developer (application reference 2015/0969/MAJ), the outcome of which did not affect the environment directly, is exempt and is at the location listed in the ‘Exemption’ section above because it is already readily available. The Council commissioned an independent review of this information which concluded that the development was viable with the originally requested affordable housing contribution and the legal agreement with the developer was concluded on that basis.

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If you are dissatisfied with the handling of your request please contact the Head of Corporate Governance, Rutland County Council, Catmose, Oakham, Rutland LE15 6HP
You can also complain to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House, Water lane
Wilmslow, Cheshire
SK9 5AF
Tel: 01625 545700

Yours faithfully

FOI Administrator
Corporate Support Team, Rutland County Council