

REQUEST	16660
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1. I would like to request the number of a) breaches and b) re-negotiations of Section 106 planning obligations (as laid out in the Town and Country Planning Act 1990) in this local authority from the beginning of 2010 to the present day, or as recent as the data goes. This can be in either a yearly or quarterly format.
2. I would like also data on how many of these a) breaches and b) renegotiations referred to affordable housing obligations in the same time period.
3. I would also like data on how many enforcements of planning obligations this local authority carried out in the same time period.

RESPONSE

Q1 and Q3) Since 2010 there have been no breaches of Section 106 Agreements other than where a payment has been delayed. These instances have been dealt with in line with the Councils debt recovery policy which can be viewed online at the below link:

[Corporate Debt Policy \(wigan.gov.uk\)](http://wigan.gov.uk)

This process enables the Council to fully recover any sums due.

Q2. Re-negotiations have been through the use of a deed of variation (DoV) or supplemental agreement (SA). A list of DoV'ss and SA's signed between 1st January 2010 and 25th July 2024 has been provided with this response.

The way in which the information is recorded doesn't not enable us to identify the type of adjustment that has been agreed, this is outlined within each DoV or SA and will require cross referencing with the original agreements, the latter which are available to view online on the Council's website within the documentation associated with the parent planning application:

[Simple Search \(wigan.gov.uk\)](http://wigan.gov.uk)

It is to be noted that the use of a DoV or SA does not necessarily mean they contain re-negotiated Section 106 planning obligations. For example, changes can relate to format, ownership, definitions or as a result of a reserved matters application on the back of an outline and supplementary agreements may be where one deeds binds an additional deed, includes the need for additional documents for homeownership schemes for example.

Application	Deed Type	Deed Description	Deed Date
A/06/66756	Deed of Variation	Variation 2	20/04/2010
A/10/73953	Deed of Variation	Deed of Variation	19/01/2011
A/08/70445	Supplemental	Supplemental 1	12/08/2011
A/10/73984	Supplemental	Supplemental Deed 1	05/03/2012
A/08/72069	Supplemental	Supplemental Deed	19/07/2012
A/10/74557	Deed of Variation	Variation 1	04/10/2012
A/10/73984	Supplemental	Supplemental Deed 2	11/02/2013
A/08/70445	Supplemental	Supplemental 3	27/06/2013
A/08/70445	Supplemental	Supplemental 2	07/08/2013

A/10/74557	Deed of Variation	Variation 3	02/10/2013
A/11/75372	Deed of Variation	Variation 1	31/10/2013
A/13/78383	S106 Agreement	Supplemental Agreement	13/02/2014
A/10/73984	Supplemental	Supplemental Deed 3	28/02/2014
A/10/74557	Deed of Variation	Variation 4	27/06/2014
A/13/78000	Deed of Variation	Variation	10/10/2014
A/13/78648	Deed of Variation	Variation	10/10/2014
A/14/79420	Deed of Variation	Deed of Variation	10/10/2014
A/11/75372	Deed of Variation	Variation 2	24/10/2014
A/10/73984	Supplemental	Supplemental Deed 4	16/11/2015
A/12/77592	Supplemental	Supplemental Deed 1	26/02/2016
A/11/75372	Deed of Variation	Variation 3	12/05/2016
A/14/78972	Deed of Variation	Variation 1	01/07/2016
A/13/78828	Supplemental	Supplemental Deed	13/01/2017
A/13/77899	Supplemental	Supplemental Deed	24/01/2017
A/12/77592	Supplemental	Supplemental Deed 2	24/02/2017
A/13/78428	Deed of Variation	DOV	11/04/2017
A/13/77906	Deed of Variation	b Variation	12/05/2017
A/13/78636	Supplemental	Supplemental Deed	16/06/2017
A/13/77906	Supplemental	c Supplemental	29/06/2017
A/17/83697/RMMAJ	Supplemental	Supplemental Agreement	29/06/2017
A/13/78383	S106 Agreement	Supplemental Deed	15/08/2017
A/14/78972	S106 Agreement	Variation 2	26/09/2017
A/17/84270/MAJOR	Deed of Variation	Deed of Variation	22/12/2017
A/13/78700	Supplemental	Supplemental Deed	09/02/2018
A/14/79399	Deed of Variation	Variation	19/04/2018
A/16/82233/MAJOR	Deed of Variation	Variation	19/04/2018
A/14/79165	Deed of Variation	Deed of Variation	06/11/2018
A/14/79165	Deed of Variation	DOV	06/11/2018
A/15/81365/OUTMAJ	Deed of Variation	Variation (in Schedule 4)	20/12/2018
A/17/84108/OUTMAJ	Deed of Variation	DOV	20/12/2018
A/13/78711	Deed of Variation	DOV	02/04/2019
A/12/76665	Deed of Variation	Deed of Variation 1	26/09/2019
A/11/75748	Deed of Variation	Deed of Variation	03/10/2019
A/19/87162/VARMAJ	Deed of Variation	Variation	09/10/2019
A/19/87324/RMMAJ	Deed of Variation	variation	09/10/2019
A/12/76665	Deed of Variation	Deed of Variation 2	30/10/2019
A/15/80681/OUTMAJ	Supplemental	Supplemental Agreement	16/04/2020
A/20/89339/MAJOR	Supplemental	Supplemental Agreement	16/03/2021
A/14/79189	S106 Agreement	Deed of Variation	18/03/2021
A/17/83702/OUTMES	S106 Agreement	Deed of Variation	31/03/2021
A/12/76665	Supplemental		27/04/2021
A/11/75748	Supplemental	Supplemental DOV	01/06/2021
A/18/86200/MAJOR	Deed of Variation	DoV	26/11/2021
A/18/86200/MAJOR	Deed of Variation	DoV	01/12/2021
A/16/83078/OUTMES	Deed of Variation	Deed of Variation	27/01/2022
A/18/86437/MAJOR	Deed of Variation	Deed of Variation	09/06/2022
A/18/84930/OUTMAJ	Supplemental	Supplemental	01/08/2022

A/14/79203	S106 Agreement	Deed of Variation	04/08/2022
A/14/79631	Supplemental	Supplemental	15/08/2022
A/13/78700	Supplemental	Supplemental	08/09/2022
A/17/83484/MAJOR	Deed of Variation	Variation	13/10/2022
A/18/86357/MAJOR	Supplemental	Supplemental Deed	27/10/2022
A/22/93761/MAJOR	Deed of Variation		03/11/2022
A/20/90543/MAJOR	S106 Agreement	Variation	02/12/2022
A/21/91879/MAJOR	Deed of Variation	Deed of Variation	15/02/2023
A/23/95286/VARMAJ	Deed of Variation	Variation	21/12/2023
A/16/82492/OUTMES	Deed of Variation	Deed of Variation	14/02/2024