

## **Guidance Notes 2019- Concurrent Build Obligation**

### **Section 106 Town and Country Planning Act (as amended)**

Once you have completed the missing details required in the draft obligation, please send it as a word document via email to [judith.adamson@stalbans.gov.uk](mailto:judith.adamson@stalbans.gov.uk) or alternatively send it by post to Concurrent Build S106 Obligations, Regulatory Solicitor, Finance & Legal Department, St Albans District Council, Civic Centre, St Peter's Street, St Albans, AL1 3JE. Please be advised that posting the draft may delay the procedure.

You must also notify your Planning Case Officer that you have submitted a draft S106 obligation. The Legal Officer will then review the obligation, check title to each property and notify you of any missing information or queries about the draft obligation. The Legal Officer will prepare engrossed copies. An engrossed copy is a copy of the agreed section 106 obligation prepared for signature by the parties. These engrossments will need to be collected by you, or sent by special delivery to one of the parties who will act as the lead party. You should discuss with your neighbour who that will be as the Legal Officer usually deals with the lead party.

Please note certain sections need to be entered in capitals; the following notes will state where to do this. **Please do not enter the date at the top of the first and last page.**

#### **Note 1**

Please enter the full name (in capitals) of the owner(s) of the property and your full correspondence address. If your company owns the property; please enter your company's name and your correspondence address.

#### **Note 2**

Please enter the name of your mortgagee (in capitals) including if they are trading under a different name; company number (if they have one); and their full postal address. If you do not have a mortgagee then please the space leave blank.

#### **Note 3**

Please enter the full postal address of the S106 development site.

#### **Note 4**

Please enter the full date of the Legal Charge between you and your mortgagee(s); e.g. 17th July 2013. If you do not have a mortgagee please leave blank.

### **Note 5**

Please enter your planning reference numbers and validation dates (full date) respectively. If both applications share a planning reference please enter the planning reference and validation date once and then leave the second space blank.

### **Note 6**

Please enter both planning reference numbers. Please keep in mind which planning reference number refers to which address (the 'Red' or 'Blue' Land). If both applications share a planning reference number please enter the planning reference number twice in both (i) and (ii).

### **Note 7**

Please follow the respective bullet points that apply to you:

- Enter each signatory's full name (in capitals) into the spaces in the 'Owners' section under "*SIGNED by the said*".
- If your company is the owner and signatory, then please enter your company name (in capitals) in the 'Owner's Company' section under "*EXECUTED as a DEED by*".
- Enter your mortgagee's name (in capitals) under the '*Mortgagee*' section.

Please leave blank if there are fewer signatories than allowed for on the draft.

### **Note 8**

Please enter the property owner(s) full name (in capitals) and your full postal address or if your company owns the property please enter your company name (in capitals) and correspondence address. Please enter the name of your mortgagee (in capitals) including if they are trading under a different name.

Then the S106 development site addresses; e.g. No. & No. Street/Road, Town/City, and Postcode.

If you have any questions regarding the draft template, please contact the Legal Officer who is dealing with your case or Judith Adamson, Regulatory Solicitor:

[judith.adamson@stalbans.gov.uk](mailto:judith.adamson@stalbans.gov.uk)

Reviewed January 2019