

Planning and Building Control

Civic Centre, St Peter’s Street, St Albans AL1 3JE

Email: planning@stalbans.gov.uk

Telephone: 01727 866100

www.stalbans.gov.uk

**Application to modify or discharge a Section 106 obligation**

**(for Section 106 agreements over 5 years old)**

In accordance with Section 106A of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992, this application form is to be completed for proposals to modify or discharge an obligation of a legal agreement made under Section 106 of The Town and Country Planning Act 1990 (as amended) which is over 5 years old.

1. **Type of application**

Are you applying to **modify** a planning obligation? [ ]  Yes [ ]  No

Are you apply to **discharge** a planning obligation? [ ]  Yes [ ]  No

1. **Your details**

Name:

Address:

Postcode:

Email address:

Telephone number:

1. **Agent details (if applicable)**

Name:

Address:

Postcode:

Email address:

Telephone number:

1. **Full postal address of the site to which the obligation relates**
2. **Nature of the applicant’s interest in the land**

Owner [ ]

Occupier [ ]

Other (please specify)

1. **Details of the planning application to which the Section 106 obligation relates**

Planning permission reference number:

Date of planning permission:

Date of Section 106 agreement:

1. **Details of the obligation(s) to be modified or discharged**
2. **Reason(s) for applying for the modification or discharge of the obligation**
3. **Details of accompanying documents** Please tick

**Checklist**

1. This form, completed, signed and dated [ ]
2. A copy of a map identifying the land to which the obligation relates [ ]
3. Any other information you consider relevant to the determination of the application [ ]

Please list any additional information submitted below:

1. **Certificates**

Certificate A, Bor C below must be completed and signed.

Certificate A

I certify that on the day 21 days before the date of the accompanying application the planning obligation to which the application relates was enforceable against nobody other than the applicant.

**Signed – Applicant:**

**Signed on behalf of (if applicable):**

**Date:**

Certificate B

I certify that the applicant has given notice to everyone against whom, on the day 21 days before the date of the accompanying application, the planning obligation to which the application relates was enforceable, as listed below.

|  |  |  |
| --- | --- | --- |
| **Person on whom notice served** | **Address where notice was served** | **Date notice served** |
|  |  |  |
|  |  |  |
|  |  |  |

**Signed – Applicant:**

**Signed on behalf of (if applicable):**

**Date:**

Certificate C

I certify that:

* The applicant cannot issue a Certificate A or B in respect of the accompanying application;
* The applicant has given notice to the persons listed below, being persons against whom, on the day 21 days before the date of the application, the planning obligation to which the application relates was enforceable.

|  |  |  |
| --- | --- | --- |
| **Person on whom notice served** | **Address where notice was served** | **Date notice served** |
|  |  |  |
|  |  |  |
|  |  |  |

The applicant has taken reasonable steps to ascertain the name and address of every person against whom, on the day 21 days before the date of the application, the planning obligation to which the application relates was enforceable and who has not been given notice of the application but has been unable to do so. These steps were as follows:

1. Description of steps taken:
2. Name of local newspaper in which the notice was published:
3. Date of publication:

**Signed – Applicant:**

**Signed on behalf of (if applicable):**

**Date:**

1. **Declaration**

I hereby declare that the information provided in this form and Certificates, as well as all information submitted with this application, are correct:

**Signed – Applicant:**

**Signed on behalf of (if applicable):**

**Date:**