

Instruction Form for S106 Agreements/Deed of Variations/Supplemental Agreements etc
This form should include the necessary Authority details/signature and will act as a heads of terms.

Once the S106 has been signed off/executed: This instruction will act as a Completion Statement and will be circulated to all relevant officers, along with a copy of the completed S106.

INSTRUCTION AND AUTHORITY

Planning Application Ref: BE/36/19/PO – variation of s106 under reference BE/142/15/OUT	Today's date: 03/04/2019	Date of the Decision Notice, or Date that the Decision is to be considered if in the future (insert 'not known' if no date yet): Not known	Planning Officer: Mr D Easton
What Type of Agreement is it?: Please tick <u>one</u> of the following: ☐ S106 Agreement, or ☐ Pagham Harbour Agreement, or ☐ Unilateral Undertaking, or ☐ Deed of Variation, or ☐ Supplemental Agreement, or ☐ Other			
Who is responsible for this decision? <u>(see notes opposite: only complete this box and sign here if this is an OFFICER Decision)</u> X (signature of Officer with the power): Print Name: xxxxxxxxxx Constitution Issue 8: Part 4 Section 3 Paragraph 3.1.1. <u>You need to tell Legal Services who is making the Decision on this S106.</u> (NB Pagham Agreements – The authority will not be known at validation stage so please note accordingly – Legal Officer to check later) - If this is an OFFICER Decision, sign and print your name in the box opposite , or - If this is a Development Control Decision that has already been made you will need to provide: Date of Development Control Meeting: xx/xx/xx Minute Number: xxxxxxxx, or - If this is for Development Control to make the Decision <u>in the future</u>, please provide the date of the future meeting or insert 'to be advised' if the date has not been set Date of Future Development Control Meeting: xx/xx/xx or To Be Advised			
Full name(s) of Freeholders/Leaseholders: (ideally the developer will have completed a recent land registry search which should be attached as well)		Names: ☐ X ☐ X ☐ X ☐ X ☐ X	
Check! Please attach a plan with the site <u>outlined in red</u> and complete a brief description of the development: Check! Any land registry searches that have been provided by the Applicant/Agent should be sent with the plan and draft agreement.			

HEADS OF TERMS

Planning Officer to set out the Heads of Terms below:

Modification of Clause 3.3 (of the S106 agreement signed under reference BE/142/15/OUT) to ensure the RP will not be bound by the obligations other than the affordable housing provisions and part 1, schedule 4 –

- (a) To ensure mortgage provisions meet lenders standards to ensure RP can charge units at market value subject to tenancies (MVST); and
- (b) To ensure any future purchasers of the affordable units will not be bound by the affordable housing obligation.

COMPLETION REPORT

To be completed by Legal Services when the Agreement has been registered and finalised, then circulated to interested parties:

Seal Register Number:	Date of Agreement (or <u>original deed/agreement</u> if this is a variation/supplemental):
113/2020	3 April 2020
Statement completed by: (Legal Officer)	
	

Please distribute completed statement to: The Planning Officer, Sue Dudley (Deed Store), Ros Bentley (S106 Monitoring Officer), Nicola Spencer (Planning) and landcharges@arun.gov.uk

Legal Ref: «oppo_customerref»