

# Planning Obligations under Section 106 of Town and Country Planning Act 1990



<b>Type of Obligation</b>	<b>Please tick all relevant</b>
SPD 1 Recreational Provision	
SPG 5 Affordable Housing	
SPD 14 Loss of Employment Land	

In order to validate planning applications that have an obligation under the adopted Supplementary Planning Documents of Bury Council the following information will be required:

<b>Name, Address, phone number and email of Legal representative:</b>	
<b>Evidence of title including any financial or legal interests:</b> <b>(See footnote i)</b>	
<b>Agreement to pay Council's reasonable Legal costs (including abortive fees should the s106 agreement not be completed):</b> <b>(See footnote iii)</b>	Signed by the applicant/authorised signatory
<b>Agreement to pay Council's reasonable monitoring costs</b> <b>(See footnote iv)</b>	Signed by the applicant/authorised signatory
<b>Location Plan at 1:1250 scale with the development site edged red.</b>	

### **Prior to consideration by the Planning Control committee:**

- The engrossment s106 agreement to be signed in preparation for completion by developer/land owners or other authorised signatory
- Council's reasonable Legal costs to be paid (including any abortive fees incurred should the s106 agreement not be completed). See footnote iii below.
- Council's S106 monitoring fees to be paid. See footnote iv below.
- Council's reasonable administrative costs to be paid. See footnote v below.

### **Footnotes:**

- i. Evidence of title - This must be either office copy entries and associated title plan from the land registry or abstract of title, both of which should be dated not more than 1 month before the date of the application.  
*(Please note that where the determination of the application becomes protracted and consequently the negotiations on the s106 are ongoing, updated evidence of title may be required).*
- ii. Where a Legal adviser is instructed an additional undertaking will be required from them on the applicant's/landowner's behalf to pay the Council's legal fees whether or not the matter completes.
- iii. The Council's legal fees in drafting the section 106 agreement will be dependent on the scale and nature of the development involved but start at £750.
- iv. The Council's S106 monitoring fees are charged at £550 per planning obligation.
- v. A sealing fee of £65 (no VAT) is charged for sealing and administration of the final s106 Agreement.

### **Contact Details**

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Development Management Section  
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