

The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 [SI 1992 No. 2832]

Regulation 4(1) - Notification of application by the applicant

The applicant is required by Regulation 4(1) of the above regulations to serve on any person against whom, on the day 21 days before the date of application, the planning obligation is enforceable and whose name and address is known to the applicant a notice in the form set out below:

In order to comply with Regulation 4(1), the applicant shall take reasonable steps to ascertain the name and address of every such person.

Where the names and addresses of all such persons are not known to the applicant after he has taken reasonable steps to ascertain that information, he shall, during the 21 day period immediately preceding the application, publish notice of the application in a local newspaper circulating in the locality of the land to which the application relates. The Southwark News is accepted as a publication for this purpose.

The notice required to be served or published by this regulation shall be in the form set out below and shall invite representations on the application to be made to Southwark Council within 21 days of the date on which the notice is served or published, as the case may be.

An application for the modification or discharge of a planning obligation shall be accompanied by a certificate certifying that the requirements of Regulation 4(1) have been satisfied. The certificates are included with the application form.

Form of notice to be used:

NOTICE OF AN APPLICATION TO MODIFY OR DISCHARGE A PLANNING OBLIGATION UNDER SECTION 106A OF THE TOWN AND COUNTRY PLANNING ACT 1990

I give notice that (*see note a*) is applying to Southwark Council to modify/discharge the planning obligation described below:

Planning Obligation

Obligation: (*see note b*)

Land to which obligation relates: (*see note c*)

Date on which obligation was entered into: (*see note d*)

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should write to the Council at Southwark Council, Regeneration and neighbourhoods, Planning & transport, Development management, PO Box 64529, London SE1P 5LX, or by email to planning.applications@southwark.gov.uk by (*see note e*). (Members of the public will be invited to make representations when the application has been submitted to the Council).

Signed:

On behalf of:

Date:

NOTES

Insert:

(a) name of the applicant

(b) brief description of the planning obligation which the applicant wishes to have modified or discharged

(c) address of the land

(d) date the planning obligation (legal agreement) was signed

(e) date giving a period of 21 days beginning with the date of service or publication of the notice, as the case may be.