

Section 106 Agreement and Unilateral Undertaking Position Statement

The form and terms of a Section 106 Agreement have, effectively, been agreed between the Developer and the Council for a couple of weeks, but the School and the Carmelite Trust have been requesting a number of changes, mainly around clarification of liability for the work required by the Agreement, the ownership of the Site and issues regarding the application of the Schedule concerning the Local Wildlife Area.

As of the 28th March 2021 - 18.29 the Council accepted the last requested changes by the Trust and informed Mr Rodrigues of this.

The current position is that the Council is awaiting final confirmation that all the parties with a legal interest in the land are now agreed the document is ready for engrossment.

The situation regarding the proposed Unilateral Undertaking is that the Council received a draft of the same on the 2nd February, with an amended version on the 25th February. The Council's comments were sent back to the Developers Solicitor on the 26th February 2021.

I have been in correspondence with the Developers Solicitor on the 23rd March regarding clarifications regarding the self-build clauses in the UU, but have not seen a copy of the amended version following this.