

From: [Robins Caroline](#)
To: [MANSELL Nick](#)
Cc: "[Gallagher, Matthew](#)"; "[Ford, Matthew](#)"; "[Tung, Navtej](#)"
Subject: [EXTERNAL] RE: Tilbury 2 S106 [PM-AC.FID2941341]
Date: 20 August 2018 23:11:58
Attachments: [image002.png](#)

Thank you, the in advance is fine.

Can I ask in 16.2 – deletion of local land charges to be triggered by a written request by the owner so that the deletion of the land charge is not automatic? (sorry, only noticed while scrolling through just now)

Other than that, on the basis of your email below – good to go

Caroline Robins
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From: MANSELL Nick <Nicholas.Mansell@pinsentmasons.com>
Sent: 20 August 2018 23:06
To: Robins Caroline <Caroline.Robins@thurrocklegal.org.uk>
Cc: 'Gallagher, Matthew' <MGallagher@thurrock.gov.uk>; 'Ford, Matthew' <MFord@thurrock.gov.uk>; 'Tung, Navtej' <NTung@thurrock.gov.uk>; OWEN Robbie <Robbie.Owen@pinsentmasons.com>; TYRRELL Francis <Francis.Tyrrell@pinsentmasons.com>; FOX Matthew <Matthew.Fox@pinsentmasons.com>; 'Pamela Smyth' <Pamela.Smyth@forthports.co.uk>; 'John Speakman' <John.Speakman@potll.com>; 'Peter Ward' <Peter.Ward@potll.com>; 'Martin Friend' <martin.friend@vincent-gorbing.co.uk>
Subject: RE: Tilbury 2 S106 [PM-AC.FID2941341]

Caroline,

Thanks for this.

That's correct. I accepted all of your changes except for the inclusion of the Pre-Commencement Obligations definition and the only minor amendment I made was in clause 19 (addition of "in advance" to the notice provision). Appendix 5 has been removed. No further changes have been made.

Please can you confirm, on that basis, that you are happy with this form of the agreement and that I can send that confirmation on to PINS this evening?

Regards

Nick

Nick Mansell
Solicitor
for Pinsent Masons LLP

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From: Robins Caroline [<mailto:Caroline.Robins@thurrocklegal.org.uk>]
Sent: 20 August 2018 22:57
To: MANSELL Nick
Cc: 'Gallagher, Matthew'; 'Ford, Matthew'; 'Tung, Navtej'
Subject: [EXTERNAL] RE: Tilbury 2 S106 [PM-AC.FID2941341]

Hello Nick,

I looked at the comparison S106 and it looks ok on the basis that:

- it appears all the amendments sent this evening by TC have been accepted (thank you), except for the pre-commencement obligations which I accept is not needed because the reference to commencement has been deleted in clause 3
- no other amendments have been made except adjustment to appendices due to app being deleted

I am reverting to you on this basis, as I am having IT issues and it is difficult to check through the document properly, and we are running out of time. Please confirm that on the basis of the above, there is nothing else my attention should be drawn to.

Thank you

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From: MANSELL Nick <Nicholas.Mansell@pinsentmasons.com>
Sent: 20 August 2018 20:36
To: Robins Caroline <Caroline.Robins@thurrocklegal.org.uk>
Cc: Gallagher, Matthew <MGallagher@thurrock.gov.uk>; 'Ford, Matthew' <MFord@thurrock.gov.uk>; 'Tung, Navtej' <NTung@thurrock.gov.uk>; OWEN Robbie <Robbie.Owen@pinsentmasons.com>; TYRRELL Francis <Francis.Tyrrell@pinsentmasons.com>; FOX Matthew <Matthew.Fox@pinsentmasons.com>; John Speakman <John.Speakman@potll.com>; Pamela Smyth <Pamela.Smyth@forthports.co.uk>; Peter Ward <Peter.Ward@potll.com>; 'Martin Friend' <martin.friend@vincent-gorbing.co.uk>
Subject: RE: Tilbury 2 S106 [PM-AC.FID2941341]

Caroline,

Thanks for your comments.

The latest version of the agreement is attached (in pdf and Word). In addition, I attach a comparison against the version you circulated at 17.36.

I have accepted all of your proposed amendments. The only exception is in relation to the insertion of the "Pre-Commencement Obligations". Given how clause 3 now reads, the inclusion of this definition is not required. All of the provisions take effect upon the Order coming into force, except for those clauses that will have already come into force on the date of the Deed. For that reason I have deleted both references to this term.

I have made an insertion at clause 19 to clarify that this should relate to notification in advance.

Noted in respect of Appendix 5 - PoTLL agrees to the removal of this Appendix. Also attached is a pdf of all of the Appendices (1-4) to be inserted in this document.

Please can you confirm the Council's agreement to this version?

If so, please could you also confirm that you are happy for me to forward your response to PINS (along with a pdf of the agreement) together with confirmation from you that the Council and PoTLL will proceed to complete the agreement in this form forthwith? Hopefully that will be easier for you as you will not need to put together any pdf documents / email PINS.

Happy to discuss anything on the phone if that would help.

Regards

Nick

Nick Mansell
Solicitor
for Pinsent Masons LLP

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From: Robins Caroline [<mailto:Caroline.Robins@thurrocklegal.org.uk>]
Sent: 20 August 2018 19:31
To: MANSELL Nick
Cc: Gallagher, Matthew; 'Ford, Matthew'; 'Tung, Navtej'
Subject: [EXTERNAL] FW: Tilbury 2 S106
Importance: High

Hello Nick,

I have now logged on from home.

I will check my emails now and then.

Have you any idea when you might be able to revert on the S106?

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From: Robins Caroline
Sent: 20 August 2018 17:36
To: 'MANSELL Nick' <Nicholas.Mansell@pinsentmasons.com>
Cc: Gallagher, Matthew <MGallagher@thurrock.gov.uk>; 'Ford, Matthew' <MFord@thurrock.gov.uk>; 'Tung, Navtej' <NTung@thurrock.gov.uk>
Subject: Tilbury 2 S106
Importance: High

Dear Nick,

Please find attached S106. I trust that none of the changes are controversial. They tidy up one or two matters and the other amendments are aimed at tying up loose ends, and achieving consistency. In my view they don't introduce anything new, except for the new definition 'pre-commencement obligations' which picks up on the issue I raised earlier about when the S106 comes into effect (the timings of some of the requirements in the schedules are prior to commencement, so it follows these should be operative before the development commences). Because this definition relies on principle rather than specific references, it should not operate to disrupt anything.

Please note the comment at appendix 5 which I think is now redundant.

As discussed, I plan to leave the office at 5:45 (unless material comes in on Part 5 or 7 before then) and then log on when back at home. It will take me minimum 1 ½ hours to get home.

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