ROAD BOND

We, (Name of Bank etc)

Considering That

Developer…………………………………………………………………………………………………

has been granted Construction Consent Ref No ……………… dated ……………………

by the North Ayrshire Council (hereinafter referred to as the Council) as local Roads Authority in terms of Section 21 of the Roads (Scotland) Act, 1984 for the construction of a private road(s) or part thereof in connection with

Development………………………………………………………………………………………………

all as is more fully detailed in the said Construction Consent and the plans and schedule relative thereto, considering further that the estimated cost of constructing the said private road(s) or part thereof in accordance with the said Construction Consent and others is

Sum of Money………………………………………………………………………………………………

and that the said (Developer) ……………………………………………………………………………

has requested us to grant security for such sum to the said Council by means of a bond in terms of Security for Private Road Works (Scotland) Regulations 1985 and the Security for Private Road Works (Scotland) Amendment Regulations 1998 do hereby as cautioners and sureties bind and oblige ourselves and our sureties bind and oblige ourselves and our successors to pay to the said Council and its successors and assignees, on receiving from the said Council a demand in writing, such sum not exceeding.

Sum of Money………………………………………………………………………………………………

which the said Council states in the said demand to be the costs incurred by it in construction, or rectifying defects, in the said private road(s) or part thereof in accordance with the Regulation 13 of the said 1985 Regulations; and we consent to the registration hereof for preservation and execution: IN WITNESS WHEREOF
ROAD BOND

Instructions

Construction of private road(s) shall not commence until you have provided the Council with financial security for an amount of being sufficient to meet the cost of construction/completing the construction of the road(s) in accordance with the Construction Consent, in terms of the "Security for Private Roadworks (Scotland) Regulations 1985" and the "Security for Private Roadworks (Scotland) Amendment Regulations 1998".

The Road Bond should be signed by an authorised signatory on behalf of the guarantor (who is normally the bank, building society or insurance society) and the signature should be witnessed by two witnesses. Please note that you should advise me of the date that the bond was signed.

To enable you to lodge your security I enclose the following documents.

a. One copy of form CC7 to be completed and returned to this office with your security.

b. One copy of the "Cautionary Obligation" in favour of North Ayrshire Council. If you intend to lodge your security in the form of a bond you may use this document.

c. One copy of "Directions for Signing Deeds" incorporating a signing schedule which you are required to complete and return with the bond.

d. One copy of guidance notes for developers.
In terms of Section 17 of the Roads (Scotland) Act, 1984, the Security for Private Roadworks (Scotland) Regulations 1985 (S.I. 2080) and the Security for Private Roadworks (Scotland) Amendment Regulations 1998 (S.I.96) you, as developer, are required to make financial provision with this Council, as Local Authority in order to safeguard the completion of housing development roads which are the subject of a Construction Consent. Such provision, as required by the Regulations, may take the form of a Road Bond or deposit and this will serve to protect prospective house purchasers from having to bring incomplete roads up to adoptable standards.

You are unable to commence building works adjacent to any road permitted by a construction consent until you have met the requirements of the above regulations which came into effect on 1\textsuperscript{st} April, 1986, and were amended on 28\textsuperscript{th} December, 1998.

In terms of Regulation 6, the security shall be an amount sufficient to meet the cost of constructing or completing the construction of the said roads. Also in terms of Regulation 6 this Council, as Local Roads Authority, is required to calculate the amount of that security by objective estimating and negotiation.

In terms of Regulation 5, that the security shall be either a bond in favour of this Council or a cash deposit of a sum equating to that security. Such bond or deposit shall be lodged with this Council at the office where your construction consent was issued.

In terms of Regulation 16, any person who carries out building works in contravention of these regulations, shall be guilty of an offence. It would, therefore, be in your interests to make early contact with the Head of Economic Growth, who will be able to advise you fully on these procedures. Copies of form CC7 should be completed and returned with the security.
DIRECTION FOR SIGNING DEEDS

Before signing, please read carefully

Every Party to the deed must sign on the (insert page) …. Including inventory and plan, if any, with his or her usual signature where his or her initials are marked in pencil.

Each witness to the execution of the deed requires to sign on the (insert page) …. at the pencil mark X, adding after his or her signature the word "Witness". Two witnesses are required to the signature of each party, but provided parties sign at the same time, the same persons may witness all the signatures and only require to sign once.

The witnesses must be above fourteen years of age. They should know the parties whose signatures they are witnessing personally or at least have credible information as to their identity. No person interested in the deed should act as a witness, and one spouse should not be a witness to the signature of the other.

The parties must not insert any blanks in the Deed.

When the Deed is signed the subjoined schedule should be filled up in BLOCK LETTERS and returned along with the Deed. The schedule may be filled up by anyone. A female witness should state in the schedule whether she be styled Mrs., Ms. or Miss.

**SCHEDULE to be filled up and returned.** PLEASE USE BLOCK LETTERS.

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<tr>
<th>Name of Party Signing</th>
<th>Place Where Signed</th>
<th>Date of Signing</th>
<th>Full Name (inc. middle names) Occupation &amp; Address of first witness</th>
<th>Full Name (inc. middle names) Occupation &amp; Address of second witness</th>
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