Please use this Form if your planning application is for between 1 to 6 houses

Dated 19 February 2013

[1] The Owner: THE TRUSTEES OF THE KEY SETTLEMENT

[2] The Mortgagee: NONE

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990 concerning land at The Old Bakery Bakery Lane Bognor Regis PO21 1QR

Planning Application Ref: BR 20/13
Contributions for Affordable Housing of £ 7,926.
Monitoring Fee £150.00

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Tel: 01903 737500
DX: 57406 Littlehampton

THIS UNILATERAL UNDERTAKING is given this 19 February 2013

By BRYAN FRY & SUSAN FRY / TTEE OF THE FRY SETTLEMENT

Of 64 SOUTH PALLANT, CHICHESTER, PO19 1SY

("the Owner") IN FAVOUR OF Arun District Council of Arun Civic Centre Maltravers Road Littlehampton West Sussex BN 17 5LF with the agreement and consent of :-

("The Mortgagee") N/A.

1. Background

1.1 The Owner is the freehold owner of the Land.

1.2 Arun District Council is the local planning authority for the purposes of this Deed for the area within which the Land is situated

1.3 The Owner has applied or intends to apply to the Council for planning permission to develop the Land

1.4 The Council has not determined the Application

1.5 In order to secure the best use of land and a properly planned environment the Owner is desirous of binding the Land in the terms set out hereinafter and the Mortgagee agrees to join in this Deed and for the Land to be bound by its terms

2. Definitions

In this Undertaking

2.1 Any reference to a clause is to one in this Deed and the headings of clauses are for ease of reference and do not form part of this Deed

2.2 In the absence of contrary provision any reference to a statute includes any statutory modification or re-enactment of it and every statutory instrument, direction, specification made or issued under the statute or deriving validity from it

2.3 'The Act' means the Town and Country Planning Act 1990 (as amended)

2.4 'Application' means the planning application submitted or to be submitted by the Owner seeking planning permission to develop the Land by building houses in the manner described in the Application

2.5 "Affordable Housing Contribution" means the sum of £7926 for the purpose of providing or helping to provide Affordable Housing as defined within Annex 2 The Glossary to The National Planning Policy Framework within the whole of the Arun District

2.6 Land' means the land at Flint House and The old Bakery Bakery Lane Bognor Regis PO21 1UB shown edged black on the attached Plan.

2.7 "Development" means the development authorised by the Planning Permission issued pursuant to the Application

3. Enabling Provisions

3.1 This Unilateral Undertaking:

3.1.1 is given by the Owner to the Council

3.1.2 is made pursuant to the provisions of S106 of the Act

3.1.3 is a planning obligation for the purposes of that S106 of the Act

3.1.4 is given with the intent to bind the Owner's interest in the Land

3.1.5 shall be enforceable by the Council as local planning authority

3.1.6 is executed by the Owner as a Deed

4. Commencement

The provisions of this Deed shall take effect on the completion of this Deed of undertaking by the Owner

5. Contributions

The Owner undertakes to pay to the Council the Affordable Housing Contribution on or before commencement of the Development to be authorised by any Planning Permission issued pursuant to the Application

6. Monitoring and Implementation Costs

6.1 The Owner and the Applicant undertakes with the Council to :-

[a] pay in addition to the above Contribution

[b] the sums set out in the table below

[c] at the time or times set out in the table below and

[d] for the purposes set out in the table below

Payee	Time for Payment	Amount	Purpose
The Council	On Commencement of the Development	£150	ADC Monitoring of compliance with the Deed and subsequent expenditure of the Contribution Sum by the Council

6.2 For the avoidance of doubt the Council shall be entitled to utilise a proportion of any monetary contributions specified in this Deed for related project costs up to a maximum of 5% of the sum or £15,000 which ever shall be the larger

6.3 For the avoidance of doubt the above charges are standard charges and shall not preclude the Council from claiming and receiving any additional monitoring and legal or enforcement costs above and beyond these standard charges when circumstances require that they be incurred in pursuing full compliance with this Deed whether through the courts or otherwise

7. Registration of this Unilateral Undertaking

The Owner acknowledges that this Unilateral Undertaking shall be registered as a local land charge in the Register of Local Land Charges maintained by the Council

8. Costs

The Owner undertakes to pay to the Council the sum of its reasonable legal costs of £200 on or before Completion of this Deed

SIGNED as a DEED

By THE OWNER/S in the presence of	BRYAN KAY - TTEE OF THE KAY SETTLEMENT	[redacted]
Name	MICHAEL GOODRUM	
Address	19 LANGLEY GROVE BOGNOR REGIS PO21 4LJ	[redacted]
Occupation	LETTING AGENT	signature

By THE OWNER/S in the presence of	SUSAN KAY - TTEE OF THE KAY SETTLEMENT	[redacted] signature
Name	MICHAEL GOODRUM	
Address	19 LANGLEY GROVE BOGNOR REGIS PO21 4LJ	[redacted]
Occupation		signature

SIGNED as a DEED

By THE MORTGAGEE in the presence of	N/A	signature
Name		
Address		
Occupation		signature

Land Registry

Official copy of register of title

Title number WSX88594 | Edition date 20.06.2012

- This official copy shows the entries in the register of title on 27 July 2012 at 08:59:11.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 27 July 2012.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide *1 - A guide to the information we keep and how you can obtain it.*
- This title is dealt with by Land Registry Durham Office.

A: Property register

This register describes the land and estate comprised in the title.

WEST SUSSEX : ARUN

1 (03.08.1984) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the west side of Old Bakery Lane, Bognor Regis.

2 The land has the benefit of a right of way at all times for all purposes with or without vehicles over Old Bakery Lane to Scott Street.

3 The land has the benefit of the rights granted by but is subject to the rights reserved by a Transfer dated 4 April 1988 made between (1) S Raven Limited (Transferor) and (2) Bryan Edward Fry (Transferee).

NOTE: Original filed.

4 (20.06.2012) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.

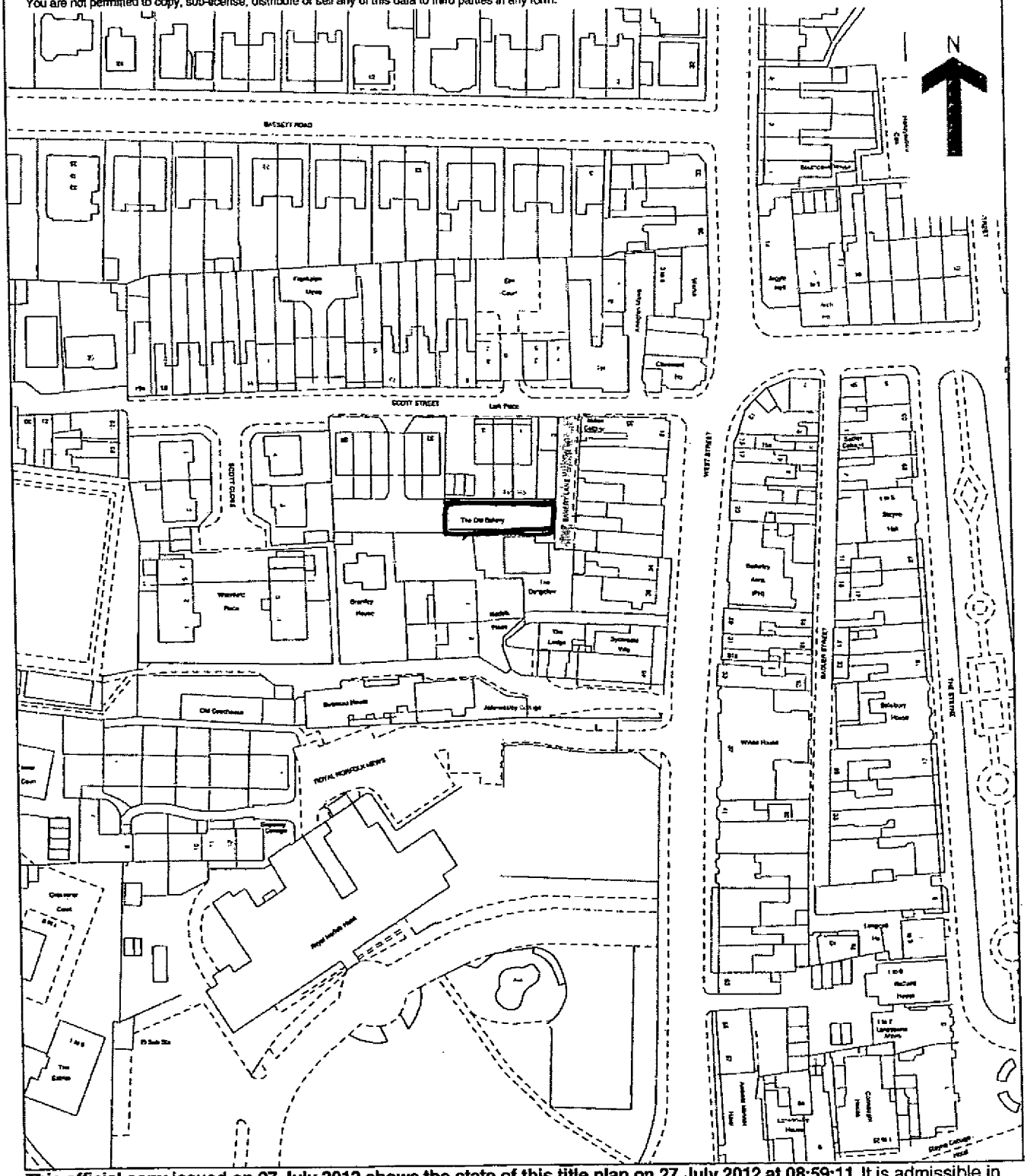
5 (20.06.2012) The registered proprietor claims that the land has the benefit of a right of way with or without vehicles at all times and for all purposes over the land tinted brown on the title plan. The right claimed is not included in this registration. The claim is supported by a statutory declaration made on 15 June 2012 by Bryan Edward Fry.

NOTE:-Copy filed under WSX90158

Land Registry
Official copy of title plan

Title number **WSX83594**
Ordnance Survey map reference **SZ9398NW**
Scale **1:1250**
Administrative area **West Sussex: Arun**

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This official copy issued on 27 July 2012 shows the state of this title plan on 27 July 2012 at 08:59:11. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.
This title is dealt with by Land Registry, Durham Office.

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (16.07.2002) PROPRIETOR: BRYAN EDWARD FRY, SUSAN PENELOPE FRY, GAYNOR ANNE COLEMAN and BENJAMYN EDWARD NATHAN FRY of The Stables, 6A South Pallant, Chichester, West Sussex PO19 1SY.

2 (16.07.2002) RESTRICTION: No disposition by a sole proprietor of the land (not being a trust corporation) under which capital money arises is to be registered except under an order of the registrar or of the Court.

3 (20.06.2012) The proprietor's address for service has been changed.

End of register

Land Registry

Official copy of register of title

Title number WSX90158 | Edition date 20.06.2012

- This official copy shows the entries in the register of title on 27 July 2012 at 08:55:54.
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- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 27 July 2012.
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A: Property register

This register describes the land and estate comprised in the title.

WEST SUSSEX : ARUN

1 (04.04.1985) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land and buildings fronting Scott Street, Bognor Regis.

2 The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer dated 4 April 1988 made between (1) S Raven Limited (Transferor) and (2) Bryan Edward Fry (Transferee).

NOTE: Original filed under WSX83594

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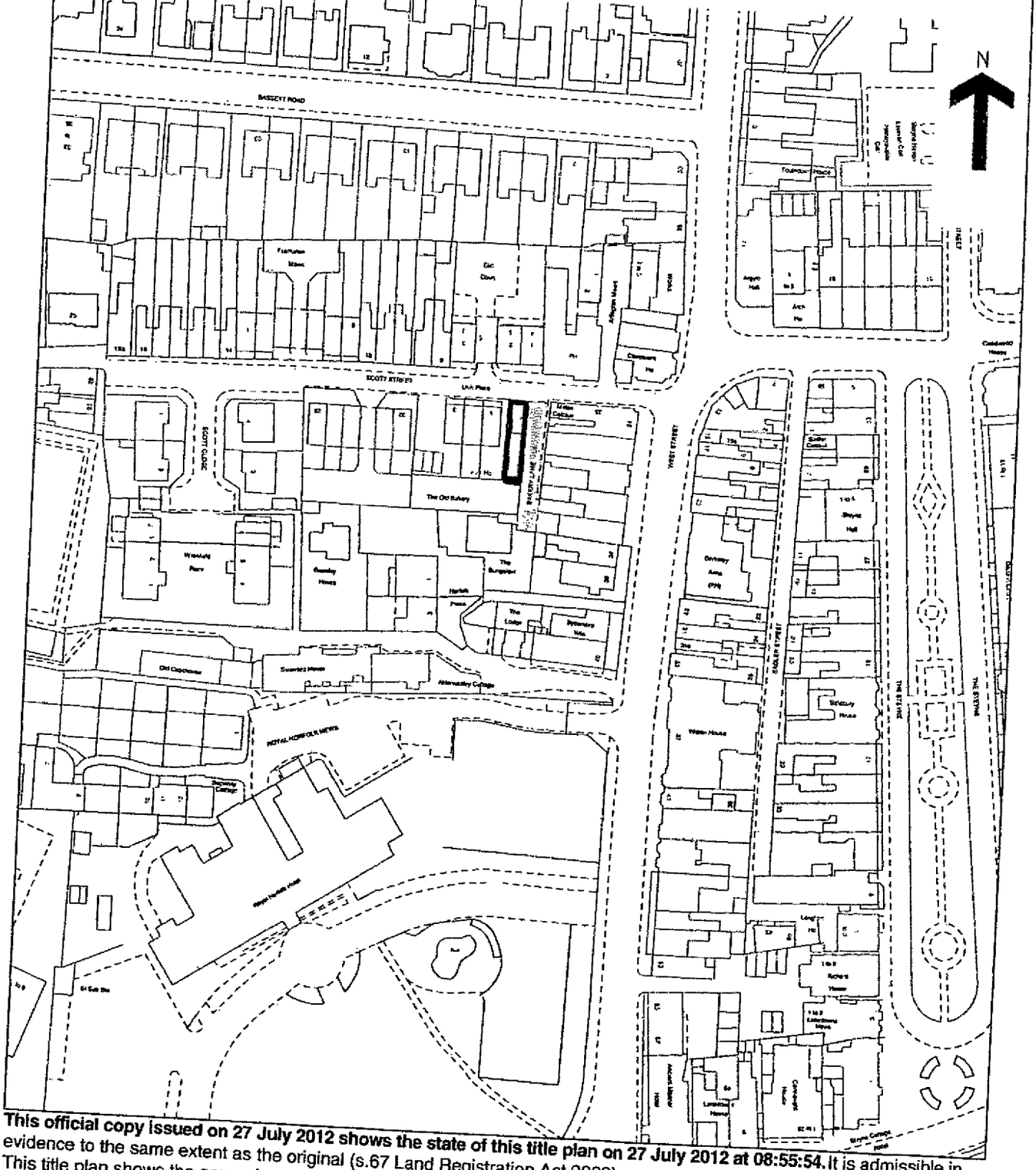
3 (20.06.2012) The proprietor's address for service has been changed.

End of register

Land Registry
Official copy of title plan

Title number **WSX90158**
Ordnance Survey map reference **SZ9398NW**
Scale **1:1250**
Administrative area **West Sussex: Arun**

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