

DATED

11 November

2013

- (1) The Owner : R G FRANCIS & CO (ASCOT) LIMITED
(2) The Mortgagee: LLOYDS TSB BANK PLC

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990
concerning land at 2 Sidlaw Terrace Clarence Road Bognor
Regis West Sussex PO21 1TY (one 1 bedroom flat)

Planning Ref: BR/242/13

Contributions for Affordable Housing of £1,104.00

Monitoring Fee : £150.00

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

11 November

THIS UNILATERAL UNDERTAKING is given this 2013
by R G FRANCIS & CO (ASCOT) LIMITED (Co. No: 00565036) of 42 Elm Grove Barnham
Bognor Regis West Sussex PO22 0HL ("the Owner") IN FAVOUR OF Arun District Council
of Arun Civic Centre Maltravers Road Littlehampton West Sussex BN17 5LP with the agreement
and consent of LLOYDS TSB BANK PLC of Pendeford Securities Centre Pendeford Business
Park Webaston Road Wolverhampton WV9 5HZ ("the Mortgagee")

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 purpose 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 heading 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 £1,104.00 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 2 Sidlaw Terrace Clarence Road Bognor Regis West Sussex PO21 1TY (one 1 bedroom flat) shown edged black on the attached Plan
- 2.7 “Development” means the development authorized 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 authorized by any Planning Permission issued pursuant to the Application`

9. Mortgage Consent Clause

The Mortgagee agrees to the Owner entering into this Deed and to the Land being bound by its terms

10. Miscellaneous

- 10.1 This Deed may at the absolute discretion of the Council be applied to the Development as authorised by the Planning Permission or as varied or renewed or re submitted from time to time provided always in each of these cases that the sum of the Affordable Housing Contribution remains unchanged. The application of this Deed to any other Planning Permissions shall be recorded on those Planning Permissions by an "Informative"note.
- 10.2 No covenants or obligations contained in this Deed shall be binding upon any part of the Land that may in future be acquired by a statutory undertaker for the purposes of its undertaking or operational Land as defined in the S262 of the Act.

SIGNED as a DEED by RG France + Co (Asst) Limited
Acted by

By THE OWNER/S in the presence of	<u>J. P. DRYMAN (Director)</u>	<u>J. P. DRYMAN</u> signature
Name	<u>CARL STROTTON</u>	
Address	<u>42, ELM GROVE, BARNHAM, BOWNE REGS</u>	
Occupation	<u>WEST SUSSEX, POLICE</u> <u>OPERATIONS MANAGER</u>	signature

By THE OWNER/S in the presence of		signature
Name		
Address		
Occupation		signature

SIGNED as a DEED

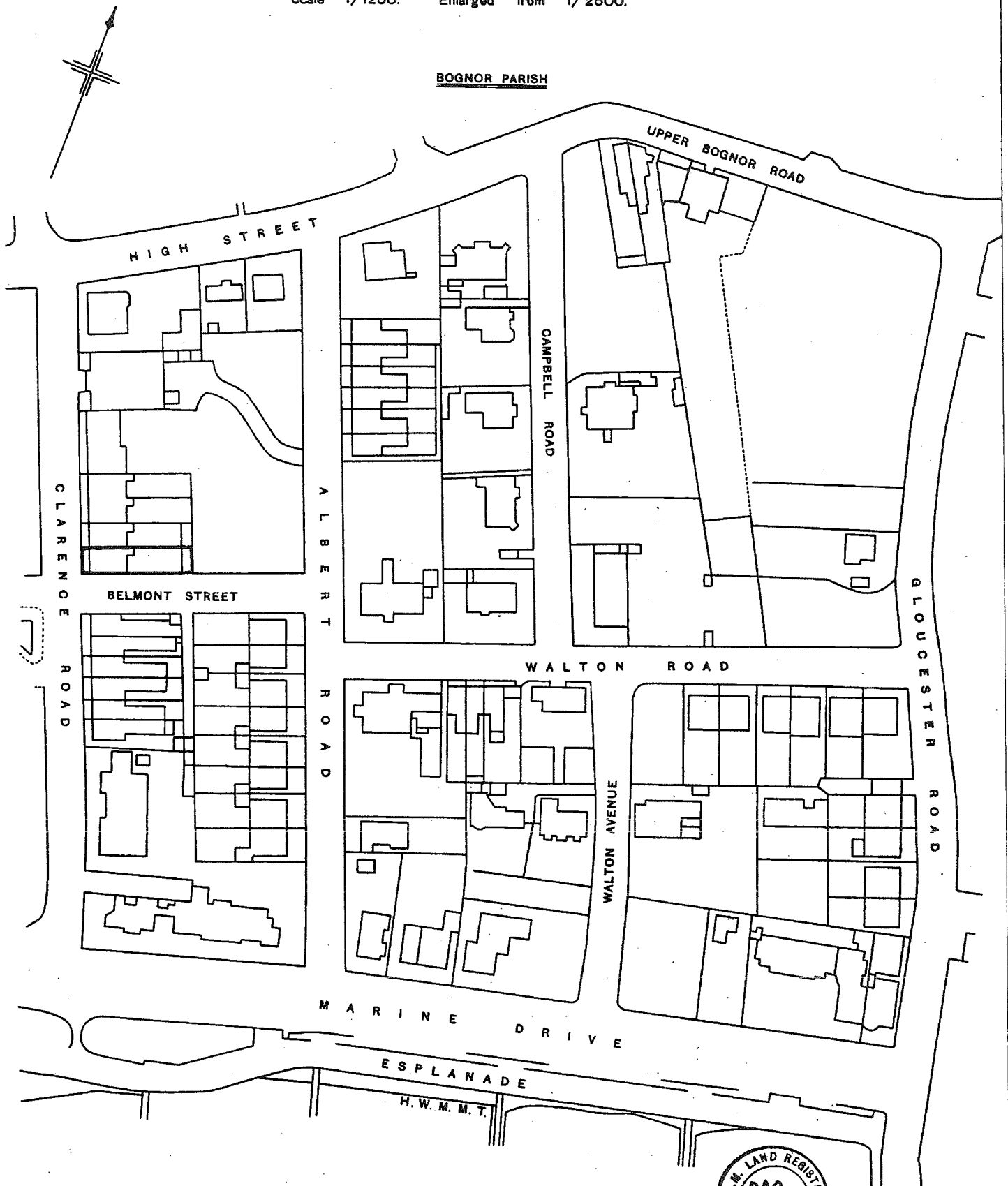
By THE MORTGAGEE in the presence of	<u>LISA PACKHAM</u>	<u>LISA PACKHAM</u> signature
Name	<u>LEANNE BARR</u>	
Address	<u>Peideford Securines Centre, Peideford</u>	
Occupation	<u>Business Park,</u> <u>Wobster Road,</u> <u>Wolverhampton, WVA 5H2</u>	signature

H. M. LAND REGISTRY GENERAL MAP

SUSSEX SHEET LXXIV. 6. SECTION B

Scale 1/1250. Enlarged from 1/2500.

BOGNOR PARISH



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Filed Plan of Title No. **SX 29767**



These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

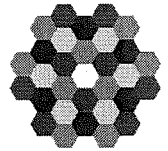
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This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

This official copy is issued on 11 November 2013 shows the state of this title plan on 11 November 2013 at 09:02:31. 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*.

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Official copy of register of title

Title number SX29767

Edition date 30.05.2013

- This official copy shows the entries on the register of title on 11 NOV 2013 at 09:02:31.
- This date must be quoted as the "search from date" in any official search application based on this copy.
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- Issued on 11 Nov 2013.
- 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 (28.09.1907) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 1 Sidlaw Terrace, Clarence Road, Bognor Regis, (PO21 1JY).
- 2 The mines and minerals are included.
- 3 The land is discharged from land Tax.

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 (01.11.1957) PROPRIETOR: R. G. FRANCIS AND CO (ASCOT) LIMITED of 1 and 2 Sidlaw Terrace, Clarence Road, Bognor Regis, W Sussex PO21 1JY.
- 2 RESTRICTION: Except under an order of the registrar no charge by the proprietor of the land is to be registered unless a certificate signed by the secretary, the solicitor or a director thereof has been furnished that such charge does not contravene any of the provisions of the memorandum or articles of association of the said proprietor.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The passage at the back is subject to rights of way.

The electronic official copy of the register follows this message.

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Title number SX29767

End of register

H. M. LAND REGISTRY GENERAL MAP

SUSSEX SHEET LXXIV. 6. SECTION B

Scale 1/1250. Enlarged from 1/2500.



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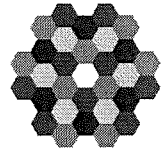
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