

THIS AGREEMENT is made the fourth day of February
One thousand nine hundred and eighty-nine BETWEEN ARUN DISTRICT
COUNCIL of The Arun Civic Centre Maltravers Road Littlehampton in
the County of West Sussex BN17 5LE (hereinafter called "the
Council") of the one part and HOUSE OF HOSPITALITY LIMITED whose
registered office is situate at Holy Cross Priory Cross-in-Hand
Reathfield in the County of East Sussex (hereinafter called "the
Owner") of the other part

W H E R E A S:

(1) The District Council is the local planning authority for the
purposes of the Town and Country Planning Act 1971 for the area
within which the property the subject of this agreement is
situated

(2) The Owner is the owner in fee simple absolute in possession
free from incumbrances of the land and Property specified in the
First Schedule hereto (hereinafter referred to as "the Property")

(3) An application (Reference No. BR/484/88) dated 30th August
1988 has been made to the Council for permission to develop the
Property and the Council is satisfied that the development
disclosed by the said application is such as may be approved under
the said Act subject to the covenants hereinafter contained

NOW THIS AGREEMENT made in pursuance of Section 52 of the Town and
Country Planning Act 1971 and Section 33 of the Local Government
(Miscellaneous Provisions) Act 1982 and all other powers the
parties hereto enabling WITNESSETH as follows:-

1. THE Council hereby approve the said development (Reference
No. BR/484/88) subject to the conditions set out in the Notice of
Approval of even date

2. THE Owner for itself and its successors in title hereby
covenants with the Council with intent to bind the Property and
every part thereof into whosoever hands the same may come and to
the intent that this covenant may be enforced by the Council
against persons deriving title under the Owner pursuant to Section
52 of the Town and Country Planning Act 1971 as if the Council were
possessed of adjacent land and this covenant had been expressed to
be made for the benefit of such land to observe and perform the
covenants set out in the Second Schedule hereto

3. (1) Notwithstanding anything hereinbefore contained the foregoing covenants shall not prohibit or restrict or require anything to be done before the date on which the development specified in the planning permission shall be taken to be begun within the meaning of Section 41 or 42 and Section 43 of the 1971 Act

(2) If the planning permission shall expire before the development has been begun as aforesaid or is revoked or otherwise withdrawn or without the consent of the Owner or his successors in title modified by any statutory procedure this Agreement shall thereupon cease to have effect

4. THE expressions "the Council" and "the Owner" shall include their respective successors in title and assigns

IN WITNESS whereof the Council and the Owner have set their respective Common Seals the day and year first hereinbefore written

FIRST SCHEDULE

Essex House 3 Walton Road Bognor Regis in the County of West Sussex shown edged red on the plan accompanying the said planning application

SECOND SCHEDULE

(1) Not to permit the Property or any part thereof to be occupied by persons of less than State Pensionable age Provided That it shall not be deemed to be a breach of this covenant in the case of the occupation of any dwelling unit comprised in the Property under the following circumstances:-

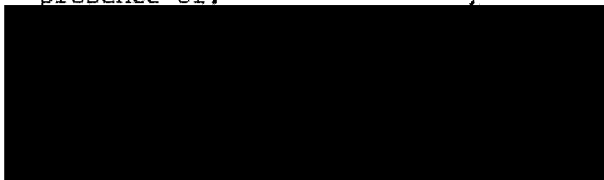
(a) by a husband and wife where one of them is below State Pensionable age

(b) the continued occupation by a spouse below State Pensionable age following the death of his or her spouse who had attained that age

(2) Not to use the Property for any other purpose than is permitted by the Approval and in particular for any purpose which would give rise to any future change of use and require the provision of a greater number of car parking spaces in accordance with the Council's adopted car parking standards than is required in connection with the development as hereby approved

(3) To comply with the conditions set out in Notice of Approval of even date herewith

THE COMMON SEAL of the ARUN)
DISTRICT COUNCIL was here-)
unto affixed in the)
presence of:-)



Authorised Signatory

Seal Book No. 168/85

THE COMMON SEAL of HOUSE OF)
HOSPITALITY LIMITED was)
hereunto affixed in the)
presence of:-)

