

DATED this 4th day of December 2018

ARUN DISTRICT COUNCIL (1)

and

MADEHURST COURT RESIDENTS (2)
ASSOCIATION LIMITED

and

CAROL JOAN HAYWARD AND (3)
MAUREEN ANNE LAKER (as Executors
of the Late JOAN OLIVE ETHEL
HOWARD)

DEED OF VARIATION

under Section 106 and 106A of the Town
and Country Planning Act 1990 Section
111 of the Local Government Act 1972
and Section 1 of the Localism Act 2011
relating to Land at Flat 1 Madehurst
Court Gloucester Road Littlehampton in
the County of West Sussex BN17 7BX
Planning Ref: LU/179/18/PO and
LU/283/85

Arun District Council
Arun Civic Centre
Maltravers Road
LITTLEHAMPTON
West Sussex
BN17 5LF
DX 57406 LITTLEHAMPTON
JC/CMS7042

THIS DEED OF VARIATION is made the 4th day of December 2018

BETWEEN:

- (1) "the Council" **Arun District Council** of the Arun Civic Centre
Maltravers Road Littlehampton West Sussex BN17
5LF
- (2) "the Freehold Owner" **Madehurst Court Residents Association Limited** of
41b Beach Road, Littlehampton, West Sussex BN17
5JA
- (3) "the Leaseholder Owners" **CAROL JOAN HAYWARD** of 90 Clun Road,
Littlehampton, West Sussex, BN17 7EB and
MAUREEN ANNE LAKER of 25 Lyndhurst Close,
Kingskerswell, Newton Abbot, Devon TQ12 5AH in their
capacity as Executors of the late **JOAN OLIVE**
ETHEL HOWARD

NOW THIS DEED WITNESSETH: as follows:-

1. Definitions

In this Deed:-

- 1.1. "the Property" means Flat 1 Madehurst Court Gloucester Road Littlehampton BN17
7BX
- 1.2. "the Original Agreement" means an Agreement made pursuant to Section 52 of the
Town & Country Planning Act 1971 on 1 August 1986 between the Council (1) and
the then Owners being M.R. De Mey (Builders) Limited (2)

2. Background

- (A) This Supplemental Deed is made under Section 106 of the Town and Country
Planning Act 1990 and is supplemental to a planning obligation by the Original
Agreement.
- (B) The Leasehold Owner has a registered leasehold interest in the Property under title
number WSX105788.
- (C) The Freehold Owner is the registered proprietor of the Property under title number
WSX21002.

- (D) On the 4th July 2018 the Leasehold Owner submitted an application pursuant to section 73 of the Act to vary the Planning Obligations entered into in the Original Agreement.
- (E) The parties hereto have agreed to vary the Original Agreement in the manner set out below.

3. Operative powers

The Council enters into this Deed under its powers contained in Section 106 and 106A of the Town and Country Planning Act 1990 Section 111 of the Local Government Act 1972 and Section 1 of the Localism Act 2011 and all other enactments and/or powers which may be relevant for the purposes of giving validity hereto.

4. Variation

- 4.1 The parties to this Deed AGREE that the Original Agreement shall be varied in that:-
- [a] Flat 1 shall be freed from the original prohibition against occupation by persons of less than state pensionable age contained in Clause 3(a) of the Original Agreement
 - [b] The attached plan shall be read as if the Flat marked 1, coloured pink was coloured blue.
- 4.2 The Original Agreement shall otherwise continue in full force and shall have the same legal effect as before this amendment or variation.

5. Local Land Charge

The Original Agreement is a local land charge and this Deed shall be entered in the relevant register so as to record the variation

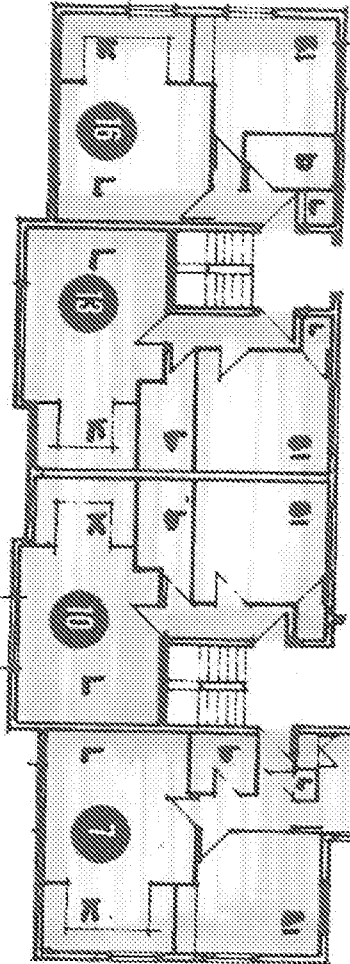
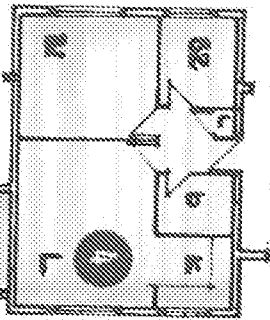
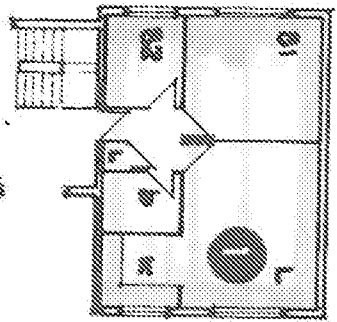
APPENDIX

PLAN

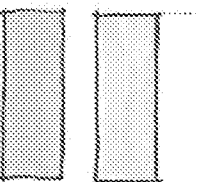
Mr. de May - Director

Mr. de May - Secretary

CD 1001/10/10/10
M.A.L. M.A.L.



FLATS RESTRICTED
FOR ELDERLY 60+
FLATS NOT RESTRICTED
FOR ELDERLY NIL



227/20/18

4/10

Secretary

RECORDING REQ
1 bed Flat restricted for elderly 5 D: @ 0.5 spaces = 2.5
1 bed Flats not restricted 7 D: @ 1.2 = 8.4
2 bed Flats restricted for elderly 4 D: @ 0.5 = 2.0
2 bed Flats not restricted 2 D: @ 1.7 = 3.4

GROUND FLOOR 1:200

Executed and delivered as a Deed by the parties hereto the day and year first before written

THE COMMON SEAL OF
ARUN DISTRICT COUNCIL was
affixed to this Deed in the presence of:



AUTHORISED SIGNATORY:

Name:

Job Title:

Seal Book No: 277/2018

SIGNED as a DEED by
MADEHURST COURT RESIDENTS
ASSOCIATION LIMITED

in the presence of:

Signature of witness

Name (in BLOCK CAPITALS)

Address

7 CHILGROVE CLOSE, GORING BY SEA
WORTHING. BN12 6NG.

Occupation

OCCUPATIONAL THERAPY ASSISTANT.

SIGNED as a DEED by
CAROL JOAN HAYWARD

In the presence of

Signature of

Name (in BLOCK CAPITALS)

Address

Occupation

RETIRED

SIGNED as a DEED by
MAUREEN ANNE LAKER

in the presence of:

Signature of witness

Name (in BLOCK CAPITALS)

Address

Occupation

RETIRED

MRS. PETUA BOWDEN
24 LYNDHURST CLOSE
KINGSKERSWELL
NEWTON ABBOT TQ12 5AH