

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

1 May
Dated 2014

[1] The Owner: AC Levett and CM Levett

[2] The Mortgagee: Barclays Bank PLC

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990 concerning land at 2
Queen Street Littlehampton BN17 6ER

Planning Application Ref: LU/337/13
Contributions for Affordable Housing of £1104.00
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

1 May

2012

By Andrew Charles Levett and Christina Majella Levett both of 2 Queen Street
Littlehampton BN 17 6EP
Of

("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:-

Barclays Bank PLC whose registered number is 1026167 of Mortgage Administration
Service POBox HK444 Leeds LS11

("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 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 £1104.00 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 Queen Street Littlehampton BN17 6ER 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

9. Mortgage Consent Clause

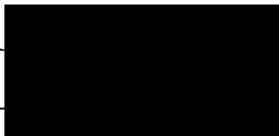
The Mortgagee agrees to the Owner entering into this Deed and to the Land being bound by its terms

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.

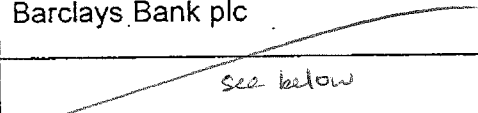
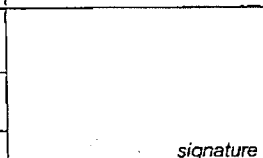
10.2 No covenants or obligations contained in this Deed shall be binding upon any part of the Land that may in future be acquired by a statutory undertaker for the purposes of its undertaking or operational Land as defined in the S262 of the Act.

SIGNED as a DEED

By THE OWNER/S in the presence of	Andrew Charles Levett	
Name	KATE RUSSELL	
Address	25 NORTHWAY RD WICK	
Occupation	OFFICE PERSON	 signature

By THE OWNER/S in the presence of	Christina Majella Levett	
Name	~~25~~ KATE RUSSELL	
Address	25 NORTHWAY ROAD	
Occupation	OFFICE PERSON	 signature

SIGNED as a DEED

By THE MORTGAGEE in the presence of	Barclays Bank plc	signature
Name	 see below	
Address		
Occupation		

Signed for and on behalf of BARCLAYS BANK PLC by
John Kenneth Henderson

as duly appointed Attorney under a Power of Attorney
dated 3rd October 2013 in the presence of;

Witness

Yvonne McKue

By this POWER OF ATTORNEY made by deed on 3rd October 2013, we, Barclays Bank PLC, a company incorporated in United Kingdom and registered in England (registered number 1026167), whose registered office is situate at 1 Churchill Place, London E14 5HP (the "Company") APPOINT:

Petrina Madeleine Miller, Team Leader	Zoe Patricia Laffey, Customer Agent
Rosemary Bradley, Senior Customer Agent	Kathryn Stalmach, Customer Agent
Gillian Cummins, Senior Customer Agent	Holly Jade Rowe, Customer Agent
Emma Jayne Goddard, Customer Agent	Nosheen Ali, Customer Agent
Sharon Gail Hayes, Senior Customer Agent	Samantha Hall, Customer Agent
John Kenneth Henderson, Senior Customer Agent	Kathleen Angela Payne, Customer Agent
Victoria Rachel Martin, Senior Customer Agent	Vincenzo Nicoletti, Customer Agent
Sharon Elizabeth Peverell, Customer Agent	Michael Andrew Kalinowski, Customer Agent
Jane Sutcliffe, Customer Agent	Matthew Leonard Bailey, Customer Agent
Michelle Jacqueline Swales, Customer Agent	Ferhana Patel, Customer Agent
Sandra Rose Helena Swanston, Team Leader	Charlotte Ann Hannick, Customer Agent
Hayley Bedford, Customer Agent	Michelle Victoria Nelson, Customer Agent
Debra Withington, Customer Agent	Natalie Dawn Ann Dudley, Customer Agent
Laura Ann Hewitt, Customer Agent	Jacqueline Louise Wheeler, Customer Agent
Aumit Rasool, Customer Agent	Donna Samantha Adamson, Senior Customer Agent
Moir Frances Day, Customer Agent	Sarah Nugent, Team Leader
Carmel Anderson, Senior Customer Agent	Ian Kenneth Field, Customer Agent
Yvonne McKue, Senior Customer Agent	Nichola Maria Johnston, Operations Manager
Debra Smyth, Customer Agent	Susan Carol Henderson, Team Leader
Patricia Dawson, Customer Agent	Kimberley Jayne Harvey, Team Leader
Kelly Lee Tose, Team Leader	Andrew Arthur Carter, Customer Agent
Raymond Jonathon Drake, Team Leader	Samra Arif, Customer Agent

each of Barclays Bank PLC, PO Box HK444, Leeds, LS11 8DD as our true and lawful attorneys (each an "Attorney") for and on behalf of the Company to act, jointly and severally, to sign, execute and deliver deeds of easement and indemnities, deeds regulating the priority of mortgages, consents, releases, discharges, transfers under a power of sale, transfers of mortgages, reconveyances and re-assignments of real or personal property, mortgaged, charged or assigned by way of security to the Company.

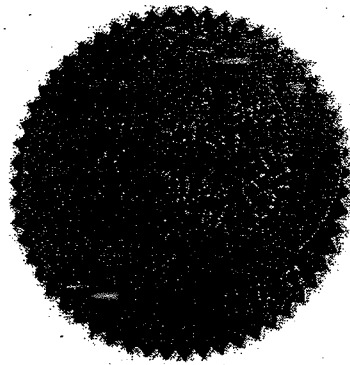
Any actions authorised by this Power of Attorney may be taken by any of the Attorneys and if so taken shall be as valid as though done by all Attorneys.

This Power of Attorney shall be governed and construed in accordance with the laws of England and Wales. This power of attorney shall be valid for

- (a) a period of one year from the date given hereof whereupon it will terminate automatically; or
- (b) earlier if the Attorneys receive from the Company written notice that this Power of Attorney has been revoked.

This Deed has been, and has been witnessed as, duly executed and delivered on the day and year first written above.

The Common Seal of
Barclays Bank PLC
was affixed in the Execution of this Deed
in the presence of:



[Redacted Signature]
Assistant Secretary
Authorised Sealing Officer

I certify this to be a true and
complete copy of the original

[Redacted Signature]
For Barclays Bank PLC
Manager

Date 22/4/14



Official copy
of register of
title

Title number WSX221010 Edition date 02.06.2011

- This official copy shows the entries on the register of title on 05 MAR 2014 at 15:13:10.
- 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 05 Mar 2014.
- 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 (17.11.1994) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 2, 2a and 2b Queen Street, Littlehampton, (BN17 6EP) and 17a Connaught Road, Littlehampton BN17 6ER.
- 2 The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title dated 18 October 1974 made between (1) Richard Beatty MacBean Knight (Vendor) and (2) Ladders and Tools Limited (Purchaser):-

"TOGETHER ALSO with and subject to all such rights easements and quasi-easements (if any) as are now enjoyed by the property and the adjoining property as if such premises had belonged to different owners and had acquired such rights easements and quasi-easements by prescription EXCEPTING AND RESERVING unto the owners and occupiers for the benefit of their adjoining or neighbouring premises the full and free right to pass and repass over and along that section of the passageway as is included in the property but subject to the expense of keeping same in repair."
- 3 The Conveyance dated 18 October 1974 referred to above contains the following provision:-

"The wall on the north being a party wall."

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 (28.09.1998) PROPRIETOR: ANDREW CHARLES LEVETT and CHRISTINA MAJELLA

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

These are the notes referred to on the following official copy

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

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

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 05 March 2014 shows the state of this title plan on 05 March 2014 at 15:13:10. 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 the Land Registry, Durham Office .

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Title number WSX221010

B: Proprietorship Register continued

LEVETT of 2 Queen Street, Littlehampton, W Sussex, BN17 6EP.

- 2 (28.09.1998) RESTRICTION: Except under an order of the registrar no disposition by the proprietor of the land is to be registered without the consent of the proprietor of the Charge dated 17 July 1998 in favour of Barclays Bank PLC referred to in the Charges Register.
- 3 (07.10.2004) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by Felim Norbert John Quinn of Foxes Oven of 45 Offham Stoke, Near Arundel, West Sussex.

C: Charges Register

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

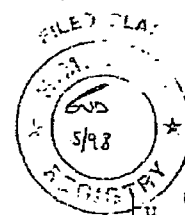
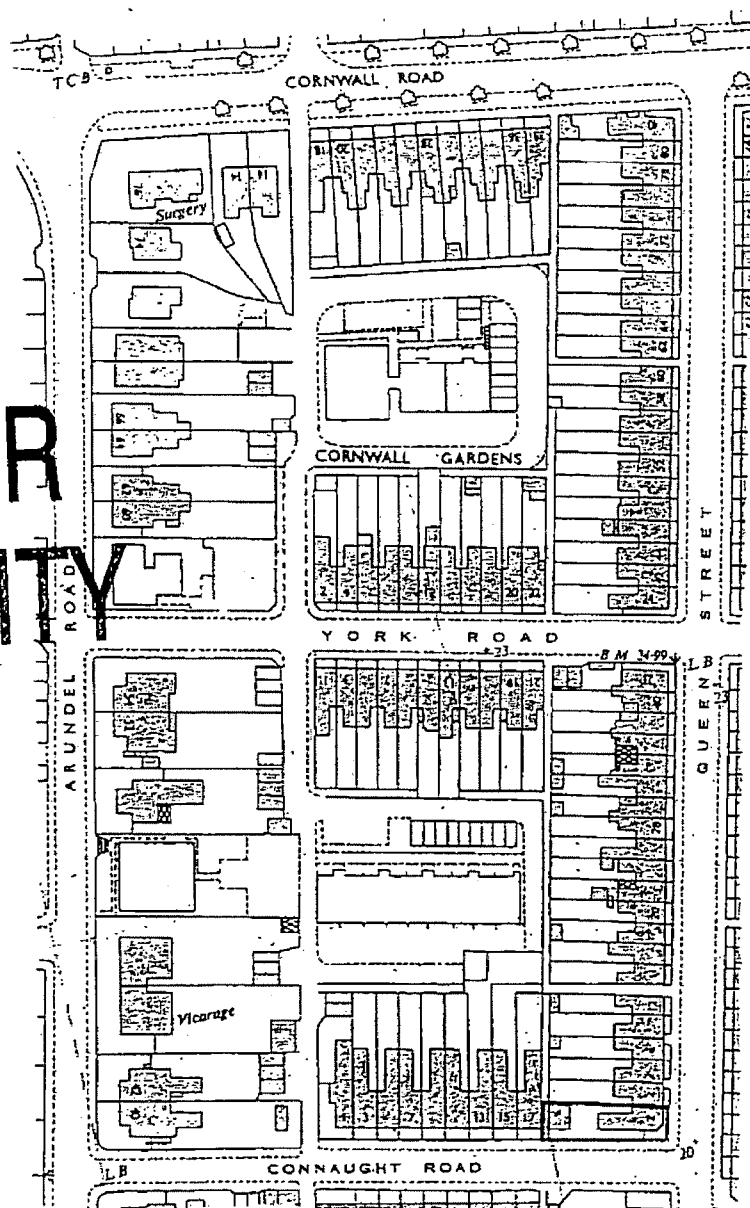
- 1 (17.11.1994) Lease dated 29 September 1981 to Ashtead Plant Hire Co. Limited, for 20 years from 29 September 1981.
- 2 (28.09.1998) REGISTERED CHARGE dated 17 July 1998 to secure the moneys including the further advances therein mentioned.
- 3 (28.09.1998) Proprietor: BARCLAYS BANK PLC (Co. Regn. No. 1026167) of Barclays Mortgage Administration Service, P.O. Box HK444, Leeds LS11 8DD.

End of register

H.M. LAND REGISTRY		TITLE NUMBER	
		WSA 221010	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST SUSSEX		TQ 0202
Scale: 1/1250	ARUN DISTRICT		SECTION P
			© Crown copyright 1980

LITTLEHAMPTON PARISH

POOR
QUALITY



Mr Levett
2 Queen Street
Littlehampton
BN17 6EP

Date 1/5/14

Barclays Bank PLC Communis 9508 11/08

Pay	<u>ADC</u>	Only
	<u>Two Hundred Pounds only</u>	
	<u>17/03/2014</u>	
	<u>NGXEPQ#4GLGMBZ</u>	

£200.00

A C LEVETT ESQ & F N QUINN ESQ



Your Ref: "[Your Ref]"

Cheque No.

Sort Code

Account No.

Our Ref: LU/337/13

109968 20 206 21 50573655 02

Dear Sir,

Land at 2 Queen Street Littlehampton
SS106 and 106A Town and Country Planning Act 1990

Thank you for completing the Planning Obligation relating to this matter.

Unfortunately, I returned it to you because of the following omission[s] :-

Front Page

1. the full name and address of the each Owner , and the Mortgagee/lending Bank .
2. the name and address of the Property.
3. the amount of the commuted sum payable for affordable housing -you can calculate this sum from The Affordable Housing Matrix
4. the Planning Application Reference

I have remedied these omissions by obtaining ownership and mortgagee details from HM Land Registry and by filling in the details in the deed, all of which are enclosed.

If you still wish to proceed you have these options:-

1. You and Mrs Levett sign the enclose deeds and get Barclays Bank as mortgagee to sign and then return one copy to me or
2. Resubmit a deed based on this enclosed deed with the details of any new application filled in ie reference and amount of affordable housing contribution

Yours sincerely,

Delwyn Jones
Planning Solicitor

CERTIFIED COPY OF AN ORIGINAL DOCUMENT	
SIGNATURE	
STAFF NUMBER	
NO. OF PAGES	<u>12</u>

Nigel Lynn Chief Executive
Nigel Croad Resources Director and Deputy Chief Executive

Environmental Health
Littlehampton and Bognor Regis
Customer Services Help Points



