

DATED

25th January

2018

ARUN DISTRICT COUNCIL

- and -

MADEHURST COURT RESIDENTS ASSOCIATION LIMITED

- and -

MAY SNOWDEN

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 7 Madehurst Court Gloucester Road
Littlehampton in the County of West Sussex BN17 7BX

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

Planning Ref: LU/377/17/PO

THIS DEED OF VARIATION is made the 28th day of January 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 Owner" | May Snowden of 7 Madehurst Court, Gloucester Road,
Littlehampton, West Sussex BN17 7BX |

NOW THIS DEED WITNESSETH: as follows:-

1. Definitions

In this Deed:-

- 1.1. "the Property" means Flat 7 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 WSX105763.
- (C) The Freehold Owner is the registered proprietor under title number WSX21002 of the Property.
- (D) On the 13 November 2017 the Leasehold Owner submitted an application pursuant to section 73 of the Act to vary the Planning Obligations entered into in the Original Agreement.

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 7 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 7, 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. **Costs**

The Leasehold Owner shall pay the Council's reasonable legal costs on completion of this Agreement.

6. **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]

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:

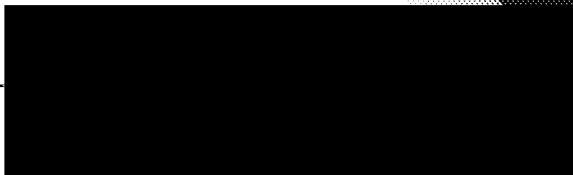


AUTHORISED SIGNATORY:

Name: *HELEN JANE ATKINSON*
Job Title: *SOLICITOR*
Seal Book No: *11/1018*

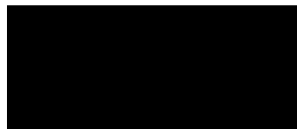


SIGNED as a DEED by
MADEHURST COURT RESIDENTS
ASSOCIATION LIMITED



in the presence of:

X Signature of witness



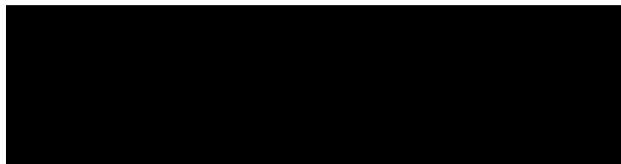
Name (in BLOCK CAPITALS) ALISON FERGUSON

Address 10 MADEHURST COURT

BN 17 7 BX

Occupation Retired

SIGNED as a DEED by
MAY SNOWDEN



in the presence of:

Signature of witness

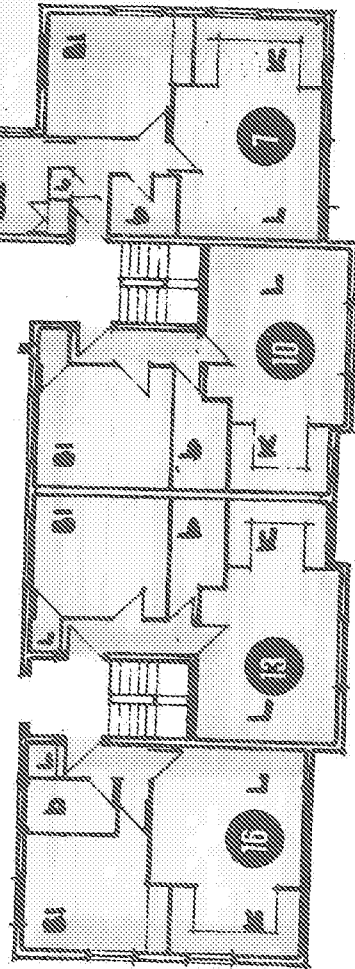
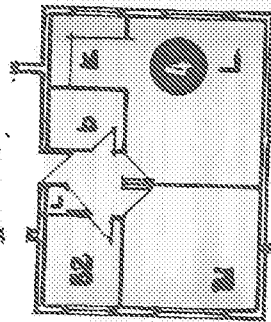
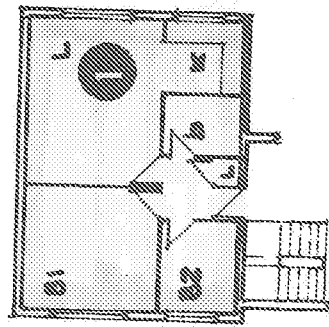
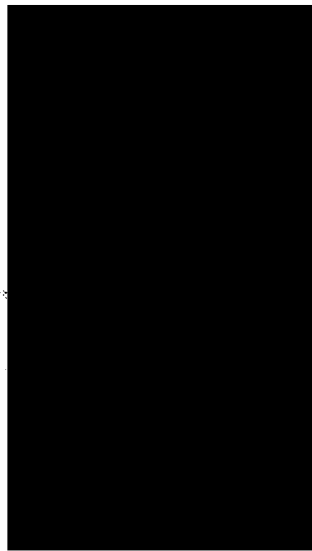


Name (in BLOCK CAPITALS) ALISON FERGUSON

Address 10 MADEHURST COURT

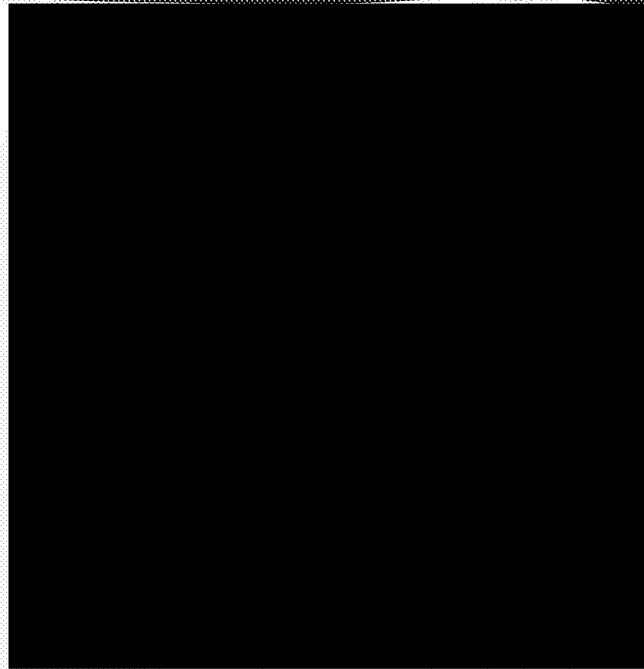
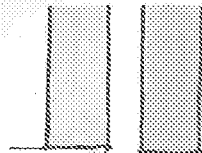
BN 17 7 BX

Occupation Retired



FLATS RESTRICTED
FOR ELDERLY 60%

FLATS NOT RESTRICTED
FOR ELDERLY NIL



PACING 200

1 bed Flat restricted for elderly	5	10' @ 0.5 spaces	=	2.5
1 bed Flat not restricted	7	10' @ 1.2	=	8.4
2 bed Flats restricted for elderly	4	10' @ 0.5	=	2.0
2 bed Flats not restricted	2	10' @ 1.7	=	3.4
TOTAL PARKING				12.3

GROUND FLOOR 1:200