

DATED

1 February

2018

## **ARUN DISTRICT COUNCIL**

- and -

**MADEHURST COURT RESIDENTS ASSOCIATION LIMITED**

- and -

**LINDA ANNE KEATES**

## **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 14 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/378/17/PO

THIS DEED OF VARIATION is made the 1<sup>st</sup> day of February 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" Linda Anne Keates of 14 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 14 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 WSX106432.
- (C) The Freehold Owner is the registered proprietor under title number WSX21002 of the  
Property.
- (D) On the 15 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.

- (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 14 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 14, 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

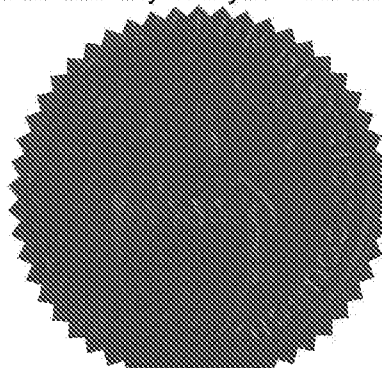
The Leasehold Owner shall pay the Council's reasonable legal costs on completion of this Agreement.

### 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: *16/2018*



SIGNED as a DEED by  
MADEHURST COURT RESIDENTS  
ASSOCIATION LIMITED



(ANTHONY PHILLIPS)

in the presence of:

Signature of witness



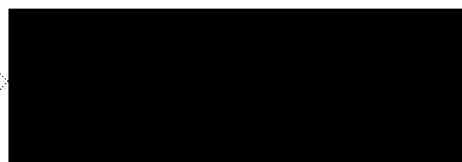
Name (in BLOCK CAPITALS)

Address *41 SOMERSET ROAD, EAST PRESTON, WEST SUSSEX  
BN16 1BY*

Occupation

*HOUSE HUSBAND.*

SIGNED as a DEED by  
LINDA ANNE KEATES



in the presence of:

Signature of witness



Name (in BLOCK CAPITALS)

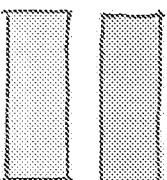
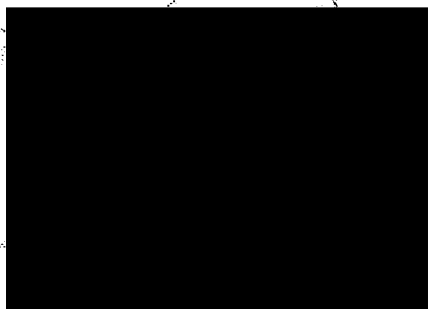
Address

Occupation

*ATA EDWARDS  
30 BLAKEHURST WAY  
LITTLEHAMPTON  
WEST SUSSEX  
BN17 6HE*

*Retired*

ARUN DISTRICT COUNCIL



FLATS RESTRICTED  
FOR ELDERLY  
FLATS NOT RESTRICTED  
FOR ELDERLY

