

DATED this ^{30th} day of ~~February~~ ^{April} 2018

ARUN DISTRICT COUNCIL (1)

and

MADEHURST COURT RESIDENTS (2)
ASSOCIATION LIMITED

and

ALISON FERGUSON and JULIE (3)
DENISE GILCHRIST

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/410/17/PO

THIS DEED OF VARIATION is made the ^{30th} day of ^{April} ~~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 Owners" **Alison Ferguson and Julia Denise Gilchrist** of 10
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 10 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 WSX113140.
- (C) The Freehold Owner is the registered proprietor of the Property under title number WSX21002.
- (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.

- (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 10 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 10, 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

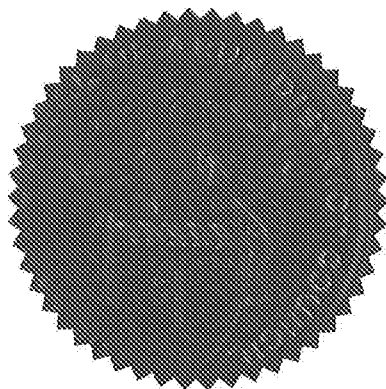
The Leasehold Owner shall pay the Council's reasonable legal costs on completion of this Agreement.

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:

Job Title: HELEN JANE ATKINSON SOLICITOR.

Seal Book No:

155/2018

**SIGNED as a DEED by
MADEHURST COURT RESIDENTS
ASSOCIATION LIMITED**

in the presence of:

Signature of witness

Name (in BLOCK CAPITALS)

Address

Occupation

ROB GOWLAND
16 Nt Hm
LITTLEHAMPTON
PROPERTY MANAGER

**SIGNED as a DEED by
ALISON FERGUSON**

in the presence of:

Signature of witness

Name (in BLOCK CAPITALS)

Address

Occupation

Connor Hancorn
158A Tarring Road, Worthing
Sales

**SIGNED as a DEED by
JULIE DENISE GILCHRIST**

in the presence of:

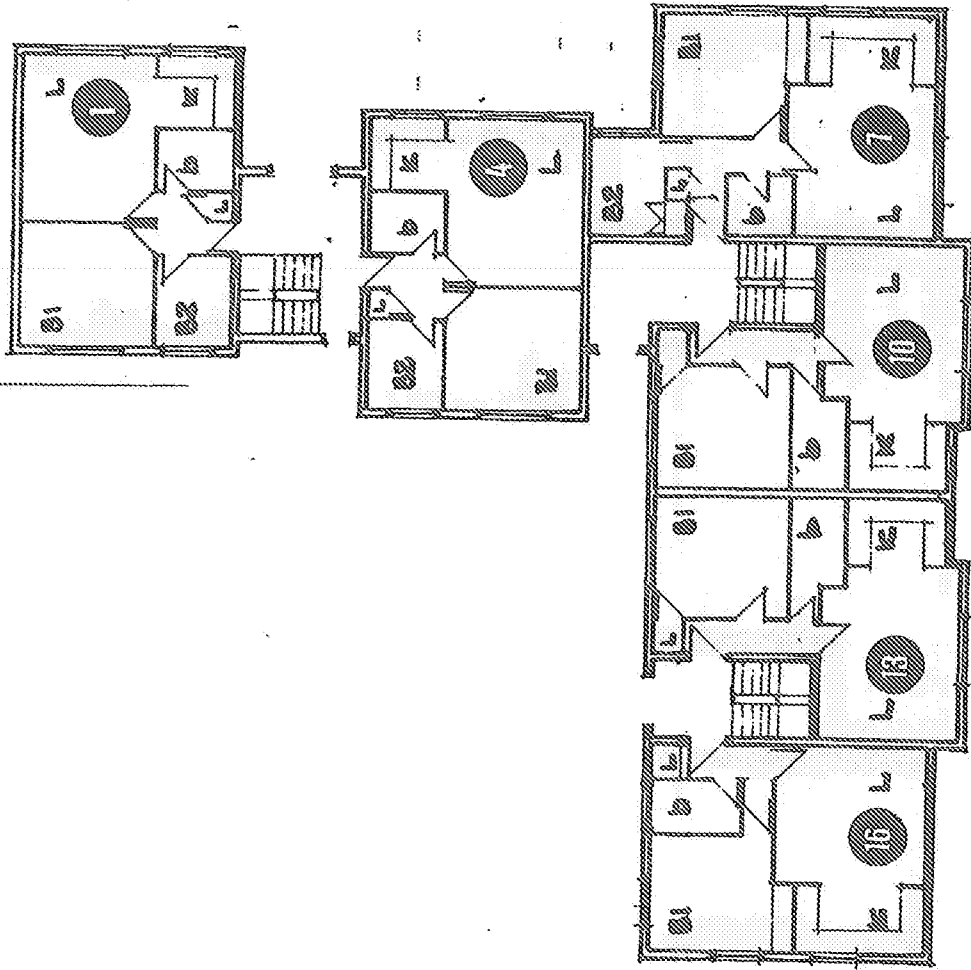
Signature of witness

Name (in BLOCK CAPITALS)

Address

Occupation

Connor Hancorn
158A Tarring Road, Worthing
Sales



FLATS RESTRICTED
FOR ELDERLY 60%

FLATS NOT RESTRICTED
FOR ELDERLY NIL

GROUND FLOOR 1:200

PARKING REQ.

1 bed Flat restricted for elderly 5 @ 0.5 spaces = 2.5
 1 bed Flat not restricted 7 @ 1.2 " = 8.4
 2 bed Flats restricted for elderly 4 @ 0.5 " = 2.0
 2 bed Flats not restricted 2 @ 1.7 " = 3.4
TOTAL PARKING = 16.3

