Dated: 30th October **2015**

Between:

[1] Prime Securities Limited [The Owner]

[2] Arun District Council [ADC]

[3] West Sussex County Council [WSCC]

PLANNING OBLIGATION

under Section 106 of the Town & Country Planning Act 1990 and other powers relating to Land at & West of Kings Close Yapton West Sussex

---

Affordable Housing Contribution £55824
Public Open Space £10,000

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
DX57406 LITTLEHAMPTON
Reference: Y/56/15/out

ARUN DISTRICT COUNCIL Y/56/15/OUT

1. **THIS DEED** is by undertaking and is dated 30th October 2015 and is a Planning Obligation for the purposes of Section 106 Town and Country Planning Act 1990 ("The Act") and is made in favour of Arun District Council

2. PARTIES

Owners	Prime Securities Limited Co Reg No 00635489 of 24 Piries Place Horsham RH12 1EH
ADC	Arun District Council, Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex BN17 5LF
WSCC or County Council	West Sussex County Council of County Hall West Street Chichester PO19 1RQ

3. CAPACITIES TO ENTER INTO DEED AND BASIC DEFINITIONS

Party	Capacity
Owner	Freehold owner under HMLR registered Title nos WSX no WSX313698 and 286620 of land at Land at & West of Kings Close Yapton West Sussex ("The Land")shown for identification only edged black on the attached plan and the applicant for planning permission described below
Application	An outline application for planning permission under Ref: Y/56/15/OUT for residential development comprising:- 5 x 3 bedroom houses, 4 x 2 bedroom houses & 1 x 1 bedroom flat over car ports together with 4 x B1 workshop/business units all with parking & access to main road via a redefined alignment of Kings Close & Highway improvement works at existing crossover.
ADC	Local Planning Authority under Town and Country Planning Act 1990 and (as relevant) as payee in relation to the statutory functions and purposes identified herein in clause 5.
Commencement of Development	means commencement of a material operation as defined in Section 56(4) of the Act but for the purposes of this Deed works involving soil investigations, archaeological investigations, demolition, site clearance, site preparation, the diversion and laying of services, the erection of fences and hoardings, the erection of a site office and the preparation of site access shall not be constitute a material operation and "Commence Development" shall be construed accordingly.
Development	means the development of the Land in accordance with the Planning Permission
Dwelling	means a residential dwelling forming part of the proposed Development
Unit	means an industrial or non-residential unit forming part of the proposed Development
Planning Permission	means the development of the Land proposed by the Application and permitted by the planning permission granted pursuant to the Application or carried out substantially in accordance with such planning permission

4. BACKGROUND

4.1 The Owner has submitted the Application to ADC subject to the making of the payments specified within this Deed which are required under the Act and Planning Policy Guidance to mitigate any ill effects of the Development and in particular the shortage of Affordable Housing and Public Open Spaces within the Arun District.

5. CONTRIBUTIONS PAYABLE

5.1 The Owner undertakes with the ADC to:-

(i) make the payments specified below

ARUN DISTRICT COUNCIL Y/56/15/OUT

(ii) to the payee specified below
(iii) for the purposes specified below
(iv) and at the time specified below

Payee	Time for Payment ("the Due Date")	Amount	Statutory Function and Purpose
ADC	On Commencement of the Development	£10,000	Public Open Space and Child Play Area for creation enhancement including new equipment and layout at King George VI Field – Yapton' which serves the area of the Development
		£55824	Affordable Housing provision or assistance in provision such housing within the Arun District

5.2 The Owner undertakes with ADC not to Commence Development until the payment is made.

6.1 LEGAL COSTS

The Owner undertakes with ADC to :-

[a] pay in addition to the above Contributions

[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
ADC	Before completion of this Deed	£450	ADC Legal Fees

Legal Costs of ADC

6.1 ADC acknowledges the receipt from the Owner the sum of £450 to pay its reasonable legal fees.

Monitoring Costs of ADC

6..2 For the avoidance of doubt ADC 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.

ARUN DISTRICT COUNCIL Y/56/15/OUT

6.3 . For the avoidance of doubt the above charges are standard charges and shall not preclude ADC 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 . ADDITIONAL CLAUSES

The Owner undertakes with ADC as follows:-

7.1 Start Date of this Deed and Obligations

7.1.1. This Deed will take effect on the grant of the Planning Permission but the obligations in clause 5 shall only become effective on Commencement of Development.

7.1.2. On Commencement of the Development the Owner will send to ADC written Notice of that event in the Form of the Notice in Schedule 1.

7.1.3 If the Planning Permission granted pursuant to the Application shall expire before the Commencement of Development or shall at any time be revoked then this Deed shall be determined and shall have no further effect.

7.2 Index Linking

General

7.2 The Owner undertakes to ADC that any sums payable by the Owner under this Deed shall be increased by the application of the following formula:

$$A = B \times \frac{C}{D}$$

where:

A is the sum actually payable on the Specified Date/ Payment Date

B is the original sum mentioned in this Deed

C is the Building Cost Information Service National All-In Tender Price Index for the quarter preceding the Specified Date/Payment Date

D is the Building Cost Information Service National All-In Tender Price Index for the quarter preceding the date of this Deed

$\frac{C}{D}$ is equal to or greater than 1

The adjustment in this clause shall only be made where the Specified /Payment Date is more than 12 months after the date of this undertaking

8.3 Interest on Payments

ARUN DISTRICT COUNCIL Y/56/15/OUT

The Owner undertakes with ADC pay interest on sums due to ADC under this Deed but not paid within 14 days of the Due Date from the Due Date (or where the payment is subject to Index Linking under clause 7.2 within 14 days following agreement of the indexed sum due) until actual payment. The rate of interest shall be 4% above the HSBC Bank base rate from time to time.

9 .4 **Payment Notice**

All payments due under this Deed will be sent to the payee with a duly completed Notice in the Form of Schedule 2.

10 HIGHWAYS STATUS

The Owner undertakes to WSCC :-

1. Prior to the Commencement Date to submit to the County Council for approval a plan showing the intended status of the estate roads and associated footways, footpaths and cycleways (for the avoidance of doubt those roads, footways, footpaths and cycleways that will be offered for adoption under S38 of the Highways Act 1980 and those to remain private0. Any plan should also include details of surfacing, materials and construction of the Estate Roads.

2. Prior to the first occupation of a dwelling house to submit to the County Council;

   2.1 the name and contact details of the Management Company; and

   2.2 a schedule for approval of the street furniture that the Management Company will be responsible for maintaining and a regime of maintenance

3. It is agreed with the County Council that all estate roads that are stated to be privately maintained by the Owner/ or the Management Company shall be:

   3.1 constructed to a standard that is suitable for its intended use;

   3.2 maintained by the Owner or the management Company at their own expense in good and substantial repair and condition; and

   3.3 shall not be dedicated by the Ownerr or the Management Company as a public highway or become a private street) as defined in the new Roads and Street Works Act 1991)

4. Upon completion of the construction of the Estate Roads not being adopted under a Section 38 Agreement the developer will provide a report to be prepared and signed by a Chartered Engineer at their own expense to confirm that the construction of the privately maintained Estate Roads have been designed and built to a suitable standard for their intended use.

5. The Owner or the Management Company covenant with the County Council:

   5.1 that the privately maintained Estate Roads shall remain open and unobstructed at all times and available for use by both residents of the Proposed Development and members of the public in the latter case without charge; and

   5.2 to erect and maintain signs in positions agreed with the County Council advising the public that they are permitted to use the privately maintained Estate Roads on foot and by bicycle but that it is not a public highway so as to prevent the dedication of the privately maintained Estate Roads and to prevent any presumption of dedication (whether arising under Section 31 of the Highways Act 1980 or otherwise).

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11 . GENERAL

11.1 This Deed is not a Planning Permission or any other form of consent under any other function of ADC .

110 2 This Deed does not restrict or fetter the statutory powers of ADC .

11.3 If more than one party to this Deed agrees or undertakes with another then that agreement or undertaking shall be enforceable against that person jointly or severally.

110.4 This Deed confers no benefit on any Third Party under Contracts (Third Party Rights) Act 1999.

11.5 This Deed shall apply to the Development as authorised by the Planning Permission or as varied or renewed or re submitted from time to time.

110 .6 This Deed is a Local Land Charge and shall be registered as such.

1 .9 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

11.10 The obligations herein shall be enforceable against the Owner and successors in title to the whole of the Land but not individual plot owners who buy Dwellings or Units in the Development

110.11 No person shall be liable for any breach of the obligations herein after that person has parted with its interest in the Land but without prejudice to liability for any breaches subsisting prior to parting with such interest.

12 Expert Determination

Any dispute or difference arising between the parties with regard to their respective rights and obligations as to any matter or thing arising out of or connected with this Deed shall be referred to the decision of a single independent expert (acting as an expert not an arbitrator) to be agreed by the parties or failing agreement to be nominated by the President for the time being of the Royal stitute of Chartered Surveyors whose decision shall be final and binding.

THIS DEED is signed and sealed by the parties as a Deed on the date first appearing.

ARUN DISTRICT COUNCIL Y/56/15/OUT

SCHEDULE 1

Commencement Notice

Pursuant to Clause 4.2 in Planning Obligation Described Below

Failure to use this form may prejudice your ability to prove compliance with the planning obligation.

I advise you that the Development described below was commenced on the Start Date stated in this Notice.

Dated this _____ day of_____200

Signed _____

On Behalf Of: _____

TO:	[1] Head of Planning Services, Arun District Council, Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex BN17 5LF (DX: 57406] Littlehampton
FROM:	
DEVELOPMENT AT:	
NATURE OF DEVELOPMENT:	
PLANNING PERMISSION DATE & REFERENCE	
PLANNING OBLIGATION DATE & PARTIES	
START DATE:	

ARUN DISTRICT COUNCIL Y/56/15/OUT

SCHEDULE 2

Payment Notice

Payment of Monies due under a Section 106 Planning Obligation.

Failure to use this form may mean problems with acknowledgment of payment and may prejudice your ability to prove compliance with the planning obligation.

If ADC is Payee :
Head of Planning Services Arun District Council Arun Civic Centre Maltravers Road Littlehampton West Sussex BN 17 5LF DX 57406 Littlehampton

Please answer all the questions.

1. Payment to be made by/on behalf of.....

2. Land at:.....

3. Agreement dated:.....

4. Planning application reference number [*where applicable]*

5. Obligation in Agreement

[a]	Clause No.	
[b]	Clause No	
[c]	Contribution towards affordable housing	
[d]	Amount of contribution	
[e]	Date upon which contribution is due	
[f]	Amount of contribution enclosed	
[g]	Amount of monitoring sum	

SIGNED AS A DEED BY
THE OWNER ACTING BY
A DIRECTOR IN THE
PRESENCE OF

[redacted]

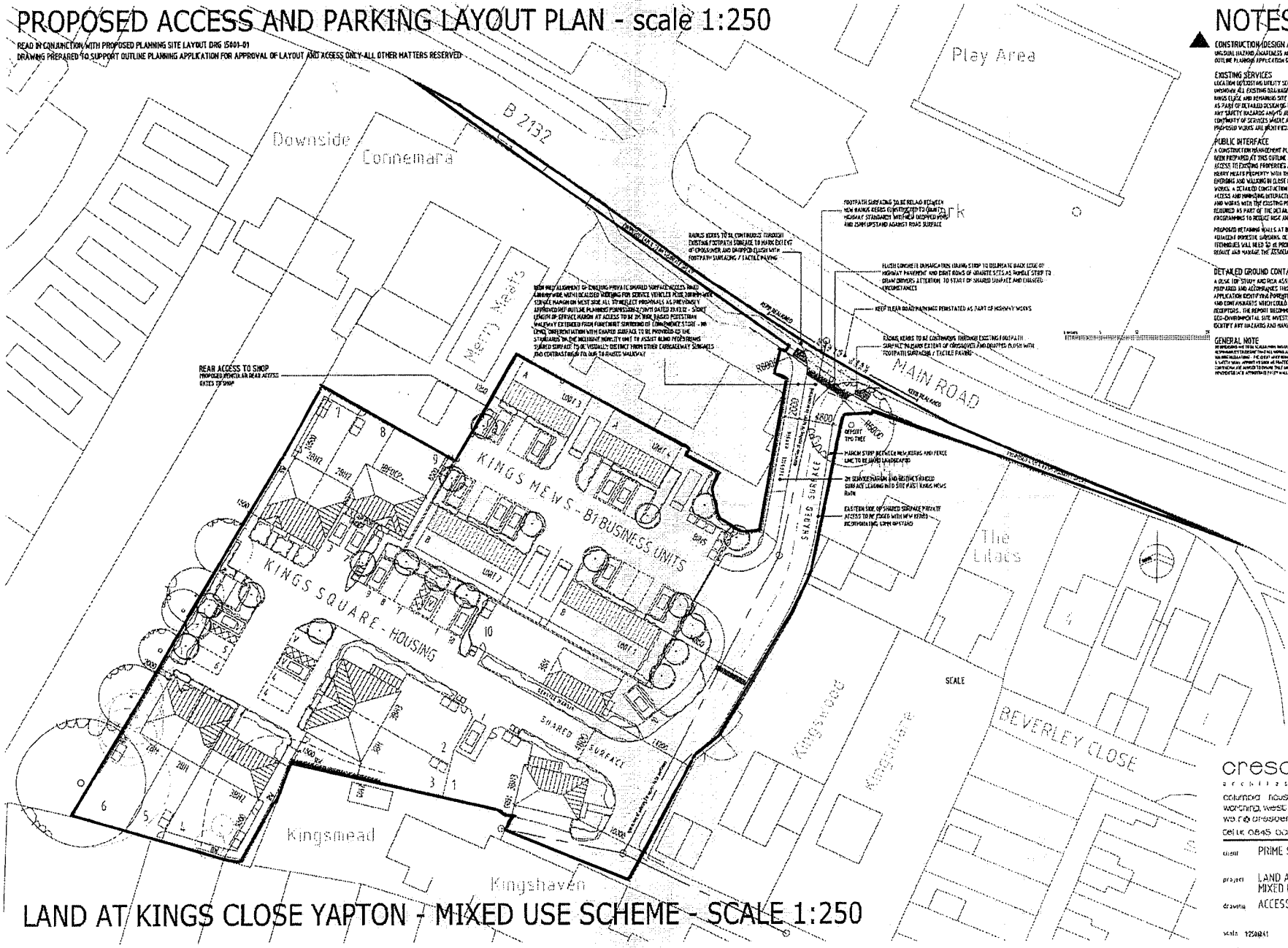
NAME Christine Barton Grimley
ADDRESS 3 ch. de Creets, Champery, Switzerland
OCCUPATION Director

[redacted]

ARUN DISTRICT COUNCIL Y/56/15/OUT

PROPOSED ACCESS AND PARKING LAYOUT PLAN - scale 1:250

READ IN CONJUNCTION WITH PROPOSED PLANNING SITE LAYOUT DRG 15001-01
DRAWING PREPARED TO SUPPORT OUTLINE PLANNING APPLICATION FOR APPROVAL OF LAYOUT AND ACCESS ONLY - ALL OTHER MATTERS RESERVED



LAND AT KINGS CLOSE YAPTON - MIXED USE SCHEME - SCALE 1:250

NOTES

CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS
UNUSUAL HAZARDS, AWARENESS AND RISK IDENTIFICATION AT OUTLINE PLANNING APPLICATION STAGE

EXISTING SERVICES
LOCATION OF EXISTING UTILITY SERVICES WITHIN THE SITE IS UNKNOWN. ALL EXISTING DRAINAGE AND UTILITY SERVICES IN KINGS CLOSE AND REMAINING SITE TO BE TRACED AND IDENTIFIED AS PART OF DETAILED DESIGN. USE WORKS BOTH TO IDENTIFY ANY SAFETY HAZARDS AND TO ALLOW PROGRAMMING TO ENSURE CONTINUITY OF SERVICES WHERE ANY CONFLICTS WITH THE PROPOSED WORKS ARE IDENTIFIED.

PUBLIC INTERFACE
A CONSTRUCTION MANAGEMENT PLAN FOR THE WORKS HAS NOT BEEN PREPARED AT THIS OUTLINE STAGE. KINGS CLOSE PROVIDES ACCESS TO EXISTING PROPERTIES AND REAR ACCESS FOR THE NEARBY MEWS PROPERTY WITH THE RISK OF PEDESTRIANS EMERGING AND WALKING IN CLOSE PROXIMITY TO CONSTRUCTION WORKS. A DETAILED CONSTRUCTION PHASING PLAN MAINTAINING ACCESS AND MINIMISING INTERACTION OF CONSTRUCTION TRAFFIC AND WORKS WITH THE EXISTING PROPERTIES AND THEIR ACCESS IS REQUIRED AS PART OF THE DETAILED DESIGN AND CONSTRUCTION PROGRAMMING TO REDUCE RISK AND MANAGE THIS HAZARD.

PROPOSED RETAINING WALLS AT BOUNDARIES INTERFACE WITH ADJACENT DOMESTIC GARDENS. DETAILED CONSTRUCTION DRAWINGS WILL NEED TO BE PREPARED AND FOLLOWED TO REDUCE AND MANAGE THE ASSOCIATED RISK.

DETAILED GROUND CONTAMINATION
A DESK TOP STUDY AND RISK ASSESSMENT REPORT HAS BEEN PREPARED AND ACCOMPANIES THIS OUTLINE PLANNING APPLICATION IDENTIFYING POTENTIAL FILLED AREAS OF THE SITE AND CONTAMINANTS WHICH COULD POSE RISK TO SENSITIVE RECEPTORS. THE REPORT RECOMMENDS AN INTRUSIVE GEO-ENVIRONMENTAL SITE INVESTIGATION TO BE CARRIED OUT TO IDENTIFY ANY HAZARDS AND MANAGE THE ASSOCIATED RISKS.

GENERAL NOTE

crescent designs
architecture
columbia house, columbia drive
worthing, west sussex, bn13 3hg
web: crescent-designs.co.uk
tel: uk 0845 009 2223 fax: 01903 692804

client: PRIME SECURITIES LTD

project: LAND AT KINGS CLOSE YAPTON 2015
MIXED USE SCHEME

drawing: ACCESS AND PARKING LAYOUT PLAN

scale: 1:250@A1 date: JUNE 2015 drawn: CD

drawing no: 15001-06

the contractor should check all dimensions on site. no dimensions are to be scaled from this drawing. it is the contractor's responsibility to ensure that all works are in compliance with the building regulations

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Land Registry

Official copy of register of title

Title number WSX313698 | Edition date 19.05.2014

- This official copy shows the entries on the register of title on 18 AUG 2015 at 15:19:43.
- 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 18 Aug 2015.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- 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 (30.10.2007) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land at Kings Close, Yapton, Arundel.

2 (09.10.2013) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan. The property description has been altered to reflect the land remaining in the title.

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 possessory

1 (19.05.2014) PROPRIETOR: PRIME SECURITIES LIMITED (Co. Regn. No. 00635489) of The Courtyard, Shoreham Road, Upper Beeding, Steyning, West Sussex BN44 3TN.

2 (16.12.2011) A transfer of the land edged and numbered WSX347227 in green on the title plan dated 29 November 2011 made between (1) Colin Henry Barton-Grimley and (2) Clive Robert Paine contains vendor's personal covenants.

NOTE: Copy filed under WSX347227.

3 (19.05.2014) The price stated to have been paid on 28 April 2014 was £100,000.

4 (19.05.2014) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

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

ARUN DISTRICT COUNCIL Y/56/15/OUT

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.

ARUN DISTRICT COUNCIL Y/56/15/OUT

Title number WSX313698

1 (30.10.2007) The deeds and documents of title having been lost the land is subject to such restrictive covenants as may have been imposed thereon before 30 October 2007 and are still subsisting and capable of being enforced.

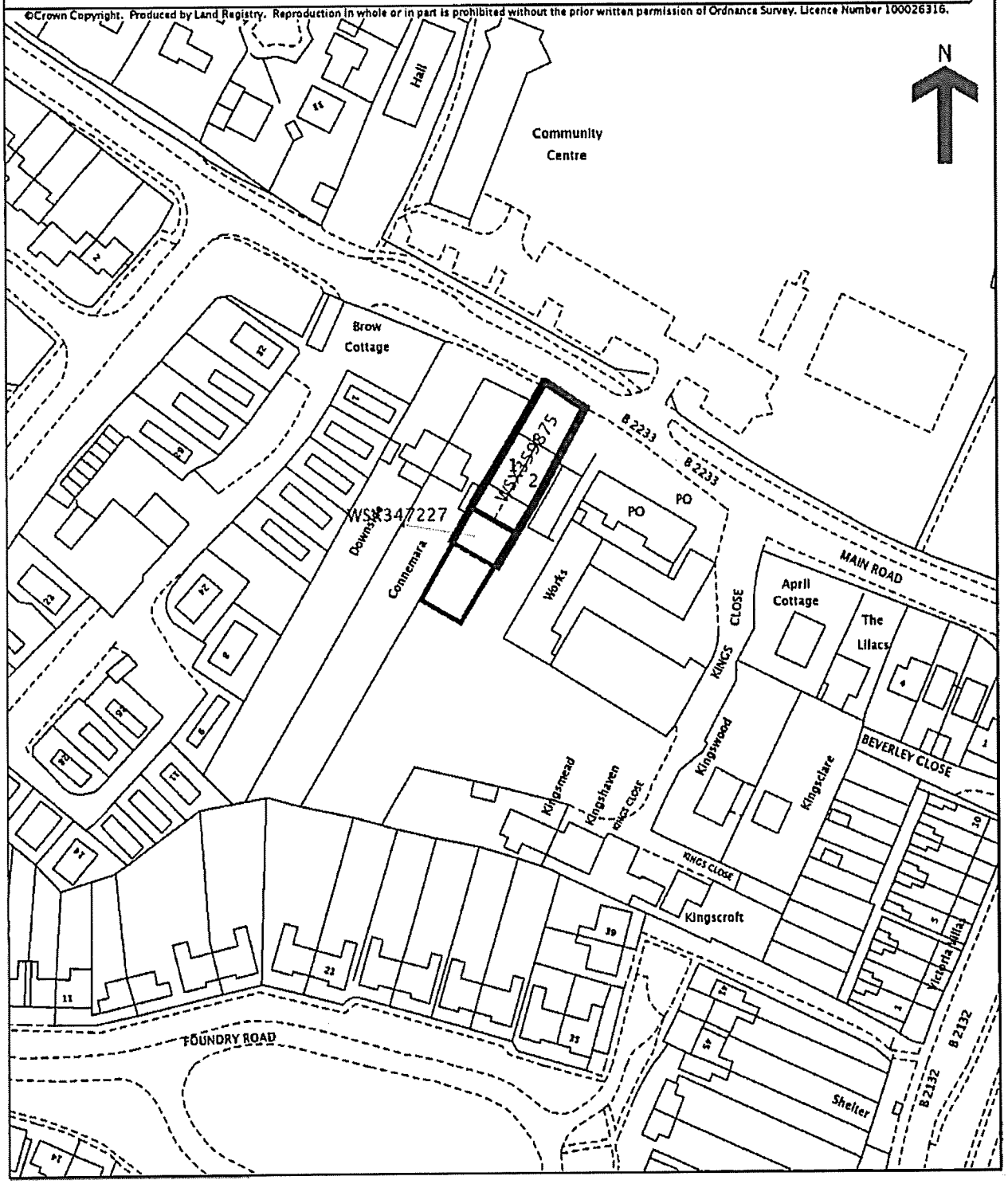
End of register

ARUN DISTRICT COUNCIL Y/56/15/OUT

Land Registry Official copy of title plan

Title number **WSX313698**
Ordnance Survey map reference **SU9703SE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **West Sussex : Arun**

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This official copy is incomplete without the preceding notes page.

ARUN DISTRICT COUNCIL Y/56/15/OUT

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 18 August 2015 shows the state of this title plan on 18 August 2015 at 15:19:44. 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. This title is dealt with by the Land Registry, Durham Office .

ARUN DISTRICT COUNCIL Y/56/15/OUT

Land Registry

Official copy of register of title

Title number WSX286620 | Edition date 20.08.2013

- This official copy shows the entries on the register of title on 18 AUG 2015 at 15:15:24.
- 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 18 Aug 2015.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- 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 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land at Kings Close, Yapton, Arundel.

2 (01.11.2005) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

3 The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered WSX293650 in green on the title plan dated 3 October 2005 made between (1) William George Warren and (2) Ferenc Antal Tarjanyi and Penelope Jill Tarjanyi.

NOTE: Copy filed under WSX293650.

4 The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered WSX199861 in green on the title plan dated 7 November 2005 made between (1) William George Warren and (2) Roy Charles Whitby and Kathleen Frances Whitby.

NOTE: Copy filed under WSX199861.

5 The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered WSX351398 in green on the title plan dated 6 July 2012 made between (1) Prime Securities Limited and (2) Southern Co-Operatives Limited.

NOTE: Copy filed under WSX351398.

6 The land edged and numbered 3 in blue on the title plan has the benefit of the following rights granted by but is subject to the following rights reserved by the Conveyance dated 14 February 1972 referred to in the Charges Register:-

"TOGETHER with a right of way for all purposes and at all times over and along a strip of land coloured brown on the said plan for gaining access to and from Kings Close TOGETHER with the right to maintain the same at his own discretion EXCEPT AND RESERVING all such rights of light or air or other rights or easements or quasi-rights and quasi-easements as may at the date hereof be used or enjoyed in connection

ARUN DISTRICT COUNCIL Y/56/15/OUT

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.

ARUN DISTRICT COUNCIL Y/56/15/OUT

A: Property Register continued

with the adjoining and neighbouring property of the Vendor."

NOTE:-The land coloured brown referred to is tinted brown on the title plan.

7 The land edged and numbered 4 in blue on the title plan has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 25 August 2011 referred to in the Charges Register.

8 The Transfer dated 25 August 2011 referred to above contains a provision as to boundary structures and a provision excluding the operation of section 62 of the Law of Property Act 1925 as therein mentioned.

9 The Transfer dated 29 November 2011 referred to in the Proprietorship Register contains a provision relating to the creation of easements as therein mentioned.

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 PROPRIETOR: PRIME SECURITIES LIMITED (Co. Regn. No. 00635489) of 24 Piries Place, Horsham RH12 1EH.

2 A Transfer of the land edged and numbered WSX347228 in green on the title plan dated 29 November 2011 made between (1) Prime Securities Limited and (2) Clive Robert Paine contains vendor's personal covenants.

NOTE: Copy filed under WSX347228.

3 The Transfer to the proprietor of the land tinted yellow on the title plan contains a covenant to observe and perform the covenants in the Transfer dated 22 November 1982 referred to in the Charges Register and of indemnity in respect thereof.

4 A Transfer of the land edged and numbered 6 in blue on the title plan dated 29 November 2011 made between (1) Clive Robert Paine and (2) Prime Securities Limited contains purchaser's personal covenants.

NOTE: Copy filed under WSX347019.

C: Charges Register

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

1 By a Conveyance of the land tinted pink on the title plan dated 18 December 1940 made between (1) William Bernard King (Vendor) (2) Equity And Law Life Assurance Society (3) George James Campbell and Geoffrey Campbell and (4) The Shoreham Shipping & Coal Company Limited the said land was conveyed subject as follows:-

"subject also to a right of drainage through the drain the approximate position of which is shown in green on the said plan drawn hereon and a right of access to such drain at reasonable intervals for the purpose of cleansing repairing and maintaining the same which rights were granted by a Conveyance dated 6 July 1932 and made between the said Charles Leslie Harris and the Vendor of the one part and Walter Loveys William Collins and William Bissenden of the other part relating to the said premises known as The Village Hall"

NOTE 1: Neither the original Conveyance dated 6 July 1932 nor a certified copy or an examined abstract thereof was produced on first registration.

NOTE 2: Copy plan filed.

ARUN DISTRICT COUNCIL Y/56/15/OUT

C: Charges Register continued

2 By a Conveyance of the land edged and numbered 1, 2 and 5 in blue on the title plan and other land dated 14 October 1949 made between (1) William Bernard King and (2) The Woking Sheet Metal Company Limited the said land was conveyed subject as follows:-

"SUBJECT TO the right of way of all persons entitled thereto to pass and repass over and along the roadways coloured brown on the said plan AND to the right of the owner or owners for the time being of adjacent property situate to the north-east and south-west of the property hereby conveyed to lay drains pipes sewers and cables under the said roadways the said owners nevertheless paying a fair proportion of the expense of keeping the same in repair AND SUBJECT ALSO to the right of the said owners of the said adjoining properties of drainage into the cesspit situate on the land coloured blue on the said plan such owners nevertheless paying a fair proportion of the cleansing of and the upkeep of the said cesspit"

NOTE: The roadways coloured brown referred to are now known as Kings Close. The land coloured blue referred to is edged and numbered 1 in blue on the title plan.

3 The land tinted blue on the title plan is subject to a right of way in favour of The Hall Stores.

4 A Conveyance of the land edged and numbered 3 in blue on the title plan dated 14 February 1972 made between (1) Harriett Phillips (Vendor) and (2) Colin Henry Barton Grimley (Purchaser) contains the following covenants:-

"THE Purchaser for the benefit and protection of the Vendor's adjoining premises known as Hall Stores Yapton aforesaid and so as to bind the property hereby conveyed into whosoever hands the same may come hereby covenants with the Vendor that the Purchaser and those deriving title under him will not at any time hereafter use the property hereby conveyed or any part thereof or allow the same to be used for the purpose of the sale of Groceries and Provisions including cakes bread and frozen foods confectionery cigarettes and tobacco."

5 A Transfer of the land tinted yellow on the title plan and other land dated 22 November 1982 made between (1) Alfred Sidney Searson (Vendor) and (2) Colin Henry Barton Grimley (Purchaser) contains the following covenants:-

"THE Purchaser hereby covenants with the Vendor so as to benefit the retained land and so as to bind the property hereby transferred into whosesoever hands the same may come as follows:-

No building or other structure or erection shall at any time be built placed or erected on the property hereby transferred or on any part thereof but the same shall at all times be used for the purpose only of a highway footpath or as part of the highway.

6 The land tinted yellow on the title plan is subject to the following rights reserved by the Transfer dated 22 November 1982 referred to above:-

"EXCEPTING AND RESERVING unto the Vendor and his successors in title the owners or occupiers for the time being of the Vendor's adjoining property known as "Kingwood" Kings Close Sparks Corner Yapton aforesaid (hereinafter called "the retained land") all easements quasi easements liberties privileges rights and advantages nor or heretofore occupied or enjoyed by the retained land over or in respect of the property hereby transferred and which would be implied by statute or by reason of severance in favour of a purchaser of the retained land if the same had been conveyed to such purchaser and the property hereby transferred had been retained by the Vendor"

7 The land is subject to the following rights granted by a Transfer of April Cottage dated 15 August 2006 made between (1) Prime Securities Limited and (2) Dawn Patricia Gowing and Paul John Turner:-

"A right of way with or without vehicles and at all times and for all purposes in connection with the property to pass and repass over the accessway coloured brown leading from Main Road to the property and

ARUN DISTRICT COUNCIL Y/56/15/OUT

C: Charges Register continued

also over the accessway coloured brown leading from Kings Close to the property together also with a pedestrian right of way over any footpath to be constructed over Kings Close."

NOTE: The accessway coloured brown referred to is tinted mauve on the title plan.

8 A Transfer of the land edged and numbered 4 in blue on the title plan dated 25 August 2011 made between (1) Douglas John Paige and Judith Ann Paige and (2) Prime Securities Limited contains restrictive covenants.

NOTE: Copy filed under WSX345135.

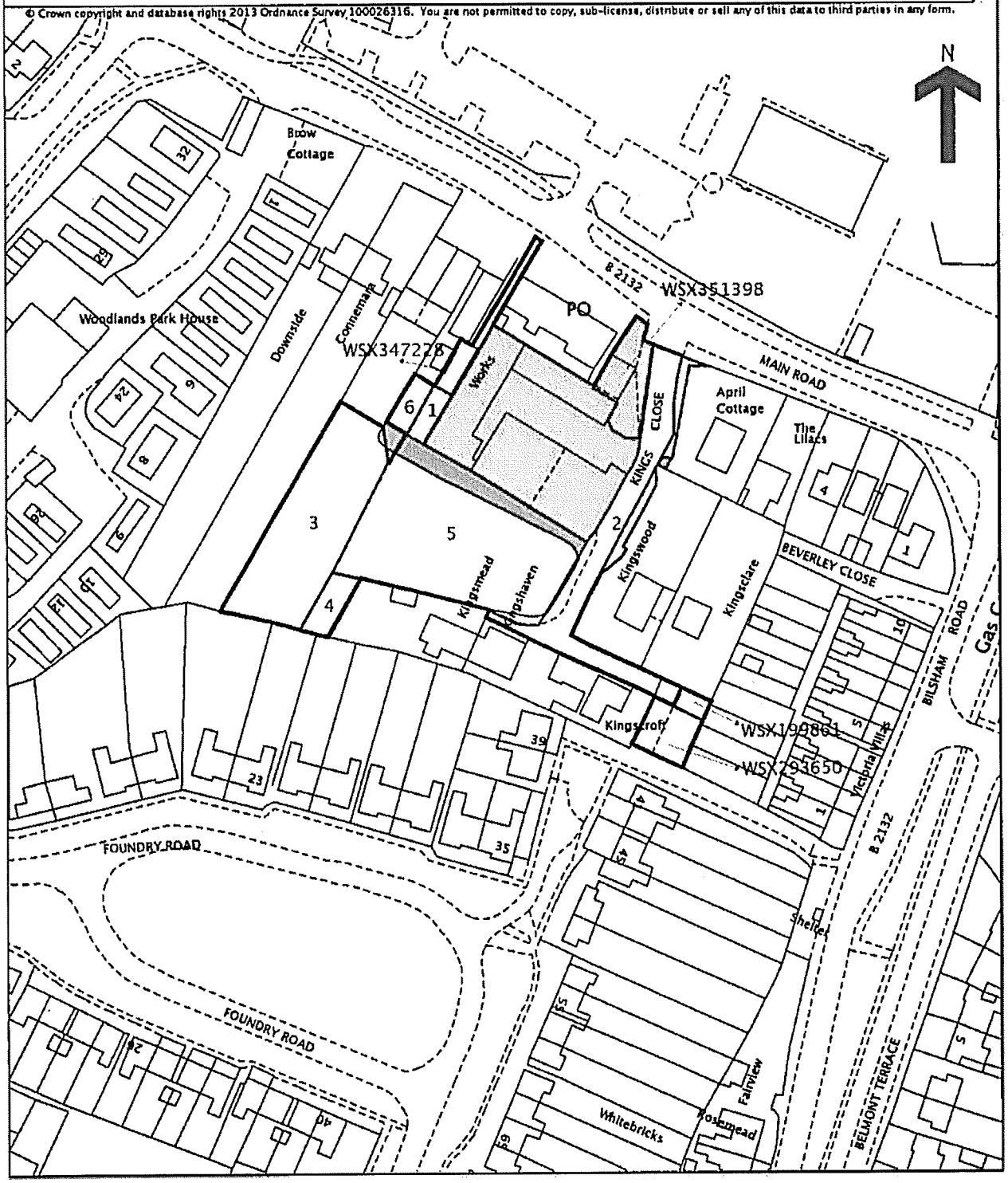
End of register

ARUN DISTRICT COUNCIL Y/56/15/OUT

Land Registry Official copy of title plan

Title number **WSX286620**
Ordnance Survey map reference **SU9703SE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **West Sussex : Arun**

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

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This official copy is issued on 18 August 2015 shows the state of this title plan on 18 August 2015 at 15:15:25. 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. This title is dealt with by the Land Registry, Durham Office .

ARUN DISTRICT COUNCIL Y/56/15/OUT