

Victoria McNeill, Solicitor
Head of Law and Monitoring Officer
Chief Executives Department
Legal Services
County Hall
Martineau Lane
Norwich
Norfolk
NR1 2DH

Minicom: 0844 800 8011
Fax No: 01603 222899
DX 135926 NORWICH 13



Your Ref:

Please ask for:

Nikki Smith

My Ref: NS/DK-P&T/27706

Direct Dialling Number:

(01603) 223922

4 March 2009

Direct Fax Number:

(01603) 222899

Land Charges Department
Broadland District Council
DX 134740
NORWICH 4

Dear Sirs

Re: S106 Deed of Variation dated 23 February 2009

Please note the enclosed Deed of Variation on the register of local land charges. The Agreement affects land at Rackheath Industrial Estate, Wendover Road, Rackheath, Norfolk and we enclose a copy of the plan referred to in the Deed for identification purposes.

Many thanks.

Yours faithfully



Nikki Smith
Legal Officer

Enc

Registered 10/03/09


THIS DEED OF VARIATION is made the 23rd day of February 2009

BETWEEN:-

- (1) **NORFOLK COUNTY COUNCIL** ("the County Council") of County Hall
Martineau Lane Norwich Norfolk NR1 2DH
- (2) **PARKER RECYCLING LIMITED** ("the First Owner") of Wendover Road
Rackheath Industrial Estate Rackheath Norfolk NR13 6LH
- (3) **NIGEL PARKER ALAN WILLIAM PARKER MARTYN PARKER and
PEARL JESSIE PARKER (trading as Parker Skip Hire)** ("the Second Owners") of
Wendover Road Rackheath Industrial Estate Rackheath Norfolk NR13 6LH

WHEREAS:-

- (1) This Deed is intended to be supplemental to a Deed dated 20th June 2008 under Section 106 of the Town and Country Planning Act 1990 (as amended) between the parties hereto ("the Original Agreement")
- (2) The County Council is a Local Planning Authority for the purposes of the Town and Country Planning Act 1990 (as amended) ("the Act") for the area within which the Land is located
- (3) The First Owner and the Second Owners (hereinafter referred to as "the Owners") are the freehold owners of the land shown edged red on the plan annexed to the Original Agreement ("the Land")
- (4) The First Owner has made an application to the County Council under reference C/5/2008/5002 for the erection of a building for shredding of wood and green waste to produce material for wood chipping and compost; an outside area for short term storage of wood and the green waste to be recycled; and the standing of skips for outside storage of metal and cardboard which has resulted in the need for amendment of the Original Agreement ("the Second Application").

NOW THIS DEED WITNESSES as follows:

- 1 This Deed is supplemental to the Original Agreement
- 2 The terms and conditions of the Original Agreement shall remain in full force and effect except as varied by this Deed
- 3 The parties hereto agree to vary the Original Agreement as follows:
 - 3.1 Recital (3) of the Original Agreement shall be amended to read:-

"the Owners have made applications to the County Council (references C/5/2006/5002 and C/5/2008/5002) ("the Applications") in accordance with the Act and the Orders and Regulations for the time being in force thereunder for planning permission to develop the Land by the erection of two cyclones, extension of picking shed conveyor belt with outside storage of recycled materials and variation of condition 9 of planning permission no. C/5/2001/5002 to increase waste input and for planning permission to develop the part of the Land by the erection of a building for shredding of wood and green waste to produce material for wood chipping and compost; an outside area for short term storage of wood and the green waste to be recycled; and the standing of skips for outside storage of metal and cardboard ("the Development")
 - 3.2 Reference to "the Application" throughout the Original Agreement shall be replaced with "the Applications"
 - 3.3 For the avoidance of doubt reference to the Planning Permission in the Original Agreement shall include the planning permission issued in accordance with the Second Application
- 4 The Developer hereby agrees to pay on or before the date of this Deed the County Council's costs in connection with this Deed
- 5 This Deed is a Local Land Charge and shall be registered as such.

IN WITNESS whereof the parties hereto have executed this Deed the day and year first before written

THE COMMON SEAL of
NORFOLK COUNTY COUNCIL
Was hereunto affixed in the presence of:-

Head of Law

authorised to sign
on behalf of:

SIGNED as a DEED by
PARKERS RECYCLING LIMITED
acting by two Directors/
a Director and its secretary:-

Director

Director/Secretary

SIGNED as a DEED by
NIGEL PARKER
in the presence of:-

Witness: S Wooler

SIGNED as a DEED by
ALAN WILLIAM PARKER
in the presence of:-

Witness: S Wooler

SIGNED as a DEED by
MARTYN PARKER
in the presence of:-

Witness: S Wooler

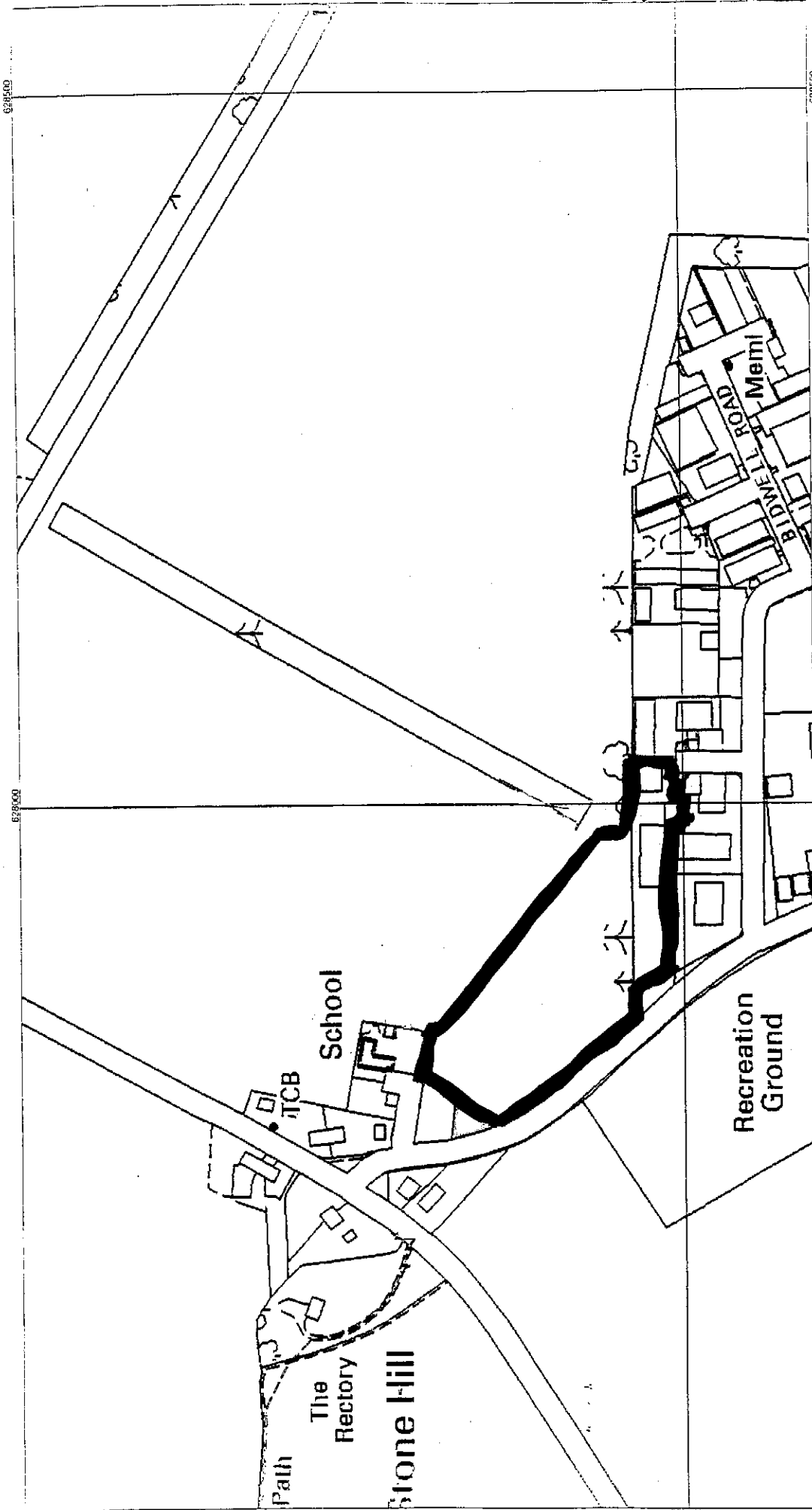
SIGNED as a DEED by
PEARL JESSIE PARKER P.J. Parker.
in the presence of:-

Witness: S Wooler

Rackheath

Scale 1:4000
Compiled by on 18 April 2008

Norfolk County Council
County Hall
Martineau Lane
Norwich
NR1 2SG
Tel: 01603 222143
Fax: 01603 223219



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Norfolk County Council

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