

DATED 3RD OCTOBER 2012

BROADLAND DISTRICT COUNCIL

- and -

NORFOLK COUNTY COUNCIL

- and -

SARA ELIZABETH CATOR

- and -

SVENSKA HANDELSBANKEN AB (PUBL)

---

DEED OF VARIATION

Of an Agreement under Section 106 of the  
Town and Country Planning Act 1990  
relating to the development of land at  
Former Garage Site, Mill Road,  
Salhouse, Norwich NR13 6QA

---

Broadland District Council  
Thorpe Lodge  
Yarmouth Road  
Norwich  
NR7 0DU

**THIS DEED OF VARIATION** is made the 3RD day of OCTOBER 2012

**BETWEEN:-**

- (1) **BROADLAND DISTRICT COUNCIL** ("the Council") of Thorpe Lodge 1 Yarmouth Road Thorpe St Andrew Norwich Norfolk NR7 0DU and
- (2) **NORFOLK COUNTY COUNCIL** ("the County Council") of County Hall Martineau Lane Norwich Norfolk NR1 2DH and
- (3) **SARA ELIZABETH CATOR** ("the Owner") of Broad Farm Salhouse Norfolk NR13 6HE and
- (4) **SVENSKA HANDELSBANKEN AB (PUBL)** ("the Mortgagee") of registered office 3 Thomas More Square London E1W 1WY

**WHEREAS:-**

- (1) This Deed is supplemental to a Deed dated 9<sup>th</sup> May 2012 and made under Section 106 of the Town and Country Planning Act 1990 (as amended) ("the Original Agreement") and made between the Council (1) the County Council (2) the Owner (3) and the Mortgagee (4) containing planning obligations enforceable by the Council and the County Council
- (2) The Council and the County Council are Local Planning Authorities for the purposes of the Town and Country Planning Act 1990 (as amended) ("the Act") for the area within which the Site is located
- (3) The Owner is the freehold owner of the Site which is registered at the HM Land Registry under title number NK370740
- (4) The Mortgagee has a registered charge over the Site which is registered at the HM Land Registry under title number NK370740
- (5) The Site is as defined in the Original Agreement

(6) An application for full planning permission dated 19<sup>th</sup> July 2012 bearing reference number 20121043 ("the Second Application") was submitted to the Council in accordance with the Act for the redevelopment of the Site to provide 15 Residential Units

(7) The Council has decided to grant planning permission ("the Second Permission") in accordance with the Second Application subject to the Owner and the Mortgagee entering in to this Deed

(8) Terms used in this Deed have the meaning ascribed to them in the Original Agreement save as amended herein



**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 and shall henceforth be fully applicable to the Development and binding on the Site as varied by this Deed
- 3 The parties hereto agree to vary the Original Agreement as follows:
  - 3.1 The definition of "the Application" in the Original Agreement shall be amended to include the Second Application
  - 3.1 the expression "the Planning Permission" in the Original Agreement shall be amended to include the Second Permission.
  - 3.2 In all other respects the contents of the Original Agreement are confirmed and agreed.
- 4 The Owner hereby agrees to pay on or before the date of this Deed the Council's and 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 DEAL of )  
BROADLAND DISTRICT COUNCIL )  
Was hereunto affixed )  
In the presence of )


  
  
  
Head of Democratic Services and  
Monitoring Officer

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

  
Head of Law

Executed as a Deed by  
SARA ELIZABETH CATOR  
In the presence of:



  
Witness name: GRACE A TURNER  
Address: 3 SOUTH WALSHAM ROAD, ACLE, NR13 3EA  
Occupation: SECRETARY

Executed as a deed on behalf of Svenska Handelsbanken AB (publ), a  
public banking Company incorporated in Sweden,

by.....

and.....

being persons who, in accordance with the laws of that territory, are  
acting under the authority of the Company.