



THIS AGREEMENT is made the ELEVENTH day of JANUARY 1978 BETWEEN THE BROADLAND DISTRICT COUNCIL (hereinafter called "the Council") of the one part and BOUNTY BOATS LIMITED of Riverside Brundall in the County of Norfolk (hereinafter called "the Owner") of the otherpart

WHEREAS

- (1) The Council is the Local Planning Authority for the purpose of this Agreement
- (2) The Owner is seised in unincumbered fee simple in possession of the property described in the First Schedule hereto (hereinafter called "the Property")
- (3) The Owner has applied to the Council under reference No.77.1530 for planning permission for development to be carried out on part of the property hereinafter described
- (4) The Council and the Owner have agreed subject to planning permission being granted in consequence of the aforesaid application to enter into this Agreement pursuant to Section 52 of the Town and Country Planning Act 1971

NOW THIS DEED WITNESSETH as follows:-

1. Subject to planning permission being granted in consequence of application No. 77.1530 and pursuant to Section 52 of the said Act the owner hereby agrees declares and covenants with the Council that six months after the date on which the development for which the aforesaid planning permission shall be granted is begun the property shall permanently be subject to the conditions (restricting or regulating the development or use of the property) specified in the Second Schedule hereto PROVIDED that should the owner sell and part with possession of the Property shown edged blue on the

drawing annexed hereto (such sale not being to a subsidiary Company or nominee) then in that event the Property shown edged blue on the drawing may also be used for the building of not more than three boats in any one calendar year for use within the hire fleet operated from that site

2. The expressions "the Council" and "the Owner" shall where the context admits include their respective successors in title and assigns

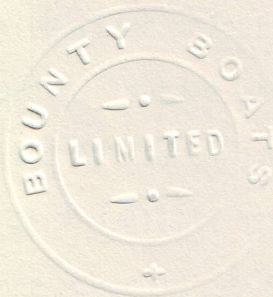
IN WITNESS whereof the Council and the Owner have hereunto caused their respective Common Seals to be affixed the day and year first above written

THE COMMON SEAL OF THE)
BROADLAND DISTRICT COUNCIL)
was hereunto affixed in the)
presence of:)

Chairman

Chief Executive and Clerk

THE COMMON SEAL OF BOUNTY)
BOATS LIMITED was hereunto)
affixed in the presence of:)



P. H. Brown Director
E. A. Brown, Secretary

THE FIRST SCHEDULE REFERRED TO:
THE PROPERTY

Land with buildings and moorings at Riverside Brundall which are shown edged in red and blue on the drawing annexed hereto

THE SECOND SCHEDULE REFERRED TO:
THE CONDITIONS

1. Without the grant of Planning Permission given on a planning application the Property shown edged blue on the drawing annexed hereto will not be used for any purpose whatsoever including any purpose specified in or permitted by the Town and Country Planning (Use Classes) Order 1972 or the Town and Country Planning General Development Order 1977 or any modifications or re-enactment thereof and will not exercise the established use rights which exist in relation to the Property EXCEPT the purpose specified hereunder:

The management mooring and operation of a boat hire fleet including routine maintenance and servicing, but excluding major overhaul of the boats, their machinery or equipment

2. Without the grant of Planning Permission given on a planning application the Property shown edged red on the drawing annexed hereto will not be used for any purpose whatsoever including any purpose specified in or permitted by the Town and Country Planning (Use Classes) Order 1972 or the Town and Country Planning General Development Order 1977 or any modification or re-enactment thereof EXCEPT those purposes specified hereunder:

(a) the manufacture of boats;

(b) the general servicing maintenance and repair of the hire fleet operated from both parts of the Property and of boats manufactured on the property

(c) the management mooring and operation of a boat hire fleet;
and

(d) the general servicing maintenance and repair of privately
owned boats

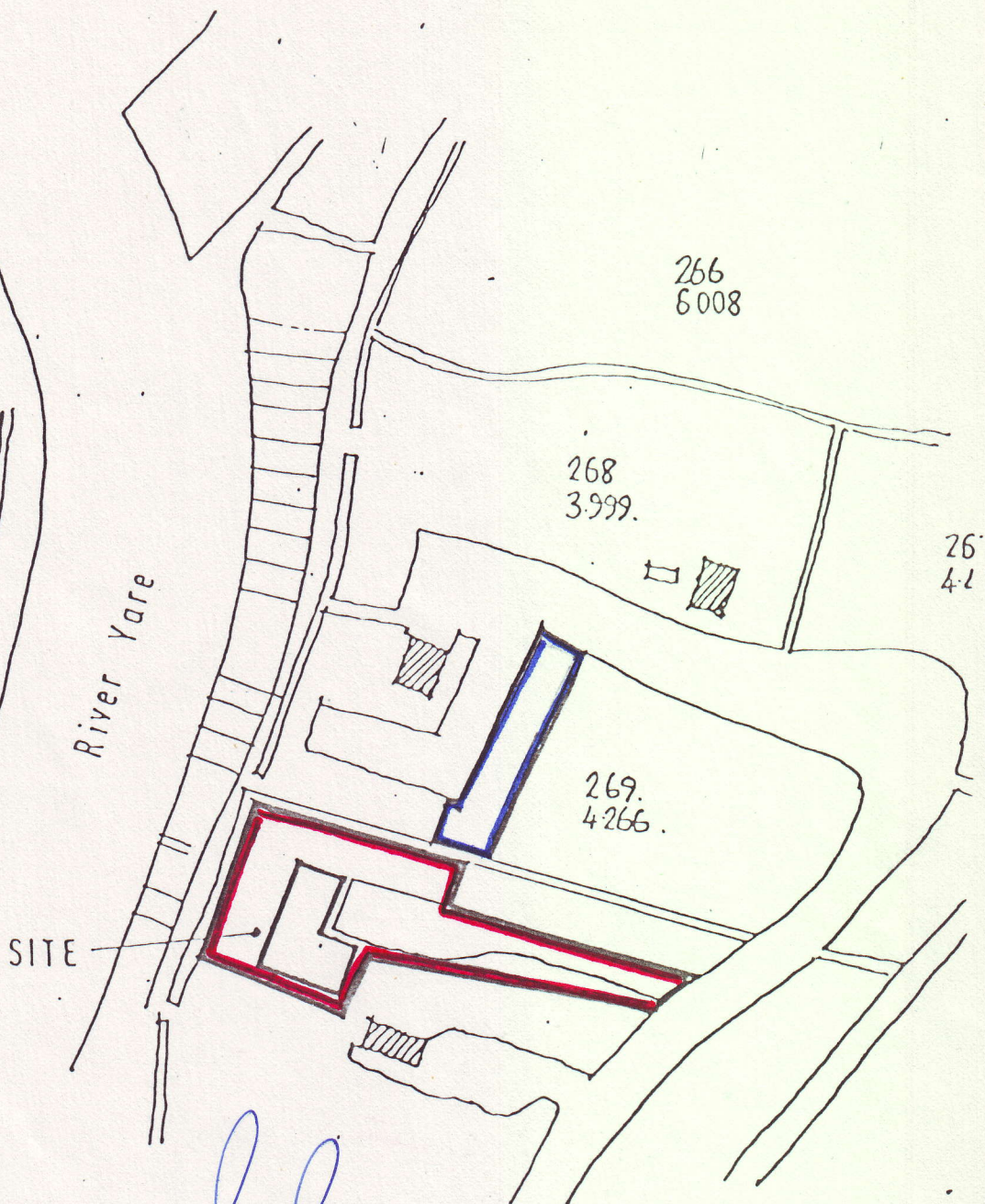
3. Without the grant of planning permission the use of the Property shown edged blue on the drawing attached hereto shall be restricted so that at any one time there are no more than seventeen boats with a maximum of one hundred berths stationed on the Property or operating therefrom

4. Without the grant of planning permission given on a planning application the use of the Property shown edged red on the drawing attached hereto shall be restricted so that at any one time there are no more than twelve boats with a maximum capacity of seventy berths stationed on the Property or operating therefrom

5. The subsisting planning permission number BF.15291 which was granted by the Blofield and Flegg Rural District Council on 25th September 1973 for the construction of an extension to boat shed shall not be exercised



Plan
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E.A. Brown
Director

E.A. Brown
Secretary.

BOUNTY BOATS LTD.

BRUNDALL

NORWICH, NOR 86Z

Date 11th January 198

BROADLAND DISTRICT COUNCIL

and

BOUNTY BOATS LIMITED

Agreement under Section 52 of the
Town and Country Planning Act 19

Thorpe Lodge,
Yarmouth Road,
NORWICH, NR7 0DU.

Ref: PP/11/1