

T H I S A G R E E M E N T is made the 23rd day of November 1988 B E T W E E N BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Norwich in the County of Norfolk (hereinafter called "the Council") of the first part NICHOLAS CHARLES GILL and ELIZABETH JILL BARTRUM both of Smee Farm Smee Lane Great Plumstead in the said County (hereinafter called "the Owners") of the second part and NATIONAL WESTMINSTER BANK PLC whose registered office is at 41 Lothbury London EC2P 2BP (hereinafter called "the Bank") of the third part

W H E R E A S

1. The Council is a Local Planning Authority for the purposes of this Agreement
2. The owners are seized in fee simple absolute in possession of the piece or parcel of freehold land (hereinafter called "the red land") shown edged red on the plan annexed hereto and situate at Smee Farm aforesaid together with the barn standing thereon subject only to the Legal Charge next herein recited and the said Elizabeth Jill Bartrum is seized for a like estate subject to the said Legal Charge of the piece or parcel of freehold land (hereinafter called "the blue land") shown on the said plan edged blue together with the barn standing on the blue land
3. By a Legal Charge made the Sixth day of June One thousand nine hundred and eighty-eight the red land the blue land and other land were charged by way of legal mortgage to the Bank to secure the monies therein mentioned
4. The Owners have applied to the Council under reference No. 88.1507 for planning permission for development to be carried out on the blue land
5. The Council the Owners and the Bank 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 and Section 33 of the Local Government (Miscellaneous Provisions) Act 1982

NOW THIS DEED WITNESSETH as follows:

1. Subject to planning permission being granted in consequence of application No. 88.1507 and pursuant to the said Section 52 the Owners and the Bank hereby jointly and severally agree declare and covenant with the Council that from the date on which the aforesaid planning permission shall be granted the red land shall be permanently subject to the conditions restricting or regulating development or use of it specified in the First Schedule hereto
2. Subject to the aforesaid planning permission being granted the Owners hereby jointly and severally agree declare and covenant with the Council that from the date on which the aforesaid planning permission shall be granted the Owners shall perform the obligations specified in the Second Schedule hereto save that the Bank shall only be liable hereunder when it is in possession of the red land
3. The expressions "the Council" and "the Owners" shall where the context so omits include their respective successors in Title and Assigns

IN WITNESS whereof the Council and the Bank have caused their respective Common Seals to be affixed hereunto and the Owners have set hereunto their respective hands and seals the day and year first before written

THE FIRST SCHEDULE

Not to implement the whole or any part of the development authorised by planning permission reference number 87.1982 or Listed Building Consent reference number 87.1983

THE SECOND SCHEDULE

At all times to keep the barn on the red land in good repair and from time to time take such measures as the Council shall reasonably require to preserve its character as a building of architectural and historic interest

4477
7.49

5675
3.59

7073
5.01

5366
2.14

6166
1.54

6663
.70

7364
1.14

Smee Cottage

Smee Bungalow

Smee Farm

Drain

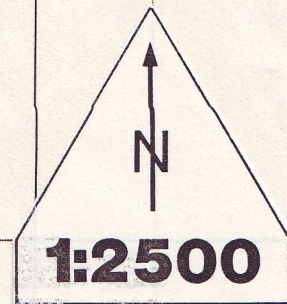
Pond

B M 80.54

Drain

76

5445
34.70



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



Deputy Director of Finance and Administration

SIGNED SEALED and DELIVERED)
by the said NICHOLAS CHARLES)
GILL in the presence of:-)

M. A. King
CLARE COTTAGE,
SLOLEY,
NORFOLK.
MANAGER.

SIGNED SEALED and DELIVERED)
by the said ELIZABETH JILL)
BARTRUM in the presence of:-)

M. A. King
CLARE COTTAGE,
SLOLEY,
NORFOLK.
MANAGER.

SIGNED SEALED and DELIVERED)
by **JOHN COURTNEY TUCK**)
as the Attorney of and on)
behalf of NATIONAL)
WESTMINSTER BANK PLC)



DATED 23rd November 1988

BROADLAND DISTRICT COUNCIL

and

NICHOLAS CHARLES GILL

and

ELIZABETH JILL BARTRUM

and

NATIONAL WESTMINSTER BANK PLC

S E C T I O N 52

A G R E E M E N T

B.A.Yates,
Head of Legal and Administrative
Services,
Broadland District Council,
Thorpe Lodge, Yarmouth Road,
Norwich, NR7 ODU.

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