

THIS AGREEMENT is made the 18th day of MARCH

One thousand nine hundred and ninety one

BETWEEN NORFOLK COUNTY COUNCIL ("the County Council") of County Hall Martineau Lane Norwich of the first part and JAMES THOMAS DURRANT SHAW ("the Owner") of Scottow Hall Scottow Norwich of the second part and ROMBUS MATERIALS LIMITED whose registered office is situate at RMC House Coldharbour Lane Thorpe Egham Surrey TW20 8TD ("the Company") of the third part

WHEREAS

(1) The Owner is the Owner in fee simple in possession of the land shown edged red on the attached Plan A ("the Land")

(2) The Owner has agreed to grant to the Company a licence ("the Licence") for three years from the date of the planning permission for the Development as hereinafter defined to enable the Company to carry out the Development

(3) The County Council is a local planning authority within the meaning of the Town and Country Planning Act 1990 ("the Act") and the local highway authority within the meaning of the Highways Act 1980 for the area within the Land is situated

(4) The Company has made application (reference 5/89/1761) dated 14th August 1989 ("the Application") 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 extraction of sand and gravel ("the Development")

(5) The County Council are satisfied that this agreement will be for the benefit of the public

NOW THIS DEED WITNESSETH as follows:-

1. This Agreement is made in pursuance of Section 106 of the Act Section 111 of the Local Government Act 1972 Section 278 of the Highways Act 1980 Section 33 of the Local Government (Miscellaneous

Provisions) Act 1982 and all other enabling powers.

2. The Owner hereby covenants that in the event of planning permission being granted in respect of the Application he will not cause or permit the Land to be used for the Development unless he imposes on the person or company carrying out the Development on the Land an obligation to take all reasonable steps for the duration of the Licence to make sure that all haulage vehicles used for conveying material from the Land for processing approach and leave the Land by the route shown coloured yellow on the attached Plan B

3. The Company hereby covenants with the County Council that in the event of planning permission being granted for the Development the Company shall take all reasonable steps for the duration of the Licence to ensure that all haulage vehicles used for conveying material from the Land for processing at the Company's Attlebridge Quarry shall pass to and from the Land and the said Attlebridge Quarry by means of the route shown coloured yellow on the attached plan B

4. The Owner hereby acknowledges that the covenant in Clause 3 on the part of the Company shall be binding upon the Land into whosoever hands the same may come until the completion of the excavation of the sand and gravel from the Land

5. The expressions "the County Council" and "the Owner" and "the Company" shall include their respective successors and assigns as appropriate within the terms of Section 106 of the Act

I N W I T N E S S whereof "the County Council" and "the Company" have affixed their Common Seals and the Owner has signed this instrument as his deed the day and year first before written



SECRETARY

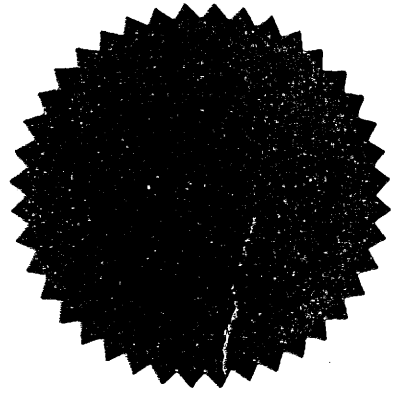
James Wilson



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

G. G. G. G. G.

County Solicitor



THE COMMON SEAL of ROMBUS)
MATERIALS LIMITED was hereunto)
affixed in the presence of:-)

[Signature]
Director

[Signature]

Secretary



SIGNED as his deed)
by the said JAMES)
THOMAS DURRANT SHAW)
in the presence of:-)

[Signature]

E. J. G. G.

45 THE FAIR STEAD

SCOTTON

N. R. 105 AG

DOMESTIC
HELP

DATED 18th March 1990¹

NORFOLK COUNTY COUNCIL

- and -

JAMES THOMAS DURRANT SHAW

- and -

ROMBUS MATERIALS LIMITED

A G R E E M E N T

Under Section 106 of the Town and Country
Planning Act 1990 relating to land at
Frettenham

T.D.W. Molander, Esq., M.A.,
County Solicitor,
Norfolk County Council,
County Hall,
Martineau Lane,
Norwich.
NR1 2DH

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