

THIS PLANNING OBLIGATION is made the 14<sup>th</sup> day of October  
One Thousand Nine Hundred and Ninety-Two BETWEEN BROADLAND  
DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Thorpe St.

Andrew in the County of Norfolk (hereinafter called "the  
Council") of the first part GERALD HOWARD POINTER of Field  
View Farm Yarmouth Road Blofield in the said County of  
Norfolk (hereinafter called "the First Owner") of the second  
part and GERALD HARRY POINTER of The Old Rectory Bintree in  
the said County of Norfolk (hereinafter called "the Second  
Owner") of the third part

WHEREAS:-

- (1) The obligations imposed by this Deed are planning obligations for the purposes of Section 106 of the Town & Country Planning Act 1990 as amended by Section 12 of the Planning and Compensation Act 1991
- (2) The Council is the Local Planning Authority by whom these obligations are enforceable
- (3) The First Owner is seised in fee simple in possession of the Property described in the First Schedule shown for identification purposes only on the Plan annexed hereto and thereon edged red (hereinafter referred to as "the Red Land") subject to restrictive covenants rights exceptions and reservations but otherwise free from incumbrances
- (4) The Second Owner is seised in fee simple in possession of the Property described in the Second Schedule shown for identification purposes only on the Plan annexed hereto and thereon edged blue (hereafter referred to as "the Blue Land") subject to exceptions reservations covenants agreements and

declarations but otherwise free from incumbrances

(5) The First Owner has applied to the Council under reference number 90.1305 for planning permission to develop the Red Land and the Blue Land (hereinafter together referred to as "the Application Site") as a golf course

(6) The Council the First Owner and the Second Owners have agreed subject to planning permission being granted in consequence of the aforesaid application to enter into this Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 as amended

NOW THIS DEED WITNESSETH as follows:-

1. SUBJECT to planning permission being granted in consequence of application number 90.1305 and pursuant to the said Section 106 as amended respectively the First Owner hereby DECLARES AND COVENANTS with the Council that from the date on which work shall commence on the Application Site pursuant to the aforesaid planning permission and for the duration of the use of the Application Site as a golf course the Red Land shall be subject to the conditions restricting or regulating the development or use of the Application Site specified in the Third Schedule hereto

2. SUBJECT to planning permission being granted in consequence of application number 90.1305 and pursuant to the said Section 106 as amended respectively the Second Owner hereby DECLARES AND COVENANTS with the Council that from the date on which work shall commence on the Application Site pursuant to the aforesaid planning permission and for the duration of the use of the Application Site as a golf course

the Blue Land shall be subject to the conditions restricting or regulating the development or use of the Application Site specified in the Third Schedule hereto

3. THE expressions "the Council" "the First Owner" and "the Second Owner" shall where the context so admits include their respective successors in title and assigns

4. THIS document is executed as a Deed and is delivered on the date stated at the beginning of this Deed

IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and the First and Second Owners have executed this document as a Deed the day and year first before written

THE FIRST SCHEDULE referred to

ALL THOSE pieces or parcels of land situate in the Parishes of Blofield and Witton in the County of Norfolk more particularly described below and for the purpose of identification only and not by way of limitation or enlargement more particularly delineated on the Plan annexed hereto and thereon edged red

<u>Ordinance Survey No.</u>	<u>Parish</u>
8745 (Part)	Blofield
0006 (Part)	Blofield
5832	Blofield
6118	Blofield
4600	Witton
5100	Witton
5600	Blofield
7986	Blofield
0387	Blofield

THE SECOND SCHEDULE referred to

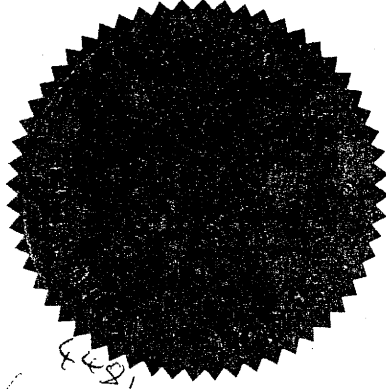
ALL THAT freehold land and farm buildings in the Parish of Blofield in the County of Norfolk As the same are shown for identification purposes only on the Plan annexed hereto and

thereon edged blue

THE THIRD SCHEDULE referred to

Not at any time to use or permit to be used any building on the Application Site for any purpose or activity unrelated to a golf club

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



*[Handwritten signature]*

Assistant Chief Executive and  
Solicitor to the Council

SIGNED AS A DEED by GERALD  
HOWARD POINTER in the presence  
of:-

*[Handwritten signature]*

*[Handwritten notes:]*  
R. 1000  
4. Woodhouse  
Lower St. 3000000  
NR13 600

SECRETARY

SIGNED AS A DEED by GERALD  
HARRY POINTER in the presence  
of:-

*[Handwritten signature]*

*[Handwritten notes:]*  
R. 1000  
4. Woodhouse  
Lower St. 3000000  
NR13 600

SECRETARY





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8 96394  
22 16

*W. J. Hunt*  
*General Clerk*



DATED

14th October, 1992

BROADLAND DISTRICT COUNCIL

and

GERALD HOWARD POINTER

and

GERALD HARRY POINTER

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AGREEMENT

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Under Section 106 of the Town  
and Country Planning Act 1990 as  
amended by Section 12 of the  
Planning and Compensation Act  
1991 relating to Land at  
Blofield and Witton, Norfolk.

B.A.Yates,  
Assistant Chief Executive and  
Solicitor to the Council,  
Broadland District Council,  
Thorpe Lodge, Yarmouth Road,  
Thorpe St. Andrew,  
Norwich, NR7 ODU.

071S106C.DEL