

DATED 22nd January 1996/7

PETER RONALD MILLS

- and -

ILONKA ELVIRA MILLS

- and -

SPIXWORTH PARISH COUNCIL

- to -

BROADLAND DISTRICT COUNCIL

UNILATERAL UNDERTAKING

Director of Law and Administration
Norfolk County Council
Martineau Lane
Norwich
NR1 2SH

THESE UNILATERAL UNDERTAKINGS are given this 22nd day of January 199~~6~~⁷ by (1) PETER RONALD MILLS of 18 Lilian Road Spixworth Norfolk and ILONKA ELVIRA MILLS of 32 Lilian Road Spixworth aforesaid ("Mr and Mrs Mills") and (2) SPIXWORTH PARISH COUNCIL ("the Parish Council") acting by the hand of their Chairman JACK ALFRED SADLER of 23 Crostwick Lane Spixworth aforesaid and their Vice-Chairman JOHN PAYNE of 8 Julian Road Spixworth aforesaid TO BROADLAND DISTRICT COUNCIL of Council Offices Yarmouth Road Norwich ("the District Council")

WHEREAS:-

- (1.) The District Council is the Local Planning Authority for the purposes of the Town and Country Planning Act 1990 ("the 1990 Act") in respect of the land edged red and edged blue on the attached plan (respectively "the Red Land" and "the Blue Land")
- (2.) Mr Mills and Mrs Mills are the owners in fee simple free from encumbrances of the Red Land and the Blue Land
- (3.) The Parish Council is the Parish Council for the area in which the Red Land and the Blue Land is situated

(4.) Mr Mills Mrs Mills and the Parish Council have jointly submitted to the District Council an application for outline planning permission for the development of the Red Land by the erection of 9 dwellings ("the Development")

(5.) The provisions of these Unilateral Undertakings are conditional upon the District Council granting planning permission pursuant to the said application

NOW THIS DEED WITNESSES as follows:-

1 (1) The Unilateral Undertaking contained in clause 2 is given by Mr Mills and Mrs Mills to the District Council and the Unilateral Undertaking contained in clause 3 is given by the Parish Council to the District Council

(2) These Unilateral Undertakings:-

(a) Are given pursuant to Section 106 of the 1990 Act

(b) Are planning obligations for the purposes of Section 106 of the 1990 Act

(c) Are given with the intention of binding Mr Mills' and Mrs Mills' freehold interest in the Red Land and the Blue Land

(d) Shall be enforceable by the District Council as Local Planning Authority

(e) Are executed by Mr Mills Mrs Mills and the Parish Council as a Deed and are delivered on the date first before written

2 Mr Mills and Mrs Mills hereby undertake to the District Council that:-

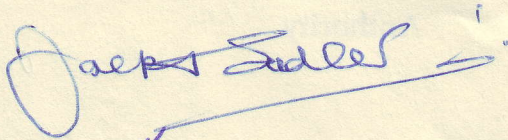
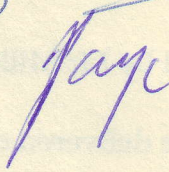
(a) The Development shall not be commenced until they have transferred the fee simple of the Blue Land to the Parish Council

(b) With effect from the date on which the Development begins the Blue Land shall not be used except as Public Open Space

3 The Parish Council hereby undertake to the District Council that following the transfer of the Blue Land to the Parish Council they will not use the Blue Land for any purpose other than as a Public Open Space

4 Mr Mills Mrs Mills and the Parish Council recognise that the Unilateral Undertakings contained in this Deed shall be registered as local land charges in the Register of Local Land Charges maintained by the District Council

To be Signed as a Deed
on behalf of SPIXWORTH
PARISH COUNCIL by
JACK ALFRED SADLER
and JOHN PAYNE
in the presence of:-

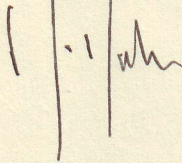



Clerk to The Council



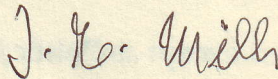
Signed as a Deed by
PETER RONALD MILLS
in the presence of:-

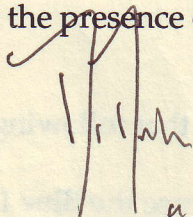




Sd/- Peter
Mills.

Signed as a Deed by
ILONKA ELVIRA MILLS
in the presence of:-



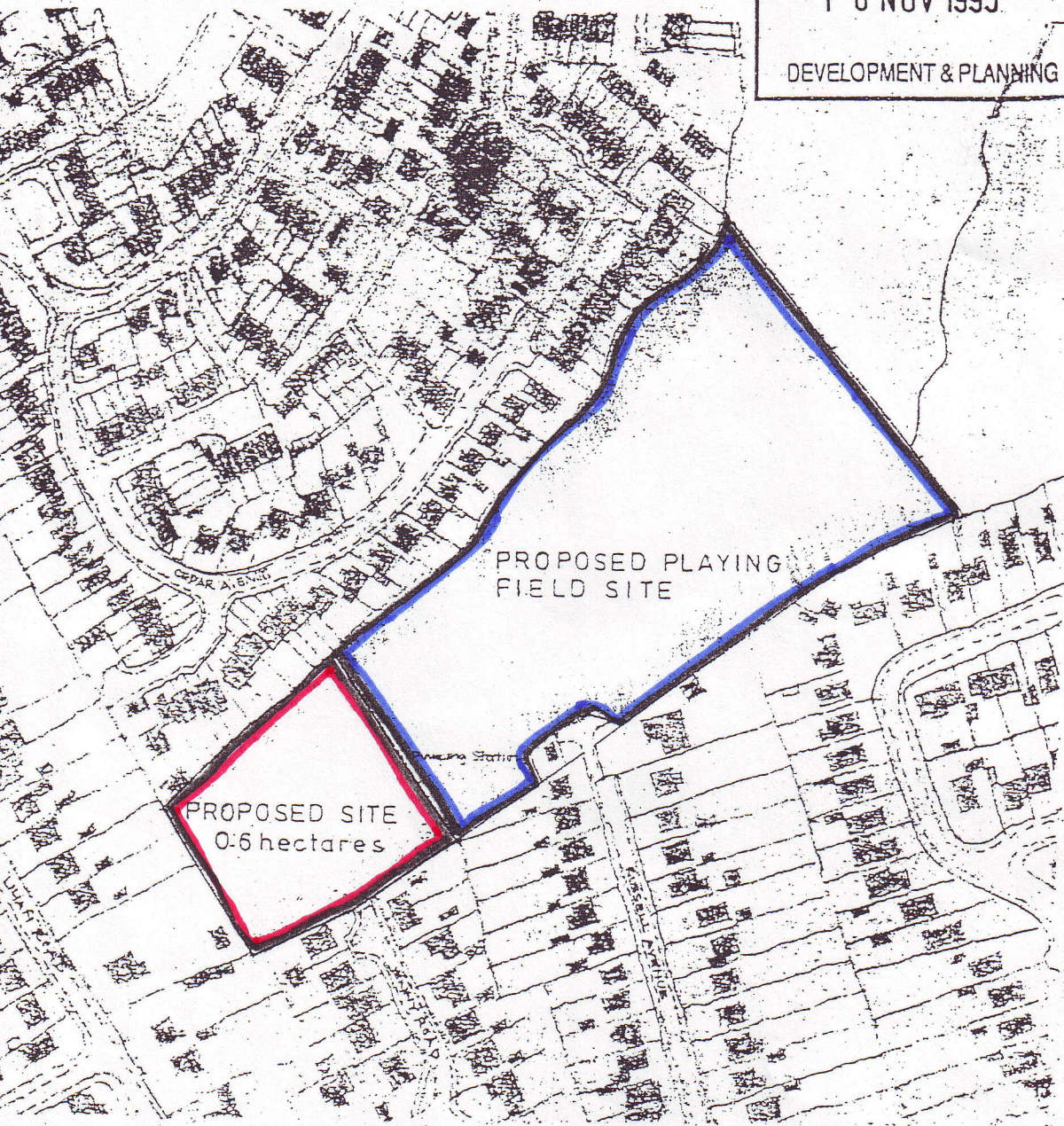


as above.

BROADLAND
DISTRICT COUNCIL

1 6 NOV 1995

DEVELOPMENT & PLANNING



LOCATION PLAN scale : 1.2500

NOTES

REVISIONS