

DATED 21st July 1999

BROADS AUTHORITY

-and-

ALAN ROBINSON McDOWELL

A G R E E M E N T

Under Section 106 of the Town and
Country Planning Act 1990 relating to
land at Rough Fen, Panxworth

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

THIS AGREEMENT is made the 21st day of July One thousand nine hundred and ninety nine

BETWEEN THE BROADS AUTHORITY ("the Authority") of 18 Colegate Norwich NR3 1BQ of the first part and Alan Robinson McDowell ("the Owner") of 1 Foundary Court South Walsham Road Panxworth Norfolk NR13 6JG of the second part

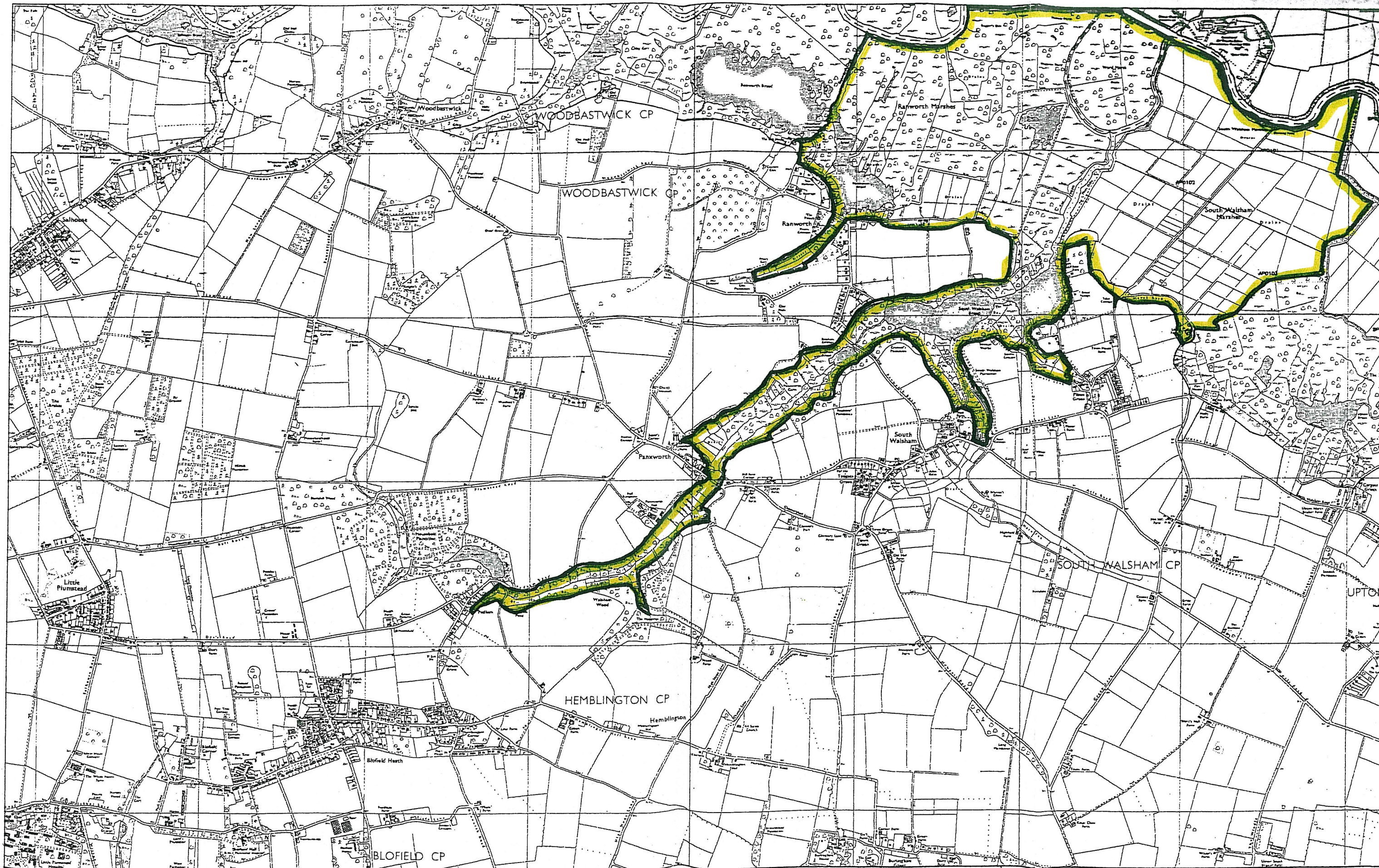
WHEREAS:-

1. The Authority is the District Planning Authority for the purposes of the Town and Country Planning Act 1990 ("the Act") for the area within which the land shown edged red on the annexed plan ("the Land") is situated
2. The Owner is the Owner in fee simple in possession of the Land
3. The Owner has made application (reference 980109) ("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 managing the Land for nature conservation including the creation of a turf pond and hard access within the Land ("the Development")
4. The obligations created by this deed are planning obligations within the meaning of Section 106 of the Act (as amended)

5. The obligations created by this deed are enforceable by the Authority

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 and all other enabling powers
2. The Owner hereby covenants with the Authority that in the event of planning permission ("the Permission") being granted for the Development:-
 - (i) he will within 3 months from the date of the Permission submit to the Authority a Management Plan ("the Management Plan") for approval
 - (ii) he will manage the Land in accordance with the Management Plan as agreed by the Authority or as may otherwise be agreed in writing with the Authority
 - (iii) the turf pond comprised in the Development ("the Turf Pond") will be created in accordance with plans PANX/1 and PANX/2 which accompanied the Application



Designed by:
F. Lovell.

Date:
26th May '99

Filename:
c:\Panxworth

Recipient:
recipient

Copy:
1/1

Copyright Notice:

Based upon the Ordnance Survey's 1:10,000 raster map with permission of the controller, Her Majesty's Stationery Office,

Middle Bure IDB

The IDB catchment area around



- (iv) he will not cause any detriment to riparian owners in the adjacent IDB sub area shown edged in green on the attached plan as a result of the creation of the Turf Pond or any other works comprised in the Management Plan
- (v) he will not cause or permit the existing access to the Land shown coloured blue on the annexed plan to be used other than for purposes associated with the maintenance and management of the Land in accordance with the Management Plan
- (vi) he will not cause or permit the Land to be used for any purpose other than for nature conservation purposes in accordance with the Management Plan
- (vii) without prejudice to the generality of paragraph (vi) he will not cause or permit the Land to be used for the purpose of shooting or fishing other than for the private and personal enjoyment of the Owner and his family
- (viii) he will not commence the Development until the Authority have agreed the Management Plan in writing which agreement shall not be unreasonably withheld or delayed

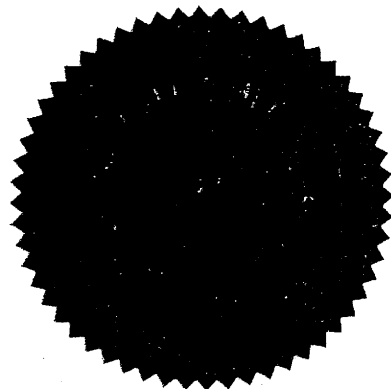
3. The Owner hereby covenants with the Authority that from the date of the Permission he will grant access to the Land to officers of the Authority for

monitoring purposes and unless agreed otherwise with the Owner at least 48 hours notice of entry will be given to the Owner

4. This document is executed as a Deed and is delivered on the date first before written
5. The expressions "the Authority" and "the Owner" shall include their respective successors and assigns as appropriate within the terms of Section 106 of the Act

IN WITNESS WHEREOF the Authority has affixed its Common Seal and the Owner
has signed this Instrument as his deed the day and year first before written

THE COMMON SEAL of
THE BROADS AUTHORITY
was hereunto affixed in
the presence of:-



Kear Name
authorised to sign
on behalf of:

BA 304

SOLICITOR TO THE BROADS AUTHORITY

AMcDowell

SIGNED as a DEED by the said

ALAN ROBINSON McDOWELL in the presence of:-

L. D. Wishart

L. D. WISHART

25 Canns Lane

Hethersett

Norwich

NR9 3JE.