

DATED 12th December 1996

THE BROADS AUTHORITY

- and -

THE TRUSTEES OF THE TRAFFORD ESTATE

- and -

NORFOLK BROADS YACHT CLUB

AGREEMENT

under Section 106 of the Town
and Country Planning Act 1990
relating to land at Wroxham

C G Harding
Solicitor to the Broads Authority
County Hall
Martineau Lane
Norwich
NR1 2SH

THIS AGREEMENT is made the 12th day of December One thousand nine hundred and ninety six

BETWEEN THE BROADS AUTHORITY ("the Authority") of Thomas Harvey House 18 Colegate Norwich NR3 1BQ of the first part ROBIN THOMAS TODHUNTER BRAMLEY of Gillingham Hall Gillingham Suffolk and ALBEMARLE JOHN CATOR of Whitehouse Farm Woodbastwick Norfolk being the surviving trustees of THE TRAFFORD ESTATE ("the Owners") of the second part and NORFOLK BROADS YACHT CLUB ("the Developer") of The Avenue Wroxham Norfolk NR12 8TS of the third part

WHEREAS:-

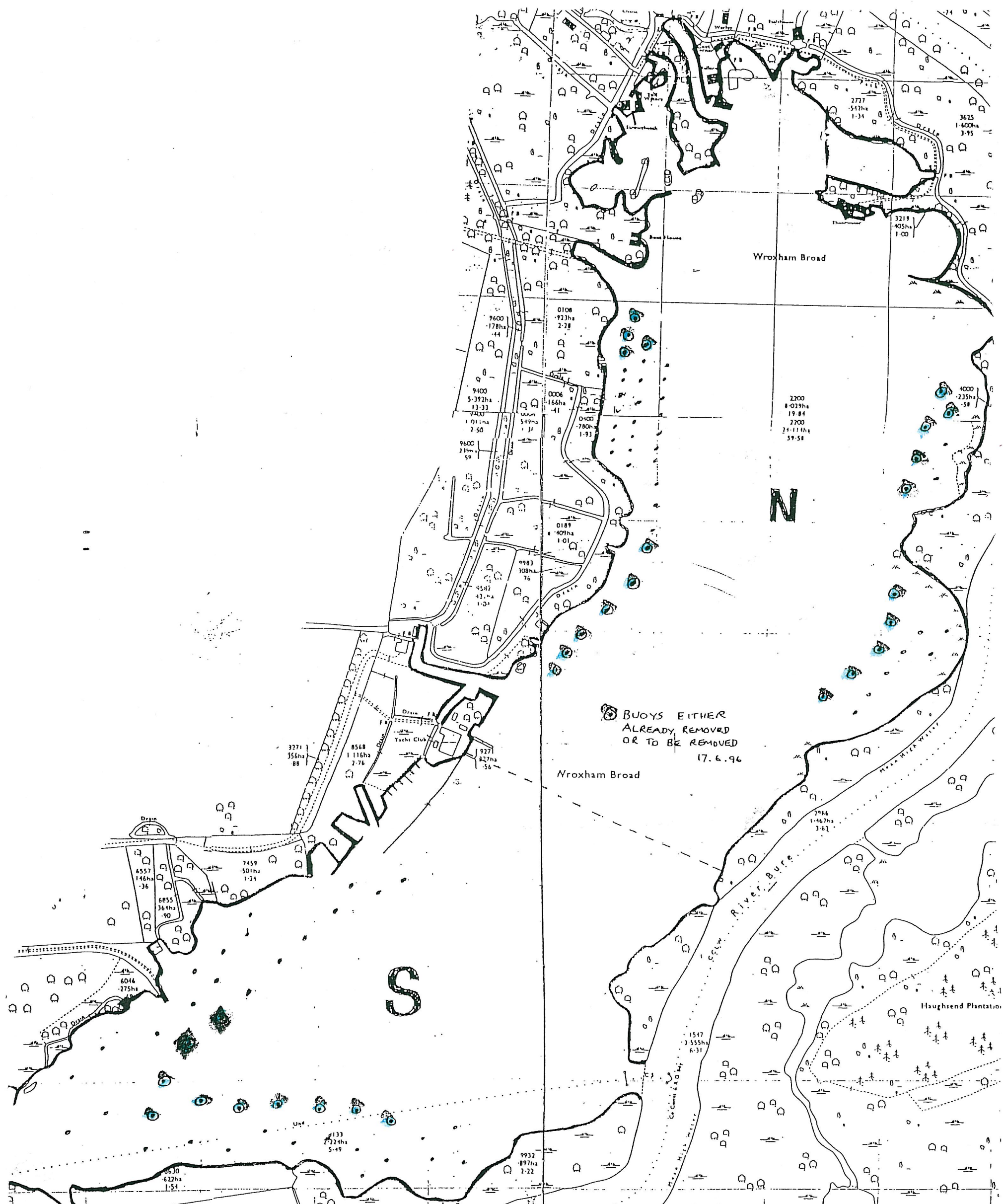
- (1) The Authority is the District Planning Authority for the purpose of the Town and Country Planning Act 1990 ("the Act") for the area within which the land shown edged red on the annexed plan ("the Land") is situated
- (2) The Owners are the owners in fee simple of the Land
- (3) The Developer is the leaseholder of the Land
- (4) The Developer has made application (reference 96.0172) to the Authority in accordance with the Act and the rules and orders for the time being in force thereunder for planning permission to develop the Land by the creation of 29

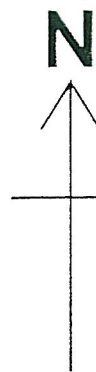
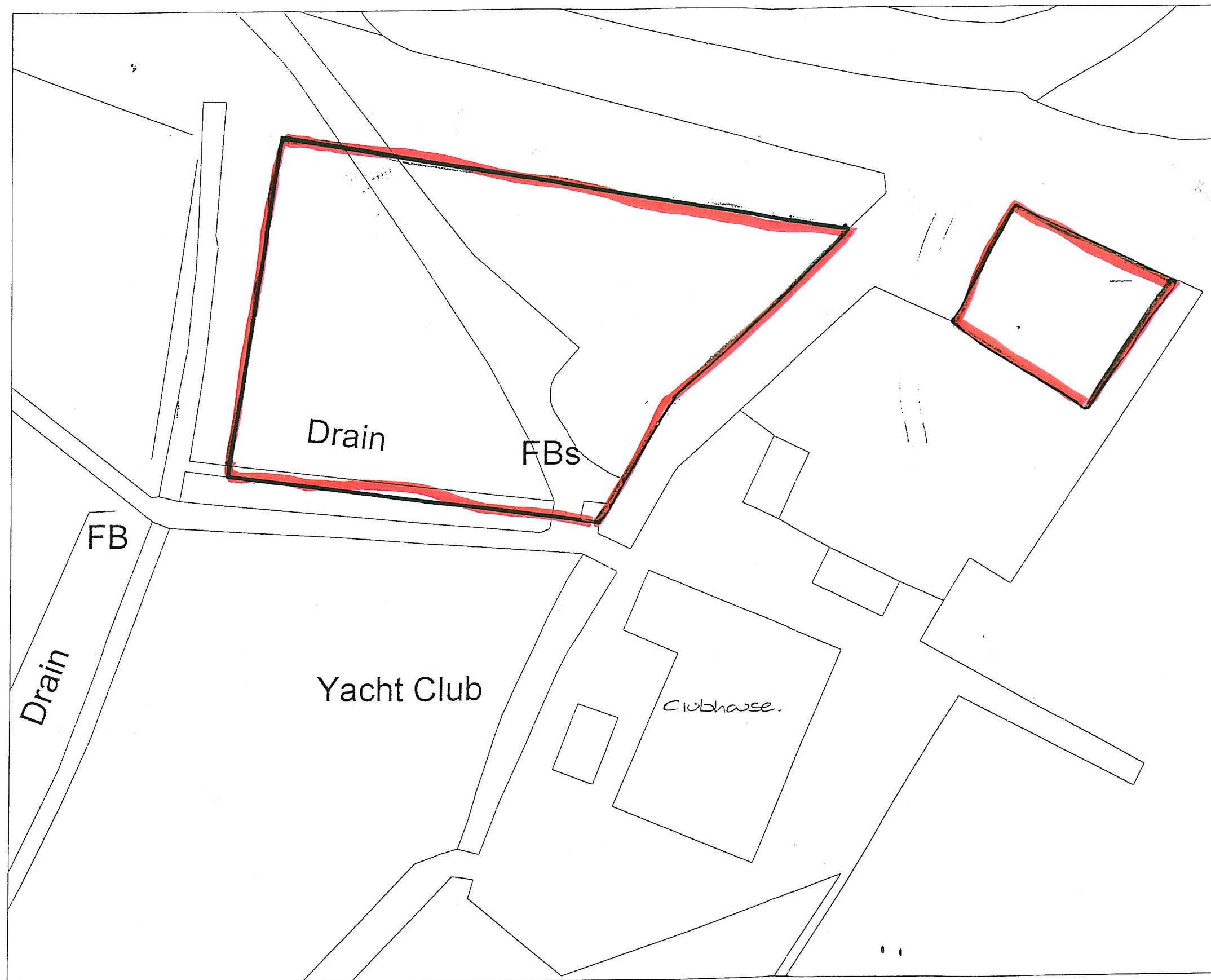
additional shore moorings for sailing yachts and motor cruisers ("the Development")

- (5) The obligations created by this deed are planning obligations within the meaning of Section 106 of the Act
- (6) 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. Each of the Owners and the Developer hereby jointly and severally covenant with the Authority that in the event of planning permission being granted for the Development they will not cause or permit the Land to be used for the purposes of the Development unless 30 of the mooring buoys on Wroxham Broad as indicated in the Schedule hereto and shown in blue on the annexed plan are removed PROVIDED THAT in the event of the number of moorings created as part of the Development being less than 29 the number of mooring buoys to be removed from Wroxham Broad shall be reduced accordingly in agreement in writing with the Authority





Project

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Title

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Date

11-Jun-96

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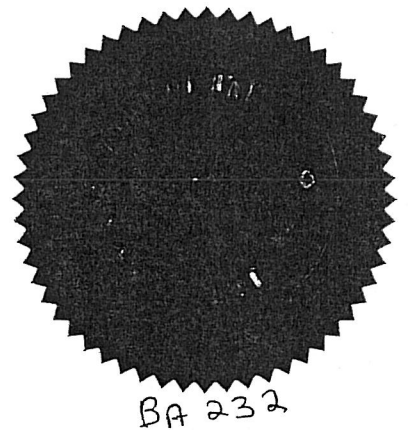
3. This document is executed as a deed and is delivered on the day and year first before written
4. The expressions "the Authority" "the Owners" and "the Developer" shall include their respective successors and assigns as appropriate within the meaning of Section 106 of the Act

IN WITNESS whereof the Authority has affixed its Common Seal and the Owners have signed this instrument as their deed the day and year first before written

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



Solicitor to the Broads Authority



SIGNED as a DEED by
the said ROBIN THOMAS
TODHUNTER BRAMLEY in the
presence of:-

MISS J.R. KEMP.
FRANCIS HORNOR BROWN & CO
QUEEN STREET
NORWICH
NR2 4TA.

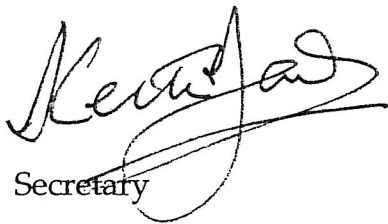


SIGNED as a DEED
by the said ALBEMARLE
JOHN CATOR in the presence of:-



MRS. S. J. OWEN
33 SLAD LANE
WOODBASTWICK
NORWICH
NORFOLK NR13 6HQ.

SIGNED as a DEED by
the NORFOLK BROADS
YACHT CLUB acting by



Secretary

SCHEDULE

SCHEDULE OF BUOYS REMOVED FROM BROAD TO PROVIDE 30 ADDITIONAL SHORE MOORINGS

NORTH WEST

EXISTING 39	REMOVED 10	LEFT ON BROAD 29
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NORTH EAST

EXISTING 19	REMOVED 10	LEFT ON BROAD 9
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SOUTH WEST

EXISTING 20	REMOVED 4	LEFT ON BROAD 16
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SOUTH

EXISTING 21	REMOVED 6	LEFT ON BROAD 15
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TOTALS

EXISTING 99	REMOVED 30	LEFT ON BROAD 69
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