

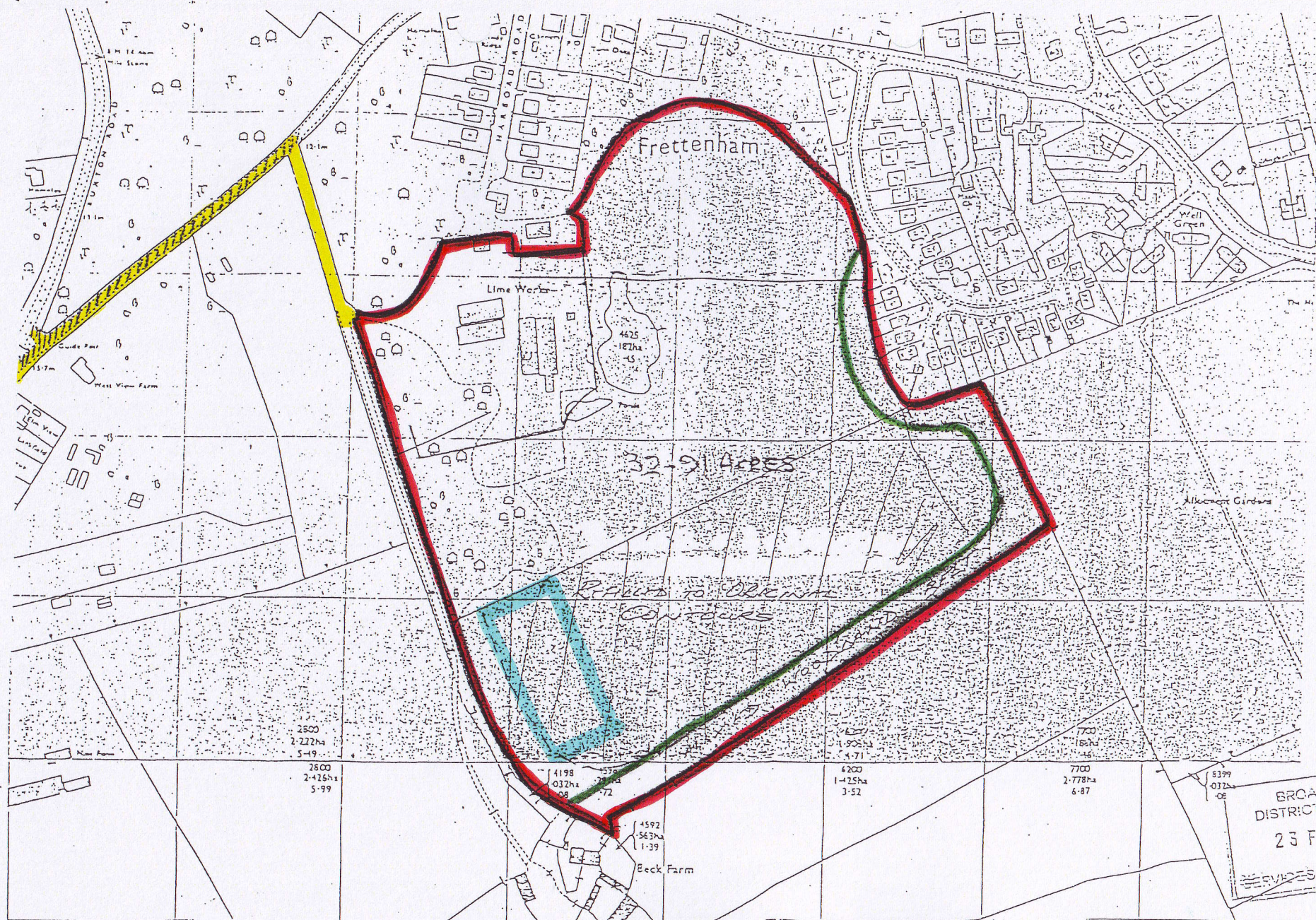
T H I S A G R E E M E N T is made the 22nd day of September
One thousand nine hundred and ninety two BETWEEN NORFOLK COUNTY COUNCIL ("the
County Council") of County Hall Martineau Lane Norwich of the first part
and HOWES LIME COMPANY LIMITED ("the Owners") whose registered office is
situate at 30 Oakfields Road Cringleford Norwich NR4 6XF of the second
part

WHEREAS:-

- (1) The Owners are the owners in fee simple in possession of the land shown edged red on the attached plan ("the Red Land")
- (2) 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 which the Red Land is situated
- (3) The Owners have made application (reference c/92/5002) ("the Application") in accordance with the Act and the order and regulations for the time being in force thereunder for planning permission to develop the land shown edged blue on the attached plan ("the Blue Land") as a waste recycling area ("the Development")
- (4) This Deed is supplemental to an Agreement ("the 1990 Agreement") dated 23rd March 1990 and made between the Owners and the County Council
- (5) The obligations created by this Deed are planning obligations within the meaning of Section 106 of the Act (as amended)
- (6) The obligations created by this Deed are enforceable by the County Council

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 Highway Act 1980 and all other enabling powers
2. The Owners hereby covenant with the County Council that in the event of planning permission being granted in respect of the Application for the duration of the development they will not cause or permit the Red Land to be used for the purposes of the Development unless all motor vehicles visiting the Red Land approach and leave the Red Land by the route shown coloured yellow on the attached plan
3. The County Council and the Owners hereby agree that from the date hereof the 1990 Agreement shall at all times be read construed and take effect as though the public footpath referred to in Clause 3(a) was to be in the position shown coloured green on the attached plan
4. This document is executed as a Deed and is delivered on the date first before written



SCALE 1:2500

WASTE ADVISORY SERVICE

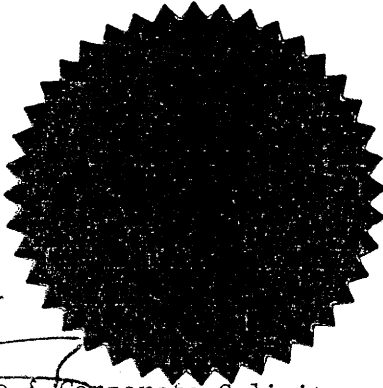
RESTORATION OF FORMER MINERAL
WORKING AT FRETTEHAM

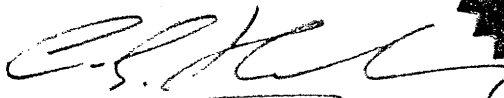
DATE 14.7.82 DRAWN BY 100

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

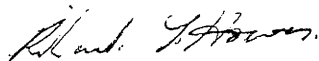
IN WITNESS whereof "the County Council" and "the Owners" have affixed their Common Seals the date and year first before written

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




Assistant Chief Executive & Corporate Solicitor

THE COMMON SEAL of)
HOWES LIME COMPANY)
LIMITED was hereunto)
affixed in the presence)
of:-)





DATED 22nd September 1992

NORFOLK COUNTY COUNCIL

--and--

HOWES LIME COMPANY 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

County Hall
Martineau Lane
Norwich
NR1 2DH

JCB/SM/D1