

DATED 4th May 1995

BROADS AUTHORITY

- and -

ANTHONY FRANCIS POTTER

- and -

MARGARET CHRISTINE POTTER

A G R E E M E N T

under Section 106 of the Town and Country
Planning Act 1990 relating to land
at Kingfisher Lane South Walsham
in the County of Norfolk

Mr Nicholas Hancox
Director of Legal Services
Norfolk County Council
County Hall
Martineau Lane
Norwich
NR1 2SH

THIS AGREEMENT is made the 4th day of May One thousand nine hundred and ninety five

B E T W E E N BROADS AUTHORITY ("the Authority") of the first part and ANTHONY FRANCIS POTTER and MARGARET CHRISTINE POTTER ("the Owners") both of Catbells Blakemere Lane Norley Warrington WA6 6NS

WHEREAS:-

- (1) The Authority is a Local Planning Authority within the meaning of the Town and Country Planning Act 1990 ("the Act") for the area within which the land at South Walsham shown edged red on the attached plans ("the Land") is situated
- (2) The Owners are the owner in fee simple in possession of the Land
- (3) The Owners did on 3 June 1994 apply for planning permission to excavate a mooring dyke and construct quay heading on the Land under reference 940687 for their sailing craft a yacht named "Sally"
- (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

N O W T H I S D E E D W I T N E S S E T H 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 Owners hereby jointly and severally covenant with the Authority that in the event of planning permission being granted for the Development they

will only use the existing mooring buoy located in South Walsham Broad on an occasional short term basis in connection with manoeuvring their yacht in and out of the new mooring dyke with effect from the date on which the development is materially complete

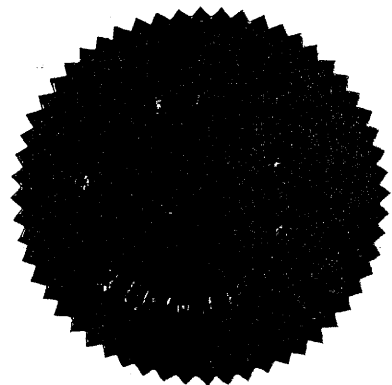
3. The expressions "the Authority" and "the Owners" shall include their respective successors and assigns as appropriate within the terms of Section 106 of the Act
4. This document is executed as a Deed and is delivered on the date first before written

IN WITNESS WHEREOF the Authority has affixed its Common Seal and the Owners have signed this Agreement as a deed the day and year first before written

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

Nicholas Hancox

Solicitor to the Broads Authority



BA 1916

SIGNED as a DEED by the
said ANTHONY FRANCIS POTTER
was hereunto affixed in the
presence of:-

Anthony Francis Potter

Anthony Francis Potter

H. Wignall

SIGNED as a DEED by the
said MARGARET CHRISTINE
POTTER was hereunto affixed
in the presence of:-

M C Potter
A O Wynall

SIM (Survey Information on Microfilm) ORDNANCE SURVEY

Scale 1:2500

HEIGHTS IN METRES

TG 3614-3717

NORFOLK COUNTY

BROADLAND DISTRICT

SOUTH WALSHAM CP

