

DATED

24th July

2007

BROADLAND DISTRICT COUNCIL

- and -

NORFOLK COUNTY COUNCIL

SUPPLEMENTAL AGREEMENT
Under Section 106 of the
Town and Country Planning Act 1990
relating to the development of land at
Lingwood Manor School Road Lingwood

Broadland District Council
Thorpe Lodge
Yarmouth Road
Norwich
NR7 0DU

THIS AGREEMENT is made the 22th day of July 2007

BETWEEN:

BROADLAND DISTRICT COUNCIL of Thorpe Lodge 1 Yarmouth Road Thorpe St Andrew Norwich Norfolk NR7 0DU ("the Council") of the first part

NORFOLK COUNTY COUNCIL of County Hall Martineau Lane Norwich Norfolk NR1 2DH ("the Owner") of the second part

WHEREAS

- A. THIS Agreement is Supplemental to an Agreement dated 28 December 2006 made between the same parties as our parties hereto relating to the development of land adjacent to Lingwood Manor School Road Lingwood Norfolk ("the Original Agreement")
- B. THE Council is the local planning authority for the purposes of The Town and Country Planning Act 1990 (as amended) for the area within which the Site (as defined in the Original Agreement) is situated
- C. THE Owner is the freehold Owner of the Site and the freehold Owner of the Land shown outlined in blue on plan 2 annexed to the Original Agreement
- D. THE parties hereto have agreed to amend the Original Agreement in the manner hereinafter

IT IS HEREBY AGREED

- 1. THIS Agreement is made under the same powers as the Original Agreement and is a planning obligation for the purposes of the Act (as therein defined) and enforceable by the Council against the Owner and its successors in Title

2. ALL the defined expressions provisions agreements and declarations and other matters referred to or contained in the Original Agreement shall have the same meanings wherever used in this Agreement
3. ALL the obligations contained in the Original Agreement shall remain in full force and affect subject only to the variations contained in this Agreement
4. THE Original Agreement shall henceforth be construed as if the variations contained in the Schedule hereto had always been incorporated therein

SCHEDULE

Variations to Original Agreement

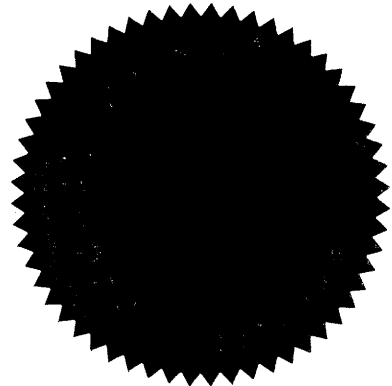
1. Paragraph 1.5 of Schedule 2 to the Original Agreement shall be amended to include the following additional words after the words "Qualifying Occupiers":-

"SAVE THAT in the case only of Shared Ownership Dwellings occupation under the terms of a Shared Ownership Lease incorporating Housing Corporation requirements shall not be deemed to be a breach of this obligation SUBJECT to all other provisions of any such Lease complying in all other respects with the definition of Shared Ownership Lease contained in the Original Agreement"

2. Paragraph 1.7 of Schedule 2 to the Original Agreement shall be read and construed as if the words "or any successor in title to any mortgagee or receiver" were included in the third line of such paragraph between the words "such mortgagee" and "and shall"

EXECUTED by the parties hereto as a DEED on the date written above

THE COMMON SEAL of)
BROADLAND DISTRICT COUNCIL)
was hereunto affixed)
in the presence of)



5833

Head of Corporate Services
and Monitoring Officer

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



Head of Law