

DATED

17th February

2007

47415
WASF
2007

BROADLAND DISTRICT COUNCIL

- AND -

WHERRY HOUSING ASSOCIATION LIMITED

- AND -

GEORGE WIMPEY UK LIMITED

- AND -

NORFOLK COUNTY COUNCIL

AGREEMENT

Made pursuant to Section 106 of the Town
and Country Planning Act (as amended) 1990
and any other enabling power relating to the
development of land at the North to White
Woman Lane, Sprowston Norfolk

steales
2 The Norwich Business Park
Whiting Road
Norwich NR4 6DJ

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11 000
THIS AGREEMENT is made the 17th day of February Two thousand and

~~Three~~ BETWEEN BROADLAND DISTRICT COUNCIL of Thorpe Lodge

Yarmouth Road Thorpe St Andrew Norwich in the County of Norfolk (hereinafter called "the Council") of the first part and WHERRY HOUSING ASSOCIATION LIMITED of Anglia House 6 Central Avenue St. Andrews Business Park Thorpe St Andrew Norfolk (hereinafter called "the Wherry") of the second part and GEORGE WIMPEY UK LIMITED of St. Davids Court Union Street Wolverhampton West Midlands WV1 3JE (hereinafter called "the Developer") of the third part and NORFOLK COUNTY COUNCIL of County Hall Martineau Lane Norwich Norfolk (hereinafter called "the County") of the fourth part

RECITALS

- (A) (1) In this Agreement unless the context otherwise requires the following words shall have the following meanings:-

"the Revised Permission"

means the Permission issued pursuant to

Application Number 20031515

WHEREAS

- (1) The obligations imposed by this Agreement are planning obligations for the purpose of Section 106 of the Town and Country Planning Act 1990 (hereinafter called "The 1990 Act") as amended by Section 12 of the Planning and Compensation Act 1991 and are enforceable by the County and the Council
- (2) The Council and the County are Local Planning Authorities for the purposes of the 1990 Act and the County is the Highway Authority

within the meaning of the Highways Act 1980 ("the Highways Act")
for the area within which the land is situated.

- (3) This Agreement is supplemental to an Agreement dated 20th November 2002 (hereinafter referred to as "the Main Agreement") made between the Council (1) the Wherry (2) the Developer (3) and the County (4) who now wish to amend the terms of that Agreement
- (4) The Developer has made application to vary the terms of the Permission as defined in the Main Agreement under reference number 20031515
- (5) The Council has resolved to permit the variation requested by the Developer

NOW THIS DEED WITNESSETH as follows:-

- 1.1 The Developer covenants with the Council and the County not to implement the Revised Permission other than in accordance with the terms of the ⁷main Agreement which shall apply to the Permission and the Revised Permission to the extent that each is implemented and so that for the avoidance of doubt each obligation of the Main Agreement shall apply once only
- 1.2 This Agreement is a local land charge and upon completion shall be registered by the Council as such

IN WITNESS whereof the Council the Wherry the Developer and the County have affixed their respective Common Seals to this document

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

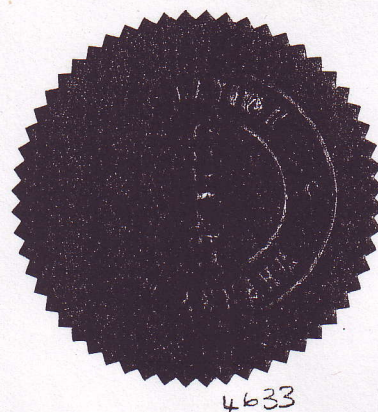


Reg Mores
Head of Corporate Services and Monitoring Officer

THE COMMON SEAL of)
WHERRY HOUSING ASSOCIATION LIMITED)
was hereunto affixed in the presence of)

Director *J. Walters*

Secretary *A. J. Finney*

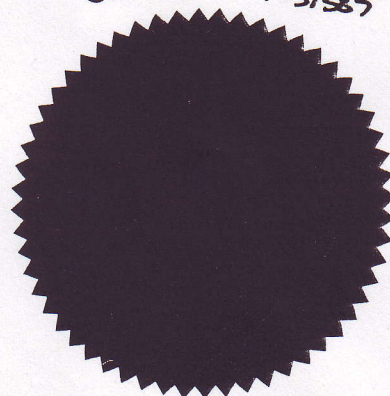


THE COMMON SEAL of)
GEORGE WIMPEY UK LIMITED)
was hereunto affixed in the presence of)

Director *[Signature]*

Secretary *[Signature]*
Michael Hayes

GW UK 1502/03/587



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

Keir Munn
Head of Law
Authorised Signatory

