

DATED 16th April 2004

COPELAND BOROUGH COUNCIL

-AND-

BRIAN LE VOI

Duplicate
S106 AGREEMENT

Relating to

Holm Forge, Beckermat, Cumbria

THIS AGREEMENT is made as a Deed the *Sixteenth* day of *April* 2004
BETWEEN COPELAND BOROUGH COUNCIL of The Council Offices,
Catherine Street, Whitehaven, Cumbria (hereinafter called "the Council") of the one
part and BRIAN LE VOI of Holm Forge, Beckermeth, Cumbria (hereinafter called
"the Owner") of the other part

WHEREAS

1. The Council is a Local Planning Authority for the purpose of the Town and Country Planning Act 1990 for the area within which the property described in the First Schedule hereto is situated (hereinafter called "the Property") which Property is shown edged red on the plan attached hereto (hereinafter called "the Plan")
2. The Owner has by an application registered on the 15th October 2003 applied to the Council for planning permission to develop the property in accordance with the plans specifications and particulars deposited with the Council and set out in the Second Schedule hereto (hereinafter called "the Development")
3. The Council is satisfied that the Development is such as may be approved subject to conditions and the provisions of this Agreement

NOW THIS DEED WITNESSETH

1. This Agreement is made as a planning obligation in pursuance of Section 106 of the Town and Country Planning Act.1990 (as amended) and in consideration of the covenants by the Owner hereinafter contained
2. The Council hereby approves the Development and grants planning permission in accordance with the Grant of Planning Permission ("the Grant") annexed hereto but subject to the conditions set out in the Grant
3. The Owner hereby covenants with the Council that the Property shall be subject to the restrictions and provisions specified in the Third Schedule hereto

IN WITNESS whereof the Common Seal of the Council has hereunto been affixed
and the Owner has hereunto set her hand the day and year first before written

THE COMMON SEAL OF COPELAND

BOROUGH COUNCIL was hereunto
affixed in the presence of:

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9
8
9

CHIEF LEGAL OFFICER

SIGNED AND DELIVERED
AS A DEED by the said
BRIAN LE VOI in the presence of:

RA Campbell
The Woot
Karting
Barnard Castle
DL2 9BP

4. The Owner hereby covenants to carry out the Development in strict conformity with the said plans specifications and particulars (save for such minor modifications and variations thereof as shall be approved by the Council in writing)
5. The expressions "the Council" and "the Owner" shall include their respective successors in title and assigns
6. The parties hereto intend this Agreement to take effect as a Deed

FIRST SCHEDULE

All that piece or parcel of land being situate and known as Holm Forge, Beckermat, Cumbria as shown edged red on the attached plan hereto

SECOND SCHEDULE

The conversion of a derelict forge located on the garden of Holm Forge House into a holiday letting unit on land shown edged red on the attached plan

THIRD SCHEDULE

That the holiday letting unit shall not: -

- (a) be occupied for any purpose other than for holiday accommodation purposes ancillary to the property known as Holm Forge and
- (b) be sold or let separately from Holm Forge

4/03/1316/0F1

COPELAND BOROUGH COUNCIL

15 OCT 2003

RECEIVED

Beckermat

CHIEF LEGAL OFFICER

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Scale: 1:2,500

Date: 23/6/2000

