

DATED 19th September 2014

COPELAND BOROUGH COUNCIL

-AND-

ERNEST HOLMES

S106 AGREEMENT

Relating to

Land adjacent to Beck Brow, Wilton, Egremont, Cumbria

THIS AGREEMENT is made as a Deed the 19th day of September 2014

BETWEEN COPELAND BOROUGH COUNCIL of The Copeland Centre, Catherine Street, Whitehaven, Cumbria, CA28 7SJ (hereinafter called "the Council") of the one part and **ERNEST HOLMES** of Beck Brow, Wilton, Egremont, Cumbria (hereinafter called "the Applicant") 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 Applicants have by an application registered on the 13th February 2014 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 Applicant 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 Applicants hereby covenant with the Council that the Property shall be subject to the restrictions and provisions specified in the Third Schedule hereto
4. The Applicants hereby covenant to carry out the Development in strict conformity with the said plans specifications and particulars (save for such minor modifications and variations hereof as shall be approved by the Council in writing)

5. The expressions "the Council" and "the Applicants" 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 adjacent to Beck Brow, Wilton, Egremont, Cumbria and which is shown edged red on the Plan attached hereto

SECOND SCHEDULE

The erection of a dwelling on the land described in the First Schedule

THIRD SCHEDULE

That the dwelling to be erected on the land shown edged red on the attached plan shall not be occupied by any other person other than a qualifying local person living with him or her and the widow or widower of such a person. A qualifying local person is defined as a person who has either

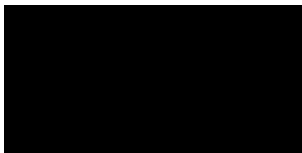
- (i) been resident within the parishes of Wilton and Haile, Ponsonby, Lowside Quarter, Egremont, Beckermest with Thornhill, Cleator Moor for not less than five years
- (ii) strong connections with the locality through previous residency or a close family association

IN WITNESS whereof the Common Seal of the Council has hereunto been affixed and the Applicants have hereunto set their hands the day and year first before written

THE COMMON SEAL OF COPELAND

BOROUGH COUNCIL was hereunto

affixed in the presence of:



LEGAL SERVICES MANAGER



SIGNED AND DELIVERED

AS A DEED by the said

ERNEST HOLMES in the

Presence of:

WITNESS SIGNATURE



ADDRESS:

LONG VIEW

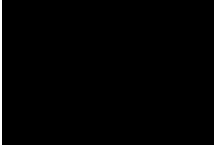
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EGREMONT

CA22 2PJ



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LEADS SERVICES
MANAGER

