

10/0274

DATED 16th July 2010

Ribble Valley Borough Council
and
George Wimpey City 2 Limited

(1)

(2)

DEED OF VARIATION

**Pursuant to a Deed dated 17 March 2010 under Section 106 of
the Town and County Planning Act 1990 (as amended)
relating to land situate at Calderstones Hospital, Mitton Road, Whalley.**

DEED OF VARIATION made the 16th day of July 2010

1. Particulars

- 1.1 The Landowner** George Wimpey City 2 Limited
(Company No. 718742) whose
registered office is at 80 New Bond
Street, London, W1S 1SB
- 1.2 The Council** Ribble Valley Borough Council of
Council Offices, Church Walk, Clitheroe,
Lancashire, BB7 2RA
- 1.3 The Section 106 Agreement** A Section 106 Agreement dated 17
March 2010 made by the Council (1)
and the Landowner (2)
- 1.4 The Land** That land which is now registered at HM
Land Registry with freehold absolute title
under Title Number LA864367
- 1.5 The Initial Permission** The Planning Permission dated 19
March 2010 numbered 3/2008/0826

2. Definitions and Interpretation

In this Deed:

- 2.1** The words and expressions in clause 1 shall have the meanings specified
- 2.2** Unless the context otherwise requires the terms and expressions used shall
have the meanings prescribed by the Section 106 Agreement
- 3. Background**
- 3.1** This Deed is supplemental to the Section 106 Agreement
- 3.2** The Landowner remains the owner of the Land and the Council remains the
local planning authority for the area in which the Land is situated.
- 3.3** The landowner has made an application to vary conditions attached to the
Initial Permission and the parties agree that the Section 106 Agreement shall
be amended to refer to the additional planning permission that will be granted
as a result of such application.
- 3.4** This Deed is made pursuant to the provisions of Section 106 of the Town and
Country Planning Act 1990 (as amended) and the obligations in this Deed are
planning obligations enforceable by the Council.

4. Variation

The Landowner and the Council agree that the Section 106 Agreement is varied as follows and shall henceforth take effect and be read and construed as if it relates to both the Initial Permission and the planning permission to be granted pursuant to application number 3/2010/0274

5. Registration

The Council shall register this Deed in its register of Local Land Charges.

6. Confirmation of the Section 106 Agreement

Save as set out in this Deed the parties affirm the provisions of the Section 106 Agreement.

7. Contracts (Rights of Third Parties) Act 1999

Unless expressly stated nothing in this Agreement will create any rights in favour of any person pursuant to the Contracts (Rights of Third Parties) Act 1999

IN WITNESS whereof the parties hereto have executed this Deed the day and year above written

**EXECUTED as a DEED by
RIBBLE VALLEY BOROUGH
COUNCIL by the affixing
of its Common Seal in the
presence of:-**

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)
)
)
)

Mayor

Chief Executive



EXECUTED as a DEED
GEORGE WIMPEY CITY 2
LIMITED in the presence of:-

)
)
)

Director

Director/~~Secretary/Authorised Signatory~~