

DATED 26th March 1993

RIBBLE VALLEY BOROUGH COUNCIL

- and -



A G R E E M E N T

Under Section 106 Town and Country Planning Act 1990

relating to property known as

Barn at Clough Farm Slaidburn

_____ Clitheroe Lancashire _____

P F TIMSON LLB

Chief Legal Officer

Ribble Valley Borough Council

CLITHEROE

THIS AGREEMENT is made the ^{twentieth} ~~twenty~~ day of March

One thousand nine hundred and ninety ^{two} ~~two~~ BETWEEN RIBBLE VALLEY

BOROUGH COUNCIL of Council Offices Church Walk Clitheroe Lancashire
(hereinafter called "the Council") of the one part and [REDACTED]

[REDACTED] and [REDACTED] both of Clough Farm
Cutlow Road Slaidburn Clitheroe Lancashire (hereinafter called "the Owners") of
the other part _____

WHEREAS:—

(1) The Council is the local planning authority for the purposes of the Town and
Country Planning Act 1990 for the area within which certain land and property
known as Clough Farm Slaidburn Clitheroe Lancashire shown edged red on the
plan attached hereto is situated _____

(2) The Owners are seised of the fee simple in possession of the said land and
property _____

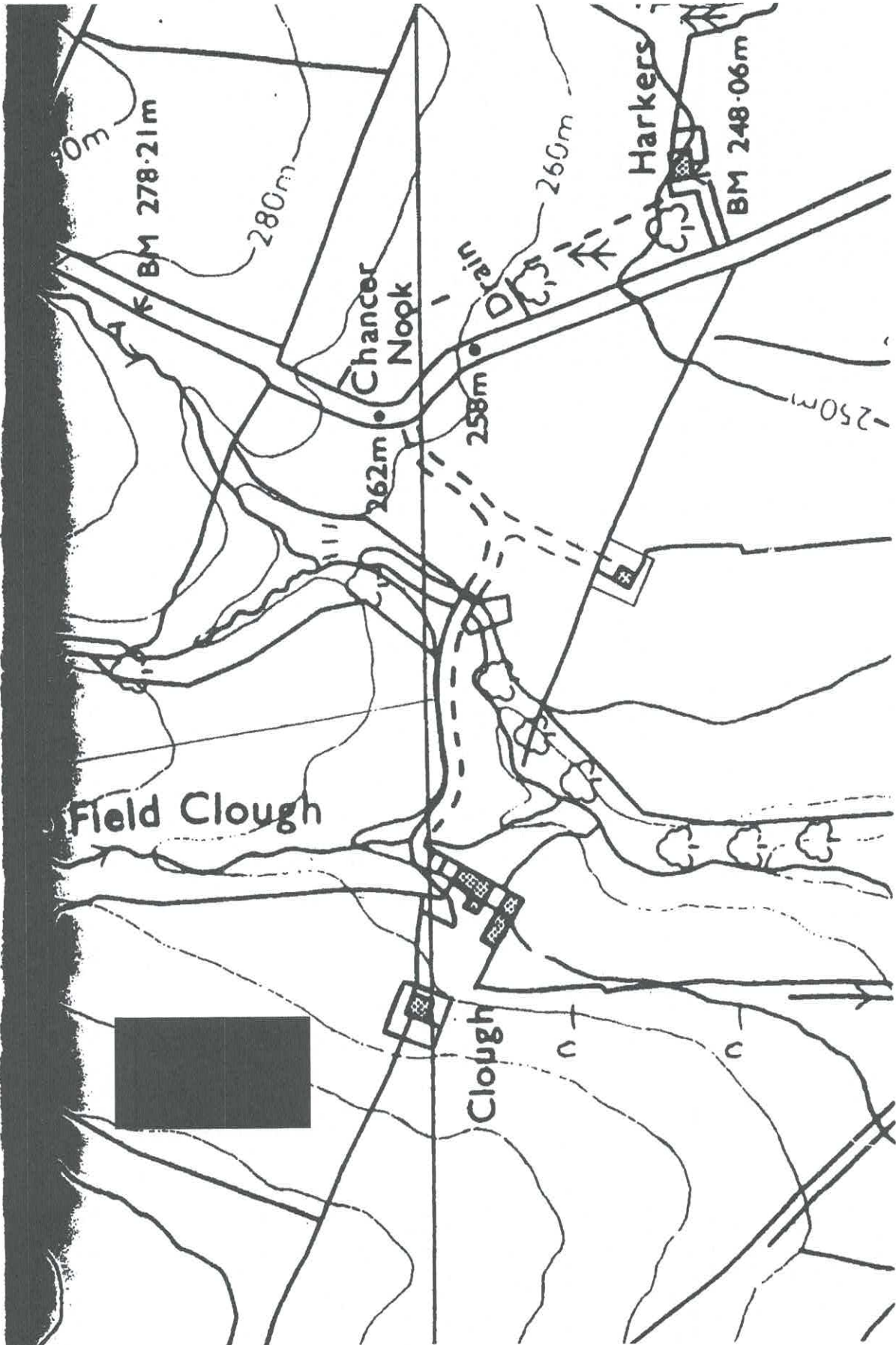
(3) The Owners have by written application dated the Twenty ninth day of
October One thousand nine hundred and ninety one applied to the Council for
permission to develop the said land and property by the conversion of a
redundant barn to form holiday flats as detailed in the plans and particulars
deposited with the Council _____

(4) The Council is satisfied that the development disclosed by the said particulars
is such as may be approved by the Council under the said Act _____

NOW THIS DEED WITNESSETH as follows:—

1. THIS Agreement is made in pursuance of Section 106 of the Town and
Country Planning Act 1990 _____

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2. IN consideration of the Council hereby approving the said development for the purposes of the said Act the Owners hereby covenant with the Council as set out in the Schedule hereto _____

3. THE expressions "the Council" and "the Owners" shall include their respective successors in title and assigns _____

IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and the Owners have signed as a deed the day and year first before written _____

THE SCHEDULE

1. The Owners hereby covenant with the Council that the said property shall be permanently subject to the restrictions regulating the development thereof as hereafter contained and the purport and intent of such covenants shall be endorsed by way of Memorandum on the Owners title deeds relating to the said property _____

2. The said restriction referred to in the preceding clause is as follows: —

Not to allow the holiday flats the subject of the development

(i) _____ to be occupied as permanent residential dwellings or to be occupied other than as holiday accommodation _____

(ii) _____ to be occupied for more than twenty eight days by any one person or group of persons _____

3. The Council hereby covenants with the Owners that if planning permission should at any time hereafter be granted for development of the said property in such a way as to be incompatible with the restrictions contained herein the Owners will be released from such restrictions _____

THE COMMON SEAL of RIBBLE)

VALLEY BOROUGH COUNCIL)

was hereunto affixed in the presence)

of: —)

[REDACTED]

Mayor

Chief Executive

SIGNED AS A DEED by [REDACTED])

[REDACTED] in the)

presence of: —)

[REDACTED]

[REDACTED]

SIGNED AS A DEED by [REDACTED])

[REDACTED] in the)

[REDACTED]

[REDACTED]

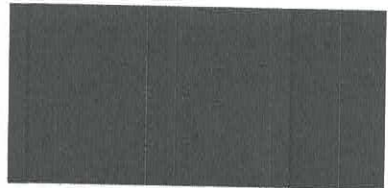
JM 89/11

MEMO

To: DIRECTOR OF DEVELOPMENT
From: IAN POTTER **Ext: 2013**
Copy to:
Your Ref: **Our Ref: IP/MM/4.2.13**
Date: 5 November 1992 3/91/0710
Subject: SECTION 106 AGREEMENT - CONVERSION OF REDUNDANT BARN TO HOLIDAY FLATS AT CLOUGH FARM SLAIDBURN

I enclose herewith a copy of a letter received from [redacted] solicitor of Clitheroe and would be grateful for your observations thereon.

For my part I do not see any problem with the suggested amendment.
I await to hear from you.



DIRECTOR OF DEVELOPMENT

JM

My ref: ML/Thompson

2 November 1992

Your ref: IP/CNB/4.2.13

THE EXECUTIVE AND DIRECTORS
OF CORPORATE SERVICES

3 - NOV 1992

RECEIVED
ATTENTION OF

Solicitor
Ribble Valley Borough Council
Church Walk
CLITHEROE
BB7 2RA

Dear Sir

Mr and Mrs J Thompson - Barn at Clough Farm Slaidburn

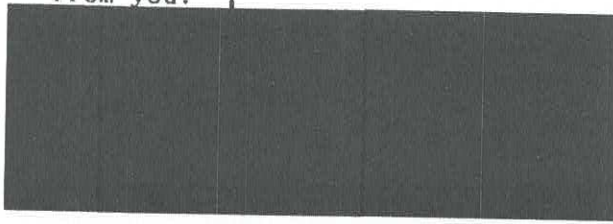
I act for my above named clients in connection with a proposed Section 106 agreement with yourselves concerning the above property.

As my clients mentioned that they might want to use the property as accommodation for one or more of their children in years to come, I suggested to their Surveyor, Mr Honeywell, that the agreement could be amended accordingly.

He tells me that you have agreed in principle, and I would therefore suggest that an additional clause be added to the Schedule to the draft agreement on the following lines:

3. The Council hereby covenants with the Owners that if planning permission should at any time hereafter be granted for development of the said property in such a way as to be incompatible with the restrictions contained herein the Owners will be released from such restrictions.

I trust this will prove acceptable, and look forward to hearing from you.



MEMO

To: CHIEF LEGAL OFFICER

**From: DIRECTOR OF DEVELOPMENT
JOHN MACHOLC**

Ext: 5022

Copy to: IAN POTTER

Your Ref: IP/MM4213

**Our Ref:
JM/CMB/3/91/0710**

Date: 13 NOVEMBER 1992

**Subject: HOLIDAY FLAT ACCOMMODATION AT
CLOUGH FARM, SLAIDBURN**

Thank you for your memo and copy letter received by my department on the 10 November 1992. Although, in this instance, I do not object to the additional clause, I would be grateful if you would advise the applicant's solicitor that planning permission will be required should they decide to use the building for permanent residential accommodation. For your information, the reason I do not object is that the barn itself would now meet the requirements relating to the conversion of redundant buildings for residential purposes.

I look forward to receiving a copy of the draft Section 106 Agreement for my perusal.

