

DATED

15th January

2013

Ribble Valley Borough Council	(1)
and	
Barclays Bank Plc	(2)
and	
Shireburne Park Limited	(3)

DEED OF VARIATION

Pursuant to a Deed dated 13 November 2006 under Section 106 of the Town and County Planning Act 1990 (as amended) relating to land situate at Shireburne Caravan Park, Edisford Road, Waddington, Clitheroe, Lancashire

DEED OF VARIATION made the 15th day of January 2013

1. Particulars

- 1.1 **The Council** Ribble Valley Borough Council of Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA
- 1.2 **The Mortgagees** Barclays Bank Plc (Company No. 1026167) whose registered office is at Barclays Loan Servicing Centre, PO Box 299, Birmingham B1 3PF
- 1.3 **The Landowners** Shireburne Park Limited (Company No. 02085031) whose registered office is at Three Rivers Country Park, Eaves Hall Lane, West Bradford, Clitheroe, Lancashire, BB7 3JG
- 1.4 **The Section 106 Agreement** A Section 106 Agreement dated 13 November 2006 made by the Council (1) and the Mortgagees (2) and the Landowners (3) of the Property
- 1.5 **The Land** That land which is registered at HM Land Registry with freehold absolute title under Title Number LA916514 and part unregistered
- 1.6 **The Initial Permission** The Planning Permission dated 15 November 2006 numbered 3/2004/0806P

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 Landowners remain the owners of the Land and the Mortgagees remain the Mortgagees over 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 for full planning consent in addition to the Initial Permission granted as a full planning consent 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 Mortgagees 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 3/2012/0455

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

SCHEDULE

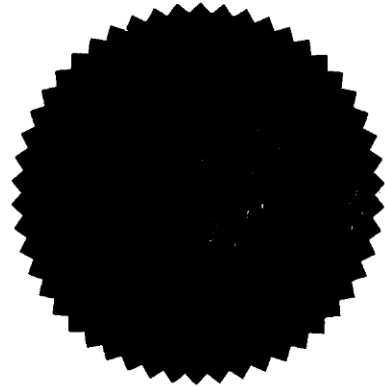
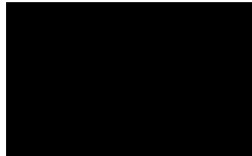
1. Clauses 2 (iv) and (v) in the Schedule to the Section 106 Agreement shall be deleted and new Clause 2 (v) shall be substituted as follows:

2 (v) the Owners covenant with the Council that they shall maintain an up to date register of the names of all owners / occupiers of individual caravan units on the site, and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority

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:-)

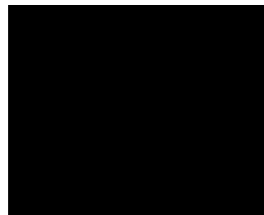
Mayor



Chief Executive



EXECUTED AND DELIVERED as a DEED by)
BARCLAYS BANK PLC acting by an)
Attorney of the Bank)



EXECUTED as a DEED by
SHIREBURNE PARK LIMITED
Acting by two Directors:-

)
)
)



Director



Director/Secretary/Authorised Signatory