

DATED

7th February

2012

SOUTH KESTEVEN DISTRICT COUNCIL (1)

and

JELSON LIMITED

**DEED OF VARIATION UNDER SECTION 106
OF THE TOWN AND COUNTRY PLANNING ACT 1990**

**relating to residential
development off Londonthorpe Lane
Grantham Lincolnshire**

THIS DEED OF VARIATION is made the 7th day of February 2012

BETWEEN:

- (1) **SOUTH KESTEVEN DISTRICT COUNCIL** of Council Offices St Peter's Hill Grantham Lincolnshire NG31 6PZ ("the Council")
- (2) **JELSON LIMITED** (Company Registration Number 571641) of 370 Loughborough Road, Leicester LE4 5PR ("the Owner")

WHEREAS

- (1) This Deed is intended to be supplemental to a Deed dated 15th June 2001 and made under Section 106 of the Town and Country Planning Act 1990 between South Kesteven District Council (1) and Jelson Limited (2) ("the Original Deed")
- (2) The Council is the local planning authority
- (3) The Owner is the registered proprietor title number LL182040 of the Land (as defined in the Original Deed) save for the individual dwellings which have been constructed thereon and disposed of
- (4) The Council and the Owner have agreed to vary the Original Deed to vary the obligations relating to the provision of a financial contribution for onsite play equipment on the Land and to include instead the provision of a contribution for offsite play equipment on the land edged blue on the plan annexed to this Deed

NOW THIS DEED WITNESSETH as follows:

1. This Deed is supplemental to the Original Deed and is made pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended)
2. The expressions in this Deed shall have the meaning ascribed to them in the Original Deed and the terms and conditions of the Original Deed shall remain in full force and effect except as varied by this Deed
3. The parties agree to vary the Original Deed as follows:

3.1 By the deletion of paragraph 1 of Part IV of the Third Schedule

3.2 By the insertion of a new clause as paragraph 1 of Part IV of the Third Schedule to read as follows:-

* B) RST

The Owners covenant to pay to the Council the sum of £15,010⁵ as a contribution to off site play equipment on the land shown edged blue on the plan annexed hereto

4. Reference to the land edged blue in clause 3.2 of this Deed shall be the land edged blue on the plan annexed to this Deed

5. This Deed is a local land charge and shall be registered as such

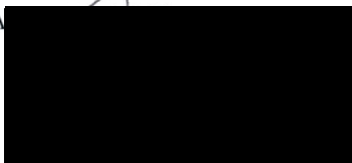
6. It is hereby acknowledged by the Council that the sum referred to in clause 3.2 of this Deed has been paid by the Owner to the Council

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

**THE COMMON SEAL of
SOUTH KESTEVEN
DISTRICT COUNCIL**

was affixed in the presence of:

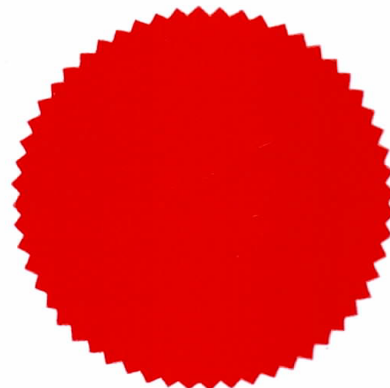
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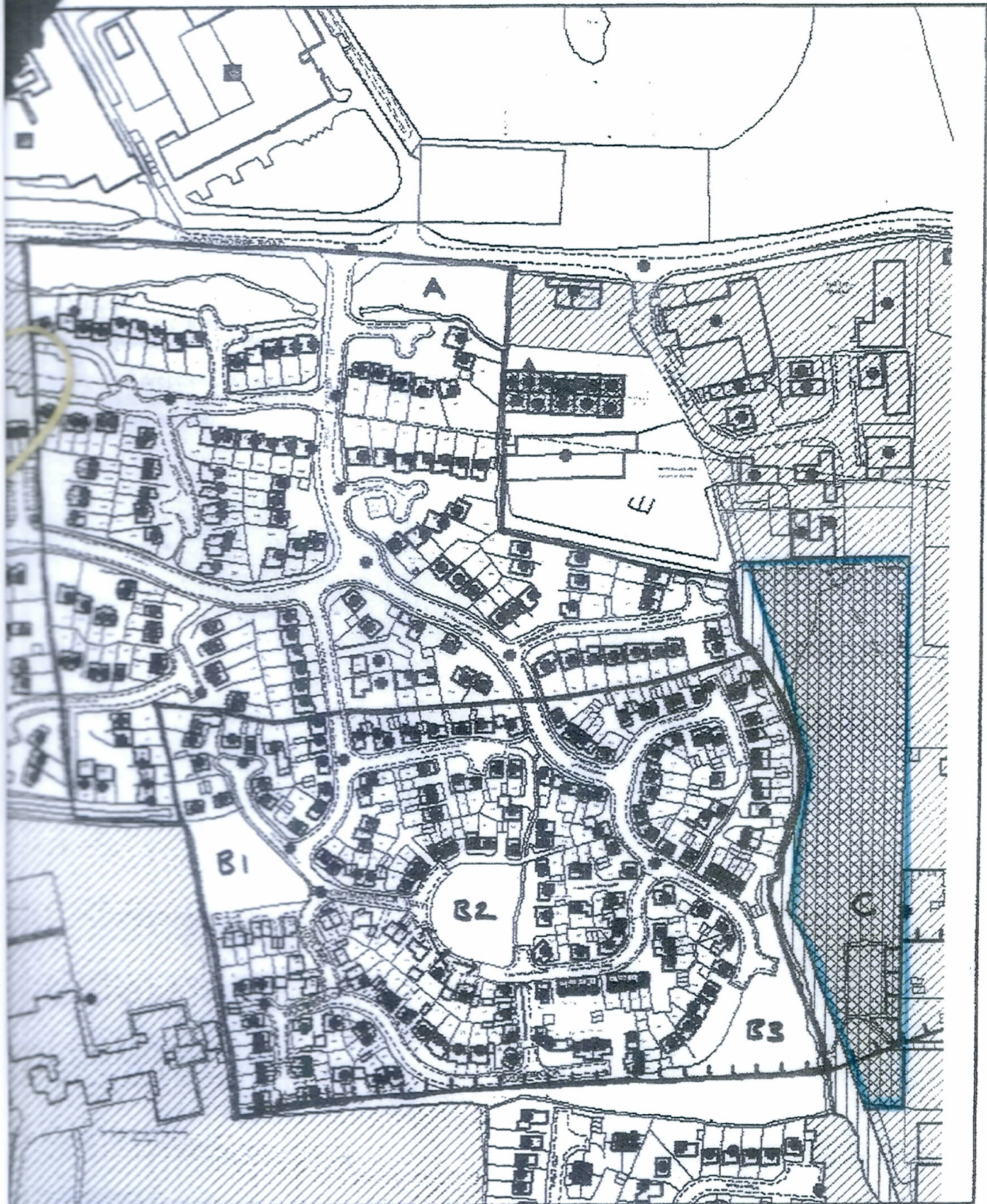


**THE COMMON SEAL of
JELSON LIMITED**

was hereunto affixed in the presence of:-

Authorised Officer





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