

DATED

29 NOVEMBER

2007

(1) RICHARD SANDOR FRISCHMANN and JUSTINE ELINOR FRISCHMANN

-and-

(2) THE ROYAL BANK OF SCOTLAND PLC

-and-

(3) CES (HIGH HOLBORN) LIMITED

-and-

**(4) THE MAYOR AND THE BURGESSES OF
THE LONDON BOROUGH OF CAMDEN**

DEED OF VARIATION

Relating to the Agreement dated 1 September 2003
Between (i) the Mayor and the Burgesses of the
London Borough of Camden
(ii) Richard Sandor Frischmann and Justine Elinor Frischmann and
(iii) The Royal Bank of Scotland PLC
under section 106 of the Town and
Country Planning Act 1990 (as amended) and Relating to development at premises known
as
294 AND 295 HIGH HOLBORN, LONDON WC2

Melanie Field
Head of Legal Services (Acting)
London Borough of Camden
Town Hall, Judd Street
London
WC1H 9LP

Tel: 020 7974 6464
Fax: 020 7974 2962
S:plan/kvr/Deeds/High Holborn – Deed of Variation (no.2)
CLS/COM/KVR/1431.

THIS AGREEMENT is made the 29 day of NOVEMBER 2007

BETWEEN:

1. **RICHARD SANDOR FRISCHMANN** and **JUSTINE ELINOR FRISCHMANN** both of 4 Manchester Square London W1A 1AU (hereinafter called "the Owner") of the first part
2. **THE ROYAL BANK OF SCOTLAND PLC** (Co. Regn. No.SC090312) of 24 Grosvenor Place, London SW1X 7HP (hereinafter referred to as the Mortgagee") of the second part
3. **CES (HIGH HOLBORN) LIMITED** (Co. Regn. No. 06058523) whose registered office is at 4 Manchester Square London W1A 1AU (hereinafter referred to as the Lessee") of the third part
4. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall Judd Street London WC1H 9LP (hereinafter called "the Council") of the fourth part

WHEREAS:

- 1.1 The Council the Owner and Mortgagee entered into an Agreement dated 1 September 2003 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
- 1.2 The Owner is the freehold owner of and is interested in the Property for the purposes of Section 106 of the Act
- 1.3 The Owner granted a leasehold interest in the Property to the Lessee by way of a lease dated 1 June 2007 and the Lessee is the registered at HM Land Registry as the leasehold proprietor of the Property with Title Absolute under title number NGL883714
- 1.4 The Council is the local planning authority for the purposes of the Act and considers it expedient in the interests of the proper planning of its area that the Development of the Property should be restricted or regulated in accordance with this Agreement.

- a. "Agreement" this Deed of Variation
- b. "the Amended Planning Permission (No.1)" the planning permission dated 21 May 2007 (ref: 2006/5250/P), being a revision of the Original Planning Permission for redevelopment to provide basement, ground and 8 upper storeys with mixed retail and professional services at ground floor and basement, and offices on the upper floors), by the inclusion of windows at side east elevation and the introduction of a setback on the east elevation at 1st-8th floor levels as shown on drawing numbers: Site Location Plan; Proposed amended plans 1065-PL-01B; 02B; 03B; 04B; 05A; 06A; 07B; 08B; 12B; Existing Plans PL 16; 17; 18; 19; 20; 21; Consented Drawings 1065-PL-01; 02; 03; 04; 05; 06; 7; 8; 9; 11; 12 Covering letter dated 05 January 2007; Floorspace schedule; Design and Access Statement
- c. "Existing Agreement" the Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) dated 1 September 2003 made between the Council Richard Sandor Frischmann and Justine Elinor Frischmann and The Royal Bank of Scotland PLC
- d. the First Deed of Variation" the Deed of Variation dated 21 May 2007 made between the Council Richard Sandor Frischmann and Justine Elinor Frischmann and The Royal Bank of Scotland Plc to vary the Existing Agreement

3. VARIATION TO THE EXISTING AGREEMENT

3.1 The following definitions contained in the Existing Agreement as varied by the First Deed of Variation shall be varied as follows:

"Development"

Amendment to planning permission dated 01.09.03 (ref. PSX0304010 for redevelopment to provide basement, ground and 8 upper storeys with mixed retail and professional services at ground floor and basement, and offices on the upper floors), to change the basement level into ~~mixed retail~~ ~~plant~~ office space as shown on drawings: Site Location Plan DP9/3; Drawing Schedule DP9/1; 2; 1065-PL-01; 01-A; 01-B; 16; Set of Existing Drawings at A2 Scale; Consented Drawings at A2 Scale; Covering Letter

plant for

"Planning Permission"

the planning permission under reference number 2007/3660/P to be issued by the Council in the form of the draft annexed hereto

"Planning Application"


the application for Planning Permission in respect of the Property submitted to the Council and validated on 23 July 2007 for which a resolution to grant permission has been passed conditionally under reference number 2007/3660/P subject to conclusion of this Agreement

3.2 In all other respects the Existing Agreement (as varied by the First Deed of Variation) (as varied by this Agreement) shall continue in full force and effect.


Theresa A. [Signature]

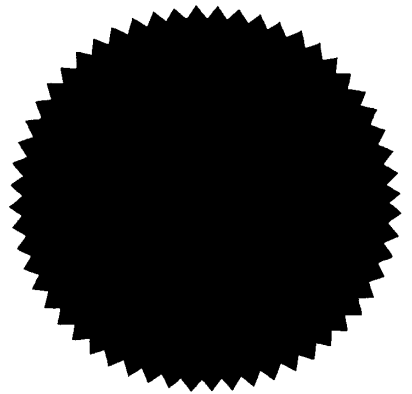
Flickers
witness.

Director


.....
Director/Secretary

BOROUGH OF CAMDEN
was hereunto affixed by Order:-


.....
Duly Authorised Officer



DP9
100 Pall Mall
LONDON
SW1Y 5NQ

Application Ref: **2007/3660/P**

05 October 2007

Déar Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Acts 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
294-295 High Holborn
London
WC1V 7JG

Plan for
Proposal:

Amendment to planning permission dated 01/09/06 (ref: PSX0304010) for redevelopment to provide basement, ground and 8 upper storeys with mixed retail and professional services at ground floor and basement, and offices on the upper floors), to change the basement level into mixed retail/office space.

Drawing Nos: Site Location Plan DP9/3; Drawing Schedule DP9/1; 2; 1065-PL-01; 01-A; 01-B; 16; Set of Existing Drawings at A2 Scale; Consented Drawings at A2 Scale; Covering Letter

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

Informative(s):

- 1 You are reminded that all conditions and informatives applied to planning permission PSX0304010, apply to amendments to that scheme hereby approved.
- 2 Reasons for granting permission

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies E2, R7 and SD6. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

Yours faithfully

Culture and Environment Directorate

DECISION