

DATED

1993

WEST HAMPSTEAD HOUSING ASSOCIATION

and

ODA DUA HOUSING ASSOCIATION LIMITED

and

PATCHWORK COMMUNITY LIMITED

and

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF CAMDEN

A G R E E M E N T

Relating to land known as 2 - 28 Lithos Road

Ref: LEGAL/PLANNING/INPC

13 MAY 1993

THIS AGREEMENT is made the 11 day of May
One thousand nine hundred and ninety-three B E T W E E N
THE WEST HAMPSTEAD HOUSING ASSOCIATION of 2 Grangeway, London
NW6 2BW of the first part and ODA-DUA HOUSING ASSOCIATION
LIMITED of 53A Leverton Street London NW5 2NX of the second
part and PATCHWORK COMMUNITY LIMITED of 7-7A Willoughby Road
London N8 0HR of the third part (hereinafter collectively
called "the Owner") and THE MAYOR AND BURGESSES OF THE LONDON
BOROUGH OF CAMDEN of Town Hall Euston Road London NW1 2RU of
the fourth part (hereinafter called "the Council") of the
other part

WHEREAS

(1) The Owner is registered at H.M. Land Registry with
Title absolute under Title Numbers NGL265646, NGL292561,
NGL167278 (part only) as the freehold proprietor of the land
situate at 2-28 Lithos Road and adjoining land (hereinafter
called "the property") the boundaries whereof are delineated
for the purpose of identification only on the plan annexed
hereto and thereon edged red

(2) The Council is the local planning authority for the
purposes of the Town and Country Planning Act 1990 as amended
(hereinafter called "the Act")

(3) A planning application was submitted by the Owner to the Council on the 8th July and was given reference number PL/9200670 (hereinafter called "the Application") for planning permission for the erection of 14 houses, 6 maisonettes and 19 flats and associated parking and external works as shown on drawing numbers 92/125/1/5/, TP/01/8, 03/A, 04 and 05 and letter dated 15.09.92 (hereinafter called "the Development")

(4) The Council consider 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

(5) For that purpose the Owner is willing to enter into this Agreement pursuant to the provisions of Section 106 of the Act

(6) The Council has resolved to grant planning permission upon the Application subject to the conditions set out in the planning permission of even date herewith (hereinafter called "the Planning Permission") and subject to the covenants undertakings and restrictions herein contained

(7) Save for the provisions of Clauses 7 and 8 which shall come into effect on the date hereof the parties hereto intend that this Agreement shall come into effect upon the

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date (hereinafter called "the Implementation Date") of the implementation of the Development by the carrying out of a material operation in Section 56 of the Act

NOW THIS DEED WITNESSETH as follows:-

1. This Agreement is made in pursuance of Section 106 of the Act as substituted by the Planning and Compensation Act 1991 and is a planning obligation for the purposes of Section 106 aforesaid and shall be enforceable by the Council against the Owner and against any person deriving title to the Land from the Owner

2. It is hereby agreed between the parties hereto that save for the provisions of clauses 7 and 8 below which shall come into effect on the date hereof the covenants undertakings and obligations contained within this Agreement shall become binding upon the Owner forthwith upon the Implementation Date

3. The Owner hereby covenants with the Council that it will not make any claim for compensation in respect of any condition restriction provision or other matter mentioned in this Agreement or arising from the existence of this Agreement

4. This Agreement is without prejudice to and shall not be construed as derogating from any of the rights powers

and duties of the Council pursuant to any of its statutory function or in any other capacity

5. The provisions of Section 196 of the Law of Property Act 1925 (as amended) shall apply to any notice to be served under or in connection with this Agreement any notice to the Council to be in writing and addressed to the Chief Executive (Reference: LEGAL/PL/INPC) London Borough of Camden, Town Hall, Euston Road, London NW1 2RU and any notice to the Owner to be addressed to its registered office for the time being

6. It is hereby agreed and declared by the Owner and the Council that the Schedule hereto forms part of this Agreement and the Owner hereby agrees with the Council to observe and perform the provisions thereof

7. This Agreement shall be registered as a Local Land Charge

8. The Owner agrees to pay the Council its reasonable costs incurred in preparing this Agreement

IN WITNESS whereof the Parties hereto have caused their Common Seal to be affixed the day and year first above written

THE SCHEDULE

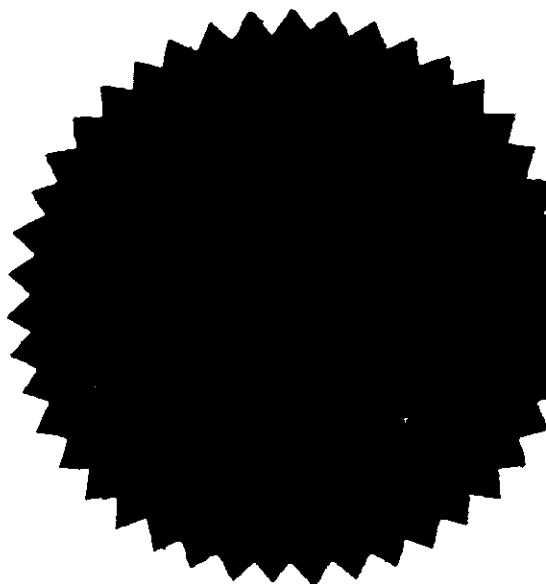
The Owner hereby covenants declares agrees and undertakes with the Council that it will:-

- (a) Ensure that the footpath adjoining the development in such position as shown coloured blue on attached plan or in such other position as it may be constructed is maintained to a reasonable standard consistent with a public right of way as reasonably specified by the Council's Chief Engineer until such time as it shall be adopted and thereafter maintained by the local highway authority if ever
- (b) Install by the date of completion of development and to the reasonable satisfaction of the Council's Chief Engineer lighting connected to a London Electricity Board supply with 24 hour access to the Council for the service of the said footpath

THE COMMON SEAL OF THE)
LONDON BOROUGH OF CAMDEN)
was hereunto affixed in)
the presence of:-)

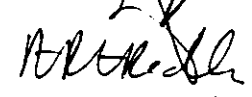
Acting

Liz Gatcha
Controller of Legal Services

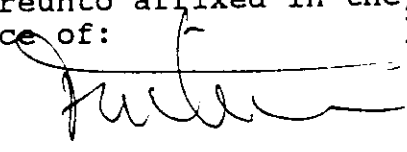


THE COMMON SEAL OF THE)
WEST HAMPSTEAD HOUSING)
ASSOCIATION was hereunto)
affixed in the presence of:)


Authorised Signatory

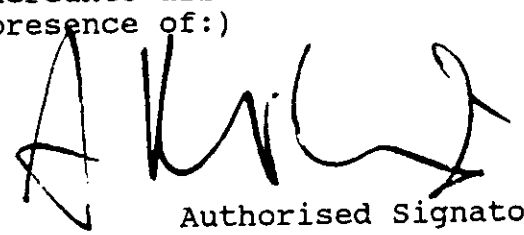

Authorised Signatory

THE COMMON SEAL OF ODA DUA)
HOUSING ASSOCIATION LIMITED)
was hereunto affixed in the)
presence of:)

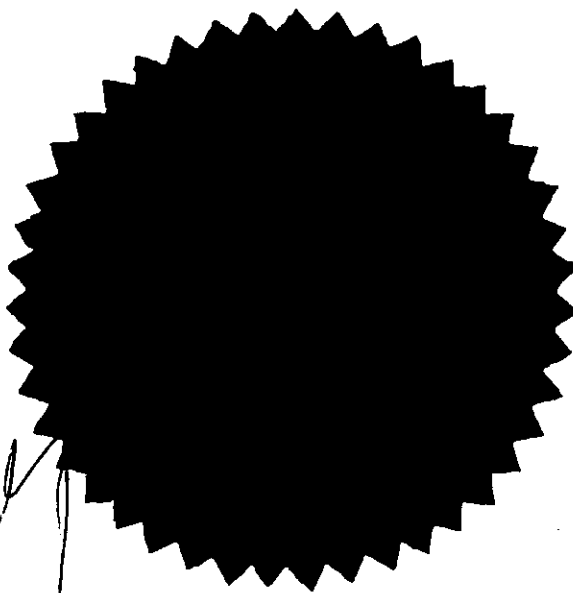
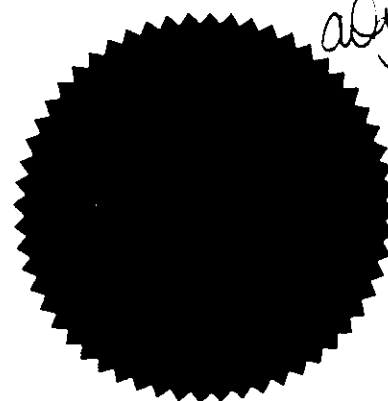
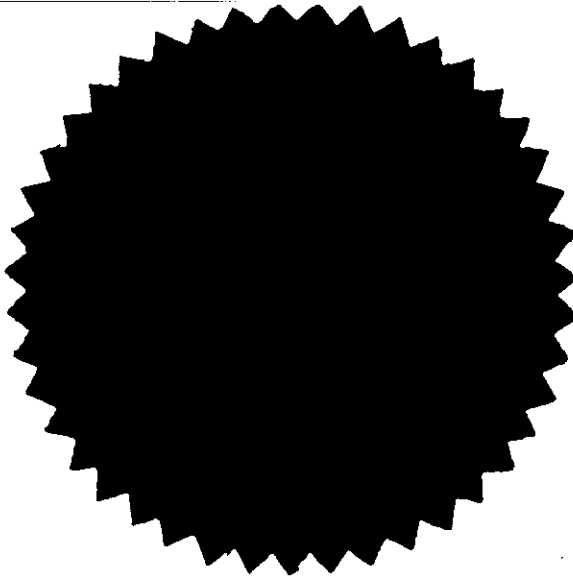

Authorised Signatory

Authorised Signatory

THE COMMON SEAL OF PATCHWORK)
COMMUNITY LIMITED was)
hereunto affixed in the)
presence of:)


Authorised Signatory


Authorised Signatory



DATED

1/11 May

1993

TOWN AND COUNTRY PLANNING ACT 19

WEST HAMPSTEAD HOUSING ASSOCIATION

and

ODA DUA HOUSING ASSOCIATION LIMITED

and

PATCHWORK COMMUNITY LIMITED

and

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF CAMDEN

A G R E E M E N T
regarding land at
2-28 Lithos Road

Lyn Meadows
Controller of Legal Services
Town Hall
Euston Road
LONDON
NW1 2RU
Ref: LEGAL/INPC/PL
Tel: 071 413 6927

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