

DATED 31 August 1983

MARK SCOTT CONSTRUCTIONS LIMITED

and

GEOFFREY PERFECT HOLDINGS LIMITED

and

CHILTERN DISTRICT COUNCIL

EIGHTH SUPPLEMENTAL DEED
relating to land at Manor Farm, Seer Green, Buckinghamshire

D G Sainsbury LL.B.
Chief Executive & Secretary
Chiltern District Council
Elmodesham House
42 High Street
Amersham
Buckinghamshire

REF : RHD/TP/10/115

THIS DEED OF VARIATION is made the thirty-first day of August One thousand nine hundred and eighty-three **BETWEEN MARK SCOTT CONSTRUCTIONS LIMITED** whose registered office is situate at 19 High Street, Chalfont St Giles in the County of Buckingham (hereinafter called the "Applicants") of the first part and **GEOFFREY PERFECT HOLDINGS LIMITED** whose registered office is situate at Church Road, Penn in the aforesaid County (hereinafter called the "Original Owners") of the second part and **CHILTERN DISTRICT COUNCIL** of Elmodesham House, 42 High Street, Amersham in the aforesaid County (hereinafter called the "Council") of the third part.

WHEREAS:

- 1) By a transfer dated the eighth day of December One thousand nine hundred and eighty-two between the Original Owners of the one part and the Applicants of the other part the Applicants purchased the land shown edged red on the plan attached hereto (plan number ES28116) (hereinafter called the "application land") being part of the land at Manor Farm, Seer Green in the aforesaid County.
- 2) The Original Owners remain seised in fee simple of the remaining land at Manor Farm, Seer Green aforesaid shown edged red on the plan annexed to a Deed of Undertaking made the twenty-first day of June One thousand nine hundred and seventy-three between the Original Owners who at that time prior to a change in name effected on the thirtieth day of July One thousand nine hundred and seventy-five were known as Frank Perfect & Sons Limited of the one part and the Rural District Council of Amersham of the other part (hereinafter called the "original undertaking").
- 3) The Council is the local planning authority within the meaning of the Town and Country Planning Act 1971 for the area within which the application land and the site is situate and is the statutory successor to the Rural District Council of Amersham by virtue of the Local Government Act 1972.
- 4) This Deed is the eighth in a series of deeds supplemental to the original undertaking made between the Original Owners of the one part and the Council of the other part and dated respectively the sixth day of April One thousand nine hundred and seventy-six; the eleventh day of January One thousand nine hundred and seventy-seven; the fifteenth day of September One thousand nine hundred and seventy-seven; the sixteenth day of July One thousand nine hundred and seventy-nine; the fifteenth day of November One thousand nine hundred and seventy-nine; the twenty-fifth day of June One thousand nine hundred and eighty and the twenty-ninth day of November One thousand nine hundred and eighty-two hereinafter referred to by reference to the respective numerical position in the order of execution and collectively referred to as the supplemental deeds.
- 5) The provisions of the original undertaking and the supplemental deeds will remain in full force and effect but are amended in part by these presents.
- 6) The Applicants have submitted an application dated the twentieth day of April One thousand nine hundred and eighty-three (hereinafter called the "first application") (reference number CH/781/83) for consent to be granted for the erection of ten three-bedroomed houses and the formation of a new accessway.

- 7) The Applicants have submitted a further application dated the third day of June One thousand nine hundred and eighty-three (hereinafter called the "second application") (reference number CH/1051/83) for consent for the erection of six old persons bungalows and the formation of a new carriageway and footway.
- 8) The Council acting as local planning authority has expressed its willingness to approve the first application and the second application and to grant planning permission in respect thereof subject to the covenants contained within this undertaking.
- 9) The Applicants have expressed their willingness to enter into this deed subject to and in accordance with section 52 of the Town and Country Planning Act 1971 with section 6 of the Buckinghamshire County Council Act 1971 and with section 126 of the Housing Act 1974 as amended by section 43 of the Local Government (Miscellaneous Provisions) Act 1976 and to provide the Council with an undertaking in accordance with the provisions of section 12 of the Buckinghamshire County Council Act 1957 in the terms hereinafter expressed in the manner set out by the said statutes.

NOW THIS DEED WITNESSETH as follows:

In pursuance of section 52 of the Town and Country Planning Act 1971 section 12 of the Buckinghamshire County Council Act 1957 section 6 of the Buckinghamshire County Council Act 1971 and section 126 of the Housing Act 1974 as amended by section 43 of the Local Government (Miscellaneous Provisions) Act 1976 the Applicants with the object and intent that this deed shall bind the site and be enforceable against the Applicants the Applicants' successors in title lessees tenants or any other person whomsoever into whose hands the site may come covenants in perpetuity with the Council as follows:

- 1a) The original undertaking and such supplemental deeds which relate to the application land aforesaid are hereby varied and shall henceforth have effect as if the layout and colouring on the plan attached hereto was substituted for the layout and colouring of those parts of the plans attached to the original undertaking and affected supplemental deeds which correspond with the area of the application land.
- b) Save as varied by the supplemental deeds including this present deed the provisions of the original undertaking shall remain in full force and effect and the Applicants and the Original Owners **HEREBY** renew the covenants therein given.
- 2) The Original Owners have agreed to join in this deed at the request of the Applicants and to be bound in the manner hereinafter appearing.
- 3) **IT IS HEREBY FURTHER AGREED AND DECLARED THAT** the covenants herein varied are subject to and expressed to be enforceable in the manner set out in section 6 of the Buckinghamshire County Council Act 1971 and section 126 of the Housing Act 1974 as amended by section 43 of the Local Government (Miscellaneous Provisions) Act 1976.

IN WITNESS whereof the Applicants and the Original Owners and the Council have hereunto affixed their respective Common Seals the day and year first before written.

THE COMMON SEAL of **MARK SCOTT CONSTRUCTIONS LIMITED** was hereunto affixed in the presence of:

DIRECTOR

SECRETARY

THE COMMON SEAL of **GEOFFREY PERFECT HOLDINGS LIMITED** was hereunto affixed in the presence of:

DIRECTOR

SECRETARY

THE COMMON SEAL of **CHILTERN DISTRICT COUNCIL** was hereunto affixed in the presence of:

CHAIRMAN

CHIEF EXECUTIVE