

Date 17<sup>th</sup> June 2014 2012

HERTFORDSHIRE COUNTY COUNCIL

-and-

WELWYN HATFIELD DISTRICT COUNCIL

- and -

GEORGE WIMPEY NORTH LONDON LIMITED

-----  
Deed of Variation relating to an Agreement  
made on 24 September 2003 pursuant to Section  
106 Town & Country Planning Act 1990 relating to  
Chequersfield, Welwyn Garden City Hertfordshire  
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KATHRYN PETTITT  
Chief Legal Officer  
County Hall  
Hertford  
SG13 8DE

REF: DU473

**HERTFORDSHIRE COUNTY COUNCIL**  
**DEED OF VARIATION**  
**FOR S106 AGREEMENT DATED 24 SEPTEMBER 2003**

Date: 17<sup>th</sup> June 2014 2012

**PARTIES:**

1. HERTFORDSHIRE COUNTY COUNCIL of County Hall Pegs Lane Hertford Hertfordshire SG13 8DE ("the County Council")
2. WELWYN HATFIELD BOROUGH COUNCIL of Council Offices, The Campus, Welwyn Garden City Hertfordshire AL8 6AE ("the Council")
3. GEORGE WIMPEY NORTH LONDON LIMITED (Co. Regn. No. 1160327) whose registered office is situated at Gate House, Turnpike Road, High Wycombe, Buckinghamshire HP12 3NR ("the Developer")

**WHEREAS**

- (A) This Deed is a variation of an agreement dated 24<sup>th</sup> September 2003 made pursuant to section 106 of the Town and Country Planning Act 1990 ("the Act") between (1) the Council (2) the County Council (3) Westminster Roman Catholic Diocese Trustee (4) Commission for the New Towns and (5) Butefine Limited ("the Original Agreement") in relation to land at Chequersfield Welwyn Garden City Hertfordshire as more particularly described in the Original Agreement and therein called "the Land".
- (B) The Original Agreement has been varied previously by a Deed of Variation dated 11<sup>th</sup> November 2005 between the parties of the Original Agreement and George Wimpey North London Limited ("the First Deed of Variation").

- (C) The Original Agreement provides amongst other things for certain highway works called in the Original Agreement "the Works" to be carried out before the occupation of any of the dwellings or dwelling units to be constructed as part of the development ("the Development") described in the Original Agreement.
- (D) The Developer is registered at HM Registry with title absolute under Title Number HD428200 of the land of which the variations of the planning obligations to which this Deed relates are enforceable against.
- (E) The parties have agreed to further vary the Original Agreement upon the terms and conditions set out below.

NOW THIS AGREEMENT WITNESSETH as follows:

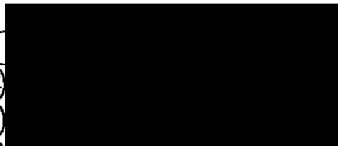
1. This Deed is entered into pursuant to Section 106A of the Act in that the parties to this Deed are either the parties who can enforce the planning obligations in the Original Agreement and/or the parties against whom the planning obligations in the Original Agreement are enforceable.
2. The parties hereby agree that the Original Agreement shall be varied as follows:
  - 1.1 Clause 4.3.4.1 and 4.3.4.2 of the Original Agreement shall be deleted.
  - 1.2 The following words of the Schedule of the Original Agreement shall be deleted:

*"1. a retaining wall and hand rail and steps on Chequers to connect with the footway/cycleway "*

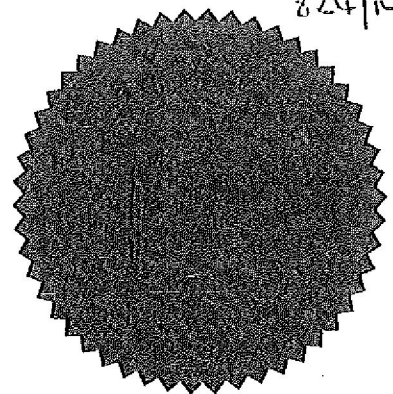
- 2 Except as varied herein all other terms and provisions of the Original Agreement and the First Deed of Variation shall remain in full force and effect
- 3 Except as separately defined in this Deed terms in this Deed shall have the same meaning as in the Original Agreement

IN WITNESS WHEREOF this Deed has been executed by the parties hereto as a Deed but not delivered the day and year first above written

The COMMON SEAL of  
HERTFORDSHIRE  
COUNTY COUNCIL  
was hereunto affixed in  
the presence of: -



GERALDINE NEWBOLD



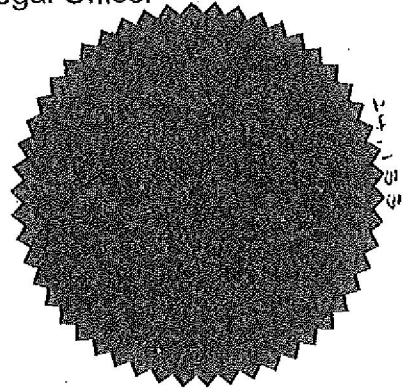
30.24/14

~~Assistant~~ Chief Legal Officer

The COMMON SEAL of  
WELWYN HATFIELD  
BOROUGH COUNCIL  
was hereunto affixed in  
the presence of: -



Authorised Officer



Authorised Signatory

Executed as a DEED )  
By GEORGE WIMPEY )  
NORTH LONDON LIMITED )  
)  
)

[REDACTED]  
Attorney LISA J. DUNCAN

[REDACTED]  
Attorney LEE DUNCAN

[REDACTED]  
Witnessed By:-

SILAN HIRANI  
% IMPERIAL PLACE 2  
MARWELL ROAD  
BOLEHAMWOOD  
Herts  
WD6 1SN