

DATED

10th February 2017

between

WILTSHIRE COUNCIL

and

DAVID LEONARD DEACON
MAURICE BAKER

and

REDROW HOMES LIMITED

Deed under Section 106 of the Town and Country Planning Act 1990
and all other enabling powers

relating to Land to West of St Andrews Road, Warminster, Wiltshire, BA12 8ES

Head of Legal Services
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire BA14 8JN
Ref: IKEN/111350

withheld) by the Service Head – Environment Services once he is satisfied that the Play Area has been laid out in accordance with the approved Landscape Plan and paragraphs 1-3 of Schedule 2 have been complied with;

"Practical Completion"

the issue of a certificate of practical completion by the Owner's architect or in the event that the Development is constructed by a party other than the Owner the issue of a certificate of practical completion by the other party's architect

"Primary School Education Contribution"

means the sum of £628,223 towards the cost expansion of Princecroft Primary School, Warminster by an additional 38 places

"Procedures"

means the Council's procedures for allocating Affordable Housing in accordance with the Allocations Policy which may be updated from time to time

"Preserved Right to Buy"

has the same meaning as in the Housing Act 1985

"Protected Tenant"

means any tenant who:
has exercised the right to acquire pursuant to the Housing Act 1996 or any statutory provision for the time being in force (or any equivalent contractual right) in respect of a particular Affordable Housing Unit;
has exercised any statutory right to buy

“Rent Charge”

means the perpetual yearly variable estate rent charge to be imposed on each Residential Unit to cover the annual costs of the Management Company complying with the obligations of the Management Scheme and the SUD Plan in accordance with Schedule 2 of this Deed

“Residential Units”

means all residential units forming part of the Development including Market Housing Units and Affordable Housing Units and ‘Residential Unit’ shall be construed accordingly

“RICS”

the Royal Institution of Chartered Surveyors

“Right to Acquire”

has the same meaning as in the Housing Act 1996

“Right to Buy”

has the same meaning as in the Housing Act 1985

“Sale Notice”

means a notice in the form set out in Schedule 1A provided that such Sale Notice shall only remain valid for a period of eighty (80) Working Days

“Secondary School Education Contribution”

means the sum of £848,133 towards the cost of the expansion of Kingdown School, Warminster by an additional 42 places including the partial funding of delivering a new secondary school facility on the West Warminster Urban

Extension site

"Service Head – Environment Services"

means the head of the service with responsibility for adoption of open spaces play areas and amenities or such replacement head of service as determined by the Council or his appointed representative for the time being of the Council;

"Shared Ownership Housing"

means the Intermediate Housing to be managed by a Transferee and to be disposed of in accordance with the Allocations Policy to a Qualifying Person on a lease which includes the HCA's Fundamental Clauses

"Shared Ownership Unit(s)"

means the Intermediate Housing Unit(s) that shall be used exclusively as Shared Ownership Housing

"Social Rented Housing"

means the housing owned and managed by a Transferee for which guideline target rents are determined through the National Rent Regime

"Specified Date"

the date upon which an obligation arising under this Deed is due to be performed or such other date as shall be agreed in writing with the Council as appropriate

"Standards"

means at least the minimum standards specified in the Design and Quality Standards published by the HCA or