IN WITNESS whereof the Owner has executed this Agreement as a Deed the day and year first before written

SIGNED as a DEED by [2])
)
)
)

signed in the presence of:

Witness Signature:.....
Occupation:.....

Address:.....

SIGNED as a DEED by [3])
)
)
)

signed in the presence of:

Witness Signature:.....
Occupation:.....

Address:.....

*Executed as a DEED by)
Affixing the COMMON SEAL of)
)
)
)

in the presence of:

Director

Director/Secretary

*Signed as a DEED by) DOUGLAS CONSTRUCTION LTD
)
)

acting by
a director and its secretary /

two Directors

Director

~~Director~~/Secretary

* Delete whichever does not apply
[2] Applicant should insert their full name and sign as indicated.
[3] Second Applicant (if appropriate) should insert their full name and sign as indicated

ENVIRONMENTAL MITIGATION SPECIAL PROTECTION AREA PAYMENT FORM/DEED

(FOR UP FRONT PAYMENT OF DEVELOPERS CONTRIBUTIONS BY CHEQUE/CASH*)

Dated: 14 August 2017 Full Name of Owner(s): Douglas Construction Ltd
Address of Owner(s):
Application Number: APP/17/00786 ('the Application')
Application Site Address Myrtle Villa, Manor Road, Hayling Island, PO11 0QX, ('the Land')
Name of Ward: Hayling West

The Special Protection Area Contribution: £181 calculated from a sum of £181 per dwelling
Administration fee: Twenty Pounds (£20)
Monitoring fee: £9 calculated from a fixed rate of £9 per dwelling
Total Payable ('the Sum'): two hundred and ten pounds only (£210)

'the Special Protection Area Contribution' being a contribution to be applied by the Council in respect of the Special Protection Area avoidance and mitigation measures delivered through the Solent Interim Planning Framework in accordance with Policy DM24 of the Havant Borough Local Plan (Allocations).

This Deed and undertaking is made by the above named Owner ('the Owner') and is given to Havant Borough Council of Public Service Plaza, Civic Centre Road, Havant PO9 2AX ('the Council')

WHEREAS
(1) The Owner is the owner/lessee/occupier/licensee/prospective purchaser* of the land comprised in the Application as shown edged red on the plans submitted with the Application ('the Land')
(2) The Council is the Local Planning Authority for the purpose of the Town and Country Planning Act 1990 ('the Act') for the area within which the Land is situated
(3) The Owner has applied to the Council for planning permission for the development specified in the Application
(4) The Land lies within the Havant Borough Council Local Plan (Core Strategy) area and within the Natural England Consultation Zone which requires that all new dwellings built therein must be assessed and make appropriate provision for the development's impact on the Special Protection Area
(5) Where developers do not or are unable to provide on site mitigation or appropriate off site mitigation provision they are required to make a payment to meet the cost of providing or improving warden provision to better manage and mitigate visitor pressure on the Special Protection Area
(6) This Deed is a Planning Obligation made pursuant to Section 106 of the Act and all other powers enabling the parties hereto

NOW THIS DEED WITNESSETH as follows:
1. The Owner hereby covenants to pay the Special Protection Area Contribution, plus the administration fee to the Council (the total of the contributions and the administration fee being referred to as 'the Sum') on or before the date of this Agreement
2. The Council shall pay the Contribution when received into a ring-fenced fund which shall be used exclusively to implement the proposals set out in the Strategy or any amendment or revision thereof
3. The Council shall refund the Sum to the Owner on written demand in the event that the Application is refused, after the period for an appeal to be lodged has expired
4. The Owner hereby acknowledges that the Special Protection Area Contribution and the administration and monitoring fees are lawfully due to the Council