

COMPLETION OF MITIGATION WORKS CERTIFICATE

Background

- (A) On 28th June 2021 Havant Borough Council as the local planning authority for its area (the Council) entered into the Original Agreement with Hayling Island Builders Limited (the Owner) And Bdw Trading Limited (the Developer) And RSPB.
- (B) The covenants in relation to the Wintering Bird Mitigation Area are set out in Schedule 7 of the Original Agreement (Schedule 7).
- (C) At Schedule 7 paragraph 2.1 the Owner and Developer covenants with the Council to carry out the Wintering Bird Mitigation Area Works.
- (D) At Schedule 7 paragraph 2.5 the Council covenants to issue a Completion of Mitigation Works Certificate to the Developer and Owner, once satisfied that the Wintering Bird Mitigation Areas Works have been completed in accordance with the Wintering Bird Mitigation Strategy.
- (E) The Council attended the Wintering Bird Mitigation Area on 26th May 2022 to inspect the Wintering Bird Mitigation Area Works.

1. Interpretation

The following definitions apply to this Completion of Mitigation Works Certificate:

“Completion of Mitigation Works Certificate”	means as defined in paragraph 1 of the Original Agreement
“Original Agreement”	means the Section 106 Agreement dated 28 June 2021 relating to land at Sinah Lane, Hayling Island between (1) The Council Of The Borough Of Havant (the Council) And (2) Hampshire County Council (the County Council) And (3) Hayling Island Builders Limited (the Owner) And (4) Bdw Trading Limited (the Developer) And (5) The Royal Society For The Protection Of Birds (RSPB)
“Wintering Bird Mitigation Area”	means as defined in paragraph 1 of the Original Agreement
“Wintering Bird Mitigation Strategy”	means as defined in paragraph 1 of the Original Agreement
“Wintering Bird Mitigation Area Works”	means as defined in paragraph 1 of the Original Agreement

Certification

2. The Council hereby certifies for the purposes of Schedule 7 paragraph 2.5 that it is satisfied that the Wintering Bird Mitigation Area Works have been completed in accordance with the Wintering Bird Mitigation Strategy.

Signed:

A solid black rectangular box used to redact the signature of the official.

For and on behalf of the Council

Dated: 01/06/2022

Officer name: Louise R Weaver

Job Title: Community Infrastructure Team Leader, Planning Services