

23rd September

THIS **UNILATERAL UNDERTAKING** is made by **DEED** on the [DAY] of [MONTH]
20[YY]
21

AND GIVEN BY

[P&N DEVELOPMENT & INVESTMENTS LTD] incorporated and registered in England and Wales with company number [09763935] whose registered office is at [WESTMINSTER HOUSE, 10 WESTMINSTER ROAD, CHESHIRE SK10 1BX] **Owner**

[JONATHAN HEATHER] of [75 MANOR ROAD SOUTH, HINCHLEY WOOD, ESHER, SURREY KT10 0QB] **Owner**

TO

The Council of the Borough of Havant of Public Service Plaza Civic Centre Road Havant PO9 2AX (**Council**)

BACKGROUND

- (A) The Council is the local planning authority for the purposes of the Act for the area in which the Land is situated.
- (B) The Owner owns the Land and has made the Planning Application and is proposing to carry out the Development.
- (C) The Owner gives this undertaking to perform the obligations set out in this deed |

AGREED TERMS

1. INTERPRETATION

The following definitions and rules of interpretation apply in this deed.

1.1 Definitions:

Act: the Town and Country Planning Act 1990.

Administration Fee: the sum of £46.

Commencement of Development: the date on which any material operation (as defined in section 56(4) of the Act) forming part of the Development is begun save that (for the purposes of this deed and for no other purpose) operations consisting of site clearance, demolition work, archaeological investigations, investigations for the purpose of assessing ground conditions, site survey works, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services and "Commence Development" and similar expressions shall be construed accordingly.

Nutrient Mitigation Contribution: the sum of £3,226.60 (inclusive of a 5% monitoring fee) as a contribution towards measures to mitigate the water quality impacts of the Development on the Solent European Sites.

SRMS Contribution: the sum of £3,032.40 (inclusive of a 5% monitoring fee) as a contribution towards measures to mitigate the impacts of the Development on the Solent Special Protection Areas in accordance with the Solent Recreation Mitigation Strategy dated 1 April 2018.

Development: the development of the Land described in the Planning Application.

Land: the freehold land at 9 East Street, Havant, PO9 1AA

Planning Application: an application for planning permission registered by the Council on 16/07/2021 under reference number APP/21/00827

Planning Permission: the planning permission granted/to be granted by the Council in respect of the Planning Application.

- 1.2 A **person** includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.3 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.4 A reference to any party shall include that party's personal representatives, successors and permitted assigns.
- 1.5 Unless the context otherwise requires, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 1.6 Unless the context otherwise requires, a reference to a statute or statutory provision shall include any subordinate legislation made from time to time under that statute or statutory provision.
- 1.7 References to clauses are to the clauses of this deed.
- 1.8 Where an obligation falls to be performed by more than one person, the obligation can be enforced against every person so bound jointly and against each of them individually.

(c) is quashed following a successful legal challenge

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

[FOR INDIVIDUALS]

Executed and delivered as a

deed by [INSERT NAME]

.....

in the presence of:

Witness signature

.....

Witness name

.....

Witness address

.....

.....

Witness occupation

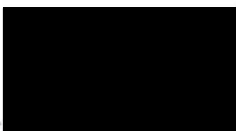
.....

[FOR COMPANIES OPTION 1]

Executed and delivered as a deed by
[P&N DEVELOPMENT & INVESTMENTS
LTD]

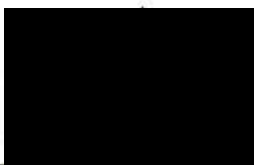
acting by two directors

[JONATHAN HEATHER]

.....


Director

[BRIAN PETER HEATHER]

.....


Director

[FOR COMPANIES OPTION 2]

Executed and delivered as a deed by
[INSERT COMPANY NAME] acting by
[INSERT DIRECTORS NAME], by a
director

.....

Director

in the presence of:

Witness signature

.....

Witness name

.....

Witness address

.....

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Witness occupation

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