

DATED 1 September 2015

DOVER DISTRICT COUNCIL (1)

-and-

DISCOVERY PARK LIMITED (2)

-and-

DISCOVERY PARK (WEST) LIMITED (3)

-and-

DISCOVERY PARK (NORTH) LIMITED (4)

-and-

DISCOVERY PARK (SOUTH) LIMITED (5)

-and-

BRIGSAND LIMITED (6)

with unilateral obligations given to

THE KENT COUNTY COUNCIL (7)

AGREEMENT AND DEED OF PLANNING OBLIGATION

under Section 106 of the Town and Country Planning Act 1990 (as amended)

relating to land at Discovery Park, Sandwich Kent CT13 9ND

THIS AGREEMENT (signed as a deed) is made the 15th day of September 2015

BETWEEN:

- (1) **DOVER DISTRICT COUNCIL** of White Cliffs Business Park, Dover, Kent CT16 3PJ ("the Council") of the first part;
- (2) **DISCOVERY PARK LIMITED** whose registered office is at 10 Evolution, Wynyard Park, Wynyard, TS22 5TB ("the First Owner") of the second part
- (3) **DISCOVERY PARK (WEST) LIMITED** whose registered office is at 10 Evolution, Wynyard Park, Wynyard, TS22 5TB ("the Second Owner") of the third part
- (4) **DISCOVERY PARK (NORTH) LIMITED** whose registered office is at 10 Evolution, Wynyard Park, Wynyard, TS22 5TB ("the Third Owner") of the fourth part
- (5) **DISCOVERY PARK (SOUTH) LIMITED** whose registered office is at 10 Evolution, Wynyard Park, Wynyard, TS22 5TB ("the Fourth Owner") of the fifth part
- (6) **BRIGSAND LIMITED** whose registered office is at Camburgh House, 27 New Dover Road, Canterbury, Kent, KT1 3DN ("the Fifth Owner") of the sixth part

with unilateral obligations given to

- (7) **THE KENT COUNTY COUNCIL** of County Hall, Maidstone, Kent ME14 1QX ("the County Council")

1 DEFINITIONS AND INTERPRETATION

1.1 In this Agreement the following defined terms and expressions shall have the following meanings:

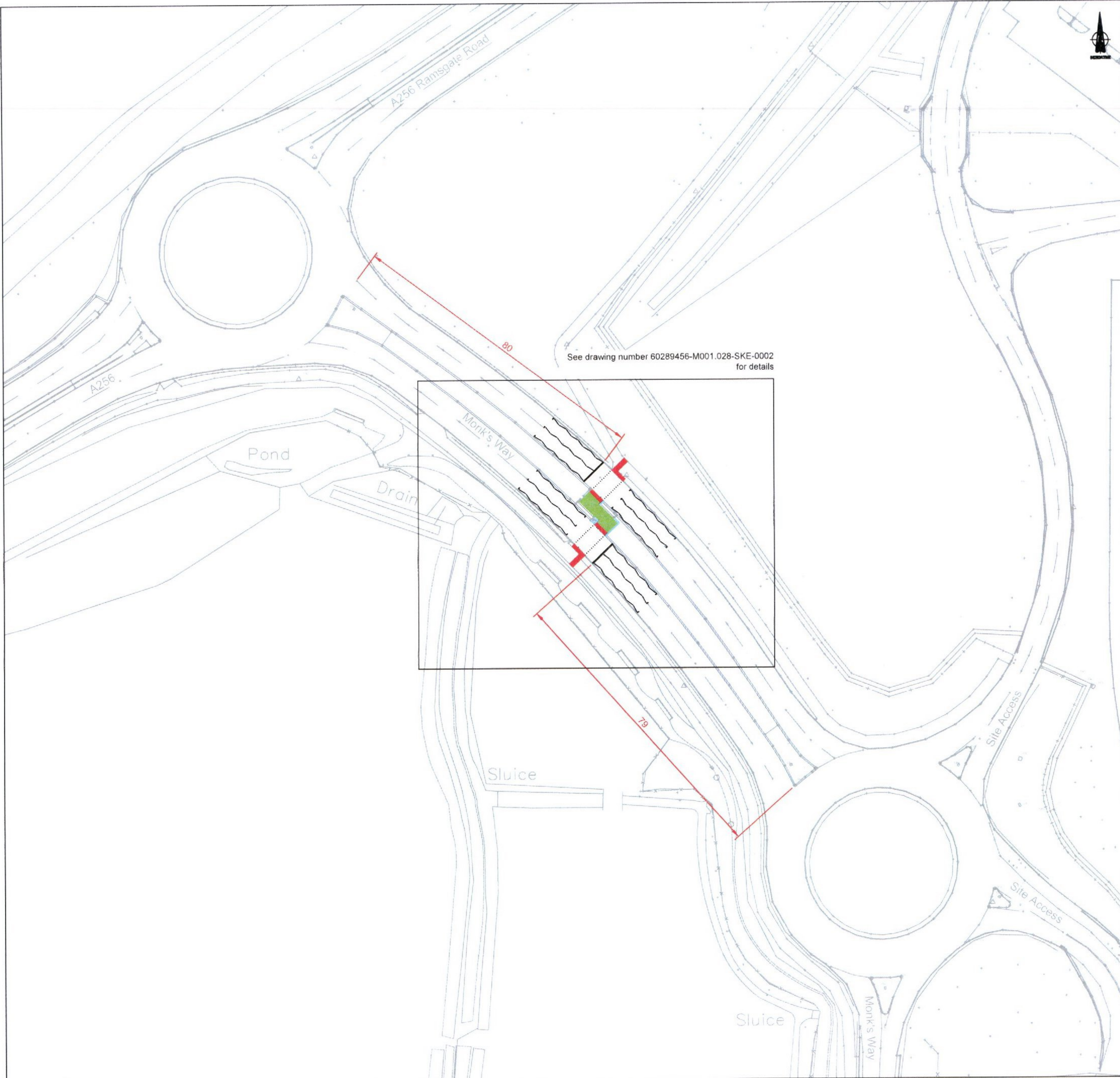
DEFINITIONS

"1990 Act" means the Town and Country Planning Act 1990 (as amended) or any re-enactment or modification thereof for the time being in force;

"1999 Act" means the Contracts (Rights of Third Parties) Act 1999 or any re-enactment or modification thereof for the time being in force;

"Additional Contribution" means an additional sum which may be payable by the Owners to the Council and which will be calculated in

	accordance with paragraph 6 of the Second Schedule;
"Application"	means the application reference number DOV/14/00058 and registered by the Council on 22 January 2014 for outline planning permission for the redevelopment of the site to include demolition of some existing buildings and associated infrastructure; change of use of some existing buildings from B1 to use classes B2, B8, sui generis(energy) and D1 uses; the provision of new commercial (use classes A3/4, B1, B2, B8, C1, D1, and sui generis and residential development; associated site preparation/enabling, infrastructure and landscaping works and provision of car parking;
"Bus Stops"	means the provision of temporary bus stops on Ramsgate Road to the south of the Monk's Way roundabout;
"Commencement of Development"	means the date upon which the Development shall commence by the carrying out on the Land pursuant to the Planning Permission of a material operation as specified in Section 56(4) of the 1990 Act Save That the term " <i>material operation</i> " shall not include operations in connection with any work of or associated with demolition site clearance remediation works environmental investigation site and soil surveys erection of contractors work compound erection of site office erection of fencing to site boundary and "Commence Development" shall be construed accordingly;
"Contributions"	means the Environmental Mitigation Contribution, the Junction Improvements Contribution, the Public Transport Improvements Contribution and the Additional Contribution (if any);
"Development"	means the development of the Land in accordance with the Planning Permission;
"Drawings"	means drawings numbered 60289456-M001.028-SHT-0001 and 60289456-M001.028-SHT-002 appended hereto;



NOTES

1. This drawing is a preliminary sketch layout only.
2. This design has not been subject to a Road Safety Audit.
3. Do not dimension from this drawing.
4. For detailed plan of Toucan crossing see drawing number 60289456-M001.028-SKE-0002.
5. All existing features are shown in grey.



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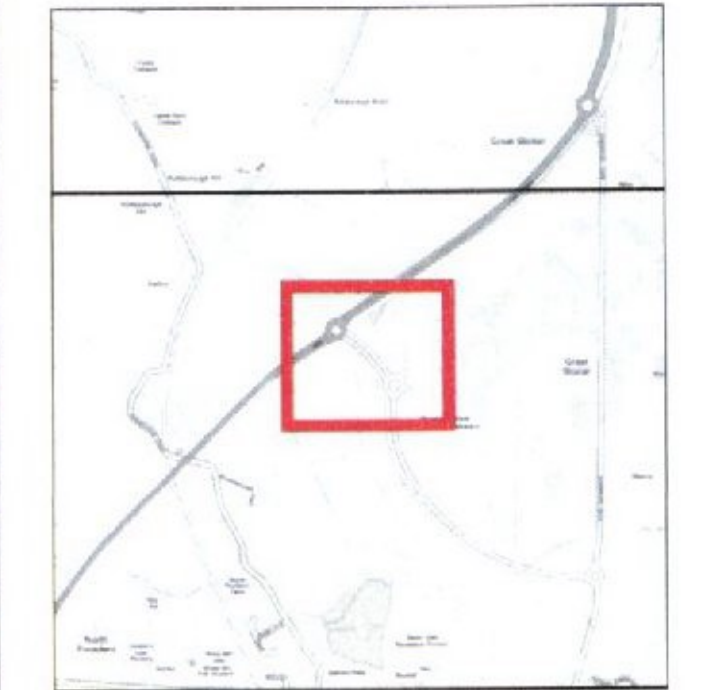
PROJECT

Discovery Park

CLIENT

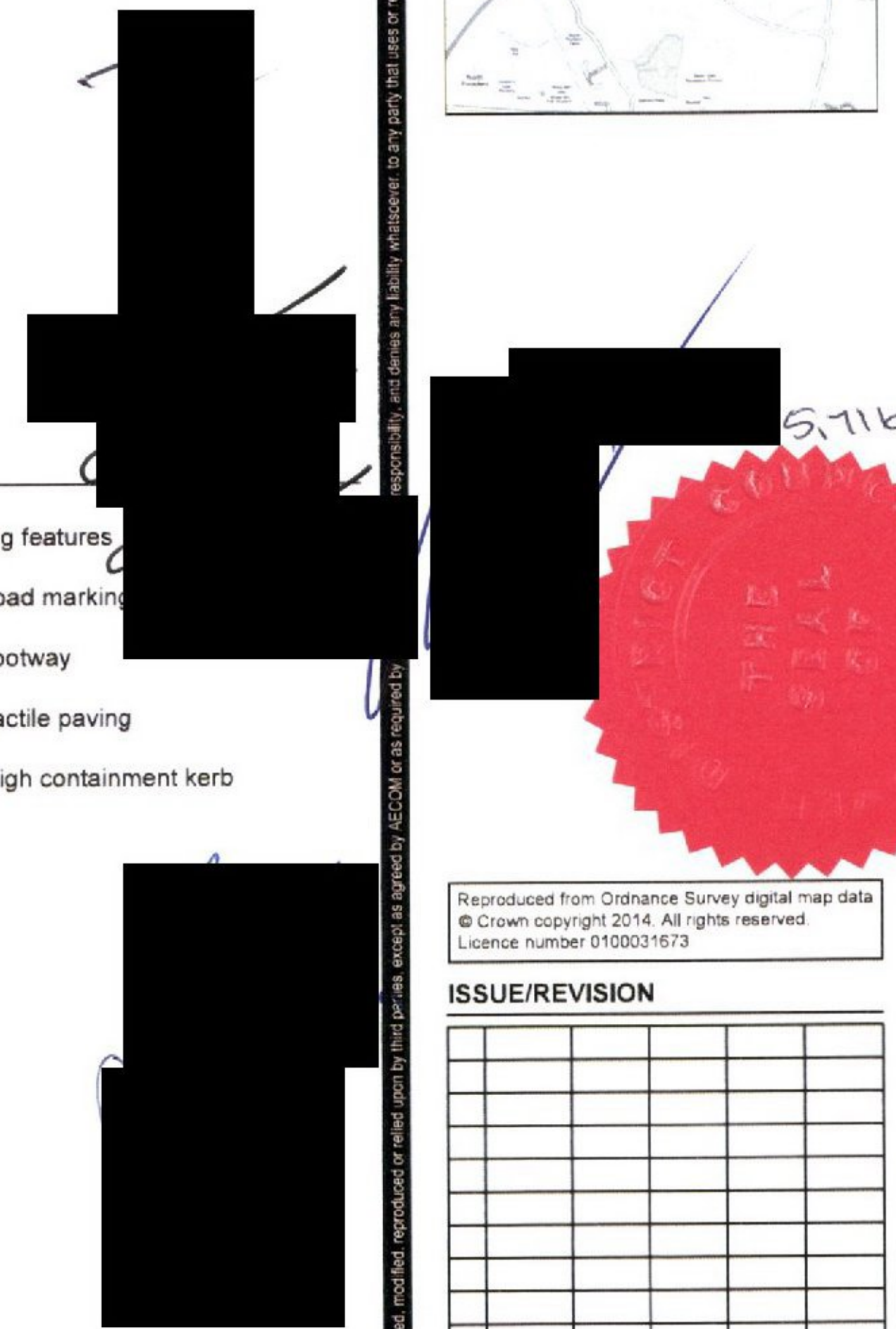
Discovery Park Ltd

LOCATION PLAN



KEY

- Existing features
- New road marking
- New footway
- New tactile paving
- New high containment kerb



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ISSUE/REVISION

NO	DATE	DESIGN	DRAWN	CHKD	APPD
0	10/04/14	JM	JM	DHG	JS
1/R					

PROJECT NUMBER

60289456

SHEET TITLE

Proposed Toucan Crossing -
 Monk's Way
 SHEET 1 OF 1 SCALE 1:1000 @ A3

SHEET NUMBER

60289456-M001.028-SKE-0001

DRAFT