

19th August 2021
DATED: ~~01st July 2021~~

LYSANDER ASSOCIATES LIMITED

-to-

THE OXFORDSHIRE COUNTY COUNCIL

PLANNING OBLIGATION (by Unilateral Undertaking)

relating to development at

Banbury 200 Southam Road Banbury OX16 2FW

Use of the site for the storage of operational vehicles, elevational alterations, associated parking, vehicle barriers, guard hut and associated infrastructure

THIS UNILATERAL UNDERTAKING is given this 14th day of July 2021

BY **Lysander Associates Limited** whose registered office is at

Greenways Studios, Lower Eashing, Godalming, England, GU7

2QF ("the Applicant")

TO **THE OXFORDSHIRE COUNTY COUNCIL** whose principal office is at

County Hall New Road Oxford OX1 1ND ("the Council")

1. Interpretation

In this deed

1.1. "the 1990 Act" means the Town and Country Planning Act

1990 (as amended)

1.2. "the Administration Fee" means the sum of £100 towards the administration costs relating to this undertaking

1.3. "the Infrastructure" means the provision (including but not by way of limitation design and/or supervision) towards a pair of Premium Route bus stop pole /flag /information cases and two shelters in the vicinity of the Site

1.4. "the Contribution" means the sum of **£16,000.00**

1.5. "the Planning Application" means the application for planning permission for the **use of the site for the storage of operational vehicles, elevational alterations, associated parking, vehicle barriers, guard hut and associated infrastructure (LPA ref: 21/00503/F)**

1.6. "the Site" means the land at **Banbury 200 Southam Road Banbury OX16 2FW** shown edged in red on the plan attached (*site plan to be attached*)

2. Preliminary

- 2.1. The Applicant has submitted the Planning Application on behalf a proposed occupier of the Site.
- 2.2. For the purposes of the 1990 Act the Council is the county planning authority for the area which includes the Site
- 2.3. [The Applicant has submitted the Planning Application to the district planning authority and the district planning authority is minded to grant planning permission for the Development subject inter alia to the completion of this Deed]
- 2.4. This Deed is made under Section 106 of the 1990 Act and is a planning obligation for the purposes of Section 106 of the 1990 Act entered into by the Applicant in respect of the Site and enforceable by the Council

3. Covenant

The Applicant covenants to pay

- 3.1. the Contribution to the Council on the date of this undertaking to be applied toward the cost of the Infrastructure
- 3.2. the Administration Fee to the Council on the date of this undertaking

4. Acknowledgements

The Applicant acknowledges that nothing contained or implied in this Deed shall prejudice or affect the rights discretion powers and duties and obligations of the Council in the exercise of its functions

5. Third Party Rights

This Deed is enforceable by the Council but otherwise it confers no rights under the Contracts (Rights of Third Parties) Act 1999

ALTERNATIVE 1

THE COMMON SEAL of)
(2))
was affixed to this Deed in the)
presence of:-)

Director

Secretary/Director

ALTERNATIVE 2

EXECUTED AS A DEED by)
(2))
acting by a Director)
and its Secretary/two Directors)



Directors

Secretary

SIGNED as a DEED by the said)

(2))

in the presence of:)

Signature of Witness



Name of Witness (in block capitals)

LISA DAVEY

Address

IVY COTTAGE
DORAS GREEN LANE
FARNHAM
SURREY
GU10 5DZ.