

DATED 24th April 2019

JONES HOMES (YORKSHIRE) LIMITED

and

THE COUNCIL OF THE BOROUGH OF KIRKLEES

SUPPLEMENTAL AGREEMENT

Under Section 106 of the Town and Country Planning
Act 1990 relating to land at Dunford Road Hade Edge
Holmfirth

Julie Muscroft
Service Director: Legal Governance and Commissioning
Kirklees Council
Legal Services
Second Floor, High Street Buildings
High Street
Huddersfield HD1 2ND

THIS AGREEMENT is made the 24th day of April Two thousand and Nineteen **BETWEEN JONES HOMES (YORKSHIRE) LIMITED** whose registered office is situate at Emerson House Hayes Lane Alderley Edge Cheshire (Company No: (3186376) ("the Owner") of the one part and **THE COUNCIL OF THE BOROUGH OF KIRKLEES** of the Town Hall Huddersfield West Yorkshire HD1 2TA ("the Council") of the second part

WHEREAS:-

1. This Agreement is supplemental to an agreement ("the Principal Agreement") dated 18th December 2017 between **THE COUNCIL OF THE BOROUGH OF KIRKLEES** and **JEAN SYMONS-CAMPBELL** and **JONES HOMES (YORKSHIRE) LIMITED** as varied by a supplemental agreement dated 31 October 2018 between **JONES HOMES (YORKSHIRE) LIMITED** and **THE COUNCIL OF THE BOROUGH OF KIRKLEES** relating to land at Dunford Road Hade Edge Holmfirth shown edged red on the plan annexed to the Principal Agreement
2. The Owner is the owner of the Site registered at HM Land Registry under title number YY99547.
3. The parties hereto desire to amend the Principal Agreement as mentioned below

NOW IT IS HEREBY AGREED between the parties as follows:-

1. **THE** Principal Agreement shall as and from the date of this Deed be read and construed and observed and performed as if the interpretation of **Application** in Clause 1 of the Principal Agreement has been deleted and substituted with the following:-

"Application" means the application for the construction of 58 dwellings and associated means of access on land at Dunford Road Hade Edge HD9 2RT to the Council by reference 2017/91623 and the application reference 2018/91875 for the variation of condition 2 on planning permission 2017/91623 in respect of the Development and the application reference 2018/92701 for the variation of

condition 2 (plans) on previous application 2017/91623 for erection of 58 dwellings and associated means of access

2. THE Principal Agreement is in all other respects hereby confirmed and shall remain in full force and effect

3. THE Owner shall pay to the Council its reasonable legal costs in the preparation of this Agreement

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed as a Deed on the day and year first before written

EXECUTED AS A DEED by)
JONES HOMES (YORKSHIRE))
LIMITED)
in the presence of:-)

Director

Director/Secretar

THE CORPORATE COMMON SEAL of)
THE COUNCIL OF THE BOROUGH OF)
KIRKLEES was hereunto affixed in the)
presence of:-)



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Service Director: Legal Governance and Commissioning/Authorised Signatory
