

Appendix B

S106 Agreement



DATED 19TH FEBRUARY 2003

BARNSELEY METROPOLITAN BOROUGH COUNCIL

and

MICHAEL SMEATON
AND DIANE WENDY SMEATON

and

HSBC BANK PLC

AGREEMENT

under Section 106 of the Town and Country Planning Act 1990 (as amended)
relating to development on land at Aldham Mill Farm, Barnsley Road
Wombwell, Barnsley in the County of South Yorkshire

A.C. Frosdick, LL.B. DipLG,
Borough Secretary,
Town Hall,
Barnsley S70 2TA.

THIS DEED OF AGREEMENT is made the 19th day of February Two

thousand and three ~~three~~ four

BETWEEN

- (1) BARNSELY METROPOLITAN BOROUGH COUNCIL of Town Hall
Barnsley South Yorkshire S70 2TA ("the Council") of the first part and
- (2) MICHAEL SMEATON AND DIANE WENDY SMEATON of Aldham
Mill Farm Barnsley Road Wombwell Barnsley South Yorkshire S73 8EG
("the Owners") of the second part and
- (3) HSBC BANK PLC (Co. No. 14259) of ~~Mortgage Service Centre P.O. Box 1546~~
~~Sheffield, S3 7EW~~ *Sheffield SPC, 79 Hoyle Street,*
~~Sheffield S1 2UJ~~ ("the Mortgagee") of the third part

RECITALS

- (1) The Council is the Local Planning Authority for the purposes of this Agreement for the area within which the land described in the First Schedule hereto ("the Land") is situated and is the authority by whom the obligations contained in this Agreement are enforceable
- (2) The Owners are the registered proprietor with Title Absolute of the Land which forms part of a larger area of land which is registered in the Nottingham District Land Registry under Title Number SYK 440978
- (3) The Mortgagee is mortgagee of the Land under a Legal Charge dated the First day of May Two thousand and three and made between the Owners and the Mortgagee