

MEMO

TO: Anna Bochnacki

DEPT. Planning

REF.

DATE
1/10/92

FROM: Steven Baker

DEPT. DLA 32/126/187

Rex Cinema - 91-101 High St. Berk. S.106 Agreement.

Please find attached draft S.106 Agreement which has been forwarded to the Developer for approval.

DACHUMBOFOU

SIGNED

S. Baker

Reply

REF.

T.C.P.M.

D.P.

D.C.

D.C.

REPLY EXPECTED

YES

NO

TO BE FILED

YES

NO

DATE

received

2 OCT 1992

(4/0256/92)

contents

UPDATING: OCTOBER 2000: Planning decision note never issued. Section 106 agreement was not completed because the applicants were not the owners of the site.

FM 42

SIGNED

Anne Devine

SENDER: FORWARD WHITE AND YELLOW COPY

RECEIVER: KEEP WHITE AND RETURN YELLOW COPY

DATE

1992

DACORUM BOROUGH COUNCIL

(1)

and

THEATRE DEVELOPMENTS LIMITED

(2)

PLANNING OBLIGATION
pursuant to s.106 Town and
Country Planning Act 1990
relating to land situate at:

Rex Cinema
91-101 High Street
Berkhamsted
Hertfordshire

Keith M Pugsley
Director of Law and Administration
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Herts HP1 1HH

File Ref: 10/92/32/126/187/SB/SAH/BS.6

cT_B

THIS PLANNING OBLIGATION is made the
day of 1992
BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes
Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the
Council") of the one part and the Owner described in the First
Schedule hereto (hereinafter called "the Owner" which expression
shall include the Owner's successors in title and assigns) of the
other part

WHEREAS:

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1990 as amended for the area of land described in the First Schedule hereto (hereinafter called "the Land")
- (2) The Owner is entitled to the interest in the Land described in the First Schedule hereto
- (3) Application has been made to the Council for planning permission under the Application Number and for the development described in the Second Schedule hereto (hereinafter called "the Development")
- (4) This Planning Obligation is made pursuant to s.106 of the Town and Country Planning Act 1990 and is enforceable by the Council

NOW THIS DEED WITNESSETH as follows:

1. IN the event that planning permission with or without conditions is granted by the Council or by the Secretary of State for the Environment pursuant to the Application described in The Second Schedule hereto (hereinafter called "the Application") and such planning permission shall be implemented then this Planning Obligation shall have full force and effect but not otherwise save that Clause 3 (b) hereof shall have full force and effect from the date hereof

2. IN consideration of the Covenants on the part of the Owner contained in the Third Schedule hereto the Council hereby Covenants with the Owner that the Council will forthwith grant planning permission pursuant to the Application subject to the conditions
3. IN consideration of the Council's Covenant contained in Clause 2 hereof the Owner hereby Covenants and undertakes with the Council
 - (a) to observe and perform the Covenants set out in the Third Schedule hereto
 - (b) to pay the Council's reasonable costs in the preparation hereof on the execution of this Planning Obligation
4. This Planning Obligation shall be registered as a Local Land Charge

I N W I T N E S S whereof the parties hereto have (set their hands and seals and) caused their Common Seals to be hereunto affixed the day and year first before written

FIRST SCHEDULE

The Owner

Name: THEATRE DEVELOPMENTS LIMITED

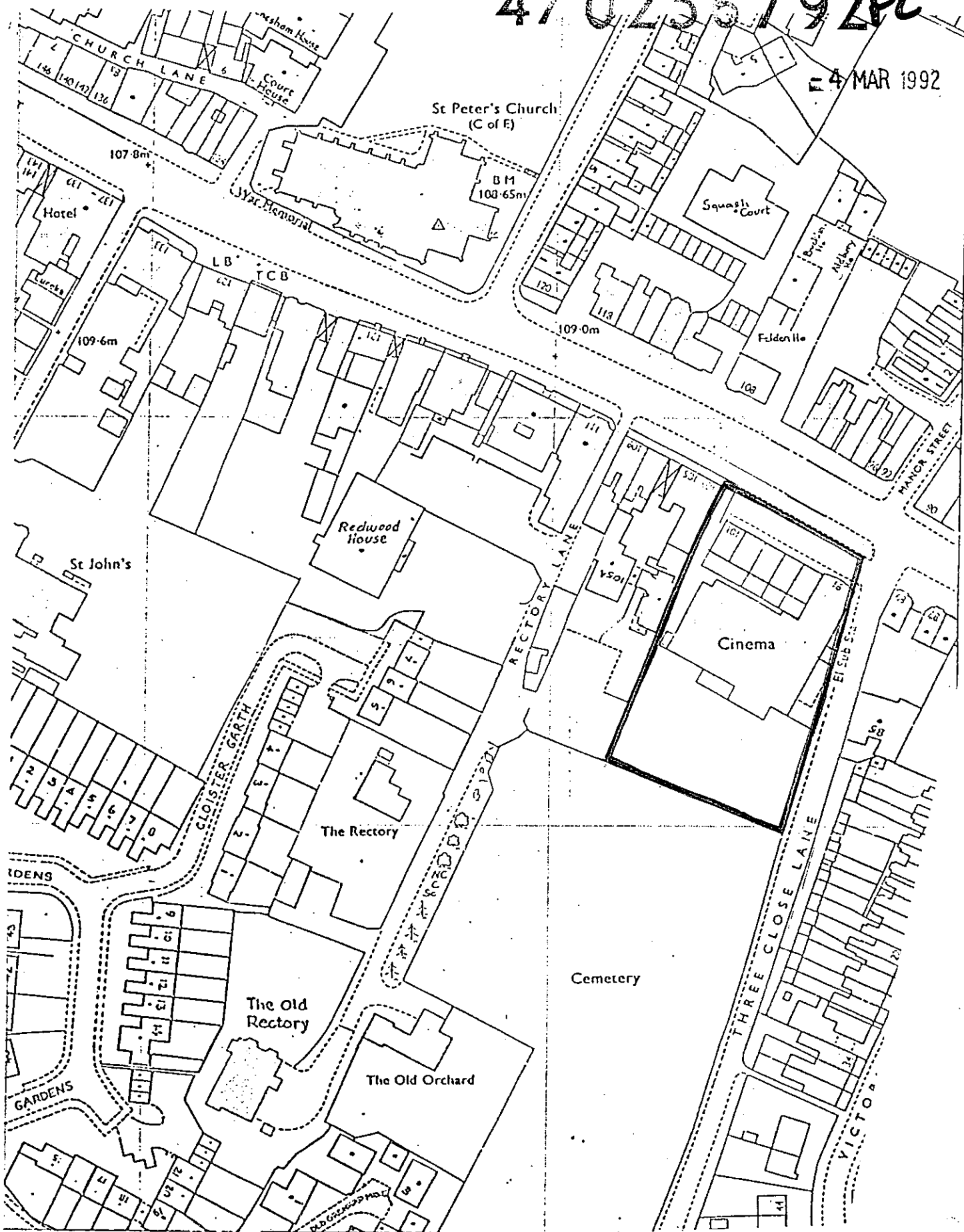
Registered Office:

The Land

All that Land known as Rex Cinema 91-101 High Street Berkhamsted Hertfordshire shown edged red on the Plan annexed hereto

4/0256/92FL

4 MAR 1992



REX CINEMA, BERKHAMSTED

Site location Scale 1:1250

T.D.L. 1206 - 19

THEATRE DEVELOPMENT
17 West Heath Drive,
London NW11 7QG
Telephone: (01) 435 464
Telex: 847316 / TDD G

The Owner's Interest in the Land

SECOND SCHEDULE

The Application and the Development

Application No. 4/0257/92FL

The Development consists of the removal of projection room and outbuildings relocation and reuse of building for cinemas theatre shops and flats and extensions to form five flats conference and storage facilities and car

THIRD SCHEDULE

Covenant on the part of the Owner

The Owner hereby covenants with the Council not to use or allow to be used the conference facilities referred to in the Second Schedule above at any time except during such times as the main auditorium of the Rex Cinema or any part of it is not in use by the general public

THE COMMON SEAL of)
DACORUM BOROUGH COUNCIL)
was hereunto affixed)
in the presence of:)

Chief Executive

Assistant Director
(Law)

THE COMMON SEAL of the
OWNER
was hereunto affixed
in the presence of:

)
)
)
)

Director

Secretary