

THIS DEED is made on the 8<sup>th</sup> day of SEPTEMBER 2021

BY

(1) CHICHESTER DISTRICT COUNCIL whose office is at East Pallant House, Chichester, West Sussex, PO19 1TY ("the Council")

TO

(2) HERBERT GEORGE HEAVER of West Stoke Farm, West Stoke, Chichester, PO18 9BQ

(3) DENTON & CO TRUSTEES LIMITED of Sutton House, Weyside Park, Catteshall Lane, Godalming, Surrey, GU7 1XE

(4) TEMPLE BAR PARTNERSHIP LLP of The Estate Office, Downs Road, Chichester, PO18 9BQ

(5) DR ALICE REBECCA CHISHICK of Tangmere Medical Centre, Malcolm Rd, Tangmere, Chichester PO20 2HS

Parties (2) to (5) being together ("the Owners")

#### BACKGROUND

(A) The Council made the Chichester District Council (Tangmere) Compulsory Purchase Order 2020 ("the Order") on 28 October 2020 pursuant to section 226(1)(a) of the Town and Country Planning Act 1990.

(B) The Order was subsequently submitted for confirmation to the Secretary of State for Housing, Communities and Local Government in November 2020 and as at the date of this Deed a decision is awaited.

(C) If confirmed, the Order will authorise the Council to compulsorily acquire land (as more particularly described in the Order as being the Order Land) in order to facilitate the development of the Tangmere Strategic Development Location ("the Scheme")

(D) The Owners have made formal objections to the confirmation of the Order to the Secretary of State.

(E) An Inquiry is in the process of being held which is due to close on 9 September 2021 ("the Inquiry").


- (F) The Owners have the benefit of the rights granted within the transfer dated 3 November 2006 made between (1) Herbert George Heaver; and (2) Temple Bar Partnership LLP (“the Existing Rights”) over Plots 15, 16 & 17 of the Order Land.
- (G) The Council is of the opinion that the Existing Rights are compatible with the Scheme and are capable of being re-granted back to the Owners in the same form as they currently stand.
- (H) The Council, through its development partner, Countryside Properties (UK) Limited offered Heads of Terms to the Owners in March 2021 for the purposes of re-granting the Existing Rights back to the Owners in the event they were acquired under the Order (“the Heads of Terms”). These Heads of Terms have been documented within draft agreements between the Council, its development partner and the Owners which have been issued to the Solicitors acting for the Owners.

**THE COUNCIL HEREBY UNDERTAKES WITH THE OWNERS**

- (1) To continue to offer and negotiate with the Owners the re-grant of the Existing Rights post the close of the Inquiry;
- (2) Should the Order be confirmed, continue to offer and negotiate with the Owners the re-grant of the Existing Rights including after the compulsory acquisition of Plots 15, 16 & 17;
- (3) The Council is hereby bound by the terms of this Deed but only to the Owners which they may so enforce against the Council.

**IN WITNESS THIS DEED** has been executed and delivered on the date appearing at the head of page 1.

The Common Seal of  
**Chichester District Council**  
 was affixed to this Deed  
 in the presence of an  
 Authorised Signatory

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 Authorised Signatory

