

DATE

17th March

2026

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

- and -

DAVID BARRY CROWSON

Agreement made pursuant to Section 106A of the Town and County Planning Act 1990

(as amended)

Relating to Flat 10 Twyford Court, Arthur Street, Barwell, Leicestershire LE9 8EG

Planning Application: 26/00038/S106

THIS AGREEMENT by way of deed is made the 17th day of March 2026

BETWEEN:

1. **HINCKLEY AND BOSWORTH BOROUGH COUNCIL** of Hinckley Hub Rugby Road Hinckley Leicestershire LE10 0FR ("the Borough Council")
2. **DAVID BARRY CROWSON** of 18 Mayflower Court, Mayflower Close, Markfield, Leicestershire LE67 9ST ("the Owner")

RECITALS:

- A. The Borough Council is the local planning authority for the purposes of the purposes of the Town and Country Planning Act 1990 (as amended) ("the Act")
- B. The Borough Council and Trevor Jones (trading as Jones Building Services) entered into an agreement ("the Principal Agreement") pursuant to section 52 of the Town and Country Planning Act 1971 dated 7 December 1989 in respect of property comprising a block of flats at Twyford Court Arthur Street Barwell
- C. The Principal Agreement contained obligations in the Second Schedule thereof restricting inter alia the occupation of some of the flats to persons of at least 55 years of age
- D. Flat 10 Twyford Court Arthur Street Barwell ("the Property") is one of those flats to which the restriction applies
- E. The Owner is the leasehold owner of the Property registered at HM Land Registry with title absolute under title number LT487146
- F. The Owner has applied to the Borough Council to remove the restriction so that it is no longer application in respect of the Property
- G. The Borough Council have agreed to remove the restrictions as set out herein

1. NOW THIS DEED WITNESSES as follows:

- 1.1. The words and expressions in this Agreement shall where the context so requires or admits have the meaning as defined in the Principal Agreement annexed hereto save as amended or varied by this Agreement

2. STATUTORY BASIS

- 2.1. This Agreement is made pursuant to the provisions of Section 106A of the Act, Section 111 of the Local Government Act 1972 and Section 2 of the Localism Act 2011

3. MODIFICATION OF PRINCIPAL AGREEMENT

- 3.1. The parties hereto agree that from the date of this Agreement the restriction as set out in Clause 1 of the Second Schedule of the Principal Agreement shall not apply to the Property

4. GENERAL

- 4.1. This Agreement is a local land charge and shall be registered as such

5. DETERMINATION BY EXPERT

- 5.1. Notwithstanding any specific provision in this Agreement in the event of any dispute between the Owner and the Borough Council (or any of them) concerning this Agreement including any dispute as to whether or not an obligation has been performed or matter to be agreed under any of the provisions of this Agreement the matter may at the written option of any relevant party (notice of which shall be given to the other party) be referred to such expert as they may agree or (in default of agreement within forty (40) Working Days of the date of giving of the notice) appointed by the Chairman for the time being of the Planning and Environment Bar Association whose appointment shall be agreed between the parties

6. NOTICES

- 6.1. Any notice, agreement, consent or approval to be given under the terms of this Agreement shall be in writing and sent by ordinary post to the Borough Council should be addressed to the Head of Planning or their successor at Hinckley Hub Rugby Road Hinckley Leicestershire LE10 0FR and for the Owner at the address given in this Agreement.

IN WITNESS whereof the parties hereto have executed this Agreement on the date first above written

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THE COMMON SEAL OF
THE COUNCIL OF THE BOROUGH OF
HINCKLEY AND BOSWORTH

was hereunto affixed in the presence of: -

S Stey

Authorised signatory



SIGNED as a DEED by
DAVID BARRY CROWSON
in the presence of:

DB Crowson

Witness' Signature:

Witness' Name:

Witness' Address:

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LAURA BLAIN

HINCKLEY HUB

HINCKLEY + BOSWORTH BOROUGH
COUNCIL

RUGBY RD

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