

**THIS DEED** is made on the 25 day of February 2016

**BETWEEN**

**1 THE RYEDALE DISTRICT COUNCIL** whose principal office is at Ryedale House Malton in the County of North Yorkshire YO17 7HH ("the Council") and

**2 MICHAEL ANTHONY JOHN GREEN** and **WENDY ANN GREEN** of North Lodge, Clifton Park Avenue, York, YO30 5YX and of Minerva House, Port Road Business Park, Carlisle, CA2 7AF. (Title No NYK161839)

**INVESTACC LIMITED (CRN 02719226)** of North Lodge, Clifton Park Avenue, York, YO30 5YX and of Minerva House, Port Road Business Park, Carlisle, CA2 7AF the Trustees of The Greystones Trust Pension Scheme (Title No NYK161839)

**MICHAEL ANTHONY JOHN GREEN** and **WENDY ANN GREEN** of North Lodge, Clifton Park Avenue, York, YO30 5YX and of Minerva House, Port Road Business Park, Carlisle, CA2 7AF (Title No NYK161839)

**3 ALISON CHARLOTTE HUDSON** of Buckley House, East End, Ampleforth, York, YO62 4DA (Title No NYK420960)

**4 MICHAEL DEAN GRANT** and **DIANNE GRANT** of The Granary, East End, Ampleforth, York, YO62 4DA (Title No NYK421283) ("the Owners")

**5 MICHAEL ANTHONY JOHN GREEN** and **WENDY ANN GREEN** of Minerva House, Port Road Business Park, Carlisle, CA2 7AF and **INVESTACC PENSION TRUSTEES LIMITED (CRN 02875892)** of Minerva House, Port Road Business Park, Carlisle, CA2 7AF Trustess of the Greystones Trust Pension Scheme ("the Chargee")

**NOW THIS DEED WITNESSES** as follows:

**1 Definitions and Interpretations**

In this Deed the following words and expressions have the following meanings:

- 1.1 "the Section 106 Agreement" means an Agreement dated the twenty fourth day of June 2013 made under Section 106 of the Town and Country Planning Act 1990 between **MICHAEL ANTHONY JOHN GREEN** and **WENDY ANN GREEN** of North Lodge, Clifton Park Avenue, York, YO30 5YX ("the First Owner")

**MICHAEL ANTHONY JOHN GREEN** and **WENDY ANN GREEN** and **INVESTACC LIMITED (CRN 02719226)** of Minerva House, Unit 9 Port Road Business Park, Carlisle, Cumbria, CA2 7AF (as Trustees of the Greystones Trust Pension Scheme) and

**MICHAEL ANTHONY JOHN GREEN** and **WENDY ANN GREEN** and **GEM HOLDINGS (YORK) LIMITED (CRN 07968336)** of North Lodge aforesaid ("the Second Owner") (the Original Owners)

**RYEDALE DISTRICT COUNCIL** of Ryedale House, Malton, North Yorkshire, YO17 7HH ("the Council")

- 1.2 The Property means the land and buildings known formerly as Land at East End, Ampleforth, North Yorkshire, YO62 4DA registered at HM Land Registry with title numbers NYK161839, NYK421283 and NYK 420960
- 1.3 The Chargee consents to the terms of this Deed of Variation.
- 1.4 The clause headings do not form part of this Deed and shall not be taken into account in its construction or interpretation.

## **2 Recitals**

- 2.1 The Land is now vested in the Owners as the successors to the Original Owners
- 2.2 This Deed is supplemental to the Section 106 Agreement
- 2.3 The parties desire to alter the terms of the Section 106 Agreement as mentioned below

## **3 Variation**

It is mutually agreed that the Section 106 Agreement shall be varied as follows:-

The following amendments shall be made as though they had been contained in the Agreement at the date of execution:

- 3.1 At the end of the Definition "Application" there will be added "and the application for variation of conditions reference number 15/00482/73A"

## **4 Confirmation of the Agreement**

Save as modified by this Deed the Section 106 Agreement shall continue in full force and effect in all respects.

IN WITNESS whereof the parties hereto have executed this Deed the day and year first before written

THE COMMON SEAL of THE )  
RYEDALE DISTRICT COUNCIL )  
was hereunto affixed and is )  
authenticated by )

Minute 651415  
Reg No.  
6893  
Initials BS

*KAW...*

Council Solicitor



EXECUTED as a DEED by  
MICHAEL ANTHONY JOHN GREEN  
In the presence of

*[Signature]*

Witness

*[Signature]*

SAQ

Name

SAQUINN

Address

POQUETDALE  
NEWTON ON OUSE  
YORK YO30 2BN

EXECUTED as a DEED by  
WENDY ANN GREEN  
In the presence of

*W.A. Green*

Witness

SAQ

Name

SAQUINN

Address

POQUETDALE  
NEWTON ON OUSE  
YORK YO30 2BN

**EXECUTED as a DEED by  
INVESTACC LIMITED**  
Acting by two directors/OR  
One director in the presence of

*[Signature]*  
Jule Bam

Witness

Name

Address

**EXECUTED as a DEED by  
MICHAEL DEAN GRANT**  
In the presence of

*[Signature]*

Witness

*[Signature]*

Name

G. A. TOMBLIN

Address

3, PALMERSTON CRESCENT  
HAWARDEN. N. WALES.  
CH5 3SF

**EXECUTED as a DEED by  
DIANNE GRANT**  
In the presence of

*[Signature]*

Witness

*[Signature]*

Name

G. A. Tomblin

Address

3, PALMERSTON CRESCENT  
HAWARDEN. N. WALES.  
CH5 3SF.

**EXECUTED as a DEED by  
ALISON CHARLOTTE HUDSON**  
In the presence of

*f. Hudson*

Witness

*[Signature]*

Name **RICHARD PAGE**

Address **BUCKET HOUSE, FIRST FLD, ANKERSLITH  
YORK YO62 4DA**

**EXECUTED as a DEED by  
INVESTACC PENSION TRUSTEES  
LIMITED**  
Acting by two directors/OR  
One director in the presence of

*[Signature]*  
*Jule Bann*

Witness

Name

Address

DATED

25 February

2016

(1) RYEDALE DISTRICT COUNCIL

and

(2) MICHAEL ANTHONY JOHN GREEN AND WENDY ANN GREEN  
INVESTACC LIMITED THE TRUSTEES OF THE GREYSTONES  
TRUST PENSION SCHEME

and

(3) ALISON CHARLOTTE HUDSON

and

(4) MICHAEL DEAN GRANT AND DIANNE GRANT

and

(5) MICHAEL ANTHONY JOHN GREEN AND WENDY ANN GREEN AND  
INVESTACC PENSION TRUSTEES LIMITED OF THE TRUSTEES OF  
THE GREYSTONES TRUST PENSION SCHEME

**DEED of VARIATION**

Relating to a Section 106 Agreement dated 24 June 2013 in relation to  
Land at East End, Ampleforth, YO62 4DA  
in the County of North Yorkshire

K A WINSHIP  
Council Solicitor  
M A L T O N