

In the Royal Court of Jersey

Samedi Division

In the year two thousand and nineteen, the eighth day of April.

Before the Judicial Greffier.

Upon the application of Her Majesty's Attorney General, IT IS ORDERED that the attached modification to the Planning Obligation Agreement between The Chief Officer for the Environment, Les Arches Developments Limited and Albion Resources Limited in relation to Les Arches Farm, La Rue du Hocq, St Clement, JE2 6LF, be registered in the Public Registry of this Island.



Greffier Substitute

LOD

Reg. Pub.

Modification of a Planning Obligation Agreement under Article 25(12) of the Planning and Building (Jersey) Law 2002

relating to the development of Les Arches Farm, La Rue du Hocq, St Clement JE2 6LF

Dated: 4th April 2019

The Chief Officer for the Environment (1)

Les Arches Developments Limited (2)

Albion Resources Limited (3)

DATE

4th April

2019

1. PARTIES

- (1) The Chief Officer for the Environment of South Hill, St. Helier, Jersey, JE2 4US (the "**Chief Officer**")
- (2) Les Arches Developments Limited (a company incorporated in Jersey on 2 October 2017 with registration number 124831) of Beachside Business Centre Rue Du Hocq St Clement Jersey JE2 6LF (the "**Owner**")
- (3) Albion Resources Limited (a company registered in Guernsey on 18 June 2015 with registration number 60493) of Granary House The Grange St Peter Port GUERNSEY GY1 2QG

2. INTERPRETATION

In this Agreement:-

- 2.1 Any reference to a party includes where the context so admits, that party's successors in title and assigns and in the case of the Chief Officer includes any person or body to whom the relevant functions of the Chief Officer may hereafter be validly transferred
- 2.2 Words and expressions in this Agreement shall bear the same meaning as in the Original Agreement as modified unless the context otherwise requires.
- 2.3 The principles construction set out in clause 2 of the Original Agreement as modified shall apply to the provisions of this modification unless the context otherwise requires.
- 2.4 Save as aforesaid the expressions in the left hand column have the meanings attributed to them in the right hand column.

The Original Agreement	The Planning Obligation Agreement relating to the Site between the Chief Officer for the Environment and Ettom Trading Limited dated 11 th October, 2016 and which was registered in the Public Registry on 12 th October, 2016
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3. RECITALS

- 3.1 On the 12th October, 2016 the Original Agreement was registered in the Public Registry.
- 3.2 The Owner is party to this modification as the person or persons against whom the planning obligations under the Original Agreement that are to be modified herein are enforceable.
- 3.3 The Chief Officer has agreed with the Owner that the Original Agreement may be modified as hereinafter appearing

4. THE MODIFICATION

The parties to this Agreement have agreed that the Original Agreement should be modified in the manner detailed in the First Schedule

5. DECLARATION

Save as hereby modified the provisions of the Original Agreement shall remain in full force and effect and the terms of the Original Agreement are deemed to be re-stated herein in full and incorporated into this modification to the extent that they have not been modified by it.

FIRST SCHEDULE

Modification

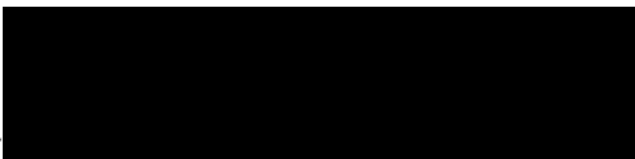
The Fourth Schedule to the Original Agreement shall be modified as follows:


Under the sub-heading FOOTWAY:

replace paragraph 6 with

- 6 Not to Occupy or cause or permit to be Occupied more than 50% of the Dwelling Units within the Development until such time as the Pedestrian Footway Works have been completed in accordance with the Pedestrian Footway Works Specification to the reasonable satisfaction of the Chief Officer (in consultation with the Minister for Infrastructure).

Signed on behalf of Les Arches Developments Limited

By ...  Solicitor.....

In the presence 
(PAUL DANIEL YONG)

This 29 day of MARCH 2019

Signed on behalf of Albion Resources Limited

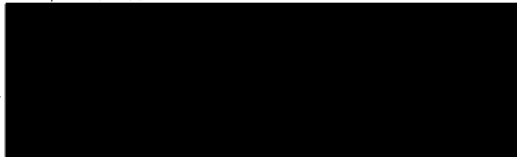
 

for HMSL Services Limited
Director

for Island Directors Limited
Director

This 23 day of MARCH 2019

Signed on behalf of the Chief Officer

by ...  (PETER LE GREY).....

in the presence of  (LAWRENCE DAVIES)

this 4th day of April, 2019