

"Employment Land" means the land shown edged blue on the Plan and forming part of the Land

13 EMPLOYMENT UNITS

13.1 For the period of 10 years from the date of the Planning Permission ("the Marketing Period") the Owner of the Employment Land or the Developer prior to it becoming Owner shall use reasonable endeavours to properly market any undeveloped areas of the Employment Land through a reputable commercial agent, shall advertise the Employment Land in local and regional newspapers and property journals and shall liaise with the Council in relation to potential tenants and/or occupiers who may approach the Council from time to time enquiring about employment land and provide the Council with quarterly reports on the steps being taken to market the Employment Land

13.2 If after the Marketing Period the Owner has failed to develop at least 50% of the Employment Land for employment uses, then any part of parts of the Employment Land that remain undeveloped ("the Undeveloped Employment Land") shall be offered for transfer to the Council in accordance with Paragraph 13.3 below

13.3 The Undeveloped Employment Land shall be offered to the Council:

13.3.1 by a formal notice served on the Council

13.3.2 for a consideration of £1.00 (one pound)

And if the Council fail to accept the offer of the Undeveloped Employment Land within 6 months of such offer being made in accordance with this paragraph then the requirements of this Paragraph 13 shall cease to apply

13.4

In circumstances where the Council accept the Owner's offer to transfer to them the Undeveloped Employment Land the Owner shall transfer the Undeveloped Employment Land to the Council and it is hereby agreed between the parties that the heads of terms for such transfer shall include:

13.4.1 that each party will bear its own costs in transferring the Undeveloped Employment Land;

13.4.2 the transfer shall include all necessary rights and reservations required for the development and use of adjoining land; and

13.4.3 the transfer shall include all necessary rights and reservations required to enable the Council to develop the Undeveloped Employment Land

13.4.4 the Undeveloped Employment Land shall be used for employment uses only and for no other uses

13.4.5 the transfer shall include a requirement that the Council pay to the Owner (and for the purposes of this paragraph the Owner shall mean the person who originally transferred the Undeveloped Employment Land to the Council) 70% of any amount realised by the Council in disposing of any interest in the Undeveloped Employment Land (excluding any marketing costs, legal costs or other reasonable costs incurred in promoting and disposing of any part or parts of the Undeveloped Employment Land) provided that the Council may not dispose the Undeveloped Employment Land for a consideration less than full open market value (and for the avoidance of any doubt this paragraph shall apply to both freehold and leasehold interests)

13.4.6 the transfer shall include a requirement that all necessary services are provided up to the boundary of the Undeveloped Employment Land and for the purposes of this paragraph 13 "services" shall include vehicular and pedestrian access, electricity, water, gas (if available), drainage and telephone connection

13.5 Prior to the occupation of the 100th Dwelling the Owner shall be constructed all necessary services up to the boundary of the Employment Land

OGE : Site Boundaries



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