

Agreed S.75 Delivery Package Form

The parties to this agreed Delivery Package are Angus Council ('the Authority') and David Lindsay Bruce & Fiona Bruce as Partners of and Trustees for firm of D & F Bruce and DLB (Scotland) Limited (who and whose successors as current owners of the First and Second Planning Permission Subjects respectively are hereinafter together referred to in this Delivery Package as 'the Second Party')

The terms of the s.75 Planning Obligation Agreement ('the s75 Agreement') between the Authority and David Lindsay Bruce & Fiona Bruce as Partners and Trustees for firm of D & F Bruce and DLB (Scotland) Limited dated 24 August 2013 and subsequent dates and registered in the Land Register of Scotland under Title No ANG15316 & ANG26999, as modified by Decision Notice dated 30 September 2016 re an Application to Modify or Discharge a Planning Obligation under reference 16/00512/MDPO, oblige the parties to agree, by way of a Delivery Package or Delivery Packages, the terms of how Affordable Housing provision is to be provided by the Second Party.

The parties hereto therefore confirm their agreement to the following terms of this document being the Delivery Package referred to in the s75 Agreement in relation to Phase 1:-

Section A: Development and Phasing

Development Site (referred to in the s75 Agreement as the Planning Permission Subjects) Address: East Mains Farm, High Street, Edzell

Phase 1 of the Development Site: shown outlined in red on the Plan annexed and signed as relative hereto

Registered Planning Reference: 07/01413/FUL **Legal Reference:** 7/12/278 & EF0805

[Proposed] Development Start Date: **Unknown**

Total No. Units to be built on Phase 1 of the Development Site: 13 Units

No. of Affordable Housing to be delivered by the Second Party on Phase 1 of the Development Site: 25% = 3 Units

No. of Additional Units to be delivered by the Second Party on Phase 1 of the Development Site: 0 Units

Phasing of the Development:

Total Number of Phases of the Development: Phases

Delivery Timescale for the Development: (enter by phase if appropriate):

[Click here to enter text.](#)

Section B: The form of Affordable Housing provision to be provided by the Second Party shall be as follows:-

Onsite Provision	Yes		Offsite Provision	No
<i>If yes specify type below:</i>			<i>If yes specify type below:</i>	
Social Rented	0		Social Rented	No
Mid Market Rented	0		Mid Market Rented	0
Affordable Housing for sale – Shared Equity	0		Affordable Housing for sale – Shared Equity	0
Affordable Housing for sale – Discounted	2		Affordable Housing for sale – Discounted	0
Serviced Plots/ Affordable Housing Land	0		Serviced Plots/Affordable Housing Land	0
Commuted Sum	1			

The Social Housing Provider is: N/A + N/A

Social Rented: 0 Units						
Type/:	Flat	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
Size		House 1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
To be provided within Phase: Click here to enter text. On Plot No's: Click here to enter text.						
Delivery Timescale: Click here to enter text.						
Comments[Additional requirements]: Click here to enter text.						

Mid Market Rented: 0 Units						
Type/:	Flat	1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
Size		House 1 Bed x 0	2 Bed x 0	3 Bed x 0	4 Bed x 0	5 Bed x 0
To be provided within Phases: Click here to enter text. On Plot No's Click here to enter text.						
Delivery Timescale: Click here to enter text.						
Comments[Additional requirements]:						

[Click here to enter text.](#)

Affordable Housing for Sale – Shared Equity: 0 Units

Type/: Flat 1 Bed x 0 2 Bed x 0 3 Bed x 0 4 Bed x 0 5 Bed x 0
Size
House 1 Bed x 0 2 Bed x 0 3 Bed x 0 4 Bed x 0 5 Bed x 0

To be provided within Phases: [Click here to enter text.](#) On **Plot No's** [Click here to enter text.](#)

Delivery Timescale: [Click here to enter text.](#)

Comments[Additional Requirements]:

Affordable Housing for Sale – Discounted Sale: 2 Units

Type/: Flat 1 Bed x 0 2 Bed x 0 3 Bed x 0 4 Bed x 0 5 Bed x 0
Size
House 1 Bed x 0 2 Bed x 0 3 Bed x 2 4 Bed x 0 5 Bed x 0

To be provided within Phases: 1 **On Plot No's:** 11 & 13

Delivery Timescale: Available for occupation by the time that 7 of the 11 houses are completed for open market sale.

Comments [Additional Requirements]:

Both units shall be three bedroomed terraced dwelling houses and shall be constructed on Plots 11 & 13 as detailed in the plan. Both Units are to be retained as Affordable Housing in perpetuity.

Affordable Housing Land or Serviced Plot: 0 Plots/ areas of Affordable Housing Land

To be provided within Phases: Phases on Location of Affordable Housing Land 11

Plot No's [Click here to enter text.](#)

Delivery Timescale: [Click here to enter text.](#)

Comments [Additional Requirements]:

[Click here to enter text.](#)

Section C: Modest Income

Modest Income Level:

Single £ 29,900 **X Income Multiple:** 3.5

Joint £ 45,703 **X Income Multiple:** 3

Section D: Commuted Sum

The amount payable will be based on the commuted sum value at the time of payment being made. The values are updated biannually.

Current Commuted Sum Value: £25000 x 1= £ 25,000

Number of Payments: 1

Phasing /date of Payments:
To be paid by the time 7 of the houses are completed for open market sale.

Comments[Additional Requirements]:
[Click here to enter text.](#)

The Second Party shall comply with the following obligations:

The parties agree that, on signing, the terms of this Delivery Package shall be deemed to form part of, and be subject to the terms of the s75 Agreement. No amendments shall be made to the provisions of this Delivery Package without the written agreement of all the parties. Such agreed amendments shall then be deemed to form part of this Delivery Package.

NB: The Second Party must produce an up to date Legal Report to the date of signing verifying they are the current proprietors of the Development Site and/or any off site Affordable housing Land, Serviced Plots or Affordable Housing Land.

Witness

Signature

Full name

Address

~~Authorised signatory for the firm of D & F Bruce~~

Signature

Place of signing

Date of signing

[Witness

Authorised signatory for DLB (Scotland) Limited

Signature

Signature

Full name

Place of signing

Address

Date of signing
.....]

Witness

Authorised signatory for the Authority

Signature

Signature

Full name

Place of signing

Address

Date of signing