

DATED

31 July

2020

PARTIES

1. **TONBRIDGE AND MALLING BOROUGH COUNCIL** of Gibson Building Gibson Drive Kings Hill West Malling Kent ME19 4LZ (the "**Council**");
2. **ASHILL LAND LIMITED** (Co. Regn. No. 08680344) of Aissela, 46 High Street, Esher KT10 9QY (the "**First Owner**");
3. **WEST KENT AND ASHFORD COLLEGE (In Education Administration)** of Brook Street, Tonbridge, Kent TN9 2PW a further education corporation (the "**Second Owner**");
4. **WILLIAM MATTHEW HUMPHRIES TAIT, FRANCIS GRAHAM NEWTON and DANNY NICHOLAAS WILLIAM DARTNAIL** each a licensed insolvency practitioner of BDO LLP (OC305127) whose registered office is at 55 Baker Street London W1U 7EU as joint administrators of **West Kent and Ashford College** (in education administration) ("the **Administrators**").

INTRODUCTION

- A. The Council is the local planning authority for the purposes of the Act for the area in which the Site is situated.
- B. The First Owner is the freehold owner of part of the Site registered at H.M. Land Registry with title number TT80650.
- C. The Second Owner is the freehold owner of part of the Site registered at H.M. Land Registry under Title Number K320580.
- D. The Administrators were appointed as joint administrators of the Second Owner pursuant to an Education Administration Order dated by the High Court on 16 August 2019.
- E. The Council resolved on 12 September 2019 to grant Planning Permission subject to the prior completion of this Deed and the completion of a separate agreement pursuant to s106 of the Act made on even date and between Kent County Council (1) the First Owner (2) the Second Owner (3) and the Administrators (4).

NOW THIS DEED WITNESSETH AS FOLLOWS:

OPERATIVE PART

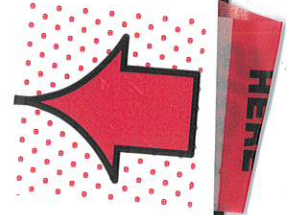
1. DEFINITIONS

For the purposes of this Deed the following expressions shall have the following meanings:

"**Act**" means the Town and Country Planning Act 1990 (as amended).

"**Affordable Housing**" housing provided by a Registered Provider to persons who (at the time the tenancy lease or other disposal to them is made) cannot afford to rent or buy housing sufficient for their needs on the open market within the Borough of Tonbridge and Malling at a cost low enough for them to afford determined with

THE COMMON SEAL OF
TONBRIDGE AND MALLING BOROUGH COUNCIL
was affixed in the presence of:



Authorised Signatory:

EXECUTED AS A DEED by
ASHILL LAND LIMITED
acting by:

Director: BENJAMIN BOYCE

In the presence of:

Witness signature:

Witness name: SIRSEL MCCALED

Witness address: 24 OSTERLEY CRESCENT
ISLEWORTH, TW7 5LF

EXECUTED as a deed by affixing the common seal of
WEST KENT AND ASHFORD COLLEGE (in education
administration) in the presence of:-

WILLIAM MATTHEW HUMPHRIES TAIT
AS JOINT ADMINISTRATOR OF

Signature of joint administrator

SIGNED as a deed by
WILLIAM MATTHEW HUMPHRIES TAIT

(without personal liability and solely
for the purpose of obtaining the benefit of
the provisions in this lease) on behalf of the administrators
in the presence of:-

WITNESS

Signature of Witness

Name

ROBERT STYLES

Address

19 SOUTHFIELD ROAD
TONBRIDGE WELLS

KENT

SIGNED as a deed by

FRANCIS GRAHAM-NEWTON

(without personal liability and solely
for the purpose of obtaining the benefit