

- 1.2 Where the context so requires:
 - 1.2.1 the singular includes the plural;
 - 1.2.2 references to any party shall include the successors in title to that party;
 - 1.2.3 where a party includes more than one person any obligations of that party should be joint and several;
 - 1.2.4 references to clauses and schedules are references to clauses in and schedules to this Undertaking.

2 Legal Effect

- 2.1 This Deed shall constitute a planning obligation for the purposes of and is made pursuant to Section 106 of the 1990 Act and Section 111 of the Local Government Act 1972 to the intent that it shall bind the Owner and his successors in title to each and every part of the Property as provided in these sections.
- 2.2 This Deed shall be enforceable by the District Council alone.
- 2.3 No person shall be liable for any breach of this Deed or any part of it unless he holds an interest in the part of the Property in respect of which such breach occurs or held such an interest at the date of the breach.
- 2.4 The covenants contained in this Deed shall not come into effect until the planning permission sought in the Application has been granted and the Owner has served notice upon the District Council that he proposes to implement the permission.
- 2.5 No Development shall be commenced in pursuance of the planning permission sought in the Application unless notice has been given in accordance with clause 2.4 provided always that if the Development shall have commenced within the meaning of Section 56 of the Town & Country Planning Act 1990 this Undertaking shall thereupon come into effect.
- 2.6 If the planning permission sought in the Application expires within the meaning of Sections 91, 92, or 93 of the 1990 Act or is revoked this Deed shall forthwith determine and cease to have effect.