Theaker, Loadsman & Reynolds
Solicitors

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Adur & Worthing Councils
Legal & Democratic Services

Our Ref: MW/ser/Gaffney/G312.5

DX 142960 WORTHING 20

Your Ref: 003992-JCS/ES/71487

Date: 15 September 2009

Dear Sirs,

Re: Our client: James Gaffney
Kings Head – 10 Fishersgate Terrace, Southwick BN41 1PH
Application Reference: ADC/0305/09

We write further to the above matter and regret that we appear to be reaching an impasse.

The position is that our client is purchasing the property with a view to converting to office use from the existing use as a Public House.

In order to obtain release of our client's funding, we need to produce evidence of Local Authority consent for office use.

We have received confirmation from the planning officer dealing with our client's application Miss Barker that the consent will be forthcoming subject to our resolving the issue of the 106 agreement. We enclose a copy of Miss Barker's email for your information.

The difficulty, however, is that our client, as you quite rightly state, is at present purchasing the property and hence does not hold the current freehold interest.

We have approached the existing freeholder and asked that they notionally enter into the agreement however unfortunately they have refused to do so.

We will need clear confirmation that the Local Authority consent will be granted for change of use to offices in order to complete our client's transaction to satisfy their funder.

Would it be possible to amend to the current documentation in order to confirm that once our clients had exchanged simultaneous with completion of the purchase, they would

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enter into the 106 agreement and that on this basis the Local Authority consent would be confirmed and provided.

We must ask you for your assistance as to how best to proceed given the present circumstances and look forward to hearing from you accordingly.

Yours faithfully

Theaker Loadsman & Reynolds

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