

section 23 of the Acquisition of Land Act 1981 or

- (d) an application (within the meaning of paragraphs (a) or (b) above) arising from the grant of a Satisfactory Planning Permission or a Planning Refusal following a reconsideration of a Planning Application by the Local Planning Authority or the Secretary of State or an Appeal to the Secretary of State following a previous Satisfactory Planning Permission or Planning Refusal being quashed pursuant to an application within the meaning of paragraphs (a) or (b) above and the matter being remitted to the Local Planning Authority or the Secretary of State (as the case may be)

"Project"	means the carrying out of the Development by the Developer in accordance with this Agreement
"Project Delivery Group"	means the project delivery group appointed in accordance with and undertaking the role set out in Clause 33
"Pylon Works Condition"	means the completion of the Electricity Pylon Works Agreement in accordance with Clause 5
"Quantity Surveyor"	means such reputable and suitably qualified person as the Developer and/or a Building Contractor may appoint with the approval of the Council (such approval not to be unreasonably withheld) as to the identity and terms of appointment to act as quantity surveyor in relation to each Phase of the Works
"R&A"	means the Royal and Ancient Golf Club of St Andrews
"R&A Agreement"	means the agreement dated 25 January 2001 made between (1) Wirral Borough Council and (2) The Royal Liverpool Golf Club and (3) R&A
"R&A Agreement Criteria"	means the terms and conditions and requirements as specified in the first, second and third schedules of the R&A Agreement as may be varied by agreement between (1) the Council (2) the Developer (3) the R&A and (4) the Royal Liverpool Golf Club from time to time

"R&A Condition"

"R&A Replacement Agreement"

"R&A Transport Agreement"

Comment [A28]:
Disputed information under Regulation
12 (5)(e)

Comment [A29]:
Disputed information under Regulation
12 (5)(e)

Comment [A30]:
Disputed information under regulation
12 (5)(e)

"Residential Development"	means the works required to construct the Residential Units together with ancillary infrastructure
"Residential Phase"	means the land comprised within a phase of Residential Development as identified in the Phase Plan
"Residential Phase Transfer"	means the transfer to be made of the Residential Phase(s) from the Council to the Housebuilder in such form as the Council and the Developer shall agree (acting reasonably and properly) and subject to the provisions of Part 1 of Schedule 4
"Residential Units"	means the number and specification of residential units contained in the approved Outline Financial Package



Comment [A31]:
Disputed information under Regulator
12(5)(e)

"Review Procedure"	means the procedure set out in Schedule 5 (Review Procedure)
--------------------	--

"Reviewable Documents"	means:- <ul style="list-style-type: none"> (a) any Design Data (b) the Phase Plan (and any variations or amendments thereto) (c) the Development Programme and (d) any other documents that are designated as Reviewable Documents as part of the satisfaction of the Funding and Viability Condition
------------------------	---

"Royal Liverpool Golf Club"	means the Royal Liverpool Golf Club of Meols Drive, Hoylake, Wirral, Merseyside
-----------------------------	---

"S106 Costs"	means the aggregate of any financial contributions required to be paid by the Developer under the Planning Agreement and the reasonable and proper costs likely to be incurred by the Developer in carrying out any works or complying with any obligations contained within the Planning Agreement
--------------	---

"Satisfactory Environmental Insurance Policy"	means a policy (as further detailed in Clause 12.2) which is satisfactory to the Council
---	--

"Satisfactory Environmental Report"	means the results of the Environmental Report which are satisfactory to the Developer
-------------------------------------	---

"Satisfactory Footpath Diversion Order"	means a Footpath Diversion Order that is satisfactory to each party acting reasonably
---	---

"Satisfactory Planning Permission" means Planning Permission granted either by the Local Planning Authority or the Secretary of State which is free from any Onerous Condition

"Satisfactory Title" means freehold title which is either registered with absolute title at the Land Registry or where unregistered is subject to a good root of title and in each case which is free of any right, restriction, covenant or other matter which would in the view of the Council (acting in its reasonable discretion as a landowner):-

- (a) materially adversely affect the implementation of or subsequent use of the Development or the value of the Site and/or the ability to let or effect a disposal of the completed Development
- (b) and/or materially adversely affect the value of the Site and
- (c) and/or materially adversely affect the ability to let or effect a disposal of the completed Development

(save to the extent that insurance in respect of such matter is reasonably likely to be available on normal commercial terms)

"Secretary of State" means the Secretary of State or other minister, person or body for the time being having or entitled to exercise the powers now conferred on the Secretary of State by sections 77 and 79 and section 247 and 257 of the Town and Country Planning Act 1990

"Service Media" means apparatus and conducting media for the passage of foul and surface water, drainage, electricity, gas, water and telecommunications and any other services and supplies of whatsoever nature

(a)

(b)

(c)

Comment [A32]:
Disputed information under Regulator
12 (5)(e)