

### **Schedule 1 The Developer's and the Owner's Covenants to the Council**

1. Not to permit the occupation of any of the Affordable Dwellings otherwise than in accordance with this Agreement.
2. The Affordable Dwellings must at all times be managed in accordance with the objects of a Registered Provider of Social Housing (RPSH) and in accordance with any planning permission granted in respect of the Affordable Dwellings.
3. The Affordable Dwellings shall not be used or occupied other than as Affordable Housing by Designated Persons (BUT for the avoidance of doubt without requiring any occupier to vacate an Affordable Dwelling:-
  - i. Should that occupier's financial means improve after being granted a tenancy; or
  - ii. If the occupier is a succession tenant or an occupier who has had a tenancy transferred to it pursuant to an order of the Court or by operation of law).
4. All affordable units to be constructed to Level 3 of the Code for Sustainable Homes
5. The RPSH must allocate each of the Affordable Dwellings to occupants meeting one or more of the following criteria:
  - 5.1 The intended household has been continuously resident in the Parish of Willand for at least five years in Bands A-D;
  - 5.2 The intended household is permanently employed in the Parish of Willand in Bands A – D and whose work is primarily based in this parish. For the purposes of this criteria 'permanently employed' means having held a permanent contract for a minimum of 16 hours per week for at least the preceding 6 months;
  - 5.3 Former residents who previously lived in the Parish of Willand for a period of at least three years within the last 10 years in Bands A - D;
  - 5.4 The intended household is in the A – D Band and has a close living relation resident in the Parish of Willand. This means immediate family members (parents, siblings, dependent and non-dependent children) who themselves live in the parish of Willand and have done so for at least five years.
  - 5.5 The intended household have been continuously resident in the Parish of Willand for six months or more in Bands A – D;

- 5.6 The intended household has a local connection to the Parish of Willand according to any of clauses 5.1 – 5.5 in order of preference, in the E Band where the household income is insufficient to enable them to afford or to sustain to rent or purchase a property suitable for their needs in the parish of Willand.
- 5.7 The intended household has a local connection to the Parish of Willand according to any of clauses 5.2 – 5.4 in order of preference who are currently

Council/Housing Association Tenants who are in the E Band that have moved out of the parish of Willand but wish to return.

- 5.8 Those residents in the neighbouring parishes in the following order with priority being given to those parishes within the district of Mid Devon using the above criteria; Cullompton, Halberton, Uffculme in Bands A – D;
- 5.9 The intended household has a local connection to the neighbouring Parishes of Willand according to any of clauses 5.1– 5.5 in order of preference, in the E Band where the household income is insufficient to enable them to afford or to sustain to rent or purchase a property suitable for their needs in the parish of Willand;
- 5.10 Those residents with a local connection to Mid Devon District in Bands A-D. For the purposes of determining ‘local connection’ the Devon Home Choice definition will be used.
- 5.11 The intended household has a local connection to Mid Devon District according to the Devon Home Choice definition in the E Band where the household income is insufficient to enable them to afford or to sustain to rent or purchase a property suitable for their needs in Mid Devon.
- 5.12 All Devon Home Choice applicants.
- 5.13 In the event that upon any Affordable Dwelling becoming vacant there are no persons immediately available who fulfil one or more of the criteria set out in the above sub-clauses then the RPSH shall be at liberty to let the Affordable Dwelling to a Designated Person of its own choosing.