

"Local Connection"

means a connection with the Primary Area, the Secondary Area, the Tertiary Area or the County as appropriate and demonstrated by that person or a member of their Household to the reasonable satisfaction of the Council:

- (a) being permanently resident therein immediately prior to advertising (in accordance with the approved Scheme of Advertising) and that residence is of their own choice; or
- (b) being formerly permanently resident therein for a continuous period of five (5) years; or
- (c) having his or her place of permanent work (normally regarded as 16 hours or more a week and not including seasonal employment) therein immediately prior to advertising (in accordance with the approved Scheme of Advertising); or
- (d) having a connection through a close family member (normally mother, father, brother, sister, son or daughter) where the family member is currently resident therein and has been so for a continuous period of at least five (5) years immediately prior to advertising (in accordance with the approved Scheme of Advertising); or
- (e) being in such other special circumstances which the Council considers requires the applicant to reside therein as appropriate and which is consistent with the Devon Homechoice policy as amended from time to

	time
“Local Housing Allowance”	means the flat rate rental allowance providing financial assistance towards the housing costs of low income households for different rental market areas and property types set out and reviewed by the Valuation Office Agency under a framework introduced by the Department for Work and Pensions or such similar framework that may replace it
“Manager for Housing”	means the Council’s Manager for the time being of Affordable Housing
“Market Value”	means the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s length transaction after proper marketing and where the parties had each acted knowledgeably prudently and without compulsion
“Marketed Appropriately”	means marketing the Custom Build Plots with a reputable estate agent at a price which the Council considers is realistic and achievable
“Marketing Period”	means a period of not less than 12 months in which the Custom Build Plots will be Marketed Appropriately, which will commence once the Custom Build Plots are Fully Serviced, accessible by road, have defined boundaries and are available for immediate purchase
“Marketing Terms”	means the Owner’s terms and conditions of the sale of the Custom Build Plots which shall be no more restrictive or onerous as the Owner’s terms and conditions for the sale any of the Open Market

	Dwellings
“Mortgagee”	means the mortgagee of either: (a) the Site or any part thereof; or (b) an individual Affordable Dwelling where the mortgagor has defaulted on the particular mortgage; or (c) any mortgagee or chargee of the AHP or any receiver or manager (including an administrative receiver) appointed pursuant to the Law of Property Act 1925 or otherwise
“Mortgagees Duty”	means the tasks and duties set out in paragraph 1.18 of the First Schedule of this Deed
“Non-Infrastructure SPA and SAC Mitigation Contribution”	means the sum of £800 per Dwelling payable to the Council as a financial contribution towards the provision of non-infrastructure measures for mitigation of impacts upon the Exe Estuary SPA and Dawlish Warren SAC
“Occupation” and “Occupied”	means occupation for the purposes permitted by the S73 Permission but not including occupation by personnel engaged in construction fitting out or decoration or occupation for marketing or display or occupation in relation to security operations relating solely to any of the Dwellings or development authorised by the S73 Permission or demolition and “Occupied” and “Occupy” shall be construed accordingly
“Open Market Dwelling”	means any dwelling to be constructed pursuant to the S73 Permission which is not an Affordable