

5. Following the sale of the Affordable Dwellings to a Registered Provider the Registered Provider (as successor in title to the Owner) shall allocate each Affordable Dwelling to a person who is considered by the Registered Provider to be in need of such accommodation and who in the opinion of the Registered Provider is unable to afford other accommodation in the locality suitable to the needs of himself and his because of the relationship between housing costs and income and who immediately prior to such allocation has a Strong Local Connection
6. If the Registered Provider is unable to allocate any of the Affordable Dwellings in the manner referred to in paragraphs 5 of this Schedule then the Registered Provider shall allocate any such Affordable Dwelling to any other person who is considered by the Registered Provider to be in need of such accommodation and who in the opinion of the Registered Provider is unable to afford other accommodation in the locality suitable to the needs of himself and his household because of the relationship between housing costs and income.
7. Upon any disposal by the Registered Provider of the freehold reversion of any Intermediate Dwelling there shall be included in the transfer a covenant on the part of the purchaser in favour of the Registered Provider that the said purchaser will not dispose of the said Affordable Dwelling (other than by way of mortgage) without first offering to convey the Affordable Dwelling to the Registered Provider at Open Market Value.

#### **Part 2 – Release**

8. The provisions and restrictions contained or referred to in Part 1 of this Schedule shall not apply to:
  - 8.1 A Protected Tenant; or
  - 8.2 Any Chargee of the Affordable Dwellings nor to any Receiver (“the Receiver”) appointed by a Chargee to the intent that any such Chargee or Receiver may deal with or dispose of the Affordable Dwellings or any of them freed from the said provisions and restrictions and on the basis that any person deriving title through or under such Chargee or Receiver shall not be bound by the restrictions contained in Part 1 of this Schedule provided that:

"Strong Local Connection" means a strong local connection to the Relevant Area and in determining whether someone has a strong local connection the Registered Provider shall consider:

1. family associations of such person or persons to people resident in the Relevant Area;
2. any periods of ordinary residence of such person or persons in the Relevant Area not immediately before the date upon which any Affordable Dwelling becomes vacant and/or;
3. whether such person or persons has permanent employment or the offer of permanent employment in the Relevant Area.

"Traffic Regulation Order (TRO) Contribution" means the sum of £5,000.00 (Five Thousand Pounds) payable to the County Council towards the cost of the closure of Whitehill Road and for the avoidance of any doubt identifying any necessary traffic regulation orders and any other similar changes to the highway subject to statutory publications e.g. zebra crossings, road humps etc. together with the making of any such order or publish notice of intent or similar including notification procedure pursuant to the relevant legislation.

"Sustainable Travel Contribution" means the sum of £60,600.00 (Sixty-Nine Thousand and Six Hundred Pounds) payable to the County Council to be used towards the provision of sustainable travel vouchers to the Occupiers of the Dwellings and for the avoidance of doubt any related travel and welcome packs determined in writing by the County Council.

"Teignbridge Local Plan" means the Teignbridge Local Plan 2013 – 2033 adopted by the Council on 6 May 2014.

"Working Day" means any Monday to Friday (other than Bank or Public Holidays or the period between Boxing Day and New Year's Day).

## 2. Construction of this Deed

- 2.1 Where in this Deed reference is made to any clause, paragraph or schedule or recital such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule or recital in this Deed.