

- 3.6 Prior to the Occupation of 50% of the Open Market Dwellings on any part or parts of the Site benefiting from a Reserved Matters Approval the Owners shall have Provided and transferred 50% of the Affordable Rented Housing for that area to an Affordable Housing Provider on such terms and subject to existing encumbrances reservations and the imposition of such covenants as may be agreed between the Owners and the Affordable Housing Provider
- 3.7 Prior to occupation of 50% of the Open Market Dwellings on any part or parts of the Site benefiting from a Reserved Matters Approval the Owners shall have Provided 50% of the Intermediate Affordable Housing for that area
- 3.8 Prior to the occupation of 75% of the Open Market Dwellings on any part or parts of the Site benefiting from a Reserved Matters Approval the Owners shall have Provided and transferred 100% of the Affordable Rented Housing to an Affordable Housing Provider on such terms and subject to existing encumbrances reservations and the imposition of such covenants as may be agreed between the Owners and the Affordable Housing Provider
- 3.9 Prior to the occupation of 75% of the Open Market Dwellings on any part or parts of the Site benefiting from a Reserved Matters Approval the Owners shall have Provided 100% of the Intermediate Affordable Housing
- 3.10 The Owners shall upon completion of the transfer of the Affordable Dwellings and at all times subsequently Allocate each Affordable Dwelling to a person who is considered by the Owners to be in need of such accommodation and who in the opinion of the Owners is unable to afford other accommodation in the locality suitable to the needs of himself and his household and who:-
- i. has immediately prior to such allocation been resident within the Newton Abbot Sub Regional Centre; or
 - ii. has a strong local connection the Newton Abbot Sub Regional Centre;
- AND in seeking to allocate the Affordable Dwellings under this sub-paragraph the following shall (but without limiting wider discretion in this regard) consider:-
- (a) family associations of such person or persons in the Newton Abbot Sub Regional Centre;

(b) any periods of ordinary residence of such person or persons in the Newton Abbot Sub Regional Centre not immediately before the date upon which any Affordable Dwelling becomes vacant and/or;

(c) whether such person or persons has to have permanent employment in the Newton Abbot Sub Regional Centre

3.11 If the Owners are unable to Allocate within 7 days any of the Affordable Dwellings in the manner referred to in Paragraph 3.10 above then the Owners shall Allocate any such Affordable Dwelling by applying the procedures contained in Paragraph 3.10 above but in lieu of the reference therein to the Newton Abbot Sub Regional Centre there shall be substituted references to the district of Teignbridge

3.12 If the Owners are unable to Allocate within 28 days any of the Affordable Dwellings in the manner referred to in paragraphs 3.10 and 3.11 above then the Owners shall allocate any such Affordable Dwelling to a person or persons ("the nominee") nominated by the Service Lead for Housing for the time being of the Council from the Council's list of persons of priority housing need within its administrative area PROVIDED that the Owners shall have the right to reject an applicant if one of the following criteria is met :-

3.12.1 The nominee has no housing need as defined within the criteria for preference within the Housing Act 1996 (as amended by the Homelessness Act 2002)

3.12.2 The nominee is not a suitable tenant as defined within the criteria of the Owners' Allocations and Lettings Policy

3.12.3 In the case of an Affordable Dwelling to be let as Shared Ownership Housing the nominee does not have sufficient cash or income to purchase the required equity share.

AND the Owners have the right, whilst acting reasonably at all times, in respect of each nomination to reject the nominee by giving notice to the Council and such notice shall state reasons for the rejection and the Council shall have the right to nominate an alternative