

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

- 1.6 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
- 1.7 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
- 1.8 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 100% of the Intermediate Affordable Housing
- 1.9 All Affordable Rented Housing shall at all times be occupied and managed in accordance with the terms and objects of the Affordable Housing Provider PROVIDED THAT after the Owners shall have parted with their interest in the Affordable Dwellings the Owners shall bear no liability for ensuring that this intention is achieved or that the Affordable Housing Provider complies with the allocation requirements set out in the following paragraphs
- 1.10 The Owners shall Allocate each Affordable Dwelling to a person who is considered by the Owners to be in need of such accommodation and who is in the opinion of the Owners unable to afford other accommodation in the locality suitable to the needs of himself and his household and who:
 - 1.10.1 has an immediate priority to such allocation being resident within the Parish of Dawlish; or

1.10.2 has a strong local connection with the Parish of Dawlish;

AND in seeking to Allocate the Affordable Dwellings under this sub-paragraph the following shall (but without limiting wider discretion in this regard) consider:

- i. family associations of such person or persons in the Parish of Dawlish;
- ii. any periods of ordinary residence of such person or persons in the Parish of Dawlish not immediately before the date upon which any Affordable Dwelling becomes vacant and/or;
- iii. whether such person or persons has to have permanent employment in the Parish of Dawlish

1.11 If the Owners are unable to Allocate within 14 days any of the Affordable Dwellings in the manner referred to in Paragraph 1.10 above then the Owner shall Allocate any such Affordable Dwelling by applying the procedures contained in Paragraph 1.10 above but in lieu of the reference therein to the Parish of Dawlish there shall be substituted references to the district of Teignbridge

1.12 If the Owner is unable to Allocate within 28 days any of the Affordable Dwellings in the manner referred to in paragraphs 1.10 and 1.11 above then the Owner 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 Owner shall have the right to reject an applicant if one of the following criteria is met:

- 1.12.1 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)