

in accordance with Clause 10 hereto

"Local Connection"

means a person who is in housing need and who is registered on the Common Housing Register and who is unable to secure accommodation suitable for their needs in the open housing market and who has a connection to the Parish of Clyst St Mary demonstrated by one or more of the following criteria such criteria to be applied in the order of priority set out below

- (1) have been living in the Parish of Clyst St Mary for the last three years or
- (2) he is in full employment in the Parish of Clyst St Mary working more than 16 hours per week or
- (3) he has been resident in the Parish of Clyst St Mary for periods totalling at least three of the last five years or
- (4) he has a close family association with the Parish of Clyst St Mary in that his mother father son daughter or sibling has been ordinarily resident in the Parish of Clyst St Mary for a continuous period of five years immediately prior to the Affordable Dwelling in question being offered to them and where a caring dependency relationship can be demonstrated, or
- (5) he is ordinarily resident in the District

and in the event that no-one can be found within the Parish of Clyst St Mary then the process shall be repeated considering persons from the following areas in the following priority order;

- (1) the Neighbouring Parishes,

(2) persons from the District of East Devon

"Maintenance Period"

means the period between the issue of the Practical Completion Certificate and the date the On Site Public Open Space is transferred (if appropriate) to the Management Company such period being not less than twelve (12) months (or an alternative time period at the Head of Services' discretion)

"Management Company"

means a company to be established or employed by the Owners the purpose of which will be (amongst other things) to manage and maintain the On Site Public Open Space in accordance with the provisions in the Sixth Schedule hereto or as may be agreed in writing between the Council and the Owners

"Management Scheme"

means the scheme to be submitted by the Owners to the Council for the Council's approval as the mechanism for securing the in perpetuity maintenance of the On Site Public Open Space in accordance with which may include at the Owners' own expense creation or employment of the Management Company

"Monitoring Charge"

means the sum of £2,875.50 as a contribution towards the Council's costs of monitoring and administering this deed

"Neighbouring Parishes"

means the Parishes of Clyst St George, Woodbury, Farringdon and Sowton *EAST*

"Nomination Agreement"

means the agreement or an agreement substantially in the form of the one appended to this Agreement in the Fifth Schedule and which governs the ability of the Council to nominate occupiers for the Affordable Dwellings

"Obligations"

means the planning obligations contained in the First Schedule and in the Second Schedule