

D. Routing of Construction Traffic

1. During the period of weight restriction on Shaldon Bridge the Owner undertakes to insert in every contract let in connection with construction of the Development a clause to this effect:

"All contractor and other construction traffic over 7.5 tons to which the fulfilment of this contract gives rise shall travel to and return from the Teignhaven site via the A379 Torquay Road in accordance with site direction boards erected by Midas Homes Limited at the entrance to the site and the approach roads to it".

2. To regulate the routing of construction traffic in this manner the Owner shall erect such directional signs as are reasonably required by the County Council on the Land and the roads leading to it and shall otherwise take such practicable steps as are available to it arising from its supervision of construction on the Land to ensure observance of the above contractual clause.
3. Provided that the Owner complies with the obligations in paragraphs 1 and 2 above the Owner shall not be liable for the failure of any person to observe the routing described in paragraph 1.

E. Social Housing

1. "Registered Social Landlord" includes housing association and other bodies regulated by the Housing Corporation – as defined by the Housing Act 1996.
2. "Affordable Dwelling" means a dwelling owned or intended to be owned by a Registered Social Landlord or by the Council.
3. Prior to occupation of the 35th open market dwelling in the Development the Owner shall transfer to a Registered Social Landlord the Land to provide 7 (seven) Affordable Dwellings on the Land in the manner shown on the drawings comprised in the Permission with the intention that the Affordable Dwellings shall at all times be occupied and managed by and in accordance with the aims and objects of a Registered Social Landlord and in accordance with the Permission PROVIDED THAT after it shall have parted with any interest in the said land the Owner shall bear no liability for ensuring that this intention is achieved or that the Registered Social Landlord complies with the following obligations.
4. The Registered Social Landlord shall upon completion of the Affordable Dwellings and at all times subsequently allocate each Affordable Dwelling to a person who is considered by the Registered Social Landlord to be in need of such accommodation and who is unable to afford other accommodation in the locality and who
 - (i) has immediately prior to such allocation been resident within Shaldon or
 - (ii) has a strong local connection with Shaldon

AND in seeking to allocate the Affordable Dwellings under this sub-paragraph the Registered Social Landlord shall (but without limiting its wider discretion in this regard) consider

- (a) family associations of such person or persons in Shaldon

- (b) any periods of ordinary residence of such person or persons in Shaldon not immediately before the date upon which any Affordable Dwelling becomes vacant and/or
 - (c) whether such person or persons has or have permanent employment in Shaldon
- 5. If the Registered Social Landlord is unable to allocate any of the Affordable Dwellings in the manner referred to in paragraph 5 above then the Registered Social Landlord shall allocate any such Affordable Dwelling by applying the procedures contained in paragraph 5 above but in lieu of the reference therein to Shaldon there shall be substituted references to surrounding parishes and the District of Teignbridge.
- 6. If the Registered Social Landlord is unable to allocate any of the Affordable Dwellings in the manner referred to in paragraphs 5 and 6 above then the Registered Social Landlord shall allocate any such Affordable Dwelling to a person or persons nominated by the Chief Housing Officer for the time being of the Council from the Council's list of persons of priority housing need within its administrative area but if such nomination is not made within two weeks of notification by the Registered Social Landlord of a vacancy then the Registered Social Landlord shall be entitled to allocate any vacant Affordable Dwelling to any person who is considered by the Registered Social Landlord to be in need of such accommodation and who is resident in the Teignbridge District or has a strong local connection with the Teignbridge District, or failing that within the County of Devon.
- 7. Any Mortgagee or Chargee of a Registered Social Landlord or any Receiver exercising a statutory power of sale arising under any mortgage or charge of the Registered Social Landlord secured against the part of the Land to which this obligation relates and its or their successors in title will not be bound by the terms of this obligation.

F. Public Car Park

- 1. The Owner at its own expense entirely will construct a 48 space public car park in the manner shown on the drawings approved by the Permission and will complete it not later than six months after completion of the final dwelling in the Development.
- 2. To enable the Council to manage the car park for the benefit of the public whether through a Public Parking Spaces Order or otherwise the Owner prior to occupation of the 35th dwelling in the Development will contract with the Council to transfer to it for £1 a freehold interest in the part of the Land edged blue on Plan B ("the Blue Land") together with appurtenant rights of way between the Blue Land and Bridge Road and on the following terms:-
 - (a) Completion of the transfer to be not later than six months after occupation of the final dwelling in the Development.
 - (b) The Council shall enter into a covenant in favour of the Owner and its successors in title:
 - (i) not to use the Blue Land for any purpose other than for the purposes of public car parking regardless whether the Owner has parted with possession of any or all of the Land it has retained ("the Retained Land").