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| “1972 Act” | The Local Government Act 1972 |
| “1990 Act” | The Town and Country Planning Act 1990 (as amended) |
| “2000 Act” | The Local Government Act 2000 |
| “Affordable Housing Unit” | means the Dwellings to be provided in accordance with Schedule [] |
| “Affordable Housing” | has the meaning given to it in Annex B of Planning “Policy Statement 3: Housing” as published by the Department for Communities and Local Government dated November 2006 |
| “Biodiversity Mitigation Works” | The works contained in the specification set out in the Schedule |
| “Bird Management Scheme” | The scheme for bird monitoring and scaring measures for the purposes of ensuring so far as is reasonably practicable that there is no additional risk to aircraft using resulting for the Development insofar as such measures are lawful and where a licence permission or consent is required by law to enable such measures to be carried out such licence permission or consent can reasonably be obtained to be agreed in writing between the Owner and the County Council and/or the Council prior to Commencement of Development |
| “CCTV” | The closed circuit television covering the |
| “Chargee’s Duty” | The tasks and duties set out in Clause |
| “Chargee” | Any mortgagee or chargee of the Registered Social Landlord or the successors in title to such mortgagee or charge or any receiver or manager (including an administrative receiver) appointed pursuant to the Law of Property Act 1925 |
| “Commencement of Development” | means the earliest date on which any material |

operation as defined by section 56(4) of the 1990 Act is begun (excluding any operations relating to site investigations or consisting of site clearance or demolition work)

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| “Community Facilities Floorspace” | Not less than square metres of floor-Space (gross external) to be provided within the Development in accordance with the Community Uses Specification |
| “Community Facilities Land” | The site of the Community Facilities shown for identification purposes only coloured on the Plan having an area of hectares |
| “Community Facilities” | The provision of a as shall be agreed with the County Council and/or Council |
| “Community Uses Specification” | The specification set out in the Schedule |
| “Community Uses” | The uses |
| “Completed”, “Completion” | In respect of a Dwelling, the issue of a Final Certificate under the Building Act 1984 |
| “Development” | means the development the subject of the Application |
| “Dwelling” | means any dwelling (including a house flat or maisonette) to be constructed pursuant to the Planning Permission |
| “Fire and Rescue Station Specification” | The specification for the construction and provision of the Fire and Rescue Station set out in the Schedule |
| “Fire and Rescue Station” | Fire and Rescue Station to be constructed on the Fire and Rescue Station Land in accordance with the Fire and Rescue Specification |
| “Fire and Rescue Works” | The works contained in the specification set out in the Schedule |
| “Highway Agreement” | Agreement for an agreement under s.38 and/or s.278 of the 1980 Act as may be reasonably agreed between the Owner and the |

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| | County Council and [any additional parties thereto] |
| “Highway Works” | The works specified in the Schedule |
| “Household Waste and Recycling” | Towards the enhancement or provision of facilities at |
| “Index” | The All In Tender Price Index published by the Building Cost Information Service of the Royal Institution of Chartered Surveyors or any successor organisation |
| “Intermediate Affordable Housing” | Housing at prices and rents above those of Rented Affordable Housing, but below market prices or rents and can include shared equity products (e.g. Newbuild Homebuy), other low cost homes for sale and intermediate rent developed by a range of private and social sector providers |
| “Newbuild Homebuy” | A Residential Unit where the equity is shared between the occupier and a Registered Social Landlord or Local Authority and the Residential Unit is acquired using the Housing Corporation’s lease model or other model approved by the Council (such approval not to be unreasonably withheld or delayed) <i>[omit if no shared ownership units being provided]</i> |
| “Phase” | Any individual phases of land on which all or any part of the Development is to be carried out as approved by the Council following the submission of the Phasing Plan pursuant to paragraph 1 of the Schedule |
| “Plan” | The Plan annexed to this Deed |
| “Planning Application” | the outline/full planning application for planning permission for the Development validated on [] and allocated the Council’s reference number |

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| "Planning Permission" | [] the planning permission granted by the County Council/Council pursuant to the Planning Application substantially in the form of the draft attached at Schedule 2 |
| "Planting Season" | 30 th March to 1 st November of each year |
| "Practical Completion" | The issue of a certificate of practical completion by the Owner's architect or in the event that the development is constructed by a party other than the Owner the issue of a certificate of practical completion by that other party's architect |
| "Property Transfer Trigger" | The restriction on occupation of more than set out in paragraph [1] of the Schedule |
| "Protected Tenant" | Any tenant who: <ul style="list-style-type: none"> (a) has exercised the right to acquire pursuant to the Housing Act 1996 or any statutory provision for the time being in force (or any equivalent contractual right) in respect of a particular Affordable Housing Unit; or (b) has exercised any statutory right to buy (or any equivalent contractual right) in respect of a particular Affordable Housing Unit; or (c) has been granted a shared ownership lease by a Registered Social Landlord (or similar arrangement where a share of the Affordable Housing Unit is owned by the tenant and a share is owned by the Registered Social Landlord) in respect of a particular Affordable Housing Unit and the tenant has subsequently purchased from the Registered Social Landlord all the |

remaining shares so that the tenant owns the entire Affordable Housing Unit

“Public Art”

“Public Open Space Land”

The land shown for identification purposes coloured on the Plan

“Public Open Space Specification”

Specification for the carrying out of Open Space Works and the maintenance specification to be agreed in writing between the Owner and the County Council and/or the Council prior to Commencement of Development

“Public Open Space Works”

To be carried out in accordance with the Open Space Works Specification

“Public Realm”

Means the areas open to the public within which shall be subject to surveillance by CCTV

“Registered Social Landlord”

A Registered Social landlord as defined in Part 1 of the Housing Act 1996 who is registered with the Housing Corporation pursuant to Section 3 of that Act and has not been removed from the register pursuant to Section 4 of that Act and who is approved by the Council (such approval not to be unreasonably withheld or delayed)

“Rented Affordable Housing”

Affordable Housing owned and managed by a Local Authority or a Registered Social Landlord which is available for rent and for which guideline target rents are determined through the central government national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the Local Authority or with the Housing Corporation as a condition of grant

“Residential Unit”

An individual unit of accommodation comprising part of the Development

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| “Site Management Plan” | The plan for the long terms management during the mineral working and restoration (including a five year aftercare scheme) of the Site including full details of the creation method and management of the and details of the managing body or bodies funding and monitoring arrangements to be agreed in writing between the Owner and the County Council within 12 months of the Commencement of extraction of minerals from the Site |
| “Site” | means the land shown edged red on the Plan |
| “Viability Assessment” | Means the assessment of the viability of the Development using a Viability Toolkit |
| “Viability Toolkit” | Means a recognised viability toolkit to assess the financial viability of the Development, the inputs to which will be all values, costs and profit element permitted to be included in the relevant toolkit as at the date the Viability Assessment is undertaken |
| “Wheelchair Standard Unit” | A dwelling which complies with the brief and standards set out in Schedule XX |
| “Woodland Planting Scheme” | The scheme for woodland planting on To be agreed in writing between the Owner and the County Council and/or the Council prior to Commencement of Development |