

SCHEDULE 9

Extra Care Apartments

- 1 The Owners shall actively market the Extra Care Site from the Commencement Date with a view to securing a purchaser of the Extra Care Site who will contractually commit to developing the Extra Care Apartments and the Minimum Design Features permitted by the Planning Permission.
- 2 The Extra Care Apartments and Minimum Design Features shall be constructed in accordance with all Necessary Consents including Reserved Matters Approval or any grant of planning permission.
- 3 The Extra Care Apartments shall only be occupied by an Extra Care Qualifying Person save for the widow or widower or surviving co-habitee of such a person who remains in occupation following the death of the Extra Care Qualifying Person save that where in such circumstances 6 Extra Care Apartments are occupied solely by such persons the Extra Care Provider must:
 - i) give immediate written notice to the Borough Council that this number of Extra Care Apartments have been occupied;
 - ii) specify what actions are to be taken by the Extra Care Provider to ensure that the number of Extra Care Apartments so occupied are to be controlled so as to avoid such apartments not being available to Extra Care Qualifying Persons;
 - iii) take such further steps as the Borough Council may reasonably specify to achieve the objective specified in ii);
 - iv) confirm to the Borough Council the steps that have been implemented for the purposes of addressing ii) and iii); andfurther the Extra Care Provider will not allow cause or permit more than 10 Extra Care Apartments to be occupied by persons who are not Extra Care Qualifying Persons including requiring the disposal of units so occupied to persons who do qualify
- 4 The Owner/operator of the Extra Care Apartments shall maintain the Minimum Design Features for use by the Occupiers of the Extra Care Apartments subject to being able to change or cease using any of the said Minimum Design Features with the agreement of the Borough Council.
- 5 For the avoidance of doubt the owner of the Extra Care Site/the Extra Care Apartments and/or the Minimum Design Features may contract with any other person or body regulated by the Care Quality Commission or any successor body to provide any regulated elements of the Minimum Care Package to all Extra Care Qualifying Person(s) and/or the Extra Care Services.
- 6 The Owner/operator shall provide information as the Borough Council may reasonably require in order to confirm that the Extra Care Apartments are being occupied in accordance with the terms of this Deed limited to the names, ages and Minimum Care package in terms of hours received by such persons and to obtain details of any persons carrying out Extra Care Qualifying Person

Assessments including details of their qualifications and/ or suitability for carrying out such assessments.