

KEY PRINCIPLES OF DIRECT DELIVERY OBLIGATIONS TO BE INTEGRATED WITHIN S106 -

FOR TRANSPORT:

1. S106 Agreement:
 - 1.1. To prohibit implementation of the planning permission until S278 Agreement has been completed; and
 - 1.2. To require completion of S278 Works linked to required stages of the development with prohibition of further development/occupation until met
2. Draft S278 Agreement to be annexed to S106 Agreement and to correspond with the following requirements (items 5-8 below)
3. A 'voluntary transparency notice' is issued prior to the completion of the Section 278 agreement (no objections received). Regulatory minimum notice to apply
4. Section 278 agreement completed prior to the implementation of the corresponding planning permission for the development
i.e. commitments conditional on implementation of planning permission.
5. S278 Agreement incorporates Standard Conditions for the Control of Highway Works in conjunction with Development.
6. Completion of works linked to required stage(s) of the development with prohibition on further developments/occupation until met. This is tied in with other related Planning Conditions if required.
7. Where estimated value of works is in excess of £2m collateral warranties to be provided.
8. Indemnity from developer for any residual procurement risk.