



E c) Approach to S106 and Elstree Way Corridor: Highways Improvements



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Approximately £1.4m is potentially available for allocation toward the highway projects by way of existing s106 obligations. Of this figure, up to £1m is available from s106 agreements signed prior to 6 April 2010 and therefore not subject to the five obligations restriction under Regulation 123 (3) of Community Infrastructure Levy Regulations 2010. Of those subject to the restrictions (as of October 2014):

- Only one agreement exists that is directly related to highway works proposed under Phase 1, Isopad / Hertsmere House (approx. £225k) leaving four future s106 obligations available to contribute to the works.
- There are no existing s106 obligations tied to Phase 2, therefore leaving the funding gap to be able to be met by five section 106 agreements.
- Two existing s106 obligations that are directly related to Phase 3 - Oaklands College (approx. £85k) and Gemini House (approx. £100k) which have been received, leaving the funding gap to be able to be met by three section 106 agreements

The opportunity sites in the EWCAAP will make a contribution to the phases based on the relative impact of site development on the highway:

- Western sites (1 - 3) : Contribution to Phase 1
- Central sites (4- 7) : Contribution to Phases 1 and 2
- Eastern sites (8-11): Contribution to Phase 3

The contribution for each phase (2014 prices) are;

- Phase 1: £1,500 per dwelling
- Phase 2: £1,500 per dwelling
- Phase 3: £1,500 per dwelling

Should the Highways Authority (during the course of development in the EWC) determine that the latest trajectory of development requires the delivery of a particular phase of the highway works, the council will reallocate the identified historic s106 (pre April 2010) to that phase. For example, the funding for Phase 1 could be achieved using the historic s106 and the sums already achieved from Gemini House and Oaklands College (and those proposed from Isopad House). Contributions from future development proposals would then be reallocated to other phases within the five s106 rule.

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