

Examiner Note

The Examiner notes the Council's answer to Question 2 (document P/CIL/1). He would, however, welcome comments/clarification regarding the following two issues:

1. The Council confirms that no specific assessments were run to assess larger in-centre retail developments. The Examiner needs to be confident that the charging schedule is supported by appropriate available evidence particularly relating to viability. Whilst the evidence listed in paragraph 2.4 (a) to (c) of the answer to Question 2 is clearly available it could not be described as detailed or robust and therefore not sufficiently 'appropriate'.

It would seem there are two options - either additional evidence regarding in-centre retail is submitted (if available) or it is recommended that this element of the Schedule is deleted. If additional evidence is submitted this would then have to be subject to a 6 week period of public consultation.

2. With regard to the smaller retail development category (convenience store); hotels and residential institutions it would appear that the situation can be marginal with regard to viability. The sensitivities to change are acknowledged in the Viability Assessment and for example paragraph 3.5.3 concludes that the results should be interpreted cautiously.

The number of such schemes coming forward is likely to be small and there are other potential limitations (e.g. CIL only levied on net additional floorspace), nevertheless it would be helpful if the Council could estimate the likely number of such schemes coming forward in a year and what it would expect to raise annually from these three parts of the levy?

The Examiner has not reached conclusions on these two matters but in the interests of openness and transparency he would like to advise the Council (on a no prejudice basis) that he is considering whether or not to recommend the deletion of the £53 rate for in-centre retail of any size because it has not been informed by appropriate evidence and it could be argued that it may put at risk the overall development of the area (i.e. the Council's aspirations for the city centre as embodied in policy PCS3 of the Portsmouth Plan may not be achieved which could have consequences for the city as a whole). With regard to small out-of-centre retail, hotels and residential institutions, he is currently minded to recommend

their retention in the Schedule because they would not put at serious risk the overall development of the area.

The Council's response to these matters would be welcome by 25 November.