

PORTSMOUTH CITY COUNCIL
COMMUNITY INFRASTRUCTURE LEVY SCHEDULE EXAMINATION

INFORMATION FOR INTERESTED PARTIES

1 EXAMINER

The Examiner is David Hogger BA MSc MRTPI MCIHT

2 PROGRAMME OFFICER

The Programme Officer (PO) is Chris Banks who acts as an impartial officer of the Examination, under the Examiner's direction, and not as an employee of the Council.

Details of how to contact him are set out in the accompanying letter.

His principal functions are:

- to liaise with all parties to ensure the smooth running of the Examination;
- to ensure that all the documents received are recorded and where necessary distributed;
- to maintain the Examination library; and
- to assist the Examiner with procedural and administrative matters.

All practical and procedural points should be addressed to him. He will pass them on to the Examiner for a reply, if necessary.

3 HEARINGS AND ROLE OF REPRESENTORS

There have been no requests for hearings and at this stage it is anticipated that the submitted representations and any further information requested by the Examiner will form the basis for his Report. ***No further action is therefore required from representors unless the Examiner requests further contributions***; they can rely on their written submissions.

4 SCOPE OF THE EXAMINATION AND EXAMINER'S ROLE

This is to consider whether the Community Infrastructure Levy (CIL) Schedule meets the requirements of the Planning Act 2008 and associated Regulations in respect of legal compliance and viability.

The examination will focus on the following questions:

- Is the draft Schedule supported by background documents containing appropriate evidence? Are the proposed rates informed by and consistent with the evidence on economic viability across the city? Are they reasonable and realistic? And

- Has evidence been provided to show that the proposed rates would not put at serious risk the overall development of Portsmouth?

A number of matters raised by representors fall outside the remit of this Examination, for example relating to the Council's approach to CIL collection; the procedures for review; and the implications for the quality of the built environment. The Examiner will therefore not address such matters in his Report.

The focus of the Examination is on the Charging Schedule. The Examiner considers the viability of the Charging Schedule, having regard to the evidence available and representations submitted and not just in relation to the objections made.

The Examiner will prepare a Report to the Council with conclusions and decisions as to any action needed to meet the regulatory requirements of legal compliance and viability. This report is binding on the Council.

The Council has prepared a list of Examination Documents available on the Council's website, in the Examination Library or from the PO. The Examination Library contains copies of the CIL Schedule and associated documents, relevant national advice and all representations submitted.

5 PROCEDURAL QUESTIONS FOR THE COUNCIL

The Council has submitted a declaration which confirms firstly that it has complied with the procedures in the Planning Act 2008 and the Community Infrastructure Regulations 2010 as amended by the Community Infrastructure (Amendment) Regulations 2011; and secondly that it has used appropriate evidence to inform the draft Schedule.

6 CLOSE OF THE EXAMINATION

Once all the information necessary to come to reasoned conclusions and decisions on the issues has been gathered by the Examiner, he will write the Report. The Examination itself remains open until this is submitted to the Council. However, as a general rule the Examiner will not accept further information from any party, unless it is a matter on which he specifically requests it. Any unsolicited items sent in will be returned.

7 SUBMISSION OF THE REPORT TO THE COUNCIL

The report should be submitted to the Council by early December 2011.

If there are any questions arising from this note they should be passed to the Examiner by way of the Programme Officer.

David Hogger

Examiner