

# **Stratford-on-Avon District Council Community Infrastructure Levy (CIL) Schedule Examination**

**Hearing 20 September 2016 Continuing  
21 September if Necessary**

## **EXAMINER'S BRIEFING NOTE**

### **1 EXAMINER**

The Examiner is Rebecca Phillips BA (Hons), MSc, DipM, MRTPI, MCIM. She has been appointed to undertake an independent examination of the CIL Charging Schedule published by Stratford-on-Avon District Council.

### **2 PROGRAMME OFFICER**

The Programme Officer [PO] is Ian Kemp. For the purposes of the Examination he acts as an impartial officer of the Examination, under my direction, and is not as an employee of the Council.

Ian can be contacted at:

Email: idkemp@icloud.com  
Telephone: 07723 009166  
Address: 16 Cross Furlong, Wychbold, Droitwich Spa, Worcestershire,  
WR9 7TA

His principal functions are to:

- Liaise with all parties to ensure the smooth running of the Examination;
- Ensure that all the documents received before the Examination are recorded and distributed;
- Maintain the examination library, including the Examination Document list;
- Act as the point of contact on all procedural and administrative matters; and
- Assist me with all procedural and administrative matters.

He will advise on any programming queries and all practical and procedural points should be addressed to him. He will pass them on to me for a reply, if necessary, but carries my authority to act in accordance with the regulations.

### **3 HEARINGS**

The hearing sessions will commence at 10:00 am on Tuesday 20 September 2016 in:

Room 001 Council Chamber  
Stratford on Avon District Council  
Elizabeth House  
Church Street  
Stratford upon Avon  
Warwickshire  
CV37 6HX

[If necessary the sessions are will continue at 10.00 am on 21 September 2016 within the same venue.]

### **4 SCOPE OF THE EXAMINATION AND THE EXAMINER'S ROLE**

My role is to consider whether the Community Infrastructure Levy [CIL] Schedule published by Stratford-on-Avon District Council meets the requirements of the Planning Act 2008 and associated Regulations and Guidance in respect of legal compliance and economic viability.

The examination will focus on viability. The Council should rely on evidence collected whilst preparing the schedule to demonstrate that it is viable. Those seeking changes should demonstrate why that is not the case, preferably providing appropriate evidence in support of their case.

The focus will be on the schedule rather than individual objections. I will consider the viability of the schedule, having regard to the evidence available and representations submitted. The examination hearings will be in the form of roundtable, structured debates, focussing on particular topics and led by me, rather than a public inquiry-style event with presentation of cases by each party and cross-examination.

I have supplied an agenda with this note and we will be following the order of the sessions set out. The structure of the sessions has a logical flow. It begins by looking at the bigger picture in terms of exploring the 'relevant plan' for the district and then looks at the infrastructure needed to support planned growth. It then explores the viability evidence, looking at the assumptions made, and the way the modelling outputs have been used to inform the proposed CIL rates and zones.

Some of the sessions will be quite brief and may simply be confined to any clarifications I may need following my desktop examination of the evidence prior to the Hearing. However, I plan to spend greater time on matters that have been subject to challenges and representations and / or areas where I need to probe key elements of the evidence and the way it has been used.

Following the closure of the hearing sessions, I will prepare a Report to the Council with conclusions and recommendations. My recommendations will fall into one of categories:

- Approval of the schedule without modification
- Approval of the schedule subject to modification
- Approval of the schedule together with non-binding recommendations
- Rejection of the schedule, where it does not comply with drafting requirements and it cannot be modified to so comply.

## **5 PROCEDURAL QUESTIONS FOR THE COUNCIL**

At the start of the Examination I will formally ask the Council to:

Confirm that the Schedule has been prepared in accordance with:-

- The statutory procedures;
- The Council's Core Strategy and Infrastructure Delivery Plan;
- The consultation requirements set out in the Community Infrastructure Levy Regulations April 2010 (as amended);

And that:

- It is supported by a financial appraisal; and
- There are no fundamental procedural shortcomings.

## **6 THE HEARINGS AND BEFOREHAND**

Attendance at a hearing session will only be useful and helpful to me if participants can engage in a debate. Irrespective of any previous indications of intentions to appear Representors must confirm whether they are seeking to participate in the discussions to the PO by **Friday 2<sup>nd</sup> September 2016** so that arrangements can be finalised or it will be assumed that they are relying on written representations. Whether appearing in person or relying on written representations both methods will carry the same weight and I will have equal regard to views put orally or in writing. If requesting participation, representors should also indicate which issues, identified in the attached *Hearing Agenda* document, they wish to attend.

Those who wish to rely on their previous written submissions need take no further action and there is also little to be gained by merely repeating or paraphrasing in a new written statement comments previously made. However, if a representor wants to make a further written submission supporting their position, it **must** be focussed on the areas for discussion set out in the Hearing Agenda, which are of relevance to the representations they have previously made. **An electronic and three paper copies of the statement must be submitted to the PO by 2 September 2016.**

To save time at the Hearing, there are a few matters that I have sought the Council's clarifications on in advance. These matters and the Council's response are available on the website.

<https://www.stratford.gov.uk/planning/community-infrastructure-levy-examination.cfm>

At the Hearing, the Council's representatives should be equipped to expand, explain and justify its CIL evidence and how it has been applied to inform its CIL proposals. Representors should be prepared to explain any challenges to the Council's CIL proposals and set out the changes sought.

All submissions should be focussed on the questions and areas for discussion set out in the agenda and should be as succinct as possible. They should not exceed 3000 words in length for each hearing session and in many cases may not need to be as long as this. It is unlikely that late submissions will be accepted and no further written evidence will be accepted at the hearings, or thereafter, unless I specifically request it.

## **7 CLOSE OF THE EXAMINATION**

Once I have gathered all the information necessary to come to reasoned conclusions and decisions on the issues I write the Report. The Examination itself remains open until this is submitted to the Council. However once the hearing sessions part of the Examination is completed, I can receive no further information from any party, unless it is a matter on which I specifically request it. Any unsolicited items will be returned.

*Rebecca Phillips*

EXAMINER