

**BATH AND NORTH EAST SOMERSET COUNCIL**  
**DRAFT COMMUNITY INFRASTRUCTURE LEVY (CIL) SCHEDULE**  
**EXAMINATION HEARING – 15 AND 16 DECEMBER 2014**

**EXAMINER'S NOTE**

**1 Examiner**

1.1 My name is Philip Staddon BSc, Dip, MBA, MRTPI. I have been appointed to undertake an independent examination of the Revised Draft CIL Charging Schedule published by Bath and North East Somerset Council (B&NES).

**2 Programme Officer**

2.1 The Programme Officer is Chris Banks.

2.2 The Programme Officer acts as an impartial officer of the examination, under my direction, and not as an employee of the Council. The Programme Officer's role is to:

- Liaise with all participants to ensure the smooth and efficient running of the examination.
- Manage all documents and ensure they are recorded and made available.
- Maintain an examination library.
- Act as the point of contact on all procedural and administrative matters.

2.3 The Programme Officer's contact details are:

Chris Banks  
c/o Banks Solutions  
21 Glendale Close  
Horsham  
West Sussex  
RH12 4GR

Telephone: 01403 253148 Email: [bankssolutionsuk@gmail.com](mailto:bankssolutionsuk@gmail.com)

**3 The Examination and the Hearing Sessions**

3.1 The examination will consider whether the Revised Draft Community Infrastructure Levy (CIL) Charging Schedule published by B&NES Council meets the requirements of the Planning Act 2008 and the associated Regulations and Guidance, in respect of legal compliance and economic viability.

- 3.2 To comply with the relevant legislation and guidance the local charging authority has to submit a charging schedule that must set an appropriate balance between helping to fund new infrastructure to support development and the potential impact of the levy upon the economic viability of the sites and scale of development identified in the 'relevant plan' covering the council's area. The 'relevant plan' is the Council's recently adopted Core Strategy (July 2014).
- 3.3 I have read and studied carefully all of the documents submitted by the Council and those that have been submitted by Representors through the consultation processes. That has given me a good understanding of the CIL proposals and enabled me to identify the main issues and questions that I need to explore further through the examination Hearing sessions.
- 3.4 The Hearing sessions will be held on Monday 15 December 2014 commencing at 10.00 a.m. and are likely to continue on Tuesday 16 December 2014. It is anticipated that the sessions will be completed within these two days. The venue will be:
- The Guildhall  
High Street  
Bath  
BA1 5AW
- 3.5 The Hearing sessions will also give the opportunity for any Representors, who have indicated that they may wish to exercise their 'right to be heard', to participate in person in the examination process. The Council's documents state that 13 Representors have indicated that they may wish to appear at the Hearing. These Representors have raised a wide range of issues in their written submissions and I will ensure that each is given the opportunity to explain their views and evidence.
- 3.6 The examination of the CIL schedule through the Hearing process will be in the form of structured 'round table' discussions, which I will chair. I have attached an agenda to 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 its approach to planned development. It then looks at the infrastructure needed to support planned growth. It then explores the viability evidence, looking at the modelling assumptions and data sources, and the way the modelling outputs have been used to inform the proposed CIL rates and zones. I will also ensure that the final session gives the opportunity for the Council, and any of the other participants, to raise any matters not covered earlier in the Hearing sessions and for participants to summarise their submissions.
- 3.7 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.

- 3.8 There is no need for participants to make further written submissions in response to the agenda prior to the Hearing. 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 clearly the changes sought to the Charging Schedule.
- 3.9 The Hearing will be open to the public and the media. Any filming / recording of the Hearing will be at my discretion. After the Hearing, I will not be accepting further evidence unless I have specifically requested it. I will then prepare and submit my report based upon my examination of the evidence.

#### **4 Further Information**

- 4.1 All enquiries and requests for further information in respect of this examination should be made via the Programme Officer (details above). The Council's website includes an examination library which sets out all of the background evidence and submissions. Link to web page:  
<http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/community-infrastructure-levy>

**Philip Staddon BSc, Dip, MBA, MRTPI      12 November 2014**