

# WINCHESTER CITY COUNCIL

## DRAFT COMMUNITY INFRASTRUCTURE LEVY (CIL) SCHEDULE

### EXAMINATION HEARING PROGRAMME AND IDENTIFICATION OF MAIN ISSUES AND QUESTIONS

#### **1 Examiner**

- 1.1. The Examiner is Mr Philip Staddon BSc, Dip, MBA, MRTPI.

#### **2 Programme Officer**

- 2.1 The Programme Officer is Rosemary Morton.
- 2.2 The Programme Officer acts as an impartial officer of the Examination, under the Examiner's direction, and not as an employee of the Council. All procedural and administrative matters should be directed to the Programme Officer. Details of how to contact the Programme Officer are set out below:

Rosemary Morton, CIL Programme Officer, Winchester City Council, c/o Strategic Planning, City Offices, Colebrook Street, Winchester, SO23 9LJ.  
Telephone: 01628 672181 Email: [rmorton@winchester.gov.uk](mailto:rmorton@winchester.gov.uk)

#### **3 Hearing**

- 3.1 The hearing will take place on Monday 16<sup>th</sup> September 2013 commencing at 10.00 a.m. The Hearing may continue on Tuesday 17<sup>th</sup> September 2013 if required. The venue is:

**Winchester City Council, City Offices, Colebrook Street, Winchester, Hampshire, SO23 9LJ. Telephone 01962 840 222. A location map is attached.**

Please contact the Programme Officer if you require a disabled parking space.

#### **4 Scope of the Examination and the Examiner's role**

- 4.1 The Examination is to consider whether Winchester City Council's published Draft Community Infrastructure Levy (CIL) Charging Schedule (Document CIL 2), as modified by the Statement of Modifications (Document CIL 3), meets the requirements of the Planning Act 2008 and the associated Regulations in respect of legal compliance and economic viability.
- 4.2 The process of examining the CIL Schedule will be in the form of a structured debate led by the Examiner, with 'round table' hearings addressing particular issues (see section 5).

- 4.3 The Hearing will run on a rolling programme. Each of the topic issues will be discussed in full in the order set out in Section 5 below. Breaks will be taken at suitable times mid-morning, lunchtime and mid-afternoon. Refreshments will be available to purchase from the adjacent Guildhall café.
- 4.4 All Representors who wish to exercise their right to be heard will be able to speak to present their views to the Examiner.
- 4.5 The Hearing will be open to the public and the media. Any filming / recording of the Hearing will be at the discretion of the Examiner.

## **5 Main Issues and Questions**

- 5.1 The Examiner has carried out an initial paper based examination and has identified the main issues and associated questions set out below. These issues and questions will provide the programme of discussions at the Examination Hearing. The Examiner may add to or amend the programme if he considers this to be appropriate.

### **Issue 1 – Procedural Compliance**

Has Winchester City Council complied with the legal and procedural requirements set out in The Planning Act 2008 and the Community Infrastructure Levy Regulations?

### **Issue 2 – Evidence Base – Infrastructure Needs**

Are the infrastructure requirements set out in the Infrastructure Delivery Plan (IDP) (Document CIL 10) based on an up to date Core Strategy?

Are the infrastructure requirements set out in the IDP necessary and relevant to support the development of the area as set out in the Core Strategy?

Has full account been taken of other (non CIL) funding sources?

Does the evidence show a likely funding gap?

To what extent would anticipated CIL receipts fill any identified funding gap?

What infrastructure is likely to be funded in whole or in part by CIL receipts?

### **Issue 3 – Evidence Base – Economic Viability – Residential**

Is the CIL Residential Viability Report (Document CIL 5) and the associated Addendum Report (CIL 7) and Viability Position Paper (CIL 8) based on sound evidence?

Are the viability components, including land values, sales prices, building costs, Code for Sustainable Homes requirements, fees, contingencies and profit levels, all accurate, reasonable and up to date?

Have reasonable assumptions about site specific S.106 and S.278 costs been made and taken in to account?

Is the modelling of viability on 'notional' sites based on realistic scenarios and does it include a good range of development scenarios across the district?

**Issue 4 – Are the Residential CIL charging rates informed by and consistent with the evidence?**

Are the three geographical areas, for which differential CIL charging rates are proposed, soundly based on evidence of residential values in these areas?

Do the proposed CIL charges take into account the provision of Affordable Housing in accordance with the adopted Core Strategy policy?

Are the proposed residential CIL rates a reasonable proportion of development costs?

What allowance has been made for a viability 'buffer' to reflect any range of residential values within the different geographical areas?

**Issue 5 – Evidence Base – Economic Viability – Non-Residential**

Is the Non-Residential CIL Viability Report (Document CIL 6) and the associated Addendum Report (CIL 7) and Viability Position Paper (CIL 8) based on sound evidence?

Are the modelled assumptions and viability components for non-residential developments, including land values, rents, yields, building costs, fees, contingencies and profit levels, all accurate, reasonable and up to date?

Have reasonable assumptions about site specific S.106 and S.278 costs been made and taken in to account in the modelling of non-residential development viability?

**Issue 6 – Are the Non - Residential CIL charging rates informed by and consistent with the evidence?**

Is the CIL charge for all Class A1 Retail development within Winchester town centre justified by the evidence and reasonable?

Is the CIL charge for 'convenience stores, supermarkets and retail warehouses' in Zones 2 and 3 justified by the evidence and reasonable?

Does the evidence support, on grounds of viability, the differentiation between types of retail use?

Is the CIL charge for hotel development justified by the evidence and reasonable?

Is the Nil CIL charge for all other non-residential use development informed by and consistent with the evidence?

**Issue 7 – Does the evidence demonstrate that the proposed CIL charge rates would not put the overall development of the area at serious risk?**

What will be the overall effect on planned housing provision?

What will be the overall effect on affordable housing provision?

What will be the overall effect on hotel development?

What will be the overall effect on retail development?

Has an appropriate balance been struck between helping to fund necessary new infrastructure and the potential effects on economic viability?

**Issue 8 – Other Matters**

Should the schedule include provisions for exceptions?

Should the schedule include provisions for periodic review?

What is the position on phased payments?

**6 Close of the examination**

- 6.1** After the Hearing the Examiner will prepare his report, which will contain conclusions and recommendations. The Examination will remain open until the report is submitted to the Council, but the Examiner will not accept further evidence from any party unless it is information that he has specifically requested.

**Philip Staddon – Appointed Examiner - 23<sup>rd</sup> August 2013**