

Gosport Borough Council

# **GOSPORT BOROUGH COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE**

## **ISSUES AND QUESTIONS**

Including final timetable

Version 2, 10 March 2015

## **INDEPENDENT EXAMINATION OF THE GOSPORT BOROUGH COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE**

**Venue:** The Council Chamber at Gosport Town Hall, High Street, Gosport, Hampshire, PO12 1EB.

**Council:** Gosport Borough Council will be participating in all hearing sessions.

### **Statement deadlines:**

All Statements for the Hearing Sessions must be sent to the Programme Officer by **midday on Monday 23 February 2015**. This deadline relates to the receipt of both the **paper and electronic copies**.

### **Statements:**

The Examiner requests written responses from the Council to all the matters raised.

Written Statements from Representors are not compulsory but if Representors feel a Statement is warranted they should seek only to answer the Examiner's Questions as far as they relate to their original representations.

**The examination starts from the assumption that the Council has submitted what it considers to be a Draft Charging Schedule that meets the requirements of the Planning Act 2008 and the relevant CIL Regulations, as amended in 2014, in respect of legal compliance and viability. The hearings will therefore be concerned only with considerations relating to these requirements, with particular reference to the question of viability, and the legality of the process followed.**

The Guidance Notes provided set out the requirements for the presentation of all Statements. Its provisions should be thoroughly read and implemented as otherwise Statements could be returned. Please note the 3,000 word limit.

The Examiner will give equal weight to views put orally or in writing.

**If you have any queries – please contact the Programme Officer  
Tel: 023 92 545754 or by e-mail at [programmeofficer@gosport.gov.uk](mailto:programmeofficer@gosport.gov.uk)**

## **ISSUES AND QUESTIONS**

### Preamble

If the Examiner is satisfied that an Issue or question has been satisfactorily addressed in the submitted Statements it is possible that it may not be included in the final Agenda. Consequently the timetable and lists of participants may be subject to change, so please contact the Programme Officer or view the programme on the Examination page of the Council's web-site.

The link to the web-site is [www.gosport.gov.uk/cil](http://www.gosport.gov.uk/cil)

## **Tuesday 17 March 10.00**

### **Introduction by the Examiner**

### **Opening Statement by the Council**

### **Issues: – Retail warehouses and supermarkets**

#### ***Participants***

***Gosport Borough Council***

***Mr Mark Harris, Barton Willmore (for Milln Gate Gosport LLP)***

#### **Questions**

1. Taking into account the limited evidence of non-residential development transactions within the Borough, are the conclusions reached on Existing Site Values for retail warehouses and supermarkets justified?
2. Does the evidence support the following:
  - the assumed achievable supermarket rental levels?
  - the level of the assumed building and external works costs?
  - the assumed development duration for retail warehousing?
3. Has an appropriate balance been struck between the desirability of funding infrastructure and the potential impact upon the economic viability of supermarkets?
4. Is there sufficient clarity to show when a development would be subject to a section 106 agreement, and could any such agreements, when combined with the CIL levy, cause a supermarket development to become unviable?
5. Are the proposed CIL charges prejudicial to development schemes involving the conversion of existing premises?

## **Tuesday 17 March 14.00**

### **Issues: Residential development and general questions**

#### ***Participants***

***Gosport Borough Council***

***Mr Mark Harris, Barton Willmore (for Milln Gate Gosport LLP)***

## Questions

6. Does the evidence support the following? :
  - the assumed sales and marketing costs and professional fee percentages;
  - the mix of house types used in the appraisals ;
  - the assumed level of developer's profit for affordable housing.
7. In the interest of ensuring that development within the Solent Enterprise Zone remains viable, should residential development within this area be subject to a nil rate?
8. Should the Draft Charging Schedule contain details of discretionary relief available for exceptional circumstances?
9. Should the Draft Charging Schedule contain details of when payment in kind would be an acceptable alternative to paying the required charges?
10. Should the Draft Charging Schedule provide details of the phasing of CIL payments?
11. Does the setting of differential rates bring about the possibility of the engagement of State Aid issues?
12. Given that hotel and industrial developments place demands on local infrastructure, does the evidence justify the proposed nil rate for these types of development?
13. Can the Infrastructure Delivery Plan be regarded as sound when it does not include all of the recommendations for sport identified in the Playing Pitches and Sport Facilities Assessment?
14. Should the Draft Charging Schedule be more explicit (in section 8.4) about Extra Care accommodation being a specific development type?