

Examination of the Brentwood Community Infrastructure Levy (CIL) Charging Schedule

Guidance Note

Matthew Birkinshaw BA(Hons) Msc MRTPI

Examiner

Date: May 2023

Introduction

- 1) This Guidance Note provides further information on the procedural and administrative arrangements for the examination of the Brentwood Borough Community Infrastructure Levy ('CIL') Charging Schedule.
- 2) All participants should familiarise themselves with the contents of this Guidance Note, in particular those who wish to submit hearing statements and/or take part in the hearing session.

The Role of the Examiner

- 3) The Charging Schedule is being examined by **Matthew Birkinshaw** BA (Hons) Msc MRTPI. The role of the Examiner is to consider whether or not the CIL Charging Schedule meets the requirements of the Planning Act 2008 and associated Regulations.
- 4) The examination will focus on legal compliance and viability. The Council should rely on evidence collated during preparation of the Charging Schedule to demonstrate that it is viable. Those seeking changes should demonstrate why that is not the case.
- 5) Following the hearing session, the Examiner will prepare a report to the Council with conclusions and recommendations. This will deal with the broad issues raised, rather than specifically with each representation.
- 6) The Examiner's recommendations will fall into one of the following categories:
 - Approval of the submitted schedule without modification.
 - Approval of the submitted schedule subject to modification.
 - Approval of the submitted schedule with non-binding recommendations.
 - Rejection of the submitted schedule, where it does not comply with drafting requirements and where it cannot be modified to do so.

The Role of the Programme Officer

- 7) The appointed Programme Officer is Annette Feeney. The Programme Officer is an independent Officer who is responsible for receiving, recording and distributing the examination materials, maintaining the examination library and organising the hearing session. Communication between the Examiner and representors is also handled by the Programme Officer, who can be contacted at:

Brentwood Local Plan Programme Officer
Town Hall
Ingrave Road
Brentwood
CM15 8AY

Telephone: 07775 771026
Email: annette.feeney@brentwood.gov.uk

- 8) The Programme Officer is also responsible for making sure that the information regarding the examination and all relevant documents are made available on the examination website:

<https://www.brentwood.gov.uk/community-infrastructure-levy-cil-examination>

The Hearing Session

- 9) Those who have made representations on the Charging Schedule within the relevant time period will have already indicated whether their views have been adequately expressed in written form or whether they wish to also present them orally at a hearing session. It is important to stress that written representations carry the same weight as those made orally at a hearing session.
- 10) The hearing session will take place on **Tuesday 11 July 2023**. It will be held in the Council Chamber at the Town Hall, Ingrave Road, Brentwood, CM15 8AY. The session will start at 10am and finish no later than 5pm. Breaks will be taken as required mid-morning, over lunch and mid-afternoon. A reserve session is also scheduled for Wednesday 12 July 2023. However, this will only be used as required and as directed by the Examiner.
- 11) The attached Matters, Issues and Questions for Examination ('MIQs') will form the basis of the discussions at the hearing session. The session will be informal, but structured. It will take place in the form of a roundtable discussion led by the Examiner. Hearings are designed to allow the Examiner to explore the matters raised in the MIQs. People may choose to be professionally represented on the day, but there will be no formal cross-examination of witnesses or any detailed presentation of evidence.
- 12) So that arrangements can be finalised ahead of the event, representors must confirm their attendance to the Programme Officer no later than **5pm on Friday 23 June 2023**.

Hearing Statements

- 13) Ahead of the hearing, the Council should produce a Hearing Statement which responds directly to all the points raised in the MIQs. Any representors who have made comments seeking a change to the Charging Schedule and who are invited to the hearing session may also submit Statements in response to the MIQs. However, this is optional, and is not a requirement of the hearing.
- 14) Statements should be concise and focused, and appendices should only be included where directly relevant and necessary. There is no need to re-submit previous consultation responses as part of hearing statements. Statements should only answer the specific MIQs which are directly relevant to the original representation and should clearly identify the relevant topic to which they relate.
- 15) All hearing statements must be submitted on time and received electronically by **5pm on Friday 30 June 2023**. If anyone does not have access to the internet, please contact the Programme Officer.

Examination Programme

- 16) Based on the above, the examination timetable and relevant dates are as follows:
 - **Friday 23 June 2023** – deadline for confirming attendance at the hearing session with the Programme Officer.
 - **Friday 30 June 2023** – deadline for Hearing Statements.
 - **Tuesday 11 July 2023** – examination hearing session.

Site visits

17) The Examiner will visit relevant parts of the area, unaccompanied, if necessary.

Closing the Examination and the Examiner's Report

18) The examination will remain open until the Examiner's Report has been published. During this time no further written submissions or evidence will be taken into account unless specifically requested.

Further Information

19) Further information about the preparation and examination of CIL Charging Schedules can be found in the national Planning Practice Guidance ('the PPG'). Relevant sections of the PPG will be referred to throughout the examination.

Matthew Birkinshaw

Examiner

May 2023