

Examiner's Note to the Dartford Council

It appears to Mr Kemmann-Lane that the only representations which raise matters which come within his remit are those from:

Landhold Capital Ltd

Retirement Housing Group

McCarthy and Stone

RPS

Asda Stores Ltd

He has already written raising questions about the representation from Landhold Capital Ltd, which has been copied to you.

In addition Kent Police and Swanscombe & Greenhithe Town Council raise issues which are potentially matters for the Examination. These are dealt with below

Please advise whether you agree with the Examiner that the representors included in this letter are the only ones that have not been withdrawn and raise matters pertinent to the Examination.

Please also provide a short response (certainly no longer than 3,000 words) to the representations of Retirement Housing Group, McCarthy and Stone, RPS and Asda Stores Ltd by midday, Friday 20 September. It is the Examiners intention that these will then be forwarded to the representors and 10 working days allowed for their response. Following this the Examiner will issue an agenda and discussion notes for the hearing.

With regard to Kent Police and Swanscombe & Greenhithe Town Council, they both raise issues which relate to the Infrastructure Delivery Plan.

Paragraphs 12 to 19 in the "Community Infrastructure Levy – Guidance", April, 2013 published by the Department for Communities and Local Government provides advice about infrastructure planning in relation to CIL. Paragraph 17 makes the point that where infrastructure planning has been undertaken specifically for the Community Infrastructure Levy and was not tested as part of another examination, the examiner will need to test that the evidence is sufficient in order to confirm the aggregate infrastructure funding gap and total target amount that the authority proposes to raise through the levy. Paragraph 18 makes the point that the examination should not re-open infrastructure planning that has already been submitted in support of a sound relevant plan.

The paragraph 18 advice is clearly applicable to the Infrastructure Delivery Plan at Figure 1 of the Dartford Core Strategy adopted in September 2011. However, the Infrastructure Delivery Plan, updated in November 2012 includes "planning

(that) has been undertaken specifically for the Community Infrastructure Levy". It takes matters forward to an extent which, without spending undue time in analysis, Mr Kemmann-Lane has difficulty in determining the extent of the content which has not been the subject of testing in "another examination".

Bearing in mind that, in particular, the Kent Police representation seeks an additional £12.2m, please explain the extent to which the Infrastructure Delivery Plan, updated in November 2012, includes "planning that has been undertaken specifically for the Community Infrastructure Levy" and give your view on whether the matters raised by Kent Police come within the Guidance which says that the examination should not re-open infrastructure planning that has already been submitted in support of a sound relevant plan; and in the case of Swanscombe & Greenhithe Town Council, whether the representation might be considered as a matter which should be discussed and determined between the two authorities rather than as a matter for the examination.

Mr Kemmann-Lane would be grateful for a response to this infrastructure planning issue earlier than 20 September if at all possible."

Lynette

Programme Officer

04 September 2013