

Dartford Borough Council – Community Infrastructure  
Levy Examination

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Dear Mr Hall

**Dartford Borough Council – Community Infrastructure Levy  
Examination**

Further to our recent email exchanges, the Examiner has asked that I write to you as follows.

As I have already informed you, the hearing arranged for Thursday 17 October has been cancelled by Mr Kemmann-Lane. He has asked me to inform you that he is disappointed by the time that has elapsed between when he raised the question about the nature of your representation and your reply to me of 14 October which provided no response whatsoever to the original question. You will remember that he had raised the fact that your original representation on the draft Charging Schedule did not deal with a matter which comes within his remit, so that he would not be able to make any recommendation to the Council in respect of it. It is understood that you have been taking advice from counsel, but none of your messages have given any hint of what legal advice you may have received.

Having provided you with adequate time to respond to his question, Mr Kemmann-Lane remains of the opinion that the matter raised does not come within his remit, and that it would not be appropriate to add to the time and cost of his Examination. As a result he has determined that he will not hear from Kent Police on this matter, and no further arrangements for a hearing will be made. His justification for this course of action is Regulation 21(12)(c) of The Community Infrastructure Levy Regulations 2010 which provides that "the examiner may refuse to allow representations to be made at the hearing if the examiner considers that the representations are irrelevant ..."

Yours sincerely

*Lynette*

Programme Officer