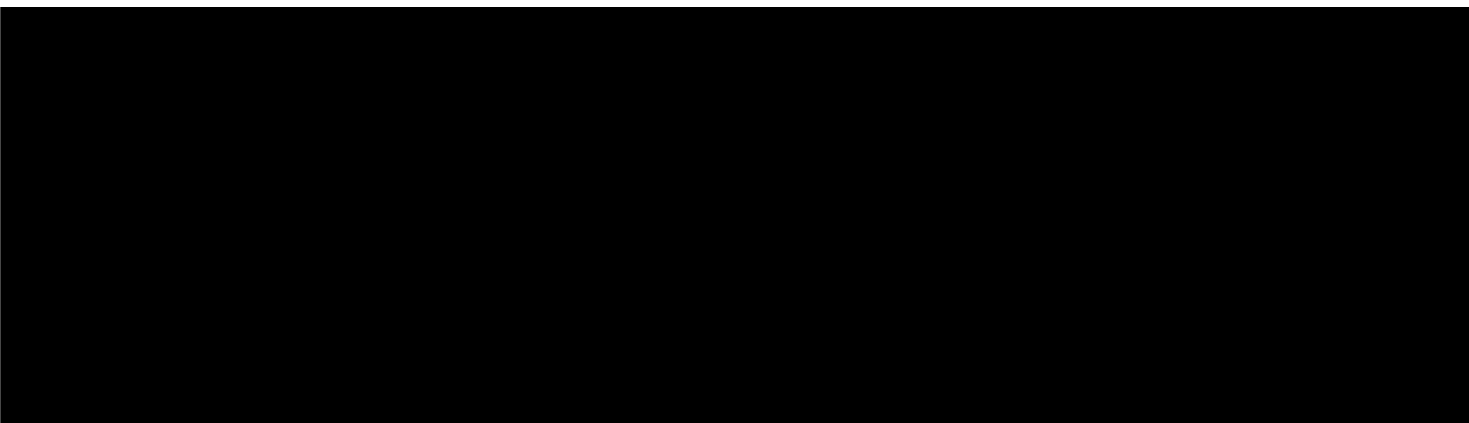




Sent: 04 August 2017 16:31
To: Planning.Responses
Subject: Updated response for AL/15/17/PL and A/99/17/OUT

Dear Sir/Madam,

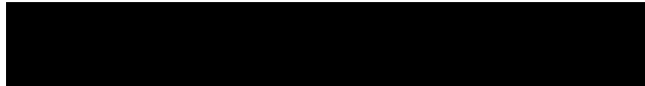
Following the start of the 2016/17 tax year funding requests submitted by Sussex Police have included lower amounts relating to our need for new premises or alterations to existing premises. We have also prioritised increasing our fleet provision (both divisional and Forcewide departments) which is a particular issue in Arun. For this reason our previous representations for applications AL/15/17/PL and A/99/17/OUT (submitted on 030417 and 290617 respectively) should be superseded by these new letters. This results in a lower total figure requested for both planning applications therefore I hope there is no issue. I do not think either applications have neared determination or finalisation of S106's.

If there are any queries please let me know.

Kind regards,

Andy Taylor

Commercial Planning Manager
Sussex & Surrey Police



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Sussex
Police & Crime
Commissioner

Andrew Taylor
Joint Commercial Planning Manager
Sussex and Surrey Police

Police Headquarters
Arun Block
Church Lane
Arun
East Sussex
BN7 2DZ

Our Ref 17.010
Your Ref A/99/17/OUT

4th August 2017

David Innes
Planning Department
Arun District Council
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Dear Mr Innes,

Re: Proposed Outline application with some matters reserved (Access only) for development up to 175No. residential dwellings, public open space, play areas with associated infrastructure including roads, drainage & landscaping on the land south of Water Lane, Angmering.

I write on behalf of the Office for the Police and Crime Commissioner (PCC) concerning the outline planning application A/99/17/OUT to provide 175 homes on the land south of Water Lane, Angmering.

Our office have assessed this planning application and determined that a financial contribution for essential policing infrastructure would be required to make this development acceptable in planning terms.

It is the responsibility of the PCC to ensure our Chief Constable has sufficient financial support to deliver a high level of policing to the residents of Sussex. Our office continues to actively seek financial contributions via S106 agreements and Community Infrastructure Levy funds to support our capital program. This will enable Sussex Police to deliver the highest possible service to ensure the protection of the communities that we serve.

Sussex Police have recently updated our methodology for infrastructure requests to provide clarity and up to date details of our current infrastructure capacity. The additional information now provided has previously been used only as background information however will now be included with all future funding requests submitted by our office. Our new methodology has been developed through a joint partnership with Leicestershire, Thames Valley, and West Mercia Police Forces. This methodology was considered Community Infrastructure Levy REG122 compliant by Mr Justice Green (**Appendix 1**). In addition, there are recent appeal decisions in favour of Police contributions and High Court judgements supporting our methodology (see attached appendices). I will go into further detail on the various items of infrastructure and provide evidence of their compliance with Regulation 122 tests.

The additional population generated by this development will inevitably place an increased demand upon the existing level of policing for the area. In the absence of developer contributions towards the provision of additional infrastructure, Sussex Police would be unable to retain the high level of policing that is currently delivered in the Arun area and would therefore OBJECT to the development proposed.

1. Overview of our financing arrangements

Police Forces are funded by similar if not identical Central Government methods used to agree funding for all Local Authorities or other public services. The funding allocated to Police Forces via Home Office grants, the Council Tax precept and other specific limited grants is insufficient to fund in full requests for capital expenditure. Capital programmes are funded generally from a mixture of asset disposal (a finite option), redirection of revenue funding (with implications for operational policing), general capital grants or general reserves and prudential borrowing. Prudential borrowing is not a nil cost option, with any borrowing required to be repaid from revenue/income; repayments from this source having implications for the delivery of operational policing in a similar vein to redirection of revenue funding.

Funding settlements for the Police are determined in accordance with the current funding formulae which incorporates a number of criteria including historical population forecasts. Accordingly there is a lag between the level of revenue funding potentially available and the population to be policed. The Government continues to provide annual Capital Grant to Forces which in the case of Sussex for 2016/17 and 2017/18 funds 5% of the capital programme in any one year. The majority of Forces fund the balance of their capital expenditure either through PFI arrangements or Prudential Code borrowing. Although PFI continues to be used by some Forces it is a diminishing resource with various shortcomings.

Police funding is divided into revenue and capital funding. The revenue funding stream relates broadly to the day-to-day running costs of the Force, that is the payment and management of staff, the ongoing costs relating to running and maintaining buildings and equipment and repayment of loans used to fund capital projects. The capital funding stream relates to the provision of additional buildings, information technology, vehicles, equipment and other infrastructure items required for assets including; existing police services and increased pressures and requirements placed on the Force as a consequence of growth in demand for services. Funding received by the Police via the Council Tax precept is generally used for revenue purposes and is not directed towards capital projects/programmes on the basis that directing funds towards such projects would diminish that available for the delivery of front line policing services.

The Police & Crime Commissioner for Sussex holds a shared responsibility with the Chief Constable for providing effective financial and budget planning for the short, medium and longer term. In consultation with the Chief Constable, the PCC is required to set a budget for the forthcoming year. However, the pressure on revenue funding is such that it is extremely unlikely that it could be made available to finance significant capital projects; in practical terms the revenue budget is insufficient to fund infrastructure projects.

It should also be noted that even with revenue raised from the Council Tax precept there has been a recognised funding gap created by inflation and a continuing expansion of the role of the Police service and the demands placed upon it. While there has been investment from central Government, this is often ring-fenced for particular initiatives and has not kept up with the demand for services. This means that Police Forces need increases in the Council Tax precept simply to 'stand still' in terms of costs of service provision. It is not possible to raise sufficient Council Tax precept to cover all inflationary increases and other costs pressures. A £5 (3.4%) increase in Council Tax precept to the Police has been approved for the 2016/17 budget however any increase of over 5% requires approval at referendum.

Therefore the funding gap is likely to increase, with less money for revenue spending, let alone capital projects. At the same time Police Forces suffered reductions in the level of the annual Police Grant (revenue) and Capital grants. As shown in table 3 (Revenue and Capital Budget 2016/17) Sussex Police were required to deliver £35 million in savings over 4 years which will limit capital funding for new infrastructure requirements.

TABLE 3: Estimated Annual Savings to 2019/20

	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000	Total £'000
Savings Requirement	11,753	8,481	7,418	7,527	35,179

The Financial Summary for the draft Sussex Police Revenue Budget and Capital Programme for 2016/17 is set out below:

Draft Revenue Budget 2016/17

Appendix A

Total Non-Pay includes the following (although is not limited to):

- Buildings and Premises:
 - Repairs and maintenance of premises
 - Energy costs and water services
 - Utilities
 - Rent and service charges
 - Business Rates
 - Contract cleaning
 - Buildings and property insurance
- Transport
 - Vehicle service, maintenance and repairs
 - Vehicle fuel
 - Vehicle hire charges
 - Essential/casual car user costs
 - Travel expenses
 - Transport insurance
- Supplies and Services
 - Printing & stationery
 - Office Furniture and materials
 - Catering contracts
 - Clothing and uniform
 - Outsourced custody costs
 - Forensic costs
 - Investigation costs
 - Interpreters / translators / doctors
 - Telecommunications
 - Radios and airwave
 - Communications and computing
 - Specialist operational equipment
 - Operational expenses
 - Court and legal costs
 - Subscriptions and licences
 - Consultancy fees
 - Bank charges
 - Audit fees
 - Accommodation
 - Subsistence
- Third Party Payments
 - Payments to government bodies and agencies
 - Collaboration payments
 - PNC / PND costs (police national computer / database)
 - Third party insurance costs
 - NPAS (National Police Air Service)

Spend Area	£ 000
Employees	
Police Officer pay	125,222
Overtime	4,706
Pension Employers Contribution	26,288
Total Police Pay	156,216
Police Staff Pay	67,267
Police Staff Pension Deficit	1,233
PCSO Pay	9,666
Total Police Staff Pay	77,168
Other Employee Costs	1,533
Ill Health Pensions	2,855
Total Pay Costs	4,388
Buildings And Premises	9,508
Transport Costs	5,375
Supplies and Services	38,327
Total Non Pay	53,110
Gross Operational Delivery Budget	299,982
Fees, Charges & Specific Grants Income	(33,720)
Net Operational Delivery Budget (before savings)	337,262
Savings Requirement	(11,753)
Net Operational Delivery Budget	245,508
Office of PCC Budget	1,243
Community, Victims & Restorative Justice	3,132
Grant Income (Victims & Restorative Justice)	(1,498)
Financial Provisions & Reserve Transfers	2,093
Total PCC retained Budget	4,970
Total Police Fund	250,479
Financed by :	
Police Grant	97,828
Ex DCLG Grant	53,892
Council Tax Support Grants	13,202
Collection Fund Surplus/(Deficit)	0
Precept	85,557
Total Financing	250,479

Council tax precept

2. Proposed Capital and Investment Budget

Proposed Capital and Investment Programme and Financing

	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000	Total £'000
Home Office Capital Grant	1,068	1,068	1,068	1,068	4,272
Revenue Contribution	2,517	2,025	2,025	2,117	8,684
Reserves and Receipts	23,229	11,854	7,957	2,850	45,890
Total Capital and Investment Programme	26,814	14,947	11,050	6,035	58,846

The capital and investment plans to 2020 require no additional borrowing but subject to assumptions on the profile of delivery of the programme and achievement of the capital receipts, the capital and investment reserves will be nearly exhausted by 2020, i.e. there is limited headroom for further new investment requirements. These could be significant in relation to new Emergency Services Network, further phases of ICT Infrastructure and enablement project, Digitalisation of Policing Services and Criminal Justice. The reducing level of investment reserves over the four year period means prioritisation of capital schemes may have to be reviewed and the current approach of not borrowing may have to be revisited before 2020 and/or provision made in revenue budget for financing of capital investment. The safe policing of new urban extensions depends on having revenue capacity to employ front line staff, which would compete with the need to provide the essential infrastructure outlined in this request.

3. Conclusions on funding

Like many other public sector organisations, Sussex Police have seen real term reduction in grant funding, which has necessitated changes to the policing model. Sussex Police have been proactive in rationalising our estates and selling underused sites to fund capital purchases. In future the demands on Sussex Police will only increase due to higher population and we are responding to the changing nature of crime at both a national and local level, for example, at this time cybercrime, child sexual exploitation and terrorism are areas of particular concern. This requires funding to fill specialist positions and expensive equipment necessary for these roles.

Whilst the previous Chancellors (Rt Hon MP George Osbourne) announcement in November 2015 changed the emphasis away from austerity and provided protection of police funding, this relies on the maximum permissible increase in Council Tax and this does not allow room for necessary capital purchases. The Chancellors' statement re-emphasised the Government's commitment to protect the public and protect the overall spending envelope for the police, while finishing the job of police reform.

In terms of local population and the number of households do not lead directly to an increase in Central Government Grant. Whilst there might be growth through the council tax generated by an increase in the CTB (Council Tax Base), this funding would not be available to fund the infrastructure that would be required to effectively police the proposed areas of new development in the District.

4. Assessment and Request

Sussex Police have undertaken an assessment of the implications of growth and the delivery of housing upon the policing of Arun and in particular the areas of the District where new development is being directed towards. We have established that in order to maintain the current level of policing, developer contributions towards the provision of capital infrastructure will be required. This information is disclosed to secure essential developer contributions and is fundamental requirement to the sound planning of the District. In the absence of developer contributions towards the provision of essential policing infrastructure the additional strain placed on our resources would have a negative impact on policing of both the development and force wide policing implications within the District.

This submission will provide the most recent annual statistics for crime/incidents in Arun which will be compared to the number of existing households. This provides an incident per existing household within Arun which can then be used as the background to the various items of infrastructure outlined in this funding request.

Nationally, the Police Force ensure that we take regular legal advice and guidance from industry professionals on the applicability of NPPF tests relating to the application of Regulation 122 on our funding requests for S106 agreements and Infrastructure Development Plans. This included advice as to what is infrastructure which can be summarised as follows:

- The first point to note is that “*infrastructure*” is not a narrowly defined term. Section 216 of the Planning Act 2008 provides a list of “*infrastructure*” but is clear that that list is non-exhaustive. That fact is demonstrated by the use of the word “*includes*” prior to the list being set out.
- There is no difficulty in the proposition that contributions towards Police infrastructure can be within the definition of infrastructure for the purposes of the 2008 Act. In policy terms this is reinforced by the reference to security infrastructure in paragraph 156 of the National Planning Policy Framework.
- Infrastructure is not limited to buildings and could include equipment such as vehicles, communications technology, and surveillance infrastructure such as CCTV.

The submission set out below is based on the same methodology previously found sound by Planning Inspectors, the Secretary of State and the High Court and has been found sound. The costs included in this submission are sites specific costs which are envisaged to be secured via a Section 106 agreement. The significant costs relating to revenue will be met by local and national taxation.

5. Current Policing requirements in the District of Arun

At present, Neighbourhood policing in Angmering is delivered from the Littlehampton Police station based in the County building on East Street, Littlehampton. As outlined in the Police Crime Commissioners Estate Strategy 2013-2018 Littlehampton Police Station is to be re-provided. Potential sites and collaboration opportunities are currently being investigated with other blue light partners. Littlehampton police station currently support a number of divisional and support staff/officers who are required to deliver police to site and surrounding area of Angmering.

In the West Sussex region there were 49,535 crimes recorded in the 2016/17 financial year, risen from 45,035 the previous year. There were 10,028 crimes recorded in 2016/17 across the District of Arun, a rise from 9209 from the previous year. Overall, the recorded crimes in the District of Arun accounted for a total of 9% of all crimes recorded by Sussex Police last year. Importantly the 10,028 recorded crimes are only 24% of all the 41,015 recorded incidents recorded in Arun last year.

Sussex Police have a duty to respond to all incidents and many of these incidents are not recorded as crimes. Sussex Police deliver crime prevention and presence, attendance and service lead at emergencies eg RTA's or flooding, counter terrorism and community reassurance. We must also attend all incidents involving deaths, attend crowd and events policing, attend and input to community safety and crime partnerships, and provide referral responses when there are expressed concerns about the safety or children, the elderly and those with special needs. In total Sussex Police attended 10,028 crimes and a total of 41,015 incidents in the District of Arun over the 2016/17 financial year.

Sussex Police answered approximately 42,195 calls to the non-emergency contact centre and 52,660 calls to the non-emergency switchboard attributed to the Arun District. A total of 18,429 calls were also received directly to the emergency assistance number in the District.

The 2011 census listed 66,700 households and 149,518 persons in the Arun District and taking into account net completions since this has increased by approximately 3,047 (AMR 2015/16). There have been an average of 609 net completions over the last 5 years recorded, which is the closest figure to estimating the number of completions in the 2016/17 financial year. This brings the total number of existing homes in the District to approximately 70,356 with an average household consisting of 2.24 persons (149,518/66,700).

Taking into account the number of recorded incidents and current number of households this results in 0.583 incidents per household and 0.260 incidents per person that require police attendance in the Arun District each year.

6. Breakdown of predicted incidents as a result of population increase in Arun

The proposed development of 175 units would have a population of 392 people (at 2.24 persons per household). Applying the current ratio of "incidents" to population then the development would generate an additional 102 (101.9) incidents per year for Sussex Police to attend (0.260×392). These incidents are likely to result in 24.5 additional recorded crimes per year attributed to this neighbourhood per year.

7. Current breakdown of policing delivered in Arun

In total the Local Authority of Arun is served by; (all figures = FTE)

- 102 Uniformed Officers broken down as follows:
 - 6 NRT
 - 2 Staff
 - 75 NPT
 - 4 Police Enquiry officers
 - 17 NPT (PCSO)
- 5 Dedicated support staff

The West Sussex division has 619 officers (SOCO, Forensics, Major Crime Unit) which cover the region (this excludes the 102 dedicated officers listed above). Recorded incidents in Arun amount to 20.3% of incidents in West Sussex therefore it is reasonable to allocate divisional 125.6 officers to the Arun District.

- 125.6 Divisional officers

Central staffing provision is provided and drawn upon when required. I have included the major support staff departments of Communications, Human Resources and Shared Business Services, which are all services provided force wide. There are 685 support staff in these three departments. Again utilising the ratio of incidents in the County (9%), 61.6 support staff are required to support the existing population of Arun.

- 65 Support Staff

Existing uniformed dedicated Officers	102
Divisional officers	125.6
Support Staff	66.6

Currently 44,203 incidents are attended by 227.6 officers per year in Arun which is a ratio of 194.2 incidents per officer, per year. To retain this current ratio of 194.2 incidents per officer per year, an additional 102 incidents per year would require 0.52 additional officers (52% of an officers workload). The expected incidents generated by this development amount to 52% of a FTE police officers workload.

Additional officers/staff required as a result of 175 additional houses

Total Additional Officers Required	0.52	101.9 (expected No. incidents arising from development) / 194.2 (No. incidents attended per year by an officer)
Total Additional Support Staff (Local/Central)	0.15	(66.6/227.6) * X 0.52 (Existing no of support staff / police officers) x No. new officers required

7. COSTS

In order to mitigate against the impact of growth our office have calculated that the capital “cost” of policing new growth as a result of this major planning application equates to **£22,751.63**. These funds would be used for the future purchase of infrastructure to serve the proposed development. This cost will now be broken down clearly to show the capital infrastructure required to support these new officers.

The contribution represents a pooled contribution towards the provision of new infrastructure to serve the site and surrounding area. The pooling of contributions towards infrastructure remains appropriate under the CIL Regulations, provided this does not exceed five separate contributions and subject to other regulatory tests. The contribution requested will fund, in part, the following items of essential infrastructure and is broken down as follows;

STAFF SET UP

The basic set up costs of equipping staff are listed below. Following the start of the 2017/18 tax year we have reviewed and updated the start-up costs per officer which are now as follows:

OFFICER			
Uniform	£775.60	0.52	£341.26
Radio/Phone	£765.73	0.52	£336.92
Workstation/Office Equipment	£1,118.00	0.52	£491.92
Body Worn camera	£680.00	0.52	£299.20
IT Equipment	£968	0.52	£425.92
TOTAL COST	£4307.33	0.52	£2,239.81

SUPPORT STAFF			
Workstation/Office Equipment	£1,118.00	0.15	£167.70
IT Equipment	£968	0.15	£145.20
TOTAL COST	£2,086		£312.90

Sussex Police would utilise the contribution in the following manner;

- **£2,239.81** as a maximum of 1 of 5 pooled payments towards the costs of an additional officer to work in the Angmering Neighbourhood Policing Team.
- **£312.90** as a maximum of 1 of 5 pooled payments towards the cost of 1 additional support staff member to be based at Littlehampton Police station. .

It should be noted that these are necessary start-up capital costs incurred by Sussex Police to enable officers and staff to undertake their role.

PREMISES

At present policing within the Angmering Neighbourhood Policing Team is delivered from Littlehampton Police station. As outlined in the Police Crime Commissioners Estate Strategy 2013-2018 Littlehampton Police station is to be re-provided. This project has currently been delayed however will be brought forward into the 2019-2020 financial year.

Sussex Police policy is to provide an alternative facility in the area prior to any station being closed. We are currently investigating opportunities to collaborate with other blue light and public sector partners. This is considered to be more economical, and reflects the future workspace shared working environment we are trying to develop. We have not yet secured an alternative site to re-provide this facilities, however we would be happy to update the Local Authority as soon as a site is secured.

It should be noted that the receipts from the sale of the existing station may only partially fund the replacement (re-provided) station, and will re-provide at the same scale as the existing premises, thus not taking account of the growth in space needed as a result of increased policing demands. These funds will also not be utilised to fund other infrastructure needed as a result of this development.

To estimate approximate costs for new floor space Sussex Police have used Saxon House in Newhaven as an example. This is a new build facility where we re-sited 6 police officers and PCSO's from the old Police Station to a new facility shared with East Sussex Fire and Rescue and Lewes District Council. We have 97-101m of sole use and shared use of communal areas. For new buildings such as Saxon House the cost is between £2500-3000/sqm. Sussex Police normally operate a policy of adapting existing building to form new floor space for policing purposes. The cost of adaption would be lower at approximately £1000-1250/sqm. The figure of £1350 is therefore derived from the cost of adaptation/new build (Sussex Police operate an estate policy of delivering new accommodation principally through the adaptation of existing buildings as opposed to new build at a 80:20 ratio. Sussex Police are required to maintain a high capacity of accommodation for staff and officers, with any additional capacity delivered via new works to provide floor space. Each new officer/member of staff is thereby allocated 16.1sqm (97sqm / 6) of floor space (workstation, storage, locker room etc).

This development requires 0.67 additional staff/officers to maintain the existing level of policing in the District. The cost of sitting these officers/staff at the re-provided Littlehampton Police Station would therefore be **£14,562.45** (£1350 x 16.1 x 0.67).

(Note: Following the start of the 2017/18 tax year Sussex Police have reviewed and updated our premises requirements which are now shown above).

VEHICLES

A vital part of providing effective policing to the residents of Arun is maintaining the large fleet of vehicles. The (three year lifetime) capital cost of a standard vehicle is;

Patrol Vehicle – **£31,680**

Current fleet deployment within the Arun administrative area (serving 70,356 households) currently consists of 28 divisional vehicles delivering policing directly to the residents of Arun.

Sussex Police are also required to maintain a large fleet of Forcewide vehicles which have not previously been taken into consideration, however are considered essential to enable Sussex Police to maintain its high standards of policing. There are 598 vehicles within the Forcewide fleet in departments such as major crime, road policing, counter terrorism. Although crime in Arun accounts for approximately 9% of the total crime in Sussex, there are 43 Forcewide vehicles currently allocated to deliver policing to the District. Maintaining our Forcewide fleet is essential to the success of Sussex Police and important to enable the force to efficiently combat cross border crime.

In total there are 28 divisional vehicles and 43 Forcewide vehicles delivering policing to the District of Arun. There is no capacity in this deployment for increases to meet the demands of the development.

	Department	Number of vehicles
Divisional	Crime management, Local command, Local investigations, Neighbourhood Policing Teams, Neighbourhood Response Teams, Response investigations	28
Forcewide	Crime support command, Dogs section, Firearms, Intel, Licensing, Major investigations, Public protection, Traffic, Training.	43

This equates to a cost of £31.97 (£31,680*71) / 70,356 per household. Accordingly in order to maintain the existing level of fleet provision the development would generate a required contribution of **£5,594.75** (31.97 x 175). This contribution would be utilised as follows:

- **£5,594.75** as 1 of 5 pooled payments towards the purchase of an additional vehicle for use by the Angmering Neighbourhood Policing Team.

It is vital to ensure fleet deployment is maintained in line with the existing population of Arun and therefore a financial contribution towards fleet capacity is essential to make this development acceptable in planning terms.

Vehicles are fundamental capital policing infrastructure to deliver community safety and address crime especially at neighbourhood level. Fleet deployment is related to the known policing demands of comparable developments in the locality.

The direct demand from the new development can be accurately forecast and delivering policing direct to this development will not be possible without additional vehicles to do so. Levels of demand and mitigations have been determined by the scale of the development and demonstrate only a proportion of a vehicle's time will be spent policing this development. We do not therefore seek the cost of a whole vehicle however a contribution to be pooled towards a new vehicle.

8. Compliance with National Policy and CIL Regulations

Firstly, the pooling of S106 contributions is acceptable under CIL regulation 123 subject to each infrastructure item not exceeding 5 separate developer contributions. Within Arun the majority of policing is carried out by the NRT/NPT teams, therefore our office would recommend funds received from Section 106 agreements should be spent directly on supporting these teams. Therefore, when contributions from new housing development are pooled it is sensible to do this based on NRT areas which in the case of this development is the Angmering NRT/NPT. At present there is only one S106 planning contribution secured under planning application A/144/15/PL to support the Angmering NRT/NPT, therefore complying with the pooling restrictions under CIL regulation 123. There is also only one other planning contribution secured towards the Littlehampton Police station re-provide project.

The assessment for these infrastructure contributions is outlined in CIL Regulation 122, which requires each item to meet the following three tests. From the numerous appeal / Secretary of State decisions and High Court judgements there is significant evidence that all the items listed in this request comply with CIL Regulation 122. The costs of training officers have been omitted from this funding request however were recently found sound (and compliant with REG122) in appeal decision APP/C3240/W/16/314445.

In light of this recent decision, Sussex Police would be willing to provide further costs for this specific start-up costs which are currently omitted.

1. Necessary to make the proposed development acceptable in planning terms

The creation of safe and accessible environments where crime and disorder, and the fear of crime do not undermine the quality of life or community cohesion is fundamental to planning for sustainable development as confirmed in the National Planning Policy Framework.

Arun's publication version of the emerging Local Plan (2011-31) states that "In general, Arun is a relatively safe place with low incidence of crime, although fear of crime remains a significant issue which is highlighted in the Sustainable Community Strategy. Crime rates are relatively high in parts of Bognor Regis and Littlehampton, with part of River Ward, Littlehampton ranked within the worst 10% areas in England, and a number of other areas within Littlehampton and Bognor Regis falling within the worst 20%".

Policy DM1 (Aspects of form and design quality) lists 'Crime prevention' as the 6th consideration for new development proposals. When considering any application for development the Council will have regard to the following aspects:

6. Crime prevention

Provide security measures that make places feel safer. This shall be achieved through natural surveillance and human presence by locating building and play areas along public routes and spaces, and making a clear division between private and public land to foster a mutual protection for the territorial belonging. With respect to crime prevention, regard shall be had in particular to the document 'New Homes 2010 – Secured by Design' and the 'Safer Places – The Planning System and Crime Prevention'.

The importance of policing contributions are recognised in recent court judgements and are an essential core principle of the NPPF.

The Secretary of State has recognised that it is not a rigid requirement to have express reference to policing within local planning policy because the overarching principle of ensuring safe communities is recognised in the NPPF. The Planning Inspector in the case of North-west Leicester District Council vs Money Hill Consortium (**Appendix 4**) stated:

62. The obligations of the Undertaking, other than that to support Police operations, are all related to requirement of development plan policies and are all necessary to make the development acceptable in

planning terms. They are all furthermore, directly related to the development, are fairly and reasonably related in scale and kind to the development, and are in place to mitigate the effects of the development. The Legal Agreement, setting aside the Police contributions, therefore complies with Regulation 122 of the CIL Regulations 2010. Furthermore, taking into account the submissions of NWLDP, LCC and LP, the Agreement complies with Regulation 123 of the CIL Regulations 2010.

63. The contributions of £219,029 towards Police infrastructure is not related to requirement of development plan policies. The figure has been arrived at following a close and careful analysis of the current levels of policing demand and deployment in Ashby. The proposed development, in terms of population increase, would have a quantifiable and demonstrable effect on the ability of the Police to carry out their statutory duties in the town. LP has not sought any contribution to some aspects of policing, such as firearms and forensics, but only for those where there is no additional capacity. The contribution is necessary because the new housing that would be created would place a demonstrable additional demand on Police resources in Ashby. The financial contributions to Police operations thus satisfies Regulation 122 of the Community Infrastructure Levy Regulations 2010 and a provision of the Undertaking would ensure that the contribution also satisfies Regulation 123 of the Community Infrastructure levy Regulations 2010.

The importance of policing contributions is importantly recognised in recent court judgements and considered an essential core principle of the NPPF. The judgement of Mr Justice Green 01/11/2016 (**Appendix 1**) with regard to the High Court challenge of Jelson Limited vs Secretary of State for Community and Local Government (1) Hinkley and Bosworth District Council stated:

"The gist of the Inspectors reasons are adequately set out in paragraphs [44]-[47] (see above). She records that LP has adequately demonstrated that the sums would be spent on equipment and services which arose "... *Directly from the new households occupying the proposed development*". Accordingly she concluded, in terms of causality, that there was a proper nexus between the expenditure and the new development. She also records that the proposed spending was properly attributed between individual projects and procurement such as property adaption and contributions towards a vehicle in order to prevent a need for pooling contributions". "Mr Lambert cited empirical data based upon existing crime patterns and policing demand and deployment from nearby residential areas which established the direct and additional impacts of the development upon local policing. That data established that there would be an incremental demand in relation to such matters as calls and responses per year via the police control centre; an increase in annual emergency events within the proposed development; additional local non-emergency events which trigger follow-up with the public; additional recorded crimes in the locality based upon beat crime and household data and a proportionate increase in anti-social behaviour incidents an increase in demand of patrol cover; and, an increase in the use of vehicles equating to 12% of an additional vehicle over a six year period."

Moreover, the wider principles of sustainable development within the NPPF also require consideration of all necessary infrastructure requirements, as observed by Foskett J in R. (Police and Crime Commissioner for Leicestershire) v Blaby DC and others. This judgement stated:

11. *It is obvious that a development of the nature described would place additional burdens on local health, education and other services including the police force. The focus in this case is upon the effect upon the local police force. If it sought to shoulder those additional and increased burdens without necessary equipment (including vehicles and radio transmitters/receivers for emergency communications) and premises, it would plainly not be in the public interest and would not be consistent with a policy that encourages "sustainable development": see for example, paragraphs 17 of 79 of the National Planning Policy Framework (NPPF). It is that that leads to the Claimants interest in the matters*".

As shown in section 1, there is no dedicated Government funding to comprehensively cover the capital costs associated with policing the associated new development. Unless contributions from new developments are secured then Sussex Police would be unable to maintain the current levels of policing with resources diverted and stretched, inevitably leading to increased incidents of crime and disorder within the local area. Sussex Police strive to reduce the level of crime in the County however due to the significant numbers of new housing being brought forward the need for more front line staff and associated infrastructure has never been more relevant as a fundamental planning policy consideration.

Appeal decision APP/C3240/W/16/314445 (**Appendix 3**) issued on the 21st March 2017 provides further support for developer contributions towards the capital costs of additional policing infrastructure arising from new development. The Planning Inspector stated:

165: There is no doubt that the proposed development would generate a need for policing and that need would require additional resources which have been calculated on a pro-rata dwelling basis. The Framework identifies a need for safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. In addition, an extensive array of appeal decision supports the principle of police contributions. Overall, the balance of the evidence before me points to the obligation (based on the underlying pro-rata calculation) being necessary and proportionate mitigation for the development.

We would also bring to attention to high court judgement by Mr Justice Foskett in *Police and Crime Commissioner for Leicestershire vs Blaby Council*). Paragraph 61 and 62 state:

61. I do not, with respect, agree that the challenge mounted by the Claimant in this case can be characterised as a quibble of a minor factor. Those who, in due course, purchase properties on this development, who bring up children there and who wish to go about their daily life in a safe environment, will want to know that the police service can operate efficiently and effectively in the area. That would want to know that the police service can operate efficiently and effectively in the area. That would plainly be “consumer view” of the issue. The providers of the service (namely, the Claimant) have statutory responsibilities to carry out and, as the witness statement of the Chief Constable makes clear, that itself can be a difficult objective to achieve in these financially difficult times. Although the sums at stake for the police contributions will be small in comparison to the huge sums that will be required to complete the development, the sums are large from the point of view of the police.

62. I am inclined to the view that if a survey of local opinion was taken, concerns would be expressed if it were thought that the developers were not going to provide police with sufficient contribution to its funding requirements to meet the demands of policing the new area: lawlessness in one area can have effects in another nearby area. Miss Wigley, in my judgment, makes some entirely fair points about the actual terms of the section 106 Agreement so far as they affect the Claimant.

Appeal decision APP/K2420/W/15/3004910 provides further evidence for developer contributions towards necessary policing infrastructure required to enable effective policing of new housing development. The Planning Inspector supported the methodology used for this calculation and compliance with the specific capital infrastructure items detailed in our request.

44. Leicestershire Police (LP) have demonstrated adequately that the sums request would be spent on a variety of essential equipment and services, the need for which would arise directly from the new households occupying the proposed development. It would be necessary, there, in order to provide on-site and off-site infrastructure and facilities to serve the development commensurate with its scale and nature consistent with LP Policy IMP1. The planning contribution would also enable the proposed development to comply with the Framework’s core planning principle of supporting local strategies to improve health, social and cultural wellbeing and delivering sufficient community facilities to meet local needs”.

In respect of the methodology used for this request the same Planning Inspector stated “47 – *I consider this to be a no less realistic and robust method of demonstrating the criminal incidents likely to arise in a specific area than the analysis of population data which is normally used to calculate the future demand for school places. The evidence gives credence to the additional calls and demands on the police service predicted by LP*”.

A financial contribution towards essential policing infrastructure is clearly essential to make this development acceptable in planning terms. The policing infrastructure items outlined in this request are essential to help support new officers required due to population growth and most importantly keep existing and future residents of Arun and specifically Angmering safe.

2. Directly related to the proposed development

There is a functional link between new development and the contributions requested. Put simply without new development taking place and the subsequent population growth there would be no requirement for the additional infrastructure. The additional population growth will lead to an increase in incidents, which will require a Police response. The costs have also been apportioned to NRT teams policing the area of Angmering where a rise in police incidents will occur as a result of this development. The infrastructure

outlined in this request has been specifically identified as necessary to deal with the likely form, scale and intensity of incidents new housing development will generate.

3. Fairly and reasonably related in scale and kind to the proposed development.

Securing proportionate developer contributions towards necessary capital expenditure is essential to help meet a proportionate increase in police infrastructure costs and to enable Sussex Police to maintain its current level of service in the District. This infrastructure has been identified by Sussex Police as necessary to provide an appropriate level of policing to serve the proposed development and maintain the existing high level of community safety.

A clear numerical, evidence based approach has been demonstrated which is supported by case law and recent appeal decisions by the Planning Inspectorate. The various items of capital expenditure and infrastructure requested are considered CIL compliant and are necessary to enable new officers to undertake their role to meet the policing needs of the development and mitigate impacts to existing resources. A reasonable and proportionate approach has been adopted. As noted above, certain items of necessary expenditure which could have been requested have not been for reasons set out earlier.

We would also highlight two recent appeal decisions in Leicestershire (APP/F2415/A/12/2179844 & APP/X2410/A12/2173673, **Appendix 5**). In assessing the request from Leicestershire police for developer contributions towards infrastructure the Inspector commented at **para 29** of decision 2179844;

The written evidence submitted by Leicestershire Police detailed the impact the proposed development would have on policing, forecasting the number of potential incidents and the anticipated effect this would have on staffing, accommodation, vehicles and equipment. In view of the requirement of national planning policy to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life, it is considered that, on the evidence before me, a contribution towards policing is necessary to make the development acceptable in planning terms.

Furthermore with regard to appeal decision 2173673, the Inspector is unequivocal in highlighting the acceptability of police contributions being recipients of developer's contributions;

Adequate policing is so fundamental to the concept of sustainable communities that I can see no reason, in principle, why it should be excluded from the purview of S106 financial contributions, subject to the relevant tests applicable to other public services. There is no reason, it seems to me why police equipment and other items of capital expenditure necessitated by additional development should not be so funded, alongside, for example, additional classrooms and stock and equipment for libraries.

Para 292

These appeal decisions confirms that the approach of Sussex Police in assessing the impact of development, having regard to an assessment of the potential number of incidents generated by growth is appropriate, and fundamentally it confirms that police infrastructure should be subject to developer contributions as the provision of adequate policing is fundamental to the provision of sustainable development.

Furthermore the requirement to ensure that Crime and the fear of crime is addressed through the planning process runs through the NPPF;

Paragraph 17 sets out the core planning principles and states that planning should, inter alia:

"...take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs"

Paragraph 58 states that local and neighbourhood plans policies should aim to ensure that developments, inter alia;

"create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion"

Paragraph 69 sets out the role of the planning system in facilitating social interaction and creating healthy, inclusive communities and states that planning policies and decisions should aim to achieve places which promote;

“safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion”

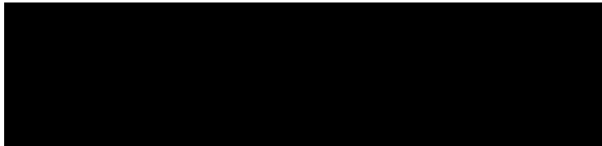
Paragraph 156 states that local planning authorities should set out strategic priorities in the Local Plan to deliver;

“...the provision of health, security, community and cultural infrastructure and other local facilities...”

I trust this sets out sufficiently Sussex Polices’ request for infrastructure contributions relating to this development of 175 homes on the land south of Water Lane, Angmering.

I am more than happy to discuss the content of this submission with yourselves and support with any further evidence if considered necessary.

Yours sincerely

A large black rectangular box used to redact the signature of Andrew Taylor.

Andrew Taylor
BA (Hons), MSc, MRTPI
Joint Commercial Planning Manager
Sussex and Surrey Police

Part A

'What', 'where' and 'when' of infrastructure requirements relevant to application reference to A/99/17/OUT

TOPIC	INFRASTRUCTURE REQUIREMENT	AREA	COST PER ITEM	QTY	TOTAL COST	TIMING OF DELIVERY (Occupations)	
						1 st occupation	75 th occupation
Policing	Uniform	Angmering	£775.60	0.52	£403.31	£403.31	
Policing	Radio/Phone	Angmering	£765.73	0.52	£398.18	£398.18	
Policing	Body warn camera	Angmering	£680.00	0.52	£353.60	£353.60	
Policing	IT equipment	Angmering	£968.00	0.69	£667.92	£667.92	
Policing	Workstation/office equipment	Angmering	£1,118	0.69	£771.42	£771.42	
Policing	Premises	Littlehampton	-		£14,562.45		£14,562.45
Policing	Fleet	Angmering	-		5,594.75	5,594.75	
Total					£22,751.63		
						£8,189.18	£14,562.45

Enc.

Appendix 1 – Jelson Ltd vs Secretary of State and Local Government (1) Hinkley and Bowsorth District Council (2) – 22/11/2016 (paragraphs 71-81)

Appendix 2 - APP/C3240/W/16/314445 – Land east of Kestrel Close / Beechfields Way, Newport, Shropshire, TF10 8QE

Appendix 3 – The Queen (on the application of The Police and Crime Commissioner for Leicestershire) vs Blaby Council and Hallam Land (and other developers).

Appendix 4 - North-west Leicester District Council vs Money Hill Consortium – Money Hill, Land North of Wood Street, Ashby-De-La-Zouch (paragraphs 61-63)

Appendix 5 – Examples of appeal decisions supporting police contributions

- APP/K2420/W/15/30004910 – Land off Sherbourne Road, Burbage, Leicestershire
- APP/G2435/A/14/2228806 – Money Hill, Land North of Wood Street, Ashby-de-la-Zouch, Leicestershire
- APP/X241-/W/15/3007980 – Land rear of 62 Iveshead Road, Shepshed, LE12 9ER
- APP/T3725/A/14/2221613 – Land at the Asps, bound by Europa Way (A452) to the east and Banbury Road (A425) to the west
- APP/T3725/A/14/2229398 – Land South of Gallows Hill / West of Europa Way, Heathcote, Warwick
- APP/G2435/W/15/3005052 – Land South of Greenhill Road, Coalville, Leicestershire
- APP/Q3115/A/14/2222595 – Land north of Littleworth Road, Benson
- APP/A2470/A/14/2222210 – Greetham Garden Centre, Oakham Road, Greetham, Oakham
- APP/A2470/A/14/2227672 – Land to the rear of North Brrok Close, Greetham, Rutland
- APP/L2440/A/14/2216085 – Land at Cootage Farm, Glen Road, Oadby, Leicestershire
- APP/Y2430/A/14/2224790 - Land to the east of Nottingham Road, Melton Mowbray, Leicestershire
- APP/2460/A/14/2213689 – Land rear of 44-78 Ashby Road, Hinkley, Leicestershire
- APP/K2420/A/13/2208318 – Land surrounding Sketchley House, Watling Street, Burbage, Leicestershire
- APP/F2415/A/14/2217536 – Land off Fairway Meadows, Ullesthorpe, Leicestershire
- APP/K2420/A/13/2202658 & APP/A/13/2210904 – Land off (to the south of Spinney Drive and land off (to the east of) Brookside, Barlestone, Leicestershire
- APP/H1840/A/13/2199085 & APP/H1840/A/13/2199426 – Land off Pulley Lane, Newland Road and Primslan Way, Droitwich Spa
- APP/F2415/A/12/2183653 – Land South of Hallbrook Primary School, Crowfoot Way, Broughton Astley, Leicestershire
- APP/X2410/A/13/2196928 & APP/X/2410/A/13/2196929 – Land of Mountsorrel Lane, Rothley, Leicestershire
- APP/T2405/A/13/2200867 – Land at Seine Lane/Forest Road, Enderby, Leicestershire
- APP/T2405/A/13/2193758 & APP/T2405/A/13/2193761 – Land east of Springwell Lane, Whetstone, Leicestershire
- APP/G2435/A/13/2192131 – Land south of Moira Road, Ashby-de-la-Zouch
- APP/X2410/A/12/2173673 – Land at Melton Road, Barrow Upon Soar, Leicestershire
- APP/X2410/A/12/2187470 – Land at (the former) Rearsby Rose Ltd, Melton Road, East Goscote
- APP/F2415/A/12/2179844 – Land north of Bill Crane Way, Lutterworth, Leicestershire