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Estates & Facilities

23rd March 2018

FOA Lisa Jackson

Jackson Planning Limited
Fox Barn
Lower Chute
Andover
HANTS
SP11 9DU

Dear Lisa,

Thank you for your letter dated the 14th March 2018. I will address the various points raised in your letter and provide further justification for our request for S106 contributions from this development. Firstly, Sussex Police do not consider your revised offer takes full account of the impacts this development will cause upon policing.

I would note that our initial representation has a minor incorection with regard to the predicted population in the development (ie: 300 x 2.24 persons) which has also been incorrectly carried through into your calculation.

The principle of developer contributions towards policing has been tested in a large number of appeal decisions, most recently in appeal decision APP/C3105/W/17/3172731 (**App 1 & 2**) which awarded contributions towards our partner force Thames Valley Police. I attach this appeal decision and initial representation submitted by Thames Valley Police. Appeal decision APP/R1845/W/17/3173741 (**App 3 & 4**) concerning another NPEG (National Police Estates Group) partner force, Warwickshire Police was issued on the 18th March 2018 again confirming the legitimacy of policing contributions and CIL compliance of our adopted methodology. I will now address the various issues raised in your letter.

Methodology

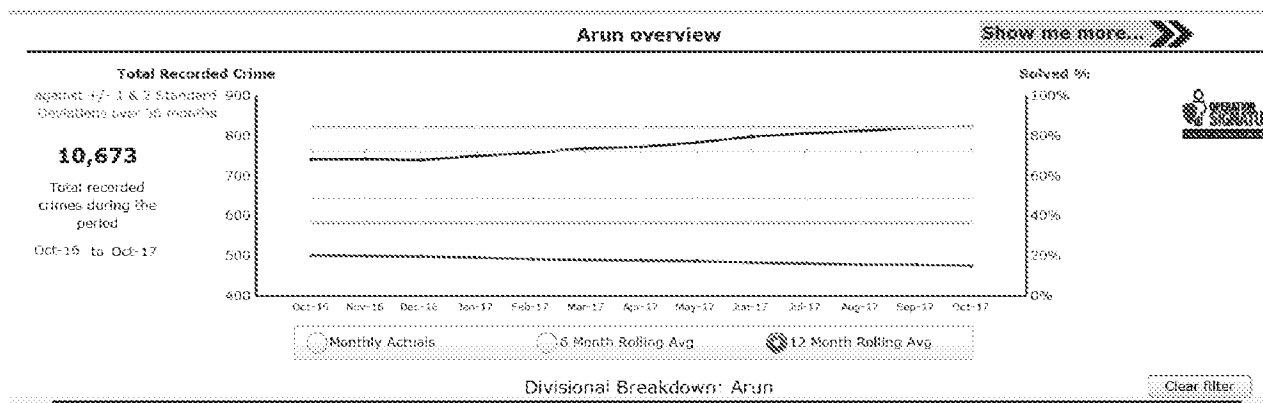
The requested sum has been arrived at following an analysis of the current levels of policing demand in Arun and police deployment in the Arun District (rather than the whole Force Area). The request therefore reflects the precise need that would arise from the development of up to 300 new homes on the appeal site, based on Sussex Police's experience policing development in the area. Importantly Sussex Police only seek contributions to mitigate the impact on infrastructure where there is no spare capacity. There are a range of specialist policing services where contributions are not sought although will be utilised in some capacity by the development and its future occupiers.

Sussex Police Headquarters

Malling House Malling, Lewes, East Sussex, BN7 2DZ

Sussex Police's evidence sets out detailed information on the existing demand on policing in the specific area where the proposed development would take place. Our representation presents an accurate account of the predicted demands arising from the proposed residential development in the area using existing data on what is currently required to service extant residential development.

Sussex Police would note that the data you reference in the Arun DC Local Plan is not up to date and does not reflect the increasing levels of crime occurring within the Arun District and Sussex as a whole. The figures would be different for different authorities within Sussex Police policing area where police deployment is at different levels, and different areas of policing might be at capacity.



Sussex Police performance dashboard report – Arun District Council – 12 month rolling average

I attach a breakdown of recorded crimes per ward area which has been provided by our performance information team rather than taken directly from our performance dashboard above. Assessing the recorded crimes which could be allocated per ward this shows that recorded crime in Yapton was a minimum of 73% the District average in 2015/16 rising to 83% in 2017/18 (**Appendix 5**).

Sussex Police would expect to see borough-average crime, anti-social and other incidents rates replicated in the completed development, given that there is nothing unique about this particular scheme in terms of potential policing demand. The village of Yapton will undergo significant development over the next 5-10 years and Sussex Police would expect crime and incidents records to rise accordingly to a District average.

Importantly, the methodology adopted by Sussex Police is the same methodology used by Thames Valley Police and Warwickshire Police in the attached appeal decisions. The process of using recorded police incidents within a whole District or Borough has been considered appropriate to numerous Planning Inspectors through appeal decisions secured by these and other forces including the Secretary of State decision awarding S106 contributions to Sussex Police within the Arun District.

Sussex Police have used up to date Borough or District specific data and regularly updated staffing records and we do not feel this unfairly penalises your client in terms of the contributions sought towards policing. It is unreasonable to expect our force to undertake this detailed level of analysis to each ward for each specific request particularly given the significant resourcing issues facing all police forces.

I would note that the methodology used by the County Council to calculate its education, library and fire & rescue requirements are not specific to the area of the development. They take national data (education) or WSCC desired standards, and apply these to the number of homes that are to be provided by the development.

Most importantly the legal compliance of the methodology employed by all police forces when calculating contributions in terms of compliance with the CIL tests was scrutinised by Green J in *Jelson Ltd v Secretary of State for Communities and Local Government* [2016] EWHC 2979 (Admin). The learned judge concluded “there was an ample evidence upon which the Inspector was able to base her conclusion [that the contribution satisfied the CIL tests]” (at [81]).

Predicted number of incidents

Note: There has been a minor typo which states the “proposed development would have a population of 352 persons (at 2.24 persons per household). This should states “the proposed development would have a population of 672 persons (at 2.24 persons per household).

0.583 incidents per household or 0.260 incidents per person would both equal 138 incidents per year for Sussex Police to attend and approximately 33.7 recorded crimes.

Police officer and support staff

OFFICER			
Start-up equipment (radio, workstation, body worn camera, IT equipment)	£4,307.33	0.74	£3,187.42
Start-up recruitment and training cost	£5,460	0.74	£4,040.40
TOTAL COST	£9767.33	0.74	£7,227.82

SUPPORT STAFF			
Start-up equipment (workstation, IT equipment)	£2,086	0.48	£1,001.28
Start-up recruitment cost	£1,060	0.48	£508.80
TOTAL COST	£3,146	0.48	£1,510.08

Premises

Sussex Police undertook a rigorous assessment of capital projects and guidance for other police forces in selecting a standard cost/sqm to encompass all police projects. In terms of Bognor Regis we have recently been considering an extension to part of the police station and converting a large existing area of the space to storage and locker room space following the partial closure of Littlehampton police station and the reallocation of staff to Bognor.

For the purposes of this representation, Sussex Police will accept the use of BCIS costings index. I have consulted the 17/03/18 issue of the RICS BICS costs (**Appendix 6**) which lists the median cost for adaption/conversion of police station at £1,561 (Median) which would be considered the minimum cost appropriate for the required works to Bognor police station. These estimates do not take into account inflation and availability of labour which is likely to add 6/7% to these prices therefore £1307/sqm would be inadequate.

Premises calculation: $8.93 \times £1,561 \times 1.22 = £17,006.47$

Vehicles

Vehicle levels do not directly correlate to just the number of officers currently serving the District of Arun. There are a large array of officers and staff roles which require police vehicles and will be required to serve the development site in varying capacities. These include although are not limited to the following departments:

Crime management, Local command, Local investigations, Neighbourhood Policing Teams, Neighbourhood Response Teams, Response investigations, Crime support command, Dogs section, Firearms, Intel, Licensing, Major investigations, Public protection, Traffic, Training.

The same methodology has been used to calculate our fleet requirement as the Warwickshire police representation which has been supported in appeal decision APP/R1845/W/17/3173741 issued on the 18th March 2018. We again do not consider it appropriate to alter this methodology considering the significant range of appeal decision supporting this methodology.

71 vehicles at net value of £1,207,000

Existing number of households in Arun (70,356) = £17.15 per Household ($1,207,000 / 70,356$) x 300 Households x 2 = **£10,290** to give 8-year life of provision.

There is simply not enough money from the police's revenue income to take on the capital cost after just four years without diverting monies from elsewhere. At an estimated build out rate of 60 dpa a new vehicle purchased upon commencement of this development would require replacement prior to the completion of the overall development which is another reason why four years would be insufficient.

Sussex Police would be required to meet on-going revenue costs such as serving, repairs, fleet operations and so on. Therefore, the capital cost claimed is only part of the vehicle costs. Sussex Police cannot be criticised for only claiming for what we are permitted to under the limits of the CIL regulations.

ANPR (Automatic Number Plate Recognition) cameras

Our ANPR Manager regularly undertakes a review of strategic sites across Sussex & Surrey and identifies areas where additional ANPR coverage would be necessary to reduce detection and apprehension times of criminals. The limits to our capital budget mean that we cannot fully fund our ANPR program and each camera would represent an on-going draw on our resources due to the required maintenance and network coverage.

Deployment of ANPR technologies significantly increase detection and deterrence with reduced need for staff presence and particularly contributes towards achieving community safety at neighbourhood level. This will be prejudiced where new development places additional demands on existing deployment without mitigation and the ability of these technologies to deliver safety is undermined where new development adds network gaps. An additional ANPR site would also provide coverage for the development site to identify intruders to the site and reduce the likelihood of machinery or materials theft during the build process.

We will accept your offer of £405 and recommend a clause be added to the S106 agreement that this funding is refunded to the developer in the event that a new ANPR site cannot be delivered in this location.

Consistency of S106 requests

As recommended by the ACPO (Association of Chief Police Officers) and through agreement from other members of the NPEG (National Police Estates Group) the police do not normally seek developer contributions from application of under 100 dwellings. Although each and every new unit of housing has some impact on policing we agree that larger planning applications have been shown to have a clearer demonstrable impact on policing which has been tested in numerous planning appeals. CIL Regulation 123 also places a restriction on pooling planning contributions which has also impacted various police forces ability to seek critical capital funding to support new development.

Concerning the allowed appeal for the Land South of Ford Lane, Sussex Police did seek S106 contributions in our letter dated 2nd January 2017. However, this application had been considered at appeal previously under Y/60/OUT/APP/C3810/A/14/2228260 prior to Sussex Police commencing our program of seeking developer contributions. Sussex Police did not feel it appropriate to make further representations as there had been no material change in circumstances between each appeal regarding policing.

Concerning the allowed appeal at Burndell Road this application was submitted during an extended period of time when this post was vacated and therefore representations could not be submitted. Since January 2017, Sussex Police have sought developer contributions from all applications of over 100 dwellings. Sussex Police have undertaken significant reforms in calculating developer contributions to ensure consistency with other police forces and have attended numerous planning inquiries to support our requests.

We set out our revised offer taking into account the comments from your letter which is as follows:

Area	Infrastructure Requirement	Requested contribution
Yapton NPT	Officer start-up equipment, recruitment and training	£7,227.82
Bognor Regis	Start up equipment, recruitment and training cost	£1,510.08
Bognor Regis	Premises	£17,006.47
Bognor Regis	Fleet	£10,290
ANPR	B2233 Barnham Road	£405
Total		£36,439.37

Sussex Police hope this revised offer is considered acceptable to your client and we firmly believe this offer is compliant with nationwide methodology for calculating police infrastructure requirements and would fairly relate to the impacts of this development.

In the event this offer is not considered acceptable Sussex Police will uphold our objection to this planning application and make any additional representations to support our case including at appeal. This revised offer would represent a substantial reduction to the funding secured by Sussex Police from the major development of 400 homes in Fontwell and reducing this further would undermine this work significantly and fail to maintain good practice with other hardworking police forces engaging in this work across the country.

We look forward to working with the developer further in the future including providing Secured by Design (SbD) advice free of charge and we would encourage the developer to seek SbD accreditation for this development.

Sincerely,



Andrew Taylor
Joint Commercial Planning Manager
Sussex & Surrey Police

Appendix 1 - TVP representation – 08576791
Appendix 2 - APPC3105W173172731 - BODICOTE, BANBURY
Appendix 3 - APR1845W173173741 - LAND OF LAKES ROAD
Appendix 4 - Place partnership representation - 160550OUTL
Appendix 5 - 180323_Arun_by_Ward
Appendix 6 - BCIS Index AveragePricesResults_21360986



Sussex Police Headquarters
Malling House Malling, Lewes, East Sussex, BN7 2DZ

