

Policing Contributions From Development Schemes

For developer contributions to fund additional policing under:
Section 106 of the Town and Country Planning Act 1990



LEICESTERSHIRE
POLICE AUTHORITY



Leicestershire
Constabulary

Policing Contributions from Development Schemes

1 Introduction

This document sets out the basis on which the Leicestershire Police Authority seeks to negotiate planning obligations for policing through Section 106 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.

The Leicestershire Police Authority proposal for planning obligations is not new to the police service nationally, or locally. In fact, the organisation has made its position known in the “*The Statement of Requirements for Developer Contributions*”¹ since March 2001.

Contributions will be sought from development schemes which individually, or accumulatively, increase the demand on policing services across Leicester, Leicestershire or Rutland.

2 Policy and Legislative Background

A Planning Obligation is a legally binding agreement entered into between a Local Authority and a developer. It requires the developer to carry out certain works, or to provide, or contribute towards, the provision of measures to mitigate the negative impact of his or her development.

It is recognised that it is the role of the determining Local Planning Authority to negotiate S106 contributions through the planning process.

This document provides the contextual and policy basis for seeking contributions towards policing, and outlines the scale of contribution that will be sought in varying circumstances.

It provides a case for contributions that is reasonable and necessary, and that, either through functionality, or through geography, is directly related to each development proposal. This meets the requirements laid out in the ODPM Circular 5/05.

The Planning Policy Statement 1, the overarching PPS setting out the Government’s planning objectives, has at its heart the need to plan safe and sustainable communities.

Paragraph 5 of PPS1 states that planning should facilitate and promote sustainable and inclusive patterns of development by ensuring development supports existing communities and creates *safe, sustainable, liveable* and mixed communities.

Likewise, paragraph 23 states that planning authorities should ensure that *infrastructure and services* are provided to support new and existing development and housing.

Paragraph 27 states that planning authorities should seek to promote communities which are inclusive, healthy, *safe and crime free*, and paragraph 36 requires that key objectives for planning authorities should include ensuring that developments create *safe and accessible environments where crime and disorder or fear of crime* does not undermine quality of life.

¹ Published by Leicestershire County Council

The provision of adequate policing resources is essential to delivering the policy statements listed above

Additionally, Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their *likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.*

The *prevention of crime and the enhancement of community safety* are matters that a local planning authority should consider when exercising its functions under the Town and Country Planning legislation. (Safer Places - The Planning System and Crime Prevention, 2004).

3 Policing Style

The Police Authority is committed to the ethos of Neighbourhood Policing through its 15 Local Policing Units (LPUs). Specialist departments such as the CID, Major Crime Unit, Air Support Unit, Scientific Support Unit and Roads Policing Unit support these local units, and their populations. The locations from which policing services are delivered have seen significant change over recent years. For example, an investigation of child abuse would involve specialist staff from our Wigston Unit, and a firearms incident may involve the force helicopter travelling from its base in one of the most southern points in the force area.

Listening to the concerns of local people, and responding to their priorities is a key function of neighbourhood policing. This approach is delivered through “neighbourhood teams” who are visible and accessible to local communities.

Patrolling, either on foot, in cars, or on cycles, the teams strive to work at the heart of each neighbourhood, visiting public buildings, holding “surgeries”, and maximising their capacity to be seen, and to gather information.

New housing developments significantly affect the success of this ethos given the current force ratio of officers to households². Analysis has shown that crime and anti-social behaviour takes little time to spread across new development areas. This is fundamentally affected by physical and social factors created by neighbourhoods.

4 Housing Development

The proposed new growth rate for Leicester, Leicestershire and Rutland is 3,950 houses per year until 2026. This will dramatically accelerate the numbers of new households, resulting in an increase of almost 20,000 over the next five years. This figure represents a 5.2% increase on current levels. The number of residents associated with these houses will exceed 45,000. A breakdown of the predicted growth rate by local authority area is attached at Appendix A.

New housing developments naturally attract people to live and work. Inevitably, developments also create both perpetrators and victims of crime. This places additional demands on police resources to ensure communities remain safe. It may place

² In order to preserve the current ratios of police officers per household, an additional 118 officers would need to be recruited during the next five years

additional travelling demands on officers, either because the neighbourhood suffers an increased number of calls from the public, or because the neighbourhood has so increased in size. A national performance indicator based on timeliness of arrival governs police emergency calls.

The number of households, the number of residents within those households, and the type of incidents associated with those households, all affect the efficiency of operational policing. A national formula and associated matrix calculates the implications of a development in terms of the demand created for the associated capital requirements (please see Appendix 1). This approach will not be applicable to all, but will be used as a default basis for negotiation.

The Association of Chief Police Officers (ACPO) is in the process of agreeing this matrix as a nationally accepted formula for securing policing contributions, and this work is being led by Essex Police.

The final figure per dwelling is affected by the number of households in the area, the numbers of police resources, the size of police accommodation and start-up costs for new staff. It stands to reason that this will produce a different figure for each police force in our region, and beyond.

It is reasonable for police needs to be taken into account by local authorities when determining planning applications relating to the provision of new development.

It can be seen that there is a significant level of additional financial resourcing, both capital and revenue, that will be required for policing services by an enlarged population, and that there is little doubt that the existing police infrastructure cannot simply absorb the increased demands. Only in exceptional circumstances will the Police Authority request a revenue contribution – this is likely to be a rare occasion.

The resulting contributions received through S106 applications will be directly used within the associated Local Policing Unit to:

- Address the accumulative effects of numbers of housing developments over a geographic area
- Increase efficiencies associated with patrol, detection and prevention of crime.
- Provide additional vehicles (both motor vehicles and/or cycles) and other resources (for example, associated clothing and equipment and IT or mobile data costs) associated with the above efficiencies
- Extend communication infrastructures
- Provide (where appropriate) CCTV cameras, some of which may require enabling for ANPR (Automatic Number Plate Recognition) purposes
- Provide new or supplementary buildings to house resources, or to facilitate community participation and engagement
- Enhance crime reduction measures through Secured By Design principles

Where additional policing facilities arise from a planned development, the scheme will be expected to contribute pro rata to the size of that development. When a series of smaller

development proposals in a location would cumulatively contribute to a larger development, they will each be required to contribute on a pro rata basis.

It can be seen that the list above provides a functional or geographical link between the development and the item being provided as part of the developer's contribution.

The threshold for contributions has been set at ten or more dwellings, in line with the classification of a "major" development under the sustainable design SPD.³ The figure per roof has been established at £606 through the ACPO formula, referred to on page two of this document.

In order to preserve the current ratios of police officers per household, an additional 118 officers would need to be recruited during the next five years, in line with housing development numbers. Additional police staff (unsworn staff) would also be required to support the extra workload.

Depending on the nature and proportion of any individual developments, additional specialist and non-specialist accommodation would also be required across the force.

5 Other types of development

Some non-residential developments can also produce a disproportionate drain on police resources.

Such uses tend to involve a concentration of people outside of work, often associated with alcohol consumption. Typically these are:

- Class D2 (Assembly & Leisure)
- Classes A3 /A5 (e.g. restaurants / take-aways)
- Class A4 (e.g. Pubs)
- Nightclubs
- Casinos

It is proposed that non-residential developments be assessed individually, and solely those over 1000m². This corresponds to the classification of a "major" development under the sustainable design SPD.²

Of course the value of the contribution (currently set at £7 per m²) required to mitigate the impact of development on policing services will be dependent on a variety of factors.

It is worth noting that even in the early stages of construction, developments can attract criminal activity. Building sites are often seen as easy targets by criminals for theft of materials / equipment or criminal damage. These can place additional demands on local policing units, although in recent years the police have enjoyed a higher degree of co-operation from the building sector in this regard.

Contributions sourced from non-residential developments will be used for the purposes outlined on pages two and three of this document.

³ Supplementary Planning Document available at www.communities.gov.uk

6 The National Crime Strategy

A new national approach to designing-out crime has been launched in the latest national crime strategy “*Cutting Crime*”. This Home Office document significantly raises the profile of the type of measures that are currently recommended through the Leicestershire Police architectural liaison service. The document is available at www.crimereduction.gov

The government is working with the environmental and planning sector to design out crime from new developments, and to ensure that builders consider crime prevention measures at the design stages. Its new anti-crime Design & Technology Alliance has been set up to demonstrate how this can be achieved.

7 Secured By Design

An established framework for designing out crime, Secured By Design (SBD), exists in relation to nationally recommended physical security measures, together with surveillance recommendations and spatial planning. Architectural Liaison Officers make recommendations for every relevant planning development through the police service.

The Association of British Insurers has estimated the cost and efficiencies associated with the implementation of SBD measures.

Cost of SBD measures by housing type

4 bedroom detached house	650
3 bedroom semi detached house	580
2 bedroom terrace house	480
3 bedroom bungalow	730
2 bedroom ground floor apartment	710
Average cost	630

The costs outlined above are taken from the Association of British Insurers (ABI) document “*Securing the Nation*” (2006).

The most expensive home for additional security is the 3 bedroom bungalow at £730 per household; the cheapest is the 3 bedroom semi-detached house at £580 per household. Given this variance the analysis assumes target hardening can be incorporated at an average cost of £630 per home over and above standard construction costs. However, it is recognised that within Leicester, Leicestershire and Rutland the proportion of three bedroom houses far outnumbers the proportion of three bedroom bungalows.

It is worth noting that as the use of security products becomes more widespread the cost of individual items may decrease due to increased competition in the market and economies of scale. In implementing these measures the developer is also able to market the national recognition of “Secured By Design” status, a concept that the Leicestershire Constabulary supports and would wish to co-operate on.

8 Effectiveness of target-hardening

Target-hardening of homes, through SBD features, makes it more difficult for criminals to gain entry and makes the premises less attractive in the eyes of burglars.

A number of evaluations have been undertaken to establish the effectiveness of SBD target hardening⁴. These have shown that the introduction of security measures can reduce the rate of burglary by between 26% and 75%:

Given this variance the analysis uses rates of 25%, 50% and 75% and findings are reported on the basis of a 50% reduction in burglary.

The table below depicts the results of four such evaluations.

Study	Number of properties	Reductions in crime
Glasgow Housing Association	11500 SBD doors 7500 SBD windows	75% reduction in burglaries
West Yorkshire New Build	25 SBD and 25 non-SBD estates comprising 660 and 522 homes respectively	50% fewer burglaries in SBD estate and 42% less vehicle crime
West Yorkshire Refurbishment	2 estates	67% and 54% fewer burglaries respectively
Gwent Police Study	9173 properties – 18.3% were SBD and 81.7% were non-SBD	40% fewer burglaries and vehicle-related crimes and 25% less criminal damage

Cost effectiveness studies have shown savings of up to five times the amount invested by modifying the opportunities for crime to be committed. The returns are even higher if the measures are incorporated at this “design” stage. Leicestershire Police offers advice and guidance to developers at precisely this point through its architectural liaison service.

Another recent Research study by Bedfordshire Police measured the average number of incidents per year in equally sized developments, one that was built to “Secured by Design” standards, and one that was not.

The result was that there were 189% more incidents requiring police action in the development that was not securely designed (1800 incidents and 5200 incidents respectively).

9 Collection, investment and use of contributions

⁴ “Securing the Nation” – Association of British Insurers, 2006

The following principles will apply to the collection, investment and use of contributions:

- Payment will be required prior to the commencement of the development, or in accordance with a phased arrangement, depending upon the circumstances
- If after a period specified in the agreement the Police Authority has not spent the financial contributions paid to it, or developed land conveyed to it for the purposes for which it was conveyed then the land will be returned and/or the funds repaid to the developer, with accrued interest. In the case of land this will normally be within 5 years of transfer of land to the Police Authority. In the case of finance, after 5 or 10 years (according to the local authority) of the first occupation of a dwelling on the development, or a specified level of floor space.
- Where a developer is providing land for a new Police Station site the Police Authority will normally seek to obtain the transfer of the site within a specified period of time. This will normally be linked to a predetermined number of dwellings being completed or other such phasing, as appropriate.
- All contributions must be index linked and, when received, used by the Police Authority for the purpose(s) negotiated and set out in each Section 106 agreement. Contributions will always be linked to the area of development. Although it is not always possible or effective to use monies expanding the police provision closest to the development, contributions will always be used to meet the identified additional need arising from the development.
- The use of monies will be linked to a clear audit trail demonstrating that financial contributions have been used in a manner that meets the tests in ODPM Circular 05/05.

10 Summary





In order that the policing requirements of new developments should be adequately resourced it is proposed by Leicestershire Police Authority that contributions should be made to police budgets by developers through the use of Section 106. This would be managed in keeping with the guidelines agreed with local City/Borough/District Council Planning departments and the developers.






The matrix provided in Appendix A outlines the police capital calculation of a Section 106 claim for development of new households across the Leicestershire Police area. The Force calculates its capital requirement to be **£606 per new household**. Leicestershire Police Authority reserves the right to amend this matrix in respect of future developments.

The Force wishes to work with local City, Borough and District Council Planning Departments to take all necessary steps to identify the most appropriate funding arrangements for its developer contributions.

The Police Authority seeks to be in receipt of such contributions by the end of March 2007.

Background Documents

-  The Town & Country Planning Act 1990
-  The Planning and Compensation Act 1991
-  The Crime and Disorder Act 1998
-  The Planning and Compulsory Purchase Act 2004

-  Safer Places: The Planning System and Crime Prevention, 2004
-  PPS1: Delivering Sustainable Development, 2005
-  D of E 'Circular 05/05'
-  Securing the Nation: Association of British Insurers, 2006
-  Cutting Crime: The National Crime Strategy, 2007

LEICESTERSHIRE POLICE

Appendix 1

CALCULATION OF SECTION 106 CLAIM FOR DEVELOPMENT OF NEW HOUSEHOLDS

POLICE CAPITAL COSTS based on projection of **1,000**
NEW HOUSEHOLDS

1. COST OF GENERAL OFFICE ACCOMMODATION (non-specialist)

Item		Data
1	Number of Households in Leicestershire Police Area	382,100
2	Divide by total Leicestershire Police Officers / Police Staff	3,647
3	No of Households per Staff Member is (1) ÷ (2) =	104.77
4	Number of New Households forecast	1,000
5	New Staff Members required, therefore, is (4) ÷ (3) =	9.54
6	Total existing non-specialist accommodation, M ²	53,606
7	Non-specialist accommodation per member of staff, M ² is (6) ÷ (2) =	14.7
8	New non-specialist accommodation needed, therefore, is (5) x (7) =	140.24
9	Current cost of non-specialist accommodation, per M ² is	3,500
10	Cost of non-specialist office accommodation for new households is (8) x (9) =	£490,840

2. COST OF CUSTODY FACILITIES (specialist)

11	Number of Households in Leicestershire Police Area	382,100
12	Total Custody Facilities in Leicestershire Police Area, M ²	4,788
13	No of Households per M ² Custody Facility (11) ÷ (12)	79.8
14	Number of New Households forecast	1,000
15	Total new Custody Facilities needed, therefore, is (14) ÷ (13) M ²	12.53
16	Cost of Custody Facilities per M ²	4,500
17	Cost of Custody Facilities for new households is (15) x (16) =	£56,385

3. MISCELLANEOUS CAPITAL COSTS PER POLICE OFFICER

18	One-off start up costs per Police Officer	£8,199.74
19	Ratio Police Officers to Police Staff	0.62
20	Number of Police Officers (see 5 above)	5.91
21	Total - No addition for VAT	£48,460

4. MISCELLANEOUS CAPITAL COSTS PER POLICE SUPPORT STAFF MEMBER

22	One-off start-up costs per Police Staff Member	£2,973
23	Ratio of Police Staff to Police Officers	0.38
24	Number of Police Staff (see 5 above)	3.62
25	Total - No addition for VAT	£10,762

Total Section 106 claim for development of new households (10+17+21+25)	£606,447
TOTAL SECTION 106 CLAIM PER NEW HOUSEHOLD - excl VAT	£606

Prediction of Housing Development within Leicestershire

Appendix A

Based on Leicestershire County Council data and Leicestershire, Leicester and Rutland Structure Plan and GOEM Regional Spatial Strategy (RSS8-East Midlands) requirements

Data given as at 22/05/07

LA	Completions 1996-2006	Proposed			Required		
		Outline PI P	Full PI P	Under Construction	LL&RSP by 2016 *	RSS8 by 2016 **	RSS8 by 2026
Blaby	3209	216	551	194	4650	6609	10009
Charnwood	5826	1073	2663	505	9400	13426	21026
Harborough	4539	1781	845	278	7550	7989	11439
Hinckley & Bos.	4204	517	488	356	6800	8804	13404
Leicester City	7262	2385	5318	894	19000	19062	30862
Melton	1742	0	580	69	4200	3342	4942
NWLeicestershire	4382	37	376	163	7350	9182	13982
Oadby & Wigston	899	28	96	130	1700	1449	1999
Rutland CC	1974	14	144	83	2350	3674	5374
TOTAL	34037	6051	11061	2672	63000	73537	113037

* Subject to change as RSS8 changes. According to the LL&RSP, Housing within Leicestershire and Rutland over the period 2001-2016 is required to be at an annual average growth rate of 3150 dwellings per annum.

** However, the draft published RSS8 requires a growth rate over the period 2001-2026 of 3950 dwellings per annum.