

## Woking CIL appeal

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To: Planning Policy

Attachments: Woking.xls (36 KB)

Thank you for the opportunity to submit an appeal for consideration in relation to the Community Infrastructure Levy in the borough of Woking.

Surrey Police's request for inclusion in the scheme is set out here. The force recognise that estimates of population increases cover a number of years and may relate to a variety of different developments, however I would be pleased if you will kindly incorporate the below as part of your evidence gathering exercise as it was designed to identify what Surrey Police considered to be "qualifying" housing developments for CIL purposes and a pro rata proposed requisite developer financial contribution for Police.

Current population growth projections identify Woking will experience an increase of around 8500 people between 2012 and 2026. Policing is a population based service and therefore this proposed uplift in population would inevitably place demands on existing policing services. Provision of funds to meet the additional demands placed upon policing services generated as a direct result of this projected increase in population and associated planned developments within the area are sought in order to maintain effective and efficient policing services to the residents of Woking and the rest of the County.

Surrey Police is concerned the developments and population growth associated with them would increase demands on policing. Accordingly, Surrey Police seek CIL contributions to mitigate the aforesaid impact to maintain the current low crime rates and high levels of community confidence.

Much will depend on availability of public sector capital and therefore it will be important that CIL developer contributions are received to mollify and meet the needs arising directly from the proposed developments. You will appreciate that the planned houses are not yet built, that will form part of the CIL, so there are no current specific costed plans until we know that the new resident/expected increase exist – or until we are reasonably sure they will. It is then they will be calculated.

In essence we are looking for fair and reasonable developer contributions and feel that Surrey Police needs to be part of Woking's plans in establishing CIL as a Charging Authority.

Surrey Police is responsible for delivering services to address community safety, tackle the fear of crime and seek to achieve a reduction in crime in Surrey. However, the delivery of growth and planned new development in the Woking area would impose additional pressure on the Surrey Police existing infrastructure base, which is critical to the delivery of effective policing and securing safe and sustainable communities. In the context of the prevailing planning policies and on the basis that the development proposals would impact on the ability of the Police to deliver an effective and efficient service, it is reasonable, having regard to the tests in Circular 05/05 and CIL Regulation 122 that developers contribute towards mitigating these impacts via the Community Infrastructure Levy.

Given the total development proposed within the Woking area and the associated estimated increase in population, there would be additional demand placed on existing police resources owing to a requirement to patrol the developments and the surrounding areas on a regular basis, and respond to and investigate incidents which occur there. This would require the provision of additional staff, equipment and

facilities to patrol the new developments and the surrounding areas in order to provide a visible policing presence to deter crime and anti-social behaviour and to respond to and investigate incidents and reported crime.

The absence of funding would result in the current fleet of police cars having to be used for extra patrols in the vicinity of developments and to ensure that officers patrolling the proposed developments have sufficient flexibility.

Within the legislative context Surrey Police believes the following is relevant to its application for additional infrastructure funding via CIL:

#### **COMPLIANCE WITH CIRCULAR 05/05 AND CIL REGULATION 122**

Having regard to Circular 05/05 and CIL Regulation 122 of the CIL Regulations (as amended in 2011) the following paragraphs set out how the required policing contributions are necessary to mitigate the impact of the development on the police service and fully accord with the criteria set out in both the Circular and the CIL Regulation:

#### **Necessary to Make the Proposed Development Acceptable in Planning Terms (Circular 05/05 and CIL Regulation 122)**

The Police Service is a population-based service and where there is an increase in population research has shown that there is an accompanying increase in levels of crime and disorder. Development proposals that include this within Woking will result in a population increase for the area of around 8500 people. This level of population increase will generate corresponding increased demand for policing at the sites and surroundings.

There is no existing funding source for the police service to support this required growth from central or local taxation. The police service does not receive sufficient Central Capital funding for new growth related development. The funding allocated previously to Police Authorities and now Police and Crime Commissioners via Home Office grants, The Council Tax precept and other specific limited grants is generally insufficient to fund requests for capital expenditure whilst there is a time lag associated with the Police receiving operational funding.

The provision of adequate police infrastructure commensurate with the scale of population is necessary to support community safety and to manage crime and the fear of crime to achieve sustainable communities.

#### **DIRECTLY RELATED TO THE PROPOSED DEVELOPMENT (CIRCULAR 05/05 AND CIL 122)**

There is a functional link between the proposed developments and the contributions being sought as the costs associated with providing additional policing infrastructure would not be incurred without the impact of the developments. The funding requested by Surrey Police illustrates the link between the proposed developments and the contributions being sought.

There is evidence that an increase in population arising from new developments would result in an increase in incidents of crime and disorder, which would impose greater pressures on the existing police service. In addition, new development requires a visible police presence to reduce the perception of crime and respond effectively to incidents of crime.

Put in simple terms, if there was no development there would be no need for additional police resources/infrastructure and a resultant contribution. The guiding principle is that where a development proposal gives rise to an increase in population it will be necessary to increase the number of police officers and support staff policing the population to ensure the level of service is maintained. Additional equipment, vehicles and other facilities would be required to be delivered to meet these needs,

and 'start-up' costs (for example training) for new officers and staff are considerable. As previously explained, there is no existing funding source to support this from central or local taxation.

**FAIRLY AND REASONABLY RELATED IN SCALE AND KIND TO THE PROPOSED DEVELOPMENT (CIRCULAR 05/05 AND CIL REGULATIONS 122)**

The scale of the proposed developments means that there is limited existing policing infrastructure to cater for the increased demand for policing generated by them. As outlined above, there would be a considerable population increase across Woking. The requirement for additional policing resources to serve the developments has been identified as a key mitigation measure owing to the potential adverse impact arising from the proposed developments without the provision of additional policing infrastructure.

**REASONABLE IN ALL OTHER RESPECTS (CIRCULAR 05/05)**

The financial contribution sought is not to resolve existing deficiencies in Police infrastructure provision nor does Surrey Police seek to provide a higher level of service. The impact of the development on the capacity of the Surrey Police to provide an efficient and effective service in the context of the Government's agenda for the delivery of safe communities is a material planning consideration and the contributions/infrastructure sought are proportionate to that impact. The requirement for CIL to deliver a financial contribution is therefore reasonable in all respects. Surrey Police seeks funding for the required growth in staffing, equipment and facilities. Staff 'start up' costs cover such items as:

- Uniform and Protective Equipment (personal issue);
- Patrol Vehicles;
- Recruitment costs;
- Probationer Constable and staff induction training;
- IT equipment (including personal issue mobile communication systems);

and staff funding for three years which is not covered by Government grants/funding nor Precept receipts.

Within the policy context Surrey Police is entitled to seek such CIL contributions:

**The National Planning Policy Framework (NPPF):**

Under 'Achieving Sustainable Development' the NPPF states: *There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:*

- *an economic role ...*
- *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community needs and support its health, social and cultural well-being; and*
- *an environmental role*

The NPPF goes on to advise: *'These roles should not be undertaken in isolation, because they are mutually dependent.'* It further adds: *'Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.'*

Under 'Requiring Good Design' states: *'Planning policies and decisions should aim to ensure developments:*

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

Under 'Promoting Healthy Communities' states: *'Planning policies and decisions, in turn, should aim to achieve places which promote:*

- *safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and...'*

The twelfth of the 'Core Planning Principles' states: *'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 need.'*

The NPPF 'Plan-Making' section states: *Local planning authorities should set out the **strategic priorities** for the area in the Local Plan. This should include strategic policies to deliver:*

- *the provision of health, security, community and cultural infrastructure and other local facilities; and ...'*

The Government definition of sustainable communities describes them as safe and inclusive. Sustainable communities are expected to offer a **"clean, safe environment"** with **"low levels of crime, drugs and antisocial behaviour with visible, effective and community-friendly policing."**

With specific regard to the CIL Regulations (2011), the Department of Communities and Local Government published guidance ('*The Community Infrastructure Levy: An overview*' May 2011) on the implementation of the Levy to be read in conjunction with the CIL Regulations. It should be noted that this document identifies policing infrastructure as a legitimate element of infrastructure that can be funded by developer contributions via the Community Infrastructure Levy:

*"The Planning Act 2008 provides a wide definition of the infrastructure which can be funded by the levy, including transport, flood defences, schools, hospitals, and other health and social care facilities. This definition allows the levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, district heating schemes and **police stations** and other **community safety facilities.**"*

*It can be argued that this should include police station adaptations and related equipment around changing officer and staff numbers*

### **CIL Overview May 2011**

#### **Why should development pay for infrastructure?**

Almost all development has some impact on the need for infrastructure, **services** and amenities - or benefits from it - so it is only fair that such development pays a share of the cost. It is also right that those who benefit financially when planning permission is given should share some of that gain with the community which granted it to help fund the infrastructure that is needed to make development acceptable and sustainable.

The attached spreadsheet contains CIL-relevant police costings which result from the population growth in the borough:

In the context of the current proposed CIL amount of £76,955,394 for Woking, the contribution to Surrey Police based on the details as shown in the attachments appears relatively low and reasonable. The following paragraph from a letter from the Department for Communities and Local Government in May 2013 in relation to an

appeal by a house-building company appears relevant in terms of the inclusion of aspects which Surrey Police ask for under CIL arrangements:

*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.*

Yours faithfully,

Clive Davies

Chief Inspector [REDACTED] Surrey Police  
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