



Leicestershire Police
Leicester, Leicestershire, and Rutland

Specialist Support Directorate
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**THE OFFICE OF THE POLICE & CRIME COMMISSIONER FOR
LEICESTER, LEICESTERSHIRE & RUTLAND**

Development	Land South Of Bosworth Lane Newbold Verdon Leicestershire
Development Reference	25/00515/OUT
Development Detail	Outline planning permission for up to 200 dwellings, a community health and well-being hub (Use Class E(e)) or community shop (Use Class E(a)) of up to 108 sqm gross external area and provision of up to 0.5 hectares of school playing fields and sport pitches, together with landscaping, open space, infrastructure and other associated works (All matters reserved except for access)
Date request submitted:	30/06/2025
Local Authority	Hinckley & Bosworth Borough Council
Financial Contribution requested:	£89,888.29
The Need for Developer Contributions	<p>To maintain current levels of policing and ensure sustainable community safety, developer contributions toward capital infrastructure are essential. These contributions are a fundamental component of sound planning across districts and boroughs, ensuring that new developments do not place unsustainable pressure on existing police resources.</p> <p>Impact of Development on Policing</p> <p>New developments inevitably lead to population growth, which increases the demand for police services. Without appropriate infrastructure investment:</p> <ul style="list-style-type: none">• Response times to incidents and emergencies may be delayed.• Neighbourhood Policing Areas (NPAs) and force-wide operations may become overstretched.



	<ul style="list-style-type: none">• The quality of service to both new and existing communities may decline. <p>Developments lacking essential policing infrastructure are unsustainable. While such developments may proceed without these provisions, doing so would be unacceptable from a public safety and service delivery perspective.</p>
Strategic Investment Areas (2025/2026 and beyond)	<p>To meet operational and organisational needs, and to support the continued delivery of the Police and Crime Plan, the following areas require sustained or increased investment:</p> <ul style="list-style-type: none">• Training and Leadership Development Ensuring compliance with Authorised Professional Practice, Health and Safety, and other legislation in equipping officers and staff to serve effectively.• Digital Forensics and Accreditation Meeting rising demand for digital evidence processing and achieving ISO accreditation across key forensic services, including the Digital Hub, Sexual Referral Centre, Forensic Collision Unit, CCTV recovery, and traditional forensics.• Estates Strategy and Contact Centre Development Supporting the delivery and futureproofing of the Contact Centre, which plays a critical role in public engagement and emergency response.• Enhanced Contact Centre Resources Building on previous investments that have improved service levels and reduced call handling times.• Digital Resolution Technology Expanding the use of digital tools to improve service efficiency and public accessibility.• AI and Robotics Integration Leveraging emerging technologies to manage complexity, improve efficiency, and support transformation across policing services.• Crime Prevention and Demand Reduction Focusing on early intervention and prevention strategies, particularly around repeat offending, to reduce long-term demand on police services. <p>The evolving nature of crime—including cybercrime, child sexual exploitation, and terrorism, demands a modern, well-resourced police force. While national and local funding covers core operational costs, it is insufficient to meet the infrastructure needs generated by new developments.</p> <p>Therefore, securing Section 106 or Community Infrastructure Levy (CIL) contributions is both necessary and justified. These contributions ensure that new residents receive the same level of service as existing communities, without compromising frontline policing.</p>



Policing Infrastructure Methodology and Justification for Developer Contributions	<div>Established and Endorsed Methodology</div> <p>This submission is based on a robust and nationally recognised methodology developed in partnership with Sussex Police, Surrey Police, Thames Valley, West Mercia, Warwickshire, and other members of the National Police Estates Group (NPEG). It has been reviewed and found sound by Planning Inspectors, the Secretary of State, and the High Court.</p> <p>Leicestershire Police has applied similar methodology for over 17 years, securing approximately 122 completed Section 106 agreements across Leicestershire and Rutland. The approach ensures that contributions are proportionate, evidence-based, and directly linked to the infrastructure needs generated by new developments.</p> <p>How the Methodology Works</p> <p>The methodology uses a matrix to assess support and this projected increase in demand necessitates:</p> <ul style="list-style-type: none">• Equipment for police staff and officers required.• Accommodation and premises services support.• Police Fleet and operational equipment support.• Technology needs.• Crime reduction and victims of crime support. <p>This matrix is informed by actual crime and incident data, providing a clear picture of the infrastructure required to maintain effective policing in growing communities.</p> <p>Local Crime and Incident Data</p> <p>In the past year, the Neighbourhood Policing Area (NPA) recorded: 13,782 crimes, including 5,068 incidents of violence against the person and 4,686 theft offences.</p> <p>There were also 7,079 non-crime incidents requiring police involvement and 402 business processes (property, court orders, licensing)</p> <p>The Beat Area in the past year, recorded: 2,110 crimes, including 863 incidents of violence against the person, 639 theft offence, 234 Criminal Damage and Arson, and 33 drug offences.</p> <p>This data is used to calculate an incident-to-population ratio, which forms the basis for estimating the impact and additional demand generated by new developments.</p> <p>Impact of the Proposed Development</p> <p>The proposed development of 200 homes is expected to house approximately 484 new residents. Based on the current incident-to-population ratio of 0.19 incidents per person, this development would generate an estimated 90.6 additional incidents per year.</p> <div>Proportional and Evidence-Based Contributions</div> <p>The contribution request is:</p>
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	<ul style="list-style-type: none">• Directly related to the additional demand created by the development.• Fair and proportionate, based on established incident ratios and infrastructure needs.• Consistent with national best practice and legal precedent <p>This submission provides a transparent, data-driven rationale for securing developer contributions toward policing infrastructure. It ensures that new developments are supported by the necessary resources to maintain public safety and service standards, without compromising existing communities.</p>
CIL Compliance	<p>Necessary to Make the Development Acceptable in Planning Terms</p> <p>The introduction of additional population and property to an area has an impact on policing, in the same way as it must on education and library services for example.</p> <p>The potential impact on policing is significant. A new development will not relate simply to increases in population but also the location and area of where that new population is arising and the impact which it will have on the present disposition of police resources.</p> <p>Adequate policing is fundamental to the concept of sustainable communities as described in the core planning principles of the NPPF framework. National Planning Guidance firmly establishes crime and community safety as planning considerations and policing as relevant infrastructure and an important element in achieving safe, sustainable development.</p>
Relevant policy and Planning Statements.	<p>Our submission is in accordance with Regulation 122 of the CIL requirements in meeting the obligations of the three CIL tests and is line with the National Planning Policy Framework (NPPF) December 2024, in which various references is made to planning policies and decisions that promote safe communities.</p> <p><i>96 (b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.</i></p> <p><i>101 To ensure faster delivery of other public service infrastructure such as health, blue light, library, adult education, university and criminal justice facilities, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted. Significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.</i></p> <p><i>102 (a) Planning policies and decisions should promote public safety and take into account wider security and defence requirements by: a) anticipating and addressing possible malicious threats and other hazards (whether natural or man-made), especially in locations where large numbers of people are expected to congregate.</i></p> <p><i>135 (f) create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.</i></p>



<p>Local Plans & SPD & Developers Planning Statement & Design and Access Statement</p>	<p>The importance of policing support is referenced in Hinckley and Bosworth Borough Councils' Strategic Plans:</p> <p>Local development Framework Core Strategy 3.26 7. Crime reduction and building stronger communities - Overall vehicle crime, burglary and theft have been falling; however, assault and criminal damage have been rising and there are a number of crime hot spots around the M1 junction 22, around the Hinckley town centre and the Dodwells Bridge/Harrowbrook industrial estates. Above all, it is perhaps the fear of crime aggravated by nuisance or anti-social behaviour-which puts crime at the top of people's concerns. The planning process can assist in this by ensuring new development is located on well considered sites, using a layout of development that encourages positive interaction, encouraging the joint engagement of these groups in consultations and the design and delivery of percent for art. In addition, by encouraging local residents to know about and care for their local built, historic and natural environment and to take an active role in maintaining and developing it the sense of belonging and community can be enhanced, strengthening social cohesion.</p> <p>Hinckley and Bosworth Local Plan 2020-2039 2. Safe and Inclusive Communities To develop strong and safe communities by designing out crime, creating safe spaces and encouraging community involvement and positive interaction. To improve life chances by providing fair access to resources. 6 Place Making and Design 6.2 Poor design continues to be well documented across the country, for example low quality housing, derelict or run-down industrial estates, failing town centres, poor connectivity, loss of or lack of green space, limited resilience to climate change and the fear of crime or antisocial behaviour. The consequences of poor design are detrimental to the daily quality of life and long-term prospects of the people and communities that live, work and play in those spaces. PMD01 High Quality Design (k) Creates safe, secure and manageable environments which help to reduce opportunities for crime and minimise the fear of crime by providing natural surveillance and functional accesses; and PMD03 Preventing Pollution 6.32 The reduction of light pollution should not compromise crime prevention and public safety and alternative technological solutions should be explored to ensure these elements are not compromised whilst also mitigating against obtrusive light.</p>										
<p>Police contribution calculation, ensuring fair and reasonably related in scale and kind to the development identified.</p> <p>Supporting Safe and</p>	<p>In order to mitigate against the impact of this growth our office have calculated this major planning application equates to an initial policing support cost of £89,888.29.</p> <table border="1"> <tr> <td>1. Personal Equipment for Police Officers, PCSO's, Specials, Staff)</td><td>£13,084.91</td></tr> <tr> <td>2. Infrastructure and Estate Support</td><td>£63,161.66</td></tr> <tr> <td>3. Fleet Vehicles</td><td>£5,171.72</td></tr> <tr> <td>4. Transforming Policing Through Technology</td><td>£4,800.00</td></tr> <tr> <td>5. Crime Reduction Initiatives</td><td>£3,630</td></tr> </table> <p>These funds would be used for the future purchase of infrastructure to serve the proposed development. This cost is broken down to show the Leicestershire Police capital infrastructure created by this new development.</p>	1. Personal Equipment for Police Officers, PCSO's, Specials, Staff)	£13,084.91	2. Infrastructure and Estate Support	£63,161.66	3. Fleet Vehicles	£5,171.72	4. Transforming Policing Through Technology	£4,800.00	5. Crime Reduction Initiatives	£3,630
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<p>Resilient Communities</p> <p>Assessment and Request</p>	<p>1. Initial set up cost for Police Officers and Staff</p> <p>Policing extends far beyond responding to crime. It encompasses community engagement, emergency response, crime prevention, and collaborative efforts to enhance public safety. These services are vital to the daily lives of residents across the Neighbourhood Policing Areas (NPA's) and Leicestershire as a whole.</p> <p><u>Directly related to the Development</u></p> <p>This funding request is proportionate to the scale of the proposed development and is intended to cover the initial capital costs associated with deploying new personnel. These costs include essential equipment such as:</p> <ul style="list-style-type: none">• Protective gear• Workstations• Laptops• Communications tools• Body-worn cameras <p>Whilst some equipment can be reused when staff leave, there are practical limits to reallocation, especially when expanding capacity to meet new demand.</p> <p>Integrated Policing Model</p> <p>Modern policing is delivered through a highly integrated model. Local police stations no longer operate in isolation. Instead, a wide range of specialist teams and support services, based at Police Headquarters and other key locations across Leicestershire and Leicester, contribute to policing new developments. These include:</p> <ul style="list-style-type: none">• Investigation and Intelligence Units• Contact Management and Control Centre• Operations Planning, Firearms, and Dog Units• Forensics, Traffic Policing, and Tactical Support• Safeguarding and Vulnerability Teams• Organisational Support (HR, Finance, Estates, Training, IT, etc.) <p>This integrated approach ensures that all necessary functions are available to support both new and existing communities.</p> <p><u>Fairly and reasonably related in scale and kind to the Development.</u></p> <p>Demand from the Proposed Development</p> <p>Over the past year Hinckley and Bosworth NPA recorded:</p> <ul style="list-style-type: none">• 13,782 crime incidents• 7,079 non-crime incidents• Serving a population of 113,640 (2021 Census)
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Occurrence Type Level 2	Current	Previous	Diff	% Change
Miscellaneous Crimes Against Society	458	408	50	12.3%
Drug Offences	278	299	-21	-7.0%
Public Disorder	1,279	1,447	-168	-11.6%
Possession Of Weapons Offences	93	89	4	4.5%
Criminal Damage & Arson	1,262	1,375	-113	-8.2%
Theft Offences	4,686	5,187	-501	-9.7%
Robbery	60	62	-2	-3.2%
Sexual Offences	598	556	42	7.6%
Violence Against The Person	5,068	5,295	-227	-4.3%
Total	13,782	14,718	-936	-6.4%

The proposed development will add approximately 484 residents. Based on current incident rates, this is expected to generate a proportional increase in demand for police services.

Staffing and Resource Impact

- Current support to the Hinckley and Bosworth NPA involves approximately **521** personnel across all functions.
- The additional population will require an estimated support of **2.2 FTE** staff members.
- This equates to **1,639**, NPA hours and **2,753** centralised hours annually.

Capital Equipment Requirements

New residents of the proposed development will rightly expect the same level of policing support and access as those in existing communities. To meet this expectation, it is essential to ensure that officers and staff assigned to the area are equipped with the necessary tools from the outset.

The Table below lists the initial startup capital equipment that will be needed to be procured to support officers and staff assisting the new development.

Table 1	Supporting Development	Capital Equipment	Cost	Total
Police officers (NPA and Central)	0.79	Protective Equipment, Body worn cameras, Communication equipment	£10,250	£8,076
Support staff	1.43	Haemorrhage Kit, Rucksacks, Sleeve, Laptop.	£3,500	£5,009

This request is proportionate to the scale of the development and is directly linked to the additional demand it will place on police services. While some equipment is retained when staff leave, there are practical limitations to reusing existing resources, particularly when expanding capacity to serve a growing population.



The investment will ensure that officers are fully equipped to deliver effective, responsive, and visible policing from day one, helping to maintain community safety and confidence.

2. Infrastructure and Estate Support

Leicestershire Police is currently developing a new Corporate Estates Strategy to address the growing demands placed on its infrastructure due to population increases and new developments. This strategy aims to ensure that police facilities remain fit for purpose and capable of supporting both current and future operational needs.

Directly related to the Development

Impact of Development The proposed development will place additional pressure on both local Neighbourhood Policing Areas (NPAs) and centralised support services based at Enderby Police Headquarters. With limited capacity at existing sites, there is a clear need to expand and modernise facilities. The development will require an additional **19.815** square metres of operational space to accommodate this.

Priority Estate Improvements

Neighbourhood Policing Facilities Upgrades are needed to increase capacity and improve functionality. Modifying or increasing space to allow increased capacity at neighbourhood police facilities is vital. Recent improvements supported by S106 funding has included improvements to front enquiry offices, reconfiguration of changing, toilet space and interview rooms. Interview rooms within the NPA require modernisation with better furnishings and equipment would mean a more efficient and fit for purpose facilities.

Contact Management Directorate (CMD) Manages approximately 600,000 emergency and non-emergency calls annually across Leicestershire and Hinckley & Bosworth. In 2024, **17,377** incidents within the NPA required police support.

Summary of the CMD:

- Operates from one of the oldest buildings at Force HQ, now under consideration for replacement.
- Modernisation is essential to support evolving digital contact methods, including social media monitoring, video interaction, Single Online, Home platform etc.
- Investment in cloud-based telephony and flexible workspace design will enhance resilience and adaptability.

Custody Suites Located at:

- Euston Street (36 cells)
- Keyham Lane (17 cells)
- Beaumont Leys (14 cells)



Require full modernisation to:

- Improve accessibility for detainees with disabilities.
- Upgrade toilet and shower facilities
- Ensure regulated air temperature.
- Integrate video technology and virtual court capabilities.
- Enhance victim support through bespoke investigation suite technology.

Fairly and reasonably related in scale and kind to the Development.

Leicestershire Police is seeking a proportionate developer contribution. Based on current construction cost guidelines as shown in the table below.

Cost per sqm including fit out costs.	£3,188	Support towards Contact Management Department (Emergency & Non-Emergency Call Centre) redevelopment. Neighbourhood policing premises. Custody Suite replacement / Improvements.
Required floorspace/ employee (sqm)	8.93	
Per Officers / Staff	2.22	
Total Capital Costs	£63,161.66	

It should be noted though that as time scales can be lengthy in funding being secured, premises improvements and modifications may change over time.

3. Fleet Requirements for New Development

Vehicles are a fundamental component of policing infrastructure, enabling the delivery of community safety services and effective crime response, particularly at the neighbourhood level. The deployment of police fleet resources is directly aligned with the known and forecasted policing demands of comparable developments within the locality.

Directly related to the Development.

Leicestershire Police currently operates a multifaceted fleet of approximately 40 vehicles dedicated to servicing the Hinckley and Bosworth Neighbourhood Policing Area. This fleet supports both emergency and non-emergency incident response across the existing population.

To maintain effective policing and community safety standards, it is essential that the development contributes to the provision of additional police vehicles. This will ensure that both existing and new residents receive equitable service levels, and that the operational integrity of the Hinckley and Bosworth NPA is preserved.

Fairly and reasonably related in scale and kind to the Development.

The proposed development will generate direct additional policing demand. Without contributions to support fleet expansion, the existing vehicle resources will be stretched



more thinly across a larger population. This would compromise the ability to maintain current levels of service and response times.

Residents of the new development will expect policing coverage equivalent to that of existing communities. However, without additional vehicles, delivering policing services directly to the development will not be feasible.

Table below details the methodology for vehicle support.

Police Vehicles	Towards (List is not exhaustive) Police vehicles of varying types and function cover existing patterns of development and community demand.	
Patrol vehicles (Average)	£32,000	£26,000 - Basic Patrol Car / general duty vans.
Total Vehicles	40	£35,000 - Electric Vehicle.
Total	1,180,000	£11,000 - Standard unmarked enquiry vehicle.
Households	49,400	£50,000 - SUV for use by Firearms.
Cost per household	£25.86	£42,000 - 4 X4 Vehicles.
Development dwellings	200	£24,000 - Motor Bikes.
Total Vehicle Costs	£5,171.72	

This contribution will mitigate the impact of this specific development and will be pooled with other funding within the NPA to be spent on additional vehicle procurement to serve it.

4. Transforming Policing Through Technology

The rapid evolution of technology is reshaping modern policing, offering innovative tools to combat crime, enhance public safety, and manage increasing volumes of digital evidence, adopting advanced systems to improve efficiency, support complex investigations, and deliver better services to the public.

- Biometrics and Identification Police now use a wide range of biometric technologies—including fingerprints, facial recognition, and DNA, to identify suspects quickly and accurately. Modern systems can scan and match fingerprints within 60 seconds, significantly accelerating investigations.
- Digital Forensics Digital forensic tools are essential for retrieving, analysing, and preserving electronic evidence. These tools can recover deleted files, analyse metadata, and extract information from emails, texts, and social media. Digital forensics also supports non-digital crimes by uncovering financial records and communication trails.
- Artificial Intelligence and Robotics AI and machine learning are transforming data analysis, enabling predictive policing, crime mapping, and facial recognition. Robotics are increasingly used for surveillance, communication, and operations in hazardous environments, reducing risk to officers.



- Surveillance and Communication Mobile CCTV, Automatic Number Plate Recognition (ANPR), and satellite-linked systems enhance surveillance and communication across neighbourhoods, road networks, and remote areas. Our Officers now use mobile data terminals, reducing reliance on fixed workstations and increasing field efficiency.
- Thermal Imaging Thermal imaging cameras detect heat signatures, making them invaluable for search and rescue operations, suspect tracking in low-visibility conditions.
- Community Surveillance Tools Video doorbells and home surveillance systems, widely adopted by residents, are increasingly used by police to gather evidence, and enhance neighbourhood security.

Directly related to the Development

Development Funding will support the acquisition and deployment of

- Drones and robotic surveillance units
- Fixed, mobile, and handheld cameras
- AI-driven analytics platforms
- Centralised digital infrastructure
- Enhanced mobile communication systems.

Directly related to the anticipated demands of the development, these funds will enable flexible deployment of technology to areas of greatest need, including during the construction phase of new developments.

Fairly and reasonably related in scale and kind to the Development.

The funds requested of **£4,840.00** are fair and proportionate to the scale and nature of the development and essential for supporting infrastructure and ensuring public safety based on £1,000 per one hundred population will allow purchase of specialised equipment such as drone, or fixed, mobile, and handheld cameras.

The equipment provides flexibility of use within the district to areas most needed and could, depending on trigger points, be deployed at the time of the development's construction. With the significant increase in the population of Hinckley and Bosworth, securing funds for the improvement in our ANPR capability, this aligns with our 5-year strategic plan around road safety and county lines drug dealing which often involves the use of vehicles coming in from outside Leicestershire.

5. Crime Reduction and Prevention Initiatives

Community safety is a vital consideration in planning new developments. Ensuring public access to policing services is essential for reducing crime, supporting victims, and maintaining a sense of security.



Over 13,000 incidents were recorded last year across the NPA area and **2,110** from the nearest Beat Area to the proposed development. This new development is expected to generate approximately **90.6** police-related incidents, highlighting the need for proactive crime prevention and response measures.

Crime figures over past year covering the Beat Area for Ratby.

Occurrence Type Level 2	Current	Previous	Diff	% Change
Violence Against The Person	863	860	3	0.3%
Sexual Offences	99	64	35	54.7%
Robbery	4	6	-2	-33.3%
Theft Offences	639	680	-41	-6.0%
Criminal Damage & Arson	234	227	7	3.1%
Possession Of Weapons Offences	10	12	-2	-16.7%
Public Disorder	163	219	-56	-25.6%
Drug Offences	33	28	5	17.9%
Miscellaneous Crimes Against Society	65	64	1	1.6%
Total	2,110	2,160	-50	-2.3%

While the development will incorporate anti-crime design principles in consultation with the Designing Out Crime Officer, additional support will be necessary to maintain a safe and secure environment. The deployment of crime prevention equipment will be flexible and responsive to emerging needs.

The deployment of this equipment would be required as and when the need arises and will be a valuable tool in ensuring the development is maintained as a safe community environment.

Proposed Equipment and Measures

The following items will support crime prevention and personal security (not an exhaustive list):

- Anti-climb equipment.
- Personal attack alarms.
- Window and door security enhancements.
- Target hardening for physical security.
- Shed alarms.
- Smart locks.
- Anti-burglary cocooning packs.
- Alarmed door wedges.
-

Directly related to the Development

It is proposed funding will also support personal security with targeting hardening for physical security, anti-burglary cocooning packs and equipment for those that have been a victim of crime.

This would include items such as alarmed door wedge, personal attack alarms, door and window security, smart locks etc.



Occurrences Created by Theme

Theme Group	Current	Previous	Diff	% Ch
Child sexual abuse	67	57	10	
Domestic abuse	459	386	73	
Firearms	15	11	4	
Knife Crime	49	51	-2	
Mental health	379	331	48	
Online	88	63	25	
Other	124	113	11	
Crime - Business	9	7	2	
Honour based incident	1	1	0	
Metal theft - infrastructure related	1	5	-4	
Metal theft - non-infrastructure	3	3	0	
Repeat	65	40	25	
Youth related	57	63	-6	
Prejudice	37	45	-8	
Rural Crime	9	11	-2	
Serious Violence	8	24	-16	
Substance	255	257	-2	
Total	2,110	2,160	-50	

Fairly and reasonably related in scale and kind to the Development.

To support the safety of this development, funding is proposed for the purchase and distribution of crime prevention tools, particularly for residents who have been victims of crime.

- Proposed contribution: £750 per 100 residents
- Estimated population: **484**
- Total funding request: **£3,630.00**

Summary

Policing Infrastructure Contribution Statement

Leicestershire Police has refreshed its approach to securing infrastructure contributions, ensuring alignment with the current needs of neighbourhood policing teams and community safety advisory partnerships. This proactive stance reflects the evolving demands placed on policing services and counters any assumptions that there is surplus capacity within the existing infrastructure.

Impact of Population Growth

The pressures on police infrastructure are significant and are further intensified by population growth. New developments, such as the one proposed, generate additional demand for policing services. The requested contribution is directly linked to the anticipated initial impact of this development and includes costs associated with necessary investment in centralised infrastructure.

Justification and Proportionality

The contribution request is:



Conclusion	<ul style="list-style-type: none">• Fair and proportionate to the scale and nature of the development.• Based on demand trends observed in similar developments.• Designed to mitigate the specific impact of this development on policing services. <p>It is important to note that this contribution reflects the policing model and infrastructure requirements at the time of writing. As policing continues to evolve—adopting new technologies, responding to emerging threats, and adapting to changing community needs, the requirements may also change. Should the development or policing model shift significantly, the use of contributions may need to be adjusted accordingly.</p> <p>Sustaining Local Policing Services</p> <p>The nature of crime is changing, with increasing challenges such as cybercrime, child sexual exploitation, and terrorism. These threats require modern, responsive policing infrastructure. Additional funding through Section 106 or Community Infrastructure Levy (CIL) contributions is essential to:</p> <ul style="list-style-type: none">• Sustain local policing services for new and existing residents.• Prevent overstretching of current infrastructure.• Ensure frontline services are not compromised. <p>Securing modest infrastructure contributions is vital to maintaining consistent service levels across all communities. Without such funding, the risk is that existing infrastructure will become overstretched, leading to a decline in service quality for both new and existing residents.</p> <p>While core funding will continue to cover salaries and maintenance, it is insufficient to meet the infrastructure demands generated by new developments. Leicestershire Police therefore considers this request for funding under Section 106 or CIL to be both necessary and justified.</p>
	<p>Leicestershire Police Specific Requirements</p> <p>Notification Requirement: The LPA should inform the Leicestershire Police S106 officer if:</p> <ul style="list-style-type: none">▪ The requested contributions are not supported by the LPA.▪ The applicant disputes the requested contributions.▪ A written narrative of which elements of the CIL test the LPA take issue with and why? <p>Leicestershire Police request that:</p> <ul style="list-style-type: none">▪ Trigger points for developer occupancy be carefully considered. Contributions preferably be released prior to first occupation of the development.▪ The Legal Team be allowed to review the S106 agreement before signing.▪ A 10-year spending deadline from the date of final completion. <p>Re-consultation Clause: If planning permission (with a signed S106 agreement) is not granted within 12 months of the initial response, the Local Planning Authority (LPA) is expected to re-consult Leicestershire Police to determine if any material changes have occurred that would affect the required contributions.</p>



EXAMPLES OF APPEAL DECISIONS SUPPORTING POLICE S106'S

Forest of Dean District Council / Gloucestershire Police

Appeal Ref and Procedure: APP/P1614/W/24/3348402 – Public Inquiry

Appeal Decision: Allowed – 02 January 2025

Planning Inspector: D M Young JP BSc(Hons) MA MRTPI MIHE

Appellants: Robert Hitchens Limited Land at Gloucester Street, Newent, Gloucestershire, GL18 1HA

Land at Gloucester Street, Newent, Gloucestershire, GL18 1HA

The development proposed is a mixed-use development comprising the following individual, severable and self-contained elements: Up to 375 residential dwellings, form entry primary school including nursery. Employment area.

Force and Method of Appeal Representation: Gloucestershire Constabulary – Written **Representations**

Application: P0584/23/OUT – Forest of Dean District Council

49. CIL compliance statements have been submitted by the Council and GCC. Additional information was also submitted by the Council after the close of the Inquiry in relation to the police and health contributions. The information provided sets out the detailed background and justification for each of the obligations. I am satisfied from the evidence before me that the obligations are necessary, directly related to the proposal and fair and reasonable in scale and kind to the appeal scheme. As a result, I have taken the obligations into account as part of my overall conclusion that the appeal should be allowed. (See relevant copy report also enclosed.)

Guildford Borough Council / Surrey Police

Appeal Ref and Procedure: APP/Y3615/W/23/3320175 – Public Inquiry

Appeal Decision: Allowed – 24 May 2024

Planning Inspector: Christina Downes DipTP MRTPI

Appellants: Taylor Wimpey UK Limited Land at the former Wisley Airfield, Hatch Lane, Ockham, Surrey

Land at the former Wisley Airfield, Hatch Lane, Ockham, Surrey

The development proposed includes a full planning application comprising:

Up to 1,730 dwellings (Class C3 use), 8 gypsy and travellers pitches, up to 100 units of housing for older people (Class C2 use)

Force and Method of Appeal Representation: Surrey Police – Written Representations

Application: 22/P/01175 – Guildford Borough Council



473. There is a financial contribution of £339,798 for staffing and equipment cost and other infrastructure relating to policing. There would also be an on-site office space of at least 24m² plus dedicated WC facilities within the community building along with associated parking for the use of Surrey Police.

This would comply with the Infrastructure Schedule and policy ID1 in the LPSS. An extremely detailed letter was submitted to the inquiry on behalf of the Police and Crime Commissioner for Surrey. This made clear the demands that a new development of this size would make on police resources and that these demands could not all be met by public funding.

Rugby Borough Council / Warwickshire Police

Appeal Ref and Procedure: APP/E3715/W/21/3268629 – Public Inquiry

Appeal Decision: Allowed – 01 September 2021

Planning Inspector: M Philpott BA(Hons) MA MRTPI

Appellants: Mr David Joseph (Bloor Homes Limited)

Land North of Coventry Road, Long Lawford, CV23 9BT

The development proposed was originally described as ‘development of 153 residential dwellings with associated landscaping, public open space and infrastructure, including an amended junction between the A428 Coventry Road and Back La

Force and Method of Appeal Representation: Warwickshire Police – Written Representations

Application: R17/1089 – Rugby Borough Council

52. Contributions would also go towards the staffing, equipment, premises and vehicle requirements of Warwickshire Police and improvements to the library facilities at Rugby library. The contributions would address the impacts of the occupiers relying on these services. Both contributions are based on established methodologies within the borough and reflect the number of new occupiers. They meet the tests for planning obligations. Similarly, a contribution to address identified shortfalls in education provision also satisfies the tests.

Warwick District Council / Warwickshire Police

Appeal Ref and Procedure: APP/T3725/W/21/3270663 – Public Inquiry

Appeal Decision: Allowed – 12 August 2021

Planning Inspector: Harold Stephens BA MPhil Dip TP MRTPI FRSA

Appellants: A. C. Lloyd (Homes) Ltd

Land south of Chesterton Gardens, Leamington Spa

The development proposed is an outline planning application for a residential development of up to 200 dwellings with associated access, landscaping and public open space (all matters reserved apart from access).



Force and Method of Appeal Representation: Warwickshire Police – Written Representations

Application: W/20/0617 – Warwick District Council

The s106 Agreement is between (1) AC Lloyd Homes Limited (2) Ann Richardson, Janet Stallard & Robert McGregor (3) Warwick District Council and (4) Warwickshire County Council. The proposed planning obligations within the s106 Agreement are as follows...

- Police Contribution: £33,645 towards the recruitment and equipping of police staff, the provision of police vehicles and the provision of police office accommodation...
54. The tables in section 6 of the CIL Compliance Statement explain how the above planning obligations comply with the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulation 2010 (as amended) and paragraph 57 of the NPPF.
56. In my view, all of the obligations in the s106 Agreement are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Therefore, they all meet the tests within Regulation 122 (2) of the CIL Regulations and should be taken into account in the decision. The development makes adequate provision for any additional infrastructure and services that are necessary, including affordable housing, arising from the development.

Nuneaton & Bedworth Borough Council / Warwickshire Police

Appeal Ref and Procedure: APP/W3710/W/20/3251042 – Public Hearing

Appeal Decision: Allowed – 09 November 2020

Planning Inspector: JP Sargent BA(Hons) MA MRTPI

Appellants: North Warwickshire & South Leicestershire College

North Warwickshire & South Leicestershire College, Hinckley Road, Nuneaton, CV11 6LS

The development proposed is the development of up to 195 dwellings together with the provision of a 3G sports pitch, associated public open space, and other green infrastructure, and landscaping.

Force and Method of Appeal Representation: Warwickshire Police – Written Representations

Application: 036050 – Nuneaton & Bedworth Borough Council

40. I have considered the legal agreement against advice in the Framework and the tests in Regulation 122 of The Community Infrastructure Levy Regulations 2010, as well as the requirements of the development plan.

41. In the light of Borough Plan Policies H1, H2, HS1 and HS5, and having regard to the evidence before me, I have no grounds to find the intended affordable housing, and contributions to education, healthcare, primary care and



policing would not be necessary, related to the development or proportionate. Using the agreement to secure the provision and management of the sustainable drainage scheme and the public open space is also appropriate.

Milton Keynes Council / Thames Valley Police

Appeal Ref and Procedure: APP/Y0435/W/20/3251121 – Public Inquiry

Appeal Decision: Allowed – 14 October 2020

Planning Inspector: David Prentis BA BPI MRTPI

Appellants: HB (South Caldecotte) Ltd

Land at Brickhill Street, South Caldecotte, Milton Keynes, MK17 9FE

The development proposed is the development of the site for employment uses, comprising of warehousing and distribution (Class B8) floorspace (including mezzanine floors) with ancillary Class E office space, a small standalone office (Class E) and small café (Class E) to serve the development; car and HGV parking areas, with earthworks, drainage and attenuation features and other associated infrastructure, a new primary access of Brickhill Street, alterations to Brickhill Street and provision of Grid Road reserve to Brickhill Street.

Force and Method of Appeal Representation: Thames Valley Police – Written Representations

Application: 19/01818/OUT – Milton Keynes Council

13. A draft s106 Agreement was discussed at the inquiry. As changes were made to the draft at a late stage, I allowed some time after the Inquiry for it to be signed. The signed version subsequently received was consistent with the final draft. The Agreement would provide for...

- schedule 7 – a public art strategy; an emergency services contributions; a public art contribution and a community facilities contributions...

41. The Council submitted a statement of compliance with the Community Infrastructure Levy Regulations (CIL Regulations) which set out the justification for the above obligations, including identification of relevant policies in Plan:MK (the adopted Local Plan). With the exception of the matters referred to below, the need for these obligations was agreed between the Council and the appellant and was not disputed by any other party. I see no reason to differ and have taken the obligations into account accordingly.

North Warwickshire Borough Council / Warwickshire Police

Appeal Ref and Procedure: APP/R3705/W/19/3234056 – Public Hearing

Appeal Decision: Dismissed – 30 April 2020

Planning Inspector: S J Lee BA(Hons) MA MRTPI

Appellants: Summix IFW Developments Ltd Land East of Islington Farm, Tamworth Road, Wood End, Warwickshire



The development proposed is residential development (Class C3) with associated access, landscaping, open space and drainage infrastructure, with all matters reserved save access.

Force and Method of Appeal Representation: Warwickshire Police – Written Representations

Application: PAP/2018/0762 – North Warwickshire Borough Council

3. A signed and dated S106 agreement was produced at the hearing. This includes an obligation to provide up to 50% affordable housing. It also requires the developer to make financial contributions towards the provision of sustainable travel packs, improvements to public rights of way and a bus stop, police services, youth provision, off-site leisure and healthcare. I shall return to this matter below.
37. I have considered the S106 Agreement in line with Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and paragraph 56 of the Framework. These state that planning obligations must only be sought where they are necessary to make development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development.
39. Detailed correspondence outlining the requirements from the increased population for healthcare and policing was submitted by the relevant bodies in relation to the original application...
42. I conclude that the terms of the S106 agreement meet the tests set out above and thus I will take them all into account as material considerations. Nevertheless, all obligations other than that relating to affordable housing provide mitigation for the impacts of development, rather than any specific benefits.
-

North Warwickshire Borough Council / Warwickshire Police

Appeal Ref and Procedure: APP/R3705/W/18/3196890 – Public Hearing

Appeal Decision: Dismissed – 01 April 2019 Planning Inspector: Brendan Lyons BArch MA MRTPI IHBC

Appellants: Taylor Wimpey UK Ltd Land to the south of Tamworth Road and to the west of the M42, Tamworth, B78 1HU

The development proposed is described as residential development of up to 150 dwellings, open space, landscaping, drainage features and associated infrastructure, with full approval of the principal means of access and all other matters reserved.

Force and Method of Appeal Representation: Warwickshire Police – Written Representations

Application: PAP/2017/0602 – North Warwickshire Borough Council

46. I also accept that the other obligations of that UU, involving financial contributions to mitigate impacts on hospital, healthcare and police services would be policy and legally compliant.
48. I conclude that with the exception of the proposed biodiversity offsetting obligation, the proposal would provide adequate justified mitigation for the effects of development on local infrastructure.
-

Arun District Council / Sussex Police



Appeal Ref and Procedure: APP/C3810/W/17/3187601 – Public Inquiry

Appeal Decision: Allowed – 28 September 2018

Planning Inspector: Matthew C J Nunn BA BPL LLB LLM BCL MRTPI

Appellants: Mulgrave Properties LLP Land west of Church Lane and south of Horsemere Green Lane, Climping, West Sussex, BN17 5RY

The development is described on the application form as “outline application for the erection of up to 300 dwellings and ancillary development comprising open space, a building within use class D1 of up to 875 sqm (net),

Force and Method of Appeal Representation: Sussex Police – Written Representations

Application: CM/1/17/OUT – Arun District Council

28. A planning obligation was completed on 3 September 2018. The obligation secures the provision of affordable housing at a rate of 30%. It also secures the following for the Council: an NHS contribution; a police contribution; sports facilities contributions (including towards sports pitches, sports hall and swimming pool). It also secures a community building and the provision of public open space (including play areas), and a travel welcome pack to occupiers of the dwellings on first occupation (to include a cycle voucher or bus travel season ticket). In terms of provisions in favour of WSCC, the obligation safeguards land for future highway works, as well as contributions to highway improvement works. It also secures the provision of fire hydrants, and suitable access for fire brigade vehicles and equipment, contributions to fire and rescue services, library facilities, and education (primary, secondary and sixth form).

29. I have no reason to believe that the formulae and charges used by the Council and WSCC to calculate the various contributions are other than soundly based. Both the Council and WSCC have produced Compliance Statements which demonstrate how the obligations meet various Council policies and the Community Infrastructure Levy Regulations. The development would enlarge the local population with a consequent effect on local services and facilities. I am satisfied that the provisions of the obligation are necessary to make the development acceptable in planning terms, that they directly relate in scale and kind to the development, thereby meeting the relevant tests in the Revised Framework and the Community Infrastructure Levy Regulations.

Waverley Borough Council / Surrey Police

Appeal Ref and Procedure: APP/R3650/V/17/3171287 – Public Inquiry

Secretary of State Decision: Allowed – 29 March 2018

Planning Inspector: Philip Major BA(Hons) DipTP MRTPI

Appellants: Dunsfold Airport Limited (DAL) and Rutland (DAL) Limited

Dunsfold Park, Stovolds Hill, Cranleigh, Surrey, GU6 8TB

The development proposed is a hybrid planning application; part Outline proposal for a new settlement with a residential development comprising 1800 units

Force and Method of Appeal Representation: Surrey Police – Interested Party

Application: W/2015/2395 - Waverley Borough Council



-
33. Having had regard to the Inspector's analysis at IR308-316, the planning obligation dated 1 August 2017, paragraphs 203-205 of the Framework, the Guidance and the Community Infrastructure Levy Regulations 2010, as amended, the Secretary of State agrees with the Inspector's conclusion for the reasons given in IR317 that the obligation complies with Regulation 122 of the CIL Regulations and the tests at paragraph 204 of the Framework.
263. The development would place undue pressure on existing infrastructure. This includes schools, health facilities and sewerage. The Fire Service has been known to 'run out' of appliances and there are plans to close existing stations. In addition, the service has lost many firefighter posts since 2010. Waverley is one of the worst areas for ambulance services and beds in hospitals are scarce. This proposal would also add to the burden upon the police.
312. A number of contributions are included in the Obligation. These are for such matters as the Cranleigh Leisure Centre replacement, provision for Surrey premises on site, and police equipment, as well as contributions to the improvements in public rights of way nearby, education facilities, and transport improvements. Given the increase in local population which would result from this development all of these facilities and services would be put under increased pressure and would need to provide extra and improved services. The development is directly related to them, and the contributions are reasonable in scale and kind and where necessary would provide mitigation for the impacts of the development. There are no contributions which would fall foul of pooling restrictions and they therefore meet the tests of the CIL Regulations.
317. Taken overall I am satisfied that the S106 Agreement meets the tests of the CIL Regulations and PPG and can be taken into account in determining this application.
-

Wyre Forest District Council / West Mercia Police

Appeal Ref and Procedure: APP/R1845/W/17/3173741 – Public Inquiry

Appeal Decision: Dismissed – 14 March 2018

Planning Inspector: Matthew C J Nunn BA BPL LLB LLM BCL MRTPI

Appellant: Gladman Developments Limited

Land off The Lakes Road, Bewdley, Worcestershire, DY12 2BP

The development is described as "outline planning permission for up to 195 residential dwellings (including up to 30% affordable housing).

Force and Method of Appeal Representation: West Mercia Police – Written Representations

Application: 16/0550/OUTL – Wyre Forest District Council

33. I have no reason to believe that the formulae and charges used by the Council to calculate the various contributions are other than soundly based. In this regard, the Council has produced a detailed Compliance Statement which demonstrates how the obligations meet the relevant tests in the Framework and the Community Infrastructure Levy Regulations... It also explains the necessity for the police contribution and how monies would be spent...



64. The development would enlarge the local population with a consequent effect on local services and facilities.

I am satisfied that the provisions of both the obligations... are necessary to make the development acceptable in planning terms, that they directly relate to the development, and fairly and reasonably relate in scale and kind to the development, thereby meeting the relevant tests in the Framework and the Community Infrastructure Regulations... Overall, I am satisfied that the planning obligations... accord with the Framework and relevant regulations, and I have taken them into account in my deliberations.

Extract from Wrye Forest District Council Planning Committee report

Ref [WF.763/97](#)

3.20 **Place Partnership** – The proposed development will increase the overnight population at the application site by 442. It is therefore a fact that 195 additional homes will bring additional policing demand; particularly as there is no policing demand from what are open fields.

There is no reason to doubt that there will be a corresponding increase in crime and demand (comparable with existing rates in the District) from new residents for policing services across a wide spectrum of support and intervention as they go about their daily lives at the site and across the wider policing sub-region.

Whether they are victims of crime or witnesses to it, involved in car accidents for example, or require the police for some other reason, an increased population means increased demand.

Agenda Item No. 5 16/0550/OUTL Based on existing crime patterns and policing demand and deployment from nearby areas, which from experience, we would anticipate new development nearby would adopt, there would be direct and additional impacts of the development on local policing that will be manifested in demand and responses in the following areas:

- Additional calls and responses per year via the police's control centre.
- Attendance to additional emergency events within the development and locality each year.
- Additional non-emergency events to follow up with public contact each year.
- Additional recorded crimes in the development and locality.
- Additional anti-social behaviour incidents each year within the new development and locality.
- Demand for increased patrol cover.
- Additional vehicle use.
- Additional calls on the police's Airwaves system.
- Additional use of the Police National Database (PND) systems to process and store crime records and intelligence.
- Additional demand for deployment of Mobile CCTV technologies.
- Additional demand for use of ANPR technologies
- Additional demand for local access to beat staff from local neighbourhood teams.
- Additional policing cover and interventions in all the areas described when considering staffing and functions above and for additional accommodation from which to deliver these.

Therefore Section 106 contributions to policing as a direct result of the development is considered to be reasonable and justified.

PLANNING POLICY JUSTIFICATIONS FOR A POLICING CONTRIBUTION The National Policy position to support the WP and WMP request exists in the NPPF. Securing sufficient facilities and services to meet local needs is a Core Planning Principle (para 17).



Planning is to deliver facilities and services that communities need (para 70) and Supplementary Planning documents can assist applicants in this. Plan policies should deliver the provision of security infrastructure and other local facilities (para 156).

Plan policy and decision making should be seamless (para 186). Infrastructure planning should accompany development planning by LPAs (para 177) who should work collaboratively with infrastructure providers (para 162). The NPPF seeks environments where crime and disorder and the fear of crime do not undermine quality of life, the health of communities and community cohesion (paras 58 and 69) and planning policies and decisions should deliver this. The Development Plan in this instance comprises of the 'Core Strategy 2006 – 2026' (adopted December 2010) and the 'Site Allocations and Policies Local Plan 2006 – 2026' (adopted July 2013). The Core Strategy policies and guidance supporting this Section 106 request are as follows:

Key Issues and Challenges – How can new development help to alleviate the high levels of concern amongst local residents in relation to crime?

- Vision – By 2026 crime and disorder in the District remain low and local residents feel safer.
- Development Objective 13 – Maximise community cohesion and ensure new developments positively contribute towards crime reduction for the benefit of all residents.
- Paragraph 5.70 – The availability of the necessary infrastructure and the potential need to provide additional capacity in some of the locations will be key factors in determining the release of key sites. Costs and infrastructure requirements have been estimated from discussions with key stakeholders such as the emergency services.
- CP07: Delivering Community Wellbeing – 'the Council will require developer contributions with regard to the following areas of social infrastructure: health and community safety (includes emergency services) facilities and services.'

THE POLICE CONTRIBUTION REQUEST £11,058 is sought to mitigate the additional impacts of this development because the police's existing infrastructures do not have the capacity to meet these and because, like some other services, WP and WMP do not have the funding ability to respond to growth whenever and wherever proposed. WP and WMP expect to procure these additional facilities once development has commenced.

The contributions will be spent as individual amounts to expand the cover of their infrastructures to serve this proposed development. Where individual amounts do not secure whole infrastructures, the police may pay the remaining amount if no other developers contribute towards policing in this area of the District.

This will mean that funds will have to be diverted away from other areas of deployment which is far less than ideal, but ensures the front line services are maintained. As a further justification of this request, WP and WMP confirm that the contribution will be used wholly to meet the direct impacts of the development and wholly in delivering policing to it.

Without the development in place it is reasonable to forecast the impacts it will generate as we have done, using information about the known policing demands of comparable local development. Assumptions about pupil numbers and health needs similarly depend on such comparables. We believe that the Framework encourages this.



Appeal Decision: Allowed - 20 December 2017

Planning Inspector: Karen L Baker DipTP MA DipMP MRTPI

Appellant: Gladman Developments Limited

White Post Road, Banbury (Grid Ref. Easting: 445726 and Grid Ref. Northing: 238365)

The development proposed is 'up to 280 residential dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area,

Force and Method of Appeal Representation: Thames Valley Police – Written Representations

Application: 15/01326/OUT – Cherwell District Council

54. Policing: Thames Valley Police is seeking a financial contribution, based on a formulaic approach, towards the provision of additional resources to mitigate the impact of the proposed development. The Unilateral Undertaking includes a financial contribution of £40,303 towards the infrastructure of Thames Valley Police, including ANPR cameras, new premises, patrol vehicles and staff set up costs. Given the scale and nature of the proposed development, I am satisfied that the increase in population would lead to an increase in demand on police resources. As such, I am satisfied that this obligation would pass the statutory tests.

Cherwell District Council / Thames Valley Police

Appeal Ref and Procedure: APP/C3105/W/16/3163551 – Public Inquiry

Appeal Decision: Allowed - 28 November 2017

Planning Inspector: P W Clark MA MRTPI MCMI

Appellant: Albion Land Ltd

Land off Howes Lane and Middleton Stoney Road, Bicester, Oxfordshire

The development proposed is the erection of up to 53,000sq.m of floor space to be for B1, B2 and B8 (use classes) employment provision within two employment zones covering an area of 9.45ha; parking and service areas to serve the employment zones;

Force and Method of Appeal Representation: Thames Valley Police – Written Representations

Application: 14/01675/OUT – Cherwell District Council

9. The proposal is accompanied by a signed and dated Unilateral Undertaking. In addition to the usual procedural, administrative and interpretative matters, the Unilateral Undertaking provides for...

- A Police contribution of £151.30 per dwelling up to a maximum of £22,693.96 paid in two instalments towards the increase in capital costs of providing neighbourhood policing...



38. ...The appellant believes that a test of these obligations against the CIL regulations would reduce the burden. To put this concern into context, the total financial contributions for a typical 3- bedroomed house may be summed as follows...

- Police £151.30

44. Thames Valley Police has assessed that the development of the North-West Bicester eco-town, of which the development is part will generate: (i) a requirement for 15 new members of staff to police the additional population generated by the development; (ii) to be accommodated by an extension to and adaption of the existing Bicester Police Station; (iii) a control room/police network database at their Kidlington district headquarters; (iv) 4.5 additional patrol vehicles, 4.5 PCSO vehicles and 6 bicycles; (v) two additional Automatic Number Plate Recognition cameras; (iv) mobile IT kit for each police officer; and (vii) an increase in radio coverage.
45. Proposals are included in the Council's Infrastructure Delivery Plan. Each element would be delivered in phases. The first phase of additional personnel would be delivered by the 2000th dwelling (probably around the year 2028 according to the trajectory described in the Council's Infrastructure Delivery Plan), the second phase by the 3,500th dwelling (circa 2033) and the third phase by the 5,500th (out of 6,000) dwellings (circa 2043).
46. I am not convinced that the revenue costs of paying the salaries of the additional staff required is a cost attributable to the development, since the residents of the development will be paying in the usual way towards the funding of police salaries. To make a contribution through a planning obligation charged to the capital costs of buying their homes would be paying twice over and is not necessary. To that extent I do not regard the obligation contained in Schedule 2 of the Unilateral Undertaking as complying with the CIL Regulations. **But the other elements represent capital costs which can be said to be attributable to the development.**
47. The accommodation would be provided towards the end of the eco-town's build-out period (design work on Bicester Police Station to commence by the 4,900th dwelling, circa 2039). The building work would be started by the time of the 5,260th dwelling (circa 2042) and be completed by the time of the 5,500th dwelling (circa 2043).
48. The first phase of the control room would be rolled out by the 2,500th dwelling (circa 2029), the second phase circa 2043 by the time of the 5,500th dwelling. Phase 1 of the vehicle fleet would be delivered by the time of the 2,000th dwelling (circa 2028), the second phase by about the 3,500th dwelling (circa 2033) and the final phase by the 5,500th dwelling (circa 2043).
49. The two ANPR cameras would be installed by the time of the 2,000th dwelling (circa 2028). Phase 1 of the mobile IT equipment roll-out would be completed at the same time, Phase 2 by the 3,500th dwelling (circa 2033) and Phase 3 by the 5,500th dwelling (circa 2043). Phase 1 of the increased radio coverage would be completed by the 2,500th dwelling (circa 2029) and the second phase by the time of the 5,500th dwelling (circa 2043).
50. Because the obligation contained in Schedule 2 of the Unilateral Undertaking includes a payback requirement if the contribution is not spent or committed with 15 years of the final payment of the contribution (probably circa 2035), it is likely that the obligation would in fact only contribute to the ANPR cameras, the first phase of the control room, the first two phases of the IT equipment roll-out and the first phase of the increased radio coverage. In so far as that would be fairly and reasonably related in scale and kind to the development and is directly related to the development, I accept that the obligation contained in Schedule 2 of the Unilateral Undertaking complies with the CIL regulations and I have taken it into account in making my decision.



Arun District Council / Sussex Police

Appeal Ref and Procedure: APP/C3810/V/16/3143095 – Public Inquiry

Secretary of State Decision: Allowed - 13 July 2017

Planning Inspector: S R G Baird BA (Hons) MRTPI

Appellants: Fontwell Estates Limited & Global Technology Racing

Land east of Fontwell Avenue, Fontwell, West Sussex, BN18 0SB

The development proposed is up to 400 new dwellings, up to 500sq.m of non-residential floor space (A1, A2, A3, D1 and/or D2), 5,000sq.m of light industrial floorspace (B1 (b)/(c) and associated works.

Force and Method of Appeal Representation: Sussex Police – Written Representations

Application: WA/22/15/OUT – Arun District Council

42. Having had regard to the Inspector's analysis at IR10.8-10.15 and IR11.61, the planning obligation dated 2 December 2016, paragraphs 203-205 of the Framework, the Guidance and the Community Infrastructure Levy Regulations 2010, as amended, the Secretary of State agrees with the Inspector's conclusion for the reasons given in IR11.61 that all the obligations, bar the NHS contribution which has not been substantiated and fails the CIL tests, comply with Regulation 122 of the CIL Regulations and the tests at paragraph 204 of the Framework and is necessary to make the development acceptable in planning terms, is directly related to the development, and is fairly and reasonably related in scale and kind to the development.

43. The Secretary of State has taken into account the number of planning obligations which have been entered into on or after 6 April 2010 which provide for the funding or provision of a project or type of infrastructure for which an obligation has been proposed in relation to the application (IR10.8-10.15 and IR11.61). The Secretary of State concludes that the obligations are compliant with Regulations 123(3), as amended.

1.4 The local planning authority (lpa) considered the application on the 25 November 2015 and resolved to grant planning permission subject to conditions and a S106 Agreement (CD 24). The applicants submit an engrossed S106 Agreement dealing with the provision of financial contributions relating to education; libraries; the fire service; highways and transport; police infrastructure; primary healthcare facilities; leisure facilities and the provision of affordable housing and public open space (CD 37). The applicants, the lpa and West Sussex County Council (WSCC) submitted notes on CIL R122 compliance (CDs 49, 55 & 52).

9.23 ...Other responses included... Sussex Police – sought financial contribution towards the provision, maintenance and operation of Police infrastructure.

10.15 The payment of:

- £70,000 towards the provision of mobile IT kit, speed awareness kits and towards the reprovision of Littlehampton Police Station. CD 55 Appendix A
1.7 provides a detailed justification by Sussex Police for the principal of the contribution. Whilst the Sussex Police request was originally for £109,714 the sum subsequently agreed is £70,000 (LPA 3);

11.61. All the obligations, bar the NHS contribution which has not been substantiated and fails the CIL tests, are necessary to make the development acceptable in planning terms, directly related to the development and



fair and reasonably related in scale and kind to the development. Accordingly, the S106 Agreement is consistent with the guidance at Framework paragraph 204 and Regulations 122/123 of the CIL Regulations and where appropriate, I have attached weight to it in coming to my conclusion.

Rugby Borough Council / Warwickshire Police

Appeal Ref and Procedure: APP/E3715/W/16/3147448 – Public Inquiry

Secretary of State Decision: Allowed - 10 July 2017

Planning Inspector: Martin Whitehead LLB BSc(Hons) CEng MICE

Appellants: David Wilson Homes (East Midlands) and Gallagher Estates Ltd Land at Ashlawn Road West, Rugby, Warwickshire, CV22 5RZ

The development proposed is the demolition of existing buildings, erection of up to 860 dwellings, land for potential primary school,

Force and Method of Appeal Representation: Warwickshire Police – Written Representations

Application: R13/2102 - Rugby Borough Council

30. Having had regard to the Inspector's analysis at IR158-166, the planning obligation dated 17 February 2017, paragraphs 203-205 of the Framework, the Guidance and the Community Infrastructure Levy Regulations 2010 as amended, the Secretary of State agrees with the Inspector's conclusion for the reasons given in IR166 that the obligation complies with Regulation 122 of the CIL Regulations and the tests at paragraph 204 of the Framework and is necessary to make the development acceptable in planning terms, is directly related to the development, and is fairly and reasonably related in scale and kind to the development.
156. Warwickshire Police (WP) requested a sum of £185,278 towards police infrastructure that would mitigate the impact of the proposed development. This contribution has not been disputed and should be secured in a S106 planning obligation. It reflects the precise need that would arise from the development of up to 860 new homes on the appeal site based on WP's experience policing development in the area. The contribution would be used to mitigate the impact on infrastructure where there is no spare capacity and would accord with Core Strategy Policy CS10. Appendix 3 of the Core Strategy includes police as one of the critical infrastructure requirements to ensure delivery and mitigation, which are expected to be included in a S106 Agreement.
157. WP objects to the development proceeding without the necessary contributions as the resulting development could not be adequately policed, contrary to Core Strategy Policy CS13 and policies within the Framework. There is extensive evidence in WP's written representations which cover how the contribution request was calculated and compliance with Community Infrastructure Levy Regulations (CIL) Regulation 122 and 123(3). Each element of the contribution would be spent on an individual 'project' to meet the needs of the development alone, without the need for any pooling of contributions.
160. The Council, WCC and WP have provided documents to demonstrate CIL compliance. I have not received any evidence to demonstrate that the planning obligations would contravene any of the above Regulations.

Telford & Wrekin Council / West Mercia Police



Appeal Ref and Procedure: APP/C3240/W/16/3144445 – Public Inquiry

Appeal Decision: Dismissed - 21 March 2017

Planning Inspector: David M H Rose BA (Hons) MRTPI

Appellant: Redrow Homes Limited Land east of Kestrel Close/Beechfields Way, Newport, Shropshire, TF10 8QE

The development proposed is an outline application to include access for residential development for up to 170 dwellings with open space following demolition of 14 and 15 Kestrel Close, Newport, Shropshire, TF10 8QE

Force and Method of Appeal Representation: West Mercia Police – Rule 6 Party

Application: TWC/2015/1003 - Telford & Wrekin Council

157. The planning obligation concluded after the close of the inquiry provides for... a contribution towards police premises, recruiting and equipping new officers and staff to serve the development and vehicles.
163. The current development plan is silent on police contributions although it is matter addressed in the emerging Telford and Wrekin Local Plan and the related Infrastructure Delivery Plan. The premises contribution is not controversial.
164. The legitimacy of contributions towards training new officers and the provision of equipment and vehicles is less clear cut in so far as it would, in effect, amount to a tariff payment with no exclusivity for the proposed development. Nonetheless, the sums sought are fully quantified against the policing requirement, which existing resources cannot meet, for the proposed development.
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 decisions 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

Hinckley and Bosworth Borough Council / Leicestershire Police

Appeal Ref and Procedure: APP/K2420/W/15/3004910 – Public Inquiry

Appeal Decision: Dismissed - 04 May 2016

Planning Inspector: Siân Worden BA DipLH MCD MRTPI

Appellant: Jelson Land off Sherborne Road, Burbage, Leicestershire, LE10 2BE

The development proposed is residential development and associated infrastructure (73 dwellings).

Force and Method of Appeal Representation: Leicestershire Police – Rule 6 Party Application:

14/00475/OUT - Hinckley and Bosworth Borough Council

Link to appeal decision [Heading9](#)



44. *Leicestershire Police (LP) has demonstrated adequately that the sums requested 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, therefore, 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 and services to meet local needs.*
45. *In respect of compliance with CIL Regulation 123(3) the proposed spending has been apportioned to individual projects and procurement, such as property adaptation and a contribution towards a vehicle, in order to ensure no need for the pooling of contributions. In addition, a clause of the undertaking which, in requiring written confirmation prior to payment that it would only be spent where there were no more than four other contributions, would provide a legal mechanism for ensuring full compliance with Reg. 123(3).*
46. Evidence was submitted in the form of two maps with types of criminal incidents plotted on them. The first of these shows that there were several burglaries and thefts in the housing area adjacent to the appeal site during the year up to July 2014. The second map covers a larger area, this time in Blaby, and indicates a steady rate of incidents, mainly forms of stealing, in all types of residential area. I have no reason to believe that levels of crime differ significantly between Hinckley/Burbage and Blaby.
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.
51. My overall conclusion on planning contributions is that those requested by LP and by LCC for the civic amenity site would be necessary to make the development acceptable in planning terms and would meet the other tests set out in the Framework. In those respects the submitted planning obligation carries significant weight. The contribution sought for Burbage library would not.

S106 Detail

£346.29 per dwelling = £25,279

- a) Startup equipment £2,704.
- b) Vehicles £1,597.
- c) Additional call capacity
- d) PND Additions £80
- e) Additional call handling £176
- f) ANPR £345
- g) Mobile CCTV £375
- h) Additional Premises £17,993
- i) Hub Equipment £146

S106 agreement [View Document](#)



Application: 12/01256/OUT – Tewkesbury Borough Council

Reference made to support in paragraph 23,14.21.

North West Leicestershire District Council / Leicestershire Police

Appeal Ref and Procedure: APP/G2435/A/14/2228806 – Public Inquiry

Application: 13/00335/OUTM - North West Leicestershire District Council

Money Hill, Land North of Wood Street, Ashby-de-la-Zouch, Leicestershire

Reference made to support in paragraph 17,63.

Charnwood Borough Council / Leicestershire Police

Appeal Ref and Procedure: APP/X2410/W/15/3007980 – Public Inquiry

Appeal Decision: Allowed - 08 February 2016

Planning Inspector: C Thorby MRTPI IHBC

Appellant: Rosconn Group Land rear of 62 Iveshead Road, Shepshed, LE12 9ER

The development proposed is the erection of up to 77 dwellings following demolition of 62 Iveshead Road (access only to be determined)

Force and Method of Appeal Representation: Leicestershire Police – Interested Party

Application: P/14/0777/2 - Charnwood Borough Council

19. Planning obligation. The necessity for contributions towards affordable housing, on site open space, policing, healthcare, travel plan, transport, education and civic amenity have been justified by comprehensive evidence from the local and County Council, and the Police Authority. There is no dispute that the provisions of the legal agreement would meet the Council's policy requirements, the tests set out in paragraph 204 of the National Planning Policy Framework (NPPF) and the CIL Regulations 122 and 123 relating to pooled contributions. I am satisfied that this is the case and am taking them into account.

Warwick District Council / Warwickshire Police 14 January 2016

Appeal Ref and Procedure: APP/T3725/A/14/2221613 – Public Inquiry

Application: W/14/0300 - Warwick District Council

Land at The Asps, bound by Europa Way (A452) to the east and Banbury Road (A425) to the west

Reference made to support in paragraph 32,11.5. 13.18, 14.154, 14.155



Warwick District Council / Warwickshire Police 14 January 2016

Appeal Ref and Procedure: APP/T3725/A/14/2229398 – Public Inquiry

Application: W/14/0681 - Warwick District Council

Land South of Gallows Hill / West of Europa Way, Heathcote, Warwick

Reference made to support in paragraph 33, 252, 354, 462, 464

Northwest Leicestershire District Council / Leicestershire Police 05 January 2016

Appeal Ref and Procedure: APP/G2435/W/15/3005052 – Public Inquiry

Application: 14/00614/OUTM - Northwest Leicestershire District Council

Land South of Greenhill Road, Coalville, Leicestershire

Reference made to support in paragraph 69

Rutland County Council / Leicestershire Police 26 May 2015

Appeal Ref and Procedure: APP/A2470/A/14/2222210 – Public Hearing

Application: 2013/0956/OUT - Rutland County Council

Greetham Garden Centre, Oakham Road, Greetham, Oakham LE15 7NN

Reference made to support in paragraph 2

Oadby & Wigston Borough Council / Leicestershire Police / 10 February 2015

Application: 13/00478/OUT - Oadby & Wigston Borough Council

Appeal Ref and Procedure: APP/L2440/A/14/2216085 – Public Inquiry

Land at Cottage Farm, Glen Road, Oadby, Leicestershire LE2 4RL

Reference made to support in paragraph 82 - 84

Charnwood Borough Council / Leicestershire Police

Appeal Ref and Procedure: APP/X2410/A/14/2222358 – Public Hearing

Appeal Decision: Allowed - 23 January 2015



Planning Inspector: P W Clark MA MRTPI MCMI

Appellant: Gladman Developments Ltd

Land at Tickow Lane, Shepshed, Loughborough, LE12 9LY

The development proposed is 180 dwellings.

Force and Method of Appeal Representation: Leicestershire Police – Interested Party

Application: P/13/1751/2 - Charnwood Borough Council

15. The planning obligation makes provision for a financial contribution to policing costs in the form of whichever of three alternatives (if any) is determined to meet the tests for planning obligations set out in regulation 122 of the CIL Regulations. A further provision of the obligation allows for the exclusion of any component of the obligation if this Decision concludes that it does not meet those same tests.
16. From the many other planning appeals which were presented to me, I draw the following precepts. Policing is a statutory service which is funded at public expense but so too are many other services which are the subject of planning obligations to offset the impact of a development upon those services; that consideration alone does not cause a planning obligation to fail the CIL tests.
17. It is commonly accepted that the day to day running costs of a servicing a development would be covered by revenues to the service provider, such as Council Tax. On the other hand, capital expenditure arising directly from the needs of a development might not be provided in time or at all within the priorities of a public service provider and, if not provided, the development would have an unacceptable impact. If the investment would be necessary to make the development acceptable in planning terms, then it would satisfy one of the CIL tests. In this case, the evidence which the police provided concerning their capital financing made clear the difficulties they would face in funding capital expenditure and the consequential unacceptable impact in the form of a dilution of their services over a more extensive area.
18. Applying this precept to the itemised entries in option (c) of the “Police Contribution” as defined in the obligation, I do not find anything other than the references to training in item (i) which would not fall within a reasonable definition of capital expenditure. Training however, is not a necessary adjunct to the creation of new posts; they could (and some would say should) be filled with already qualified and trained personnel. Moreover, whereas the other items would be retained by the police force in the event of a recruit leaving the service, any training would not. I doubt even the most creative accountant could convincingly define that as capital expenditure.
19. Although it is correct to say that the spatial impact of a development upon policing cannot be precisely quantified because nothing can be known for certain in advance about the crime rates EXAMPLES OF APPEAL DECISIONS SUPPORTING THE POLICE 37 likely to occur, the same is true of impacts on other services; impacts on traffic generation can only be estimates based on measurements of similar development elsewhere; likewise, impacts on the provision of schools can only be based on estimates of the child population likely to



arise derived from analyses of similar developments elsewhere. Yet such estimates are commonly accepted and, in the current case, those put forward by the police were not discredited. Nor were alternative ways of apportionment suggested. For these reasons I have no difficulty with the basis on which the police have estimated the impact on their services likely to arise from this proposed development. I am satisfied that the outcome is fairly and reasonably related in scale to the development.

20. It is fair to say that the police have gone into far greater detail in analysing the impact of the development on their capital expenditure than is normal amongst service providers. In consequence, the closer scrutiny which that invites may make it appear that it should not be “necessary” for such petty amounts to be recouped from a developer through a planning obligation and that the small adverse impacts upon police capital expenditure should be tolerated in light of the wider benefits of the development as a whole.
21. But each is a building block to a larger sum and there are parallels with the way some other services calculate the impacts of developments on their services, as set out in the Council’s S106 Developer Contributions Supplementary Planning Document. In addition, I recall paragraph 61 of Mr Foskett’s judgement which was brought to my attention; 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. Therefore, I do not doubt their necessity.
22. I conclude that the provisions made in option (c) of the “Police Contribution” entry of the obligation, adjusted to remove the second sentence of paragraph (i) would comply with the CIL regulations. With that obligation in place, the development would have an acceptable effect on policing, in compliance with section (xviii) of Local Plan policy ST/1 which requires developments to provide for public services and with policy ST/3 which requires development to provide for infrastructure if lacking.

Hinckley and Bosworth Borough Council / Leicestershire Police

Application: 13/00529/OUT - Hinckley and Bosworth Borough Council

Appeal Ref and Procedure: APP/K2420/A/13/2208318 – Public Inquiry

Planning Inspector: David Cullingford BA MPhil MRTPI

Appellant: Rainier Properties Limited

Land surrounding Sketchley House, Watling Street, Burbage, Leicestershire

The development proposed is described as an outline application for the ‘demolition of Nos.11 and 13 Welbeck Avenue to create vehicular and pedestrian access and redevelopment of the site to provide up to 135 dwellings, public and private open space together with landscaping and associated infrastructure (all matters reserved except for the point of access).’

Force and Method of Appeal Representation: Leicestershire Police – Rule 6 Party



27. The Secretary of State has considered the terms of the planning obligation submitted at the inquiry and considered by the Inspector at IR11.54-11.57; and he agrees with him at IR11.57 that these contributions meet the Framework test and comply with CIL regulations.

8.1 Policing is a service that is always available and responds to demand on an 'equal access' basis; the level and efficiency of that response depends on the facilities available. Calls and deployments are monitored and give an indication of the level of services delivered to the 45,400 households in the Borough or the 6393 houses in Burbage. In 2011 there were 83,315 calls from the Borough, 9,386 of which required emergency attendance and 5,314 entailing some 'follow up'. In Burbage there were 11,664 calls, 314 emergencies and 744 attendances; last year there were 419 recorded incidents. Those incidents largely entail burglary, car related crime and theft and there are geographical concentrations at the commercial units around Hinckley Island and the town centre. Some 372 incidents of anti-social behaviour are recorded in Burbage and regular patrolling and local community contact maintained by the Neighbourhood Policing team, located at Hinckley Local Policing Unit.

8.2 The integrated nature of policing means that many different operational units are involved in responding to recorded incidents. Staff at the Local Police Unit, the hub at Braunston, the Basic Command Unit at Loughborough, the Force HQ at Enderby, tactical support, road safety, communications and regional crime can all be involved. Some 270 staff are employed to deliver policing in the Borough and about 80% of their time is devoted to such activities. The minimum number of staff is deployed to meet existing levels of demand, which means that there is little additional capacity to extend staffing to cover additional development. The aim is to deploy additional staffing and additional infrastructure to cover the demand from new development at the same level as the policing delivered to existing households.

Hence, additional development would generate a requirement for additional staff and additional personal equipment (workstations, radios, protective clothing, uniforms and bespoke training), police vehicles of varying types and functions, radio cover (additional base stations and investment in hardware, signal strengthening and re direction), national database availability and interrogation, control EXAMPLES OF APPEAL DECISIONS SUPPORTING THE POLICE 41 room telephony, CCTV technologies, mobile units, 'beat drop in hubs', premises and the like. Yet, the prognosis is that 'It is sensible to assume that most of the capital requirements incurred by growth will not be covered by existing mainstream central and local funding'. Hence, the necessity to seek developer contributions to ensure that existing levels of service can be maintained as growth continues.

8.3 The proposed development is expected to increase the overnight population of this settlement by at least 307 people and a net addition of 133 new houses must bring additional policing demands. Extrapolating from existing empirical data indicates that the scheme would generate annual additions of some 239 calls and responses, 28 emergency events, 16 non-emergency events, 9 additional recorded crimes and 8 recorded anti-social behaviour incidents. In turn those events would require additional vehicle use, more radio calls, greater use of the PND systems to process and store crime records and intelligence, further deployment of mobile CCTV technologies and additional access for beat staff in a local Hub, not to mention consequences for support and HQ staff.

8.4 The Framework supports the provision of the facilities and services needed in a community. This is one of the 'core principles' and SPDs are indicated to be an appropriate means to assist applicants in understanding the obligations that proposals might generate. The Framework advocates the creation of healthy and inclusive



environments where crime and disorder and the fear of crime do not undermine the quality of life. Policy IMP1 of the Local Plan reflects that advice and provides an over-arching justification for the contributions sought. And, the Leicestershire County Council Statement of Requirements sets out the provisions that should be made towards the need for additional policing that might be due to new development.

8.5 The contribution requested amounts to £44,711 to mitigate the additional impacts estimated to accrue directly from the proposed development. These contributions are required to upgrade the capacity of existing infrastructure, which would not otherwise be sufficient to meet the likely demand from the scheme. It is anticipated that staff salaries and day to day routine additional costs would be met by rate revenues. A programme to procure the additional facilities required would be agreed as a clause in a legal agreement. The contributions sought would be directly related in scale and kind to the development, so that the completion of some infrastructures would require funding from elsewhere. But, the contribution would be used wholly to meet the direct impacts of this development and wholly in delivering the policing to it. On the basis of advice, the level of contributions sought are not based on a formula but derived solely from the direct impact of the scheme on policing. This has elicited support at appeal. A detailed explanation of the methods used to calculate each element of the total contribution is offered together with the justification for it derived from the advice in the Framework. It is shown that the contributions sought are directly related to the development, fairly and reasonably related in scale and kind to the scheme and necessary to make the development acceptable in planning terms. There would thus be CIL compliant.

11.57 The Contributions towards... additional policing... are directly related to the development, proportionate to the scheme and necessary to make the proposal acceptable in planning terms. Hence, I consider that the contributions sought can be considered to be CIL compliant.

Harborough District Council / Leicestershire Police / 21 August 2014

Application: 13/01228/OUT - Harborough District Council

Appeal Ref and Procedure: APP/F2415/A/14/2217536 – Public Hearing

Land off Fairway Meadows, Ullesthorpe, Leicestershire

Reference made to support in paragraph 31 & 32

Hinckley and Bosworth Borough Council / Leicestershire Police / 18 August 2014

Application: 13/00735/FUL - Hinckley and Bosworth Borough Council

Appeal Refs: APP/K2420/A/13/2202658 and APP/K2420/A/13/2210904 – Public Hearing

Land off (to the south of) Spinney Drive and land off (to the east of) Brookside, Barlestone.

Reference made to support in paragraph 34 -37



Wychavon District Council / West Mercia Police / 02 July 2014

Application: W/12/02336/OU - Wychavon District Council

Appeal Refs: APP/H1840/A/13/2199085 and APP/H1840/A/13/2199426 – Public Inquiry

Site at Land North of Pulley Lane and Newland Land, Newland, Droitwich Spa

Reference made to support in paragraph 19, 1.15, 6.25 & 8.88.

Harborough District Council / Leicestershire Police / 17 April 2014

Application: 12/00494/OUT - Harborough District Council

Appeal Ref and Procedure: APP/F2415/A/12/2183653 – Public Inquiry

Land South Of Hallbrook Primary School, Crowfoot Way, Broughton Astley, Leicestershire

Reference made to support in paragraph 22, 70 & 77

Charnwood Borough Council / Leicestershire Police

Appeal Refs and Procedure: APP/X2410/A/13/2196928 and APP/X2410/A/13/2196929 – Public Inquiry

Secretary of State Decision: Appeals A and B Allowed - 08 April 2014

Planning Inspector: Harold Stevens BA MPhil DipTP MRTPI FRSA

Appellant: William Davis Ltd Land off Mountsorrel Lane, Rothley, Leicestershire, LE7 7PS

Appeal A: construction of a maximum of 250 dwellings, replacement primary school, change of use from dwelling to medical facility, change of use from agricultural land to domestic curtilages, green infrastructure, potential garden extensions, construction of a relief road, and demolition of barns in accordance with application ref: P/12/2005/2, dated 20 September 2012; and

Application: P/12/2005/2 – Charnwood Borough Council Appeal B: an area of public open space including water balancing ponds and green infrastructure in accordance with application ref: P/12/2456/2 dated 21 November 2012.

Force and Method of Appeal Representation: Leicestershire Police – Rule 6 Party

Application: P/12/2456/2 - Charnwood Borough Council

16. The Secretary of State has also considered the Planning Obligations as described by the Inspector at IR8.42-8.47. He agrees with the Inspector (IR8.42) that all the provisions included in the executed Section 106



Agreement dated 13 December 2013 are necessary and comply with the Framework and Regulation 122 of the CIL Regulations. He also agrees with the Inspector (IR8.43-8.46) that the completed s106 Unilateral Undertaking, dated 13 December 2013, between the Appellant, the Council and the Police and Crime Commissioner for Leicestershire (APP10) meets the tests of Regulation 122 and the Framework and should be regarded as a material consideration.

- 5.1 The sum of £106,978 is sought by The Police and Crime Commissioner for Leicestershire (LP) towards Police infrastructure that would mitigate the impact of the proposed development. That figure has been arrived at following a close and careful analysis of the current levels of policing demand and deployment in Charnwood, so that the impact of the development could be properly assessed and a contribution sought that accurately reflects the precise need that would arise from the development of 250 new homes on the appeal site. LP3 page 17 contains an itemised breakdown of the anticipated expenditure on Police services/items dedicated towards the appeal development.
- 5.2 It is noted that the Landowner in this matter does not accept that any part of the Police Contribution meets the CIL tests as recited in the Unilateral Undertaking at clause 1.2.10. However, there appears to be no criticism by the Appellant of the approach taken by LP to the contribution requested, and no evidence has been produced to undermine the conclusions LP EXAMPLES OF APPEAL DECISIONS SUPPORTING THE POLICE 48 arrive at as to the nature and level of contribution required to mitigate the impact of the proposed development on LP resources.
- 5.3 The sum requested equates to approximately £427.91 per dwelling. That sum can only be arrived at by working backwards - it is not a roof tax applied to all proposed residential developments in the force area because that would not reflect the individual circumstances and needs of each development. For example, in the Land south of Moira Road appeal APP/G2435/A/13/2192131, the contribution per dwelling amounted to approximately £300 whereas in the Land at Melton Road appeal APP/X2410/A/12/2173673, the contribution worked out to be £590.85 per dwelling. In both instances, the requests were found to be CIL compliant.
- 5.4 Mr Lambert explains through the documentation submitted in respect of the initial application and for this appeal why the Police seek contributions, including the planning policy justification at both national and district level, and the difficulties associated with funding new infrastructure items in response to growth in residential development which places additional demand on police resources. The Inspector considering the Land at Melton Road Appeal at paragraph 291 accepted that "the introduction of additional population and property to an area must have an impact on policing, in the same way as it must on education and library services for example," and went on to conclude: "Moreover, it also seems to me that the twelfth core planning principle of the Framework, that planning should... "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", can only be served if policing is adequate to the additional burdens imposed on it in the same way as any other local public service. The logic of this is inescapable. Section 8 of the Framework concerns the promotion of healthy communities and planning decisions, according to paragraph 69, should aim to achieve places which promote, inter alia, "safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion."
- 5.5 Those conclusions were endorsed in the SoS's decision letter at paragraph 20.
- 5.6 Mr Lambert also explains why current revenue sources e.g. Council tax receipts, are insufficient to respond to growth in residential development, and are unable to fund much needed infrastructure to mitigate the



additional demand placed on police resources by that growth. That position was examined and verified by external consultants employed by Local Councils in the Leicestershire Growth Impact Assessment of 2009; the Executive Summary is reproduced at Mr Lambert's Appendix 4.

- 5.7 There is no spare capacity in the existing infrastructure to accommodate new growth and any additional demand, in circumstances where additional infrastructure is not provided, would impact on the ability of police to provide a safe and appropriate level of service and to respond to the needs of the local community in an effective way. That outcome would be contrary to policy and without the contribution the development would be unacceptable in planning terms. It is right, as the Inspector accepted in the Melton Road decision (paragraph 292), that adequate policing is fundamental to the concept of sustainable communities. It is therefore necessary for the developer to provide a contribution so that adequate infrastructure and effective policing can be delivered; that is provided for through the Unilateral Undertaking APP10. **EXAMPLES OF APPEAL DECISIONS SUPPORTING THE POLICE 49**
- 5.8 Mr Lambert has addressed each and every item of infrastructure required in his evidence and has sought to justify each request by reference to the 3 tests of Regulation 122 of the 2010 Regulations and also paragraph 204 of the NPPF. Those tests provide the framework in which LP work to assess the appropriate level of contribution necessary to mitigate the impact of residential development - a process which is under constant review to keep requests up-to-date and accurate as demonstrated by the recent letter dated 14 November 2013 amending the total sum sought in respect of Police vehicles downwards to reflect the fact that an average of 10% of the original value of a vehicle will be redeemed upon disposal.
- 5.9 Furthermore, LP confirms that the contribution can be, and would be spent on infrastructure to serve the appeal development because the sum requested is not required to meet with a funding deficit elsewhere or to service existing development. The contribution sought is therefore directly related to the development.
- 5.10 In conclusion, the request for a contribution towards additional Police infrastructure to mitigate the impact of the appeal proposal is a necessary, carefully considered and lawful request. The request is directly related to the development and to mitigating the impacts it would generate based on an examination of present demand levels and existing deployment in the District.
- 5.11 The request is wholly related to the scale and kind to the appeal development and the Inspector, and SoS are respectfully asked to conclude the same.
- 5.12 The Appellant does not accept that any part of the LP requested contribution meets the tests of Regulation 122 of the CIL Regulations 2010. The LPA has indicated that it is neutral in relation to the request.
- 8.42 APP9 is a signed and completed s106 Planning Obligation Agreement, dated 13 December 2013, between the Appellant, the LPA and LCC. The Agreement covers the following matters...
- 8.43 The Appellant has also submitted two s106 Unilateral Undertakings in respect of financial contributions requested by the Police and Crime Commissioner for Leicestershire Police... The Appellant is not satisfied that these contributions are CIL compliant. The LPA has indicated that it is a neutral in relation to both requests.
- 8.44 APP10 is a signed and completed s106 Unilateral Undertaking, dated 13 December 2013, between the Appellant, the LPA and the LP. The sum of £106,978 is sought by LP towards Police infrastructure to mitigate the impact of the development. Schedule 1 of the Undertaking provides details of the contribution and how it would be used to deliver adequate infrastructure and effective policing. Document LP2, prepared by LP, provides a statement of compliance with the CIL Regulations 2010.



8.45 In my view the sum of £106,978 has been arrived at following a close and careful analysis of the current levels of policing demand and deployment in Charnwood, so that the impact of the development could be properly assessed and a contribution sought that accurately reflects the precise need that would arise from the development of 250 new homes on the appeal site. The LP has confirmed that the contribution would be spent on infrastructure to serve the appeal development and is not required to meet a funding deficit elsewhere or to service existing development. EXAMPLES OF APPEAL DECISIONS SUPPORTING THE POLICE 50 8.46 I consider that the contribution is necessary to make the development acceptable, it is directly related to the development and to mitigating the impacts that it would generate and it is fairly and reasonably related in scale and kind to the development. The Undertaking therefore meets the 3 tests of Regulation 122 of the CIL Regulation 2010 and the criteria in paragraph 204 of the NPPF. I accord the Undertaking significant weight and I have had regard to it as a material consideration in my conclusions.

Blaby District Council / Leicestershire Police / 02 January 2014

Application: 12/0823/1/OX - Blaby District Council

Appeal Ref and Procedure: APP/T2405/A/13/2200867 – Public Inquiry

Land at Seine Lane/Forest Road, Enderby, Leicestershire

Reference made to support in paragraph 41

Blaby District Council / Leicestershire Police / 01 August 2013

Application: 12/0952/1/OX – Blaby District Council

Appeal Refs: APP/T2405/A/13/2193758 and APP/T2405/A/13/2193761 – Public Hearing

Land off Countesthorpe Road and Springwell Lane, Whetstone, Leicestershire

Reference made to support in paragraph 28, 33 & 35

Vale of White Horse District Council / Thames Valley Police / 11 July 2013

Application: P12/V2266/FUL – Vale of White Horse District Council

Appeal Ref and Procedure: APP/V3120/A/13/2191911 – Public Inquiry

Land east of Drayton Road, Abingdon, Oxfordshire

Reference made to support in paragraph 95

Northwest Leicestershire District Council / Leicestershire Police / 30 May 2013



Application: 09/00620/FUL - Northwest Leicestershire District Council / 30 May 2013

Appeal Ref and Procedure: APP/G2435/A/13/2192131 - Public Inquiry

Land south of Moira Road, Ashby-de-la-Zouch LE65 2NJ

Reference made to support in Paragraph 36,37 &39

Charnwood Borough Council / Leicestershire Police / 14 May 2013

Appeal Ref and Procedure: APP/W0340/A/12/2189422 – Written Representations

Secretary of State Decision: Allowed - 14 May 2013

Planning Inspector: Keith Manning BSc (Hons) BTP MRTPI

Appellant: Jelson Homes

Force and Method of Appeal Representation: Leicestershire Police – Written Representations

The development proposed is residential development (300 dwellings).

Land at Melton Road, Barrow Upon Soar, Leicestershire, LE12 8NN

Application: P/10/1518/2 - Charnwood Borough Council

292. Equally, the material submitted by the Police Authority under cover of its letter of 6 August 2012 includes a number of appeal decisions pointing in the opposite direction, for example the appeal in Bottesford (Ref APP/Y2430/A/11/2161786) where the Inspector comments, in paragraph 68, that “there was also specific justification of the individual elements within this global sum directly related to the circumstances of the appeal proposal. Therefore the contribution does meet all three tests for CIL compliance.”

291. The Inspectors will have reached their own conclusions on the particular evidence and submissions put to them at appeal and I shall approach the evidence in this case in the same way, i.e. on its merits. It seems to me that the introduction of additional population and property to an area must have an impact on policing, in the same way as it must on education and library services, for example. Moreover, it also seems to me that the twelfth core planning principle of the Framework, that planning should... “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”, can only be served if policing is adequate to the additional burdens imposed on it in the same way as any other local public service. The logic of this is inescapable. Section 8 of the Framework concerns the promotion of healthy communities and planning decisions, according to paragraph 69, should aim to achieve places which promote, inter alia, “safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.”

292. 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.



293. In this case, the planning obligation clearly sets out in its third schedule the items anticipated to be needed as a consequence of policing the proposed development alongside the existing settlement and apportioned accordingly. It seems to me to be sufficiently transparent to be auditable and at a cost equivalent to, perhaps (if 300 dwellings are constructed) £590.85 per dwelling, it does not equate to an arbitrary “roof tax” of the type complained of, whatever previous practice may have been.

294. For these reasons I am of the view that the ‘Police Authority Contribution’ is compliant with the CIL Regulations and that weight should therefore be accorded to it as a means of mitigating the predicted impact of the development.

West Berkshire Council / Thames Valley Police / Appeal Decision: Allowed – 13 May 2013

Application: 12/02111/OUTMAJ – West Berkshire Council

Appeal Ref and Procedure: APP/W0340/A/12/2189422 – Written Representations

Reference made to support in Paragraph 13

Charnwood Borough Council / Leicestershire Police / Appeal Decision 15 April 2013

Application: P/12/1709/2 - Charnwood Borough Council

Appeal Ref and Procedure: APP/X2410/A/12/2187470 – Public Hearing

Reference made to support in Paragraph 3, 35, 36

At the hearing the appellants tabled a signed and executed S106 unilateral planning obligation containing various clauses including: (in schedule 1) those relating to the provision of 18 units of affordable housing; (in schedule 2) the payment of monies to the Council comprising a health facilities contribution (approx. £14,000), a police contribution (approx. £25,000), and an open space contribution (approx. £42,000)

Harborough District Council / Leicestershire Police / Appeal Decision: - 14 February 2013

Application: 12/00613/VAC - Harborough District Council

Appeal Ref and Procedure: APP/F2415/A/12/2179844 – Public Hearing

Reference made to support in Paragraph 26 - 33

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 term.

