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Our Ref: **WW060710/00410/10 - Appeal**
Your Ref: 09/00915/OUT



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6th July 2010

For the attention of Richard Wright – Area Planning Officer

RE: RESIDENTIAL DEVELOPMENT – LAND TO SOUTH OF 26-28 BRITANNIA ROAD, BURBAGE, PLANNING APPLICATION REF: 09/00915/OUT – APPEAL REF: APP/K2420/A/10/2127585/NWF

Thank you for your email dated 5th July 2010 and attached letter to Chief Inspector Sally Chivers in respect of the above development and in particular Section 106 agreements.

Firstly my apologies for any confusion with justification of Section 106 agreements for this development. I was aware during the planning consultation that a Section 106 agreement for the development had been prepared including a clause for policing contributions and therefore assumed that no further justification was required.

The Force adopted a policy for developer contributions in October 2007 and Hinckley and Bosworth Borough Council have used this successfully with developers in this area. Leicestershire Police have already advised HBBC on the wider impacts on demand for services in growth proposed in your Core Strategy work. If policing is to be maintained rather than spread too thinly it is essential that growth proposed in developments, like the one under consideration, provide for the infrastructure need that they generate. Our policy provides metrics demonstrating the distribution of resources at that time. We apply these to major new developments in order to demonstrate the resources necessary for the service to be maintained at current levels. Using these metrics I expect that across the Force this development would generate a need for an additional 0.59 members of staff.

Policing in Hinckley operates from two locations. The main Policing Unit, from which the main patrol functions operate, is on the edge of Hinckley town. There is also a very small satellite station based in Market Bosworth centre of which local beat officers use all providing services to the residents who live in Market Bosworth, Burbage, Earl Shilton, Barwell, East of Hinckley, Hinckley Town Centre, Ratby, Groby, Markfield, Stanton, West of Hinckley, Tywcross, Stoke Golding, Barlestone, Desford, Botcheston and Kirkby Mallory. Both buildings are at capacity delivering the existing service and cannot accommodate further staff.

Generally new development brings a revenue resource through local rates which the police use to pay for staff however this is insufficient to allow borrowing to fund premises and equipment to accommodate those staff. This revenue resource is delayed because of the nature of development and there is usually a three year gap in policing as a result.

Leicestershire Police do not seek S106 funds for either short or long term revenue and, where a developer contribution is secured towards capital facilities and equipment, will provide staff to ensure that new residents receive cover.

The Police service are unable to access capital funds and use all available revenue funds to pay for staff necessary to deliver the front line service. I attach a short paper which is an extract from Association of Chief Police Officers advice on the subject and which describes the difficulty here more fully. The matter was recently considered by Consultants employed by all Leicestershire Authorities to consider the infrastructure implications of growth. They concluded, in relation to Policing, that it is sensible to assume that most of the capital requirements incurred by growth will not be covered by existing mainstream and local funding.

Using our metrics we are looking for a contribution of **£37,572.00** assuming 62 units are to be built here. This will be directly used in the Local Police Units to :-

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

With this in mind, without a commitment to development timescale, and bearing in mind the need to pool contributions to extend premises and acquire equipment we do seek an extended implementation period for contributions of 10 years minimum. We are happy to covenant to account for the capital expenditure necessitated by this development over this timescale.

We are regularly applying the tests from Circular 5/05 and now CIL Regs to new development and contributions. Leicestershire Police are firmly of the view that a reasonable and justified case is made to warrant a contribution in this case. The delivery of infrastructure to accompany growth, achieving sustainable development, is a primary responsibility of planning enshrined in PPS 1, 3 and 12. The development would be unacceptable without infrastructure including Policing. The contribution would be directly related to the proposed development and secured in this by suggested clauses in the agreement. The contribution is fairly and reasonably related to the scale and type of development and in this regard is in scale with other contributions made in the Police district.

At this juncture I believe it is relevant to refer to two recent cases in the Police district where Inspectors have applied these tests at appeal and found policing contributions to be both reasonable and necessary. APP/F2415/A/2114425 relates to a development at Glebe Road

Harborough and APP/T2405/A/09/2118414 relates to a development at Leicester Road Countesthorpe.

In terms of figures, we have worked out all capital costs required for all Local Authority areas and share with you our proposals. The first paragraph identifies the number of dwellings identified in the HBBC adopted Core Strategy and our figures required to accommodate this growth. The second paragraph identifies the proportionate figures that would be generated as a result of this development in order to identify the impact with our services.

In the Hinckley and Bosworth Borough area, we have identified that 6550 new homes are identified within the core strategy (please do advise me if this figure is incorrect and I will revise any figures accordingly). These 6550 new homes will generate 62.52 new members of staff (police officers, police staff, specialist officers i.e. firearms, dogs etc). To accommodate this staff we will require 918.92m2 of general floorspace and 82.08m2 of custody accommodation, which will require capital funding of £3,585,563.60 with £383,736.40 of capital start up costs i.e. equipment and vehicles. The total S106 contributions for the HBBC area to 2026 will therefore need to be **£3,969,300.00**.

In relation to this development, a Section 106 contribution would be proportionate to the development proposed in order to achieve the target outlined above to capture the deficiency that our organisation will experience. We would also account for any monies spent in relation to this development. Based upon 62 dwellings we would require 0.59 members of staff, 8.70m2 of general accommodation floorspace, 0.78m2 of custody space giving a total of £33,939.69 accommodation costs and £3,632.31 capital start up costs giving a total contribution required of **£37,572.00**.

The contribution for this development will be used to expand the Hinckley Station in order to accommodate this growth. Obviously we are reliant upon other Section 106 agreements in the area to over time to enable pooled contributions to "kick start" the major works that would be required to capture the whole of the Hinckley & Bosworth housing numbers. We do ask for at least a 10 year clause to spend the funds in order to have relevant funds to commence work. As I have mentioned previously, monies utilised will be directly accounted for and evidence supported for each development presented.

In conclusion the above justification meets all of the CIL tests in making the development acceptable in planning terms, is directly related to the development and fairly and reasonably related in scale and kind to the development. We are more than happy to represent the force at the appeal hearing and would be grateful if you could let me know if this will be required.

I trust that a contribution will be pursued for this development following this appeal and I would be grateful if you would be kind enough to keep me informed. I have sent a copy of this letter to the Planning Inspectorate for information purposes. In the meantime should you require any further information or any further clarification on the points raised them please do not hesitate to contact me.

Yours sincerely,

Wayne Worsdale
Force Architectural Liaison Officer

Copy for information – The Planning Inspectorate