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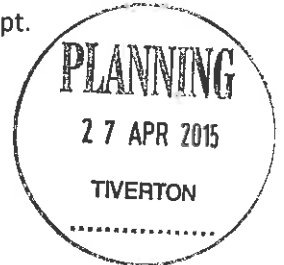
From: roy.hammond
Sent: 27 April 2015 17:00
To: Local Plan Review; CIL Consultation
Subject: Attention: Dean Titchener - Devon and Cornwall Police reps
Attachments: Devon and Cornwall Police reps.pdf

Dear Dean

Please find attached a submission on behalf of Devon and Cornwall Police. Please confirm receipt.

Kind regards

Roy Hammond
Associate
WYG - Milton Keynes



Your message is ready to be sent with the following file or link attachments:

Devon and Cornwall Police reps

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Ref: A076794-3

Date: 27 April 2015

Dean Titchener Esq. – Principal Forward Planning Officer
Forward Planning and Conservation
Mid Devon District Council
Phoenix House
Tiverton
Devon
EX16 6PP



Dear Mr Titchener,

Local Plan Review (Proposed Submission), Community Infrastructure Levy (CIL) Draft Charging Schedule, and Draft Infrastructure Plan, Regulation 123 List and Section 106 Policy - representations

Please find attached a submission by Devon and Cornwall Police in response to the invitation to make representations to the public consultation by Mid Devon District Council on the Local Plan Review (Proposed Submission) – 2013 - 2033 and Community Infrastructure Draft Charging Schedule – February 2015.

The purpose of the attached report is to set out Devon and Cornwall Police's requirement for securing CIL/planning obligation financial contributions towards the delivery of critical police infrastructure and facilities. Specifically, these representations seek to secure financial contributions toward the provision of a new Criminal Justice Centre at the Middlemoor Police Headquarters in Exeter.

The report outlines the funding challenges faced by Devon and Cornwall Police. The report identifies the relevant national planning policy, guidance and legislative framework concluding that the delivery of essential police infrastructure and facilities, in response to growth, is essential for the creation of safe and healthy communities, and for achieving sustainable development.

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The report undertakes a review of the Local Plan Review (Proposed Submission) concluding that there are opportunities for strengthening proposed policy to ensure the provision of critical infrastructure and facilities, including police infrastructure, to meet national planning policy objectives.

The report provides a transparent and robust justification for the Criminal Justice Centre demonstrating a clear demand for the centre and justification for securing funding through the Community Infrastructure Levy and planning obligations as part of development proposals in Mid Devon, including the proposed strategic housing allocations.

Please do not hesitate to contact me if you have any questions. I look forward to receiving confirmation of receipt of these representations.

Yours Faithfully,

Roy Hammond
Associate
For and on behalf of WYG

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**Representations by Devon and Cornwall Police in
Respect of:**

**Local Plan Review Proposed Submission, Community
Infrastructure Levy (CIL) Draft Charging Schedule, and
Draft Infrastructure Plan, Regulation 123 List and
Section 106 Policy**

April 2015

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Document Control

Project: Devon and Cornwall Police – LP, CIL & 106 and DIP representations

Client: Devon and Cornwall Police

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1	27 th April 2015	First draft
2	27 th April 2015	Final draft





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1.0 Introduction

- 1.1 This report sets out Devon and Cornwall Police's (DCP) response to the public consultation by Mid Devon District Council on the Local Plan Review (Proposed Submission) (LP) and Community Infrastructure Draft Charging Schedule (CIL).
- 1.2 The purpose of this submission is to set out the DCP requirement for securing CIL/planning obligation financial contributions towards the delivery of critical police infrastructure and facilities. Specifically, these representations seek to secure financial contributions toward the provision of a new Criminal Justice Centre (CJC) at the Middlemoor Police Headquarters in Exeter.
- 1.3 This submission provides:
- a brief introduction to DCP and an overview of the CJC
 - an overview of DCP's funding challenges
 - an analysis of national planning policy and guidance in respect of infrastructure and community facilities provision including police infrastructure and facilities
 - a critical review of the LP and Draft Infrastructure Plan, Regulation 123 List and Section 106 Policy (DIP), including identifying opportunities for strengthening reference to policing and delivery of police infrastructure
 - a reasoned justification for the CJC and securing financial contributions
 - assessment of compliance with Regulation 123 of the CIL Regulations

2.0 Introduction to Devon and Cornwall Police Force and Overview of the CJC

Devon and Cornwall Police

- 2.1 Devon and Cornwall Police is the Force responsible for policing the counties of Devon and Cornwall and including the unitary authorities of Plymouth, Torbay and the Isles of Scilly. The population of Devon and Cornwall is 1.65 million and the area attracts 11 million visitors in an average year. By geographical area, Devon and Cornwall Police is the largest police Force in England and the fifth largest police Force in the United Kingdom.
- 2.2 A total of 80,446 crimes were recorded for the Force's territorial area between the 1 April 2014 and the 31 March 2015. This equates to 1 crime per 20 persons.



- 2.3 The Forces headquarters are located at Middlemoor, Exeter. The Force employs 4,994 people, and 505 volunteers of which 2,940 are Police Officers, 354 Police Community Support Officers, 505 Special Constables and 1,700 civilian staff.

Criminal Justice Centre

- 2.4 The Criminal Justice Centre will replace the existing Heavitree Police Station located at Heavitree Road in Exeter. Due to size constraints at the Heavitree Road site and Home Office design requirements for custody facilities, the CJC will be located on a 4.53 hectare site at the Devon and Cornwall Police Headquarters at Middlemoor in Exeter. The CJC will provide custody provision and associated support services for the territorial authority areas of Mid Devon District Council, Teignbridge District Council, East Devon District Council and Exeter City Council. The CJC, incorporating an operational police hub will comprise 9,550sqm of gross floor area accommodating:

- a total of 40 cells and support functions
- interview and solicitors' accommodation
- detainee medical facilities
- custody centre reception area
- plant and equipment
- office and departmental accommodation for key policing departments including neighbourhood teams and armed response team.

- 2.5 Planning permission for the CJC was granted by Exeter City Council on 23 December 2014. The Heavitree Road Police Station will be disposed of by DCP when no longer required.

- 2.6 There is no external funding available for the CJC, including an absence of revenue available from the Council Tax precept from the four territorial Councils. This means that the project must be entirely self-funded by Devon and Cornwall Police. Funding is proposed to be partly achieved through the release of land for sale for redevelopment at the Middlemoor headquarters site as follows:

- A Class A1 food supermarket and associated facilities with a gross floor area of 6,789sqm in the northern part of the Middlemoor site. Planning permission secured.



- A 0.99 hectare site for residential development with potential capacity of 34 dwellings in the north western part of the site – known as Residential Site A. Outline planning permission secured.
- A 1.56 hectare site for residential development with potential capacity of 49 dwellings in the eastern part of the site – known as Residential Site B. Outline planning permission secured.

2.7 The redevelopment of parts of the Middlemoor Police Headquarters necessitates the removal of existing police buildings which will be partly accommodated within the new CJC building, the loss of sports pitches/open space, the relocation of the air support facility to Exeter airport and removal of a private police petrol filling station used for operational vehicles.

3.0 Overview of Funding Challenges

3.1 DCP is funded by similar central Government methods used to agree funding for all Local Authorities or other public services. The principal sources of funding are typically central Government (Home Office) grant and the Council Tax Precept. Grants from Government are of two types: Specific and Formula Funding. The Government's Comprehensive Spending Review 2010 (CSR), set out a 20% cut in funding of police forces for the period March 2011 – March 2015. DCP achieved the 20% savings largely through a reduction in police officer and staff numbers through restructuring, efficiencies and joint working. Further reductions in funding are likely under a new Government with a view to addressing the extent of national debt.

3.2 Multi-year funding settlements for the police have been determined in accordance with the CSR which, as noted, reduced year on year from 2010 to 2014/15. They have the additional drawback of utilising population forecasts that are historic. Funding is based on population figures that are 3 years in arrears, on which basis the Police Grant (revenue) received in the current financial year is based on population figures from 3 years earlier. Accordingly there is a consistent lag between the level of revenue funding available and the population to be policed.

3.3 The capital funding stream relates to the provision of additional buildings, information technology, vehicles, equipment and other infrastructure items required to both sustain existing police services and address increased pressures and requirements placed on the Force as a consequence of growth in demand for services.



- 3.4 Capital programmes are funded generally from a mixture of asset disposal (a finite option), redirection of revenue funding (with implications for operational policing), general capital grants or general reserves and prudential borrowing. Prudential borrowing is not a nil cost option, with any borrowing required to be repaid from revenue/income; repayments from this source having implications for the delivery of operational policing in a similar vein to redirection of revenue funding.
- 3.5 The revenue funding stream relates broadly to the day-to-day running costs of the Force, that is the payment and management of staff, the ongoing costs relating to running and maintaining buildings and equipment and repayment of loans used to fund capital projects.
- 3.6 Funding received by the police via the Council Tax precept is used for revenue purposes and is not generally directed towards capital projects/programmes on the basis that it would diminish the funding available for the delivery of front line policing services.
- 3.7 It is part of the remit of the Police and Crime Commissioner to allocate funding as considered appropriate to achieve the objective of providing an efficient and effective police service. However, the pressure on revenue funding is such that it is extremely unlikely that it could be made available to finance capital projects of any significance; in practical terms the revenue budget is insufficient to fund infrastructure projects.
- 3.8 It should also be noted that even with revenue raised from the Council Tax precept there has been a recognised funding gap created by inflation and a continuing expansion of the role of the police service and the demands placed upon it. While there has been investment from central Government, this is often ring-fenced for particular initiatives and has not kept up with the demand for services. In any event, there has been no investment from the Government for construction projects.
- 3.9 To reiterate, it has been established that there is no external funding for the CJC.



4.0 Planning Policy and Guidance Context

National Planning Policy Framework and Planning Practice Guidance

- 4.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decision making by Councils.
- 4.2 Planning Practice Guidance (PPG) is a web based resource replacing a number of preceding guidance documents; the PPG is also a material consideration for the preparation of local plans and for decision making on planning applications.
- 4.3 The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF advises further that:

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

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

- 4.4 The NPPF identifies 12 core planning principles that should underpin both plan making and decision-taking. Of particular relevance in the context of DCP's requirement for contributions for police infrastructure, is core planning principle 12 which states:

Planning should take or 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.



4.5 The Plan-making section of the NPPF builds on the above advising that:

*Local planning authorities should set out the **strategic priorities** for the area in the Local Plan. This should include strategic policies to deliver:*

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

4.6 The PPG provides guidance on what CIL can be spent on and by whom. In particular, the PPG guides that the levy can be used to fund a wide range of Infrastructure based on the definition of infrastructure provided by Section 216(2) of the Planning Act 2008. The PPG states that:

*This definition allows the levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, academies and free schools, district heating schemes and **police stations** and other **community safety facilities**.*

4.7 Under the heading of 'Requiring Good Design', paragraph 58 of the NPPF advises that:

Planning policies and decisions should aim to ensure that developments:

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

4.8 Echoing this, section 8 – 'Promoting Healthy Communities' - paragraph 69 of the NPPF advises that:

Planning policies and decisions, in turn, should aim to achieve places which promote:

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

4.9 In summary, it is clear from a review of the national policy, guidance and legislation that the meaning of infrastructure and community facilities is intended to include policing and related



facilities. Moreover, it also clear that creating safe and healthy communities is a key objective of achieving sustainable development.

Critical review of the Local Plan Proposed Submission and DIP

- 4.10 The 'Vision' set out in the LP states that, amongst other matters, individuals, families and communities in Mid Devon will have access to a safe environment. Furthermore, the LP states that the Council will use planning and related powers to 'Promote community well-being' which includes safe, healthy and crime free neighbourhoods.
- 4.11 Aside from the inclusion of the above references, the LP does not have sufficient regard to or make sufficient provision for the national policy objectives of creating safe and accessible environments and community cohesion. In addition to appropriate design responses and place making, the provision of adequate policing and police facilities is fundamental to complying with national policy and to contributing to achieving sustainable development.
- 4.12 Proposed policy S8 of the LP under the heading of 'Infrastructure' seeks to ensure that new development is served by necessary infrastructure. The explanatory text to Policy S8 refers to the provision of facilities such as schools, green infrastructure and community halls, but there is no mention of policing or provision of police infrastructure. The inclusion of a 'policy hook' relating to policing and police infrastructure is essential to the success of securing sufficient contributions to meet the Identified funding gap for the CJC, whether that is secured by CIL or by planning obligation.
- 4.13 Devon and Cornwall Police therefore promote a change to paragraph 2.53 to incorporate the following wording (new text in **bold**):

2.53 This policy underpins site allocation policies such as the North West Cullompton and East Cullompton urban extensions, which will provide traffic solutions to improve motorway junction capacity and reduce traffic through the town centre. **Community Infrastructure** facilities such as schools, green **space**, community halls, **and emergency service infrastructure including police facilities** will be provided or enhanced as appropriate, to account for the increased demand arising from new development. The strategic sites will also include care homes or other provision for older people in recognition of the ageing population and its associated needs. The



Council will guide development to locations where there is sufficient sewerage capacity, or require that increased capacity be provided in step with development which will help to deliver Water Framework Directive objectives. The need for investment will be reviewed and addressed by Southwest Water through 5 yearly cycle plans. Sewerage network improvements will be negotiated in line with provisions of the Water Act in conjunction with developers as and when need arises.

- 4.14 Proposed policy DM23, under the heading of 'Community Facilities' makes provision for new community facilities that provide a local community benefit. The explanatory text to the proposed policy identifies that community facilities provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community. The explanatory text goes onto qualify that community facilities include pubs, post offices, shops, village halls, allotments, places of worship and various recreational facilities. The text identifies that the proposed policy builds on national guidance in respect of the retention and development of local services and community facilities. Consistent with the comments above, and national policy and guidance, the scope of community facilities should be broadened to include police facilities and infrastructure. DCP therefore promote a change to paragraph 4.70 to incorporate the following wording (new text in **bold**):

4.70 Community facilities provide for the health, wellbeing, **safety, security,** social, educational, spiritual, recreational, leisure and cultural needs of the community. They include pubs, post offices, shops, village halls, allotments, places of worship, **police infrastructure and facilities** and various recreational facilities. National policy seeks to retain and develop local services and community facilities and guard against their unnecessary loss. Policy DM23 therefore builds on this guidance and seeks to protect those existing services whilst permitting some redevelopment where it is necessary to ensure viability.

- 4.15 Annex 1 of the LP includes a glossary providing a definition of various terms and phrases commonly used in the LP. The glossary does not however include a definition of either infrastructure or community facilities. In order to provide certainty and ensure consistency for users of the LP, DCP propose the inclusion of the term 'community facilities' and associated definition within Annex 1 - Glossary, as follows:



Community Facilities:

A community facility provides for the health, wellbeing, safety, security, social, educational, spiritual, recreational, leisure and cultural needs of the community. Community facilities include, but are not limited to pubs, post offices, shops, village halls, allotments, places of worship, police stations, community safety facilities and various recreational facilities.

- 4.16 The Draft Infrastructure Plan, Regulation 123 list and Section 106 Policy document was published in February 2015. The purpose of the DIP is to identify what additional infrastructure requirements are required over the 20 year period covered by the district's LP. The DIP identifies what infrastructure improvements will be needed to support the additional development allocated by the LP. The DIP states that *"Ensuring development is supported by adequate infrastructure is fundamental to delivering the vision as set out in the new Local Plan."* The document sets out priority criteria for the provision of infrastructure ranging from "Local Priority" status to "Critical" status.
- 4.17 The DIP makes it clear that it presents a 'snapshot' in time of a changing situation with regard to infrastructure requirements and that in this sense it should be considered a "living document" subject to regular assessment. With this in mind, and given the subject of DCP's submissions, it is timely to provide comment in respect of the content of the DIP at this stage.
- 4.18 The CJC is included in the infrastructure items listed in the DIP. It is identified as a strategic item with which DCP is in agreement. The Strategic Priority is identified as being "(2) Desirable". There is an anomaly here in that priority criteria set out earlier in the document identifies priority "(2)" as being "Important" – not "Desirable". In any event, DCP submits that the provision of the Criminal Justice Centre should have Strategic Priority status "(1) Critical". The definition of "(1) Critical" set out in the document is:

Infrastructure required to deliver the strategic vision and objectives of the Local Plan. Critical requirements contribute to delivering the wider strategic aims of the Plan, and may also mitigate the impacts of development schemes. The plan may fail without the delivery of this infrastructure.

- 4.19 Creating a safe environment and promoting community well being, including safe, healthy and crime free neighbourhoods is a key part of the LP's Vision (LP Review 2013 – 2033 pg 9). Based on this



objective and the above definition, and given that the CJC will play a strategic and pivotal role in sustaining community well being, DCP submits that the status of the CJC should be raised from "(2) Important" to "(1) Critical".

4.20 In summary, national and local planning policy, and national guidance makes it clear that the creation of safe environments and communities, supported by critical infrastructure and facilities is essential to meeting the objective of achieving sustainable development. The proposed policies in the LP should be strengthened to better meet these objectives.

5.0 Reasoned Justification for the Criminal Justice Centre and Financial Contributions

5.1 The identified funding gap for the CJC is £6.45m, calculated as follows:

Estimated total project costs (Inclusive of relocation of
air support unit and site preparation and enabling works): £27.94m

Estimated receipts from land release incl. Heavitree Road: - £21.4m

Estimated total funding gap = **£6.54m**

5.2 There is no external funding available from the Council Tax precept or the Home Office to make up the shortfall in funding for the CJC. Continued austerity measures, including a freeze on the appointment of new front line staff, means that there is no realistic prospect of diverting funds from DCP's revenue stream to help address the shortfall. Where asset sales take place, noting that assets are a finite resource, revenue generated is typically diverted for essential operational needs. It is necessary therefore for DCP to identify other potential sources of funding. DCP submit that securing contributions to meet the funding gap via the CIL provisions or by planning obligation is a legitimate and justifiable method supported by national and local planning policy which advises that the provision of additional community infrastructure and facilities is necessary for the creation of healthy and safe communities.

5.3 A principal function of the CJC will be cell provision and associated essential support services. Recent custody facility (cells and support staff/accommodation) closures have occurred at Tiverton in Mid



Devon (6 cells), and at Exmouth and Honniton In East Devon (9 cells). These recent closures follow a pattern of custody facility closures across Devon and Cornwall over a number of years; towns that historically had provision include Teignmouth and Newton Abbot. The closures have arisen based on Government requirements to professionalise custody facility provision and support functions in order to provide a better quality of care and welfare for detainees. Centralisation is also necessary for efficiency reasons given the funding pressures faced by the Force and in the interests of robust strategic planning; custody facilities are expensive to build and on average are only constructed roughly every 50 years. In light of this, it is necessary to ensure that custody facilities are future proofed to incorporate sufficient capacity over their expected life.

5.4 The current police station and custody facilities at Heavitree Road were constructed in 1959 and have reached the end of their useful operational life. The police station operates as the custody centre for Exeter and the surrounding area and has a total of 23 cells. The number of detainees regularly exceeds the cell capacity at Heavitree Road resulting in closure of the facility, transfer of detainees to other custody facilities or results in non-arrests; this presents significant operational and functional difficulties, and ultimately less effective policing. Consequently, the station has been identified as no longer being suitable for long term custody provision and its replacement, including as part of the overall centralisation of custody provision and support functions, has been identified.

5.5 The recent closures and the replacement of the Heavitree Road facility trigger an immediate need for 38 cells. This however, only represents replacements based on existing and proposed closures; It does not take account of demand arising from population growth based on housing allocations in the development plans produced by the four territorial authorities that would be covered by facilities at the CJC. It is therefore necessary to identify additional demand arising from population growth. This is calculated as follows:

Current population of the four territorial authorities (Census 2011) is 452,300. Based on the current provision of 23 cells covering Devon and Cornwall, this equates to a ratio of 1 cell per 19,665 persons.

The Strategic Housing Market Assessment 2014/2015 identifies a need for an additional 43,100 dwellings for the four authorities covering the period 2013 to 2033. Applying the Devon average household size of 2.3 persons (Census 2011), this results in a potential growth in population of 99,130. Applying the ratio of 1 cell per 19,665, this generates a need for an additional 5 cells.



- 5.6 Having regard to the loss of 23 cells at Heavitree Road, 6 cells at Tiverton, and 9 cells at Exmouth and Honniton, the additional demand identified above results in an overall requirement for provision of 43 cells to cover the Devon and Cornwall Police area. The identified need is 3 more cells than proposed at the CJC.
- 5.7 It is also necessary to identify what proportion of the funding gap should be met by Mid Devon District Council, noting that it can only be expected to make a contribution proportionate to its population size in relation to the other territorial authorities. And as we are dealing with increased demand, it should be based on proportion of total population having regard to existing population, and population growth arising from housing allocations identified in the Strategic Housing Market Assessment 2015; this is calculated as follows:

Authority	Existing Population	Proposed Population	Population as at 2033
Telgnbridge District Council	124,200	28,520	152,720
Mid Devon District Council	77,800	16,560	94,360
East Devon District Council	132,500	29,250	161,750
Exeter City Council	117,800	27,140	144,940
			Total 553,770

Note – proposed population based on housing allocation for the period (2013 to 2033) for each authority (Strategic Housing Market Assessment 2015) multiplied by average Devon household size of 2.3 persons.

Based on the above table, the total population across the four authorities is calculated at 553,770 over the LP period. Mid Devon, with a predicted population of 94,360, represents 17.03% of the total population. It is therefore appropriate that Mid Devon's contribution should be 17.03% of the identified funding gap for the CJC: 17.03% of £6.54 million (funding gap) is £1,113,762.



If you base Mid Devon's proportion on the 7,200 housing requirement identified in the Strategic Housing Market Assessment and included as an allocation for Mid Devon in the LP, you arrive at a figure of £155 per dwelling calculated as follows:

£1,113,762 (funding gap), divided by 7,200 (housing requirement) equals £155.00 per dwelling.

However, a proportion of the housing allocation for Mid Devon is already committed as identified in the LP, being dwellings that are already under construction or which already have the benefit of planning permission. These committed dwellings cannot be taken into account in calculating a contribution per dwelling house, since the opportunity for securing contributions from these committed dwellings is no longer available. The committed component of the allocation is 1,369 dwellings creating an uncommitted requirement to be allocated of 5,511 dwellings. Basing the calculation only on the uncommitted housing requirement identified in the Strategic Housing Market Assessment and included in the LP you arrive at a figure of £156 per dwelling calculated as follows:

5,511 (uncommitted housing requirement) is 77% of the overall housing requirement (7,200). 77% of the funding gap (£1,113,762) equals £857,597.

£857,597 divided by 5,511 (uncommitted housing requirement) equals £156.00 per dwelling.

The contribution, having regard to the uncommitted housing requirement is therefore **£156** per dwelling house, or £1.95 per square metre of residential development (if an average dwelling were about 80 square metres - typical of a new 3 bedroom house).

- 5.8 In addition to closures, the need for replacement facilities and additional cells to meet demand arising from population growth, there are two further factors which impact upon demand for cell space in Devon and Cornwall. There are now no Magistrates Courts within the Mid Devon territorial area. Defendants are now accommodated in police cells at Heavitree Road and appear via video link in 'Virtual Courts'. This represents additional competition for cell space and potentially results in delays for Magistrates Court hearings. The UK Border Agency also uses cell space within Devon and Cornwall.



5.9 In summary, there is a clear demand for the CJC resulting from operational changes, funding pressures and population growth. It is fair and reasonable, in order to create safe and healthy environments and communities, and to achieve sustainable development, that an appropriate proportion of the funding gap is met by Mid Devon District Council via the CIL and financial contributions secured through planning obligations.

Assessment of Compliance with Regulation 122 of the CIL Regulations

5.10 Regulation 122 of The Community Infrastructure Levy Regulations 2010 provides that planning obligations (s.106 of the T&CPA) may only constitute a reason for granting planning permission if they meet the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably relate in scale and kind to the development.

The CJC is considered against each of the tests in turn as follows.

The creation of safe and accessible environments is an objective of both national and local planning policy. There is a package of measures that can be implemented to achieve this objective, but a fundamental measure is the provision of effective and robust policing supported by adequate police facilities. The strategic housing allocation for Mid Devon set out in the LP will result in population growth which will trigger a requirement for additional policing provision and associated infrastructure. The absence of an effective policing response backed up by adequate infrastructure would undermine the national and local objectives of creating safe environments and of delivering sufficient infrastructure to meet the needs of population growth. The provision of police services backed up by adequate infrastructure, including a CJC, would therefore be necessary to make the future housing development acceptable in planning terms.

The strategic housing allocations (Tiverton Eastern Urban Extension, North West Cullompton and East Cullompton) together with the housing allocation for the rural area will give rise to an increase in population as explored in detail earlier in this submission. It can therefore be concluded that the additional demand for police infrastructure and facilities, including the CJC, that is generated by the



population increase as a consequence of the LP housing allocations, is directly related to the future housing development.

Financial contributions to make up the funding gap, need to be fairly and reasonably related in scale and kind to the development. The methodology set out above whereby Mid Devon's portion of the funding gap for the CJC is divided by the uncommitted housing allocation, giving a contribution per new dwelling house, represents the fairest and most transparent approach.

6.0 Conclusion

- 6.1 National planning policy, guidance and legislation provides a framework for the local delivery of infrastructure and community facilities, including policing and related facilities, to serve new development based on demand in order to create safe and healthy communities, which is essential for achieving sustainable development.
- 6.2 DCP submit, that there is a clear demand for the CJC resulting from operational changes, funding pressures and population growth. It is fair and reasonable, in order to create safe and healthy environments and communities, and to achieve sustainable development, that an appropriate proportion of the funding gap for the CJC is met by the CIL and financial contributions secured through planning obligations, as part of development proposals in Mid Devon, including the strategic housing allocations.