

TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL BY EXPLORE LIVING LTD, X-LEISURE AND X-  
LEISURE LTD  
LAND AT BRIGHTON MARINA, BRIGHTON, BN2 5UT  
PROOF OF EVIDENCE OF  
MR A CLEMENTS BA( HONS) MCD MRTPI  
ON BEHALF OF SUSSEX POLICE AUTHORITY

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6 OCTOBER 2009

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**Tony Clements will say:**

1. I hold a BA (Hons) degree in Geography from the University of London and a Master of Civic Design degree with distinction from the University of Liverpool. I have been a Member of the Royal Town Planning Institute since 1997.
2. I am a Planning Director at RPS Planning and Development, a division of the UK's largest multi-disciplinary environmental consultancy, based in the Company's Bristol Office.
3. The Company is widely experienced in all planning matters and represents a wide range of clients including commercial developers, public sector clients, national, regional and local house builders, retail developers, land-owning institutions and local authorities.
4. I am responsible for advising a number of Police Authorities in the South East and Eastern regions and have been involved centrally with the development of the Association of Chief Police Officers' planning obligations toolkit. RPS has also been advising ACPO and other police authorities on the Community Infrastructure Levy.
5. I have significant experience in negotiating on and promoting large-scale residential and mixed-use development schemes, including advising public and private sector clients on S106 contributions. I have been responsible for the promotion of sites through Regional Spatial Strategies, Structure Plans, Local Plans, Local Development Frameworks and Section 78 Appeals.
6. Before joining Mason Richards Planning in 2003, which became RPS Planning in 2004, I was employed as a Senior Planner with the Development Planning Partnership in Bedford. Prior to entering private practice I held a number of posts in Local Government in both development control and planning policy.

## 1. INTRODUCTION

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- 1.1 This Proof of Evidence is submitted by RPS on behalf of Sussex Police Authority in respect of the appeal by Explore Living against the decision of Brighton and Hove City Council to refuse planning permission for redevelopment of land at Brighton Marina.
- 1.2 The application (reference BH2007/03454) was reported to the Brighton and Hove Planning Committee on 12 December 2008 with a recommendation for approval. The Officer's recommendation was overturned by Members and the application was refused by the Council.
- 1.3 The reasons for refusal do not relate directly to the concerns of Sussex Police and do not address the issues relating to this evidence.
- 1.4 The Police were consulted on the application and engaged directly regarding scheme design. The Police also submitted representations regarding contributions from the development towards the provision of additional policing infrastructure necessary to allow fulfilment of their statutory obligation to provide an efficient and effective Police Service.
- 1.5 It is this issue to which the evidence hereby presented relates. In this regard RPS and Officers from Sussex Police have met with the Appellant' agents and have discussed the principle and detail of police infrastructure required to support the development.
- 1.6 Representations were made at the pre-determination stage of the planning application by Sussex Police directly and latterly by RPS Planning on behalf of the Police. The principle of contributions towards policing infrastructure to support delivery of sustainable communities' objectives has been applied consistently by Sussex Police during the application process. The detail of the contributions sought has been refined over time as the Police service has developed and refined its approach towards calculation of appropriate levels of developer contributions.

- 1.7 To place the request for contributions into context, the Police have a statutory duty under the Police Act 1996 to deliver an efficient and effective Police service and to contribute towards reducing crime and the fear of crime. The Police receive insufficient funding through central grant allocations and the community charge to support a dedicated capital programme for new infrastructure. Funding of such projects is currently delivered either through generation of receipts from rationalisation of the existing Police estate, or through borrowing, with repayment of loans made from the revenue funding stream. As a consequence the opportunity to embark upon building programmes to deliver new infrastructure that would enable the Police to deliver an efficient and effective service in the face of development pressures does not exist without affecting operational policing budgets.
- 1.8 The Police Service is a population-driven service; the level of crime is directly related to the scale of the population. Where development proposals result in an increase in population this has a direct impact on the level of crime and therefore the demands placed on the Police Service. This necessitates expansion of infrastructure to maintain an appropriate level of service.
- 1.9 Sussex Police is of the view that to ensure the Marina development can be policed in an efficient and effective manner a Neighbourhood Police facility should be located within the development site to ensure there is a Police presence to assist with reducing incidence of crime and fear of crime. The size and type of the facility sought, and the methodology for establishing the costing associated with the facility is set out later in my evidence. My evidence also provides an assessment of the proportion of costs applying to the appeal scheme as a component of the overall costs associating with delivery of a Neighbourhood Police facility to serve the development site as a whole.
- 1.10 I attach as **Appendix 1** an explanation from Sussex Police as to the need for a Neighbourhood Police facility.
- 1.11 The evidence considers the planning policy context at the national, regional and local levels and explains the level of support for delivery of social infrastructure via the development process and emerging support for the Police within the Brighton and Hove Core Strategy.

considering proposals for leisure, cultural and tourism activities, the cumulative impact on the character and function of an area, anti-social behaviour and crime need to be considered (paragraphs 2.23-2.24).

- 2.7 PPS12: *Local Spatial Planning (CD4/6)* requires the key spatial planning objectives for an area as set out in the Core Strategy of the Local Development Framework to be aligned with priorities identified in the Sustainable Community Strategy for that area.
- 2.8 The Core Strategy should be supported by evidence of what physical and social infrastructure is needed to enable the amount of development proposed for the area, taking account of its type and distribution. The infrastructure planning process should identify, as far as possible, infrastructure needs and costs, phasing of development, funding sources, and responsibilities for delivery (paragraphs 4.8 and 4.9). Paragraph 4.11 goes on to say that infrastructure planning for the Core Strategy should also include the specific infrastructure requirements of any strategic sites which are allocated in it.
- 2.9 Paragraph 4.10 of PPS12 refers to the Government's Housing Green Paper: *Homes for the Future: More Affordable, More Sustainable* which highlights the need for infrastructure to support housing growth and the associated requirement for an infrastructure delivery process. I refer to the Green Paper at this point in that it clearly defines the role of the Police in the planning of future communities. In outlining objectives for implementation of the measures described in the Paper the text states:
- "We want to see Local Authorities engaging the Police and Police Authorities at the earliest opportunity to ensure safety and security are an integral part of the planning process"*** (Chapter 12 paragraph 12).
- 2.10 The Police are identified as one of the social infrastructure delivery agencies with whom Local Authorities must engage when formulating their Development Plans (paragraph 4.29). PPS12 establishes at the national level that the Police have an active role to play in planning for development at the strategic level.

- 2.15 Policy CC7: *Infrastructure and Implementation* states that the scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of new development. Where this cannot be demonstrated the scale and pace of development will be dependent on additional capacity being released through demand and management measures or better management of existing infrastructure or through the provision of new infrastructure.
- 2.16 For the purposes of the Plan, infrastructure is defined as transport, housing, education, health, social infrastructure, green infrastructure, public services, utility services and flood defences. The emergency services (police, fire, ambulance) are expressly included under the heading of public services infrastructure for the purposes of implementing Policy CC7.
- 2.17 The South East Plan designates Brighton as a Regional Hub. Policy SP2: *Regional Hubs* explains that Regional Hubs are dynamic hives of activity, and therefore are logical areas within the South East within which the various components of growth will need to be focused and co-ordinated to help deliver more sustainable forms of development. To support growth, they must also be the focus for new infrastructure, including health, education, social and green infrastructure, and public services.

**Local Policy - Brighton and Hove Local Plan (Adopted 2005) (CD8/1)**

- 2.18 The adopted Brighton and Hove Local Plan provides the local planning policy framework against which all planning applications should be determined. The majority of the Local Plan policies have been saved by the Secretary of State under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004.

**Creating a City of Opportunities: A Sustainable Community Strategy for the City of Brighton and Hove (June 2006)(CD9/7)**

- 2.19 Brighton and Hove's Sustainable Community Strategy (SCS) sets out a long-term plan to improve the economic, social and environmental wellbeing of Brighton and Hove. The SCS defines a sustainable community as one where every person, regardless of background, can succeed, based on high quality education and training, and is able to live in attractive and safe neighbourhoods,

with excellent public services and infrastructure. To ensure a better quality of life there is a need to focus on reducing the factors which exclude people from engagement with community life, such as high crime.

- 2.20 Reducing crime and improving safety is a key theme of the SCS. The SCS notes that while community safety is improving in the city, many people are still victims of crime. The fear of crime can curtail people's activity and enjoyment of the home, neighbourhood and city. During 2005/06 there were about 32,000 recorded crimes in Brighton and Hove.
- 2.21 The objective of the SCS is therefore to reduce overall levels of crime in the city, and one of the ways in which the strategy proposes to do this is to build on District-based policing with locally accountable chiefs and neighbourhood teams dedicated to policing local areas to focus the policing efforts on the needs of local communities.

**Brighton and Hove City Council – Core Strategy – Proposed Amendments Paper June 2009 (CD8/2.2)**

- 2.22 Work started on the Council's Core Strategy in 2005 and it has since been subject to three rounds of consultation. In June 2009, the Proposed Amendments Paper to the Core Strategy's Preferred Options was published seeking views on major changes to the spatial strategy and eight policies. The next stage, following Full Council's approval, will be to publish the pre-submission Core Strategy.
- 2.23 Policy DA2 relates specifically to the Brighton Marina, Gas Works and Black Rock Area where the appeal scheme is proposed. The strategy for this major development area is to facilitate the creation of Brighton Marina and the wider area as a sustainable mixed-use district of the city, through the generation of a high quality marina environment. The local priorities to achieve the strategy include:
7. *Enhancing the social infrastructure to support any expansion in the residential population through the provision of, or contributions towards, community, education and health services or facilities (see CP9).*



- 2.24 The objective of Policy CP9 of the Core Strategy Proposed Amendments Paper is to ensure that the necessary infrastructure is in place at the right time to meet the needs of Brighton and Hove and the wider sub-region, and to secure developer contributions from new development towards the necessary provision of social, environmental and physical infrastructure. This will be achieved through, amongst other things, preparing, regularly updating and facilitating the implementation of an Infrastructure Delivery Plan for the city. The Plan will set out the infrastructure to be provided in the city by infrastructure partners, including the public sector and utilities, to meet the future needs.
- 2.25 Policy C9 states that inadequacies in infrastructure arising from proposed development will be mitigated through developer contributions, secured through a legal agreement/planning obligation that will provide towards sufficient and appropriate improvement through upgrade, enhancement or new infrastructure. Contributions will relate to all aspects of land-use, community infrastructure and services that may be affected by development and which accord with the Council's identified local priorities and objectives for delivering sustainable communities. The cumulative impact of all development and differing needs for infrastructure provision and appropriate community needs will be reflected in the level and type of developer contributions being sought.
- 2.26 In the context of Policy CP9, the range of infrastructure and service provision where contributions may be sought includes reducing crime, policing and community safety.
- 2.27 The Infrastructure Delivery Plan referred to in Policy CP9 forms part of the proposed Core Strategy and expressly includes a requirement for provision of a Police Base at the Brighton Marina development, to be delivered by the developers. Policies DA2, CP9 and the Core Strategy's Infrastructure Delivery Plan are attached to my Proof as **Appendix 2**.

### **Supplementary Planning Guidance**

- 2.28 The City Council has produced *Planning Advice Note: Brighton Marina Masterplan* (PAN04) dated March 2008 (CD8/12). Whilst this document does not form part of the Local Development Framework, the consultation on the document extended far beyond that which is normally undertaken for Planning

Advice Notes. It is therefore a material planning consideration in the determination of the appeal.

- 2.29 The Brighton Marina Masterplan makes specific reference to the needs of the emergency services. I draw attention in particular to paragraph 11.3 which acknowledges that the emergency services (police, fire, ambulance etc) consider that any future expansion of the permanent resident population of the Marina and wider area will require extra resources to support emergency service provision. It states that financial contributions may also be secured to meet the demand for providing emergency services to the Marina, if development proposals fail to build in the necessary safety and security measures during the construction period. Table 1 of the Masterplan document lists the emergency services as a component of social infrastructure provision in the context of development proposals for Brighton Marina.

**Association of Chief Planning Officers (ACPO) Planning Obligations Toolkit**

- 2.30 The ACPO Toolkit has been compiled by a working group of Police Officers and staff representing all ACPO regions within England and Wales. It is aimed at equipping Forces to seek and secure developer contributions from new development for the capital cost of growth related infrastructure arising from planned growth. The Toolkit includes a formula to assess the impact of growth based on population change, and a methodology for calculating developer contributions towards policing infrastructure.

### 3. CASE FOR ON-SITE POLICE FACILITY

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- 3.1 Safe communities are a pre-requisite to achieving sustainable communities, by encouraging community cohesion and stability, resident wellbeing and overall vibrancy. While a degree of criminal and anti-social behaviour can be designed out of new development, design measures alone will not address community safety fully.
- 3.2 Neighbourhood Policing is a national initiative aiming to put communities – their needs, their issues and their priorities – at the heart of local policing. This is achieved through active collaboration between Police, partners and the public to solve local crime and disorder problems, improve the quality of life for residents across the neighbourhood and increase feelings of security. To deliver this form of policing effectively, a physical presence within existing and new neighbourhoods is sought, together with new or expanded support facilities elsewhere where needed. The Policing Pledge, signed by all Police Forces nationally sets a commitment to a consistent standard of policing and engagement with the community, giving communities a stronger voice and improved contact and awareness of their Neighbourhood Police Teams.
- 3.3 Crime and disorder has a tangible impact on economic growth, social exclusion and quality of life issues. It is a fact that the level of crime is directly related to the scale of population. Where development proposals result in an increase in population this has a direct impact on the level of crime and therefore the demands placed on the Police service. This necessitates expansion of infrastructure to maintain an appropriate level of service, and to enable the police to fulfil their statutory duty under The Police Act 1996 to provide an efficient and effective Police service.
- 3.4 The delivery of sustainable and safe communities is enshrined in planning policy at the national level (PPS1). Planning policy recognises that the Police are a key social infrastructure delivery agency with whom Local Authorities must engage when formulating Development Plans and considering infrastructure provision to support new development. In this regard the City Council's emerging Core Strategy (Proposed Amendments Paper June 2009) makes three important

policy statements as far as the provision of an on-site Police facility at Brighton Marina is concerned, namely:

- 1) A key local priority to achieve the strategy for the development of the Brighton Marina area is to enhance the social infrastructure to support any expansion in the residential population through the provision of, or contributions towards supporting facilities.
- 2) Reducing crime, policing and community safety fall squarely within the range of infrastructure and service provision where contributions may be sought.
- 3) The Infrastructure Delivery Plan underpinning the emerging Core Strategy specifically identifies a requirement for the provision of a Police Base at Brighton Marina within the area covered by Policy DA2, to be delivered by the developers.

- 3.5 It is assumed that the emerging Core Strategy is being relied on by the Appellant in support of the appeal proposals, and therefore the requirement for the provision of a Police Base, as part of a major redevelopment of the site, must therefore be given substantial weight.
- 3.6 The acceptance of the need to provide a police facility at Brighton Marina is aligned with the Sustainable Community Strategy for the City of Brighton and Hove which seeks to build on District-base policing with locally accountable chiefs and neighbourhood teams dedicated to policing local areas to focus policing efforts on the needs of local communities.
- 3.7 Furthermore, the need to consider the requirements of the emergency services at Brighton Marina in terms of the impact of new development on Police resources is recognised in the Brighton Marina Masterplan (PAN 04).
- 3.8 The need to ensure that new communities are safe and crime free, and the policy support for an on-site facility at Brighton Marina are strong, persuasive factors that establish the appropriateness of a new Police Base within the development.

- 3.9 Sussex Police submitted representations regarding contributions from the appeal development towards the provision of additional policing infrastructure prior to the City Council determining the planning application. The request for contributions originally tabled by the Police relied upon a dwelling-based formula as opposed to a population-based approach. In rejecting the magnitude of the request, Sussex Police were asked by the Appellant to reconsider the contribution being sought.
- 3.10 On behalf of Sussex Police, I wrote to both the City Council and the Appellant's agent requesting that the principle of contributions towards Neighbourhood Policing is accepted, and a compromise position is reached. Copies of my letters dated 9<sup>th</sup> December 2008 are attached to my evidence as **Appendix 3**.
- 3.11 The methodology for calculating policing infrastructure contributions has since been amended and refined to ensure compatibility with the tests within Circular 05/2005. A methodology for calculating contributions is now included within the ACPO Planning Obligations Toolkit and I attach as **Appendix 4** an outline of the methodology. In applying the methodology, the magnitude of the payment sought in this case has reduced significantly and reflects a reasonable and appropriate scale of contribution to achieve on-site infrastructure.
- 3.12 The appeal scheme represents a component of a major strategic mixed-use proposal within Brighton and Hove equivalent to approximately 15% of the City Council's housing target set by the South East Plan. Accordingly it is entirely appropriate to evaluate the extent to which additional infrastructure will be necessary to ensure delivery of efficient and effective policing for the new community.
- 3.13 The starting point for assessment is the provision of a Police Base on the site, which for a development of this scale, will be a Neighbourhood Office with two dedicated parking spaces. Typically, the accommodation will include a front counter, two offices and amenity facilities for staff. The standard build cost for police facilities within Sussex drawn from the Police's own figures is £3,134.00 per square metre.

- 3.14 I attach as **Appendix 5** a letter that I sent to the Appellant's agent Nathaniel Lichfield and Partners dated 17 September 2009 explaining the size of on-site facility required and how a contribution equivalent to its provision has been reached based on the methodology referred to above. The formula relies on calculating a policing cost per head of new population, to which an average occupancy rate of new residents per dwelling is applied to create a charge per dwelling.
- 3.15 The requirement for additional Police staffing is based on a need to maintain the existing ratio of incidents of crime to staff. The number of incidents will rise as the population increases, which in turn demands an increase in staffing levels. The contribution sought from the development (the number of dwellings proposed multiplied by the charge per dwelling) can therefore be disaggregated into two elements: the capital costs applying to recruiting and training new staff and accommodation costs.
- 3.16 Using the methodology, to accommodate the additional staff required to police the new population arising from the Brighton Marina development as a whole, a Neighbourhood facility of approximately 63 sq metres is required.
- 3.17 As explained in my letter dated 17 September 2009, Sussex Police accept that it would not be appropriate for the Appellant to be responsible for the whole of the contribution towards policing necessary to deliver the whole of the Marina redevelopment. The Appellant's proportion of the scheme, comprising 1301 dwellings, represents 79% of the overall development and therefore costs need to be adjusted to take this into account. Using the methodology, proportionate figures for the Appellant's development would therefore be:
- Accommodation - £153,345.00
  - Staff - £36,248.00
  - Total - £189,496.36
- 3.18 Sussex Police are therefore seeking a contribution equivalent to £189,496.36.
- 3.19 Given the emerging policy requires provision for an on-site Police Base to be provided at the developers' expense, which it would not be practicable to provide in part, Sussex Police require the Appellant to provide the facility in full, to an

agreed detailed specification. A contribution towards staff set-up costs, in full, would be sought from the balance of development on the site ie the remaining 349 dwellings.

- 3.20 Sussex Police are prepared to be flexible in terms of the overall size of the facility, and are happy to continue a dialogue with the Appellant in the lead up to the Inquiry.
- 3.21 In conclusion, the contribution in kind (ie the provision of the facility) would satisfy the needs of the Police, would comply with the emerging policy obligation within the Core Strategy, and would meet the tests of relevance, necessity, relating and reasonableness set out in Circular 05/2005. The Inspector is therefore asked to support the provision of a Police Base at the Brighton Marina site at the developer's expense, to be secured through an appropriately worded Planning Obligation that allows a degree of flexibility as to the accommodation size.

**Lucy Biddle**

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**From:** dennis.donovan@sussex.pnn.police.uk  
**Sent:** 06 October 2009 10:16  
**To:** Lucy Biddle  
**Cc:** Richard.newman@sussex.pnn.police.uk  
**Subject:** RE: Brighton Marina

Hi Lucy

Richard has asked me to respond to your request as he is currently away from the office.

I have consulted with the Brighton & Hove policing team and the following is the typical set up.

Policing in Brighton & Hove is divided into 3 areas, East, West and Central. Brighton Marina is situated in the area covered by the Brighton & Hove East Neighbourhood Policing Team which has its base at Crowhurst Road Police Station, Hollingbury. All police officers and police staff commence and finish their duty at this location but at a distance of almost 4 miles from the Marina, it is essential to have a facility for more localised community policing.

The existing facility is used by the area Neighbourhood Policing Team which would consist of 1 or 2 Police Constables (PCs) and 3 to 4 Police Community Support Officers (PCSOs). The PCs focus all their efforts within the defined geographical area of their team and by doing so, are far more able to build valuable relationships with the residents and the working community of the Marina, in the same way as a traditional 'local bobby on the beat.' PCSOs assist the PCs by providing a visible, accessible, familiar and reassuring presence within the local community and spend the majority of their time patrolling their local area, providing help to the public and dealing with incidents of nuisance and anti social behaviour by engaging with the communities. They also have a number of limited powers which allow them to deal with low level crime and other quality of life issues.

There are also 4 Special Constables (SCs) who provide occasional but valuable support to the Neighbourhood Policing Team. 1 of these has been recruited under the Employer Supported Policing Scheme and is actually a full time employee of the Brighton Marina Company who release him for a specified number of hours each month for dedicated policing duties within the Marina.

In addition, Brighton & Hove East is also supported by a Neighbourhood Response Team who, as the title suggests, respond to emergency and priority graded calls to the police. When in the Marina area they also are able take advantage of the facility.

All of this requires a local base that is available and accessible to the Brighton Marina community 7 days a week. The Neighbourhood Policing Team will have a facility from where they can operate locally, complete reports and update enquiries, arrange appointments and have contact with the public, and the Marina community will know that they have been provided with real Neighbourhood Policing.

I hope this information will assist with the submission, and please let me know if I can help any further.

Regards

*Dennis Donovan*

**Dennis Donovan**  
Crime Prevention Design Adviser

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## 5. DA2 Brighton Marina, Gas Works and Black Rock Area

### Context

5.1 Brighton Marina is situated at the base of the cliffs to the east of the city centre. It was created in the 1970's and now functions as an independent component of the city's urban area. The Marina contains a mix of housing, shopping, commercial, leisure and recreational buildings together with yacht moorings and a working harbour which creates a unique marine character.

Recreation and leisure uses have expanded over the years, as have the number of residential developments. However, different construction phases within the Marina have occurred without the benefit of a planned approach. Consequently, the Marina has become characterised by piecemeal development and areas of poor public realm.

5.2 The development area covered by this policy extends beyond the Marina encompassing other key sites in the vicinity, including the former Gas Works site to the north and the Black Rock site to the west of the Marina. These sites have been incorporated within the development area because they are likely to be affected by any future development of the Marina and vice versa, particularly in terms of traffic generation and impact on nearby junctions. Currently, both sites are allocated within the adopted Local Plan; the former Gas Works site for employment and housing and the Black Rock site for leisure and recreation and are therefore strategically important to the regeneration of the wider area.

5.3 The long term aspiration of the council is to address the deficiencies of the Marina and the wider area and facilitate the creation of a mixed use district of the city, through the generation of a high quality marina environment which creates easier and more attractive access for residents and visitors, extends the "seafront" up to and around the Marina and creates visual links with the sea from the Marina.

### DA2 Brighton Marina, Gas Works and Black Rock Area

The strategy for the development area is to facilitate the creation of Brighton Marina and the wider area as a sustainable mixed use district of the city, through the generation of a high quality marina environment by supporting proposals which:

- Secure a high quality of building design, townscape and public realm;
- Do not breach the cliff height;
- Improve connectivity between the Marina, the proposed new leisure and recreation facility at Black Rock and the former Gas Works site;
- Enhance the transport infrastructure at the Marina and promote more sustainable forms of transport;
- Protect and enhance the ecological environment at the Marina;
- Secure a more balanced mix of retail, leisure, tourism and commercial uses, which accords with its District Shopping Centre status; and
- Deliver the amounts of development as set out in part B below.

**A. The local priorities to achieve this strategy are:**

- 1. The council will work in partnership with the different landowners to ensure that the regeneration of the Marina is comprehensive and conforms with an updated masterplan (Supplementary Planning Document) for the Marina, to avoid further piecemeal development in the future.**
- 2. Protecting and enhancing areas of marine character and the role for marine-related leisure, recreation and employment opportunities.**
- 3. Securing improved legibility, permeability and connectivity within the Marina and the surrounding areas through high quality building design, townscape and public realm (see CP2 and CP3).**
- 4. Enhancing the transport infrastructure at the Marina by promoting more sustainable forms of transport including enhanced bus services or a capital transport scheme; promoting smarter travel choices for people; improving pedestrian and cycle access; securing improved emergency vehicle access (see CP8); and provision of, and support for, emerging and advanced technologies.**
- 5. Balancing uses with an emphasis towards boating, leisure and recreation and the enhancement of the District Shopping Centre through the encouragement of mixed retail activity (see CP15).**
- 6. Ensuring a good mix of housing which reflects housing needs within the city and is accompanied by an appropriate level of open space provision (see CP11 and CP12)**
- 7. Enhancing the social infrastructure to support any expansion in the residential population through the provision of, or contributions towards, community, education and health services or facilities (see CP9).**
- 8. Protecting and enhancing the ecological and geological diversity of the area having particular regard to the RIGs, SSSI and SNCI status of the cliffs and beach respectively, and proximity to the National Park Boundary (see CP5).**
- 9. Ensuring development proposals accord with the relevant Shoreline Management Plan and incorporate a site specific Flood Risk Assessment in line with the requirements and recommendations for the area set out in the Brighton & Hove Strategic Flood Risk Assessment and guidance contained within PPS25 (see CP10), to protect development from flood risk.**
- 10. Maximising opportunities for large-scale zero and low-carbon energy technologies to serve the Marina and wider city, particularly those that take of advantage of the Marina's coastal location (see CP1).**

- B. Provision will be made for the following amounts of additional development to be provided by 2026. Provision will be made in the Development Policies and Site Allocations DPD for:**

1,650 residential units (Marina and former Gas Works sites);

5,000 sq m retail (A1-A5) floorspace (Marina site – District Shopping Centre);

4,000 sq m industrial (B1-B2) floorspace (former Gas Works site);

3,470 sq m leisure floorspace (Black Rock site);

A community building within the Marina;

A health facility within or in the vicinity of the Marina to be agreed with the PCT;

A primary school or increase in the number of school places within or in the vicinity of the Marina.

- C. Strategic Allocations in the Marina, Gas Works and Black Rock Development Area are:**

**1. Brighton Marina Inner Harbour**

Provision is made for a mixed use development comprising up to 650 residential units, 5,000 sq m of retail development (A1-A5), community facilities (including Healthy Living Centre and community centre). Proposals will be assessed against the following criteria:

- a) Design – development should be of a high quality with excellent use of materials;
- b) Townscape and public realm – development should improve the legibility and quality of the townscape and public realm and should demonstrate good connectivity between buildings and spaces within the Marina and wider area;
- c) Housing mix – development should provide for a mix of dwelling type, tenure and size to cater for a range of housing requirements and to improve housing choice;
- d) Sustainability – development will be required to meet BREEAM excellent for the commercial development and Code for Sustainable Homes (Level 4) for the residential units in accordance with CP1;
- e) Transport – improvement to sustainable transport infrastructure will be required to support proposals;
- f) Local training – developers will be required to enter into local training agreements to secure training for local people;

- g) Infrastructure – development will be required to provide the necessary social and physical infrastructure (including utilities) to mitigate the impact of development in accordance with CP9.**

### Supporting text

5.4 A holistic approach to the regeneration of the development area will be achieved through the preparation and adoption of a Supplementary Planning Document (SPD) for the Brighton Marina and wider area. The SPD will replace the existing Supplementary Planning Guidance (SPGBH20, 2003) and Planning Advice Note (PAN04, 2008) for Brighton Marina.

The SPD will be supported by a Public Realm Strategy for the Marina, providing comprehensive design guidance for developers and will form part of the citywide Urban Design Framework (CP2). It will contribute to improving the visual appearance of the area, focussing particularly on shopfronts and pedestrian routes and connections to key attractions both within and in the vicinity of the Marina. The strategy will also include guidance on how to improve the biodiversity of the area and access to areas of ecological importance e.g. the SSSI cliffs and SNCI beaches, which will make a significant contribution to improving the quality of life within the development area.

5.5 The Marina is identified as a District Shopping Centre in the city's retail hierarchy (see Policy CP15). The majority of retail activity takes place in the Merchant's Quay and at the Asda superstore. Whilst the District Shopping Centre contains a range of bars, restaurants and factory outlet stores related to its wider recreation and leisure role, it lacks the full range of shops and services found typically in District Shopping Centres. The strategy for the development area is to enhance the District Shopping Centre through the encouragement of mixed retail activity and improvements to the public realm.

5.6 Improvements to the transport infrastructure, in particular to the cycle, pedestrian and bus routes, will be implemented and funded through developer contributions. These improvements will be closely linked to other priorities for the area, especially those relating to enhancement of the public realm and ecology. The bus routes servicing the development area are relatively good but there is scope to improve bus services as well as the infrastructure i.e. through the provision of a transport interchange within the Marina, in response to the additional demands resulting from the implementation of major development schemes. There are plans for the provision of a new capital transport scheme to contribute to improved public transport provision to the Marina and options are currently under consideration. Work will be undertaken with transport operators to secure improvements in conjunction with developer contributions. Emerging and advanced transport technologies could include, for example, the provision for electric charging points in car parks and garages.

5.7 The identified quantum of development will largely be met by the strategic allocation set out in part C of the policy and by the former Gas Works and Black Rock sites that will be allocated in the Development Policies and Site Allocations DPD. The Black Rock site is situated to the west of the Marina and has been identified in the Brighton & Hove Local Plan and SPG5 for development of a recreation and leisure

facility. A scheme, which is currently at the pre-application stage, is proposed for a sports arena and comprises a multi purpose indoor events arena with two Olympic sized ice pads, one of which will be for public ice skating. The arena will be able to host a variety of events including sport (particularly ice hockey and basketball), concerts and shows. The Gas Works site to the north of the Marina has been identified in the Brighton & Hove Local Plan for housing and employment uses, and there are potential opportunities to link future mixed use development on this site to the wider Marina area.

5.8 Any residential development proposals coming forward within the development area, will need to demonstrate that they have the necessary physical and social infrastructure to support the expansion in the residential population through the provision of, or contributions towards, community, education and health services or facilities. Physical infrastructure, such as the provision of sufficient sewerage and water capacity to serve the new development, will also need to be demonstrated.

5.9 The council's Strategic Flood Risk Assessment has identified Brighton Marina and Black Rock as falling within an area of higher probability of flooding (Flood Risk Zone 3a). A Sequential Test has been carried out to demonstrate the appropriateness of development in this area and this is available as a background paper to the Core Strategy. Any development proposal will need to demonstrate that the most vulnerable land uses will be located in areas of lowest flood risk. Detailed guidance and specifications for addressing flood risk in this area is set out in the Strategic Flood Risk Assessment (section 7.2.9).

## 9. CP9 Infrastructure and Developer Contributions

Ensure that the necessary infrastructure is in place at the right time to meet the needs of Brighton & Hove and the wider sub-region and secure developer contributions from new development towards the necessary provision of social, environmental and physical infrastructure. This will be achieved through the following:

1. Preparing, regularly updating and facilitating the implementation of an infrastructure delivery plan (Annex 1) for the city. This will set out the infrastructure to be provided in the city by infrastructure partners, including the public sector and utilities, to meet future needs.
2. Inadequacies in infrastructure arising from proposed development will also be mitigated through developer contributions, secured through a Legal Agreement/ Planning Obligation that will provide towards sufficient and appropriate improvement through upgrade, enhancement or new infrastructure.
3. Contributions will relate to all aspects of land use, community infrastructure and services that may be affected by development and which accord with the councils' identified local priorities and objectives for delivering sustainable communities.
4. The cumulative impact of all development and differing needs for infrastructure provision and appropriate community needs will be reflected in the level and type of developer contributions being sought.
5. Further detailed guidance on the circumstances and range of developer contributions that may be sought from development will be set out in an Infrastructure Delivery Supplementary Planning Document (SPD) which will establish a sound basis and methodology for agreeing the level and type of infrastructure requirements necessary from developer contributions and a method for the calculation of costs towards delivery of that service or provision.

### Supporting Text

9.1 To ensure the best for the city from all development, the council will ensure the provision of adequate physical, social and green infrastructure. Developer contributions will be required towards such adequate and effective provision of new or upgraded infrastructure to ensure that development functions appropriately in its surroundings. Developer contributions ensure for the future that the impact of new development is minimised and that development provides appropriate contributions for creating sustainable communities as a whole as well as improving the quality of our built environment.

9.2 The policy as set out above accords with Government guidance and advice in

PPS12 Local Spatial Planning and Circular 5/2005 Planning Obligations. The requirement for developers to contribute towards necessary physical and social infrastructure and environmental benefits is also highlighted in the detailed proposals for each of the Core Strategy Development Areas and it is important that all priorities in the relevant areas are adequately considered. Priorities will also derive from key strategic objectives or key local needs identified in other strategies, plans and commissioned studies.

9.3 The range of infrastructure and service provision where contributions may be sought will include:

- Sports, recreation, youth facilities, play space and amenity space;
- Employment and regeneration initiatives including training/apprenticeship;
- Health and well being;
- Design & conservation of historic buildings;
- Biodiversity, countryside and open space including access and interpretation;
- Sustainability measures;
- Affordable housing, including accessibility and life-time homes;
- Sustainable transport initiatives for a multi-modal transport model for the city that will include public transport, walking and cycling;
- Highways infrastructure and access provision;
- Local utility infrastructure, including water provision, wastewater treatment and drainage;
- Education and learning including schools and libraries;
- Flood-risk prevention measures;
- New/replacement community rooms and mixed use facilities;
- Tourism, culture and heritage;
- Reducing crime, policing and community safety; and
- Public realm and environmental improvements.

9.4 Contributions necessary to support future development in DA7 Shoreham Harbour and South Portslade area will be secured through an agreed area-wide tariff.

Infrastructure Type	Requirement	Provision area/scale	Delivery Partners	Phasing /costs
	Community Building provision	Fitted out, fully accessible shared space provision of community building and integrated facilities  Required priorities within DA2 Brighton Marina/ DA5 Eastern Road and Edward Street (Queens Park/Craven Vale); DA4 Lewes Road (Bevendean – at planning stage)	Developers City Council, Trust for Developing Communities, local community	TBA  Bevendean – provision by 2011
	Police base provision	Brighton Marina Development - DA2 Brighton Marina	Developers	TBA
	Ambulance/paramedic Rapid Response points	Citywide	Ambulance Service	TBA
	Fire Service station	New location	Fire Service	TBA
	Additional GP facilities and expansion of social care and youth care facilities	a multi-practice GPs' surgery for Kemptown and expansion of social and youth care facilities within DA2 Brighton Marina and Black Rock area	Landowners and the City Council	TBA
	Primary Health Care Centre	Provision of Primary Health Care Centre consisting 2x GP surgeries (existing Whitehawk & Broadway) community health services and ancillary pharmacy - Wellsbourne Centre Whitehawk	Primary Care Trust	Underway – completion due early 2010
	Additional GP facilities	3-10 GP practices and health care centre required within DA7 Shoreham Harbour area.	Primary Care Trust	2026/£3-6m
	Mill View Hospital Nevill Avenue	Extension to existing hospital education centre with provision of 1,688 sq.m office floorspace Extension to Hove Polyclinic to provide	Sussex Partnership NHS Trust and Primary Care Trust	2012/TBA



**Our ref:** JBR1294/TC0708.ltr

**Date:** 09 December 2008

**Email:** Tony.clements@rpsgroup.com

Pauline Stocker  
Senior Planner  
Nathaniel Lichfield and Partners  
14 Regent's Wharf  
All Saints Street  
London  
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Dear Ms Stocker

**BRIGHTON AND HOVE CITY COUNCIL: BRIGHTON MARINA REGENERATION PROJECT – APPLICATION REFERENCE BH2007/03454**

I write in connection with the above planning application, which is due to be reported to Planning Committee on 12 December 2008 and further to your letter to Peter Hardy of Sussex Police of 17 October 2008.

RPS has recently been appointed to provide planning consultancy services to Sussex Police. We have reviewed the request for policing contributions from the Brighton Marina project and have written to the planning case officer and Members of the Planning Committee ahead of the meeting on Friday to request that the principle of S106 contributions towards policing infrastructure be reconsidered prior to the permission being granted. I attach a copy of the letter.

I note from the final paragraph of your letter to Peter Hardy you recommend that the request for financial contributions be reconsidered; I have advised Sussex Police that this is an appropriate route to take. As you will see from the attached letter to the Council the formula for calculating contributions is being refined and developed in conjunction with work being undertaken nationally on behalf of the Association of Chief Police Officers. On this basis I have advised Sussex Police to re-evaluate the size of the claim and to seek to negotiate with you on an alternative contribution.

I am aware this request has arrived late in the determination process, however time will remain following the Committee resolution to negotiate on an amended contribution before permission is finally granted. While the design of your client's scheme incorporates a number of security and community safety measures, which the Police welcome, there will also be a wider impact on delivery of neighbourhood policing in Brighton, which the scheme could contribute towards. We hope your clients will look favourably on this opportunity to engage further with the Police and contribute to provision of policing infrastructure to support delivery of an efficient and effective police service.



We would be happy to meet with you to discuss the nature of the contribution sought and how it could be used to support neighbourhood policing in the area in more detail.

I look forward to hearing from you.

Yours sincerely  
For RPS

**TONY CLEMENTS BA (HONS) MCD MRTPI  
DIRECTOR**

cc. Peter Hardy – Sussex Police

enc.



**Our ref:** JBR1294/TC0707.ltr

**Date:** 09 December 2008

**Email:** Tony.clements@rpsgroup.com

Sue Dubberley  
Planning Case Officer  
Development Control  
Brighton and Hove City Council  
King's House  
Grand Avenue  
Hove  
BN3 2LS

Dear Ms Dubberley

**BRIGHTON AND HOVE CITY COUNCIL: BRIGHTON MARINA REGENERATION  
PROJECT – APPLICATION REFERENCE BH2007/03454**

I write in connection with the above planning application, which is due to be reported to Planning Committee on 12 December 2008.

RPS has recently been appointed to provide planning consultancy services to Sussex Police and therefore I am writing further to representations made by Mr Peter Hardy of Sussex Police (references PH/PL/B&H/08/50 – 08/10/08, PH/DD/B&H/08/51 - 14/10/08) in respect of Secured By Design and S106 considerations. My comments apply in respect of the Police claim for developer contributions from the scheme only; the Secured By Design representations remain valid and are not affected by this letter.

I would therefore be grateful if you could report the content of this letter to Members of the Planning Committee to ensure they are in full possession of all relevant information when reaching their decision.

**Developer Contributions towards Policing Infrastructure**

You may be aware from the previous submissions made by Sussex Police in respect of this application that the Police Service is developing at a national level a standard approach to seeking contributions from development towards community safety/policing infrastructure. The Association of Chief Police Officers (ACPO) has commissioned a major nationwide exercise that will assist individual Forces in planning for the delivery of Policing within operational areas in response to the growth forecast to take place within the regions in the period to 2026.

There is now recognition nationally within PPS12 – Spatial Planning, that the Police have an important role to play in ensuring that infrastructure necessary to support the delivery of sustainable communities is provided in conjunction with development proposals. Sustainable Communities are defined by the Government as being **Active, Inclusive and Safe** and are characterised by **low levels of crime, drugs and antisocial behaviour with visible, effective and community-friendly policing.**



CERTIFICATE NO. 6613/1

The Police are recognised nationally as key stakeholders in determining the type and quantum of social infrastructure needed to support development (PPS12 para. 4.29). Furthermore during the Lords debates on the 2008 Planning Act Baroness Andrews confirmed that policing infrastructure is included within the definition of infrastructure for the purposes of the Community Infrastructure Levy (CIL).

The South East Plan – Proposed Changes also requires, via Policy CC7: Infrastructure and Implementation, that infrastructure will need to be expanded and improved to support development, where existing capacity is insufficient. The Policy advises that contributions from development will be needed to ensure development can be delivered in a sustainable way. Box CC2 defines infrastructure as including the emergency services, which would encompass the Police.

There is clear acceptance within Government that the Police are key stakeholders when it comes to determining what infrastructure is necessary in order to ensure development can be delivered in a sustainable way. The principle of developer contributions towards community infrastructure is also enshrined within the saved Brighton and Hove Local Plan Policy QD28 (a) and reducing crime and improving community safety is a key objective of the Sustainable Community Strategy.

These factors all demonstrate that the Police have a central role to play in the spatial planning process, as a key stakeholder in advising on and assisting in the implementation of sustainable communities.

The previous representations have alluded to the impact of population growth on the ability of the Police to maintain and deliver an efficient and effective service; this is a particularly significant challenge due to absence of funding for capital/infrastructure projects from existing sources. The commonly held perception that the Police are funded entirely from the Council Tax precept and Home Office grants is misplaced; these sources of funding are sufficient only to support revenue funding. Put simply the Police either have to borrow to finance new building/infrastructure spending, or rationalise existing services.

On the basis an increasing population will impact on the ability of the Police to deliver an efficient and effective service it is reasonable, having regard to the tests within Circular 05/2005 that developers contribute towards mitigating these impacts via planning obligations. The Police have obtained Counsel's opinion on this principle, which confirms the approach.

### **Policing Contributions Formula**

The previous representations to which I refer above calculated a contribution from the Brighton Marina development based on a dwelling-driven formula, developed initially by the Essex Force. This approach is in the process of being refined and further developed via the ACPO Working Group I refer to above. RPS is a member of that Group and is contributing to developing a methodology for policing contributions to be applied nationally in 2009.

The emerging methodology applies a regulating factor to developments to ensure the contributions sought are fully justified and proportionate to the impacts arising from individual development projects. The new methodology is in the process of being applied specifically to the Sussex context and will refine and focus the request submitted in October. Sussex Police are working to review the information that informs the request for contributions, which it is anticipated will be available early in 2009.

### **Agent Response**

Nathaniel Lichfield and Partners (NLP), the applicant's agents responded in writing to the request for contributions from Sussex Police in October. They rejected the magnitude of the financial request, citing various regenerative benefits that would accrue with the scheme. There is also suggestion in the letter that there is no sound policy basis for such a contribution.

As set out above, there is support at the national level (PPS12) for the involvement of the Police in determining infrastructure delivery necessary to support development. At the local level the saved policies of the Local Plan support inclusion of social infrastructure contributions, which would encompass Police infrastructure. The Sustainable Community Strategy also includes crime reduction and reduction of fear of crime as key objectives, which must be delivered on through the LDF process. In our view there is clear justification in policy terms for policing contributions, in contrast to NLP's observation.

While the scheme may incorporate a number of measures to help deter criminal activity the rationale behind the contributions sought rest on population and development impacts *per se*, which impact on delivery of the Police service. The scheme itself would generate a likely population of circa 2,700 (based on average household size in Brighton), and around 10% of the SE Plan target for housing in Brighton and Hove during the RSS period. It is a significant development and one which, having regard to the objectives within the Sustainable Community Strategy, should contribute towards delivery of community safety objectives.

We note the suggestion that the applicants object to the scale of contribution sought and this is acknowledged. The emerging work being undertaken by Sussex Police is likely to produce a lower level of contribution, more closely targeted to the impacts of the scheme itself.

### **Officer Recommendation**

I note the recommendation to approve the application subject to completion of a S106 legal agreement covering specified heads of terms. This excludes any mention of the Police as a recipient of contributions towards policing infrastructure. While the content of the report is noted a development on this scale will undoubtedly have an impact on the ability of the Police to deliver effectively against the crime and safety objectives of the Sustainable Community Strategy.

While the request for policing contributions is rejected by the Committee Report on the basis the SPD is not yet adopted and the scheme itself incorporates security measures we ask that the need for contributions towards policing infrastructure is recognised and incorporated into negotiations on the detail of the S106 agreement. The request for c.£500,000 towards policing infrastructure is a figure subject to re-working and I can advise the Police would be willing to discuss an amended figure for contributions towards Neighbourhood Policing that reflects the interim policy position.

Members will be aware that this represents the only realistic opportunity to secure contributions from the scheme towards a key objective within the Council's Sustainable Community Strategy.

We are writing on behalf of Sussex Police to Nathaniel Lichfield and Partners in similar vein to request that the principle of contributions is accepted and a compromise position is reached, which would be to the undoubted benefit of the scheme and the profile of Community Safety within the vicinity of the development. While Secured By Design measures are welcomed they represent only one element of the fight against crime; infrastructure to support Neighbourhood Policing is a critical tool in reducing crime and reducing fear of crime for new and existing residents alike.

On behalf of Sussex Police we request that these comments are brought to the attention of Members of the Planning Committee and are reported verbally at the meeting.

If you would like to discuss anything raised herein please contact me without hesitation.

Yours sincerely

For RPS

**TONY CLEMENTS BA (HONS) MCD MRTPI  
DIRECTOR**

- cc. Councillor Lynda Hyde
- Councillor Geoffrey Wells
- Councillor Dawn Barnett
- Councillor Bob Carden
- Councillor Ian Davey
- Councillor Les Hamilton
- Councillor Amy Kennedy
- Councillor Ken Norman
- Councillor David Smart
- Councillor Paul Steedman
- Councillor Mrs Carol Theobald
- Councillor Juliet McCaffery

## **Methodology for Calculating Contributions**

The methodology for calculation of the Standard Charge for policing infrastructure is set out below.

The police service is predominantly a population-based service and new infrastructure requirements are generated, mainly although not exclusively, by expanding populations associated with new development.

### **STEP 1**

Derive an incident ratio per head of population, based on existing population, and projecting this into the future to determine likely number of future incidents arising from an expanding population.

### **STEP 2**

Establish an acceptable ratio of incidents to police officers and support staff, based on delivery of an efficient and effective police service. This allows the need for additional staff numbers to be calculated, based on an expanding population. This stage provides a proportional link between population increase and the need for increased policing infrastructure.

### **STEP 3**

Derive the additional infrastructure requirement from the additional staff quotient numbers required to provide effective policing. Accommodation/infrastructure needs are based upon a standard floorspace and set up cost per officer and support staff. It is then possible to calculate costings per additional staff member.

### **STEP 4**

To divide the projected infrastructure costs by the planned number of new dwellings to give a standard charge per dwelling. This figure requires adjustment to determine a new resident occupancy rate per new dwelling (on the basis that additional infrastructure requirements are population not dwelling driven) and a proportionate charge per new dwelling (see STEP 6).

### **STEP 5**

To apportion the total cost per dwelling between residential and employment development, based on policing statistics relating to the proportion of incidents relating to business uses against all incidents.

### **STEP 6**

To adjust the standard charge per dwelling to reflect occupancy rates of new residents. This is achieved by dividing the projected number of new residents by the forecast number of dwellings to produce a new resident occupancy rate per dwelling. The cost per dwelling is calculated by applying the occupancy factor to the new resident cost. This figure is adjusted to provide a residential charge and a business charge, according to the ratio of residential to business incidents. The residential figure per dwelling is then divided by the average occupancy rate for dwellings in the District to give a proportionate cost per 'new occupant' which can then be applied to occupancy rates for various sizes of dwelling set out in Table 1. The business figure



is a new employee figure; a cost per unit of floorspace can be calculated using the densities in the Arup 2001 report for EP & RDA's: *Employment Densities: A full guide*.

last

**Our ref:** JBR1294/TC0891.ltr

**Date:** 23 September 2009

**Email:** Tony.clements@rpsgroup.com

Pauline Stocker  
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Dear Pauline

**BRIGHTON MARINA: BH2007/03454 – APPEAL REFERENCE  
APP/Q1445/A/09/2102048/NWF**

I write in connection with the above and further to our meeting on 2 September 2009 at which we discussed the request by Sussex Police for contributions towards infrastructure necessary to ensure delivery of an efficient and effective Police Service as a consequence of the appeal proposals.

As I made clear at the meeting, the request originally tabled by the Police relied upon a methodology and approach that has been amended and refined to ensure compatibility with the tests within Circular 05/2005. RPS has worked closely with the Association of Chief Police Officers (ACPO) in the development of this methodology, which has also received endorsement from Leading Counsel. As a consequence, the magnitude of the payment has reduced significantly and reflects a reasonable and appropriate scale of contribution to achieve on-site infrastructure.

The starting point for Sussex Police is that this scheme represents a component of a major strategic mixed use proposal within Brighton and Hove equivalent to approximately 15% of the City Council's housing target set by the South East Plan. Accordingly it is entirely appropriate to evaluate the extent to which additional infrastructure would be necessary to ensure delivery of efficient and effective policing for the new community.

An additional consideration in this regard is the requirement within the Brighton and Hove Core Strategy Proposed Amendments Paper (June 2009) via Policies DA2 and CP9 for the provision of a Police Base on the site, provided by developers of the scheme. At the meeting you accepted the principle of an on-site facility and therefore I am assuming the matter to be settled relates to the specification/costs of the facility and the contributions towards staffing.

As explained I am more than happy to set out the Police methodology for calculating S106 contributions and to relate these to the development. However the starting point for assessment is the provision of a Police Base on the site, which for a development of this scale, according to the ACPO Toolkit for assessing contributions, would be a Neighbourhood Office of circa 75 sqm in area with two dedicated parking spaces. Accommodation would include a front counter, two offices and amenity facilities for staff. The standard build cost for Police facilities within Sussex drawn from the Police's own figures is £3,134 per sqm. This would generate a figure of £235,000 as a contribution using the standard ACPO approach.

The Sussex Police methodology for calculating strategic Policing contributions includes a greater degree of sophistication regarding the formation of new households and the proportion of new population that requires policing as a consequence of development. I set out the components of the methodology below:

A	Forecast increase in population 2006-26 (Sussex)	88,711
B	New dwellings planned (SE Plan)	104,600
C	Average number of new occupiers per dwelling (A/B)	0.84
D	Average household size	2.25
E	Policing costs per head of new population	£173.15

The policing costs per head of new population (E) are derived by determining an incident ratio per head of population and projecting this into the future taking into account population growth.

Currently a staff of 6,211 delivers the Police service to a population of 1,277,023 in Sussex. There are 0.085 recorded incidents of crime per head of population. Projecting this forward to take account of population growth there is likely to be an increase of 5,895 incidents of recorded crime. To maintain the existing ratio of incidents to staff would generate a need for 348 additional Police staff to provide a consistent level of service across Sussex as a whole.

The existing breakdown of staff, if maintained, would create a requirement for:

- 177 Police Officers
- 21 Police and Community Support Officers (PCSO)
- 150 Support staff

Capital costs applying to recruiting and training new staff (one off set up costs) are as follows:

- Police Officers: £14,434
- PCSO: £10,424
- Staff: £1,025

The Sussex Police estate provides an average of 11.4sqm of accommodation per member of staff, which has been determined sufficient to apply to new accommodation. Accordingly fit out costs to accommodate each new member of staff would be £35,727.60. Therefore to accommodate the 348 additional staff across the Force area capital costs of £15,360,676 would arise. This can be broken down into a cost per head of new population by dividing the figure by forecast population across the SE Plan period ('E' in the table above).

For the Marina development, in absence of a detailed schedule of dwellings, the average occupancy rate of new residents per dwelling is applied to the standard cost per head of population (E x C above), which creates a charge of £145.45 per dwelling.

Applied to the Marina development as a whole, using the Core Strategy emerging Policy as a guide, the charge for the development as a whole using the Sussex methodology would be £239,992.50 (1,650 dwellings x £145.45). The contribution is based on a component being used for physical infrastructure and a component for one-off staff set-up costs. This would allow the elements to be disaggregated.

Using the proportion of officers/staff to recorded incidents set out above, and applying the same ratio of Officers:PCSO:Staff throughout the Force area the overall scheme (1,650 dwellings) would generate a requirement for 5.5 new staff (2.8 Officers, 0.33 PCSO, 2.37 staff). To accommodate the additional staff, using the Sussex space standards a neighbourhood facility of 62.7sqm would be sufficient. The costs applying to staff would therefore be £45,884, with accommodation costs being £194,108.50.

As discussed at the meeting, it is of course appropriate that your client is not responsible for the whole of the contribution towards policing necessary to deliver the whole of the Marina redevelopment. The Explore Living proportion of the scheme, 1,301 dwellings represents 79% of the overall development and therefore the costs outlined above should be adjusted to take this into account. Proportionate figures for the Explore Living development would therefore be:

- Accommodation: £153,345
- Staff: £36,248
- Total: £189, 496.36

On this basis Sussex Police would therefore seek a contribution equivalent to £189,496.36.

Given the emerging Policy requires provision of an on-site facility to be provided at the developer's expense, which it would not be practicable to provide in part, the methodology would support provision of a neighbourhood policing facility of 65sqm within the appeal site to be provided to meet the detailed specification of Sussex Police. The contributions towards staff set up costs, in full, would be sought from the balance of development on the site – the remaining 349 dwellings.

The contribution in kind would satisfy the requirements of the Police and would also comply with the emerging policy obligation within the Core Strategy.

I would be grateful if you could convey this request to your clients. Should the approach be acceptable in principle we would be happy to provide a detailed specification for the facility and to agree a method of provision, to be secured through inclusion in the unilateral undertaking/S106 agreement.

I look forward to hearing from you.

Yours sincerely  
For RPS

**TONY CLEMENTS BA(HONS) MCD MRTPI  
DIRECTOR**

cc. Richard Newman – Sussex Police