

Topic Paper 12 - Preventing Crime and Disorder August 2004

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Growth – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards preventing crime and disorder will be sought.

1.0 Introduction

- 1.1 Crime prevention can be a material consideration in the determination of a planning application and new development in the District should be designed to reduce the potential for crime. Failure to do so could result in the Council refusing planning permission.
- 1.2 Policy OVS.11 of the West Berkshire District Local Plan 2002 requires all development schemes within West Berkshire to be designed so as to reduce the potential for criminal activity and anti-social behaviour, and sets criteria to which development should comply.
- 1.3 The reasoned justification to the policy notes that reduction in the fear of crime is an important priority for the Council and that the Council also has an obligation to promote crime prevention through the control of the built environment.
- 1.4 The Local Plan recognises the principles for creating safe environments. These are:
 - Surveillance - the capacity of physical design to enable residents to view the public space.
 - Image - the capacity of design to improve building image and avoid stigma
 - Territoriality - the capacity of the physical environment to create a feeling of neighbourhood and encourage residents to exercise surveillance over the area of defensible space
 - Environment - the influence of a neighbourhood's geographical juxtaposition with safe or unsafe areas.
- 1.5 Policy OVS.1 is supported by separate Supplementary Planning Guidance No.11 "Personal Safety and Security". which sets out requirements for the design and layout of new development in District and encourages creative designs which

balance the need to prevent crime with the need to create high quality environments.

- 1.6 This supplementary planning guidance is not intended as a substitute to the Council's existing SPG No.11. It is not guidance on the layout of schemes or 'planning out' crime. This guidance provides an outline of the contributions the Council will seek from developers towards initiatives aimed at deterring and preventing crime and anti-social behaviour.

2.0 Government Guidance

- 2.1 The Government, in Circular 5/94 "Planning Out Crime" and a number of Planning Policy Guidance Notes (PPGs), produces guidance on crime reduction.
- 2.2 Circular 5/94 "Planning Out Crime" recognises that the planning system is an important factor in a successful crime prevention strategy. When co-ordinated with other measures, its contribution can be significant. It states that "there should be a balanced approach to design which attempts to reconcile the visual quality of a development with the need for crime prevention". The Circular also states that "used sensitively the planning system can be instrumental in producing attractive and well-managed environments that help discourage anti-social behaviour".
- 2.3 The Circular gives particular emphasis to town centres by acknowledging that one of the main reasons people avoid them at night is the fear about their safety and security as there are very few people about. The Circular recognises that "breaking that vicious circle is a key to bringing life back to town centres".
- 2.4 Circular 5/94 acknowledges that "crime prevention is capable of being a material consideration when planning applications are considered". However, it is only one of the considerations to be taken into account and the weight that is given to crime prevention depends on the individual circumstances of the case.

3.0 Crime and Disorder Act 1998

- 3.1 The Crime and Disorder Act 1998 places a duty upon local authorities to seek to prevent crime and disorder in its area in carrying out its duties.
- 3.2 Specifically, Section 17 of the Act requires:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area."
- 3.3 The duty imposed by the Crime and Disorder Act therefore is for the Council to seek to prevent crime and disorder, to have regard to the crime and disorder implications of its decisions and the need to do all it reasonably can to prevent crime and disorder in its area. The duty applies to all of the Council's functions,

therefore the issue is not the responsibility of any particular department nor one particular element of its theatre of operation, but a cross-departmental corporate responsibility. In this regard planning can contribute to the success of preventing crime and disorder, but does not operate in isolation and will not, on its own, provide the mechanism or the means for the Council to prevent crime and disorder in its area.

- 3.4 Under the requirements of the Crime and Disorder Act 1998, and in line with Government Guidance and Local Plan policy, the Council considers that it is appropriate to seek to minimise the impact of development on community safety and ensure the development contributes to measures to prevent and deter crime and vandalism and other antisocial behaviour.

4.0 Contributions from Development

- 4.1 In line with SPG No.11 "Personal Safety and Security" the Council expects all new development to recognise the need to prevent crime and to ensure through the design and layout of any scheme that the principles of security design as set out in SPG No.11 are implemented.
- 4.2 In addition, the Council considers it is appropriate to seek contributions towards wider crime prevention measures, where development would result in an increased risk to actual or perceived public safety or an increased risk of vandalism or antisocial behaviour. The Council considers such development will place a greater burden on the crime prevention initiatives adopted by the Council, (in association with its crime prevention partners), and will seek contributions based on the cost of mitigating this additional burden.
- 4.3 Contributions will be sought from both residential and commercial development proposals.
- 4.4 It is recognised that the contribution sought from new development may be insufficient or uneconomic on its own to meet the costs of the crime prevention initiatives (or parts thereof) identified as appropriate to the development. This may be particularly the case in some areas where a limited level of new development would be expected. The Council may therefore consider it appropriate and cost effective to seek to implement certain crime prevention initiatives (arising from the impact of the development) once funding has been secured from a number of developments.

Contributions from Residential Development

- 4.5 ~~All residential developments not exceeding 14 dwellings will be expected to contribute towards crime prevention initiatives (see below). Such contributions form a proportion of the basic level of contributions expected from residential development, as set out in Table 1 of the Core Guidance.~~
- 4.6 Contributions ~~towards crime prevention measures from development proposals in excess of 14 dwellings~~ will be individually assessed or calculated dependent on

the details of the development, its location and other site specific details, and with regard to the aims and objectives of the Council's crime prevention initiatives.

- 4.7 The level of contributions will be based on both the cost of implementation and subsequent operation / monitoring (for a minimum period of 20 years) of the relevant element of the particular initiative to which contributions will be directed. In order to allow for inflation the contribution will be calculated including a compound growth cost to the operation / monitoring element, which will be based on the General Index of Retail Prices (all items) published by the Central Statistical Office at the time of the agreement.

Contributions from Commercial Development

- 4.8 In line with SPG No.11, the Council expects all commercial development schemes to recognise the need to prevent crime and ensure, through the design and layout of any scheme, that the principles of security design are implemented. However, the Council recognises the security risks for commercial development will differ from those for residential development.
- 4.9 The Council considers the impact of commercial development on the personal safety of employees of such development and the protection of land and buildings from antisocial actions should be the responsibility of the developer and/or employer. However, the Council considers commercial development should also contribute to the wider remit of crime prevention initiatives pursued by the Council, in the interests of maintaining a safe and secure environment for employees, visitors and the general public. Accordingly, where commercial development is proposed above the thresholds for contributions set out in Table 2 of the Core Guidance, the Council will seek contributions towards its crime prevention initiatives. The level of contribution sought will be individually assessed or calculated dependent on the details of the development, its location and other site specific details.
- 4.10 For all Use Classes except Class A3 and D2 uses the contributions sought will be based on net floor area of the proposal. For Class A3 and Class D2 uses the contributions sought will be based on the net floor area of the proposal and consideration of the visitor capacity of the development (for example the number of covers for a restaurant, or the number of cinema seats).
- 4.11 The level of contributions will be based on both the cost of implementation and subsequent operation / monitoring (for a minimum period of 20 years) of the relevant element of the particular initiative to which contributions will be directed. In order to allow for inflation the contribution will be calculated including a compound growth cost to the operation / monitoring element, which will be based on the General Index of Retail Prices (all items) published by the Central Statistical Office at the time of the agreement.

5.0 Crime Prevention Initiatives.

- 5.1 With its partners the Council is engaged in a number of crime prevention initiatives. These are outlined below. Developers should not necessarily regard this list as exhaustive, as the Council will look to implement additional initiatives as and when resources permit and need arises.
- 5.2 In addition to those set out below, there are other initiatives and schemes promoted by other bodies that may provide assistance in reducing crime and disorder, such as 'Young Firefighter' schemes promoted by the Royal Berkshire Fire Authority. The provision of buildings or other facilities, or contributions towards such, in order to facilitate the implementation of such schemes may also be considered acceptable.

CCTV

- 5.3 The Council operates a CCTV system, known as the 'West Berkshire CCTV System' comprising a number of cameras installed at strategic locations throughout the district. The Council's CCTV Policy notes that the use of CCTV in West Berkshire is considered a necessary and suitable tool to help achieve a reduction in crime, reduce fear of crime and improve public safety. The stated objectives of the West Berkshire CCTV System are defined as:
- To help reduce the fear of crime
 - To help deter crime
 - To help detect crime and provide evidential material for court proceedings
 - To deter vandalism
 - To improve public protection
 - To assist in the overall management of towns where CCTV is sited
 - To enhance community safety, boost the economy and encourage greater use of the town centre / shopping mall etc
 - To assist the Local Authority in its enforcement and regulatory functions within the town centre
 - To assist with traffic management
 - To assist in supporting civil proceedings help detect crime
 - Any other objective agreed by the owners of the scheme.
- 5.4 The Council is committed to preparing a CCTV Strategy and has targeted completing this work by Summer 2003. The strategy will set out the Councils objectives for CCTV provision, and is expected to be updated annually. The Council intends to use the information provided within the CCTV Strategy to establish the level of contributions sought from development for the provision of CCTV, and will subsequently review this supplementary planning guidance. Until such time as this SPG is reviewed, the Council will continue to encourage and expect contributions towards CCTV provision. Any provision or contributions agreed will be individually assessed or calculated and will be dependent on the details of the development, its location and other site specific details.
- 5.5 Where contributions are sought for the provision of CCTV, such contributions will be based on the provision of cameras and the cost of operation of the cameras including monitoring costs for a period of at least 20 years, including compound

growth of the monitoring cost based on the General Index of Retail Prices (all items) published by the Central Statistical Office, at the time of the agreement.

- 5.6 Developers are advised to contact the West Berkshire CCTV System Manager for further information regarding the likely need and costs of CCTV provision arising from their development proposals.

Safer Communities Partnership Community Safety Strategy

- 5.7 The Council has adopted a Community Safety Strategy for 2002 – 2005. The Strategy identifies six priority areas for action against crime and disorder. These are burglary, motor vehicle crime, anti-social behaviour, violent crime, domestic violence and communities against drugs. The Strategy sets out the Council's objectives and actions for each of the priority areas.
- 5.8 In addition to the priority areas identified by the Community Safety Strategy, the Council also targets Drug Misuse and Youth Offending as priority areas and identifies Business Crime, Rural Crime and Hate Crime as crosscutting themes running through all the relevant priority areas.
- 5.9 Developers are advised that further information on these initiatives can be obtained from the Council's Community Safety Manager.

6.0 Contacts

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