

Exeter Plan 2021-2041

Publication Stage (Regulation 19)

Representation Form

Ref:**(For official
use only)**

Name of the Local Plan to which this representation relates: Exeter Plan 2021-2041

Please return to Exeter City Council, Local Plans Team, Paris Street, Exeter, EX1 1JN, upload onto our consultation portal at <https://exeterplanpublication.commonplace.is/> or email to planning.policy@exeter.gov.uk by **11:59 pm on 6 February 2025**.

This form has two parts:

Part A – Personal Details: Needs to be completed only once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A: Personal details

1. Personal details*

*If an agent is appointed, please complete only the Title, Name and Organisation (if application) boxes below but complete the full contact details of the agent in section 2.

Title	Mr
First Name	Iain
Last Name	Masters
Job Title (where relevant)	
Organisation (where relevant)	Devon and Cornwall Police
Address Line 1	
Line 2	
Line 3	

Line 4	
Post Code	
Telephone number	
E-mail address	

2. Agent's details if applicable

Title	Mrs
First Name	Loretta
Last Name	Commons
Job Title (where relevant)	
Organisation (where relevant)	Womble Bond Dickinson (UK) LLP
Address Line 1	Ballard House
Line 2	West Hoe Road
Line 3	Plymouth
Line 4	
Post Code	PL1 3AE
Telephone number	REDACTED
E-mail address	REDACTED

Part B – Representation

Please use a separate sheet for each representation

3. To which part of the Exeter Plan does this representation relate?

Paragraph	15.18	Policy	IF3:
Community
Facilities	Policies Map	
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4. Do you consider that this part of the Exeter Plan is legally compliant?

Yes		No	
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4 (a). If yes, and you wish to support the legal compliance of this part of the Exeter Plan, please use this box to set out your comments.
(Continue on a separate sheet if necessary)

4 (b). If no, please give details of why you consider this part of the Exeter Plan is not legally compliant. Please be as precise as possible.
(Continue on a separate sheet if necessary)

4 (c). Please set out the modification(s) you consider necessary to make this part of the Exeter Plan legally compliant, in respect of any legal compliance matters you have identified at 4(b) above. You will need to say why each modification will make this part of the Exeter Plan legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.
(Continue on a separate sheet if necessary)

5. Do you consider that this part of the Exeter Plan is Sound?

Yes

☐

No

☒

☐

5 (a). If yes, and you wish to support the soundness of this part of the Exeter Plan, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

5 (b). If no, please give details of why you consider this part of the Exeter Plan is unsound. Please be as precise as possible.

(Continue on a separate sheet if necessary)

Devon & Cornwall Police (DCP) and the Office of Police and Crime Commissioner for Devon and Cornwall (PCC), together the "Police" submit representations in response to the public consultation on the Exeter Plan.

The creation of safe and accessible environments where crime and disorder and the fear of crime does not undermine the quality of life or community cohesion is a key part of planning for sustainable development and communities as outlined in paragraphs 8(b), 96, 101, 135(f) of the National Planning Policy Framework (NPPF).

Paragraph 8 explains that *"Achieving sustainable development means that the planning system has three overarching objectives..."* and paragraph 8b) sets out the second of those objectives, which is a social objective. The social objective is *"to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and **safe places, with accessible services** and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;"* It is clear that in its objectives for sustainable development, the NPPF recognises *"safe places, with accessible services"* as key.

Paragraph 101 of the NPPF states that *"Policies for relevant areas (such as town centre and regeneration frameworks).. should be informed by the most up-to-date information available from the police..."* It is clear that the NPPF anticipates engagement between the police and local planning authorities. The Police advising Exeter City Council (ECC) of its policing requirements as a result of the developments within Exeter is evidence of the engagement which the NPPF encourages. The NPPF requires that local policies are "informed" by information available from the police. The Police therefore request that this representation is treated as such and that the information contained within this representation is used to inform its approach to local policy, including the development of its new infrastructure delivery plan (IDP) to form part of the Exeter Plan.

Paragraph 135(f) of the NPPF states that *"Planning policies and decisions should ensure that developments...(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; **and where crime and disorder, and the fear of crime,***

do not undermine the quality of life or community cohesion and resilience." It is the Police's position that in order to achieve this in Exeter, police infrastructure is necessary and should be protected in policy.

Section 17(1) of the Crime and Disorder Act 1998 (1998 Act) places a duty on all local authorities to consider crime and disorder implications. Local authorities must exercise their various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that they reasonably can to prevent:

- a) crime and disorder in their area (including anti-social and other behaviour adversely affecting the local environment);
- b) the misuse of drugs, alcohol and other substances in their area;
- c) re-offending in their area; and
- d) serious violence in their area.

Section 17(1)(A) of the 1998 Act provides that *"The duty imposed on an authority by subsection (1) to do all it reasonably can to prevent serious violence in its area is a duty on the authority to do all it reasonably can to—*

- (a) prevent people from becoming involved in serious violence in its area, and*
- (b) reduce instances of serious violence in its area"*

As a result, when formulating policy and when determining planning applications for any new development within its administrative area, Exeter City Council (ECC) must comply with the above section 17 duties, otherwise there is a risk of challenge to such policy and planning decisions. The Police have made it clear that police infrastructure is necessary to offset the harm of new development which is clearly linked to prevention of the types of behaviour set out in Section 17 of the 1998 Act. Therefore, to assist compliance with its section 17 duty, the Exeter Plan must acknowledge the Police's need for sufficient provision of police infrastructure and policing facilities.

The Exeter Plan recognises the need for safe environments. For example:

Policy H16 states *"New homes must provide safe and healthy living conditions and good standards of amenity for future occupiers. The following factors will be taken into account...g. Security"*.

Policy D2 (Designing-out crime) states that new development proposals will be supported where they demonstrate that crime prevention and creating a safe environment have been effectively integrated into the design of the scheme. Development proposals should:

- *"Be designed with management and maintenance in mind to discourage crime, fear of crime and antisocial behaviour;*
- *Include appropriate, well-designed security features to support passive, safe design."*

In order to comply with ECC's own proposed policy, there is a clear need for policing infrastructure to be in place in order to sufficiently provide for safe and healthy communities for the existing and future residents of Exeter.

Policy IF3 of the Exeter Plan under the heading of 'Infrastructure' seeks to ensure that new development is served by necessary infrastructure. The explanatory text to Policy IF3 refers to the provision facilities such as schools, green infrastructure and community halls, but remains silent towards the provision of police infrastructure. It has been recognised at paragraph 15.4 of the Exeter Plan that DCP is one of the key infrastructure providers/bodies. As such, there should be sufficient regard to the provision of police infrastructure within Policy IF3. It is also essential to the requirement of securing sufficient contributions towards the funding gap for the Police, secured by CIL or planning obligation.

It is critical for the provision of safety and security of communities that Police infrastructure is supported within policy. Policy IF3 is silent on the importance of the Police City Centre station at the Civic Centre in Paris Street, Exeter (Civic Centre) as a base that ensures the safety and security of people when in the City Centre. To ensure the long term provision of policing and police infrastructure whether at the current location at the Civic Centre or another

suitable alternative location within the City Centre, Policy IF3 should have sufficient regard to the provision or re-provision of police infrastructure.

5 (c). Please set out the modification(s) you consider necessary to make this part of the Exeter Plan sound, in respect of any soundness matters you have identified at 5(b) above.

You will need to say why each modification will make this part of the Exeter Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

(Continue on a separate sheet if necessary)

The Police propose a modification to the explanatory text of paragraph 15.18 to include the following wording in bold and deletion:

15.18 *Exeter has ~~a wealth of~~ services and facilities that are essential for the health, welfare, **safety, security**, social, educational, spiritual, recreational, leisure and cultural needs of the community. These facilities include schools, healthcare, **police buildings and other policing infrastructure**, community halls, places of worship, pubs, libraries, space for children's services/community use and youth clubs. The protection of these facilities is of critical importance to our residents.*

The Police ask for a strengthening of this provision and to ensure the sufficient deliverability of police provision and police infrastructure and the sufficient funding resources for a modification to Policy IF3 to include the following wording in bold and deletion as struck out:

IF3: Community facilities (Strategic policy)

*Existing facilities, including buildings and land, that meet community, social, health, welfare, **safety, security**, education, spiritual, cultural, leisure and recreational needs (including Assets of Community value) will be protected, unless it can be demonstrated that...*

*Contributions towards additional or improved ~~education~~ provisions and ~~other~~ community facilities will be sought from residential **and commercial** development proposals where necessary.*

6. Do you consider that this part of the Exeter Plan complies with the Duty to Co-operate?

Yes

No

6 (a). If yes, and you wish to support this part of the Exeter Plan's compliance with the duty to co-operate, please use this box to set out your comments.

(Continue on a separate sheet if necessary)

6 (b). If no, please give details of why you consider this part of the Exeter Plan fails to comply with the duty to co-operate. Please be as precise as possible.

(Continue on a separate sheet if necessary)

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

7. If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.
(Continue on a separate sheet if necessary)

8. If you would like to make representations on the Habitats Regulation Assessment (HRA) please provide your comments here, stating to which part of the HRA your comments relate.
(Continue on a separate sheet if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

9. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Yes

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

10. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

(Continue on a separate sheet if necessary)

The Police wish to have the opportunity to participate to be able to provide comments on the amendments proposed and address any issues directly.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

For more information on how we use your data – please read our privacy notice at the following website: <https://exeter.gov.uk/media/5750/planning-policy-privacy-notice.pdf>