

Draft Supplementary Planning Guidance – Crime Impact Statements

CONSULTATION FINDINGS AND RESPONSE

A) Numerical response to questionnaire

Questions	Strongly agree	Agree	Don't know	Disagree	Strongly disagree	No answer
1. Designing out crime and designing in community safety should be central to the planning of new development.	4			1	2	
2. Crime impact statements have an important role to play in helping to ensure that relevant crime prevention measures are addressed in the design of development proposals.	3	2		1	1	
3. There is a need for planning guidance on crime impact statements.	2	2		2	1	
4. The form of the planning guidance is clear and easy to understand and use.	2		2	2	1	
5. The proposed indicative categories of development, which are likely to require a crime impact assessment, are appropriate.	1	4		1	1	
6. The proposed indicative thresholds of development, which are likely to require a crime impact assessment, are appropriate.	2	2	1	1	1	
7. The suggested content for crime impact statements is appropriate.	3	1	1	1	1	
8. Applicants must take responsibility for providing crime impact statements where required.	1	2			3	1
9. The crime impact statement should be produced by a competent individual or organisation.	2	3	1		1	
10. The Crime Reduction Officer (States of Jersey Police) should be consulted for crime prevention advice at an early stage in the design process.	2	2	1	1	1	

B) Response to representations received with the questionnaire returns

No.	Responder	Representations / comments	Officer Response	Minister's Decision
1.	Mike Waddington	<p>Under para.7.1 the typical design solutions seem to point to gated communities being the answer to housing developments and that CCTV will become the new standard response to crime. I do not want to see either of these become the norm for Jersey, but I think that developers will take the easy option to satisfy these requirements and so this would be the outcome I would expect based on this proposition.</p>	<p>Do not agree.</p> <p>Para 7.1 states: <i>"Crime impact statements should include an explanation of how existing and potential crime and disorder issues have been addressed and demonstrate how established and well tested principles of 'designing out crime' have been taken into account in the preparation of development proposals."</i></p> <p>The statement does not mention gated communities or CCTV and there are no grounds for thinking this will become a standard response to crime.</p> <p>The prevention of crime and enhancement of community safety in new developments are laudable objectives, which can be largely addressed through good design and planning in a positive way that creates attractive environments and avoids any need for gated communities and CCTV.</p> <p>There are sources of information referred to in the advice note, which provide details of design principles for crime prevention and best practice. It is also envisaged that this guidance will soon be supplemented by a new advice note on 'Design for homes'.</p> <p>Typically, design solutions to discourage crime, will relate (among other things) to creating places which:</p> <ul style="list-style-type: none"> ▪ include well-defined routes that allow for convenient movement of people without compromising security; ▪ avoid conflicting / incompatible uses; ▪ ensure publicly accessible spaces are overlooked by introducing opportunities for natural surveillance; ▪ introduce clearly defined 'public' and 'private' areas; 	No change

			<ul style="list-style-type: none"> ▪ encourage appropriate levels of activity in the public realm at different times of day; ▪ allow for good management and maintenance of the public realm. <p>The use of CCTV is often an emotive and contentious issue and in certain locations such measures can be regarded by many as intrusive and a restriction on personal freedom. This will no doubt lead some to recall George Orwell's 'Big Brother is watching you' slogan.</p> <p>However, there may be a legitimate role for CCTV cameras in certain new developments, particularly in crime sensitive areas, and each case will need to be considered carefully on its merits. This should <u>not</u> be considered as an alternative to getting the design right. That said, CCTV can sometimes be used retrospectively to compensate for poor design.</p>	
2.1	Anonymous	Good design should be central to the planning of new development and crime impact ancillary.	<p>Do not agree. Good design should be about creating attractive places where people want to live, work and enjoy themselves. To achieve good design and better places, designers need to think in a holistic manner from the outset. They must consider all aspects of design and not emphasise a few aspects at the expense of others.</p> <p>Island Plan policies SP7 (Better by design) and GD7 (Design quality) serve to emphasise the many components that need to be addressed to achieve high quality design, including designing out crime and facilitating personal safety and security.</p> <p>Crime prevention is an important issue to consider as part of the design process, to help in creating a safe and secure environment and so improve quality of life. It shouldn't be treated as an ancillary bolt-on consideration, otherwise it will be ineffective, or the development proposals will require major revisions to create environments that are attractive and secure.</p>	No change

2.2		Jersey-relevant guidance should be produced, not UK derivatives.	<p>Do not agree. It makes perfect sense to make use of best practice elsewhere and to refer to relevant UK guidance documents, which are evidence-based and promote principles and lessons that are transferable to the Island context.</p> <p>The principles put forward in, for example, 'Safer places' or 'Secured by design', are equally applicable to Jersey.</p> <p>Any attempt to 'reinvent the wheel' in this regard would be unnecessary and unjustified duplication and a considerable waste of resources.</p>	No change
2.3		Until the Minister's "Design for Homes" SPG (long overdue) is available, the CIS SPG should not be implemented.	<p>Do not agree. The latest version of the draft 'Design for homes' is likely to be released shortly. Although it will contain guidance on 'security and crime reduction', this is not a reason for delaying the implementation of the guidance on Crime impact statements.</p> <p>Crime impact statements are a requirement now, as set out in approved Island Plan policies GD1 and GD7. It is important, therefore, that clarification is provided on when they are required and what they should contain.</p> <p>Furthermore, there is plenty of sound guidance available on best practice in designing for safety and security in new developments, which is available from the Crime Reduction Unit and key reference documents referred to in the CIS advice note.</p>	No change
3.1	Anonymous	<p>Would such a statement have:</p> <p>a) prevented the development of the Town Park? b) prevented the bullying reported on the Town Park?</p> <p>c) prevented the assaults reported in the Town Park?</p> <p>d) prevented the anti-social behaviour in the Town Park?</p>	<p>The development of the town park was driven by a States' agreement and the inclusion of the proposed park in the North of Town Masterplan. The planning application process and any associated Crime impact statement would only have an influence on the design and layout.</p> <p>A CIS could have flagged up the risks of crime and disorder for such a use in such a location and identified design solutions to minimise the vulnerability to crime, as far as practicable, bearing in mind site constraints and other design objectives. Indeed, recommendations on crime prevention by the States of Jersey Police were submitted and</p>	No change

			<p>acted upon as part of the planning application process.</p> <p>To be most effective, however, the Crime impact statement would have needed to be drawn up earlier in the design process.</p> <p>Whether the current degree of anti-social behaviour in the specific case of the Town Park would have been prevented is open to conjecture, especially given the limitations of surveillance from surrounding buildings in the evenings.</p>	
3.2		Will this statement increase the amount of unnecessary paperwork required by Government?	<p>It is not accepted that CISs will increase the amount of unnecessary paperwork. The States of Jersey has approved an Island Plan which highlights the importance of designing out crime and facilitating personal safety and security in new developments. This is considered important in ensuring the creation of well-designed places where people feel safe and secure. To this end, the approved policies require the submission of Crime impact statements where appropriate. The guidance places limits on when a CIS is required and this will involved a relatively small proportion of applications.</p>	No change
3.3		Will it require additional staff in the Civil Service?	No	No change
3.4		Will it make jobs for retired Police Officers to act as 'competent individuals'?	<p>It does not follow that an individual competent to prepare a CIS needs to be a former Police Officer. It could just as easily be an architect. In any event, it needs to be a person who has the necessary knowledge and ability to:</p> <ul style="list-style-type: none"> ▪ understand the crime and disorder issues involved; ▪ assess how to address them through well-tested design principles; and ▪ clearly explain the issues and proposed solutions in an evidence-based crime impact statement (i.e. which reflects the format included in the draft SPG). 	No change
3.5		Will it have any useful effect?	Yes. See earlier comments.	No change

3.6		Can we legislate out “perception and perceived danger”?	<p>The fear of crime can have a corrosive effect on individuals and communities and have a negative impact on quality of life. It is real and affects behaviour and social life. People not only need to be safe, but they need to feel safe. There are numerous ways to reduce the fear of crime (e.g. community policing). Land use planning has a part to play in this, by helping to create well-designed and safer new developments, through the sort of design solutions addressed in the answer to question 1 above. Not only can such solutions positively affect the perceptions of residents and users, they can also increase the perceived risks for potential offenders.</p>	No change
3.7		Will the Planning Department carry out a cost benefit analysis?	<p>The department does not consider that a cost benefit analysis is warranted.</p> <p>Current planning policy simply requires that the design process for new development incorporates the principles of designing out crime to make places safer (among many other factors). This is about good design. Good design and layout can make crimes more difficult to commit, increase the likelihood of detection of criminal activity and improve public perceptions of safety. It is held that factoring crime prevention measures into project designs need not increase costs (although it does require some thought and imagination). Any costs that are incurred are likely to be outweighed by the benefits.</p> <p>Indeed, designing out crime at the start where the design can influence choices and behaviour makes sense financially and is cost effective in the longer term. Once a development is complete the opportunity to incorporate effective crime prevention is lost. Any costs associated with correcting or managing badly designed developments to achieve effective crime prevention (as an add-on) will then be much greater.</p>	No change
4.1	K. Shaw	Strongly agree that making designing out crime and designing in community safety central to the planning of new development <i>“makes commonsense and is pro-active – must include site security though!”</i>	<p>Support noted.</p> <p>It is recognised that building sites can be a target for thieves and that adequate security measures need to be taken to reduce the risk. This is not, however, a land use planning matter.</p> <p>Developers should seek advice, as necessary, from the Police Crime</p>	No change

			Reduction Unit.	
4.2		Agree that crime impact statements have an important role to play in helping to ensure that relevant crime prevention measures are addressed in the design of development proposals, because it <i>“proves that forethought has taken place – and can be monitored”</i> .	Noted	No change
4.3		Agree there is a need for planning guidance on crime impact statements because <i>“expert guidance –previous experience etc.”</i>	Noted	No change
4.4		The form of the planning guidance <i>“looks ok...may require more specific detail”</i> .	Noted. More specific detail regarding the principles of crime prevention is available from the Crime Reduction Unit and key reference documents referred to in the CIS advice note. It will also be included in forthcoming supplementary planning guidance (including the draft ‘Design for homes’).	No change
4.5		Agree that the proposed indicative categories of development, which are likely to require a crime impact assessment and the suggested content of crime impact statements <i>“look ok at this time. –need to be reviewed on a regular basis + look back at other projects”</i> .	Noted. It is the intention to regularly monitor the performance of planning policies and supplementary planning guidance.	No change
4.6		<i>“Issues (Crime Prevention) need to be designed in, not bolted on. Too many examples of developments having problems after being built. Carlton</i>	Noted. It is agreed that crime prevention measures need to be incorporated into schemes from the start of the design process. See response to	No change

		<i>Flats + flats in La Motte Street – both are too easy to gain entrance, even though they appear secure!!!</i>	comment 2.1.	
4.7		Strongly agree that the crime impact statement should be produced by a competent individual or organisation, but <i>“define competent – a named person with a professional qualification for later liability check!!”</i>	Noted. See response to comment 3.4.	No change
4.8		Strongly agree that the Crime Reduction Officer should be consulted for crime prevention advice at an early stage in the design process, because: <i>“at this time, he/she will have more access to local knowledge re relevant issues”</i> .	Noted	No change

C) Response to comments from key consultees

No.	Consultee	Comments	Officer Response	Minister's Decision
1.	Crime Reduction Officer (States of Jersey Police)	"I have read the document and am very happy with the content"	Support welcomed.	No change
	Crime Reduction Officer	He advised of a new interactive Secured by Design tool, which is publicly available and intended to be used alongside the Secured By Design New Homes 2010 document.	Reference will be made to this in the forthcoming guidance on 'Design for homes'.	No change
2.	CO, Home Affairs	No specific comments have been made, although he advised he would bring the SPG to the Police's attention.	No comment	No change
3.	Environment Scrutiny Panel	No comments received	No comment	No change
4.	Parish of St. Helier	The matter was discussed by the Roads Committee. They have no comments to make, but <i>"are pleased to support the supplementary planning guidance"</i> .	Support welcomed	No change
5.	AJA President	No comments received from the Association, but the President circulated the SPG to individual AJA Members. Prior to this, he drew attention to para. 8.2, which states	The president was advised that a "competent individual/organisation is simply meant to refer to a person or body that has the necessary knowledge and ability to: <ul style="list-style-type: none"> ▪ understand the crime and disorder issues involved; 	No change

		<p><i>“The statement itself should be produced by a competent individual / organisation”. He queried;</i></p> <ul style="list-style-type: none"> ▪ <i>whom the Department will accept as a competent individual/organisation? and</i> ▪ <i>what will be the criteria for such being deemed to be competent?</i> 	<ul style="list-style-type: none"> ▪ assess how to address them through well-tested design principles; and ▪ clearly explain the issues and proposed solutions in an evidence-based crime impact statement (i.e. which reflects the format included in the draft SPG). <p>It is thought that most AJA members could be described as competent in this regard. Most should be aware of the principles of designing out crime, which now need proper consideration as a built-in requirement of Island Plan policies GD1 and GD7. These principles are currently promoted by the Crime Reduction Officer and are expressed in certain key documents, including, most notably, ‘Safer Places: the planning system and crime prevention’ (2004), ODPM.</p>	
6.	Jersey Construction Council	No comments received.	No comment	No change
7.	Jersey Chamber of Commerce	No comments received	No comment	No change
8.	CO Transport and Technical Services	No comments received	No comment	No change
9.	Development Control	Queried whether the Crime Reduction Unit should receive a weekly applications list to scan for any proposals it may wish to comment on (in addition to applications requiring a crime impact statement).	The Crime Reduction Officer has confirmed that he would be happy to receive a weekly applications list.	No change
	Development Control	Queried in relation to para. 6.1 whether crime impact statements should be required for <u>all</u> proposed	The Crime Reduction Officer is of the opinion that it will be simpler and easier to require crime impact statements for all developments involving the sale of food and drinks for consumption on the premises.	No change

		developments involving the sale of food and drinks for consumption on the premises (i.e. cafes and restaurants), or perhaps just those that are open at night and sell alcohol).		
	Development Control	Queried in relation to para. 6.1 whether there is a need for a size limitation for takeaways.	The Crime Reduction Officer considers it would be simpler not to require a size limitation for takeaways, <i>“but include all applications”</i> .	Omit from para. 6.1, seventh bullet point the following: <i>“(greater than 100m²)”</i>
	Development Control	Queried in relation to para. 6.1 whether the threshold requiring crime impact statements for proposals in <i>‘known crime sensitive areas’</i> should be made more specific.	The Crime Reduction Officer acknowledges that the phrase is wide ranging and considers this is <i>“more useful as a non-specific term, which can cover many different types of vulnerable areas which could be susceptible to crime”</i> .	No change