

Planning Reform for the Emergency Services (England only)

Research Study – What Infrastructure Mitigation has the Police Service Received from Section 106 Agreements and the Community Infrastructure Levy?

Explanatory Note and Request for Survey Responses: 02 May 2025 Deadline

Summary

For some time, the police and other emergency services have been seeking to draw the Government's attention to the fact that the English planning system fails to recognise their critical role. This is because they are not defined in national legislation, regulations or planning policy as infrastructure providers. It means it is very difficult for them to access monies for infrastructure mitigation from the two mechanisms the English planning system utilises for this – Section 106 agreements and the Community Infrastructure Levy. The amount being missed out on is consequently very significant.

The Home Office has requested that a study be done to establish what the police and other emergency services have received from the two mechanisms to date. The information gained will be used to propose reforms/actions in this area. Hence a survey requesting this data from Forces is taking place, running until 02 May 2025, to establish how much money has been awarded to date. It is anticipated that for most Forces the answer will be nothing, but this is just as important to verify as any monies that have been awarded. **Appendix 1** below contains the link to the survey.

1.0 Introduction

- 1.1 New development, e.g. housing, inevitably places additional demands on the police, fire & rescue and ambulance services. These are manifested not just in terms of the volume of calls, but also the requirements for 'blue light' buildings, vehicles, equipment and other infrastructure required to serve the new development schemes during their lifetime.
- 1.2 Under the existing planning system in England there are two mechanisms by which financial and other mitigation is given to infrastructure providers - Section 106 agreements and the Community Infrastructure Levy (CIL). The former is a legal agreement between a local authority and a developer that is used across England, whilst the latter is an optional set-charge levied by some local authorities nationally on certain developments. However, the emergency and rescue services face very significant challenges in gaining access to funds distributed by these mechanisms and so it is known that in most cases they are unsuccessful.
- 1.3 Whilst Section 106 agreements raise circa £6billion each year across England, the police and other emergency services receive almost nothing. The Section 106 system started in 1990 and when the last national survey in 2022 was undertaken by the Association of Police and Crime Commissioners (APCC) and the National Police Estates Group (NPEG), England's police, fire & rescue and ambulance services had received only a combined total of circa £25.4m over 32 years.

- 1.4 The outcome under the Community Infrastructure Levy (CIL) is no better. That system raises circa £500million annually for infrastructure, yet England's emergency services have received only a combined meagre circa £1.5m over 12 years since the CIL system started in 2010 (as of the last national survey done in 2022).
- 1.5 As a consequence the emergency services must fund the infrastructure required by new development schemes from their existing budgets. This means diverting funding from established communities and diluting operational coverage across the entire area covered by the 'blue light' service in question. It is precisely the kind of negative impact that the planning system is supposed to avoid but instead is happening continually across England.

2.0 Discussing the Issue with Government

- 2.1 The leads of the emergency services wrote to Matthew Pennycook MP, the Minister for Housing and Planning, asking for a meeting to set out the issue and see whether the Government's Planning and Infrastructure Bill might include provision to address it. They also asked for this to be addressed in the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG). His initial response did not address the requests specifically, but he has agreed to a meeting with the leads of the emergency services (date to be confirmed at the time of writing).
- 2.2 Separately, APCC Chair Emily Spurrell and NPCC Chair Gavin Stephens wrote to Dame Dianna Johnson DBE MP, Minister for Policing, Fire and Crime Prevention, seeking her support. A meeting was held with the Minister on 12 March 2025. **The result of which was that the Minister expressed her support for the requests of the emergency services.**
- 2.2 At the same time the Home Office have set up the Commercial Efficiencies Project Board. This is to respond to the Government's manifesto commitment to make commercial efficiency savings to help invest in priority areas, such as neighbourhood policing. One of the workstreams is cost recovery and making progress with the emergency services having greater access to developer contributions falls into its scope.
- 2.3 Whilst Home Office officials are supportive of the emergency services resolving this issue, they have requested fresh data on what the 'blue light' services have received from Section 106 agreements and CIL in England. This will inform discussion of future reforms needed in this area.

3.0 Information Request

- 3.1 During 2022 the APCC and NPEG jointly gathered information on the extent to which Forces had been able to acquire developer contributions (via Section 106 agreements and CIL). The Home Office has now asked APCC, NPCC and NPEG to update that information and so we are together approaching Forces for that information. Your support would be gratefully received. Please see the enclosed **Appendix 1**, which sets out precisely what is being asked for.
- 3.2 In due course we would like to work in partnership with a selected sample of Forces (details to be confirmed at a later date) to better understand what their challenges have been in this area, in order to determine how much they think they might have been entitled to if they were to fully address the pressure on resources that new developments result in. That information will then be used to extrapolate what this means for England (as planning in Wales, Scotland and Northern Ireland is devolved). If you want to ensure that you are included in that sample do let us know.

Appendix 1

We are working with the Home Office to explore whether the planning system can provide additional funding towards policing infrastructure. This subject is important because of the increasing challenges of meeting the funding requirements being generated by development growth nationally.

The Home Office have requested data to inform the on-going dialogue and to assist with identifying potential solutions. The precise questions that all Forces in England are requested to respond to are:

Section 106 Agreements

1. Has your Force requested Section 106 money?
2. In total, how much Section 106 money has been approved for your Force by local authorities within your Force area since the Section 106 system started in 1990?
3. In total, how much of the amount approved above was received into your Force's bank account?
4. How much of the amount in Q3 above has been spent by your Force in total?
5. Has your Force received any other contribution types under Section 106 agreements (other than money and not including Secured by Design)? Please provide details.

Community Infrastructure Levy (CIL)

1. Has your Force requested CIL money?
2. In total, how much CIL money has been approved for your Force by local authorities within your Force area since the CIL system started in 2010?
3. In total, how much of the CIL amount approved above was received into your Force's bank account?
4. How much of the amount in Q3 above has been spent by your Force in total?
5. Has your Force received any other contribution types under CIL (other than money and not including Secured by Design)? Please provide details.

The reasoning behind Questions 3 and 4 in relation to Section 106 agreements and CIL is because there will likely be a time lag between funding being awarded and received. It is important to understand the extent to which this is occurring, as this will enable comparison with the experiences of other types of infrastructure providers. This in turn will inform discussions of reforms in this area.

Replies to the questions should be made by **02 May 2025** via the following link:

[Section 106 Agreements and Community Infrastructure Levy \(CIL\) Survey \(England only\)](#)



For any general enquiries about this request please contact:

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