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BRITISH TRANSPORT POLICE**

REPORT TO: Strategy, Budget and Performance Monitoring Committee
DATE: 6 February 2009
SUBJECT: Custody Provision
SPONSOR: Deputy Chief Constable
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1. PURPOSE OF PAPER

- 1.1 To update the Police Authority regarding the current initiatives to increase custody facilities within British Transport Police (BTP).

2. BACKGROUND

- 2.1 Members will recall previous briefings highlighting the operational drivers for increased custody provision to support the priorities within the Strategic Plan.
- 2.2 The wider implementation of Neighbourhood Policing Teams, an emphasis of tackling Anti-Social Behaviour, bringing more offenders to justice, and improving detection rates promote a policing approach where the need for custody facilities is increasing.
- 2.3 Outside of the London Areas, BTP has limited cell space available within the estate. Manchester operates 2 cells in a modular structure. These cells are non-designated, meaning detainees can only be held for a maximum of six hours.
- 2.4 Liverpool has three non-designated cells which are no longer operationally viable due to access restrictions caused by station redevelopment. The three cells at Birmingham were recently closed as they are unable to comply with national guidelines for the safe handling of detainees. Elsewhere, officers make use of local force custody facilities.
- 2.5 Within the London Areas there are currently 14 designated cells (allowing detention over six hours) and a further 9 non-designated cells.

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2.6 In the Greater London area during 2007/8 approximately 20,000 detainees were arrested by or on behalf of BTP. Around 50% were dealt with in BTP Custody Suites. The remainder were processed in local force custody suites.

2.7 The negative aspects of taking detainees elsewhere than BTP facilities are :

- Loss of supervision and quality assurance of investigations.
- Loss of focus on BTP priorities when considering case disposal.
- Extended abstraction periods for front line staff and resultant loss of visibility.
- Excessive demand on local force facilities generates significant waiting times and results in officers searching for cell space.
- Propensity for BTP prisoners to be afforded lower priority.
- Increasing debate about the cost of providing custody facilities to BTP and the potential to seek payment.
- Fostering of a 'non-arrest' culture in BTP officers who regard the above as disincentives.

A number of predicted increases in operational requirement are expected to exacerbate the situation.

Taking all of these factors into account BTP is pursuing opportunities to increase internal cell capacity at key locations to support current and future demand.

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- 2.8 The strategy to delivery this increased capacity includes a number of approaches:
- A. Modernise existing facilities and seek to 'designate' so they are able to hold detainees beyond 6 hours
Plans are progressing at West Ham and Wembley Custody Suites, increasing capacity in the East & West of London. It is anticipated that these facilities will become operationally available in July 2009. London Underground Area have secured budget for these projects through the London Underground investment programme. Use of the premises will be according to operational need and special initiatives and it is not envisaged they will operate on a 24 hour basis. The revenue implications are factored within the existing Area budget.
 - B. Seek opportunities to provide custody facilities outside London in strategic locations
Liverpool Custody is being relocated and brought up to the required standard. Plans for the new Birmingham New Street accommodation include custody provision.
 - C. Increase cell capacity in London where demand is anticipated to increase most
The Authority has previously supported proposals to increase custody facilities through the capital programme. Initial proposals included the development of a new custody facility in North London, and increasing existing capacity at Ebury Bridge. The budgetary impact of these projects was initially projected at £3m capital and £1.4m revenue.
- 2.9 The Authority will be aware that a favourable lease break arrangement with the landlord of current premises at Central Street has enabled the acquisition of premises at Blundell Street in North London. Several options for additional use of these new premises were considered, including as a potential location for the proposed 20 cell custody facility.

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- 2.10 However, more detailed exploration of the specific characteristics of the property identified that implementation of the custody facilities at that location would be unusually more costly than elsewhere.
- 2.11 In addition, detailed planning of the facility against the strict standards in the statutory guidance for the safe handling of detainees led to a revision of the projected overall costs. This put the estimated capital cost at £6.5m, which could not be accommodated within the capital programme.
- 2.12 As a result, further evaluation was carried out which identified alternative locations and design opportunities that can be provided more economically.
- 2.13 By exploring developments in custody provision by other forces and bodies around the country, BTP has identified the opportunity to utilise a modular cell construction that is built off site. The costs of this approach are in the region of 50% less than would have been required at Blundell Street. The modular approach is also able to be brought into operational use much more rapidly.
- 2.14 These options have been further developed and a detailed business case has been prepared (copies can be provided to Members). It is proposed to site a modular structure on a site in Brewery Road, close to London North Area HQ, providing important proximity that will enable the facility to be maximised operationally. It is anticipated that the facility can be in operational use by November 2009.
- 2.15 To develop the proposals fully, a number of providers have been engaged in site visits and are currently producing detailed tender submissions. These will be evaluated in early February.

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- 2.16 Concurrently, negotiations are under way with the landlord of the premises (who also owns the Blundell Street property) and engagement with the Local Authority regarding planning consent.
- 2.17 Elsewhere, a review of the existing London South custody provision has highlighted opportunities to enhance the existing estate at Ebury Bridge, thereby maximising its operational effectiveness.
- 2.18 An evaluation is also being undertaken to further assess the demand profile and the operational impact the new North London facility will have. Dependant on those findings there may subsequently be an opportunity to develop a similar modular approach in South London should the operational need dictate. These would be subject to business case approval.
- 2.19 Potential also exists to explore smaller scale modular facilities outside London, should that be felt operationally necessary and an appropriate business case developed.

3. FINANCIAL IMPLICATIONS

- 3.1 Provision of £3.5m for the revised custody enhancements in London North has been included in the draft capital programme for 2009/10. The revenue implications have been factored into the MTFP with part year costs of £0.845m in 2009/10, building to full year running costs of £1.229m in 2010/11.

4. DIVERSITY ISSUES

- 4.1 The Authority has developed arrangements with the Independent Custody Visitors (ICV) scheme to provide inspection oversight at BTP custody suites. These will need to be amended to cover the new facility and the enhanced operational hours of West Ham and Wembley Park.



5. RECOMMENDATIONS

- 5.1 The Authority notes the overall strategy to enhance custody capacity.
- 5.2 The Authority agrees the proposals for the North London Custody facility at an estimated capital cost of £3.5m.
- 5.3 BTP's custody team work with the Authority to further develop the arrangements for ICV coverage.