

The decision in *R v MOPAC ex parte Kohler*

Last July the High Court quashed the decision by the London Mayor to close Wimbledon police station in a ruling that was critical of his entire consultation into the closing of all 37 police stations across the capital.

In their judgment, Lord Justice Lindblom and Mr Justice Lewis stated that:

"The consultation process in this case was not conducted well. Both the content and the structure of the consultation document were unsatisfactory. It was markedly less helpful than such documents should be if they are to achieve their purpose in informing a decision on a matter of great significance for a large number of people – here the entire population of the metropolis. The internal documents prepared for meetings had omissions and contained errors. The summary of the consultation responses was not adequate. That is all the more surprising given the importance of the issue – policing and public safety in London."

With regard to Wimbledon police station, the High Court held that MOPAC had failed to properly consider the submission of Merton Liberal Democrats that it was premature to take a decision to close the police station, and that any decision to do so should be postponed pending an evaluation of the impact of new technology. In the opinion of the Court this was a material matter and the failure to consider it amounted to a clear error of law. In their judgment Lord Justice Lindblom and Mr Justice Lewis concluded: **"The decision to close the Wimbledon police station is... unlawful and cannot be allowed to stand."**

Merton Liberal Democrat submission
regarding the proposed closure of
Wimbledon Police Station

1. We are writing to give our views on the specific proposal to close Wimbledon Police Station contained within the *Public Access & Engagement Draft Strategy for Consultation* after a number of us attended the public meeting held on Tuesday 26 September addressed by the Merton Borough Commander, Steve Wallace and the Deputy Mayor for Policing & Crime, Sophie Linden. In brief, whilst we recognise that the Mayor of London is not responsible for the Conservative Government's decision to withdraw some £1 billion of funding from the Metropolitan Police budget, we believe his current proposal to close Wimbledon Police Station to help address this shortfall to be absolutely wrong. It is our firm view that the planned closure represents a short sighted and unimaginative response to the problem, which underestimates our police station's practical and symbolic role at the heart of our community.
2. Whilst we support the general thrust of the strategy document, to improve the MPS's on-line provision in respect of both the reporting and handling of crime, we strongly believe it is premature to make irreversible decisions with regard to the fabric of the MPS estate prior to establishing whether, and to what extent, the expected efficiencies will be realised. Although the provision of tablets and integrated software are a long overdue improvement, there is a danger of overestimating the amount of additional time this will free up to be spent on patrol. We foresee obvious practical difficulties in dealing with on-going matters via tablets, whilst officers are on the beat or in patrol cars, and suspect they will still use the station, a hub or some other place with a table and chair to do much of the work that subsequently arises in a case; even if the plans to institute on the spot filing of the initial crime report are successful. Officers will also need to return to the station for a variety of other reasons including team meetings and briefings, interviewing suspects and witnesses, not to mention the critical need for members of a team to interact in person and not just digitally. In short whilst we agree that the provision of new technology is likely to improve efficiencies, it is doubtful whether it will have as dramatic an effect as the consultation document seems to imply, in increasing the amount of time officers will spend in the community.
3. We welcome the more robust approach planned in prioritising the ward responsibilities of Designated Ward Officers and recognise the logic of instituting DWO hubs normally within 20 minutes walk of the officers' wards. However it is clear from the consultation document that the hubs will only be operational bases and not somewhere to which the public will have access, nor provide the much needed symbolic assertion of safety within the heart of our community. The document suggests that the accompanying Community Contact Sessions will increase contact between the DWOs and the community but is deliberately vague as to

their location and frequency. Although we recognise why a "light-touch" is being taken in this regard we have little confidence that Community Contact Sessions will represent any great improvement on the, now discredited, Contact Points, as it will be difficult to extend their reach much beyond the subset of the community who already use the space in which particular sessions are held. We wonder whether a better approach might be to combine the DWO hubs and Community Contact Sessions by situating the hubs in some of the currently vacant shop premises across the borough. Given the prominent location of high streets and shopping parades this will give DWOs easy access to their wards, whilst providing a visible police presence at the heart of the community and an easily accessible and advertised location in which the Community Contact Sessions might be held.

4. Whilst efforts to improve community policing are welcome, these should not come at the expense of failing to maintain an effective response to emergencies. Merton currently exceeds the MPS average in attending to over 90% of 'immediate' grade 999 calls within 15 minutes. This shows that the current configuration works, despite the fact that, in the words of the Borough Commander, "it's challenging [for the police] to get across the borough" particularly as he thought that more emergency calls were probably generated within Mitcham (although it is noteworthy that no actual analysis seems to have been completed on this point). It has been asserted that closure of Wimbledon Police Station will consequently not negatively impact response times, particularly because the police are normally already on patrol when an emergency arises and, with the advent of tablets, the time officers spend out of the station is expected to increase. We have already expressed our qualified scepticism regarding the latter assertion and think the proposal also fails to appreciate that the borough's major pinch points, where back up is invariably sought directly from the police station, are all in Wimbledon, including: the Broadway's large night time economy; one of London's busiest transport hubs; the 40% of borough businesses within 0.5 miles of Wimbledon Police station; and the Wimbledon Tennis Championships.
5. Although the strategy document places great emphasis on maintaining a 24/7 front counter in every borough it offers no argument, beyond the financial, as to why Merton's should be removed from its current location. To relocate the front counter from the heart of Wimbledon, near the centre of the borough, to the outskirts of Mitcham, in the south of the borough, is clearly not a practical solution for it will be far more inaccessible, particularly for those travelling by public transport. Admittedly the use of front counters appears to be in decline, but given the political decision to maintain one in every borough it makes little sense to then place Merton's in a comparatively isolated and inaccessible location. It consequently seems highly unlikely that the Mitcham 24/7 front counter will be as well utilised as the current one, as further evidenced by the document's own figures on crime reporting, which show that the Wimbledon front counter is currently 4 times busier than

4

Mitcham's; a divergence that cannot simply be explained by longer opening hours.

- 4
6. We submit that the strategy document's proposals in respect of Merton provide a simplistic analysis that reduces a complex issue to a binary choice between Mitcham and Wimbledon with the decision to retain the former based solely on financial criteria with no detailed analysis of operational needs and buttressed by untested assertions regarding the efficiencies to be derived from new technology. As Michael Fuller, the former Chief Constable of Kent noted at the public meeting, the proposal shows scant regard for maintaining public confidence in the police, nor does it appear to consider future needs and pinch points in the borough, most of which will arise in and around Wimbledon town centre. These include Crossrail 2, the return to the borough of AFC Wimbledon, the anticipated growth in Wimbledon's night time economy, and the increasing terrorist threat (which often centre around transport hubs, as seen in the recent Parsons Green bombing, where the arrested suspect boarded the tube at Wimbledon).
 7. In light of these complexities, and doubts over the unproven assumption that a single police station is appropriate in Merton, any decision to close Wimbledon Police station should be postponed in favour of an, evidence based, analysis of current and future policing needs throughout the borough. The Mayor's Office for Policing & Crime should then come forward with a range of proposals including: the redevelopment (and partial sale) of the Wimbledon site to include the possibility of a smaller police station being retained on Queens Road; a similar analysis regarding Mitcham; relocation of one, or possibly both stations, to a cheaper location, for example, around the Plough Lane or Dear Park Business/Industrial parks; the introduction of DWO hub/shops; and the development of some form of Wimbledon based super hub with a (possibly 24/7) front counter, as envisaged by the Borough Commander when addressing the Council's Overview & Scrutiny Commission and at the public meeting.
 8. Merton currently has one of the lowest crime rates in the MPS area with excellent relations between the police and the various communities that make up our community. This has given the residents of Wimbledon great confidence in their police force and we draw immense comfort from having a station situated in the midst of our community, as evidenced from the enclosed Lib Dem petition, that something approaching 2000 residents have already signed, with more signatures being added daily. It would consequently be a grave mistake to risk all that, by irreversibly changing a successful model on little more than assertions and hunches, without a thorough, evidence based analysis focused specifically on the needs of Merton.

Paul Kohler
On behalf of Merton Liberal Democrats

5

**London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX**

Dear Sir

I am writing to you on behalf of the Merton Park Ward Residents' Association (MPWRA) in response to the survey organised by MOPAC to assess public reaction to their **Public Access and Engagement Strategy**. MPWRA have some 450 member households in the ward, representing more than 1000 adult residents.

This is a very lengthy survey which combines many issues, both strategic and tactical. We doubt that many residents will be able to complete the survey due to its length and complexity. This is unfortunate as all the issues covered are important but they will not receive the attention they deserve because of the sheer size of the survey. For our part, we wish to concentrate on the critical issue of the proposed closure of **Wimbledon Police Station**, easily the closest to our ward.

We wish to make the following summary points:

1. All the **feedback** MPWRA have received from our ward residents **rejects the closure**.
2. Wimbledon Police Station is located at a **major transport hub** - As a transport hub and with its location in the centre of a major town, the police station is a key aspect of our police presence in the borough in practical terms. The front counter at the station is not the only activity that happens at the station but it is the only one which is highlighted in the draft strategy. There are several other police activities which the station can fulfil. If it is MOPAC's view that for security reasons it would be impossible to locate any other activities at the station this calls into question whether police could be located at other, more remote locations to bring them closer to the public.
3. The Police Station is also part of the **reassurance** the Met is trying to provide. It is a potent symbol of police activity in its own right and a means of projecting a visible police presence. Police and residents have long debated and looked for ways to reassure the public that they are safe and that they are being looked after. Hence the repeated calls for "bobbies on the beat". But the physical presence of the police station is another very important signal that policing is in progress. The large and growing number of signatures objecting to closure are a testament to this feeling.
4. Wimbledon Police Station also acts as a **focus and meeting place** where police come together with a chance to exchange views and build a common identity and morale. The long-term impact, on morale and cohesion, of police spending the large majority of their time separated from their colleagues should be considered

- 6
- 6
5. The **proposed 'contact points' offered to replace police stations have not proved successful** - The questionnaire tells us that MOPAC want to open 150 Hubs around London. But MOPAC admit that people just don't come to these Contact Points! They are proposing as an alternative that there should be Community Contact Sessions even before the Hubs are opened. It is not at all surprising to us that hubs and contact points are not much used. It has been our experience with our residents that people do not want to bother with the police until a crisis arises, at which point they want instant access. To MPWRA, the implication is clear: MOPAC should maintain a physical police station presence and increase community contact sessions (at community venues with no additional cost to the police). In Merton, the police routinely attend all of the Community Forum Meetings in the several centres (Wimbledon, Raynes Park, Morden, Colliers Wood and Mitcham). They also attend numerous residents' association meetings such as our own monthly meetings.
 6. The proposal of Hubs emphasises that **other costs would be incurred as a direct result of Wimbledon Police Station closure**. Nowhere in the MOPAC Strategy document are these offsetting costs presented. The proposed closure of the police station would enable MOPAC to realise a **capital** gain on the sale of the property. But the cash constraints MOPAC faces are a lack of **revenue-spending**. One cannot finance the other. In any event, a number of other costs will be incurred if more devolved police positioning is introduced. The net revenue cost saving should be considered.
 7. If the objective is to improve Met finances now and into the future it seems wrong that an **outright sale is the only option considered**. There are several potentially attractive alternatives. For example, there is the potential to develop by sale or lease the land around the Station building whilst retaining the building itself. Similarly, the front office and some key services could be retained, while the rest of the building could be reconfigured, providing a financial return. If the whole Station building were to be leased out, the police could realise an income indefinitely, while providing an option to be recovered into use by the service if/when in future it is deemed the right approach. In our borough, the rental income generated from Morden House (within Morden Hall Park) to the benefit of The National Trust is but one local example. A hasty sale now would preclude any future options.
 8. In addition, **we do not support the reduction in the number of Custody Suites**. Our understanding is that currently for much of the borough the nearest custody suite is at Sutton. This means that arrests in, for example, Wimbledon Town Centre, can require a journey for police, taking them out of action in potential crime and disorder scenes for long periods. We might have expected there to be more rather than fewer custody suites in the future.

We hope that these comments can be carefully considered as part of the MOPAC consultation.

Cllr John Sargeant for Merton Park Ward Residents' Association

MITCHAM POLICE STATION CAR PARK



Mitcham Police Station Car Park

(7)

A new plan from the Conservatives

We recognise that all public services have had to operate with tighter financial resources whilst the government restored and repaired the economy. However, this does not excuse poor decisions being made which use money as an excuse. Merton Conservatives have therefore come up with a fully-costed plan, that has been approved as permissible by senior council officers (including the chief financial officer), to keep Wimbledon Police Station open if we win control of Merton Council on 3 May. This is our commitment:

- We will enter negotiations with the Mayor's Office for Policing and Crime (MOPAC) for Merton Council to buy Wimbledon Police Station. The building has been valued at £7 million.
- We will then lease the police station back to MOPAC for 1% of the purchase cost per annum (£70,000).
- We will also commit to sharing equally the running costs of the station with MOPAC (currently circa £440,000 per annum) on an annual basis.

Is it affordable?

This is the detail of our fully-costed plan. It's complicated, so apologies if not intuitive to follow.

- We said we would charge a 1% rent on Capital, so £70k in the first full year.
- We would offer a subsidy of 50% of running costs, so £220k for a full year.
- The revenue cost of capital would be £230k in a full year including capital repayment.