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POLICE AUTHORITY for NORTHERN IRELAND

Your Ref

Our Ref

Date 10th December 1993

Mr J Chilcot
Permanent Under Secretary
Northern Ireland Office
Stormont Castle
BELFAST

- 1. cc PS/Mr Fell
- Mr Legge
- Mr Lyon
- Mr Steele
- Mr Watkins
- Mr Leach
- Mr Marsh
- Mrs Collins - for advice and draft reply please
- PS/PUS(L)

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Dear John.

- 2. PUS to see

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SITING AND REBUILDING OF RUC STATIONS

For some time now, the Authority has become increasingly conscious of the impact that its building programme is having on the owners and residents of properties adjoining and surrounding police stations. This problem has been highlighted during the course of recent meetings with elected representatives of the community. These meetings are becoming more frequent and concerns have been very strongly voiced, reflecting the community's very real concern on the matter.

The Authority has a clear duty to listen to these fears and to seek to alleviate or eliminate them wherever possible. Accordingly Members have discussed the matter and the recommendations in this letter have the full support of the Support Services Committee and the endorsement of the Authority.

Objections have always been raised to the siting of new RUC stations, but we have recently noted a steady increase in the number and strength of dissenting voices. Furthermore, objections are now raised where stations which have been damaged by terrorist attack are reconstructed on the same site, or where we have sought to upgrade protection at existing stations.

A number of factors has exacerbated the situation and induced the objections. First, the increased scale of attack with more powerful weaponry has publicised the inherent risks of living close to an RUC station. In this regard there has been an increase in objections following the explosion at the NI Forensic Science Laboratory, which caused widespread damage to surrounding properties. There is clear evidence that the decision by the Northern Ireland Office not to rebuild on the existing Forensic Laboratory site has encouraged community groups to believe that what was achieved through community action at Belvoir can be attained elsewhere.

Another factor which contributes to the feeling of unease in the local community is, paradoxically, the improvement in the protection measures which are an inherent part of our new builds and which are becomingly increasingly effective. There is a very strong perception among the public that police stations are so well fortified that it is the local population which is in greatest danger from terrorist attack on a station - not the police officers or civilians who work in the building. While this is a rather broad generalisation, it is true that, on occasion, damage to surrounding property has been increased by the existence of blast walls and other protective measures.

The Authority's position in all this is becomingly increasingly difficult. On one hand we have a clear duty to pursue a policy which recognises our obligations under "duty of care" and we must provide buildings which will protect RUC officers and civilian staff. In addition, these buildings must be situated in line with the operational needs of the RUC despite the fact that this will often be in heavily populated areas. On the other hand, the Authority wishes to give the needs of the community due consideration. We are conscious that massive fortress-type buildings are not welcome, as they tend to dominate the immediate vicinity and cause anxieties within the community.

In attempting to reconcile these differing aims, the Authority seeks, by consultation, to diffuse the situation and allay the fears of the community. In most cases, normal planning permission is sought before construction, thereby allowing people to have their objections heard. The application of Emergency Provision legislation is strictly controlled and used only where it is known that normal channels are completely inappropriate and, as you will know, this legislation has not been used in relation to large-scale builds.

During recent months, however, it has become evident that those sections of the community who live close to police stations feel that the current systems do not go far enough to protect their interests. The Authority is coming under considerable pressure to find additional safeguards for the community, with residents looking for protection measures for properties near stations or for compensation, ie pecuniary payment for blight or loss of property value.

You may be aware that in the past the Authority has sought legal advice in relation to the question of compensation claimed by property owners/occupiers around RUC stations. The Crown Solicitor's advice has been consistent. There is no legal liability or power available to compensation owners/occupiers unless such persons can prove a claim under the Land Compensation (NI) Order 1982 or the Land Acquisition Compensation (NI) Order 1973. These legislative instruments allow compensation only within narrow, well-defined, bands and fall far short of matching the scope for compensation currently sought by the community.

Members are convinced that this issue represents a serious threat to RUC/Community relations. The Authority fully accepts its statutory responsibilities in respect of the provision of accommodation for the RUC, but is satisfied that the time is appropriate to reconsider the issue of compensation. Consequently the Authority now seeks legislative change to recognise the rights of the community and facilitate payment of compensation in much more broadly qualifying circumstances than at present.

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relaying this request, the Authority recognises the many difficulties such a step presents. From a practical point of view, Members are aware that the definition of boundaries and limits for compensation would be difficult to administer and that the concept of proximity would command many different interpretations. Members are, however, strongly of the opinion that such difficulties can and should be addressed, as this problem will continue to grow in momentum and scope. The Authority is anxious to ensure that the issue does not worsen relations between the RUC and the communities they serve.

I suggest that a meeting be arranged between Authority and NIO representatives at which we can further develop the problems we are encountering, while some thought might also be given to how the matter can be progressed.

Tom Rainey
Tom

T RAINEY
Chairman

TR4/Blight.Ltr