

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

4th August 2004

AUTHOR/S: Director of Development Services

S/1172/04/Circular 18/84 – Longstanton

Continuation of Use of Land And Buildings as an Immigration Centre for a Further Temporary Period to 31st December 2006, Oakington Barracks, for The Home Office

Recommendation: No objections to a further temporary period of use.

Site and Proposal

1. The former Oakington Barracks is situated south-east of Longstanton and north of Oakington.
2. The area subject to the Notice is the former main accommodation block element, providing 400 bed spaces, but excluding the former industrial units, hangars, runway area and married quarters. The site boundaries are fenced and the accommodation provides for a single unit of family places, a single unit for females with remaining units taken up by single males. Except where necessary in respect of families catering, recreational and administrative activities are provided for centrally. The only new unit has been a small portacabin at the gate to act as a gatehouse where there will be 24-hour security. The existing fencing was retained and a new chainlink fence put up to divide off the Reception Centre from the remaining Barracks site. In the latter half of 2003 further security fencing was erected around the site perimeter.
3. The notice received on 4th June 2004 refers to the continued use of the Oakington Immigration Reception Centre until 31st December 2006 to coincide with the end of the Home Office's agreement with Defence Estates.

Supporting Letter and Statement

4. The applicant states that given the time until the expiry of the current "planning permission" ie. November 2004, the Home Office has decided not to invoke the special urgency procedure in this instance, giving the Council a standard 8 weeks period for consultations. A meeting has been held with the local MP and Parish Councils to explain the proposals. The Home Office has, as a result of this meeting, agreed to look further at ways in which communication between the Home Office and local representatives can be maintained and improved.

The report states:

"Introduction

5. The present temporary permission was granted on the basis of an initial three years with the possibility of two further one-year extensions. In November 2002, the Home Office submitted a further Planning Notification to extend the temporary permission for a further two years until the end of November 2004 and that was granted in January 2003.
6. The MoD originally leased part of the barracks to the UK Immigration Service for a period of 5 years, from November 1999. The barracks site was first opened as an

Immigration Reception Centre in May 2000 following a refurbishment carried out with the minimum of work.

7. As the Council is, of course, aware Oakington forms part of the wider site for the development of the Northstowe new settlement, as proposed through the Cambridgeshire and Peterborough Structure Plan. The plans for the new settlement are progressing and the Home Office has already given a commitment to Defence Estates that nothing will be done to hinder the timely development of the new settlement. This remains the case.
8. However, in the light of up to date information as to how the Northstowe site might be developed, Defence Estates has agreed to extend the lease with the Home Office for a further two-year period until the end of December 2006. At that time, it is anticipated that the need for the orderly development of the new settlement will require the developer to have control over the Oakington site.
9. Although the extension of time is sought until 31st December 2006, the Home Office anticipates that the process of winding down the operation of the Reception Centre will have begun a number of months in advance of this date. It is expected that full operations at the Reception Centre will conclude during the first half of 2006 with the latter part of the year spent decommissioning the Centre in readiness to hand it back to Defence Estates.
10. This Planning Notification seeks only an extension of time for the operation of the Immigration Reception Centre. No changes of use or further built development are required, or applied for, in this Notification.

Role and Function of Oakington Immigration Reception Centre

11. The country has continued to face pressures over recent years from the number of people seeking asylum in the UK. Overall, whilst asylum applications fell by 41% in 2003, they remain historically high at 49,370. A large majority of these people are not granted asylum, but their application has to be processed and considered properly. There is not sufficient accommodation at the sea and airports to house these people while their application is being considered. The Immigration Reception Centre was opened to provide fast track processing for asylum seekers. This enables asylum claims which, upon initial screening, appear to be capable of being decided quickly, to be determined in about 7-10 days.
12. Non-suspensive appeal (NSA) provisions have applied since November 2002. NSA removes the right to an in-country appeal for those applicants whose claims are refused and certified as "clearly unfounded". Subject to the criteria, applicants whose claims are considered to be capable of being decided quickly are detained at Oakington for interview, decision and possibly removal. This includes those from the countries on the NSA list.
13. Once a decision to refuse an application has been served, and where detention is deemed necessary to effect removal, this can occur either at Oakington or in the dedicated detention space elsewhere in the Immigration Service Removal Estate. Regardless of the decision, no applicant is allowed to just walk out of the gates and fend for themselves.
14. The Immigration Reception Centre at Oakington is an important and integral part of the Immigration and Nationality Directorate's management of asylum applications lodged in the UK. Currently there is no identified replacement for Oakington and there remains considerable pressure on the overall immigration estate. No final

decision has been made on the transfer of the Oakington operation, but maintaining the success of the Oakington fast-track facility is priority for the next two years, hence the requirement for the continuation of operations at Oakington.

15. For the period of the extension, there will be no significant change to the use of Oakington.
16. Non-suspensive appeals cases will continue to provide the greater proportion of those detained at Oakington. However, as a designated place of detention, it will continue to offer the opportunity for occasional use for the detention of other cases. It should be noted that, of the declining number of escapes from the centre, none has been from this group of detainees (i.e. non-fast track and non-NSA).
17. The Home Office has undertaken, at meetings with local representatives, to strengthen the process of information exchange with local communities through the local liaison group and the provision of regular statistical updates.

Details of the Immigration Reception Centre

Staffing and Services

18. The Reception Centre requires a range of staff including custodial staff, immigration staff, interpreters, health and occupational staff, and staff for catering, maintenance etc. Many of these are recruited locally.

Traffic

19. There is currently less traffic than was generated when the site was used as a Barracks, housing some 800 soldiers. Asylum seekers are transported by coaches and smaller vehicles with regular trips to and from the various ports and other locations. A regular coach service is provided during the day, between the centre and Cambridge railway station.

Conclusions and Timescale

20. The continuing need for an Immigration Reception Centre at Oakington is critical to the effective management of asylum processing in the UK. The Planning Notification seeks approval for the continued use of the Oakington Immigration Reception Centre until 31 December 2006 and until the end of the Home Office's extended lease period with Defence Estates.
21. The Home Office is aware of the importance of the proposed new settlement at Northstowe, of which the Immigration Reception Centre site forms a part. The Home Office has given an undertaking that it will not hinder the orderly development of the new settlement and this remains the case. The extension of time is to the end of 2006 and it is likely that active operations will cease some time before that date to allow for an appropriate decommissioning period prior to the handing back of the site to Defence Estates.
22. Use as an Immigration Reception Centre is principally for asylum claimants who have been assessed as suitable for the fast track process and regime operated at Oakington. These people are normally held at Oakington for about 7-10 days while their application for asylum is processed. Thereafter they are removed from the UK, moved to another place of detention or released pending the determination of any appeal. Sometimes the removal from the UK of those subjected to the Non-Suspensive Appeal procedure cannot immediately be effected – they may seek to

judicially challenge the certification of their claim as clearly unfounded or require a travel document to be issued by their Embassy or High Commission. In these cases, some people may remain at Oakington beyond the asylum process or be moved to other places of detention. Some people may also be detained at the centre for removal who have not been through the fast track process. In all situations, they are assessed to establish their suitability for remaining at the centre, taking into account their history, behaviour, needs and any associated risks. This enables us to make full use of the available bed capacity and in many cases enables people to stay near to their legal representatives and in an environment they have become settled and accustomed to”.

Planning History

23. In November 1999 the Council raised no objection to the use of Oakington Barracks for an immigration reception centre for a temporary period of between 3 to 5 years, subject to the following conditions:
1. After three years the use will be discontinued unless in the third year the Secretary of State notifies to the Local Planning Authority the need for a further year (and so on a yearly basis) and shall take account of representations made by the Local Planning Authority when any such extensions are proposed.
 2. There shall not be accommodated at the Centre any persons known to have committed within the last five years any criminal offence which if committed in England or Wales would be an imprisonable offence.
(Reason – To allay public concern and prevent the character of the Centre changing from reception/assessment to custodial.)
 3. There shall not be accommodated at the Centre any persons known to have an infectious, notifiable disease.
(Reason – To preserve so far as possible the health of the indigenous community and other detainees and to minimise the possibility of overextending existing local medical resources).
 4. No detainee shall be allowed to leave the Centre other than under escort.
(Reason – To minimise the risk of prejudicing public order and to allay public concern about the possible effect of significant numbers of strangers without support within the local community).
 5. The site of the Centre shall not be extended nor anything built thereon without further consultation under Circular 18/84: Crown Land and Crown Development.
(Reason – To secure the proper planning of the area).
 6. Detainees not deported will not be placed in South Cambridgeshire District.
(Reason – To avoid difficulties in integration, there being no identifiable equivalent local ethnic community).
 7. The number of detainees shall not materially exceed 400.
(Reason – To avoid pressure to increase the Centre site area and infrastructure).
 8. For so long as the Centre is in use the Secretary of State shall cause to be set up a Local Liaison Committee consisting of Home Office representation, a representative of the Operators, the Local Planning Authority and the local communities.

9. The Local Liaison Committee shall meet as often as is requisite but at least annually to discuss, avoid and resolve any local community problems arising out of the use of the site as an immigration reception centre.
(Reason – To encourage a harmonious relationship between the Centre and the local community).
24. In January 2003 no objections were raised to a further 2 year temporary period of use as an Immigration Reception Centre subject to the previous conditions imposed in 1999 (excluding Condition 1).
25. Members added that the Liaison Committee should continue, various road safety improvements were suggested and clarification of the status and proposed use of the centre were sought.

Appendix 1 is a copy of the report to the Planning Committee in January 2003.

Planning Policy

26. The following policies are relevant:

South Cambridgeshire District Council Local Plan 2004 Policy EM10 Employment in the countryside.

Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/2 Environmental Restrictions on Development.

Consultation

27. **Longstanton Parish Council** objects to the application. However the objection will be withdrawn “if the verbal assurances given by the Home Office and Group 4 Officers at a meeting chaired by Andrew Lansley MP at the Immigration Centre on Friday 14th May are confirmed in writing and formally agreed at the Liaison Meeting to be held on 24th June. These verbal assurances meet the concerns of the Parish Council, but have yet to be confirmed.”

A verbal report will be made.

Oakington and Cottenham Parish Councils approve the application.

Rampton Parish Council opposes the application but will withdraw its application on the same basis as Longstanton Parish Council (see above). A verbal report will be made.

Willingham, Over, Bar Hill Parish Councils have no recommendation.

Histon Parish Council has no recommendation but has concerns over increased traffic arising from increased usage of facility and traffic associated with Northstowe.

The **Health and Safety Executive** does not advise on safety grounds, against the granting of planning permission.

Environment Agency has no objections.

Cambridge Oakington Concern (CAMOAK) comments:

“The use of Oakington for NSA cases

28. Much disturbance to local residents of Longstanton has been caused by an increase in escapes and attempted escapes from the centre. The police are notified and may call out the helicopter to assist them in finding someone who has gone over the fence. People nearby are woken up and disturbed both by the noise of the helicopter and by the searchlight. This increase in escapes and attempted escapes coincided with the change of use to NSA cases. NSAs have no incentive to cooperate with the centre and every incentive to attempt to escape: they know they will almost certainly be refused and returned to their own country before they can lodge an appeal. The Independent Monitoring Board stated in its report cover the year 2003 that there were 64 successful escapes during that year. It is our understanding that the number of escapes and attempted escapes rose considerably in the first half of 2004. Why it took the IND so long to strengthen the perimeter fence we cannot understand.

The use of Oakington as detention overspill

29. This has also been disruptive. Many of those in this category detained at Oakington are either failed asylum seekers brought to Oakington for a few days prior to removal or are over-stayers. Some of these have been angry and disruptive, and, like the NSA detainees, have no incentive to cooperate with the centre and every incentive to try to escape. There seems to have been no preparation for the admission of these more difficult detainees.

Long stay detainees

30. We believe that there are more of these than the IND suggests, and that some of them stay for longer than is suggested. This includes some families with older children for whom no provision is made (the Report of the Independent Monitoring Board also notes this lack of provision). Oakington is not suitable for long-stay detention.

Failure to provide adequate security

31. The failure to provide adequate security at Oakington must also have affected police budgets. In our opinion pressure should be put on the Home Office to reimburse Cambridgeshire Police for these costs, since they have resulted in large part from IND incompetence in not providing sufficient security. There have also been medical costs as several of those who have attempted to escape sustained serious injuries and required hospital treatment.

Conclusion

32. All in all we do not believe that the IND has been fair, either to the staff at Oakington or to the residents of Longstanton village or, indeed, to the detainees, by the chaotic and unplanned changes of use of the centre. We understand that on occasions lawyers have enquired of the IND at Oakington what the situation was that week, only to be told “We don’t know. Phone Croydon”. We would urge South Cambridgeshire District Council to demand of the IND much clearer and more accurate indications of how they intend to use the centre and to ensure that security and staffing are adequate for the planned use *before* the change occurs.”

Representations

33. None

Planning Comments – Key Issue

- Security of site
34. Members are reminded that Development by the Crown does not require planning permission.
 35. The level of objection is much reduced compared to the initial reaction in 1999. Since November 2002 there has been a change in the composition of asylum seekers held at Oakington with the introduction of non-suspensive appeals (i.e. a higher percentage of detainees not likely to be granted asylum) but this does not appear to have a significant impact on the security of the site which has been upgraded to cope. The Home Office point to a declining number of escapes from the centre.
 36. Cambridge Oakington Concern (CAMOAK) claim there has been an increase in escapes since the introduction of the NSA system, with local residents disturbed by the police helicopter. 64 asylum seekers escaped during 2003 according to published figures. The figure is understood to have risen significantly during the first half of 2004. I have asked the Home Office for comments on these assertions.
 37. Longstanton and Rampton Parish Council's lodged a "holding" objection to the application, seeking written confirmation from the Home Office of verbal assurance given at a meeting in May 2004. A verbal report will be made.
 38. Given the Home Office's intention to conclude full operations during the first half of 2006 with the latter part of that year spent decommissioning the Centre prior to it being handed back to Defence Estates in preparation for the commencement of Northstowe, no objections are raised to a further temporary period of use until 31st December 2006.

Recommendations

39. No objections be raised to the use of Oakington Barracks for an immigration centre for a further period until 31st December 2006, subject to conditions suggested with the 1999 application.
 1. There shall not be accommodated at the Centre any persons known to have committed within the last five years any criminal offence which if committed in England or Wales would be an imprisonable offence.
(Reason – To allay public concern and prevent the character of the Centre changing from reception/assessment to custodial.)
 2. There shall not be accommodated at the Centre any persons known to have an infectious, notifiable disease.
(Reason – To preserve so far as possible the health of the indigenous community and other detainees and to minimise the possibility of overextending existing local medical resources.)
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 4. The site of the Centre shall not be extended nor anything built thereon without further consultation under Circular 18/84: Crown Land and Crown Development.

(Reason – To secure the proper planning of the area.)

5. Detainees not deported will not be placed in South Cambridgeshire District.
(Reason – To avoid difficulties in integration, there being no identifiable equivalent local ethnic community.)
6. The number of detainees shall not materially exceed 400.
(Reason – To avoid pressure to increase the Centre site area and infrastructure.)

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:
P1/2 – Environmental Restrictions on Development
EM10 – Employment in the Countryside**
 - **South Cambridgeshire Local Plan 2004:**
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

Background Papers: the following background papers were used in the preparation of this report:

Cambridgeshire and Peterborough Structure Plan 2003
South Cambridgeshire Local Plan 2004
Notification File: S/1172/04/Circ. 18/84

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