

Major Casework
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[Via email]

Dear Leanne,

Appeal Ref. APP/D2320/W/22/3295556

In the interests of transparency, we write to make the inquiry aware of the following two matters which have recently arisen.

1. The 2023 Prison Population Projections were published on 29 February 2024 and are available at <https://www.gov.uk/government/statistics/prison-population-projections-2023-to-2028>; and
2. On 30 January 2024, a decision by the Secretary of State for Levelling Up, Housing & Communities was issued in respect of the application by the Ministry of Justice for a Category C prison at land adjacent to HMP Springhill And HMP Grendon, Springhill Road, Grendon Underwood, HP18 0TL, appeal reference APP/J0405/W/22/3307860. The decision is available at <https://www.gov.uk/government/collections/planning-applications-called-in-decisions-and-recovered-appeals#recovered-planning-appeals>.

The PCU sought comment from the appeal parties to similar matters in their letter dated 15.11.2023¹. The Appellant provided a letter by way of response on 30.11.2023, whereby we concluded that whilst these were relevant matters for the appeal, they did not warrant the production of any new evidence that needed to be considered at the reopened inquiry. The LPA and Rule 6 Party each confirmed that they had no comment to make on those two matters. The Inspector confirmed on 04.12.2023 that no further comment or evidence was to be expected on the two matters.

2023 Prison Population Projections

On 29 February 2024, the Ministry of Justice (MoJ) published the Prison Population Projections 2023 to 2028, England and Wales. The projections have been published annually since 2008 and are released with National Statistics status meaning they meet the highest standards of trustworthiness, quality, and public value. The projections are the single most reliable source of data on the projected future prison capacity.

¹ The 2022 Prison Population Projections and appeal decision ref. APP/F2415/W/22/3300227

Since the planning inquiry was held in July 2022, the prison population has risen by over 7,000² and, as shown in the latest publication, is projected to continue to rise to record levels. The sustained increase in the prison population, the current pressure on the system and the projected population increase in the future (the publication notes the population is projected to increase to between 94,600 and 114,800 by March 2028) continues to support the urgent need for the proposed prison, consistent with the evidence provided at the inquiry in July 2022 and the conclusion reached by the Secretary of State regarding need in his 'minded to grant' decision in January 2023. It is not considered that this publication represents a material change for the appeal and does not warrant a re-examination of the need evidence.

Appeal ref. APP/J0405/W/22/3307860

Allowed appeal ref. APP/J0405/W/22/3307860 ('the Grendon decision') grants consent for a new Category C prison adjacent to HMP Grendon and HMP Springhill, and follows appeal ref. APP/F2415/W/22/3300227 ('the Gartree decision') allowed in November 2023 for a new Category B prison adjacent to HMP Gartree.

The Grendon decision is obviously welcomed by the Appellant. It grants outline planning consent for a Category C prison in the South-Central area, contributing to meeting the urgent need for new prison places as well as the specific regional need for Category C places.

As per the Appellant's need evidence examined in the 2022 inquiry, all three prisons are required to address the national need case, with this appeal specifically seeking to deliver against the significant unmet need for *Category C Resettlement places in the North West*. Neither the Gartree decision nor the Grendon decision address the regional need for Category C resettlement places in the North West.

It is therefore not considered that the Grendon decision affects the weight afforded by the Secretary of State in his January 2023 'minded to grant' decision to the need for the proposed new prison development adjacent to HMP Garth and HMP Wymott.

Conclusion

Whilst the 2023-2028 prison population projections and the Grendon decision are clearly relevant matters for this appeal, the Appellant does not consider that they warrant the production of any new evidence that needs to be examined at the reopened inquiry in March 2024.

Yours sincerely



Claire Pegg MRTPI MRICS
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² 22 July 2022: total prison population 80,784 / 23 Feb 2024: total prison population 87,973