

The detailed guidance is provided in [Appendix 2](#) describes a simple model for determining levels of charge for non-commercial events. This model should be adopted by PCCs to fit their own circumstances and policies. For events where policing requirements are small then a ‘de-minimis’ level (often covered by existing local policing) applies so that no charge is levied. Above this level, a charge is normally set at either Direct Cost or Full Economic Cost Recovery. PCCs may choose to implement a different methodology in exceptional cases, where such an approach can be justified.

The central principle is that the police cannot charge for services which fall within their ordinary public duty i.e. those services the police are duty bound to provide. The duty is described as being a duty owed to the public at large for the prevention of violence and disorder. Whether Policing Services are chargeable as Special Police Services (SPS) depends on a number of issues in most cases, the answer can be ascertained by addressing the following questions.

1. Has there been a request for the services to be provided?
 - a. No – the services are not SPS.
 - b. Yes – continue to question 2.
2. Are the services to be provided on private land (i.e. land which is owned or leased by a private individual or body)?
 - a. Yes – it is likely the services are SPS.
 - b. No – continue to question 3.
3. Are the services to be provided on land which is ordinarily accessible to the public, but where access is restricted for the duration of the service provision (for example, areas closed off to non-ticket holders)?
 - a. Yes – it is likely the services are SPS, but legal advice should be obtained before proceeding.
 - b. No – continue to question 4.
4. Are the services to be provided on public land?
 - a. Yes - the services are unlikely to be SPS unless the services requested are in excess of that which the Chief Constable considers necessary to provide to satisfy the police’s public duties. Legal advice should be obtained before proceeding.
 - b. No – the services could be SPS.

The questions set out above do not cover all circumstances. If there is any doubt about whether services provided in response to a request are SPS, legal advice should be obtained.

Other factors to be considered include consideration of the nature of the services to be provided. If they are being provided for the benefit of the general public in relation to a public event, they are unlikely to be SPS, but if they are being provided for a private purpose, then they may well be SPS.

Policing of events such as protests and marches are part of core activity and no charges should be made.

1.7 Special Police Service provision on Public Land

The Court of Appeal judgement in the *Ipswich Town Football Club Company Limited v The Chief Constable of Suffolk Constabulary* [2017] EWCA Civ 1484; [2017] 4 WLR 195 (see [Appendix 5](#)) was clear that by default, policing on Public Land is not normally chargeable and generally forms part of forces’ primary duty. There could however be rare occurrences where the provision of additional policing over and above that required to meet the statutory duty would be chargeable for example:

