

Cabinet – Supplementary Agenda No.1

Notice of a Meeting, to be held as a **Virtual Meeting** in accordance with Regulation 5 of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

A meeting of the Cabinet will be held on:

Date: Tuesday, 2 February 2021

Time: 3.00pm

Venue: Virtual Meeting

Membership:	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Mrs Josie Iles	Portfolio Holder for Children's Services – Lead Member (statutory responsibility)
	Councillor Martin Potter	Portfolio Holder for Education and Schools
	Councillor Rupert Turpin	Portfolio Holder for Business Management

Agenda

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|-----|--|--------------------------|
| 10. | Upper Upnor Conservation Area Appraisal - Request to go to Public Consultation – Appendices 1 - 3 | (Pages 3 - 80) |
| 11. | Medway-Wide Public Space Protection Orders – Appendices 1 - 5 | (Pages 81 - 142) |
| 14. | Sufficiency Report 2020 – Appendix 1 | (Pages 143 - 196) |

For further information please contact Jon Pitt, Democratic Services Officer, on Telephone: 01634 332715 or Email: democratic.services@medway.gov.uk

Date: 25 January 2021

Information about this virtual meeting

Please note that any member of the press and public may follow proceedings at this 'virtual' meeting via a weblink which will be publicised on the Council's website ahead of the meeting. Please refer to this meeting via the meeting calendar for further details:

<https://democracy.medway.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

Members of the press and public may tweet, blog etc. during the live broadcast as they would be able to during a regular Committee meeting.

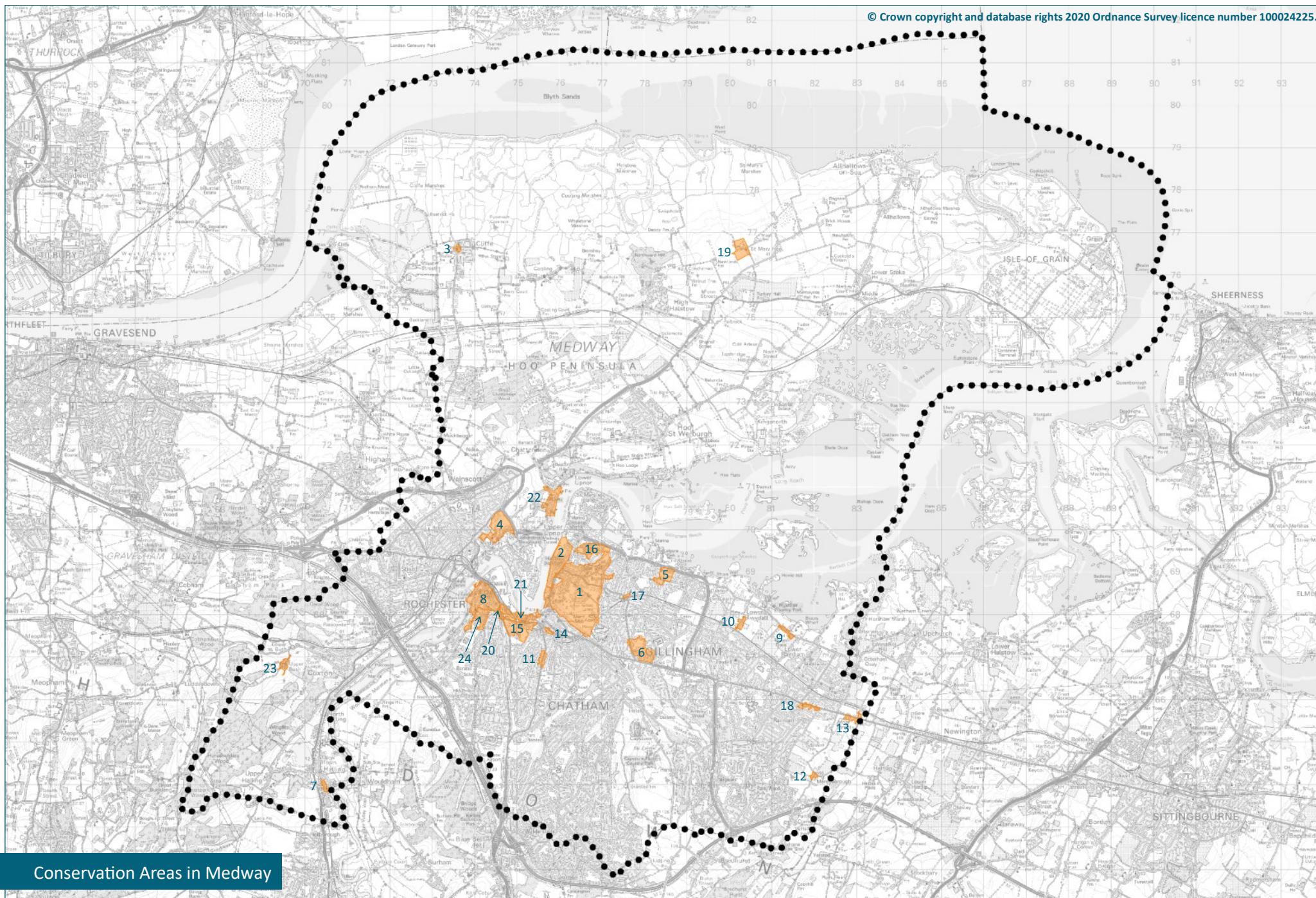
DRAFT An introduction to Conservation Area Appraisals

APPENDIX 1



Agenda Item 10.

January 2021



Conservation Areas in Medway

I. Introduction

As part of Medway Council's on-going management of its historic environment, Conservation Area Appraisals are being produced to reflect updates in legislation, guidance, our knowledge and understanding, and changes in the character or make-up of our Conservation Areas. There are currently 24 Conservation Areas in Medway:

- | | | | |
|------------------------------|-----------------------------|-------------------------|---------------------------------|
| 1. Brompton Lines | 7. Halling | 13. Moor Street | 19. St Mary Hoo |
| 2. Chatham Historic Dockyard | 8. Historic Rochester | 14. New Road, Chatham | 20. Star Hill |
| 3. Cliffe | 9. Lower Rainham | 15. New Road, Rochester | 21. Star Hill to Sun Pier |
| 4. Frindsbury & Manor Farm | 10. Lower Twydall | 16. Pembroke | 22. Upper Upnor |
| 5. Gillingham Green | 11. Maidstone Road, Chatham | 17. Railway Street | 23. Upper Bush |
| 6. Gillingham Park | 12. Meresborough | 18. Rainham | 24. Watts Avenue & Roebuck Road |

Of the 24 Conservation Areas, 6 have adopted Conservation Area Appraisals:

- Brompton Lines (adopted 2006)
- New Road, Chatham (adopted 2004)
- Upper Upnor (adopted 2004)
- Maidstone Road, Chatham (adopted 2004)
- Historic Rochester (Adopted 2010)
- Upper Bush (adopted 2004)

A stand-alone Conservation Area Management Plan has also been adopted for Historic Rochester, alongside design guidance for the Gillingham Park and Watts Avenue and Roebuck Road Conservation Areas, as well as general guidance on shopfront security and shopfront advertising design for historic buildings. All of the adopted Conservation Area Appraisals, Management Plans and other guidance can be downloaded from the [Medway Council website](#).

To establish some uniformity and for ease of use, future Conservation Area Appraisals will comprise 3 primary documents:

1. **An Introduction to Conservation Area Appraisals** - *This will provide general information about Conservation Area Appraisals and how to use them.*
2. **The Conservation Area Appraisal and Management Plan** - *Information and guidance specific to the Conservation Area.*
3. **Conservation Area Design Guidance** - *General guidance on design principles for development in Conservation Areas, more specific advice is included in the Conservation Area Appraisal, where appropriate.*

II. Purpose

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Conservation Area Appraisals help define the historic, architectural and townscape qualities that make a Conservation Area special. The character of each Conservation Area is unique, and through understanding the qualities that make it special we can manage change so that a Conservation Area's character can be retained and enjoyed by all. This is achieved by creating a framework that provides guidance to council officers and developers as to how change is managed within the area, as well as advising homeowners on how to look after the character of their homes.

Conservation Area Appraisals also provide an overview of the history of the area, identify features that contribute to its character, as well as those that are considered to detract from it. Future management of the Conservation Area is also addressed, providing recommendations for change where appropriate.

The production of Conservation Area Appraisals help the council meet their legal duty under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for the formulation, publication and public consultation on proposals for the preservation and enhancement of Conservation Areas.

Government policy in relation to Conservation Areas is contained primarily within Chapter 16 of the National Planning Policy Framework (NPPF) that can be downloaded from the [.GOV website](#).

Local policy for Conservation Areas is contained in the Medway Local Plan 2003, available to download from the [Medway Council website](#).



What is a Conservation Area?

Conservation Areas exist to manage and protect the special architectural and historic interest of a place - in other words, the features that make it unique. They were introduced by the Civic Amenities Act 1967 and are usually designated by the Local Planning Authority.

What does it mean to own a property or live in a Conservation Area?

Conservation Area designation introduces some additional controls over the way owners can alter or develop their properties. However, owners of residential properties generally consider these controls to be beneficial because they also sustain and/or enhance the value of property within it. These controls include:

- The requirement in legislation and national planning policies to preserve and/or enhance, as discussed further in the National Planning Policy Framework and the Planning Practice Guidance.
- Local planning policies which pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- Control over demolition of unlisted buildings.
- Control over works to trees.
- Limitations on the types of advertisements which can be displayed with deemed consent.
- Restriction on the types of development which can be carried out without the need for planning permission.
- Support for the use of Article 4 Directions to remove permitted development rights where avoidable damage is occurring.
- Clarification of archaeological interest, thereby assisting its protection.

Further advice about living in a Conservation Area is available on the [Historic England website](#).

Whilst there are extra responsibilities placed upon owners and occupiers of property in Conservation Areas, they are usually outweighed by living in an area that people value for its distinctiveness, visual appeal and historic character. This value is reflected in the price of property in a Conservation Area as they are generally valued higher and appreciate more than comparable properties in other areas, even after adjusting for location and other factors.

More information on the value of property in Conservation Areas is available in a research paper by the London School of Economics, available to download from the [Historic England website](#).

IV. Approach

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Methodology for appraisals

Historic England has published a range of guidance on how to undertake Conservation Area Appraisals which has been used as a basis for the methodology used in Medway. The methodology employed comprises the following steps and is explained in further detail over the next few pages:

- Desk-based research into the history of the area.
- Surveys of the Conservation Area and its boundaries.
- A review of the condition of the Conservation Area since the last appraisal was undertaken to identify changes and trends.
- An analysis of views which contribute to appreciation of the character of the Conservation Area.
- Where appropriate, the identification of character zones where differences in spatial patterns and townscape are notable that have derived from the way the area developed, its architecture, social make-up, historical associations and past and present uses.
- A description of the character of the Conservation Area and the key elements that contribute to it.
- An assessment of the contribution made by open space within and around the Conservation Area.
- Identification of heritage assets, other positive contributors, and where applicable, detractors.
- The development of a Management Plan for the Conservation Area.

Research

Desk-based research is an invaluable tool to gain a greater insight into a Conservation Area. The research will typically comprise:

- Visiting the local studies centre (for example Medway Archives).
- Architectural reviews such as the Buildings of England series (often referred to as Pevsner Guides).
- Consulting the Historic Environment Record, historic area assessments and character studies.
- Investigating historic photographs, maps and plans.



Survey

In order to gain a full understanding of the character of the Conservation Area, a series of site visits are undertaken which broadly follow the '*Oxford Character Assessment Toolkit*'. The toolkit uses a check-list of environmental features to create a guided survey of how each contributes to an area's character under the five main headings - spaces, buildings, landscape, views and ambience; with a scoring mechanism to show the relative positive or negative contributions of each feature.

Additional surveys are also undertaken to identify contributing features to the character of the area, including non-designated heritage assets which are considered to be of merit in terms of their historic, architectural or townscape contribution. Detracting elements are also noted to help build a complete picture and inform the creation of the Management Plan.

Identifying the setting and views

- 6 Important views will be identified both because they contribute to the understanding and appreciation of the special character of the Conservation Areas (and in some cases the contribution of their landscape setting), as well as being a consideration in assessing the impact of new development within the Conservation Area or its setting.

The methodology utilises Historic England's Good Practice Advice document (GPA3 - second edition) '*The Setting of Heritage Assets*', and focuses on the significance of each view in terms of its historical, architectural, townscape, aesthetic and community interest; and of the key landmarks or heritage assets noted within it.

IV. Approach

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Open space

Areas of open space within or around the boundary of a Conservation Area can be an important contributing factor to the overall character. An investigation of their enclosure, visual, and/or other sensory contribution, the relationship between public spaces and private space, the qualities they offer, and the identification of settlement edges forms part of the analysis.

Heritage assets

Each Conservation Area Appraisal will identify heritage assets that are considered to be of importance to the townscape, or contribute to the special architectural and historic interest of the area. In Medway, heritage assets most commonly include:

Scheduled Monuments

Scheduling is Historic England's oldest form of heritage protection and is the selection of nationally important archaeological sites. Scheduled Monuments are not always ancient, or visible above ground; but they are always considered to be of national importance. There are over 200 categories of Scheduled Monuments ranging from prehistoric burial mounds to churches, and even more recent results of human activities such as factories and military structures. Currently there are around 20,000 Scheduled Monuments, with 77 in Medway.

Listed Buildings

The Listing of buildings celebrates a building's special architectural and historic interest, and also adds it as a consideration of the planning system so that they can be protected for future generations. The general principles for Listing are that all buildings built before 1700 which survive in anything like their original condition are likely to be Listed, as are most buildings built between 1700 and 1850. Particularly careful selection is required for buildings from the period after 1945, and buildings less than 30 years old are not normally considered to be of special architectural or historic interest because they have yet to stand the test of time. There are around 500,000 Listed Buildings currently, with 646 in Medway.

Non-designated Heritage Assets

Non-designated Heritage Assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decision making but are not formally designated heritage assets, such as Scheduled Monuments and Listed Buildings. Their significance could lie in their rarity, representativeness, architectural interest, townscape value, group value, artistic interest, historic association or archaeological interest.

V. Management

Management Plan

Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have a statutory duty to draw up and publish proposals for the preservation and enhancement of Conservation Areas from time to time. Producing Design Guidance and Management Plans is a simple yet effective means of achieving this.

The production of the Conservation Area Appraisal will allow for a greater understanding, which can then be used to inform what possible actions or interventions are required through the Management Plan to protect and enhance the significance of the Conservation Area.

Design Guidance

Published Design Guidance is an invaluable tool that provides advice to owners and occupiers of property in a Conservation Area, as well as information for developers and Planning Officers when considering development proposals.

Often much of the architectural interest of a Conservation Area lies in the subtle design of details such as walls, fences, gates, doors, windows, roofs and footpaths; therefore it is important that these features such as these are protected, retained and replaced in a sympathetic way wherever possible. Design Guidance aims to identify these features and provide advice on their repair and replacement which in turn will help maintain the historic character of the Conservation Area.

Stricter controls for the external appearance of houses within a Conservation Area can be achieved through the use of Article 4 Directions.



Contact us

For advice on planning issues please contact the Medway Council Planning Department on:

- 01634 331700
- planning.representations@medway.gov.uk

For advice on matters relating to Listed Buildings or buildings in a Conservation Area, please contact a Conservation Officer at Medway Council on:

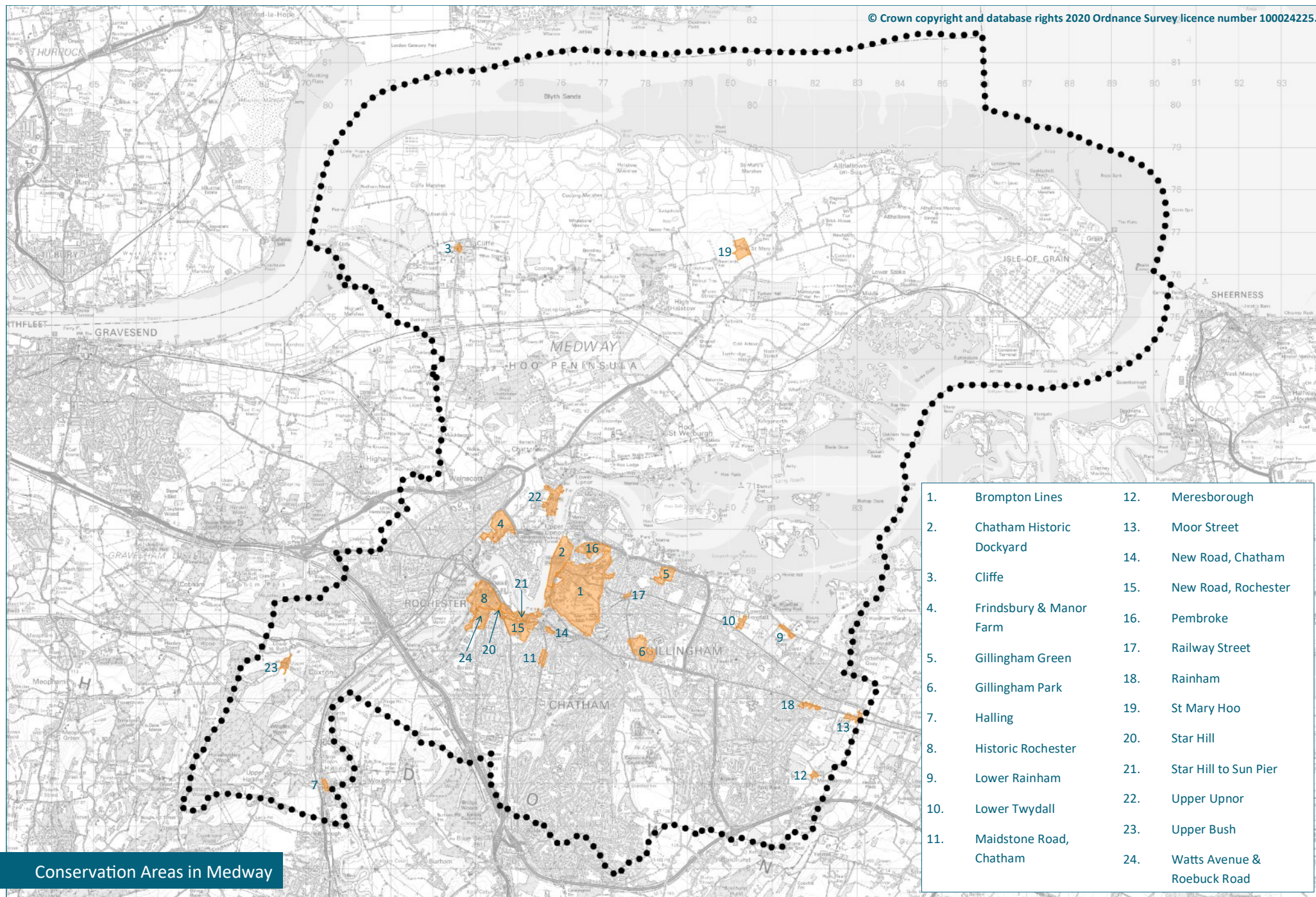
- 01634 331700
- design.conservations@medway.gov.uk

DRAFT Conservation Area Design Guidance

APPENDIX 2



January 2021



I. Introduction

To support the continued protection and enhancement of the character and appearance of Conservation Areas in Medway, this guidance document has been produced to provide advice on how to approach general repairs, maintenance and alterations around your property, and to ensure that any proposals are sympathetic to its character and the wider Conservation Area.

The guidance is intended for use where both planning permission is required, as well as providing advice on good practice for works that do not need planning permission. Many properties in Conservation Areas are covered by an *Article 4 Direction* which removes some permitted development rights, meaning some extension and alterations (even those minor in nature) to properties may require planning permission.

A list of residential properties covered by Article 4 Directions in Medway can be viewed on the [Medway council website](#).

Where Article 4 Directions apply, minor alterations to the façades of houses which face a highway or public footpath may require planning permission, such as:

- Replacing windows and doors.
- Altering roofs (including roof coverings and chimneys).
- Building a porch.
- Adding or removing cladding.
- Laying or replacing driveways or paths.
- Installing satellite dishes.
- Erecting, altering or removing boundary gates, fences or walls.
- Painting, rendering or pebble-dashing walls of a building.

The information provided in this document is intended to be broad, establishing some guiding principles to be followed when undertaking works in a Conservation Area. More detailed information relevant to particular buildings and Conservation Areas can be found in the appropriate published Conservation Area Appraisal, or by contacting the Design and Conservation team at Medway Council. Contact details for both the Design and Conservation team and the Planning Service can be found at the end of the document, or by visiting the [Medway Council website](#).



II. Extensions and Additions

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When considering an extension or addition to a building in a Conservation Area, its position, scale, massing, appearance and the materials used are important factors to take into account.

Some general principles when considering an extension include:

- Respond positively to the character and appearance of the building and the wider Conservation Area.
- Respect the character identified in the Conservation Area Appraisal by retaining important views from open spaces and streets.
- Consider the relationship with buildings and the impact an extension may have on the definition of spaces and streets.
- Identify which materials would be most appropriate.
- Replicating a particular style may be less important, though there are circumstances when it may be appropriate.
- It would not normally be considered good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting.
- An assessment and understanding of a building's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate.

To assist with the design process for extensions, we would recommend appointing an Architect or Heritage Consultant who will be able to take the above principles into account. Medway Council run a planning pre-application service where advice is available as to whether planning permission would be required for an extension, and guidance on design. Further information is available on the [Medway Council website](#).



Prior to the introduction of mechanised transport in the 19th century (such as the railways), materials used in the construction of buildings were usually sourced locally. This helped the development of traditional local building techniques and the emergence of detailing that can be specific to a locality. This matter is explored in greater detail through the published Conservation Area Appraisals.

The richness of historic buildings can be expressed in the texture, colour and durability of the traditional materials, and the patina of age these acquire with time. The weathering of natural materials results in an appearance that improves with age, an effect which many modern artificial alternatives fail to achieve and which often makes them unsuccessful additions.

Some general principles when considering the use of appropriate materials for walls and roofs include:

- Bricks should reflect the size, type, colour, texture and finish found on the building or in the wider Conservation Area.
 - ⇒ Similarly the brick bonding pattern should be noted and reflected where appropriate.
- Pointing of new brick work and repairs to existing should normally be visually subservient to the bricks, and should appear flush or slightly recessed.
 - ⇒ Avoid using cement based pointing for repairs and repointing of historic brickwork. More information is available on the Society for the Protection of Ancient Buildings ([SPAB](#)) website.
- Roof tiles should match what was used in the original construction of the building, usually clay tiles (such as Kent peg tiles), or often slate on buildings from the 19th century onwards.

- Weatherboarding is traditionally painted white (or off-white/cream) on residential buildings, but sometimes black on less prominent elevations.
 - ⇒ Outbuildings and agricultural buildings traditionally have the weatherboarding tarred black, or have oak weatherboarding that is left unpainted.
 - ⇒ Softwood finishes should usually be painted, and staining should be avoided.
- New or replacement rainwater goods (such as gutters and downpipes) should reflect those used traditionally in appearance. Modern plastic alternatives can be acceptable in certain situations, however their use should be discussed with the Design and Conservation team at the council.



IV. Windows and Doors

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Windows and doors are frequently key to the character and appearance of a building in Conservation Area. Replacement is therefore generally advisable only where the original is beyond repair as it minimises the loss of historic fabric and matches the original in detail and material.

Some general principles when considering undertaking works to windows and doors include:

- Original or historic windows can be often be repaired and refurbished, which can be more cost-effective than replacement.
- Sometimes slim double-glazed units can be inserted into the historic frame, however this may not be considered acceptable in all circumstances.
- If replacement is necessary, it is important to match the originals in style, opening pattern, and detailing.
- In certain (although very limited) circumstances alternative modern materials (such as uPVC windows or composite doors) may be considered acceptable, however their use should be discussed with the Design and Conservation team at the council prior to purchasing.

Historic England have published some detailed technical advice on the maintenance, repair and thermal upgrade of windows, as well as on their restoration. The guidance note is available to download from the [Historic England website](#).



V. Boundary Treatment

The boundary treatment around a property, such as walls, fences, railings, hedges and gates, can make an attractive and important contribution to the setting of a building, as well as the character and appearance of the wider Conservation Area in which they are located.

Some general principles when considering undertaking repairs, reinstating or making alterations to a boundary treatment include:

- Much like other works to historic buildings, undertaking refurbishment and repairs where possible is favourable.
- Use traditional materials and methods for repairs; such as matching bricks, the type of brick bond and the pointing finish.
- Where the boundary form part of a wider group, such as part of a terrace of houses, boundary treatments should take into account their visual relationship to neighbouring properties.
- The type and design of traditional boundary treatments often reflect the type and status of the building to which they belong.
- The introduction of a new boundary treatment can change the character of an area, therefore careful consideration should be given to their siting and design.
- Planning permission is often required for changes made to boundary treatments.

Further information on the types of boundary treatment appropriate can be found in the published Conservation Area Appraisal or by contacting the Design and Conservation team at the council.



VI. New Buildings

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The development of new buildings in a Conservation Area creates the opportunity for its enhancement through a design that respects the historic townscape, architectural character and the building alignments, mass and forms of the particular Conservation Area.

Some general principles when considering the construction of a new building in a Conservation Area include:

- The use of materials, colours and textures that reflect the traditional building materials used in the Conservation Area.
- Architectural detailing that helps contribute to the character of the Conservation Area.
- The scale, mass and form of surrounding buildings.
- Building lines and positioning.
- Any impact the building will have on important views and vistas, into, out of, and within the Conservation Area.

In all instances when considering the development of new buildings in a Conservation Area we would strongly recommend undertaking a pre-application meeting with a Planning Officer and Conservation Officer at the council. This meeting is an opportunity to discuss the acceptability and appropriateness of the new building, and to identify any recommendations for ways the building can further enhance the Conservation Area.

More information on the planning pre-application advice service is available through the [Medway Council website](#).





VII. Other alterations

Some minor alterations can have a significant impact to the character and appearance of a Conservation Area, therefore if there is any doubt it is best to speak to the Design and Conservation team at Medway Council for advice.

Alterations to the roof

Roof slopes of traditional buildings tend to be unbroken, therefore the introduction of roof lights or dormer windows can interrupt the simplicity of the form and may have a detrimental effect on the character of the Conservation Area. However, roof lights can be discreetly placed to help reduce their visibility such as in concealed valleys or on rear roof slopes. Roof lights that sit flush (often called conservation-style roof lights) are usually preferred to minimise their prominence. Dormers can be carefully designed to match the character of the building and the wider Conservation Area. Generally, it is best if they are detailed in a simple style and should not be positioned close together to avoid dominating the roof.

Chimneys are an important element to the design and appearance of historic buildings and often make a significant contribution to the skyline. Their removal is generally resisted, and the reinstatement of traditional chimney pots is supported.

Satellite dishes and aerials

The use of satellite dishes and aerials, along with the associated cabling can clutter a building, therefore identifying a discreet location (usually to the side or rear of the building) is preferable.

Energy efficiency

Medway Council encourages improving the energy efficiency of buildings. This can be achieved sympathetically on historic building without compromising its character, more information is available on the [Historic England website](#).

Contact us

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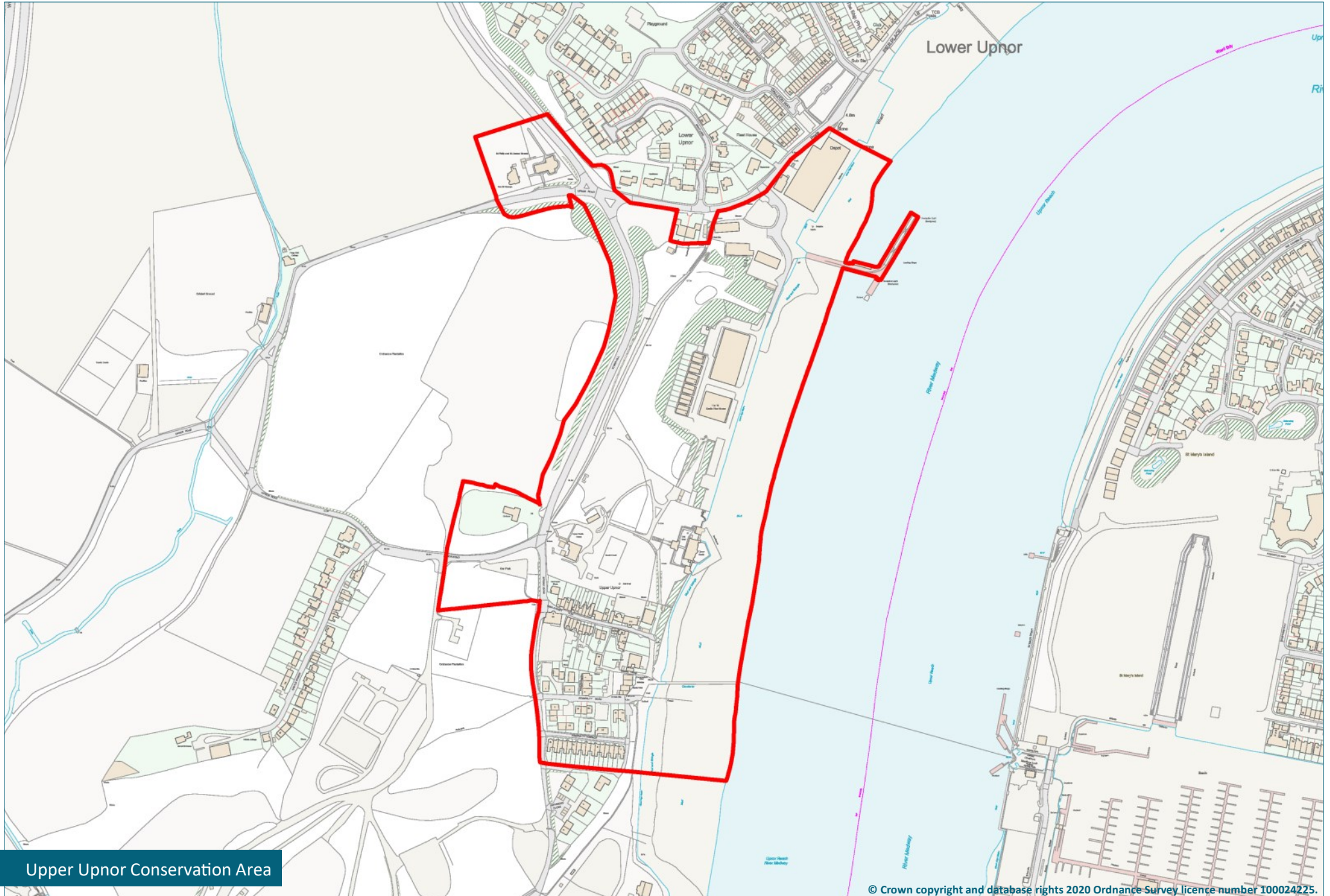
For advice on matters relating to Listed Buildings or buildings in a Conservation Area, please contact a Conservation Officer at Medway Council on:

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DRAFT Upper Upnor Conservation Area Appraisal

APPENDIX 3





Purpose

Conservation Area Appraisals help define the historic, architectural and townscape qualities that make a Conservation Area special. The character of each Conservation Area is unique, and through understanding the qualities that make it special we can manage change so that a Conservation Area's character can be retained and enjoyed by all. This is achieved by creating a framework that provides guidance to Council Officers and developers as to how change is managed within the area, as well as advising residents on how to look after the character of their property.

Conservation Area Appraisals also provide an overview of the history of the area, identify features that contribute to its character, as well as those that are considered to detract from it. Future management of the Conservation Area is also addressed, providing recommendations for change where appropriate.

Overview

Upnor is a historic village in north Kent, located on the north bank of the River Medway opposite Chatham Dockyard. The village is separated into 2 main settlements; Upper Upnor is the more southern of the two, and Lower Upnor which is located slightly further downriver.

Conservation Area boundary

Most of Upper Upnor currently falls within the Upper Upnor Conservation Area, and the Ordnance Depot and St Philip and St James Church of the Lower Upnor settlement.

Designation history

The Upper Upnor Conservation Area was originally designated on 4th September 1990 and then extended on 19th October 2004 to take in Upchat Road, St Philip and St James Church and the Lower Upnor Ordnance Depot. An Article 4(2) Direction was made on 8th March 2005.

Topography and geology

The topography of the area is primarily defined by the River Medway, with the village positioned on the west bank where the land slopes upwards towards the ridge Hundred of Hoo hills that runs east-west along much of the length of the Hoo Peninsula. Two prominent hills help characterise the Conservation Area, Tower Hill to the south and Beacon Hill to the north; both of which have historically been used as military vantage points for the defence of Chatham Dockyard.

The geology of the area comprises a mixture of chalk, sand and clay. Chalk is primarily located around the lower areas to the south, sand between Tower Hill and Beacon Hill, and London clay on the higher land to the north. The abundance of high quality aggregate and its proximity to the river for transportation led to the area being used for quarrying up until the late 20th century.

I. Introduction

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Statement of special interest

Upnor is an attractive waterside village of 17th century origin concentrated around an Elizabethan Castle surrounded by heavily wooded countryside. Key features of the Conservation Area are:

- **Historic associations with Chatham Dockyard:** The development of Upnor from the 16th to the 20th centuries is closely related to the development of the dockyard.
- **The waterfront:** Once the principal route into Upnor this is still the most prominent public face of the village, being prominent in views from the Dockyard and St Mary's Island.
- **Upnor Castle:** An unusually complete artillery fortification that is unique in being the only English coastal defence ever to have *"fired a shot in anger"*.
- **Lower Upnor Ordnance Depot:** A largely complete former military magazine and munitions storage depot.
- **The village centre of Upper Upnor:** notable for its high concentration of historic buildings, many of which are Listed.
- **The village's historic settlement pattern:** with little development beyond 19th century boundaries.
- **The distinctive local topography:** particularly the gentle slope of the High Street leading down to river.
- **Distinctive local building materials:** principally yellow brick and weatherboarding for walls, slate and tile roofs.
- **The preservation of many historic design details:** such as sash windows, railings, guttering and doors.
- **High quality streetscape:** with traditional surfacing materials, good signage and a lack of intrusive modern road markings and signage.
- **Attractive rural location:** with extensive tree cover at the village boundaries.



Upnor High Street

The village of Upnor is thought to have developed as a direct result of the construction of Upnor Castle, which was built between 1559 and 1567 as an artillery fortification to defend the Chatham Dockyard and subsequently converted into an Ordnance Depot (powder store) in 1667. This supposition is borne out by the fact that the earliest surviving domestic buildings date from the later 17th century. As such, it is a rare example of a small community that grew up to provide accommodation for workers for the Board of Ordnance. At other navy dockyards, such as Portsmouth and Plymouth, similar settlements have since been absorbed into larger towns.

Before the construction of the castle it is likely that there was some sort of settlement in the area. A document dating to around 1200 refers to *Upenore* and there is a 13th century reference to *Atte Nore* and *Uppe Nore*. However, the fact that there is no medieval church or manor (the village forms part of the parish of Frindsbury) suggests that this settlement must have been very small and need not have been on the site of what is now Upnor.

The village grew during the 18th century with the building of the barracks and a group of houses and cottages at the lower end of the High Street identifiable in 17th and 18th century maps of the area. The Ordnance Depot also expanded at this time with the construction of temporary magazine and large compound for gunpowder wagons opposite the barracks by the river in 1785. A new access road for the wagons, formerly known as *Powder Dumpie Hill* or *Powder Monkey Road*, now Admiralty Road, was constructed to bypass the High Street.



II. Historical development

The village took the form that we see today in the early 19th century. The 1838 tithe map (available to view at Medway Archives), shows the village at roughly its present size but much more heavily settled with densely packed tenements along the High Street and at Hammond Place at the entrance to the village. The 19th century censuses indicate that villagers were employed as watermen, bargemen, in the local cement works at Whitewall Creek and Lower Upnor as well as in the Ordnance Depot.

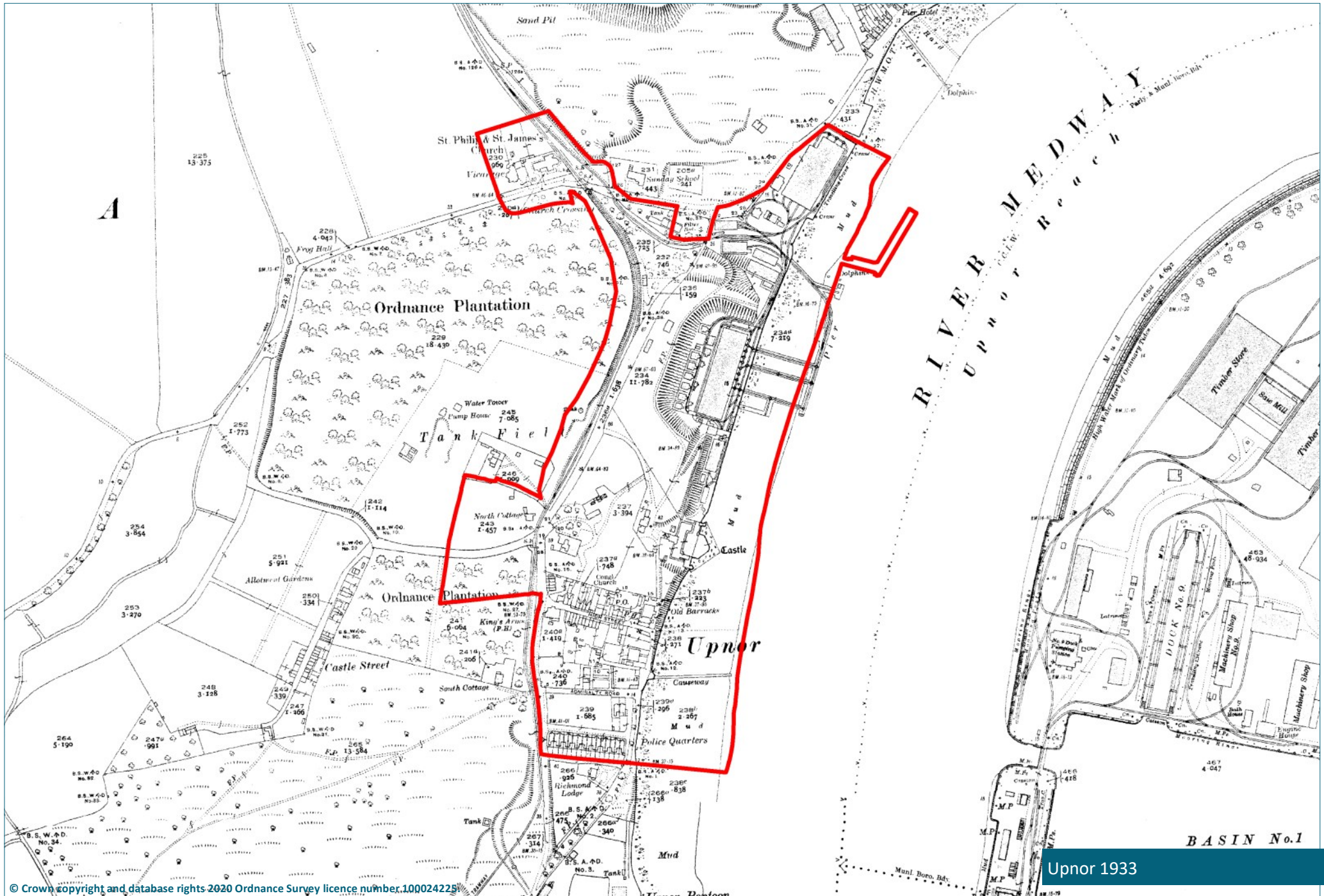
At this time the river was far more frequently used as a means of communication than today. Most visitors would have arrived to Upnor by water. As a result Upnor used to be much more closely integrated with Chatham than it is today. An example of this is the Royal Engineers, who used the land around Upnor for training purposes in from 1812 to 1820. From before 1708 until the 1820 a public ferry between Upnor and Princes Bridge at the north end of the dockyard operated until the construction of the dockyard extension in 1863, and a military ferry between Pontoon Hard and the Dockyard in the 19th and early 20th century ensured easy communication with Chatham.

Temporary pontoon bridges across the river were also built from time to time by the Royal Engineers as exercises. These were necessarily temporary structures, as they would have interrupted traffic on what was a very busy river. However, it is possible that the pontoon bridge between Pontoon Hard and Princes Bridge shown in plans for the wider refortification of the Medway in 1803 was a more permanent structure.

The first place of worship in the village was a Congregational Chapel on the north side of the High Street. The first building appears to have been a simple domestic style building built around 1850 which was replaced in 1898. Upnor gained parish status in 1874 with the building of the church and vicarage of St Philip and St James.



Upnor Congregational Church c.1898 (Medway Archives DE402/25/33)





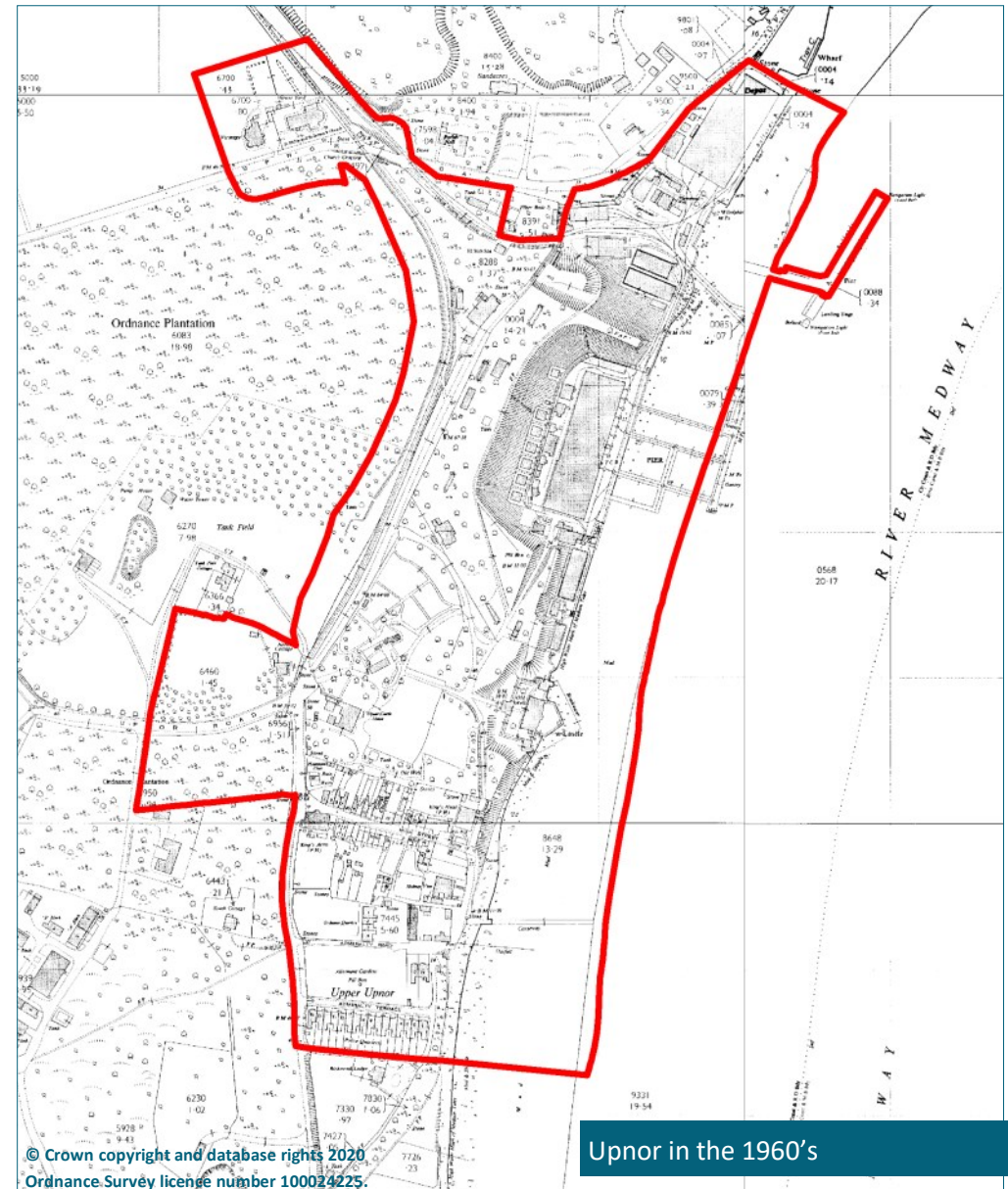
The butcher's shop at no.1 High Street

The 20th century

During the 20th century further expansion took place to the south of the village with the building of Admiralty Terrace as accommodation for personnel of the Metropolitan Police Dockyards Division and 22-24 Admiralty Road as houses for the Superintendent and Deputy Superintendent of Dockyard Police. The High Street was a thriving local centre during this period with a butcher's shop (no1), general stores (no25) and post office (no 23). There were also four pubs, the Crown and Anchor (now Medway View), the Kings Head (now The Tudor Rose), The Upnor Castle (now no 19) and the Kings Arms (rebuilt, but still trading).

The later 20th century has seen the village take on an almost entirely residential character with the closure of all the village shops, the loss of all but two of the pubs, the closure of the military ferry in 1959 and then the Ordnance Depot. The crowded tenements to the south of the High Street and Hammond Place have been replaced by modern housing and the Ordnance Depot redeveloped.

II. Historical development



Upnor in the 1960's

III. Architectural and built character

32

Spatial character and built form

Upnor is an excellent example of a settlement that gradually developed to support a significant local employer, most notably Chatham Dockyard and Upnor Castle. It can be summarised as follows:

- The village developed to the south of Upnor Castle, along the line of the current High Street that runs perpendicular to the river and Upchat Road.
- The Conservation Area comprises 7 distinct character zones that reflect their respective phases of development and the different architecture contained within.
- The Conservation Area primarily faces outwards towards the river following the course of the High Street, Admiralty Road and Admiralty Terrace, offering both narrow views of the river along these streets and wider panoramic views where they meet the rivers' edge.
- The green, heavily treed rural backdrop that slopes upwards to the west of Upnor makes a very important contribution, framing the view of the Conservation Area from the opposite bank of the river and forming an edge to the village.

Upper Upnor Conservation Area benefits from a range of building types, varying in design and scale. The extant older buildings in the Conservation Area are centred on the castle, spreading outwards in a broadly chronological fashion, with a modern 20th century infill development (Admiralty Road) located to the south.

The former Upnor Ordnance Depot form the northern boundary to the Conservation Area and has recently been redeveloped to a mixed-use development, reusing many of the ordnance buildings whilst retaining the original form and extents of the depot.

Positive contributors and detractors

The buildings and structures of the conservation area contribute in different ways to its overall character and appearance, some positively (positive contributors such as heritage assets), and others negatively (detractors).

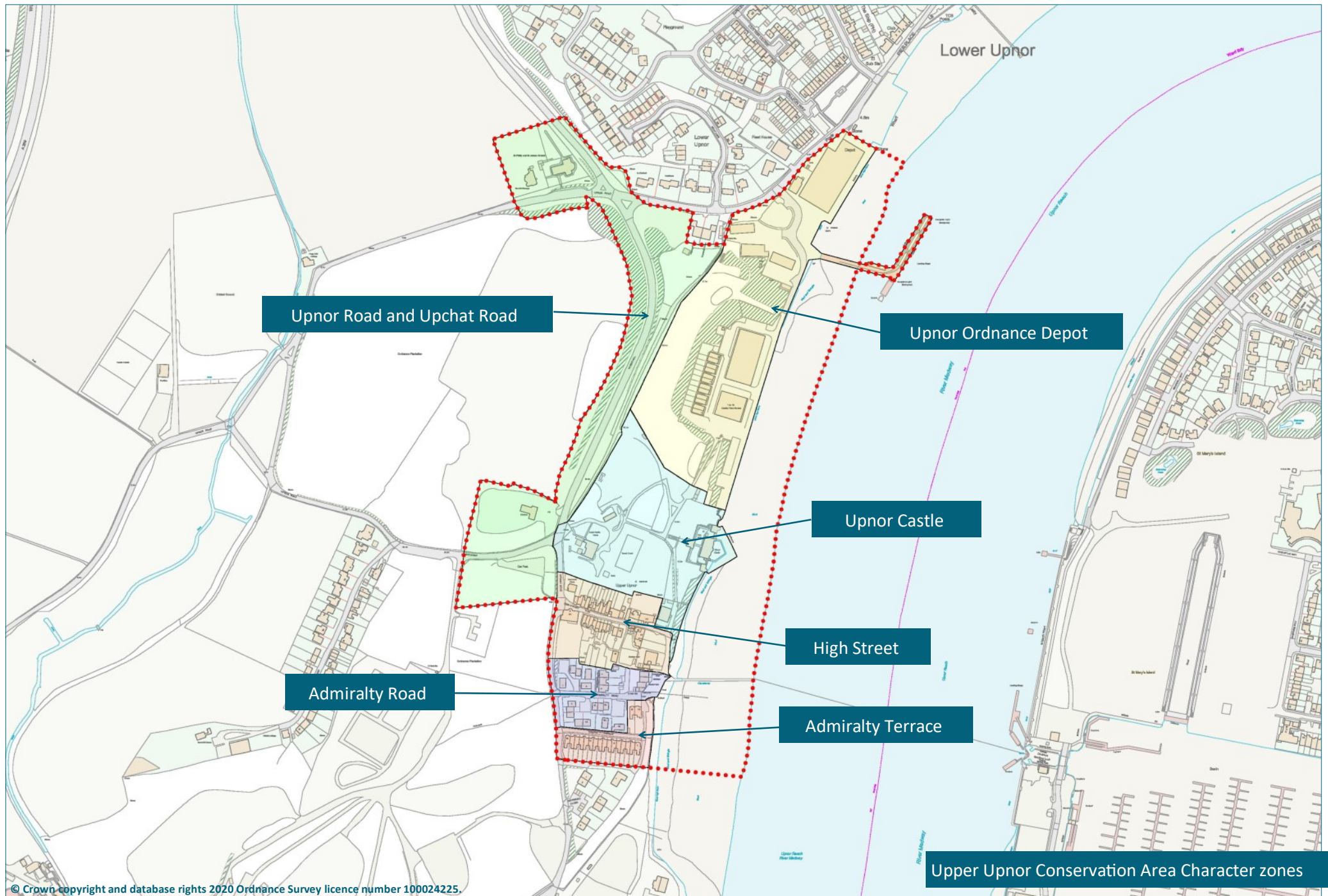
Positive contributors

The Conservation Area contains a large number of heritage assets, both designated and non-designated, all of which contribute to its character and significance. The extent of a building's contribution to the character and appearance of the Conservation Area is not limited to its physical form, but also through providing meaning for communities derived from their collective experience of a place.

- *Designated Heritage Assets* (such as Listed Buildings and Scheduled Monuments) are buildings, structures or sites that have been designated by Historic England as having special historic or architectural interest at a national level. For further details please visit the [Historic England website](#).
- *Non-Designated Heritage Assets* are buildings, structures and sites that contribute to the character and significance of the Conservation Area. Some buildings may have suffered from unsympathetic alteration but can be restored to their original appearance relatively easily. More information is available on the [Historic England website](#).

Detractors

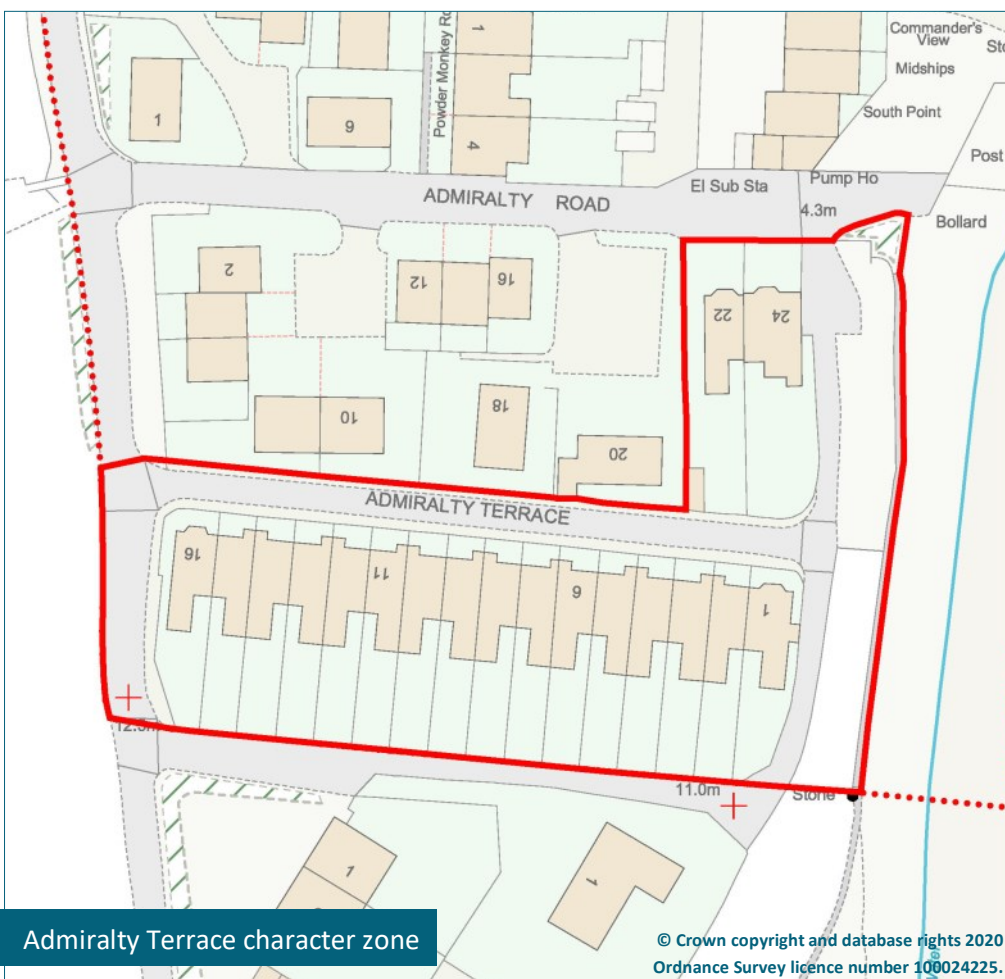
Some elements of a Conservation Area may be out of character due to, for example, their scale, use of materials or the way they relate to neighbouring buildings and are therefore considered detractors.



IV. Character zones

34

The Upper Upnor Conservation Area can be divided into 7 zones of discernibly different character based on their spatial characteristics, architectural qualities and historical development. The features and individual characteristics of each zone that contribute positively to the character and appearance of the Conservation Area are summarised across the proceeding pages.



Admiralty Terrace

This terrace of houses sits on a prominent hill overlooking the village and was built in the 1890s as accommodation for officers of the Metropolitan Police Dockyard Division. The terrace represents a good example of housing from this era and consists of a row of flat fronted yellow brick properties enlivened by red brick surrounds around the windows and doors and flat roofed brick porches. At the ends and centre of the terrace are slightly grander houses with gable ends and bay windows for higher-ranking officers. Most properties retain many of their original features including slate roofs, panelled timber doors and timber framed windows. Each property has a small front garden bounded by original railings. The terrace forms an important landscape feature in the village due to its prominent location. The streetscape is urban in nature, with a tarmac road and pavement with concrete kerbs. The area is enhanced by a lack of modern signs and road markings. Original street signs are attached to the end walls of the terrace.

Also of importance are 22 and 24 Admiralty Road. This pair of semi-detached houses were built at the same time but are a larger versions of the houses making up Admiralty Terrace, and were intended for the Superintendent and Deputy-Superintendent of Dockyard Police.

The uniformity in the architecture, detailing and appearance of Admiralty Terrace and 22 and 24 Admiralty Road contributes significantly to the character of the Conservation Area and is therefore protected by an Article 4 Direction (see page 27 for more information). Any changes to these properties that requires planning permission (such as extensions, alterations or replacement windows, doors, fences, walls, gates, roof coverings, gutters etc) will be expected to use traditional materials and follow any original designs and patterns. Generally, the use of UPVC or aluminium framed windows and UPVC or composite doors would not be considered acceptable as part of a planning application in this character zone.



Admiralty Terrace

IV. Character zones

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Admiralty Road

This area occupies a valley between High Street and Admiralty Terrace and consists of a mix of informally arranged modern housing and 19th century cottages. Historically this was an area of gardens on the periphery of Upnor village. The only buildings of historic note are 1-4 Admiralty cottages, a terrace of early 19th century brick built cottages. These have been rebuilt during the 1980s and have lost most of their original features. Nevertheless they retain attractive tiled roofs and brick chimneys that make an important contribution to the street scene. The remaining houses in the road date from the late 20th century and are either semi-detached or detached two-storey dwellings clad in uPVC cladding and concrete tiles. A three-storey terrace with balconies fronts the river. While the area is not of particular architectural or historical interest it forms an important visual link between the High Street and Admiralty Terrace.



Admiralty Road



Modern housing of Admiralty Road



IV. Character zones

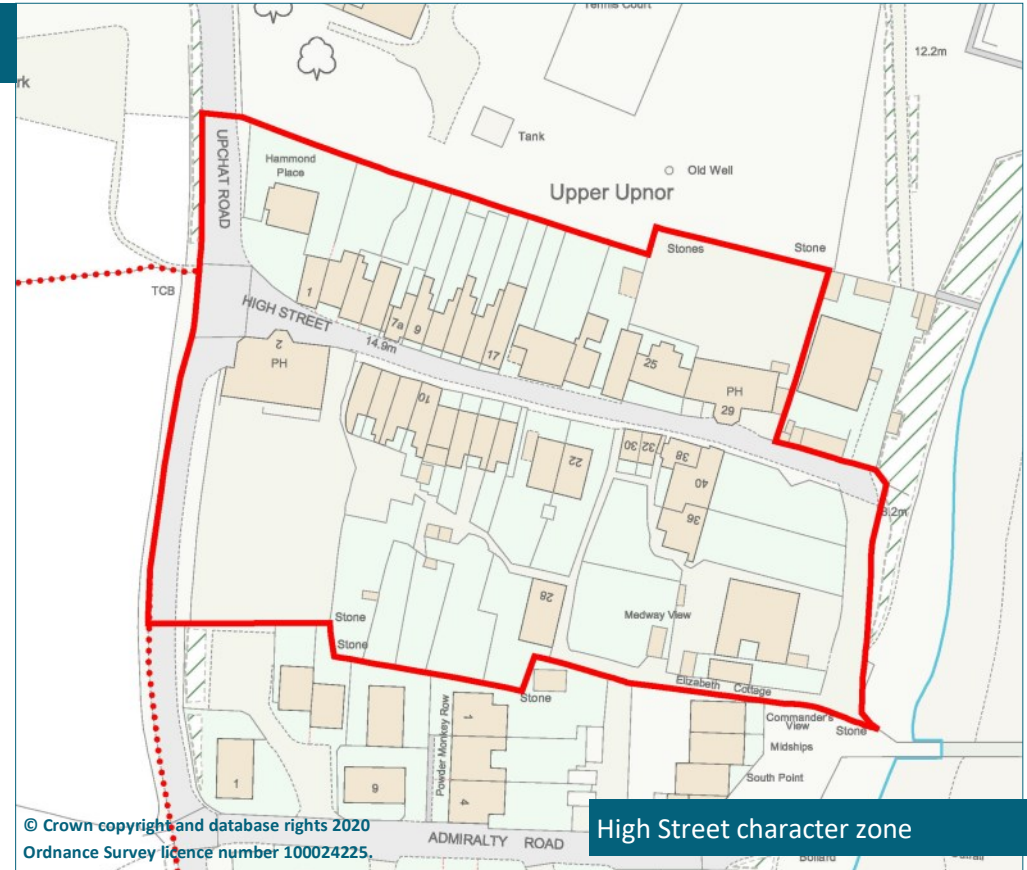
38

The High Street

The High Street forms the nucleus of Upnor village and consists of a short street leading down a hill to the river. The settlement pattern is typical of a historic village centre, with densely packed houses situated on narrow plots, averaging around four metres wide and fronting directly onto the road. This results in a tightly packed and varied streetscape. Nearer the river plots tend to be wider and buildings are frequently sited with their long axis along the frontage with large front gardens giving this part of the village a more spacious feel. Historically, the street would have had a mixed usage but is now almost entirely residential in character.



Southern side of the High Street



High Street character zone

Buildings in the street are generally of the terraced or semi-detached and two storeys high, often with an attic, ranging from the late 17th to the late 20th century. The earliest buildings, dating from the late 17th to mid-18th century are timber-framed and clad in weatherboarding or render with steeply pitched tiled roofs, often with dormers. Later buildings dating from the 19th century tend to be arranged in terraces and are generally of yellow brick, with redbrick dressings. Roofs are of slate, often at a low pitch with a parapet, or of the mansard type and covered with tiles. Many properties retain their cast iron guttering. Timber sash windows are the most common window type used throughout the street. Two modern houses on the southern side of the street (numbers 20 and 22) replicate the materials and detailing of the earlier structures with weather boarded walls, steeply pitched tiled roofs and timber framed sash windows.

IV. Character zones



Northern side of the High Street

Most buildings and structures on the High Street make a positive contribution to the character of the Conservation Area, and a high proportion of buildings are Listed. Smaller structures, such as number 1, a single storey weather boarded building that was formerly a butcher's shop (see photograph on page 8) add variety and are thus important despite their modest nature. The King's Arms pub, with its flamboyant mock Tudor styling, contrasts with the vernacular character of other buildings in the street. Its prominent position on the corner at the top of the street forms an important landmark on entering to the village.

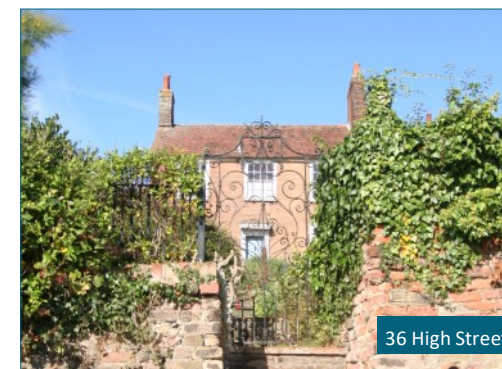
The streetscape is in general simple with a cobbled street without a pavement and a welcome absence of road signs and markings. Street furniture is on the whole well designed with attractive signage and heritage style streetlights. Most buildings front directly onto the street. However, some houses have small front gardens with picket fences and numbers 9 to 15 feature a fine set of wrought iron railings.

To the south of the High Street are a network of narrow alley ways linking back gardens and ancillary buildings. During the 19th century this area was densely packed with cottages. Now the only dwelling in this area is Number 28 High Street, an attractive 19th century cottage hidden away from the street.

The High Street turns south at its eastern end where it meets the river and its character changes considerably. The streetscape is less formal and surfaced in gravel. Houses are larger, being detached or semi-detached, and set within large well planted gardens bounded by brick walls facing the river. Numbers 36 and 40 High Street date from the late 18th century and feature red brick with a tiled roof behind a parapet. Windows are of the sash type and there is a central panelled front door capped by a pediment. There is an attractive hexagonal gazebo in the front garden of number 40 with a domed imitation lead roof and timber casement windows. This structure is a prominent landmark from both the river and the High Street and makes a significant contribution to the character of the area. Medway View, a late 19th century weather-boarded villa with sash windows, a veranda and a low-pitched slate roof also makes an important contribution to the area. The other structure in this area, Elizabeth Cottage, dates from the early 19th century. This is of historic interest as the last survivor of a group of watermen's cottages in this area. Unfortunately it has lost most of its original external detail features.



Gazebo at 40 High Street



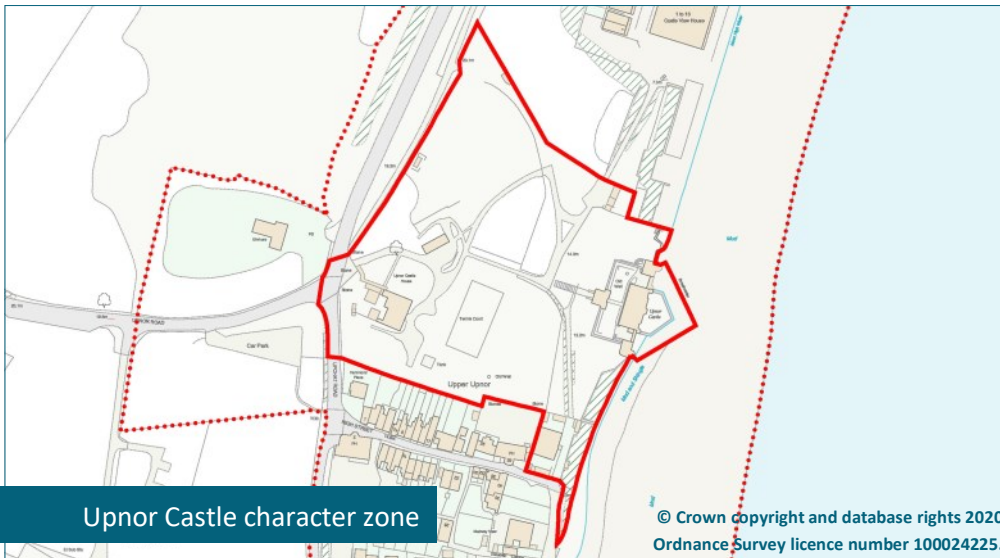
36 High Street

IV. Character zones

40

Upnor Castle

Upnor Castle was built between 1559 and 1567 as an artillery fortification protecting Chatham Dockyard. Although designed by Sir Richard Lee, the foremost military engineer of the era, military historians consider it to be of an archaic design when compared to contemporary continental fortifications. The basic design is of a stone blockhouse with corner turrets and a low V-shaped bastion projecting into the river. Gun loops were provided in the walls for artillery and further guns were mounted on the roof. A boom was strung between the Castle and the east bank of the river to protect the dockyard from 1588 and the structure was enlarged between 1599 and 1601. The defences were reinforced at the end of the 16th century with two small earthwork fortifications, known as sconces. The precise form and position of these supporting fortifications is not currently known but are likely to have been temporary gun batteries that overlooked the river in the vicinity of the castle.



Upnor Castle character zone

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Castle Upnor, 1833 engraving by J.B Allen from a JMW Turner painting

During the Dutch raid on the Medway in 1667 the guns of Upnor Castle fired on the Dutch fleet as it advanced up the river, unfortunately with very little success. As such, it is remarkable as the only English coastal defence ever to have been used in battle. After the Dutch raid the primary dockyard defences were moved downriver with the construction of new and more formidable defences at Cockham Wood and Gillingham forts. The castle was converted into a gun powder magazine. However, it appears to have remained armed and gunners were stationed there until the early 19th century.

In 1827 the Castle was converted into a laboratory for the filling of explosive shells and was used for the storage of miscellaneous explosives until 1913, when it became a museum.

IV. Character zones

Adjacent to the Castle is a barrack block built in 1718. This is of great significance as one of the earliest surviving purpose built barrack blocks in the country, the others being Hampton Court (1689) and Berwick (1717).

The significance of the barracks are heightened due to the largely unaltered internal layout. In design it is typical of the Ordnance Department house style of the period, being brick built of three stories with a formal front embellished with a decorative brick plinth, quoining and parapet. Windows are of the sash type set under segmental arches.

Also associated with the castle is Upnor Castle House which was built for the Storekeeper in charge of Upnor Castle during the mid-17th century house and had a formal garden front added in the late 18th century. It is now a private house.

The Castle, Upnor Castle House and the barracks are clearly separated from the village and form a distinct area with its own separate character that should be maintained. Physically the two areas are divided by high wall brick wall running around the site. There is little visual linkage between the village and the castle area with both the castle and the Barracks facing the river rather the street and Upnor Castle House being set well back behind the high boundary wall. Inside the Castle and Barracks area that is softer and greener in character. Gardens have been a feature of this area since at least the 19th century and there is evidence for deliberate tree planting of walnut trees for rifle stocks.

A more detailed assessment of the Castle and its environment are provided in the *Upnor Castle Conservation Statement* by Jonathan Coad (English Heritage 2002).



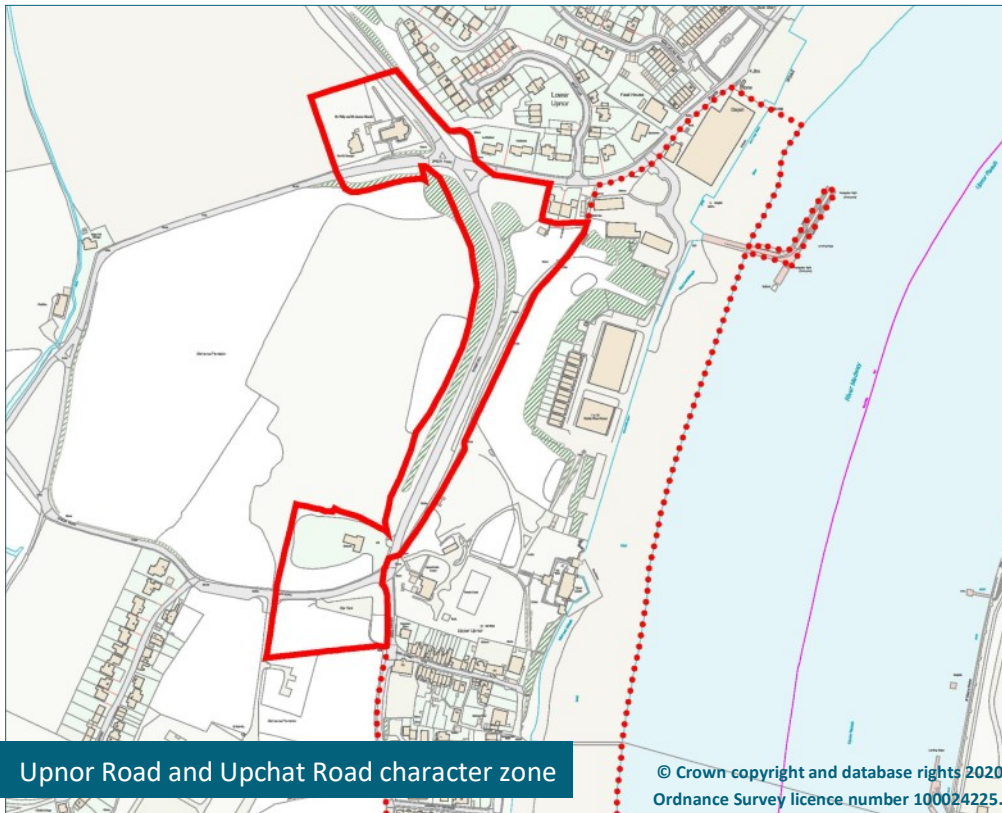
Upnor Castle with the barracks (left) and Upnor Castle House (behind)

IV. Character zones

42

Upnor Road and Upchat Road

Both Upnor Road and Upchat Road along with the green spaces surrounding them form the primary vehicular gateway into the Conservation Area. Of particular importance is the wood and car park adjacent to Upnor Road that allow the village to suddenly appear when approaching from the car park and allowing only a glimpse of the King's Arms Public House when approaching from Upchat Road. The extensive tree cover along Upchat Road also makes an important contribution to the rural setting of the village.



Upnor Road and Upchat Road character zone

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St Philip and St James Church

The main buildings of note in this area are the late-Victorian St Philip and St James Church and The Old Vicarage, which are set in wooded grounds at the Junction of Upchat Road and Lower Upnor Road. This was built in 1874 to the designs of Ewan Christian and is a modest but attractive redbrick building in a loose gothic style distinguished by some fine stained glass windows by Burne-Jones. The Vicarage is a typical large red brick Victorian house dating from 1878. Also of importance is the high wall separating the Castle and the Royal Engineers' Depot from the road. This probably dates from the 19th century and is of English bonded local stock bricks with early 20th century lamp fittings. The only other buildings in this area, Hammond Place and Elmhora House/Flag Stone House, are modern structures. Elmhora House/Flag Stone House benefits from being well screened by trees.

IV. Character zones

Upchat Road runs along the bed of a railway originally constructed in 1873 to link the Lower Upnor Ordnance Depot with the magazines at Chattenden and Lodge Hill, known as the Chattenden and Upnor Railway. Part of the slightly later (1885) narrow gauge track still survives to the rear of Upnor Depot. The original road to Lower Upnor ran along the line of the current footpath to the east of Upchat Road.

At the eastern end of Upnor Road adjacent to the Ordnance Depot are Cormorant and Normandie House. Whilst being of limited architectural interest, the pair of houses are the result of the conversion of a former Royal Navy electrical substation and so display some historic significance, as does the former Second World War era Civil Defence Gas Decontamination building located immediately to the east, now used as an electrical substation. These buildings could be considered for inclusion into a possible extension to the Conservation Area.



Upchat Road



Narrow gauge track and Admiralty Department boundary stone

IV. Character zones

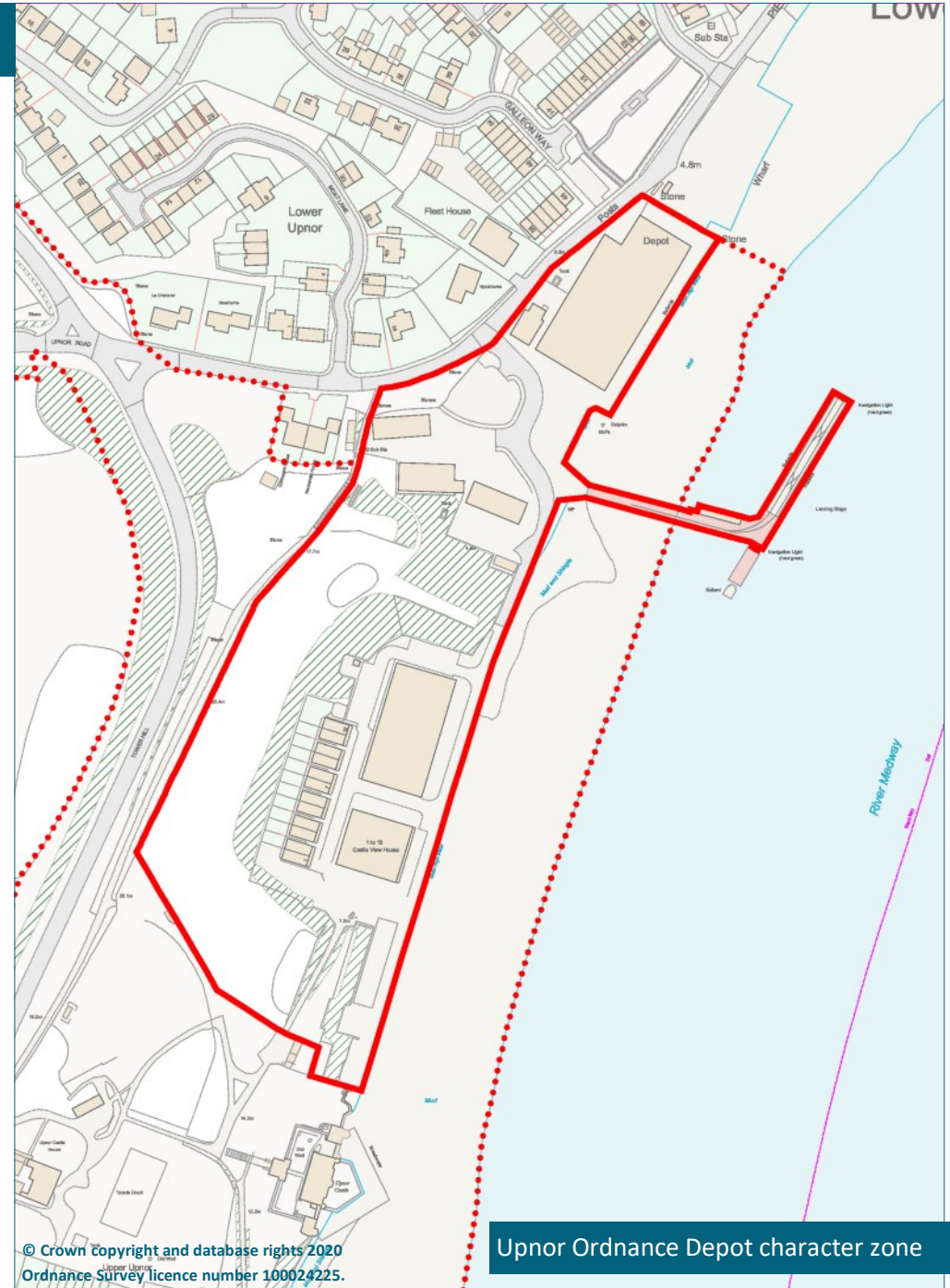
Upnor Ordnance Depot

From the late 17th to the late 20th centuries the Royal Engineers Lower Upnor Depot was the site of an ordnance depot that stored and prepared munitions for naval ships laid up in Chatham Dockyard. As such Upnor formed an integral part of the internationally important Royal Dockyard complex and was closely linked to the dockyard functionally, as an important part of the process of repairing and building ships, physically, via the river that formerly acted as a transport link and visually with views across the river to the Dockyard and Brompton Barracks. By the time that the Depot reached its peak at the end of the 19th century the Ordnance Depot formed the centre of a network of ordnance sites that extended well into the Hoo Peninsula with magazine complexes at Chattenden and Lodge Hill.

The Medway Magazines by David Evans (English Heritage 1999) and the *Thematic Survey of Ordnance Yards* (English Heritage 2002) offer a more detailed account of their development and significance, and set the dockyard in its national context.



B Magazine at Upnor Depot

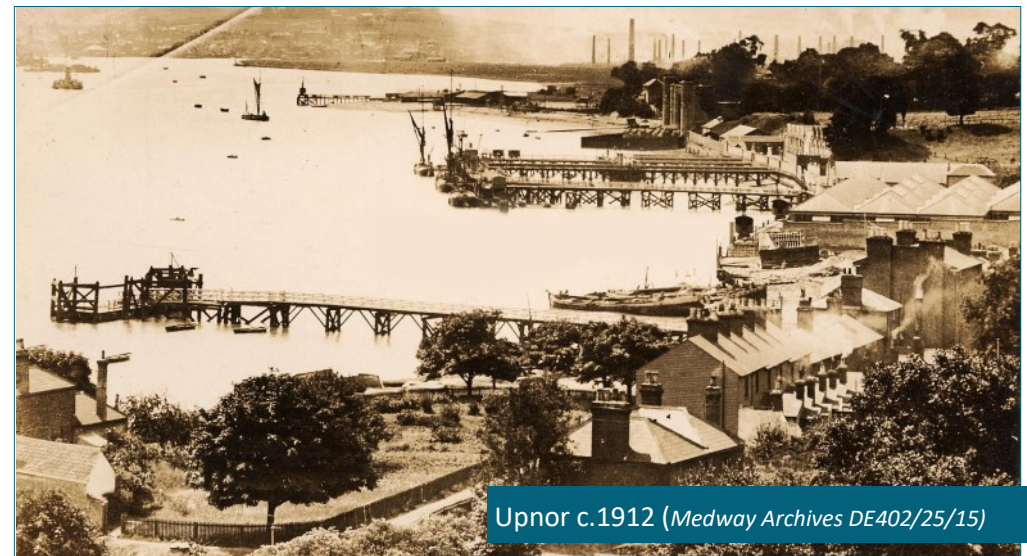


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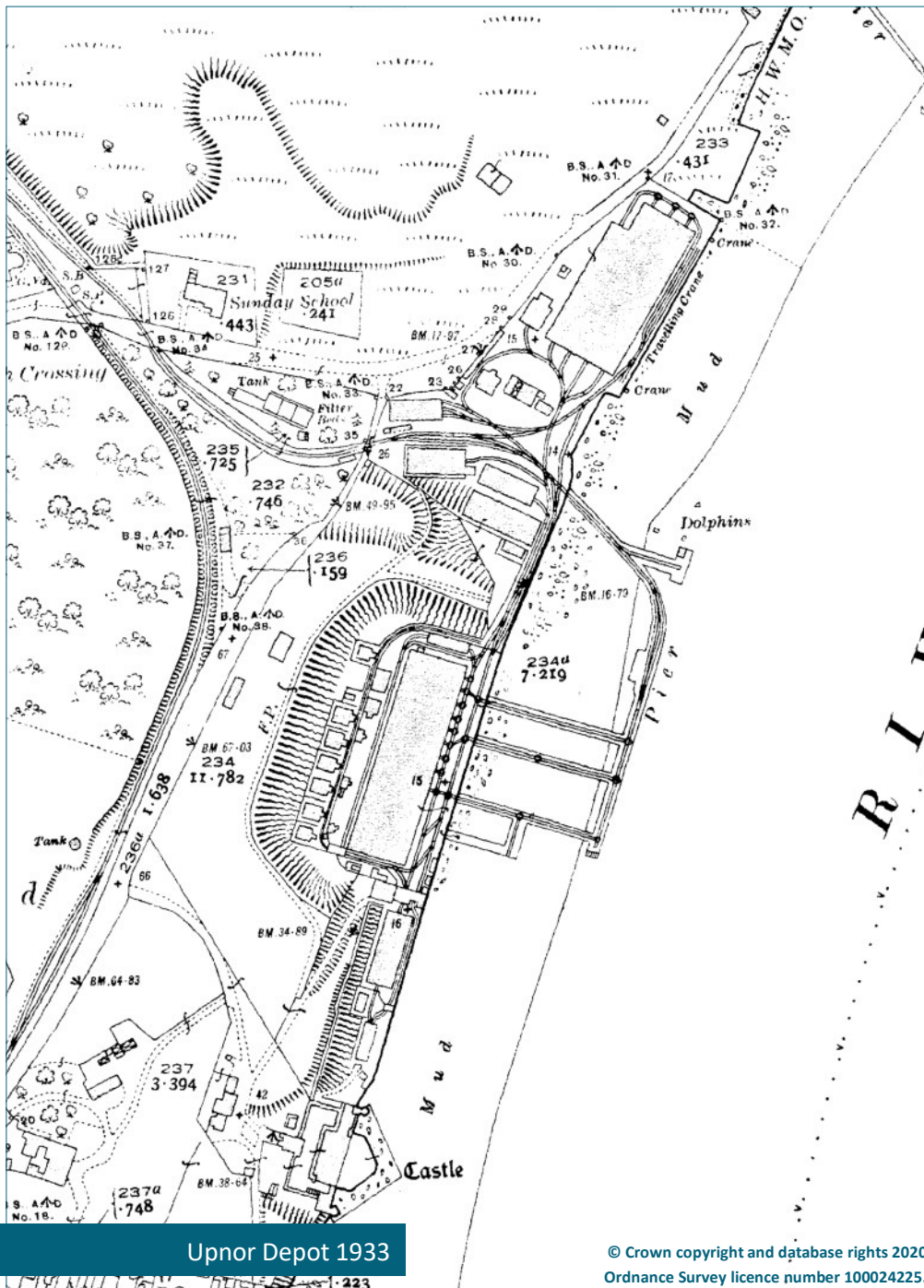
Upnor Ordnance Depot character zone

IV. Character zones

The Ordnance Depot was founded in 1668 and originally sited in Upnor Castle. By the mid-18th century the depot had outgrown the castle and a temporary magazine was erected to the south of the barracks. A permanent magazine, known as A Magazine, was built on the site of a former ballast wharf to the north of the Castle between 1808 and 1810. This consisted of four chambers under brick cantenary vaults, which aimed to be strong enough to withstand the explosion of the contents. Two examining rooms, which as the name suggest, were for examining gunpowder before storage was constructed between the Castle and the magazine in between 1811 and the 1840s. The ballast diggings in which these buildings were set formed a protective earth bank known as a traverse, which was intended to contain the blast and absorb debris of an accidental explosion. These buildings were demolished in the later part of the 20th century but the traverse remains. A new river wall (Grade II Listed) and a pier serving A Magazine (now demolished) were also built at this time. The capacity of the magazine was soon exceeded and subsequently supplemented by six floating magazines converted from old warships.



Upnor c.1912 (Medway Archives DE402/25/15)



Upnor Depot 1933

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IV. Character zones

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The development of shell firing guns in the mid-19th century led to the further expansion of the depot with the construction of stores for shells and laboratories for examining gunpowder and filling shells between 1857 and 1862. Further gunpowder storage was provided by the construction of B Magazine in 1857 along similar lines to A Magazine. Of these buildings B Magazine survives intact (Grade II* Listed) as a distinctive and character building on the waterfront.

By the end of the 19th century it became clear that the Upnor Depot was not large enough to store all the explosives necessary and new magazines were built at Chattenden in 1877 and Lodge Hill between 1900 and 1903, both of which were connected to Upnor via a railway. The Upnor depot then concentrated on filling and storing explosive shells. Further shells stores and ancillary structures were added between 1882 and 1896. An extensive narrow gauge railway network and a new pier at the north end of the site were also added during this period. The final additions to the site were a further shell store (No 5) at the extreme north of the site, an empty case store linking magazines A and B completed in 1904 and six shell-filling rooms situated to the west of Magazine B in 1907. Apart from the shell filling rooms most of these structures survive.



The former Filled Mine Store and Filled Shell Store

After the construction of a large shell-filling laboratory at Lodge Hill between 1910 and 1912, Upnor was mainly used for the storage and transfer of munitions onto ships. Later 20th century work was limited to the addition of further explosives stores to the west of Magazine B, the conversion of Magazine B into a torpedo store and the building of a sentry post in the First World War and underground air raid shelters during the Second World War. The site remained in use as an Ordnance Depot until 1964.

The site's long history as an ordnance depot is also unique and is in contrast to the ordnance facilities at the other principal Royal Dockyards at Portsmouth and Devonport, which were laid out in the late 18th century. The adaptation of Upnor Castle into a powder store is unparalleled and is the oldest such installation of this size in Britain. The wide range of surviving buildings chart the general development of ordnance facilities from adapted fortifications, through to specialised vaulted structures for bulk powder storage (Magazine B) to simple, lightweight buildings for the bulk storage of shells and mines.

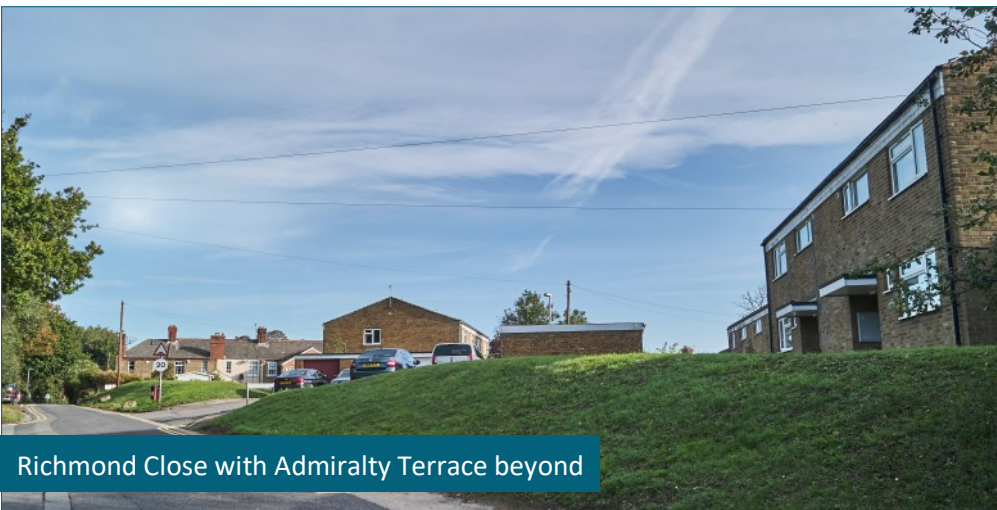
The Depot as a whole is highly significant in landscape terms being prominent in views from the river, the Historic Dockyard and St Mary's Island. The depot buildings form an attractive yet unobtrusive river frontage that blends in well with the tree cover of the traverse behind. The woodland covering of the traverse behind B magazine forms a strong skyline as part of a continuous line of tree cover stretching along the river from Tower Hill to Hoo St Werburgh.

In recent years the Ordnance Depot has been subject to an extensive yet sympathetic mixed-use redevelopment, that both allows for the sustainable re-use of the site, whilst respecting its significance. As part of the redevelopment SWAT Archaeology produced a comprehensive Historic Building Recording Survey for the Ordnance Depot in 2015 which is available to download from their [website](#).

Richmond Close (outside of the Conservation Area)

Whilst being outside of the Conservation Area and arguably of limited architectural interest, Richmond Close demonstrates the contemporary and continued interaction between the village and the military, therefore displaying a degree of historic significance of how Upnor developed over the centuries. Constructed by the Ministry of Defence in the early 1970s to house the families of servicemen stationed nearby, Richmond Close is a typical design of military housing of this period, similar to that found nearby in Brompton. The close is formed by 3 pairs of semi-detached houses with a separate garage block and ample amenity space.

Located immediately northeast of Richmond Close is Riverside Cottage, a late 20th century/early 21st century detached house that bears limited architectural association with that of the surrounding area but does reflect the surrounding spatial pattern. Due to its location to the rear of Admiralty Terrace and Richmond Close, its primary views are from across the river, and with Richmond Close contributes to the setting of the Conservation Area.



Richmond Close with Admiralty Terrace beyond



Richmond Close (outside of the Conservation Area boundary)

V. Heritage assets

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Designated heritage assets

There are currently 16 designated heritage assets located within the Upper Upnor Conservation Area:

Scheduled Monuments:

- Artillery Castle at Upnor

Grade I Listed Buildings:

- The Barracks
- Upnor Castle

Grade II* Listed Buildings:

- Building LU001 (Former B Magazine), Upnor Depot

Grade II Listed Buildings:

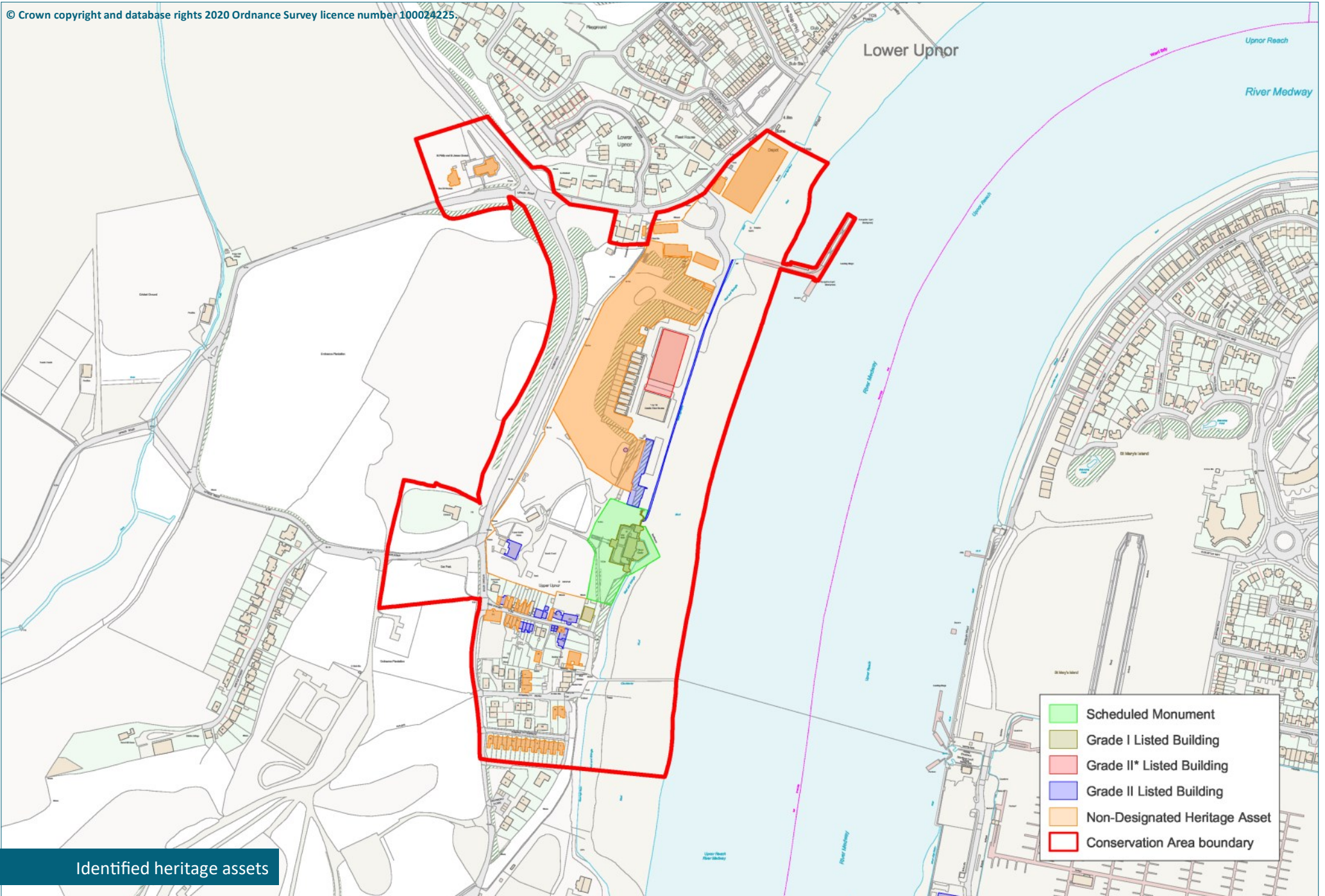
- Wall extending north east from Upnor Castle along the river Medway.
- 3 High Street.
- Waterhouse Cottage.
- 30-32 High Street.
- Waterside Cottage (36 High Street).
- Castle House and Albermarle Cottage.
- 12-18 High Street.
- Walsall House (40 High Street).
- Upnor Castle House.
- Traverse to former Shifting House, Upnor Depot.
- WWI Sentry Post, Upnor Depot.
- The Tudor Rose Public House.

Further information on the designated heritage assets noted above is available through the [Historic England website](#).

Non-designated heritage assets

Several other buildings and other structures are considered to contribute to the character of the Conservation Area and are therefore considered to be Non-Designated Heritage Assets (NDHA). The list is not exhaustive, and other buildings or structures may be considered NDHAs should impacting development proposals come forward:

- 1-16 Admiralty Terrace.
- 22 and 24 Admiralty Road.
- 1-4 Powder Monkey Row (Admiralty Cottages).
- Medway View and Elizabeth Cottage on Barrack Hill.
- The Kings Arms PH, 1, 5-15 (odds), 23, 4-10 (evens), 28, and 38 High Street.
- Shell Store 3, Truck Shed, Wet Gun Cotton Store, Filled Shell Store, Filled Mine Store, Detonator Store, the boundary wall, the fire bell mast, the concrete traverses between the former Shell Filling Rooms and the traverse at Upnor Depot.
- The various boundary marker stones; including those of the War Department and Admiralty Department.
- The rails from the former tramway located immediately southeast of Normandie House, Upnor Road.
- The former Civil Defence Gas Decontamination building immediately east of Normandie House.
- The church of St Phillip and St James and the Old Vicarage, Lower Upnor Road.



Identified heritage assets

V. Heritage assets

50

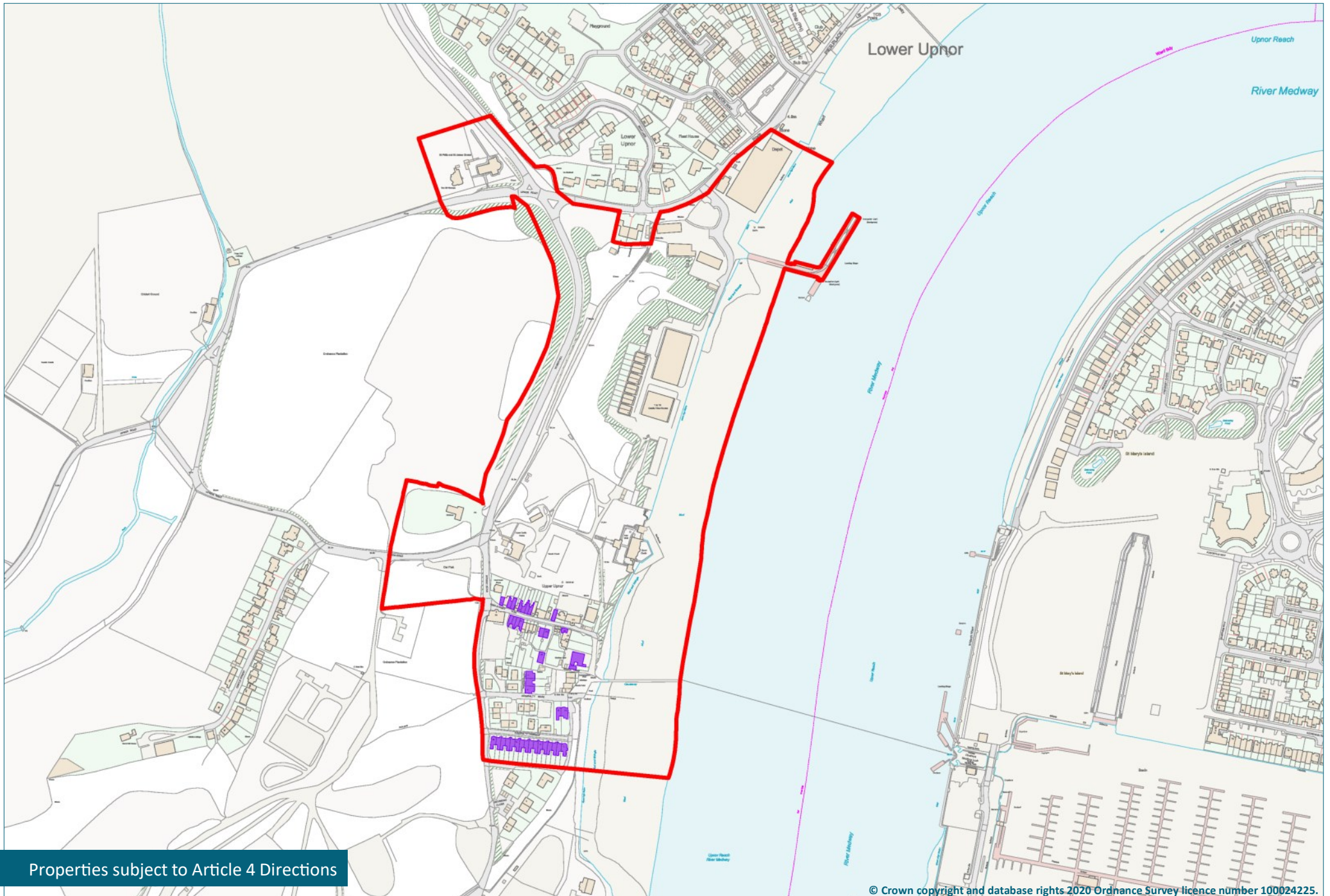
Article 4 Directions

To help preserve high quality architectural details and to ensure that changes are undertaken sympathetically, an Article 4 Direction was applied to the Upper Upnor Conservation Area in 2005. The following properties are covered by the Article 4 Direction:

- 1-16 (consecutive) Admiralty Terrace.
- 22 and 24 Admiralty Road.
- 1-4 Powder Monkey Row (Admiralty Cottages).
- Waterside Cottage, Elizabeth Cottage and Medway View in Barrack Hill.
- 4, 6, 8, 10, 20, 22, and 38 High Street.
- 1, 5, 7, 9, 11, 13, 15 and 23 High Street.

The Article 4 Direction means that planning permission is required for small changes to the above properties as well as major changes that usually require planning permission. The following list of works will need planning permission under the Article 4 Direction:

- The enlargement, improvement or other alteration of a dwellinghouse (including the size, shape and design of windows, doors and other openings, porches and porticos, timberwork and barge boarding, brick and stonework, stucco, rainwater goods, extensions and the application of cement or pebbledash render);
- the alteration of a dwellinghouse roof (including tiles and slates, ridge tiles, finials, windows and rooflights, leadwork and eaves);
- the erection or construction of a porch outside an external door of a dwellinghouse;
- the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such (including paths and hardstandings);
- the installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage;
- the erection, alteration or removal of a chimney on a dwellinghouse or on a building within the curtilage of a dwellinghouse;
- the erection, construction, maintenance, improvement, alteration or demolition of a gate, fence, wall or other means of enclosure within the curtilage of a dwellinghouse; and
- the painting of the exterior of any part of a dwellinghouse or any building or enclosure within the curtilage of a dwellinghouse (including the painting over of unpainted brick or stonework but excluding the painting of doors, windows and other joinery items).



VI. Open space and Trees

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Open space

Due to the tightly drawn Conservation Area boundary, there are limited areas of publicly accessible open space. There are however 3 main areas that make a strong contribution to the Conservation Area; the churchyard of St Philip and St James Church, the rivers' edge and the linear footpath between the High Street and the main entrance to the Ordnance Depot. A fourth area of open space is currently being developed atop the traverse as part of the redevelopment of the depot.

The extent of the contribution of each of these open spaces on the character and appearance of the Conservation Area varies according to how they are experienced. Those which are visible from the main roads and paths within the Conservation Area, or from locations outside of the Conservation Area (such as on the opposite bank of the river) are considered to make the greatest contribution.

Trees

Trees play a very important role in enhancing the character, appearance and setting of the Upper Upnor Conservation Area. Many of the trees in Upnor are contained within private spaces and gardens which help enliven the townscape, provide a significant amenity benefit and may be of historic significance; however there are also substantial belts of trees along Upchat Road, Upnor Road and within the Ordnance Depot that help form the important green backdrop and rural character of Upnor, particularly when viewed from across the river.

The value of many of the trees within the Conservation Area is already recognised through existing Tree Preservation Orders (TPO) and consent is usually required to undertake works to them, such as pruning or felling. Works to other trees not covered by a TPO may also require consent, therefore at least 6 weeks prior to undertaking any works, written notification must be made to the council, who may then wish to make a TPO. Further information is available on the [Medway Council website](#), and applications for works can be made through the [Planning Portal](#).



The linear open space adjacent to the Ordnance Depot

VII. Condition and issues

Condition and issues

On the whole, the character and appearance of the Conservation Area is relatively well preserved. There are however some issues that will need to be addressed through on-going management.

A common issue is original features and details being replaced with inferior and often inappropriate alternatives, such as:

- Cast iron guttering being replaced with plastic.
- Timber-framed windows being replaced by uPVC and aluminium alternatives, some with different patterns or openings.
- Timber front doors with composite or uPVC.
- Door furniture being replaced with contemporary designs.
- Slate or clay roof tiles replaced with concrete.
- Boundary enclosures, such as railings, walls and gates with modern alternatives.
- Rendering or painting of original brick or stone surfaces.
- Cluttered or untidy gardens and yards.
- Extensions to buildings not of an appropriate scale or materials.
- Over-intensive parking, including on pavements.
- Poor condition footpaths and roads, often repaired or replaced with unsympathetic alternatives.
- Unsympathetic street furniture.



An unsympathetic street light

VIII. Setting and views

Setting and views

Views make an important contribution to our ability to appreciate the character and appearance of the Conservation Area, allowing for the interpretation of how the village developed over time and the factors that influenced its development.

The riverside location of Upnor lends itself to a series of different views, both from within the Conservation Area and from outside looking in. The views can be divided into 3 categories; Townscape, Contextual and Scenic views. Some viewpoints may also display combined characteristics, such as both contextual and townscape views.

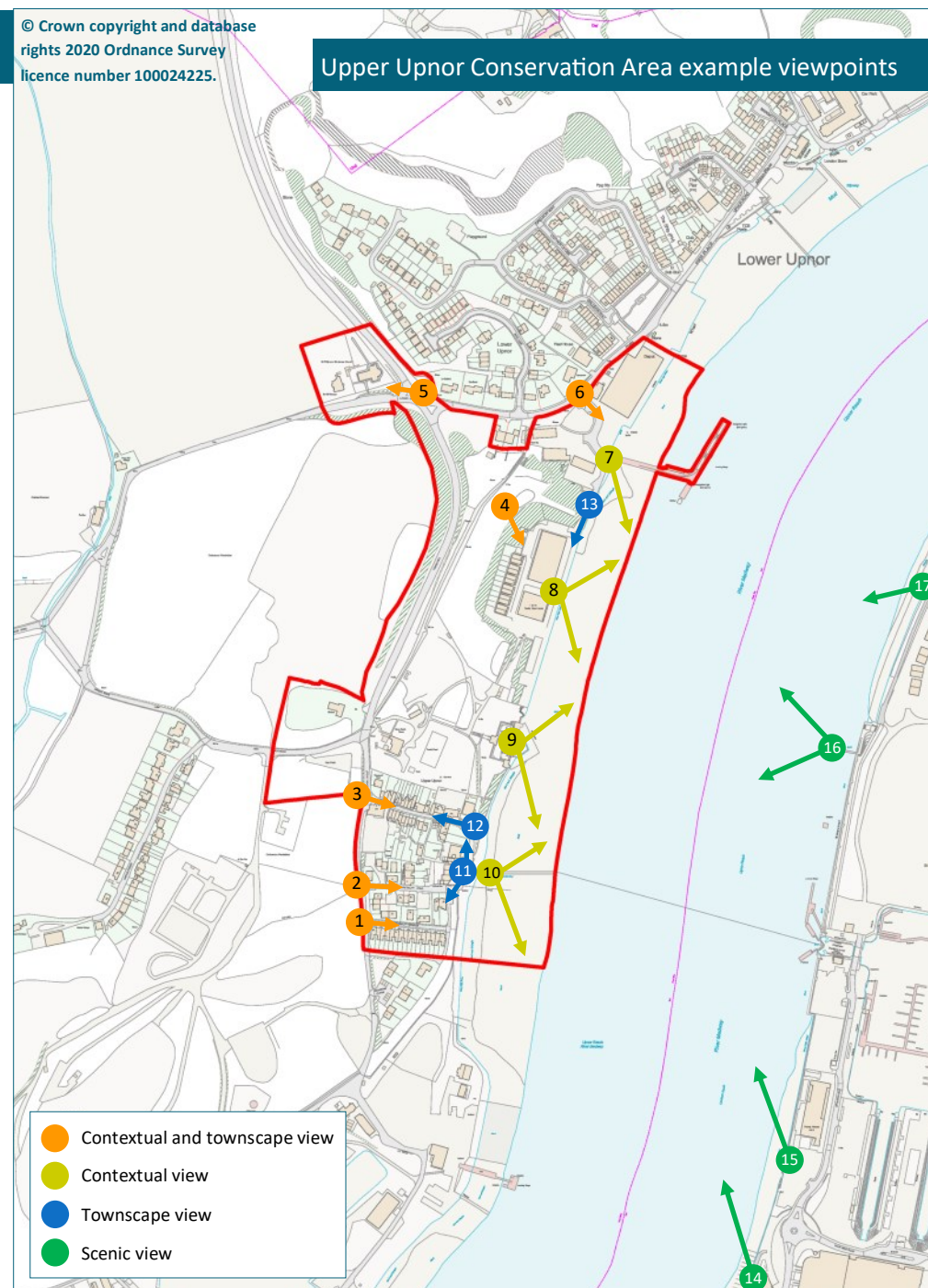
- *Contextual views* are those that look out from within the village to the surrounding area, such as views of the river and the Historic Dockyard.
- *Townscape views* are those which allow for the appreciation of the mix of building types, designs and materials within the Conservation Area.
- *Scenic views* are those appreciated from outside of the Conservation Area, allowing for an appreciation of the village as a whole as well as its wider landscape and setting.

A series of example important views are identified on the map opposite and visualised across the following pages. The list of views provided is not exhaustive and views should be fully explored as part of any development proposals in and around the Conservation Area. Further guidance can be sought from the council Design and Conservation team as part of the planning pre-application advice service.

Additionally, the adopted Chatham Dockyard and its Defences Planning Policy Document (December 2014) may also need to be consulted with some development proposals in Upnor and its environs due to the historic relationship and inter-visibility between the Upnor and the dockyard. The document is available to download on the [Medway Council website](#).

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Upper Upnor Conservation Area example viewpoints





Viewpoint 1 (Contextual and Townscape) allows for the appreciation of Admiralty Terrace, the river, and St Mary's Island beyond. The view demonstrates the high quality and uniform streetscape, the use of distinctive local building materials and the retention of many original historic design details in the terrace, as well as the relationship between Upnor, the river and Chatham Dockyard on the opposite bank.



Viewpoint 2 (Contextual and Townscape) allows for the appreciation of the late 20th century infill development of Admiralty Road, the river, and St Mary's Island beyond. The view demonstrates the evolution of development within the village, the topography, as well as the relationship between Upnor, the river and Chatham Dockyard on the opposite bank.



Viewpoint 3 (Contextual and Townscape) allows for the appreciation of the historic High Street, the river, and St Mary's Island beyond. The view demonstrates the high quality streetscape comprising many historic buildings, the use of distinctive local building materials and the retention of many original historic design details, as well as the relationship between Upnor, the river and Chatham Dockyard.



Viewpoint 4 (Contextual and Townscape) allows for the appreciation of roofscape of both the historic and contemporary buildings within Upnor depot, the river, St Mary's Island and the dockyard beyond. The view demonstrates the largely complete ordnance depot with the retention of many historic design details, the topography of Upnor, as well as the relationship between Upnor, the river and Chatham Dockyard on the opposite bank.



Viewpoint 5 (Contextual and Townscape) allows for the appreciation of the church of St Philip and St James, the vicarage within their rural context. The view demonstrates the retention of original historic details within historic buildings as well as the topography and the attractive rural location.



Viewpoint 6 (Contextual and Townscape) allows for the appreciation of the range of historic buildings within Upnor depot, with the river, St Mary's Island and the dockyard beyond. The view demonstrates the largely complete ordnance depot with the retention of many historic original design details, as well as the important historic relationship between Upnor, the river and Chatham Dockyard.



Viewpoint 7 south (Contextual) allows for the appreciation of a full panoramic view of the river, St Mary's Island and the dockyard from the entrance to the pier. The view demonstrates the important historic relationship between Upnor, the river and Chatham Dockyard on the opposite bank.



Viewpoint 8 (Contextual) allows for the appreciation of a full panoramic view of the river, St Mary's Island and the Historic Dockyard from between the gaps in the river wall. The view demonstrates the topography of the area as well as the important historic relationship between Upnor, the river and Chatham Dockyard.





Viewpoint 9 north (Contextual) allows for the appreciation of a full panoramic view of the river and St Mary's Island from Upnor Castle. The view demonstrates the topography of the area, as well as the important historic relationship between Upnor, the river and Chatham Dockyard on the opposite bank.



Viewpoint 9 south (Contextual) allows for the appreciation of a full panoramic view of the river, St Mary's Island and the Dockyard from Upnor Castle. The view demonstrates the important historic relationship between Upnor, the river and Chatham Dockyard on the opposite bank.



Viewpoint 10 (Contextual) allows for the appreciation of a full panoramic view of the river from Cockham Wood in the east to Chatham in the south. The view demonstrates the topography of the area as well as the important historic relationship between Upnor, the river and Chatham Dockyard.





Viewpoint 11 north (Townscape) allows for the appreciation of the view from Admiralty Road across to the High Street and barracks. The view demonstrates the high quality townscape comprising many historic buildings, the use of distinctive local building materials, the retention of many original historic design details and the attractive rural setting to Upnor.



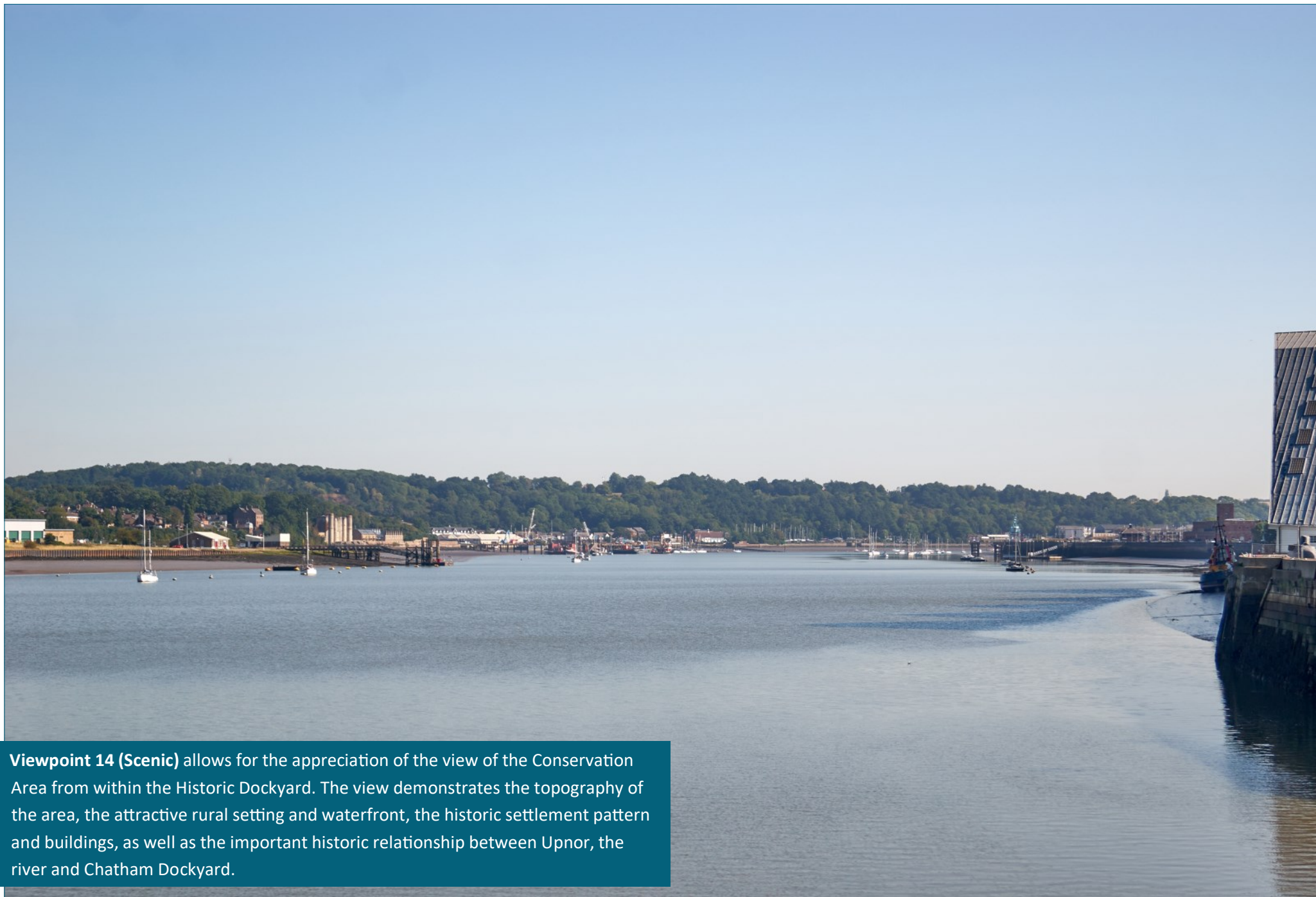
Viewpoint 11 south (Townscape) allows for the appreciation of the view from Admiralty Road across to Admiralty Terrace. The view demonstrates the high quality and uniform streetscape, the use of distinctive local building materials and the retention of many original historic design details.



Viewpoint 12 (Townscape) allows for the appreciation of the High Street and the rural backdrop beyond. The view demonstrates the high quality streetscape comprising many historic buildings, the use of distinctive local building materials, the retention of many original historic design details and the attractive rural setting.



Viewpoint 13 (Townscape) allows for the appreciation of the view through Upnor Depot to Upnor Castle. The view demonstrates the largely complete ordnance depot with the retention of many historic original design details.



Viewpoint 14 (Scenic) allows for the appreciation of the view of the Conservation Area from within the Historic Dockyard. The view demonstrates the topography of the area, the attractive rural setting and waterfront, the historic settlement pattern and buildings, as well as the important historic relationship between Upnor, the river and Chatham Dockyard.



Viewpoint 15 (Scenic) allows for the appreciation of the panoramic view of the Conservation Area from around the former dockyard Pumping Station. The view demonstrates the topography of the area, the attractive rural setting and waterfront, the historic settlement pattern and buildings, the ordnance depot (including the traverse), as well as the important historic relationship between Upnor, the river and Chatham Dockyard.

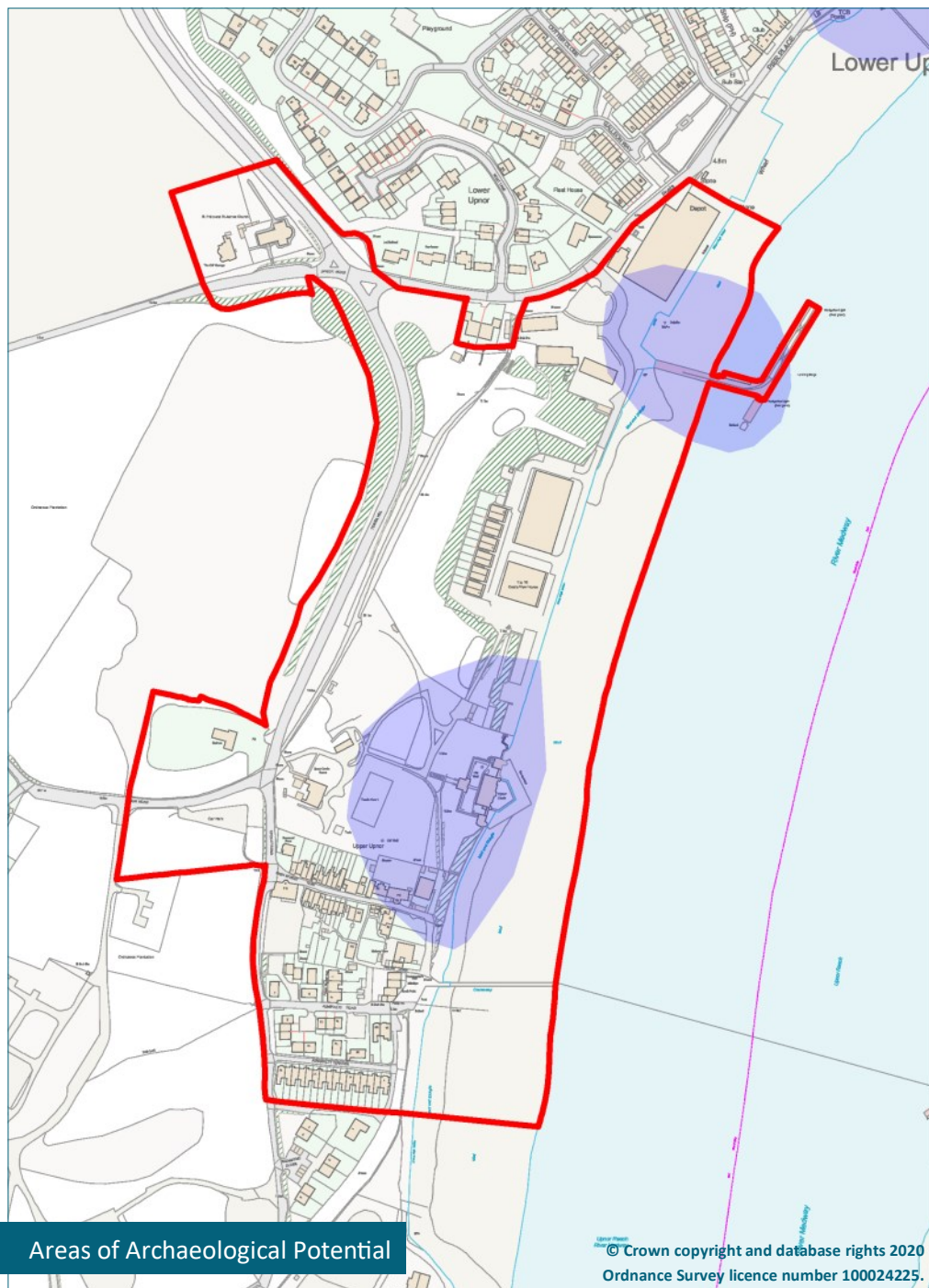


Viewpoint 16 (Scenic) allows for the appreciation of the panoramic view of the Conservation Area from the viewing platform at St Mary's Island. The view demonstrates the topography of the area, the attractive rural setting and waterfront, the historic settlement pattern and buildings, the ordnance depot (including the traverse), as well as the important historic relationship between Upnor, the river and Chatham Dockyard.





Viewpoint 17 (Scenic) allows for the appreciation of the view of the Conservation Area from the riverside walk around St Mary's Island. The view demonstrates the topography of the area, the attractive rural setting and waterfront, the historic settlement pattern and buildings, the ordnance depot (including the traverse), as well as the important historic relationship between Upnor, the river and Chatham Dockyard.



Upnor has a rich abundance of archaeology, including the '*Upnor Elephant*' - a 4m tall headless, but largely intact skeleton of a Straight-Tusked Elephant found in 1913 and thought to be from the mid to late Pleistocene age, a Bronze age sword, and the yet to be uncovered 16th century military earthwork fortifications known as sconces.

Upper Upnor Conservation Area currently has 2 main Areas of Archaeological Potential, one located around Upnor Castle and the other around the Ordnance Depot. Any development in the Areas of Archaeological Potential are likely to require an archaeological evaluation and possible mitigation work, we would therefore recommend contacting the Kent County Council Archaeologist for further advice. More information is available on the [Kent County Council website](#).



X. Management Plan

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Guidance for residents

Conservation Area designation brings with it additional responsibilities for owners and occupiers due to increased planning controls and particular requirements in undertaking works or making changes to buildings and property. However these are often outweighed by the benefits of living in an area of high architectural value and traditional character, which is often reflected in higher property values.

To provide assurance to owners and occupiers of property in Conservation Areas, Design Guidance has been produced. Alongside this, a suite of additional documents will also be published that provide advice and guidance on the maintenance, repair and alteration of historic buildings.

Local Listing

Medway Council does not currently have a published Local List, however an ambition is held to create one. A series of positive contributors have been identified through the Conservation Area Appraisal (see sections III and V); those not currently benefitting from national designation would be considered for inclusion on a Local List in the future and are currently identified as Non-Designated Heritage Assets.

Article 4 Directions

To help preserve high quality architectural details and to ensure that changes are undertaken sympathetically, an Article 4 Direction has been applied to the Upper Upnor Conservation Area. The Article 4 Direction does not apply to every residential dwelling in the Conservation Area, but an extension of its coverage was not considered necessary at this time through the Conservation Area Appraisal.

A review of the Article 4 Direction will be undertaken periodically.

Development pressure

Upnor has recently been subject to pressure for new development either from inside the Conservation Area or within its setting. Any new development proposals that have the potential to impact the character of the Upper Upnor Conservation Area will need to take account of the advice and guidance contained within the Conservation Area Appraisal.

It is strongly recommended that proposals for new development should make use of the council's pre-application process to engage with the Design and Conservation Team at an early stage. Where appropriate (usually where there is possible impact on a Scheduled Monument, Grade I or Grade II* Listed Building) Historic England should also be engaged through their own pre-application advice service.

Further information on the pre-application advice services is available on the [Medway Council](#) and [Historic England](#) websites.

Public Realm and Traffic Management

Much of the public realm within the Conservation Area includes historic or sympathetic features that add to the character, such as granite kerbstones, cobblestones, Yorkstone paving and boundary marker stones. Features such as these should be retained.

Unfortunately some elements of the public realm are less than desirable and detract from the overall appearance and character of the Conservation Area; including poor quality lamp columns, inappropriate footpath and road surfacing, excessive signage or road markings and damaged features.

The council will look to address these issues when the opportunity for their replacement or rationalisation arises.

X. Management Plan



Parking

Over-intensive car parking within the Upper Upnor Conservation Area can be considered to be visually intrusive and detract from historic character of the streets and their picturesque appeal. Substantial public parking is provided within the car parks at Upnor Road and within Upnor Depot, however this is insufficient to prevent the need for parking in residential streets. The importance of front gardens and boundaries to the character of the Conservation Area means that their loss to provide off street parking would be even more harmful.

Promoting the use of public transport and healthier options (such as walking and cycling) are essential to reducing the impact of climate change, improving air quality and increasing personal well-being; and will likely result in an overall reduction in the reliance on private cars. The knock-on benefit will also help alleviate the pressure on parking within the Conservation Area, leading to an enhancement of its character and appearance.

Conservation Area boundary

Possible extensions to the current Upper Upnor Conservation Area were investigated as part of the appraisal process, however their inclusion was not considered appropriate at the current time. Periodic reviews of the Conservation Area boundary will be undertaken to ensure that it remains relevant to the significance of the Conservation Area.

Enforcement

Sometimes development is carried out without the required planning permission or without following the details and conditions set out by the council. Medway Council enforce planning within the Conservation Area to ensure works do not harm its character or appearance, and to ensure the safety and amenity of the community. Planning enforcement will be considered for:

- Unauthorised display of advertisements
- Unauthorised work on protected trees
- Unauthorised work on Listed Buildings
- Unauthorised demolition of some buildings within a Conservation Area
- Unauthorised storage of hazardous materials
- Removal of protected hedgerows
- Allowing land to fall into such poor condition that it harms the quality of the Conservation Area
- Harm to a Site of Specific Scientific Interest (SSSI).

Breaches of planning can be reported to Medway Council by email through planning.representations@medway.gov.uk; or by telephone on 01634 331700.

Contact us

For advice on planning issues please contact the Medway Council Planning Department on:

- 01634 331700
- planning.representations@medway.gov.uk

For advice on matters relating to Listed Buildings or buildings in a Conservation Area, please contact a Conservation Officer at Medway Council on:

- 01634 331700
- design.conservation@medway.gov.uk

Public Spaces Protection Orders

Guidance for councils

Foreword

Local authorities understand well how anti-social behaviour can blight the lives of people in their local communities, with those affected often feeling powerless to act. Councils have a key role to play in helping make local areas safe places to live, visit and work and tackling anti-social behaviour continues to be a high priority for local authorities and their partners across the country.

Councils know the issues that affect their localities the most and are well placed to identify how best to respond. Public Spaces Protection Orders (PSPOs), introduced in 2014, sit amongst a broad range of powers and tools to help tackle anti-social behaviour locally. PSPOs are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour. They are not about stopping the responsible use of the night-time economy, or preventing young people from seeing their friends – but they do provide councils with another instrument to help deal with persistent issues that are damaging their communities.

PSPOs have not been welcomed by all, attracting some criticism over their introduction, or about how particular PSPOs have been implemented. As a result, in December 2017 the Home Office updated its statutory guidance on anti-social behaviour powers, according to the Anti-Social Behaviour, Crime and Policing Act 2014. The changes are reflected in this document. In light of the updated guidance, councils may find it useful to consider the current restrictions in their local area and whether the PSPO needs to be amended at the time of its renewal. It's important to note, that when used appropriately, proportionately and with local support, PSPOs can be a positive device that help to prevent anti-social behaviour, and can provide an effective response to some of the issues local residents and businesses face on a daily basis.

This guidance aims to set out the issues to consider where local areas are contemplating introducing a PSPO, and offers practical guidance on the steps to take if councils choose to do so. It should be read in conjunction with the Home Office's statutory guidance on the Anti-social Behaviour, Crime and Policing Act 2014.

Councillor Anita Lower

Deputy Chair and Anti-social Behaviour Champion
LGA Safer and Stronger Communities Board

Public Spaces Protection Orders

Legislative background

The Anti-social Behaviour, Crime and Policing Act 2014 introduced several new tools and powers for use by councils and their partners to address anti-social behaviour (ASB) in their local areas. These tools, which replaced and streamlined a number of previous measures, were brought in as part of a Government commitment to put victims at the centre of approaches to tackling ASB, focussing on the impact behaviour can have on both communities and individuals, particularly on the most vulnerable.

PSPOs are one of the tools available under the 2014 Act. These are wide-ranging and flexible powers for local authorities, which recognise that councils are often best placed to identify the broad and cumulative impact that ASB can have. The Act gives councils the authority to draft and implement PSPOs in response to the particular issues affecting their communities, provided certain criteria and legal tests are met.

Councils can use PSPOs to prohibit specified activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area. PSPOs differ from other tools introduced under the Act as they are council-led, and rather than targeting specific individuals or properties, they focus on the identified problem behaviour in a specific location.

The legislation provides for restrictions to be placed on behaviour that apply to everyone in that locality (with the possible use of exemptions). Breach of a PSPO without a reasonable excuse is an offence.

Powers to create PSPOs came into force in October 2014. As well as enabling local authorities to address a range of different issues, the Orders replace Designated Public Place Orders (DPPOs), Gating Orders and Dog Control Orders.¹ Existing DPPOs, Gating Orders and Dog Control Orders which automatically become PSPOs (as of 20 October 2017).

Overview of Public Spaces Protection Orders

The Anti-social Behaviour, Crime and Policing Act 2014 provides a broad legal framework within which PSPOs can be implemented.

Orders can be introduced in a specific public area where the local authority² is satisfied on reasonable grounds that certain conditions have been met. The first test concerns the nature of the anti-social behaviour, requiring that:

- activities that have taken place have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will take place and that they will have a detrimental effect
- the effect or likely effect of these activities:
 - is, or is likely to be, persistent or continuing in nature
 - is, or is likely to be, unreasonable

1 Replacing orders under The Criminal Justice and Police Act 2001, the Highways Act 1980 and the Clean Neighbourhoods and Environment Act 2005 respectively.

2 This covers district councils, London Boroughs, county councils in an area where there is no district council in England (along with City of London and the Council of the Isles of Scilly) and county councils or a county borough councils in Wales.

- justifies the restrictions being imposed.

The Home Office statutory guidance re issued in December 2017 states that proposed restrictions should focus on specific behaviours and be proportionate to the detrimental effect that the behaviour is causing or can cause, and are necessary to prevent it from continuing, occurring or recurring.³

A single PSPO can be used to target a range of different ASB issues. Orders allow councils to introduce reasonable prohibitions and/or requirements regarding certain behaviours within the specified public area, and may also include prescribed exemptions.

As a minimum, each PSPO must set out:

- what the detrimental activities are
- what is being prohibited and/or required, including any exemptions
- the area covered
- the consequences for breach
- the period for which it has effect.

There are further specific provisions regarding some types of PSPO, which will be covered in detail below.

A PSPO can last for up to three years, after which it must be reviewed. If the review supports an extension and other requirements are satisfied, it may be extended for up to a further three years. There is no limit on the number of times an Order may be reviewed and renewed.

The legislation sets out a number of additional requirements for consultation and communication before an Order is introduced, once it is implemented and where it is extended, varied or discharged. PSPOs can be legally challenged under the 2014 Act on certain grounds.

Beyond this broad framework, detailed further below, councils can decide how best to implement PSPOs in their local areas. This guidance sets out some suggested

approaches based on good practice from around the country.

Using Public Spaces Protection Orders

Local partners have a vast range of tools and powers at their disposal to respond to concerns about anti-social behaviour in their locality, from measures aimed at tackling the causes of ASB, awareness-raising, through to enforcement.

Used proportionately and in the right circumstances, PSPOs allow local areas to counter unreasonable and persistent behaviour that affects the quality of life of its residents. They can send a clear message that certain behaviours will not be tolerated, and help reassure residents that unreasonable conduct is being addressed.

However, PSPOs will not be suitable or effective in all circumstances, and it is important to consider carefully the right approach for identifying and addressing the problem behaviour. This is especially important when the activities may also have positive benefits. Other options should actively be considered before a PSPO is pursued – and where a PSPO is used, it should be carefully framed and employed alongside other approaches as part of a broad and balanced anti-social behaviour strategy. Considering non-statutory solutions, perhaps delivered in partnership with community, civic or membership organisations may be equally valid in the right circumstances.

Choosing the right tool

Choosing the right approaches for responding to the ASB should start with identifying the specific issue or issues of concern, and considering what is likely to be the most targeted and effective response in the circumstances.

³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/670180/2017-12-13_ASB_Revised_Statutory_Guidance_V2_0.pdf

Some issues may be adequately addressed using other tools. For instance, awareness-raising campaigns about the impact of certain activities on others, improved community engagement, or offering support to those exhibiting certain behaviours may be enough to address the ASB identified.

In some areas, codes of practice around certain practices such as busking⁴, or posters setting out ‘good behaviour’ associated with activities such as skateboarding, have provided effective solutions in responding to particular concerns.

Street fundraising for instance, is governed by an independently set Code of Fundraising Practice and the Institute of Fundraising provides a free service for councils to limit the location, number and frequency of fundraising visits. Around 125 councils have taken advantage of these voluntary agreements, rather than use PSPOs.

In other circumstances it may be more appropriate to use tools such as community protection notices (CPNs). CPNs are used against specific individuals responsible for causing harm, or for tackling particular problem premises, unlike PSPOs which create a broader ban covering a whole area. Similarly, in many cases existing legislation covering various forms of anti-social behaviour or public order may be adequate.

Feedback from councils suggests that effective consultation with partners, stakeholders and the wider community can help to identify the best way forward (see also support evidence and consultation, below).

“PSPOs aren’t the answer for everything – you need to start by looking at what the issue really is. Often there are easier and more effective tools for dealing with the problem.”

Cheshire West and Chester Council

Where local areas decide that introducing a PSPO may be appropriate, it should be noted that the most robust Orders directly address the detrimental behaviour, rather than activities which may not in themselves be detrimental or which target characteristics that might be shared by some of those responsible (or with the wider public). The Home Office’s statutory guidance reiterates that PSPOs should be used responsibly and proportionately, only in response to issues that cause anti-social behaviour, and only where necessary to protect the public.

There are also a number of practical considerations which should be borne in mind when choosing the right tool. PSPOs can be resource-intensive to introduce and enforce and there will need to be commitment from partners to ensure it can be implemented effectively.

Councils will need to be satisfied that where they choose to pursue introducing an Order as part of their strategy, they have met the requirements of the legislation. This is covered in detail in the following sections.

Introducing a PSPO

Where councils have identified that a PSPO may be a suitable response to a particular local issue, they will then need to consider how to ensure they meet the statutory criteria. This will include determining:

- the appropriate scope of the Order
- the area covered by the restrictions
- the potential impact of the proposals
- how each of the restrictions meets the legal test.

Councils will also need to consider how best the Order should be worded and establish an evidence base to support the proposals, incorporating a consultation process. Other issues, such as the practical implications around implementation and what is possible to enforce, will also need to be borne in mind.

⁴ See, for example, City of York Council: https://www.york.gov.uk/info/20081/arts_and_culture/1155/busking_in_york

Early engagement with partners and stakeholders can be useful in understanding the nature of the issue, how best to respond – and, if an Order is proposed, how it might be drafted. This is likely to require involvement, and pooling of information, from a variety of sources, including councillors and officers from across council departments (including, for example, community safety, environmental health, parks, equalities, legal), police colleagues and external agencies.

It is useful for local areas to seek early contact with interest groups when scoping their proposals, to help identify how best to approach a particular issue, before the formal statutory consultation takes place. For example, a local residents' association or regular users of a park or those involved in specific activities in the area, such as buskers or other street entertainers. An effective consultation process with a range of stakeholders will also help to assess the impact of the ASB and where an appropriate balance for restrictions on behaviour should lie (see supporting evidence and consultation, below).

“Engagement with representative groups early on was really constructive – they helped advise us on other legislation we needed to be mindful of, and helped us draft something that worked.”

Carmarthenshire County Council

Ongoing engagement with, and commitment from, partners will be crucial for introducing, implementing and enforcing a PSPO and ensuring there are resources available to support it.

Activity subject to an Order – overview

PSPOs can be used to restrict a broad range of activities. Under section 59 of the 2014 Act, local authorities must be satisfied on reasonable grounds that the activity subject to an Order:

- has a detrimental effect on the quality of life of those in the locality (or it is likely

that activities will take place and have such an effect)

- is (or is likely to be) persistent or continuing in nature
- is (or is likely to be) unreasonable
- justifies the restrictions being imposed.

PSPOs must set out clearly what the detrimental activities are. What may be regarded as ‘anti-social’ is a subjective concept, and similarly determining whether or not behaviour is detrimental and unreasonable can present some challenges and will require careful consideration.

Councils will need to assess how certain behaviours are perceived, and their impact – both on the community broadly, and on its most vulnerable individuals. Some areas have included an additional test locally that the behaviour needs to be severe enough to cause alarm, harassment or distress. Collating evidence that illustrates the detrimental impact of particular activities will be important (see supporting evidence and consultation, below).

When assessing what is ‘unreasonable’ activity, councils will need to balance the rights of the community to enjoy public spaces without ASB, with the civil liberties of individuals and groups who may be affected by any restrictions imposed. Further, some of those affected by possible restrictions may be vulnerable and councils need to look carefully at what impact the proposals might have on certain groups or individuals (see assessing potential impact and the Equality Act, below).

Appropriate restrictions

As set out above, the restrictions imposed by an Order must be reasonable, and either prevent or reduce the detrimental effect of the problem behaviour, or reduce the risk of that detrimental effect continuing, occurring or recurring. Ensuring that the prohibitions or requirements included in a PSPO are solid, easily understood and can withstand scrutiny is key.

Orders must state what restrictions are being imposed to either prohibit certain things, and/or require certain things to be done by those

engaged in specific activities. PSPOs are most effective and most robust to challenge where they are **tightly drafted and focus on the precise harmful behaviour identified**. Being clear on addressing the problem behaviour in an Order can help avoid the risk of unduly pursuing individuals who may not be causing any real harm.

Homeless people and rough sleepers

The Home Office guidance sets out that PSPOs should not be used to target people based solely on the fact that someone is homeless or rough sleeping, as this in itself is unlikely to mean that such behaviour is having an unreasonably detrimental effect on the community's quality of life which justifies the restrictions imposed. It suggests the council should consider whether the use of a PSPO is the appropriate response and if it will have a detrimental impact on homeless people and rough sleepers. Councils will find it useful to consult with national or local homeless charities on this issue, when councils are considering restrictions or requirements that could affect homeless people and rough sleepers.

Groups hanging around/standing in groups/playing games

It is important that any Orders put in place do not inadvertently restrict everyday sociability in public spaces. Restrictions that are too broad or general in nature may, for instance, force young people into out-of-the-way spaces and put them at risk. It is useful to consider whether there are alternative spaces that they can use. The Home Office guidance notes that people living in temporary accommodation may not be able to stay in their accommodation during the day and may find themselves spending extended time in public spaces. It's important to consider when putting in place any restrictions that public spaces are available for the use and enjoyment of a broad spectrum of the public, and that people of all ages are free to gather, talk and play games.

In the London Borough of Brent, residents and park users identified issues with public defecation, alcohol use, public disturbances and intimidation. The council introduced a PSPO targeting the cause of the ASB – groups congregating, attracted by offers of casual labour. The council was keen not to enforce against rough sleepers or job-seekers but instead outlaw the offering of employment within the area, and the running of an unlicensed transport service. The aim was to deter those seeking to exploit casual labourers and those profiting from bringing certain groups to the area.

Proposals should clearly define which specific behaviours are not permitted or are required, and any exemptions that might apply. Careful wording will help people to understand whether or not they are in breach once the Order has been implemented and give them an opportunity to modify their behaviour. It will also help to avoid any unintended consequences. Councils' legal teams should be able to advise on the precise wording to use.

Limitations

There are some limitations set out in the legislation regarding behaviours that can be restricted by PSPOs. Under the 2014 Act, local authorities must have regard to the freedoms permitted under articles 10 and 11 of the Human Rights Act 1998 when drafting, extending, varying or discharging an Order. These cover freedom of expression, and freedom of assembly and association respectively (although it is worth noting here that PSPOs might be considered appropriate for addressing aggravating behaviours such as the use of noise-enhancing equipment like amplifiers). Wherever proposals for an Order have the potential to impinge on the rights under articles 10 and 11, consideration must be given as to how to demonstrate that they satisfy the requirements of paragraph 2 in each of the articles.

Where a PSPO covers alcohol prohibition, section 62 of the 2014 Act lists a number of premises to which an Order cannot apply – such as licensed premises.

Further, there are some restrictions under section 63 on what action might be taken for a breach of an Order that prohibits consumption of alcohol (see enforcement and implementation, below).

Where Orders will restrict public rights of way, section 64 of the Act requires authorities to consider a number of issues, including the impact on those living nearby and the availability of alternative routes – and sets out some categories of highway where rights of way cannot be restricted. Councils may also conclude that PSPOs restricting access should only be introduced where the ASB is facilitated by the use of that right of way – otherwise it may be more appropriate to draft an Order focussed on the problem behaviour instead.

Some PSPOs have been introduced to address ASB linked with ingesting new psychoactive substances (NPS). The Psychoactive Substances Act 2016 introduces new legislation regarding the production and supply of NPS, but, unlike controlled drugs, does not criminalise the possession of substances alone.⁵ Effective implementation and enforcement of PSPOs that deal with the consumption of psychoactive or intoxicating substances will require particularly careful consideration. Wording of these Orders should be precise to avoid any unintended consequences, ensuring it is clear what substances are covered or exempted.⁶

Area subject to an Order

The Act and Home Office statutory guidance set out the types of land which can be subject to a PSPO, or where additional considerations or requirements apply (eg when undertaking the consultation process). The activity restricted by an Order must be carried out in a public place, which is defined in the legislation as ‘any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission’.

There may be some restrictions on the activities that can be prohibited on certain types of land (registered common land, registered town or village greens and open access land) which should also be considered. For instance, restrictions on access to registered common land may be subject to a separate consents process under The Commons Act 2006.⁷ Further, for Orders that restrict public rights of way, section 65 of the 2014 Act sets out certain categories of highway to which such an Order cannot apply.

For addressing behaviour on privately-owned open spaces, other approaches may be more effective and appropriate. Private landowners are responsible for behaviours which occur upon their land and where landowners can be identified and traced, councils should work with them to address problem behaviour. Where landowners do not engage, councils may utilise other tools and powers available to them, such as Community Protection Notices or Civil Injunctions.

In Oldham, the council has successfully worked with a group of landowners and residents to enable them to find their own solutions to improve security and reduce ASB.

Determining the extent of the geographical area covered by an Order will mean identifying what is proportionate in the circumstances and restricting activities only where necessary – ie only where the legal test is met. It may be difficult to demonstrate that the statutory criteria under section 59 have been met across an entire broad geographical area; evidence about the extent of the anti-social behaviour within a locality should be used to inform appropriate boundaries (see supporting evidence and consultation, below).

⁵ Unless in a custodial institution.

⁶ It may be useful to refer to The Psychoactive Substances Act 2016, which includes a list of substances that might be deemed to produce a psychoactive effect when consumed but which are exempt from the scope of the 2016 Act – for instance medicinal products, nicotine or caffeine.

⁷ Further information and links to additional guidance: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364851/Public_and_open_spaces_information_note.pdf

In some cases of course it will not be appropriate to introduce broad-scale restrictions. When drafting an Order placing restrictions on dogs for instance, it should be considered that owners have a duty under the Animal Welfare Act 2006, to provide for their animal's welfare, which includes exercising them. In determining the area covered by restrictions, councils should therefore consider how to accommodate the need for owners to exercise their animals.

The area which the PSPO will cover must be clearly defined. Mapping out areas where certain behaviours **are** permitted may also be helpful; for instance identifying specific park areas where dogs can be let off a lead without breaching the PSPO.

Controlling the presence of dogs

The Home Office guidance encourages councils to publish a list of alternative sites which dog walkers can use to exercise their dogs without restrictions. Councils should also consult dog law and welfare experts, for example, vets or animal welfare officers and organisations affected by restrictions before seeking to a PSPO. It may be useful to consult the Kennel Club on these issues.

The Department for Environment, Food and Rural Affairs has produced guidance in the form of a practitioner's guide on a range of tools available to deal with irresponsible dog ownership, for example, the use of a Community Protection Notice.

Where parish and town councils wish to deal with dog control issues, they are advised to approach the relevant authority, including whether a PSPO would provide the means to address the issues being experiencing by the local community. If the principal authority is satisfied that the legal tests for the use of the power are met and that it is a proportionate response to the level of harm and nuisance being caused it should consider consulting on putting in place a PSPO.

Practical issues, such as effective enforcement and erecting signs in (or near) an area subject to an Order – as required by the legislation – should also be borne in mind when determining how large an area the Order proposals might cover.

Displacing behaviour

Notwithstanding the requirements outlined above, when defining the area restrictions should cover, consideration should be given as to whether prohibitions in one area will displace the problem behaviour elsewhere, or into a neighbouring authority. It is worth noting here that the legislation allows for Orders to address activity that 'is likely to' occur in that public place. Local areas can therefore consider whether there are any legitimate concerns that introducing an Order in one area, and not another, could simply move issues somewhere else – and thus whether it would be appropriate to extend into a larger area or adjacent street. Councils will however need to ensure that a proportionate approach is taken overall, and that there is evidence to support using a broader approach.

Where there are concerns that activity may be displaced into other areas, authorities should contact neighbouring councils to discuss managing any unintended consequences.

Order exemptions

The legislation allows for Orders to apply only in particular circumstances and may include certain exemptions. Restricting behaviours only at certain times of day, or on a seasonal basis, can help to balance the needs of different groups and may be easier to enforce. Orders might only cover times of day when the issue is particularly acute, or when the problem behaviour will have more of an impact on others. Similarly, some types of ASB can be seasonal in their nature, for example relating to school holidays or summer weather. It may be the case that only at certain times will the behaviour be regarded as sufficiently 'detrimental' to satisfy the legislative test.

Exemptions for particular groups may be appropriate. For instance, for PSPOs controlling the use of dogs, it is likely that

assistance dogs should be exempt; this will need to be explicitly stated in the wording of the Order.⁸ Exemptions might also cover particular circumstances where restrictions may or may not apply. Undertaking an effective impact assessment (see assessing potential impact and the Equality Act, below) should help to identify the consequences of a proposed Order on specific groups and therefore whether certain exemptions would be appropriate.

Assessing potential impact and the Equality Act 2010

It is important for councils to consider carefully the potential impact of a PSPO on different sections of their communities. In introducing an Order, councils must take care to ensure that they comply with the requirements of the public sector equality duty under the Equality Act 2010. The Equality Act requires public authorities to have due regard to a number of equality considerations when exercising their functions. Proposals for a PSPO should therefore be reviewed to determine how they might target or impact on certain groups.

Although it is not a specific requirement of the legislation, it is recommended that areas undertake an Equality Impact Assessment (EIA) to assess whether the proposed PSPO will have disparate impact on groups with protected characteristics.⁹ This process will help councils to establish any potential negative impacts and consider how to mitigate against these. This exercise will also help to ensure transparency.

Areas that have undertaken an EIA before introducing a PSPO have reported how useful this was¹⁰, providing an opportunity to give full and separate consideration to the effect that each of the prohibitions or requirements might have on those in particular groups, and

enabling areas to consider how they could minimise any negative consequences – both in terms of the scope of the proposals and in how they might be implemented. Undertaking an EIA before introducing a PSPO can help to inform how best to balance the interests of different parts of the community, and provide evidence as to whether or not the restrictions being proposed are justified – as required by section 59 of the 2014 Act.

Duration of PSPOs

Orders can be introduced for a maximum of three years, and may be extended beyond this for further three-year period(s) where certain criteria are met (see extension, variation and discharge, below). The proposed length should reflect the need for an appropriate and proportionate response to the problem issue. Some areas have introduced shorter Orders to address very specific issues, where it is felt that a longer-term approach is unnecessary.

Supporting evidence and consultation

Local areas will, of course, need to satisfy themselves that the legislative requirements are met before an Order can be introduced, and obtaining clear evidence to support this is important. Collating information about the nature and impact of the ASB subject to the PSPO are core elements of the evidence-gathering and consultation process and will help inform the council's view as to whether the requirements under section 59 of the Act have been fulfilled.

The evidence will need to be weighed up before authorities can determine whether or not it is appropriate and proportionate to introduce a PSPO at all, and if so, whether the draft proposals are suitable. It can be used to help shape the scope of the Order, including any exemptions – such as times of day when a behaviour might be prohibited – and can also help to determine what area the Order should cover and how long it should last. The most robust Orders will be supported by a solid evidence base and rationale that sets out how

⁸ This differs from some Dog Control Orders, which automatically excluded assistance dogs from restrictions.

⁹ The Equality Duty covers: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. Marriage and civil partnership are also covered in some circumstances.

¹⁰ See example from Oxford City Council: <http://mycouncil.oxford.gov.uk/ieDecisionDetails.aspx?AllId=10095>

the statutory criteria for each of the proposed restrictions have been met, and demonstrates a direct link between the anti-social behaviour and the PSPO being proposed in response.

The nature of this evidence, and how it should be weighted, is largely down to councils to determine, although obtaining a range of data from different sources as part of this process will be particularly useful in informing decision-making, and may help to avoid challenge further down the line (see further evidence, below, for specific examples). The Act does however require that there is a consultation process before an Order can be made (and held again when an Order is extended, varied or discharged).

Statutory consultation – who to contact?

Before introducing, extending, varying or discharging a PSPO, there are requirements under the Act regarding consultation, publicity and notification (see also publication and communication, below).

Local authorities are obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives. Any county councils (where the Order is being made by a district), parish or community councils that are in the proposed area covered by the PSPO must be notified.

There are additional requirements under the Act regarding Orders that restrict public rights of way over a highway (see below), but beyond this, and the broad requirements above, local authorities can determine for themselves what an appropriate consultation process might entail. However, this does provide an important opportunity to seek a broad range of views on the issue and can be invaluable in determining ways forward, establishing the final scope of the proposals and ascertaining their impact.

Encouraging open discussion as part of the consultation process can help to identify how best to balance the interests of different groups – both those affected by the anti-social

behaviour and those who will be restricted by the terms of an Order – and a chance to explore whether there may be any unintended consequences from the proposals; in particular, any adverse impacts on vulnerable people.

‘Community representatives’ are defined broadly in the Act as ‘any individual or body appearing to the authority to represent the views of people who live in, work in or visit the restricted area’. This gives councils the freedom to determine who best to contact given local circumstances and the scope of the proposals. Those who will be directly affected by the Order, or groups representing their interests, should be directly approached. Further, several areas have reported that they found it useful to actively seek out stakeholders who might oppose the proposals during their consultation.

In several areas early discussions with stakeholders who might be affected by a PSPO have proven very useful. This engagement, often before a more formal consultation process, not only provides an opportunity to discuss the anti-social behaviour and its impact on others, but also gives the council an in-depth understanding of stakeholders’ key concerns, and tests the impact that any restrictions on behaviour might have. This has helped scope the proposals and in some cases identified alternative ways of tackling the problem behaviour.

Identifying appropriate stakeholders to approach will obviously depend on the nature and scope of the PSPO in question. Alongside residents, users of the public space, and those likely to be directly affected by the restrictions, this might include residents’ associations, local businesses, commissioned service providers, charities and relevant interest groups.

The Kennel Club (via KC Dog) has been contacted by several councils looking to introduce PSPOs affecting dogs and their owners. Where an Order will restrict access over land, utility service providers should be included within the consultation process.

Consultation approaches

Councils should use a range of means to reach out to potential respondents, some of whom may be unable to feed back in certain ways, eg online. Local demographics and the characteristics of those who may be most affected by the ASB or the Order can also help to identify the best mechanisms for ensuring a comprehensive consultation process (for instance, using social media where young people may be particularly affected). Similarly, different tools may be utilised in various ways to enrich the information gathered – for instance, a survey of park users which is repeated at various times of day to cover a range of people using the public space.

Existing meetings such as ward panels may provide opportunities to discuss the issue and encourage more formal consultation responses. Securing written statements from those particularly affected, such as landowners, can be particularly useful in building the evidence base for supporting the introduction of a PSPO.

In Cheshire West and Chester their PSPO consultation not only asked respondents whether or not they found particular activities problematic, but also whether or not that behaviour should be addressed via a PSPO. By asking open questions that allowed for free comments, it provided an opportunity for respondents to give their views on what they felt should be a proportionate response to each specific issue identified.

An effective consultation should provide an overview of what the local issues are, set out why a PSPO is being proposed, and what its impact would be. Publishing details of the extent of the problem behaviour can assist respondents to understand why a PSPO is being considered and help inform views on whether it would therefore be an appropriate response.

The consultation should also provide sufficient means for respondents to oppose the proposals and may also be used to elicit

views on alternative approaches. Achieving a healthy response rate, with considered responses, will help to support the evidence base for introducing an Order and refuting challenge.

“The open consultation format was actually really useful in identifying new issues. We haven’t lost anything from the process; all these things have gone into action plans to try and sort out.”

Cheshire West and Chester

Examples of consultation methods from local areas include:

- online questionnaires
- postal surveys
- face-to-face interviews
- contact with residents’ associations
- focus groups with stakeholders and interest groups representing those who will be affected
- discussions with service providers working directly with affected groups
- discussions at ward panel meetings
- publicity via local press or social media
- publications in libraries and other public buildings
- on-street surveys
- drop-in sessions in the area subject to the PSPO.

Surveys or questionnaires have been an integral part of councils’ consultation processes for PSPOs and provide a chance to test the extent to which the proposals satisfy the statutory requirements under section 59. The questions might explore:

- what effect the activities in question have on residents, businesses and visitors – and whether this is detrimental

- how safe respondents feel and what impacts on this
- how often problem behaviours are personally encountered by individuals
- when and where problems occur
- whether the behaviour is so unreasonable that it should be banned.

Feedback from some areas suggests that seeking expert advice on drafting questions and undertaking consultations can help ensure that questions are appropriately phrased, clear and objective.

There are no statutory requirements about the length of the consultation process. However it should be ensured that its duration allows sufficient time to meaningfully engage with all those who may be impacted by the Order, taking into account for instance any holiday periods that may affect response rates – this may take several weeks or even months. Some issues may require time to fully explore and understand – councils should not be reluctant to extend the initial consultation period if it is clear that this would be beneficial in the longer-term.

Additional requirements for PSPOs restricting public rights of way

In the case of Orders restricting access over public highways (eg through the installation of gates), the Act sets out specific additional requirements for the consultation process. The council must notify those who may be potentially affected by the Order, let them know how they can see a copy of the PSPO proposals and when they need to submit any responses, and is required to consider any representations made. Councils must also consider the effect of the restrictions on occupiers of premises adjacent to or adjoining the highway, on other people in the locality and, where this is a through route, whether a reasonably convenient alternative is available. These considerations should include, for example, access for emergency services or utility companies.

Achieving support from the local community for these types of Orders is particularly

important for ensuring their success; if gates are regularly left open by residents then it is unlikely that the ASB will be addressed.

In Oldham, a two-stage process is used for consultation for PSPOs that restrict access over public highways.

After local discussions it was found that often directly-affected properties were occupied by transient residents who were less likely to respond to a consultation process. This negatively impacted upon settled residents as non-responses were not counted towards the approval rate for schemes and failure to reach the agreed approval rate resulted in proposals not being progressed any further.

Working with residents and councillors, the policy was amended and now states that if, after two contacts, there is no response from a household directly affected by the proposal, and in the absence of a clear objection, the default position becomes support for the proposed Order, thus achieving a much higher level of support for the proposals. In order to achieve a balance the approval rate required to move to the next step of broader consultation was increased to 90 per cent.

Consultation outcomes

Consultation responses will clearly require some analysis once they are collected. Councils might consider examining the demography of respondents to the consultation. This can help to gauge whether they are, for example, residents or visitors, and can be useful in determining who is likely to be impacted most by either the problem behaviour or restrictions on behaviour. This can be useful in helping to shape the final Order provisions.

“The consultation allowed us to measure the fear of crime – often things are not reported and the statistics don’t show this.”

Cheshire West and Chester Council

Councils may wish to publish the outcomes of their consultation process, and other supporting evidence, in the interests of transparency (subject to data protection requirements).

Further evidence

As noted above the 2014 Act requires local authorities to formally consult with the police and the police and crime commissioner (PCC) – and there should be further engagement with relevant lead officers from the police to help build the evidence base and identify the potential impact of an Order. Early engagement with and support from police partners is likely to be key in introducing an Order. As well as assisting with identifying the problem behaviour and therefore the scope of any responses, this can also help to draw out some of the more practical implications of introducing an Order, such as how it will be enforced – which may shape how the PSPO is drafted.

Alongside eliciting views from the police and PCC, there may be a number of additional sources of information that help to inform decision-making and support (or oppose) the introduction of an Order or specific prohibitions. These might include:

- the community safety partnership's strategic assessment
- police data on crime and anti-social behaviour incidents (including the impact of some problem behaviours, such as excessive drinking)
- hospital data on ingesting new psychoactive substances
- calls to 101
- calls to council services reporting incidents
- residents' logs and photographs of anti-social behaviour
- mapping of problem areas
- data on the effectiveness of previous Gating Orders or Dog Control Orders
- CCTV footage of incidents
- reports from council staff such as park wardens and cleaners.

Collecting data covering a prolonged period may help to satisfy the legislative requirement that the activities subject to the draft Order are persistent. Some areas have collated evidence covering a two year period in order to demonstrate this.

Political accountability, scrutiny and sign-off

Within the confines of the framework outlined above (and subject to legal challenge), councils have the freedom to determine their own procedures for introducing a PSPO, ensuring that the statutory requirements have been met and giving final approval for an Order to go ahead.

Close involvement of councillors and ensuring political buy-in throughout the implementation process are key. This provides political accountability for decisions taken – which is particularly important if the proposals may attract some opposition, and where insufficient member involvement may lead to challenge. Political support is also important to ensure that sufficient resources will be made available to implement and enforce the PSPO throughout its duration. Many areas have agreed that final approval and sign-off of PSPOs should be undertaken at cabinet/ executive or Full Council level.

In ensuring that the requirements under section 59 of the 2014 Act have been satisfied, councillors will have a significant role to play in unpicking what might be regarded as unreasonable and detrimental behaviour in the locality and what would constitute reasonable restrictions or requirements.

Discussions at senior political level by those who understand their local areas best, will help to ensure that the views of all parts of the community are reflected, and find an appropriate balance between the interests of those affected by the ASB and those likely to be affected by the proposed restrictions.

Councillors will also have an important role in examining the processes used in drafting the proposals. This will include analysing the outcomes of the consultation process and other supporting evidence offered to satisfy the statutory criteria, and determining whether, on balance this provides sufficient grounds to proceed (it should be noted here the need to ensure compliance with data protection legislation when sharing this information).

Several areas have used overview and scrutiny committees to examine draft Orders and challenge proposed ways forward. This adds a further element of democratic accountability and helps to ensure that decisions made are sound and transparent. In several cases, involvement from scrutiny committees has helped to focus the scope of Orders proposed.

Committees provide a useful mechanism to test the proposals and their potential impact, and the evidence base for introducing them; front-line councillors can provide different perspectives and may also offer suggestions for alternative approaches.

Suggested questions for overview and scrutiny committees

What evidence is there that the anti-social behaviour is or is likely to be persistent, detrimental and unreasonable?

Why is a PSPO being proposed to address this issue or issues?

Is the proposed restriction proportionate to the specific harm or nuisance that is being caused?

What alternative approaches are available and why is a PSPO appropriate in these circumstances?

Will the proposals alleviate each of the problem behaviours?

Have exemptions been considered?

What might be the unintended consequences for each aspect of the

PSPO?

What will be the impact on different groups? Has an equalities impact assessment been undertaken and what were its findings? What can be done to mitigate against any negative consequences?

How have the consultation outcomes and other evidence collated been taken into account?

How will the PSPO be enforced for each restriction/requirement? Are there sufficient resources to do this effectively?

Enforcement and implementation

Enforcement protocols

As noted earlier, issues regarding some of the more practical aspects of implementation and enforcement of PSPOs should be borne in mind from the beginning of the planning process – and may help shape the scope and wording of the Order itself. Further, effective implementation of a PSPO is likely to be part of a broader strategic approach that includes a number of different initiatives to tackle the problem issues.

Beyond this, local areas will want to develop specific protocols regarding enforcement action, before the Order is implemented. These protocols should incorporate expert input on the issues related to the ASB in question, and, recognising that there may be other options available to address a particular ASB incident, provide guidance on what might be the most appropriate legislative (or other) tool to use in different circumstances. Some areas have developed a process map to provide a step-by-step diagram to agreed enforcement procedures.

Protocols should also cover what should be done in the event of a breach. It is an offence under section 67 of the 2014 Act to breach an Order without a reasonable excuse. In the case of Orders that prohibit alcohol

consumption, where it is reasonably believed that a person has been or intends to consume alcohol, it is an offence under section 63 either to fail to comply with a request not to consume or to surrender alcohol (or what is reasonably believed to be alcohol or a container for alcohol).

Procedures should therefore consider circumstances where there may be a 'reasonable excuse' for breaching the Order, for instance a medical reason for public urination (such circumstances may be covered explicitly as exemptions in the wording of the Order). Protocols also provide a further opportunity to recognise that some of those responsible for the behaviour covered in the Order may themselves be vulnerable and in need of support; they should therefore include referral pathways where there are any safeguarding concerns, and signpost to other services.

In the London Borough of Brent enforcement of the PSPO is shared between the police and the council with joint visits from UK Border Agency and Brent's employment and skills team, who seek to offer routes into legitimate employment for jobseekers.

Who is responsible for enforcement will vary across areas. In some, enforcement will be undertaken by council officers – this may include ASB officers, housing officers, park wardens, etc – and in others this may be undertaken in partnership with police officers and/or police community support officers. Protocols may therefore require agreement regarding patrolling activity and reporting arrangements – some of which will be informed by the specific behaviour in question. Some authorities have also encouraged local people to report incidents of possible breaches, which can help shape enforcement responses going forward, particularly around timetabling patrols.

“Local communities have helped to identify the peak periods for problems in the park – patrol times can then be planned accordingly.”

Coventry City Council

As well as developing protocols, training will help delegated officers to understand how the Order should be enforced in practice. In Cheshire West and Chester, this included training from the ambulance service to reinforce that the safety of individuals was paramount and help officers understand, for instance, the possible dangers of ingesting psychoactive substances.

Some areas have used a 'soft-launch' period as the Order becomes live. This provides an opportunity to test protocols with officers before full implementation. It also gives councils the chance to raise awareness of the new pending prohibitions – and demonstrate that some behaviours have been causing concern. However areas should consider how to manage any risks if implementation is delayed.

Fixed penalty notices

As noted above, it is an offence under section 67 to breach an Order without reasonable excuse, and where Orders prohibit alcohol consumption, it is an offence under section 63 to fail to comply with a request not to consume or to surrender alcohol (or what is reasonably believed to be alcohol/a container for alcohol).

Under the Act, authorised officers have the power to issue fixed penalty notices (FPNs) to anyone they reasonably believe is in breach. Section 68 sets out a framework for issuing FPNs but councils will also have their own broader protocols around issuing fines to which they should also refer – this might cover, for instance, whether or not fines are issued to those aged under 18. Protocols should also cover when it would be appropriate to pursue an individual further where an FPN is issued but remains unpaid after the prescribed period. In addition, there will be a need to plan for practical elements before implementation, such as developing

specific FPN templates for dealing with PSPO breaches.

“There was some concern that a £100 FPN might not be an adequate deterrent and that a broader financial range for FPNs, up to £400, would be preferred. However, the current arrangements do allow for a summons to court to be issued for persistent offenders where multiple FPNs have been issued.”

Royal Borough of Kensington and Chelsea

It will not always be appropriate to issue FPNs. Warnings may often be sufficient, and in many areas this is the initial preferred response. In some, advice sheets are handed out in the majority of cases, informing recipients that their behaviour breaches an Order, giving them the chance to comply or providing an opportunity for them to be moved on. Councils have reported that in most cases this has been sufficient to address the behaviour and there has been no need to take further action.

Publication and communication

Using an effective communication strategy to raise awareness about a PSPO is important throughout the implementation process, and should incorporate contact with partners and stakeholders as well as members of the public. Successful communications can help with informing the appropriate scope of an Order, engaging members of the community and others during the consultation process, and ensuring effective enforcement.

The legislation also sets out a number of requirements. Draft proposals for a PSPO must be published as part of the consultation process. For new or varied Orders the text must be published; for extended or discharged Orders the proposal must be publicised.

Home Office guidance suggests the close or direct involvement of elected members will help to ensure openness and accountability. The guidance suggests this can be achieved, for example, where the decision is put to the Cabinet or full council.

The area covered by the proposals must be well defined; publishing maps of the affected area will help to clarify where behaviours are controlled. There are requirements in the legislation for notifying any parish or community councils in the affected area, and for notifying the county council where the Order is being made by a district council. There are further requirements for formal notifications regarding Orders that restrict access to public highways (see also supporting evidence and consultation, above).

Regulations set out additional requirements regarding the publication of PSPOs¹¹ that have been made, varied or extended, stipulating that these must be:

- published on the local authority’s website
- erected on or adjacent to the place the Order relates to, and is sufficient to draw attention, setting out the effect of the Order and whether it has been made, varied or extended.

The same requirements apply where an Order has been discharged, and must also include the date at which it ceases to have effect.

Signs publishing the Order in the affected locality do not necessarily need to set out all the provisions of the Order, but rather state where this information can be found. Multiple signs are likely to be required, particularly where the Order covers a large area.

These requirements should be regarded as a minimum and a range of options should be explored; in practice it is helpful to use a variety of means to help publicise the Order to raise awareness, avoid confusion and give people the opportunity to comply.

¹¹ Statutory Instruments 2014 no. 2591 The Anti-social Behaviour Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders)

Effective communication helps people understand what behaviours are expected in particular areas, and reduces the need to rely on enforcement measures.

In some areas leaflets have been printed detailing the new prohibitions in different languages, for distribution by officers. Similarly the nature of the Order itself may suggest some communication channels may be more effective than others. For instance, an Order covering the ingestion of legal highs at a music festival in Chelmsford was promoted via a social media campaign to reflect the demographics of those most likely to be attending the festival and who are likely to be reached via these means.

Effective communication with residents and partners throughout can also help manage expectations about the impact of introducing an Order. Putting a PSPO in place can be a lengthy process and it is important to maintain communication about when it will come into effect and/or be enforced and if other measures are being utilised in the interim. In addition this can help residents to understand that simply having an Order in place is unlikely to resolve an issue overnight – which may be even more important where there has been media interest in the proposals.

Legal challenge

PSPOs can be challenged under the Act on the grounds that the local authority did not have the power either to make the Order or include particular prohibitions or requirements, or that proper processes had not been followed as prescribed by the legislation. Challenges must be made to the High Court within six weeks of the Order being made, and by an individual who lives in, regularly works in or visits the restricted area. The High Court can uphold, quash or vary the PSPO and may decide to suspend the operation of the PSPO pending the verdict. As with all orders and powers, the making of a PSPO can be challenged by judicial review on public law grounds within three months of the decision or action subject to challenge.

Extension, variation and discharge

A PSPO can be made for a maximum duration of up to three years, after which it may be extended if certain criteria under section 60 of the Act are met. This includes that an extension is necessary to prevent activity recurring, or there has been an increase in frequency or seriousness of the activity. Extensions can be repeated, with each lasting for a maximum of three years. Effective evaluation of Orders will be important when determining whether any extensions or variations would be appropriate.

Councils should consider carefully what length of time would be reasonable and proportionate given the nature of behaviour in question and the impact of the restrictions being posed – byelaws, which are permanent, may be more appropriate if the issue concerned is unlikely to be transient. The impact of the original Order should be evaluated before any extensions are approved – where ASB has been completely eradicated as a result of a PSPO, it is proportionate and appropriate to consider the likelihood of recurrence of problems if the Order is not extended.

Orders can also be varied under the Act, by altering the area to which it applies, or changing the requirements of the Order. The same legislative tests of detrimental impact, proportionality and reasonableness need to be satisfied, as set out earlier in this guidance. Similarly, PSPOs can be discharged before their original end date.

Where PSPOs are varied, extended or discharged, there are statutory requirements regarding publishing or publicising this and councils are required to undertake a further consultation process (see publication and communication, above). Similarly, under section 72 councils are required at all of these stages to have particular regard to articles 10 and 11 of the Human Rights Act 1998 (see limitations, above).

In light of the updated statutory guidance from the Home Office on anti-social behaviour powers, published in December 2017, councils should review their PSPOs

when they are up for renewal and take into account these recent changes to the statutory guidance.

protocols are being used and whether practices are appropriate and consistent.

Existing Designated Public Place Orders, Gating Orders and Dog Control Orders

Any DPPOs, Gating Orders or DCOs are automatically treated as if they were provisions of a PSPO. The transitioned Order will then remain in force up to a maximum of three years (2020) from the point of transition.

There is no requirement in the legislation for councils to undertake a new consultation process where existing DPPOs, Gating Orders or DCOs automatically transition, although local areas may consider reviewing these current Orders ahead of this time to ensure their provisions meet the legal tests for PSPOs. It is recommended that councils publicise any PSPOs that replace existing DPPOs, Gating Orders or DCOs to help raise public awareness.

Local councils have the discretion to consider what changes to signage are needed to notify members of the public. Any extension, variation or discharge of a transitioned PSPO would mean the local councils should carry out the necessary consultation and publication of the proposed Order.

Evaluating impact

As noted above, evaluating the impact of a PSPO will be important when considering extending or varying an Order, however assessing the effects, and effectiveness of the Order, should form part of ongoing performance management. Several areas have introduced procedures to monitor the impact of an Order at regular intervals.

A thorough evaluation will help to determine if the PSPO has addressed each aspect of the problem behaviour, whether discharging or varying the Order would be appropriate – and why – and what any variations might look like. Crucially it will also help measure the impact on people, including identifying any unintended consequences of the provisions. It should consider whether there has been any displacement of the issue to other areas and might also look at how enforcement

Resources

Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers – Statutory guidance for frontline professionals

Home Office, December 2017

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/670180/2017-12-13_ASB_Revised_Statutory_Guidance_V2_0.pdf

A councillors' guide to tackling new psychoactive substances

LGA 2016

<http://www.local.gov.uk/councillors-guide-tackling-new-psychoactive-substances>

A guide to community engagement for those contemplating management on common land

Natural England, 2012

www.historicengland.org.uk/images-books/publications/common-purpose/

Dealing with irresponsible dog ownership: Practitioner's manual

Defra, 2014

www.gov.uk/government/uploads/system/uploads/attachment_data/file/373429/dog-ownership-practitioners-manual-201411.pdf

Ending rough sleeping by 2012:

A self-assessment health check

Department for Communities and Local Government, 2009

<http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/endroughsleeping.pdf>

Reform of anti-social behaviour powers: Public and open spaces

Home Office information note, Home Office, 2014

www.gov.uk/government/uploads/system/uploads/attachment_data/file/364851/Public_and_open_spaces_information_note.pdf

Legislation

Anti-social Behaviour, Crime and Policing Act 2014

www.legislation.gov.uk/ukpga/2014/12/part/4/chapter/2

Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014

<http://www.legislation.gov.uk/uksi/2014/2591/contents/made>

Human Rights Act 1998

www.legislation.gov.uk/ukpga/1998/42/contents

Psychoactive Substances Act 2016

www.legislation.gov.uk/ukpga/2016/2/contents



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REF 10.21

PSPODOGCONTROL2020

This report was generated on 11/11/20. Overall 100 respondents completed this questionnaire. The report has been filtered to show the responses for 'All Respondents'.

The following charts are restricted to the top 20 codes. Lists are restricted to the most recent 100 rows.

Q1



Q2



Q3



Q4



Q5



Q6



Q7



Q8



Are you happy to take part in the Medway Public Space Protection Order - Dog Control Order survey?



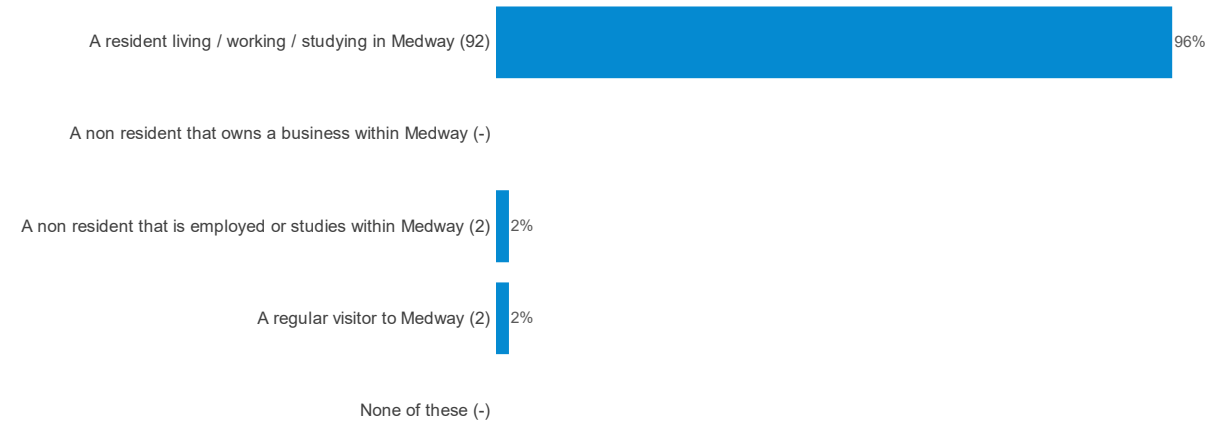
Are you responding as:



As an elected representative, are you:



If you answered 'individual'. Which of the following best describes you:



Which ward do you represent?



Which parliamentary constituency do you represent?

Chatham and Aylesford (-)

Gillingham and Rainham (-)

Rochester and Strood (-)

Which parish do you represent?

Allhallows (-)

Cliffe and Cliffe Woods (-)

Cooling (-)

Cuxton (-)

Frindsbury Extra (-)

Halling (-)

High Halstow (-)

Hoo St Werburgh (-)

St James, Isle of Grain (-)

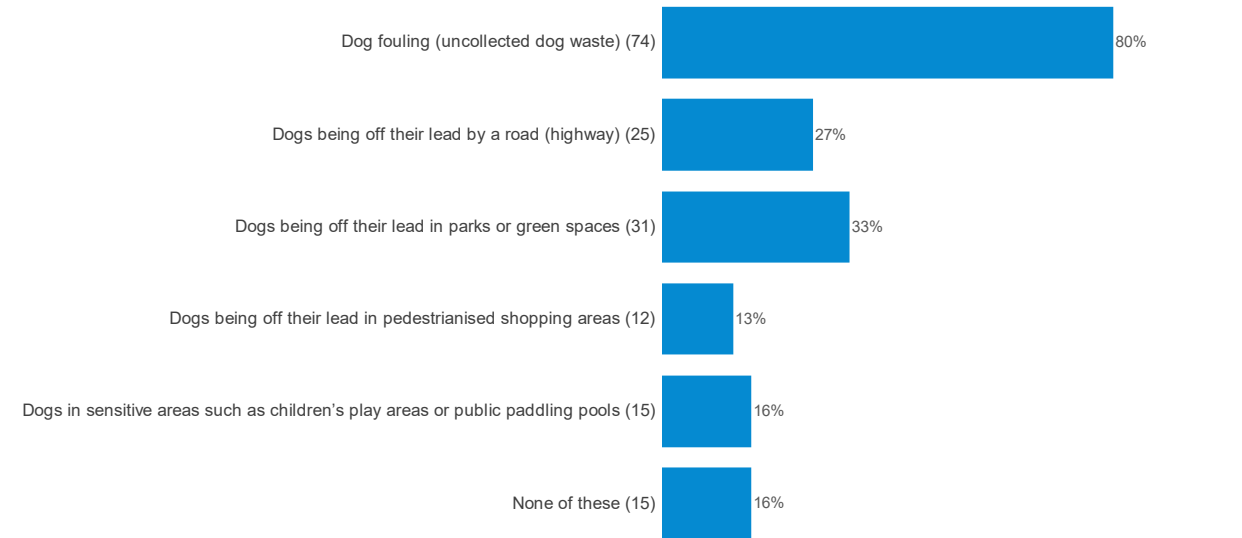
St Mary Hoo (-)

Stoke (-)

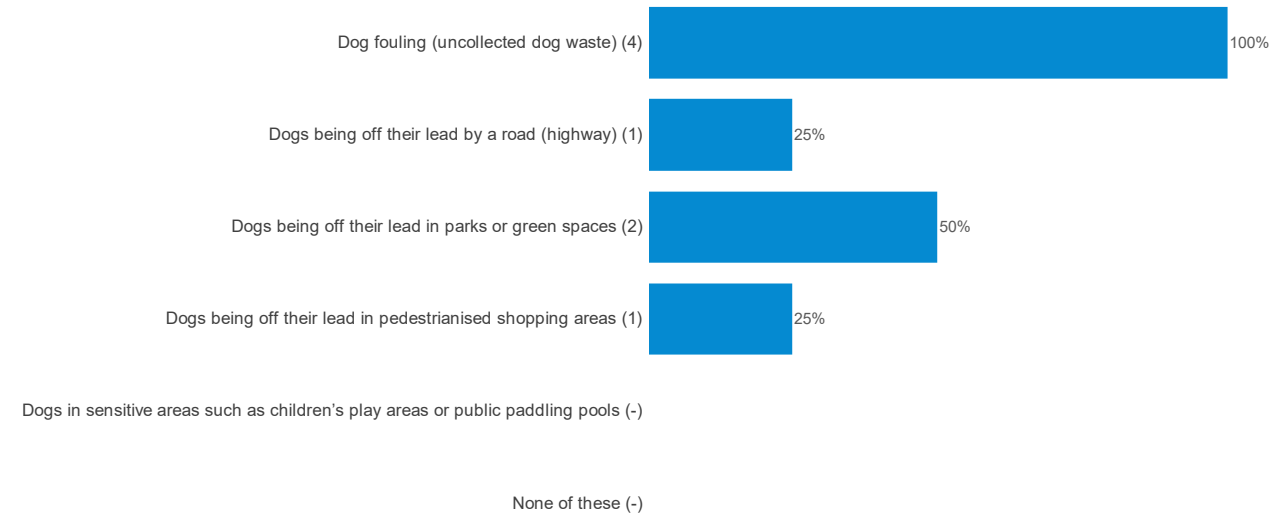
PSPODOGCONTROL2020

Which of the following are problems in your local area?

This is an area approximately 15 minutes' walk from your home / place of work / place of education

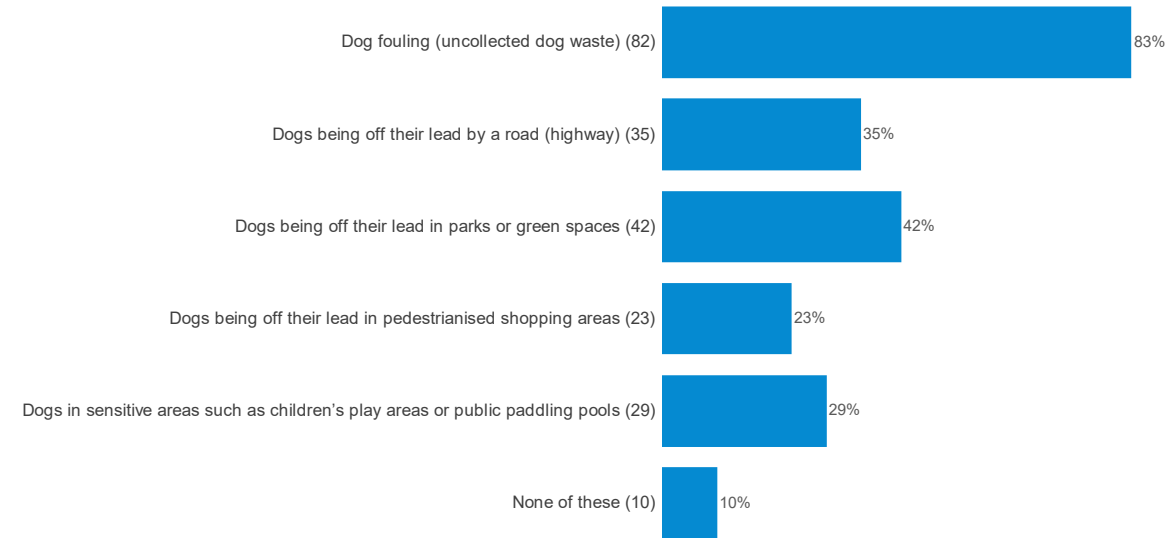


Which of the following are problems in the area you represent?

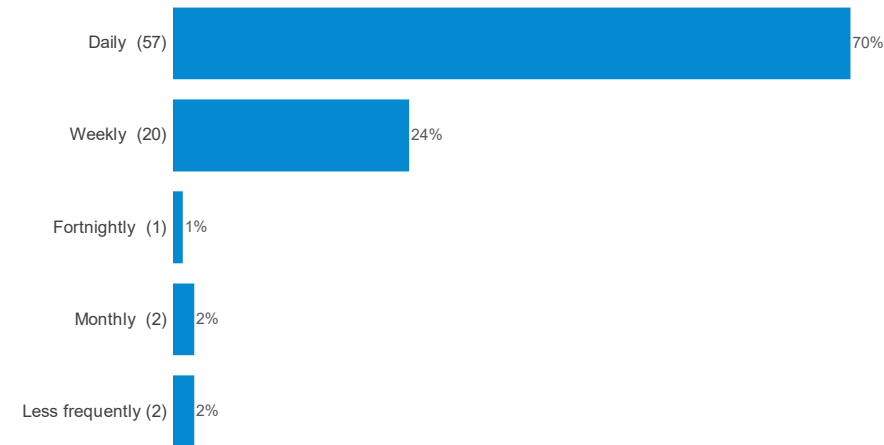


PSPODOGCONTROL2020

Which of the following are problems in Medway?

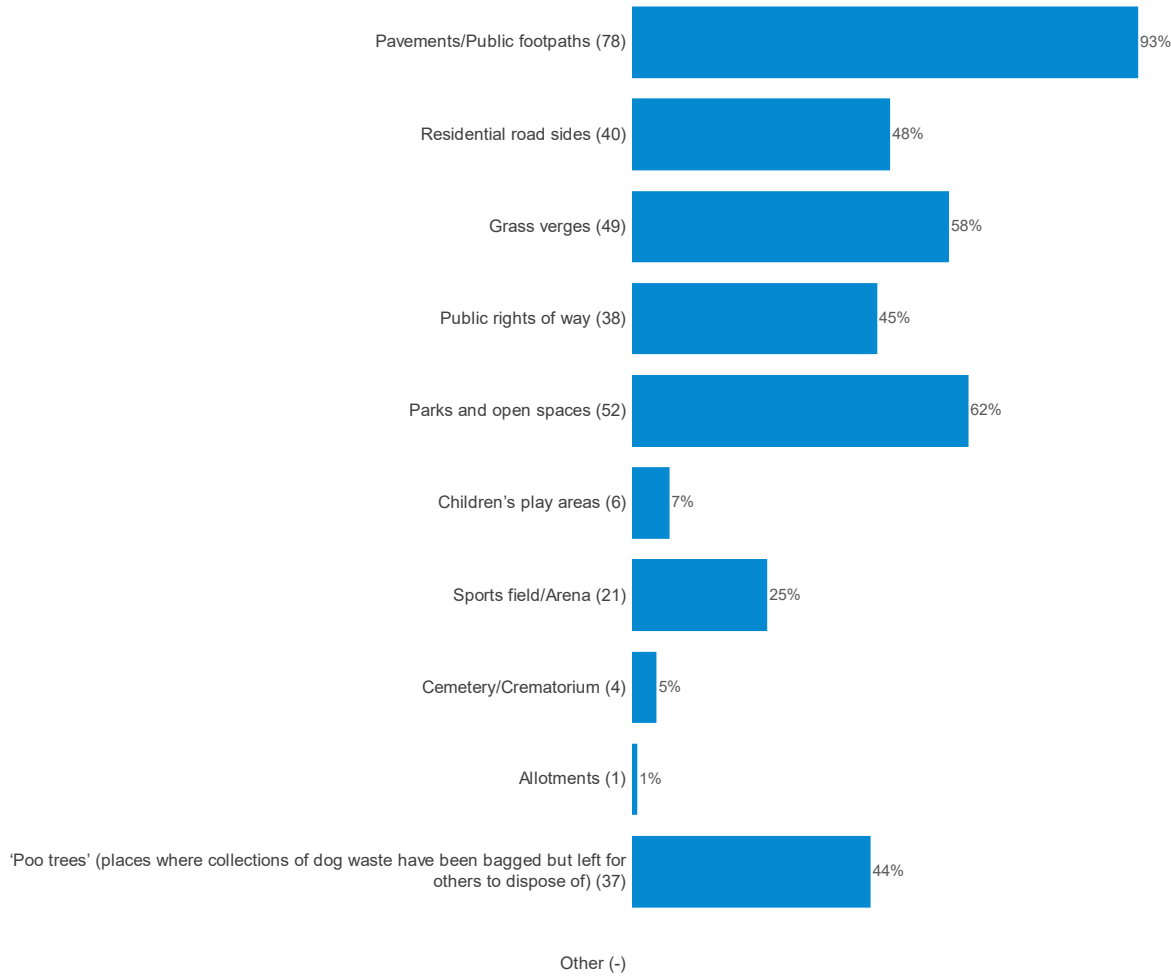


How often do you see uncollected dog waste?



PSPODOGCONTROL2020

Where do you typically see dog waste?



Do you support the continuation of the Public Space Protection Order to control dog fouling in Medway?



Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dog fouling in Medway?

- Needs to continue to be controlled
- Don't know detail of the order
- If this matter is not controlled it will get out of control and there will be more dog fouling. People need to be fined.
- I agree with the prevention of dog fouling but not enforcement of dogs on leads in large open spaces

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dog fouling in Medway?

We need ongoing attention to this issue

I strongly support its continuation - dog fouling (or rather the humans who don't collect it/deal with it properly) is a health hazard, requiring robust treatment by the council.

I agree as not only do dogs foul in front my drive, my daughter, when young, slipped and fell over in dog waste. Children, buggy's and wheelchairs should have walk or wheel around or though it.

Even with these controls in place many dog owners still do not pick after their pets, so if the controls were not there at all I feel the public would encounter more dogs excrement on pavements and parks.

Something needs sorting with regards to Priestfield playing fields. Youngsters play rugby and football on there every week and before training and games can commence we have to walk the area and pick up dog mess. Also when walking my dog other dogs off leads approach with no concerns from their owners that my dog is nervous and will have a go back

Maybe explain what that is before the questionnaire

Because dog fouling is a huge problem.

The powers need to be retained to combat irresponsible dog owners

Inconsiderate owners are putting peoples health at risk, especially all the people young and older who use sports field for recreational sports.

Without this, people will have even less incentive to pick up after their dogs. People don't seem to understand the responsibility that comes with owning a dog and this will help with that.

I am a responsible dog owner and it makes me really angry to see other owners not picking up behind their dogs.

Dog mess us a huge issue in Medway. As a registered childminder I am concerned about uncollected dog mess and dogs off leads in public spaces

Lack of enforcement make an example of the owners name and shame they live local to the area it would make them think twice and increase the fine for repeat offenders

Dog fouling has become a major problem in Rainham Central. This is not helped by the fact that the Dog Waste bins are not emptied enough times during the week, They should be emptied daily. Also, the number of 'Nocturnal' dog walkers who disregard the mess left by their dogs is a serious issue

there is no excuse for not clearing up after your dog and there is nothing worse than treading in it

I strongly agree , dog fouling is disgusting and solely the owner's responsibility.

You need to keep dog fouling under control so that residents of Medway who do not have dogs can enjoy the walks on public footpaths and parks, pavements and streets without having to see dog faeces bags and waste left on their route.

The protection order needs to be continued to maintain the hygiene and cleanliness in the area

I am a dog owner and pick the poo up. No excuse for others nor doing it.

Control and indeed increased levels of control of dog fouling are necessary as non compliance is widespread. This is a health hazard and lack of dog control is an increasing hazard for other pedestrians/runners.

I want it controlled because it unhygienic and disgusting, fines should also be increased and there should be more visibility of people controlling this

Because dog fouling is a public health issue that must be tackled head on. Get tough on those owners ignoring/abusing the law.

Dog fouling is still a problem in the area. More needs to be done to address the issue.

It's disgusting, encourages rats and gives the country a bad name.

People need to be responsible and if they are not someone needs to enforce action without this pspo will not be challenged

Dog fouling on pavements and in parks needs to be addressed/controlled

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dog fouling in Medway?

Owners need to be held responsible.

Dog owners have to be made aware of their responsibilities to keep public areas clean

Vital to continue as some pet owners are irresponsible

Medway needs to start enforcing it's policies. Dog fouling, anti social behaviour, parking, litter and "good housekeeping"

Public spaces should be protected for the enjoyment of all.

I sometimes use a wheelchair and there is nothing worse than getting dog poo on the wheels.

I am unsure what is involved with this in terms of costs and results

This is clearly a health and social acceptability issue and needs to be continued and enforced more vigorously.

Dog fouling needs to be monitored, and people need to be held responsible for their dog's mess

Dog fouling is unnecessary. As a dog owner I know how easy it is to clean up after your dog and dispose of waste sensibly.

It is necessary because of people that allow their dogs to foul the areas and not clean up

Those owners responsible need to be made aware of the problem they are creating by allowing their animals to foul in public spaces and to be penalised if they continue to do so.

The officers do a fantastic job that doesn't need to change but dog fouling/dogs off leads will only get worse again without enforcement.

Every dog should be on a lead unless in an allowed area, especially with the amount of Staffy type breeds that seem to be prevalent as 'trophy dogs' with owners deliberately leaving them off a lead. Allowing dogs to foul is disgusting, owners should be fined.

Because people are too lazy to collect and dispose of their dog's waste and need the law to sanction them

Medway needs to get on top of cases of dog fouling in all areas. Additionally, many poo bins are not emptied often enough resulting in piles of dog waste left by the full bins.

I agree that dog fouling and owners not picking up need to be addressed but I don't agree with bans on dogs off leads in public spaces

Obviously hasn't been working to this point as I constantly come across dog 'foul' when walking my daughter to school - several times each day

I and to my knowledge many other people dislike and have commented to me about finding dog fouling on public roads and public spaces.

I'm not sure it's working but it really discourages walking & a negative experience of the town.

I think it's crucial to ensure that dog owners act responsibly by clearing up dog fouling, but it might help if there were more 'dog bins'.

It is a real issue in the local area, particularly around parks and footpaths.

People should pick up after their dogs.

Persons who do not clean up after their dogs in public places should be made to face consequences of ignoring the rules in place for that area. By not doing so means that responsible dog owners are penalised by further restrictions should these simple hygienic requirements are not met. It is unpleasant to walk your children to school and have to dodge mess on the pavement and within open spaces no one knows if these dogs have been treated for the various types of worm which dogs can contract.

I agree as owners should be considerate and pick it up

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dog fouling in Medway?

I agree to the extension because it would appear although there have been improvements, there are still dog owners who feel they are above behaving responsibly with regard to dog fouling and dogs being kept on leads. I feel the council should actually start making more of example of these selfish individuals.

Have never seen or heard of anyone being spoken to or fined for this so would be a waste of public money to continue.

The Council needs powers to deal with antisocial dig owners

Every day on the walk to school the pavements have dog fouling. It is disgusting. Dog owners should be fined for not cleaning up after their dogs. It is so unhygienic.

I have a fear of dogs so I get panic attacks if I see them off their leads in my local park. This has happened more than once at Broomhill.

People should pick up after their dogs as it drives me mad

It's important to keep all areas clear of dog waste

Agree about the Public Space Protection Order being enforced for the next 3 years

Because the supposed issues they address are not relevant in my area and its just another of authority micromanaging the public and meddling in their affairs. "Little Hitler syndrome"

I step out into my street daily with uncollected dog poo around.

The streets are foul and so is riverside country park. Dog poo is everywhere.

It needs to continue, until bad dog owners, get caught and fined, until they becoe more responsible

I think dog fouling is a part of owning a dog and should be taking seriously.

Unfortunately we have too many dog owners who don't want or can't be bothered to follow the rules that are their for everyone's comfort

Without these pspo it would be alot worse.

There are still too many people not 'picking up' in places where people walk. I'm not concerned by poo flicked into undergrowth where it will bio-degrade - in some ways I find this preferable than using plastic bags.

Feels unnecessary - how does it help to reduce dog fouling?

I'm a dog walker in parkwood . On daily basis I have to tell people to pick up their dog poo and even offer bags

Everything about it is positive

People need to pick it up!

It can only be a good thing surely

All dogs are dangerous and unpredictable animals, and should be made to wear muzzles while in public places, and dog fouling in public places is also a danger to public health, especailly the young.

Action/education still needs to be taken

As a responsible dog owner there is never any reason to allow your dog to foul.

Do you have any other comments regarding the PSPO?

No

For me Capstone is a particular problem with dogs off leads fouling anywhere.

Should not have dog if you are not prepared to pick up after them.

With the increase in businesses being run as dog walking services I feel they should be restricted to 2 or 3 dogs at any one time, this would mean they were being sufficiently controlled , especially in Council run parks where children play. The business should pay a licence fee .

PSPODOGCONTROL2020

Do you have any other comments regarding the PSPO?

No.

I would like to see more visible enforcement of offenders.

Such an important element of safety for our community

I live on the Davis Estate and think a dog waste bin needs to be provided on the junction of Concord Avenue and Holland Road, as there is no bin in that locality.

anyone who does not pick up after their dog deserves to be fined

Please enforce more rigorously where possible.

No thank you

Didn't know there was one, makes one wonder what the problem with dogs would be if it wasn't there? Need much more enforcement.

Publicise the number of orders served so that offenders are aware of possible action against them

None

No

No

Well behaved dogs off leads away from roads should not be considered an issue

No.

More poo bins needed both on public pavements and in green open spaces where we walk our dogs. This will encourage people to use the bins rather than leaving mess on the ground.

More enforcement!

I think a protection order is more than justified to continue tackling this problem, which is present right across Medway, certainly the urban conurbation.

It should continue

I don't think leads on fields should be implemented. As a dog owner myself. A daily run is very much needed for my 2 and I always endeavour to keep them away from others and causing a nuisance

It should continue

Yes spend more time and money on important matters, I will leave you to work out what they are

I'm not sure how you would enforce it.

No

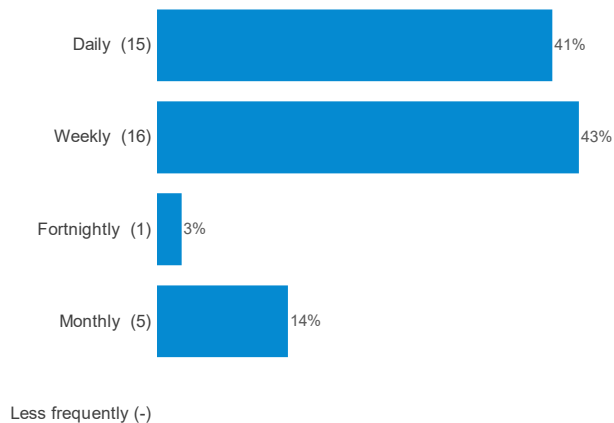
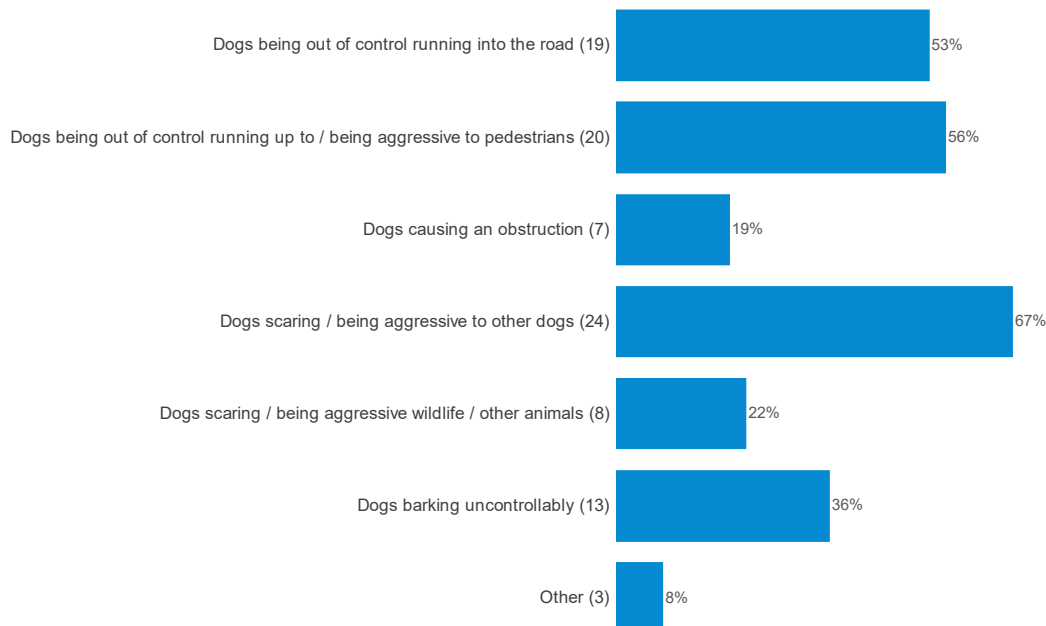
they do an outstanding job.

It is great that well-behaved dogs are allowed to run free in fields etc. This is the majority and they should not be affected by the order. There are, however, the few irresponsible owners who let badly behaved dogs off the lead, which can dirty passers-by's clothing, or at worse nip them. Maybe compulsory training classes for bad owners is the answer.

No

it should be permanent!

PSPODOGCONTROL2020

How frequently do you spot dogs being off their lead by a road (highway)?**What kinds of problems do you see being caused by dogs being off their lead by a road (highway)?****Please state**

I haven't seen much aggression only see dogs off the lead occasionally on a road. But even a dog being 'friendly' can be frightening and intimidating if you don't know the dog or the owner. It regularly frightens my children in the park.

Having been attacked and then threatened by the owner, we need to change dog owners' mentality. Having been attacked and then threatened by the owner, we need steeper penalties.

Dog is well trained but causes concerns to drivers as it runs to the kerb off lead before crossing.

PSPODOGCONTROL2020

Do you support the continuation of the Public Space Protection Order to control dogs being off their lead by a road (highway) in Medway?



Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead by a road (highway) in Medway?

Safety for dogs, owners and car drivers.

As stated Capstone is a particular problem. Dog owners think that they have a right to have their dog off their lead, and they rarely have any control over the animal. This is an area for walkers too, but when I have asked dog owners to control their dogs, as I object to them jumping up at me, I was told dont come here if you dont like dogs! I no longer walk at Capstone, as hate dogs approaching me.

I agree to highways but not public open spaces where they can be kept under close control by responsible owners

I agree as this is a danger to the animals, to drivers, to pedestrians, and to the owners

Traffic, dogs running in roads cause accidents

Being off lead near roads is dangerous for the dog and road users

A dog running into the road, could lead to serious road traffic accidents.

Just having the possibility of these teams around will be reassuring to dog walkers and other members of the public

It is dangerous to other pedestrians, dogs and road users.

Public safety particularly young children

Road Traffic Hazard

no dog should be off their lead by a road as they are unpredictable and could cause accidents

Dogs off leads cause accidents

Danger to all

Dangerous being off the lead near traffic. They could see something on the other side of the road and bomb out in front of traffic.

This an increasing problem where pet owners unable/ unwilling to properly control their animals present a real and dangerous hazard to pedestrians and particularly joggers. Attacks are becoming more widespread.

If a dog gets distracted, it can go into the road and cause an accident. It could run and attack people. And not all people are comfortable around dogs, so would be very scared with dogs coming up to them

Because letting a dog off it's lead is a deliberate action by the walker who will know they've lost immediate control of their dog. Its not accidental. They either do it recklessly or carelessly. Either way, when that uncontrolled dog frightens another person its almost the same as a common assault.

Dogs off leads is a big problem that needs addressing. Most people don't take the time to train their dogs, so having untrained dogs off lead causes issues for everyone.

In my view all dogs should be on a lead and muzzled in all public places. We should be more like the continent. Only in private areas should they be off lead

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead by a road (highway) in Medway?

It's dangerous to have a dog off it's lead by a road. It could be distracted, run across the road and cause an accident.

Danger to cars and people

For the protection of other pedestrians

It's dangerous to traffic and pedestrians and the dog!

As before, anti social behaviour NOT enforced by council. Dog attacks on mothers / children goes unprosecuted.

Keep the streets clean. Making it pleasant to walk and not worry about messy shoes. Also for the protection of young children.

Not all dogs require to be kept on a lead.

I sometimes use a wheelchair and there is nothing worse than getting dog poo on the wheels.

to prevent obvious dangers

Dogs off their leads are a potential safety issue and a social inconvenience.

It is dangerous not to have a dog on lead by roads, fo all: pedestrians, cars, bikes etc.

To much risk of causing an accident

Owners do not always control their dogs

Keeping dogs on a lead helps to reduce hazards and potential accidents which may occur if the animal is off lead.

The roads are busy, it only takes one dog to run into a road and cause an accident, and there's an issue with "status dogs" being allowed to roam which can be quite threatening to other pedestrians/other animals. My husband has almost been knocked off his motorcycle by unleashed dogs before. It simply just needs enforcing and the police are already stretched thin.

I believe that dogs should be on the lead on all roads and in areas where there are other people and dogs

It's important for both the safety of dogs and the general public.

It's dangerous

Counter intuitive. No dog lover will allow their dog to be out of control near a busy road.

Not a problem I've witnessed.

It's quite obvious that a dog not on a lead by a highway might walk into the road and cause an accident, so yes.

As a runner and walker I often encounter aggressive dogs who should be on a lead.

Because its dangerous

Dogs can be unpredictable and have no road sense especially if they maybe see a cat. This could cause road traffic accidents. I also think the public want to feel safe whilst walking in the streets and many are wary when there is dog off lead.

owners need to be aware and considerate to others roads are dangerous

We have had incidents of dog owners walking dogs with no leads, they have ventured in neighbours gardens, used it as a toilet, caused distress to the resident's dog, when challenged it was brush off by the owner the 'dog didn't mean any harm!' 'it's well trained'

As previously have never seen or heard of anyone being spoken to or fined for this so would be a waste of public money to continue.

Dogs off lead on the highway are a potential danger to other users

It is a safety issue. I would hate to hit a dog that is off its lead while I am driving.

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead by a road (highway) in Medway?

It is not safe for a dog to be of lead by a highway it could cause accidents

I believe dogs should be kept on leads when by roads, it is so easy for them to chase something and cause a accident

Agree

Not a problem for me

Is is a constant issue

It makes it unsafe for pedestrians and dog owners don't always realise their dog is fouling because they are not leashed.

As much as owners may trust their dogs to behave, they can be unpredictable, and cause an accident by running across the road, and all that entails. Also lots of people and children and other dogs are afraid of dogs. Its not fair, they need to be in control in public places.

Responsible dog ownership means keeping them safe. If the dog hasn't had extensive advanced training, there is no guarantee that they won't deviate from a pathway.

Safety for everyone

I have never found this to be a problem.

Again I don't see how it helps solve the problem if it's never enforced.

It's a danger to drivers and other dogs

Dangers to all (drivers and dogs)

It's unsafe

Dogs are unpredictable and dangerous animals and should be muzzled while in public

Consequences of dog being off lead by road can be huge, no matter how 'well behaved' the dog can be

Seen dog daily and causes me to break hard which could cause accidents.

Do you have any other comments regarding the PSPO?

No

Enable photographic evidence to be permissable in law

Please enforce restrictions more rigorously.

nope

Get tough! Issue lots of penalty notices!

It should be permanent.

An out of control can cause injury or distress to pedestrians and drivers as it lunges around

No

No

They do a great job, let them carry on doing it.

I have witnessed dogs off lead in both Chatham and Rochester town centres.

Enforcement!

I live by Broomhill Park and dogs are very often running around barking at other dogs or people, they are not on leads. There have been a few dog attacks in the park recently, which is a real issue.

It should be extended

I don't think dogs should have to have a lead on in field and open areas As a dog owner myself, my 2 need a daily run. but near a road yes.

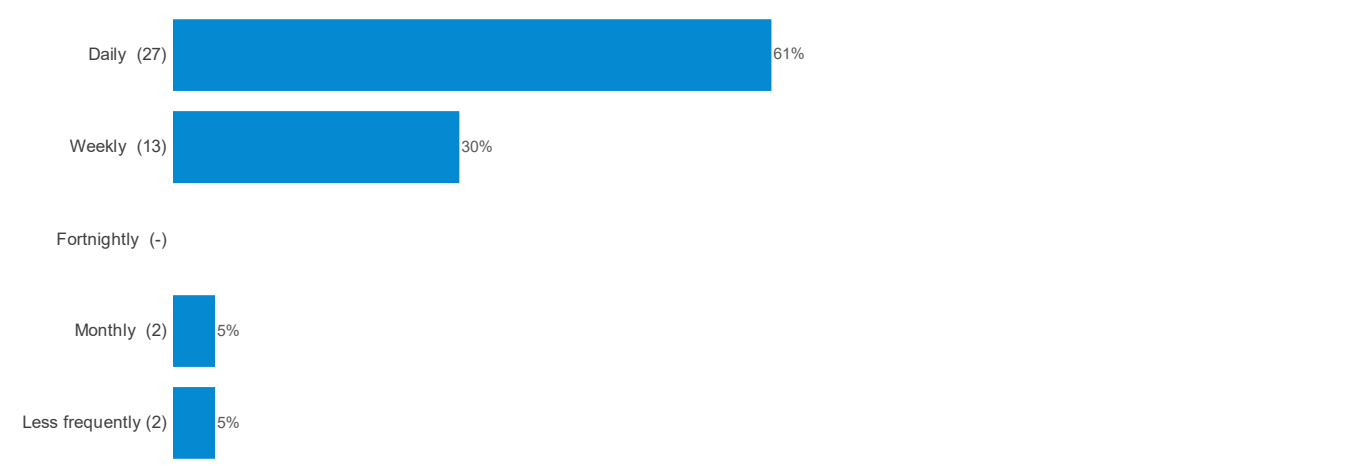
It should continue

Yes they are fascists

No

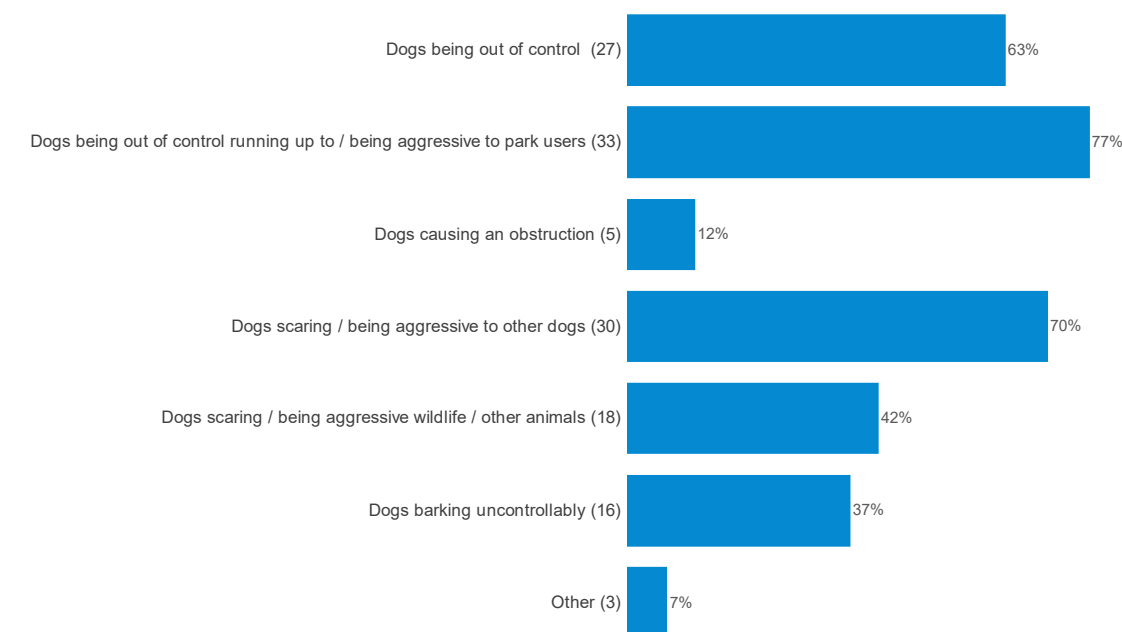
it should be permanent!

How frequently do you see dogs being off their lead in parks or green spaces?



PSPODOGCONTROL2020

What kinds of problems do you see being caused by dogs being off their lead in parks or green spaces?

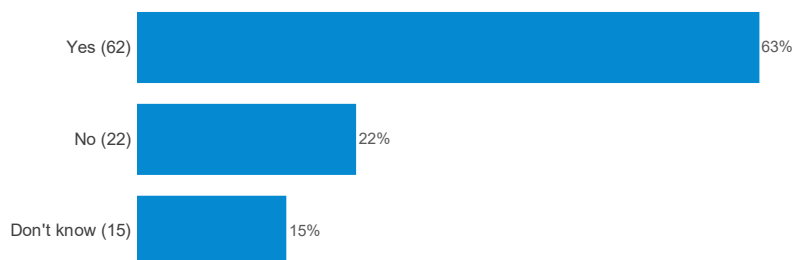


Please state

See previous response

Owners not being responsible for their dogs actions.

Do you support the continuation of the Public Space Protection Order to control dogs being off their lead in parks or green spaces?



Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead in parks or green spaces?

Slightly unclear here, are we saying dogs cannot be off lead or that owners should have them under control if they are? During the Covid restrictions I have not been visiting local green spaces very much but was not aware dogs off lead was a local problem. The animals do of course need to be able to exercise and one would rightly expect owners to be responsible for them at all times.

Not all dog owners are acting responsibly and make it difficult to use open spaces safely

Don't know what regulations are. I just go by whatever the signs say when I am walking my dog

There needs to be a presence to protect the public.

Dogs can be kept under close control of lead by responsible owners

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead in parks or green spaces?

Again, I support this as it helps protect the animals (and reduce fighting/injuries from others), their owners, other members of the public

I don't agree with blanket ban and would prefer the emphasis being on canine behaviour.

Dogs should be able to run around in a park as long as they are well behaved

A number of dogs are well behaved and have considerate owners, however a number of dogs and owners are not and these need to be targeted.

As previously. Having this team around will reduce the likelihood. I only yesterday got surrounded by two dogs off leads with an owner who didn't seem to care. My two rescue dogs were petrified and jumping up to me and my little boy who was also with me was crying. Not even a word of apology from the owner. This team will make me feel safer.

My dog loves being off lead, but is always under control as she is well trained. People need to be educated about training their dogs, and to be responsible if their dogs need to be kept on a lead.

I believe dogs should be enabled to be off lead in parks and green spaces so long as they are not in parks where children's play areas are

As a childminder dogs often run up to my minded children and do not return to their owners when called

Uncollected Dog fouling is very unpleasant. Dog owners must be made aware of the importance of picking it up or face consequences for not doing so.

To get all dog owners more responsible and considerate to others

this is not a problem as long as they are not dangerous dogs

Dog fouling is a health hazard for all

All owners need to take responsibility for their animals. More enclosed dog exercise areas would be a good idea. Keeping them away from children who sometimes are uneasy about dogs.

They should be on leads in Park car parks.

There should be set areas where dogs can go off leads.

Parks should have a specifically designated and totally fenced- in Dog Run Areas. St.Mary's Island has done this very well and is an ideal model to follow. Dogs off the lead anywhere other than inside this Area should trigger immediate enforcement action.

Dogs off leads is a big problem that needs addressing. Most people don't take the time to train their dogs, so having untrained dogs off lead causes issues for everyone.

Dogs should be on a lead in all public areas.

If the owner has full control and an obedient dog it should be OK for the dog to be off the lead in a park or green space. Where there is no control the dog should be on a lead.

Supervision of the owners!

dog mess leaves our parks and green spaces stops children and adults from enjoying these areas
There needs to be some control on large/ small vicious dogs not all people can defend themselves when a dog jumps up at them

Not everyone likes dogs and children can be afraid/knocked over by loose dogs

See previous comment

Where can I read this part of the order?

I sometimes use a wheelchair and there is nothing worse than getting dog poo on the wheels.

I find dogs to be intimidating and will avoid areas if a dog is off a lead

I have no problem with dogs kept under control but often they are not prevented from jumping up on people enjoying open spaces and frightening young children.

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead in parks or green spaces?

Dogs can be off lead if they are under control, and won't hassle people, or other dogs, if off lead

Well behaved dogs should be allowed off leads, they need to be able to run to exercise.

See previous comments

Same reasons. It's something that needs to be enforced.

Having been a dog owner and intending to be one again, I was often terrified when other large dogs approached my very small dog

Parks and green spaces are the appropriate places for dogs to be exercised off lead. However, I support dangerous & aggressive dogs requiring to be in lead or muzzled.

Dogs need to be able to run

It's a no brainer!

Blunt instrument. All dogs and all owners are different. Why should all be treated as irresponsible and dangerous?

Dogs need to run to exercise. Not everyone has the ability to walk dogs 30 - 60 minutes every evening Which certain breeds need as in collies spaniels and in general most farm dogs

Not a problem I've witnessed

There needs to be somewhere that dogs can be exercised...very difficult while still kept on a lead. Why should Parks and green spaces just be for people? I do understand that some dogs let off a lead may cause mayhem and even damage, but the owner of those dogs shouldn't allow them off leads in those areas, and there should be warnings instead not to let unruly or badly behaved dogs off a lead.

Living by Broomhill Park i have seen dogs (not on leads) chasing and barking at other dogs and people. I have been chased and growled at by dogs when running around the park before. They have been a few nasty dog attacks recently too. Moreover, my cats have been chased by dogs when they have wandered into the park previously. We often hear dogs barking as they are walked around the park, in the dark, as early as 5am; it's ridiculous!

Dangerous dogs should always be on a lead

This may not be relevant at this point in the survey but I do think that considerations to keeping dogs on leads in open spaces would be a sad day when a dog can not be free to enjoy time off leash and have interaction with other dogs. This again comes down to a few spoiling things for the many. In my thirty years as a dog owner I have never had cause for concern with my dog being allowed off lead once we are on one of Medways popular open spaces. The great lines, Sharps green and Capstone orchard car park to name three. You have to allow dog owners to be responsible taking away the right to allowing a dog freedom would be devastating . I will always put my dog on a lead if a child or adult is obviously fearful, my dog is not allowed in play areas and with all the dog owners that I encounter there has never been an incident of dog fighting or biting. Most owners who know their dog have issue will keep them on leads and walk away from situations where it likely to cause distress to anyone. I do feel family parks eg Gillingham park are a slightly different scenario to the country parks I have previously mentioned. I am not sure how you differentiate when making rules but I would happily keep my dog on a lead in a place where families are picnicking, playing sports etc but I also choose not to use these places to walk my dog because of this reason.

I have no issue with dogs being lead off in parks and woodlands if the dog has good recall, but unfortunately mostly they don't and the owners don't care! I have a rescue dog who doesn't like other dogs and therefore we end up only ever really walking on roads because people with off lead dogs can't control them and call them back if asked to.

I don't think dogs should have to have a lead on in field and open areas As a dog owner myself, my 2 need a daily. I ensure they are not a nuisance to others

Not everyone is a dog lover, and no amount of telling somebody the dog is friendly is acceptable. Dogs should be under control at all times for the safety of park/green users

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead in parks or green spaces?

As previously said never seen or heard of anyone being spoken to or fined for this so would be a waste of public money to continue.

Dogs need time off leads. The Council should allow for this where it is safe to do so

I think dogs should be free to run off their lead in parks or green spaces, as long as they can be quickly controlled. I generally do not have a problem with this at all.

Dangerous dogs should be kept on leads

I believe that dogs should be allowed to run free if trained and supervised, but do believe if you know you have a nervous dog they should stay on a lead

Agree

I just told you

A constant issue

I've been chased and jumped on as have the kids. It puts us off going to the park.

There needs to be more designated areas in parks/green spaces to allow dogs to be off the lead, so people are aware

Dogs need to be off leash and have exercise. This only goes for those who are well trained and aren't a nuisance, though.

Everyone should be able to enjoy these spaces in peace, especially in this Covid time as in the first page

As explained above, the majority of dogs do not present a problem. Only the badly behaved individuals should be targeted.

Dogs are off their leads in parks or green spaces anyway - this does nothing to prevent that and dogs being off lead in these areas is not a problem.

Each place is different and some areas can allow for off lead, other areas kept on lead

If a dog has good recall and is well behaved it's ok. It's a problem when dogs are not well trained and can be aggressive

Some dogs shouldn't be let off their leads

as before

Can be upsetting for other users of the park

Only if dog has causes repeated incidents

Do you have any other comments regarding the PSPO?

No

nope

Publicise some figures on how it is workign

No

No

Enforcement in parks....

I feel dogs should all be on leads in the parks.

It should be enforced

Medway is a bad area for dog controls. I pay for an enclosed field so no longer have to encounter out of control dogs and owners.

It should be enforced

They are a dictatorship

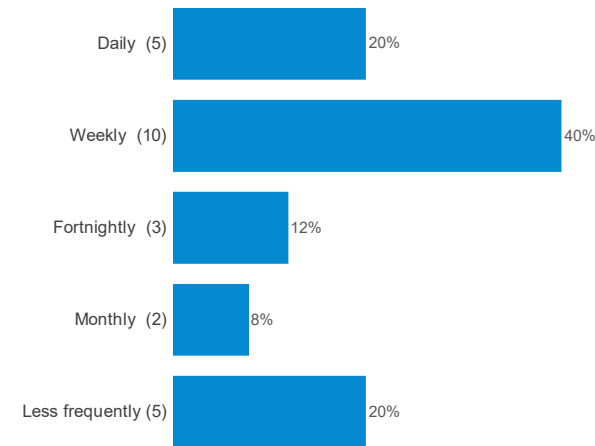
as in first page

No

as before

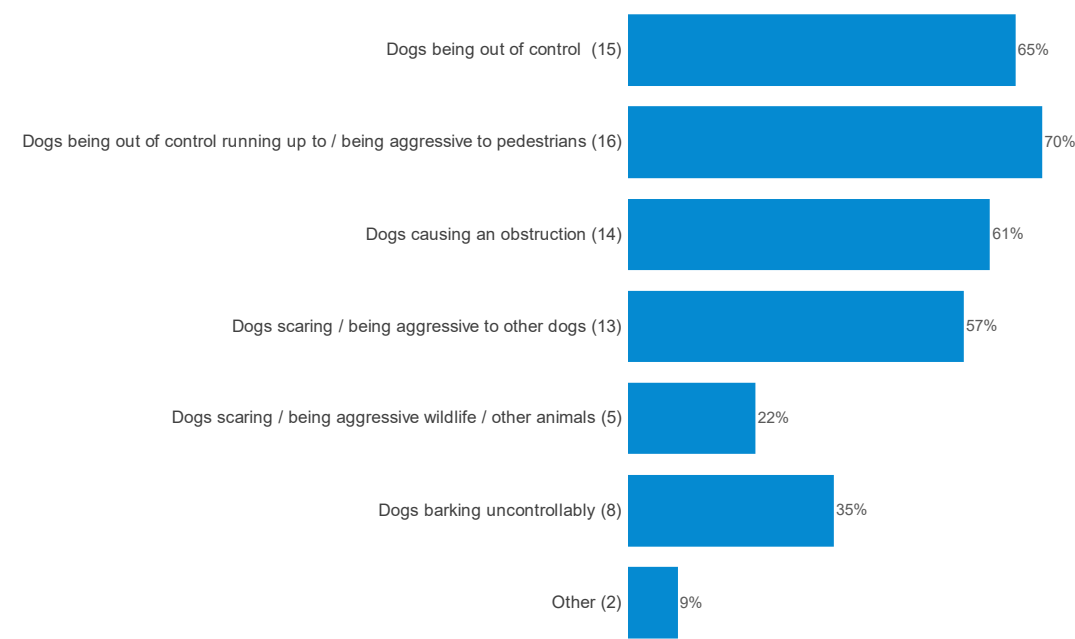
Designated area for off lead dogs is the best way forward to give people choices

How frequently do you see dogs being off their lead in pedestrianised shopping areas?



PSPODOGCONTROL2020

What kinds of problems do you see being caused by dogs being off their lead in pedestrianised shopping areas?



Please state

- Irresponsible ownership, especially when used for begging purposes or gathered in groups in Chatham High Street.
- All of the above

Do you support the continuation of the Public Space Protection Order to control dogs being off their lead in pedestrianised shopping areas?



Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead in pedestrianised shopping areas?

- Dangerous dogs could hurt people
- I assume the order means that dogs can't be off their leads in these areas. That is pure common sense.
- It has been so long since I have visited a pedestrian shopping area that I can not comment if this is an issue or not.
- I agree - utterly no need for dogs to be uncontrolled in a shopping area, because of the danger to them, to members of the public, and their owners
- There is no need for a dog to be off lead in a pedestrian area

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead in pedestrianised shopping areas?

Not sure on this as currently I do not recall ever seeing a dog off the lead in pedestrianised shopping areas.

Reduces liklihood of problems for people

Dogs off a lead in shopping centres could be disruptive and cause problems, and could pose a risk to themselves and others.

Uncollected dog fouling is very unpleasant. Dog owners must be Ade aware of the importance of picking it up or face the consequences if they do not.

As previously stated

Public nuisance

dogs should not be off their leads in a shopping centre

Off the lead dogs can be very unpredictable and therefore a potential danger

Agree with this law dogs should not be running loose on streets

Too much going on in public areas. Must always be on a lead.

As per previous answer. Not all people are comfortable with dogs, also, I see no need for dogs to be in pedestrian shopping areas in the first place.

Pedestrianised shopping areas aren't appropriate for any dog (other than specially trained assistance dogs) as they can be very scary and confusing places for all breeds of dog. As a bare minimum these dogs MUST be controlled 100% of the time.

I don't tend to see many off lead dogs in shopping areas, but then I don't go very often.

All dogs should be on a lead and muzzelled in shopping crowded areas.

Dogs should be on lead as pedestrianised areas can be busy and someone might be tripped up if a dog is running around them. Also some people are frightened of dogs.

Supervision of the owners.

Dogs should always be on a lead where there are members of the public

Becoming tedious !!

I sometimes use a wheelchair and there is nothing worse than getting dog poo on the wheels.

Absolutely. These are busy areas and it is intimidating

These are not suitable places for unleashed animals.

Dogs should be on lead in busy spaces, or at least under control

Generally not enough space so dogs will inevitably be in the way of pedestrians/ shoppers

See previous comments

Have been nearly knocked over by dogs at least once a month in Gillingham High Street, even during the pandemic.

Dangerous for dogs to be off the lead as some can be unpredictable and dangerous

Dogs should be on lead at all times in pedestrianised shopping areas. For their safety and for other town centre users.

A lead is necessary to protect people from dogs....and dogs from people.

In the same way as litter droppers are discouraged, the owners of poorly controlled off lead dogs can be similarly warned and fined by wardens.

Yes dogs should be on lead in town and shopping areas, more for there safety than anything

I can't say I've seen or heard of a particular problem in pedestrianised shopping areas. If there is a continued problem that I'm not aware of, then I would support the continuation, however if there's no problem I don't see why it should continue.

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs being off their lead in pedestrianised shopping areas?

Not a problem I've witnessed

More from a dogs perspective, but always a risk that a dog off a lead in a shopping area could be at risk from being stolen or abused / mistreated. Also the dog may be tempted to run into the shops themselves and risk being 'lost' by the owner. Just makes more sense to keep a dog on a lead in a shopping area...for the safety of the dog and shoppers.

They can be scary to other pedestrians if they bark or growl uncontrollably.

Dogs of leads should not be in shopping centres

Much the same as by being near a road. It is unnecessary and irresponsible.both for the dogs sake and the general public, many who have a fear of dogs and should not have to worry whilst on a shopping trip. I

A pedestrian shopping area is definitely not somewhere dogs should be off leads even if it was purely for health and safety reasons.

As previously said never seen or heard of anyone being spoken to or fined for this so would be a waste of public money to continue.

It isn't a safe environment for dogs to be off lead

Shopping areas can get very busy and I think it is always best to have a dog on a lead. It is easier to keep track of your dog this way. Also a lot of kids just run up and touch a dog without checking that it is okay first. I think this will just help any unthinkable situation from happening.

Dogs should not be off leads in pedestrianised shopping areas

Dogs should be kept on leads to stop congestion and for people who are scared of dogs to feel at ease

It is not an appropriate place for animals especially when it's busy and we are trying to keep distanced.

Its dangerous for all the reasons in the last question

Dogs, unless trained to advanced levels, should be on a leash in these public areas

Safety and cleanliness

Apart from anything else, owners do not tend to notice their dogs pooing in these circumstances.

Not enforced, no impact.

Children might be scared

Control of the dog/s is needed in busy areas. Some adults and children have a fear of dogs. Don't want to risk fouling in busy pedestrian areas

It's unsafe

It's against the law

as before

Pedestrian area not a dog exercise area.

At all times in shopping areas

Do you have any other comments regarding the PSPO?

No

no

nope

Publicise figures on the number of orders issued

None

No

Mo

The vast majority of dog owners would not leave their dog off lead in a potentially dangerous situation unless they were happy that they had excellent control over their dog.

More enforcement

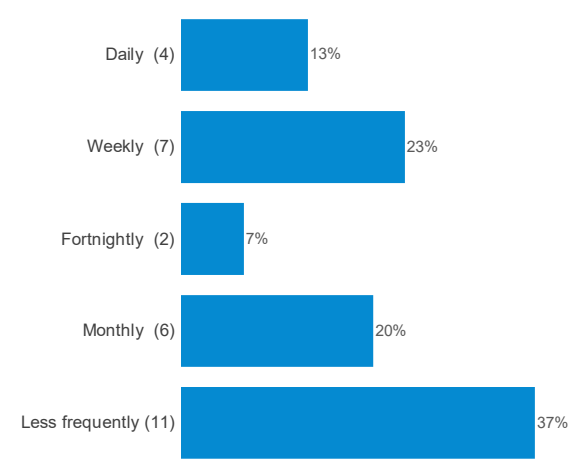
It should be enforced

It should continue

No

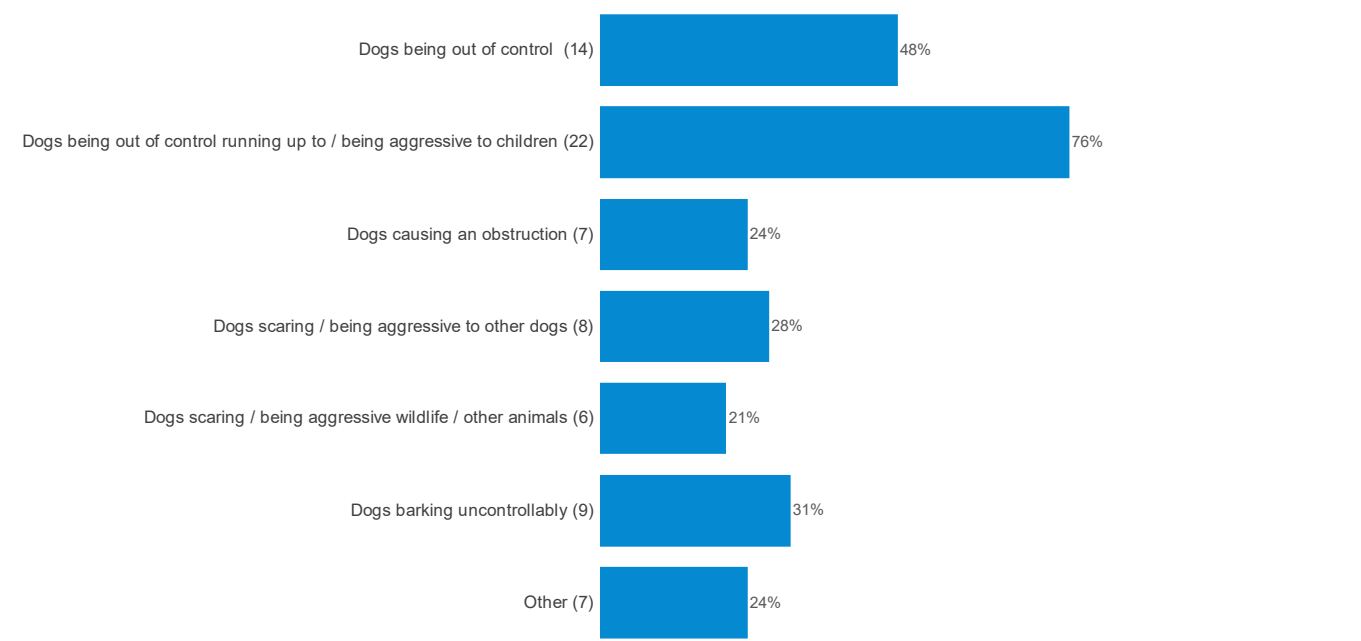
as before

How frequently do you see dogs in sensitive areas such as children’s play areas or public paddling pools?



PSPODOGCONTROL2020

What kinds of problems do you see being caused by dogs in sensitive areas such as children’s play areas or public paddling pools?



Please state

Being inside fenced area.

Dog fouling

Fouling in the children's area.

Dogs urinating against play equipment

Fouling. I dont see dogs in play areas often but know they are there as their fouling is not cleared away. Very unhygienic where little people play.

Fouling in paddling pools and other child areas. Children scared even by non-aggressive dogs and terrified of more aggressive ones

Do you support the continuation of the Public Space Protection Order to control dogs in sensitive areas such as children’s play areas or public paddling pools?



PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs in sensitive areas such as children's play areas or public paddling pools?

Unsafe for young children if dogs are dangerous

Just common sense

Children should be able to play safely, dogs should not be in these areas.

Agree - just no need for dogs to be in a place where they can be distressed by children (or for children to be distressed by them)

There are plenty of places to exercise dogs without taking them into children's play areas. There could be hygiene risks involved

Although many dogs just want to be friendly, they can scare smaller children, especially the bigger dogs.

I have seen dogs fouling inside the gated area of children's play area in pottery road park. This is so dangerous for our children.

These are not places for dogs to run free.

As previously stated

Public Health

dogs should not be in play areas

I strongly feel dogs have no place in childrens play areas for safety & Health reasons

Agree that dogs need to be under control around children's apparatus and paddling pools

No place for dogs at all

Seriously? This is no place for dogs, and people need to consider other people and leave their dogs at home and take them to an appropriate place to play

Obvious injury risks. Dogs can get spooked by high pitched squeals and laughter, and assume the source is a threat. It will attack that threat until the squealing/shrieking stops.

Dogs should be kept out of the children's play area to keep everyone safe.

Should never be allowed in achildrens area for Health reasons regarding hygiene let alone because of their agressive behaviour.

Some children might be frightened of dogs and some dogs aren't child friendly

Owners are NOT responsible for their animals

Dogs and children do not mix

Really unhygienic

How will the order be enforced

Dogs can be frightening to small children

These areas are for the enjoyment of young children. Loose dogs detract from such enjoyment.

Dogs should be kept away from play areas and pools

Dogs are generally not clean enough to be allowed in these areas and not all children are comfortable with dogs.

See previous comments

Same as previous questions.

People often do not control their dogs - both behaviourally and with their waste. Dangerous for children

It is wholly inappropriate for dogs to be allowed in areas designated for children.

Small children need clean, dog free areas to play in.

It should not require a PSPO to control a very small proportion of irresponsible and stupid dog owners.

PSPODOGCONTROL2020

Please explain why you agree, disagree or are uncertain about the continuation of the Public Space Protection Order to control dogs in sensitive areas such as children's play areas or public paddling pools?

If you have a child and a dog you can't take both in play area, I think dogs should be allowed in on lead

Similar to the previous comment, I'm not aware of a problem here. Although I have no reason to use children's play areas or public paddling pools. Again, if there is a problem I'm not aware of I would support the continuation, otherwise I see no reason to continue.

Not a problem I've witnessed

I think that there may even some children who are afraid of dogs or who might provoke a dog..for that reason, more prudent to keep on a lead under control. Not sure about public paddling pools though..many dogs love water and swimming just like people.

Dogs should not be in play areas

See previous comments

if I baby sit i cant take my dogs out too as they can't go into the park and I won't tie them up. My dogs are trained well and I always pick up mess I think it should be a fine if they cause an issue

Yes I agree my child when younger was really scared of dogs and a children's play area should be somewhere a child should feel safe and carefree enough to play and not worry about dogs. Even more concerning dog excrement is a danger to health

As previously said never seen or heard of anyone being spoken to or fined for this so would be a waste of public money to continue.

Not a safe environment for dogs to be off lead, particularly around small children

For reasons already stated. It is disgusting and unhygienic to find dog excrement in a kids play area.

A play area is not the place for a dog

It's unhygienic and unsafe.

Dogs shouldn't be allowed due to them maybe fouling, urinating. Nipping, biting etc

I think all dogs should be on lead in these areas, when children are present as not all children are taught how to be around dogs safely

Safety and comfort of all

Not enforced, no impact.

No need for it

Children's fear, risk of fouling

as before

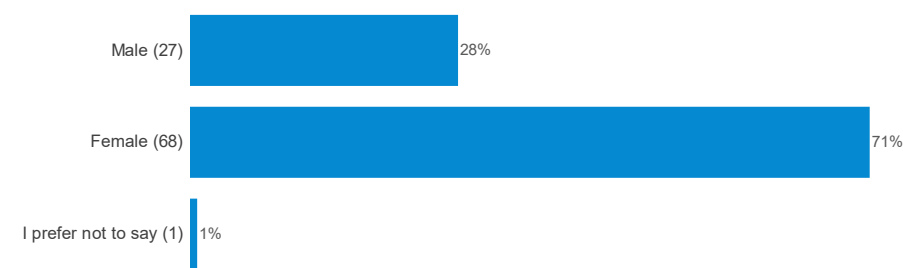
Not appropriate to have unknown off lead dogs with young children who have come to enjoy the space without fear

Dogs can react differently around children or screams and crying.

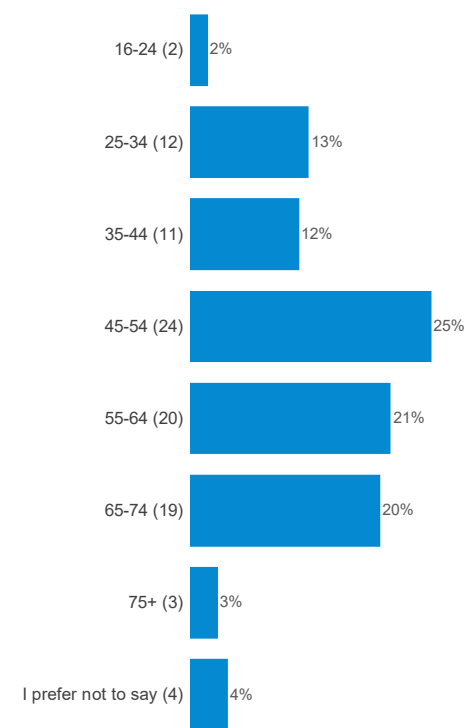
Do you have any other comments regarding the PSPO?

No	No	It should be enforced
More enforcement	No	No
nope	It should be enforced	as before
Publicise orders issued		

Are you?

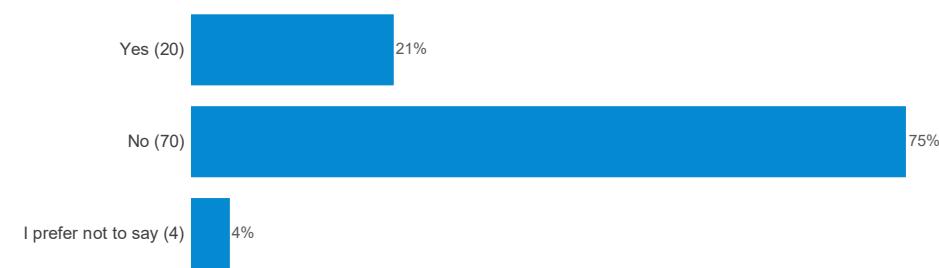


In which of the following age bands do you fall?

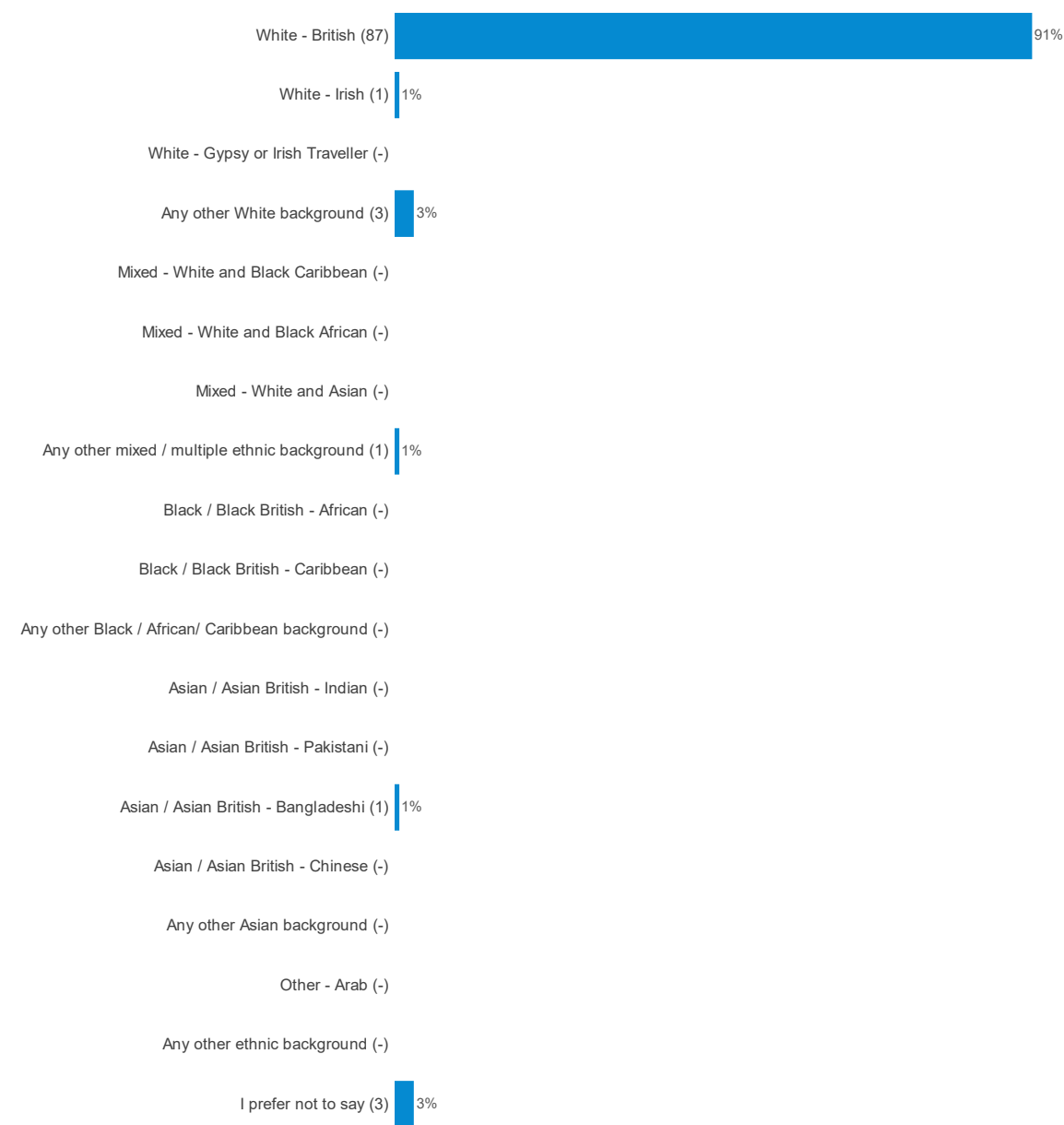


PSPODOGCONTROL2020

Do you have any long-standing health problem or disability? Long-standing means anything that has lasted, or is expected to last, at least 12 months.



What is your ethnic group?



Other, please state

White European

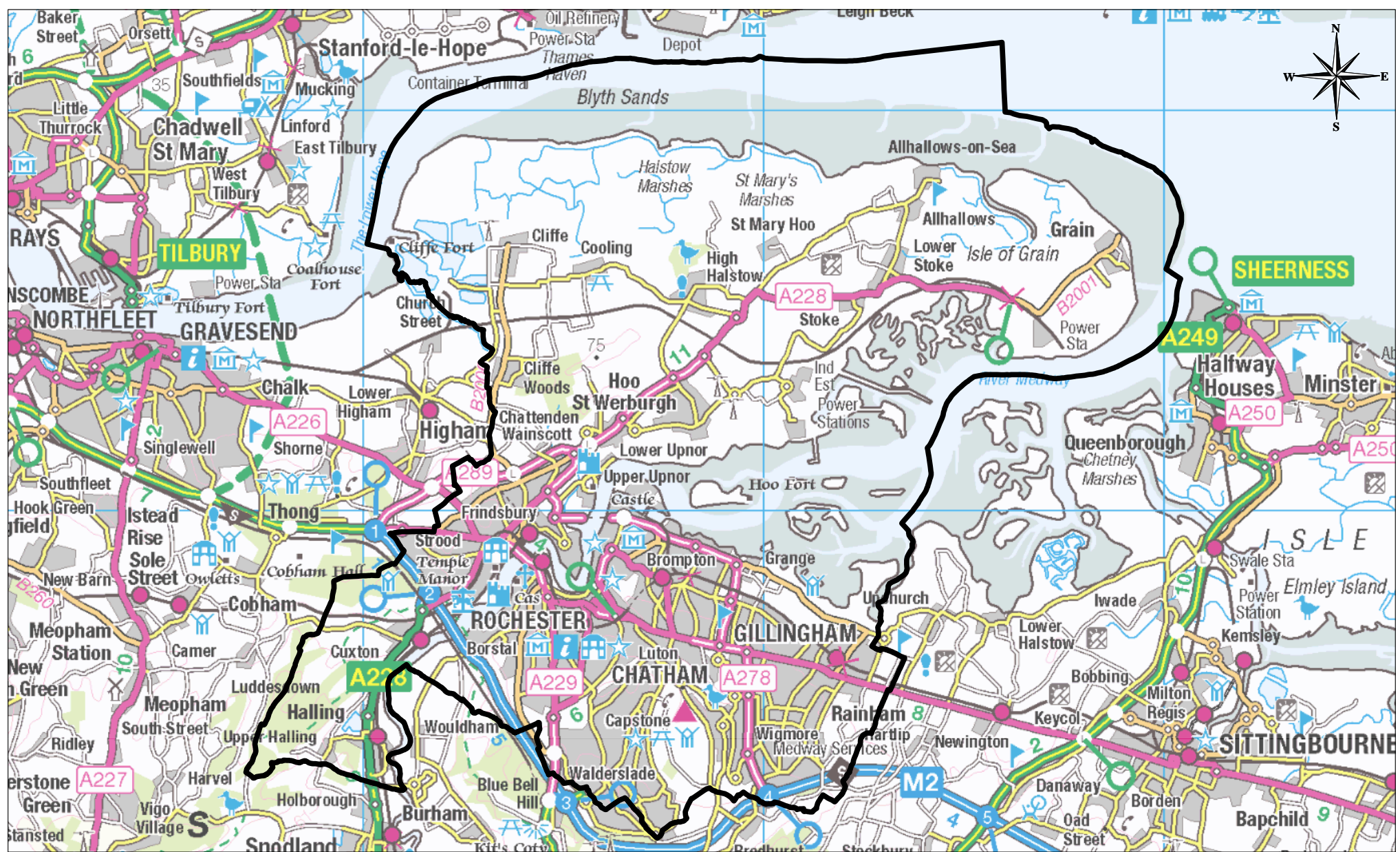
White American/British/European

no

Please can you tell us your postcode sector (e.g. 'ME5 7' or 'ME14 1')

ME1 3	ME1 3	ME5 9	TN11 0	ME8 0	ME1 2	ME2 3	ME2 4	ME2 4
Me1	ME3 9	ME1 2	ME2 4	ME7 1	ME2	Me23ta	ME2 3Q	me1
ME1 2	ME1 2	me23ta	ME8 9	ME7 3	ME8 7	ME7 5	me8	Me8 9
Me4	ME1	ME71FJ	Me2	Me2 1	Me5 7	Me5 9	ME7	Me8 9
Me2 4	ME1 3H	ME1	ME4	ME2	ME5 7	me1 2	ME7 2	Me2 2
Me1	Me1 3	me5 8	ME4	ME4 6	ME7 5	ME5 0	ME5	Me1 2
ME2 3	ME1 3	ME11	ME4 4	ME5 0	Me5	Me4 5	Me4	ME7 2
ME1 2	Me5 9	Me4 3	ME5	ME7 4	ME4	ME7 5	ME5 8	Me7
me1 2	ME2 2	ME4 3	Me5 0	ME7 4	ME1 2	ME2 3D	Me4 5	ME7 1
Me1	Me3 9	ME43AE	ME7 3	ME2	Me3 9	Me37ba	ME7 2	Me80
Me2 2	ME5 9	Me8 0	ME1 2					

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Medway Authority Boundary

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THE ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

**The Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations
2005 (S.I.2006/1059)**

THE FOULING OF LAND BY DOGS (MEDWAY COUNCIL AREA) ORDER 2021

The Medway Council hereby makes the following Order:

1. This Order comes into force [insert date]
2. This Order applies to the land specified in the Schedule

Offence

3. (1) If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog, at that time, fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:-

- a. he has a reasonable excuse for failing to do so; or
- b. the owner, other person or occupier or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) Nothing in this article applies to:

- a. is registered as a blind person in a registration compiled under Section 20 of the National Assistance Act 1948; or
- b. has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and for he relies upon for assistance.

(3) For the purposes of the article:

- a. a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- b. placing the faeces in a receptacle on land which is provided for the purpose, or the disposal of waste, shall be sufficient removal from the land.
- c. being unaware of the defecation (whether by not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be reasonable excuse for not removing the faeces;
- d. each of the following is a "prescribed charity":
 - i. Dogs for the Disabled (registered charity number 700454)

- ii. Support Dogs (registered charity number 1088281)
- iii. Canine Partners for Independence (registered charity number 803680)

Penalty

- 4. A person who is guilty of an offence under Article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Given under the Common Seal of the Council this [insert date]

EXECUTED AS A DEED

By affixing THE COMMON

SEAL OF MEDWAY COUNCIL

In the presence of

Authorised Signatory

SCHEDULE

This Order applies to all land which is open to the air and to which the public are entitled or permitted to have access (with or without payment) with the Medway Council area shown delineated in red on the plan attached hereto.

Medway Council

THE ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

The Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations 2005
(S.I.2006/1059)

THE DOGS ON LEADS BY DIRECTION (MEDWAY) ORDER 2021

The Medway Council (in this Order called “the Council”) makes the following Order:

1. This Order comes into force on [insert date]
2. This Order applies to the land specified in the Schedule
3. In this Order “an authorised Officer of the Council” means an employee of the Council or any other person who is authorised in writing by the Council for the purpose of giving direction under this order.

Offence

4. -
- (1) A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this order applies he does not comply with a direction given him by an authorised officer of the Council to put and keep a dog on a lead unless
- (a) he has a reasonable excuse for not doing so; or
- (b) the owner, other person or occupier or authority having control of the land has consented (generally or specifically) to his failing to do so.
- (2) For the purposes of this article –
- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- (b) an officer of the Council may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person or the worrying or disturbance of any animal or bird.

Penalty

5. A person who is guilty of an offence under Article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Dated this [insert date]

The Common Seal of)
Medway Council was affixed)
In the presence of)

Signed on behalf of Medway Council

Print Name

Authorised by the Council to sign in that behalf

SCHEDULE

This Order applies to all land (including access land) which is within the administrative area of Medway Council and which is –

- i. Open to the air (which includes land which is covered but open to the air on at least one side) and;
- ii. To which the public are entitled or permitted to have access with or without payment, and is not –
 - (a) land for which dogs are required to be kept on leads by virtue of The Dogs on Leads (Medway) Order 2021.
 - (b) land for which dogs are excluded by virtue of the The Dogs Exclusion Order (2014).

Medway Council's Outline Sufficiency Strategy 2020-2025

Children on the Edge of Care, Children in Care and Care Leavers

Contents

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3	Placement Mix	3
4	Challenges and Trends	6
5	Developing Models to Assess the Effect of these Trends	29
6	Programmes of Work – Safely reducing the Number of Children In Care	29
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1 Introduction

1.1 Purpose of this document

- 1.1.1 Each year we produce a Sufficiency Report in October/November which provides a comprehensive review of the support and care provided to looked after children ("CLA") and care leavers ("CL"), with reference to data which is made available at the end of September.
- 1.1.2 This year, we have created this Outline Sufficiency Report as we mobilise towards a five year strategy. This report sets out our high level **outcomes** for the service. However, its main purpose is to provide the Council and Corporate Parent with early indications of the **challenges and trends** affecting our CLA and CL, to set out our **priorities** to address those challenges and to recommend our **proposed programmes of work** to deliver on those priorities.

1.2 Outcomes

We have identified five high level outcomes, which our priorities will seek to achieve:

- 1.2.1 Safely reduce the number of CLA, through prevention, reunification or leaving care to other permanent families
- 1.2.2 Meet the needs of our CLA and provide the best environment in which they can thrive
- 1.2.3 De-escalate the needs of our CLA, wherever possible
- 1.2.4 Increase the number of CL who are equipped for adulthood
- 1.2.5 Sustainably reduce Medway Council's expenditure

1.3 Challenges and Trends

We have identified the following challenges and trends, which our priorities will seek to address:

- 1.3.1 The number of CLA is increasing
- 1.3.2 The number of in-house foster carers is dropping, causing an over-reliance on IFA placements and external arrangements
- 1.3.3 The number of distant placements is increasing
- 1.3.4 The number of complex children and harder to place children is increasing
- 1.3.5 The cost of placements is increasing

1.4 Priorities

We have identified the following priorities which will be delivered through our proposed programme of work:

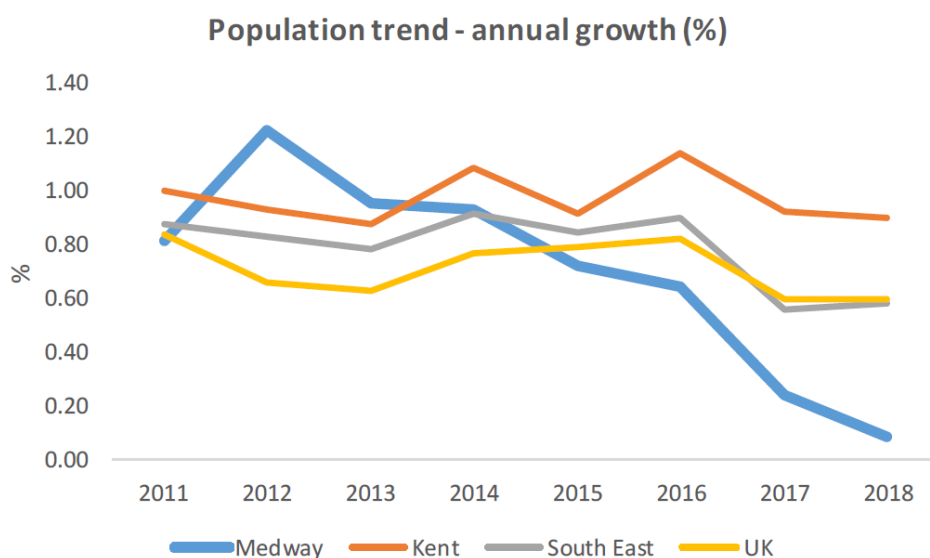
- 1.4.1 Seek to improve family resilience and the ability of families to care for their own children through early intervention
- 1.4.2 Reduce the need for repeated removals of children into care
- 1.4.3 Facilitate children safely returning home
- 1.4.4 Facilitate children leaving care to other permanent families
- 1.4.5 Improve the number of in-house foster carers in Medway and their capacity to take on more complex or hard to place children
- 1.4.6 Provide specialist high intensity support for complex CLA within Kent and Medway

- 1.4.7 Create time and space to assess the needs of CLA and ensure that placements and support meet those needs to avoid repeated breakdowns and escalating need
- 1.4.8 Improve the range and quality of accommodation for our care leavers within Medway

2 Demography

- 2.1.1 As of 31 August 2020, there are 467 children in care (age 0-25) which represents a rate of 74 per 10,000 0-17 year olds and is the highest that Medway has ever seen.
- 2.1.2 Medway's care population is predominantly white British with a small but growing BME population. There is a majority of boys and the most significant age group in care is the 10-15 year old population.
- 2.1.3 The fastest growing age group of young people in care is the 10-15 year olds. The most significant prevalence of disabilities present in the cohort are:
- Autism/ADHD,
 - Social Emotional & Mental Health needs ("SEMH"), and
 - Learning Disabilities.
- 2.1.4 As can be seen from
- 2.1.5 Figure 1, Medway's population growth continues to slow and has fallen to its lowest level in the past fourteen years:

Figure 1: Population growth (2011 to 2018)¹



A full assessment of the demography as at September 2019 can be found in 2019-20 Sufficiency Report² or at www.medway.jsna.gov.

3 Placement Mix

3.1 Placements

¹ [Populations 2018](#), Medway Council

² [Sufficiency Report 2019-20](#), Medway Council

3.1.1 Medway Council meets the placement needs of CLA through a range of internal and external providers based within and outside Medway. Data provided by Medway Council's Performance & Intelligence Team (see Figure 2) allows this to be analysed alongside figures for England, Medway's statistical neighbours³ and the South East.

Figure 2: CLA at 31 March 2019 by Placement⁴

Placement	Eng 18-19	SNs 18-19	SE 18-19	Good is	MW 17-18	MW 18-19	Predicted MW 19-20*		Num	Denom
Foster placements	72%	73%	73%	Higher	82.6%	84.2%	84.0%	↓	357	426
Concurrent planning foster placements					0.3%	0.3%	0.3%	–	1	358
Foster placements with relative(s) or friends(s)	13%				11.7%	9.0%	8.4%	↓	35	358
Foster placements confirmed as permanent				Higher	20.5%	26.3%	34.4%	↑	55	358
Placed for adoption*	3%	3%	3%		5.6%	2.4%	3.3%	↑	10	426
Placement with parents	7%	6%	5%		1.0%	1.4%	0.9%	↓	6	426
Other placement in the community	4%	6%	4%		-	-	0.5%	↑	0	426
Children's homes, secure units and hostels	12%	13%	14%	Lower	9.7%	11.8%	10.6%	↓	50	426
Other residential settings	1%	3%	1%		1.2%	0.2%	0.7%	↑	1	426
Residential schools	x	0%	x		-	-	-	–	0	426
Other placements	1%	0%	x		-	-	-	–	0	426
Unaccompanied Asylum Seeking Children	6%	9%	9%		0.7%	2.6%	1.9% Actual: 3% ⁵	↓	8 Actual: 11	426

(*Up to date figures for 2019-20 are being collated by Medway Council's Performance and Intelligence team for the full Sufficiency Report.)

3.1.2 Medway has a higher percentage of CLA who are accommodated in foster placements (84%) than the average for the South East (73%) and England (73%). However, within this cohort Medway has a markedly smaller percentage of CLA who are placed with relatives or friends (9.0% in March 2019) than the England average (13%).

3.1.3 There has been a significant increase in the percentage of foster placements confirmed as permanent (from 20.5% (2017-18) to 26.3% (2018-19) and this was predicted to increase further to 34.4% (2019-20)). The percentage of CLA placed for adoption (3.3%) is in line with the England average (3%).

3.1.4 The number of CLA placed with in-house foster carers has remained relatively constant, although the number of CLA placed with external foster carers, sourced through independent foster agencies ("IFAs"), has increased markedly. This is analysed further in section 4.2.

³ Medway's statistical neighbours (as per the [Local Authority Interactive Tool](#)) are Havering, Kent, North Lincolnshire, Northamptonshire, Swindon, Thurrock, Southend-on-Sea, Telford and Wrekin, Dudley and Rotherham.

⁴ Medway Council's Performance & Intelligence Team

⁵ [Children looked after in England including adoption: 2018 to 2019, National Statistics](#)

- 3.1.5 It is also worth noting the new government arrangements will see a higher proportion of unaccompanied asylum seeking children joining the cohort. Figures provided nationally⁶ show that 11 unaccompanied asylum seeking children joined the Medway cohort in 2018-19 (3%).
- 3.1.6 Limitations in the report mean that it does not accurately identify the number of children placed in a residential school, as opposed to a residential home. We have therefore collated information from different sources in Figure 3 to provide a more representative snapshot as at May 2020⁷.

Figure 3: CLA per placement type (May 2020)⁸

CLA Placement Type	Number	% of all placements	Internal /External	% of internal / external (as applicable)	
In House Foster Care	189	42%	Internal: 230 (52%)	82%	100%
Connected Carers	28	6%		12%	
Other (internal) placement	13	3%		6%	
IFA	149	33%	External: 215 (48%)	69%	100%
Parent & Child (external)	10	2%		5%	
Residential Home	23	5%		11%	
Residential School	15	3%		7%	
Supported Accommodation	18	4%		8%	
Total	445	100%			

3.2 Placements at a distance from home

⁶ [Children looked after in England including adoption: 2018 to 2019, National Statistics](#)

⁷ The number of external placements was provided by Medway Council's Finance Team. The total number of placements, the number of in-house foster care placement and the number of connected carer placements was reported using Medway Council's MOSAIC reporting.

⁸ Medway Council's Performance & Intelligence Team

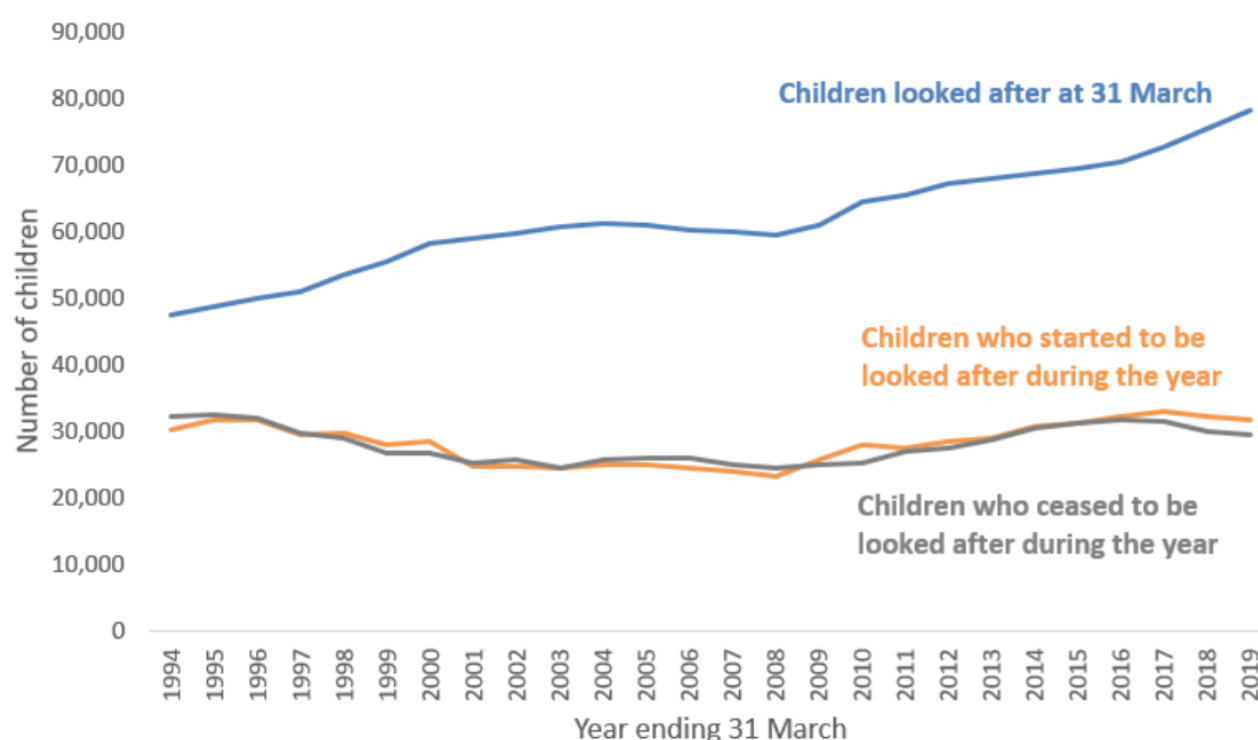
- 3.2.1 It has been noted⁹ that there are many reasons why some looked after children live away from their home authority¹⁰. However, the Government has indicated that the routine use of this practice should be discouraged¹¹ and has taken steps to ensure local authorities are held more accountable for their decisions to send children to live far from home¹².
- 3.2.2 Historically in Medway, a high percentage of new placements have been made within 20 miles of the LAC's home and inside the local authority's boundaries. However, data from the last few months suggests that a higher percentage of placements are now being made outside the local authority's boundary.
- 3.2.3 This is analysed further in section 4.3.

4 Challenges and Trends

4.1 Number of CLA is increasing

- 4.1.1 There has been a general and prolonged increase in the number of CLA across England, with a 4% increase over the 12 months leading up to 31 March 2019 (see Figure 4).

Figure 4: Numbers of looked after children in England at 31 March 2019¹³



- 4.1.2 This overall trend has been felt slightly more acutely in Medway, which has seen an average of 5% annual increase over the last two financial years, as shown by Figure

⁹ [From a distance: Looked after children living away from their home area \(Apr 2014\) Ofsted](#)

¹⁰ For example, some may need to live out of area to help keep them safe from harm or from dangerous influences closer to home. Others may need specialist care that is not available in all local authority areas.

¹¹ See Edward Timpson, [Daily Telegraph](#), 24 April 2013; Michael Gove, [Daily Telegraph](#), 12 September 2013.

¹² [Out of authority placement of looked after children: Supplement to The Children Act 1989 Volume 2: care planning, placement and case review guidance](#), July 2014, Department of Education

¹³ [Children looked after in England \(including adoption\)](#), y/e 31 March 2019, Department of Education

5. Similarly, Figure 6 illustrates how this overall trend is also evident across the South East and among Medway's statistical neighbours¹⁴.

Figure 5: Numbers of looked after children in Medway¹⁵

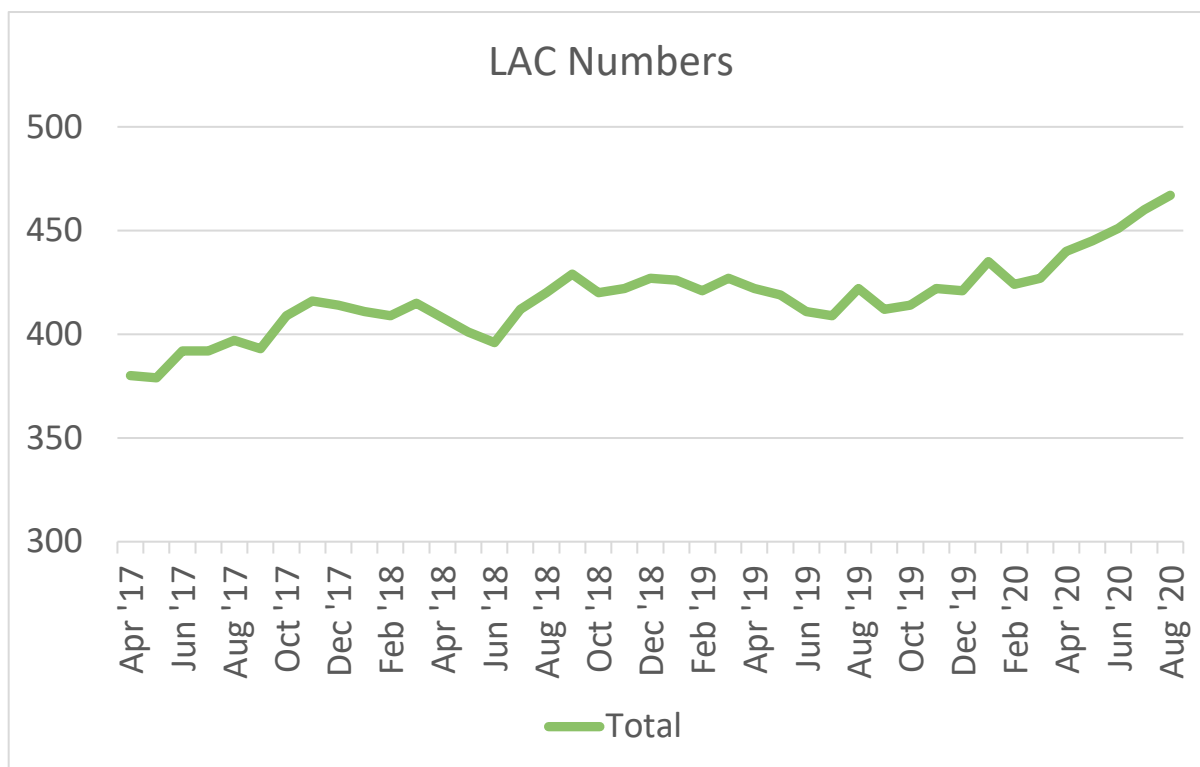
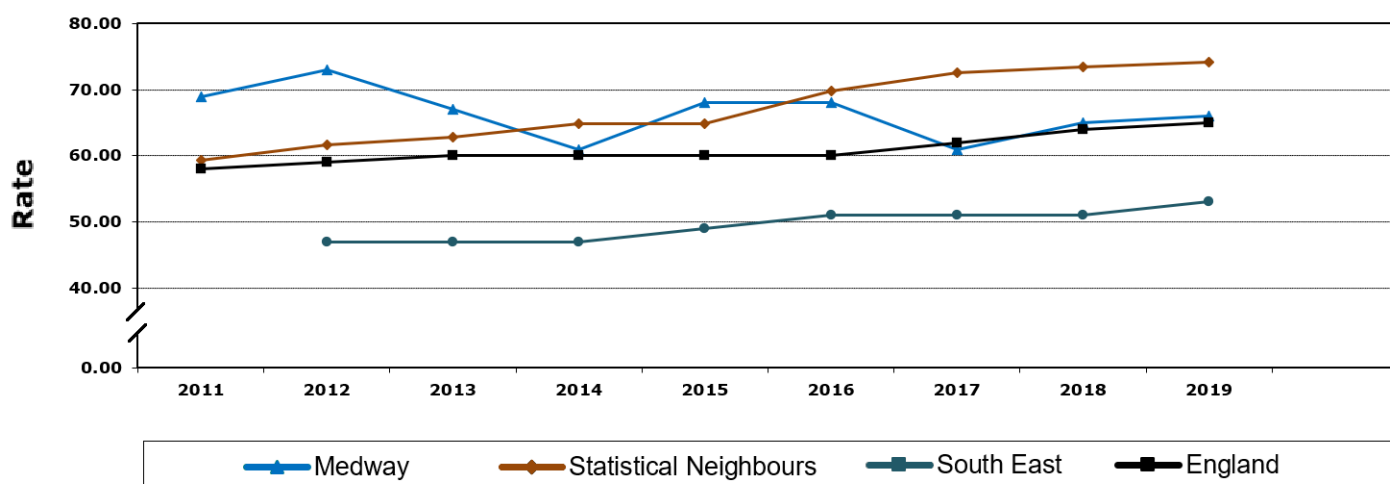


Figure 6: CLA rate per 10,000 children aged under 18¹⁶



4.1.3 Importantly, however, this trend has significantly accelerated over the last six months, as can be seen from Figure 5. The number of CLA increased from 425 CLA in March 2020 to 467 by August 2020, representing a 10% increase over that 6 month period

¹⁴ See footnote 3.

¹⁵ Medway Council's Performance & Intelligence Team

¹⁶ [Local Authority Interactive Tool](#) (2020) Department of Education

alone. Similarly, Medway's current rate of CLA per 10,000 children has increased from 63 per 10,000 children in 2019 to 74 per 10,000 children as at August 2020. This is the highest rate on record for Medway.

- 4.1.4 In recent years, Medway has seen fewer children ceasing to be looked after than the number of children who start to be looked after each year – hence the overall nett increase in CLA over recent years shown in Figure 7. While this nett increase is certainly a cause for concern in its own right, since April 2020 there has been a significant increase in the number of children who have started to be looked after and a significant drop in the children who cease to be looked after. On average this has equated to a nett increase of 8 CLA each month since April 2020.

Figure 7: Numbers of children in Medway starting and ceasing to be LAC¹⁷

	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20 ¹⁸	Apr – Aug 2020 ¹⁹
Start to be LAC	238	208	145	175	167	179 (TBC)	85 (in 5mths)
Cease to be LAC	195	210	187	159	158	179 (TBC)	43 (in 5mths)
Approx ²⁰ nett change	43	-2	-42	16	9	0 (TBC)	42 (in 5mths)

What are the underlying causes for this increase? Is this likely to continue?

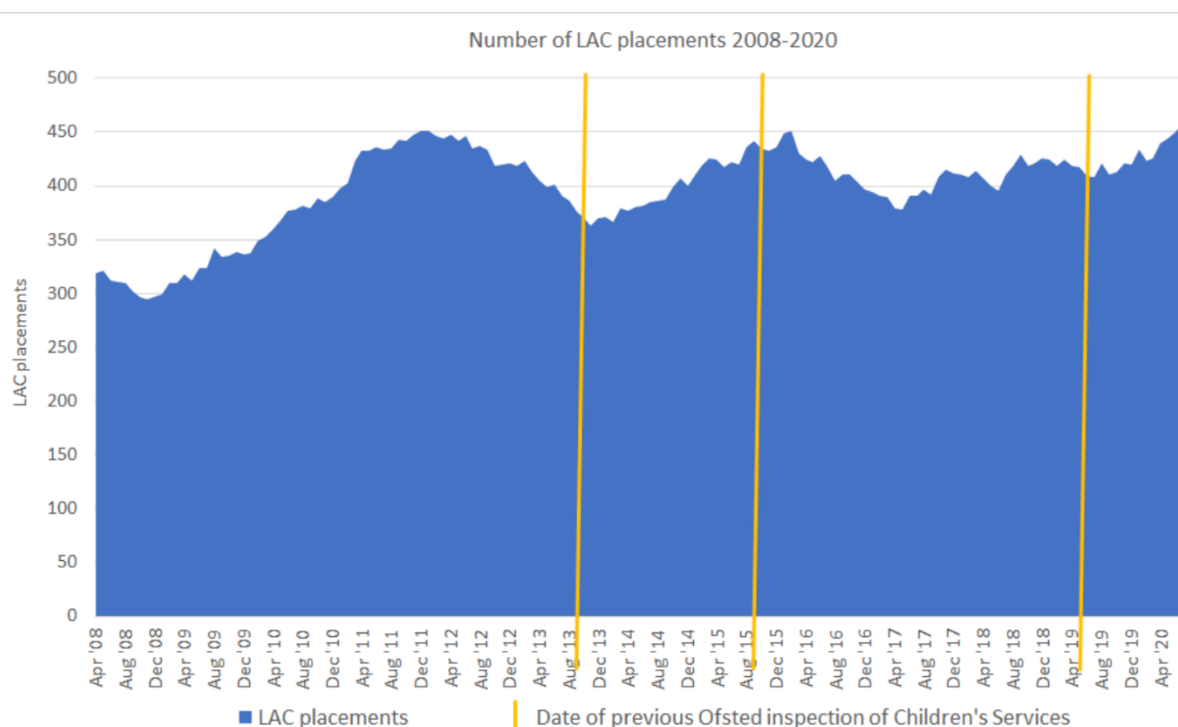
- 4.1.5 Figure 8 shows the number of CLA placement in Medway since 2008 and helps to illustrate a number of different national and local factors which have affected the number of children in care.

¹⁷ [Children looked after in England including adoption: 2018 to 2019, National Statistics](#)

¹⁸ Provided by Medway Council's Performance & Intelligence Team

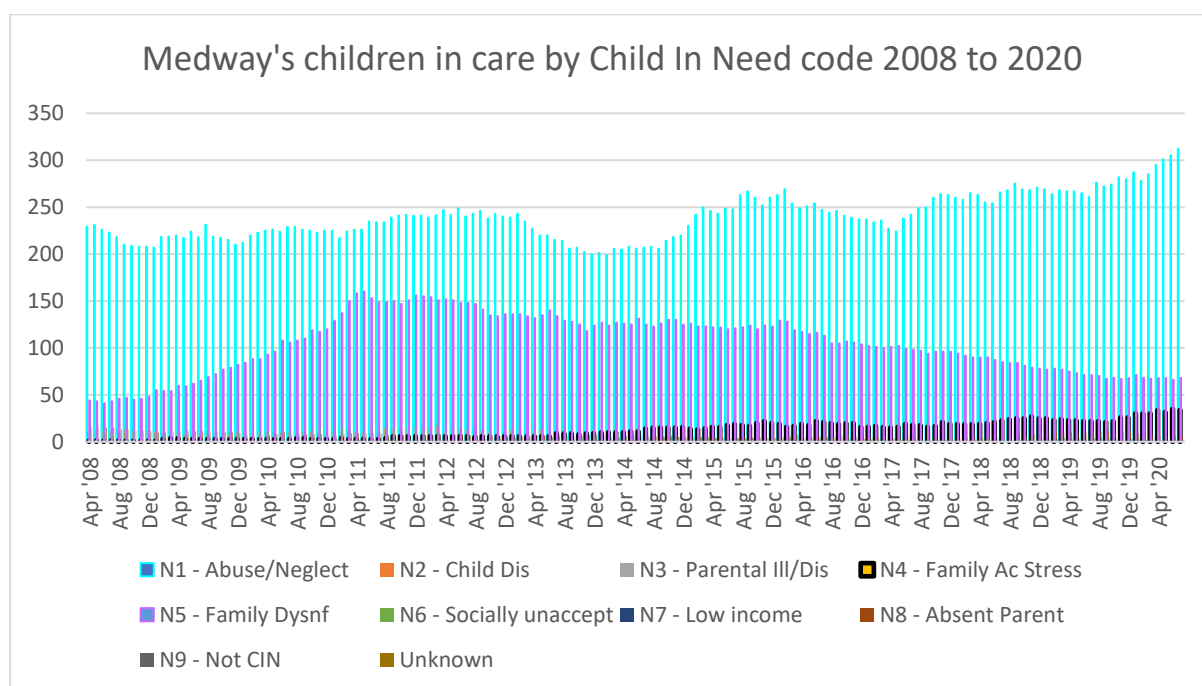
¹⁹ Prediction for 2018/19 provided by Medway Council's Performance & Intelligence Team

²⁰ The DfE definitions for CLA starts and CLA ends do not mirror each other, so this is only an approximate figure.

Figure 8: Numbers of CLA Placements in Medway (2008-2020)²¹

- 4.1.6 The global economic crisis in 2008 was followed by the biggest rise in children coming into the care system. As can be seen from Figure 9, this rise went hand-in-hand with an increase in the number of children who came into care having been living in a family where the parenting capacity was chronically inadequate (recorded as 'family dysfunction').
- 4.1.7 By comparison, the number of children in care as a result of or because they were at risk of abuse or neglect ('abuse/neglect') remained relatively static during that period (although worryingly it has increased markedly in the last few years). One might therefore surmise that the socio-economic fallout from the 2008 crisis placed additional burden upon families on the edge of care and was linked to the rise in 'family dysfunction'. It is also worth noting that we have also seen increasing numbers of children in care from families recorded as being 'families in acute stress' – this means that they are going through a temporary crisis that diminishes the parenting capacity to adequately meet some of the children's needs.

²¹ Provided by Medway Council's Performance & Intelligence Team

Figure 9: Number of CLA shown by their Child In Need code (2008-2020)²²

- 4.1.8 It is well understood that Ofsted inspections of children's services can result in a spike in referrals and an increase in the number of children coming into care²³. These spikes can be seen on Figure 8 and this is particularly evident in relation to the inspections carried out in 2013 and 2019.
- 4.1.9 There has been a national drop in the number of children leaving care to new families, with fewer special guardianship orders ("SGOs") being made, and fewer families looking to adopt²⁴. Figure 10 shows that the percentages of children who left care for adoption and those who left care because of a SGO has decreased. The fall in adoptions is mainly due to a smaller pool of adoptive parents and is a trend seen nationally. The fall in SGOs also follows the national trend and is likely to be caused nationally by a number of serious case reviews which have been critical of assessments undertaken of potential family members. This has led to more robust assessment being undertaken with fewer SGOs resulting²⁵.

²² Provided by Medway Council's Performance & Intelligence Team

²³ See [What happens if your children's services are judged inadequate by Ofsted?](#), February 2019, Local Government Association

²⁴ There was a 7% drop in the number of adoptions across England in the year up to 31 March 2019. See [Children looked after in England \(including adoption\), y/e 31 March 2019, Department of Education](#)

²⁵ See [Recommendations to achieve best practice in the child protection and family justice systems: Special guardianship orders](#), June 2020, Public Law Working Group

Figure 10: Percentage CLA who ceased to be looked after due to adoption / SGO (31 March 2019)²⁶

	Eng 18-19	SNs 18-19	SE 18-19	Good is	MW 17-18	MW 18-19	Predicted MW 19-20*		Num	Denom
Percentage who ceased to be looked after who were adopted	12%	14%	12%	High	23.6%	15.7%	13.5%	↓	23	170
Percentage who ceased to be looked because of a SGO	x	15%	x	High	12.8%	16.3%	13.5%	↓	23	170

4.1.10 In addition, the situation is highly likely to have been exacerbated by Covid-19. Since April 2020, there has been a sharp drop in the number exiting care, while lockdown measures were in place. In addition, the requirement for families to stay at home might also have placed additional pressures on family life, leading to more children coming into care.

4.1.11 On the face of it, it might therefore be hoped that the relaxation of Covid-19 restrictions and the return to a more 'normal' way of life will see a return to a lower rate of increase in the numbers of children in care. It is worth stating that even this lower rate of increase is undesirable for the families and children involved and places on-going pressures on the Council. While it is still too early to judge the medium term impact of Covid-19, this view is likely to be overly optimistic.

4.1.12 Firstly, it is unclear whether a more 'normal' way of life is likely to return in the short to medium term. This may, for example, continue to affect the availability of respite support for families. Indeed, in the short to medium term, it is likely that the number of children being brought into care will continue to increase without urgent intervention. This is evident from Figure 11 which shows a continuing rise in the number of cases currently in proceedings to bring a child into care.

Figure 11: Number of Medway cases in proceedings (March 2020 to August 2020)²⁷

	Mar '20	Apr '20	May '20	Jun '20	Jul '20	Aug '20
Number of cases in proceedings	100	129	129	132	138	163

4.1.13 Secondly, it is possible that the pandemic's economic aftershock may be significant. In the medium to long term, we might therefore expect to see a repeat of some of the increases in CLA as were seen following the 2008 global economic crisis, perhaps again fuelled by a rise in the levels of 'family dysfunction' or perhaps a further rise in the number of children in care from 'families in acute stress'²⁸.

4.1.14 In addition to the analysis presented above, we intend to conduct further analysis to assess any apparent trends from the progression of children from being children in need ("CIN") to being children in need of protection ("CP") to then coming into care.

To address increasing numbers of LAC, we will adopt the following priorities:

- Reduce the need for repeated removals of children into care

²⁶ Medway Council's Performance & Intelligence Team

²⁷ Medway Council's Performance & Intelligence Team

²⁸ See Figure 8 and Figure 9 above.

- Seek to improve family resilience and the ability of families to care for their own children through early intervention
- Facilitate children safely returning home
- Facilitate children leaving care to other permanent families

4.2 Number of in-house foster carers is dropping, causing an over-reliance on IFA placements and external arrangements

- 4.2.1 At the end of March 2020, Medway Council had 142 in-house foster carers (and 20 Connected Carers²⁹) who are based in Medway and are approved to provide placements for children across a range of categories (including 'parent and child' placements and respite placements). In recent years we have targeted recruiting 10 new foster carers each year (nett), however the number of foster carers has dropped over recent years, as shown in Figure 12.

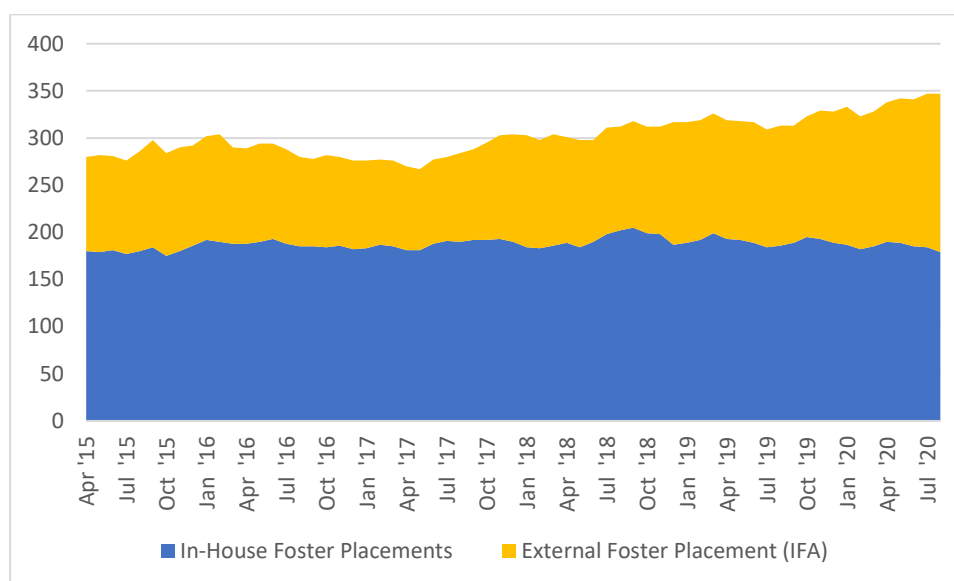
Figure 12: Numbers of In-House Foster Carer approvals/terminations (2018-2021)³⁰

	2018/19	2019/20	2020/21	
			Predicted	Actual: Apr-Jun
New approvals	14	8	8	2
Terminations	14	16	10	4
Nett change	0	-8	-2	-2

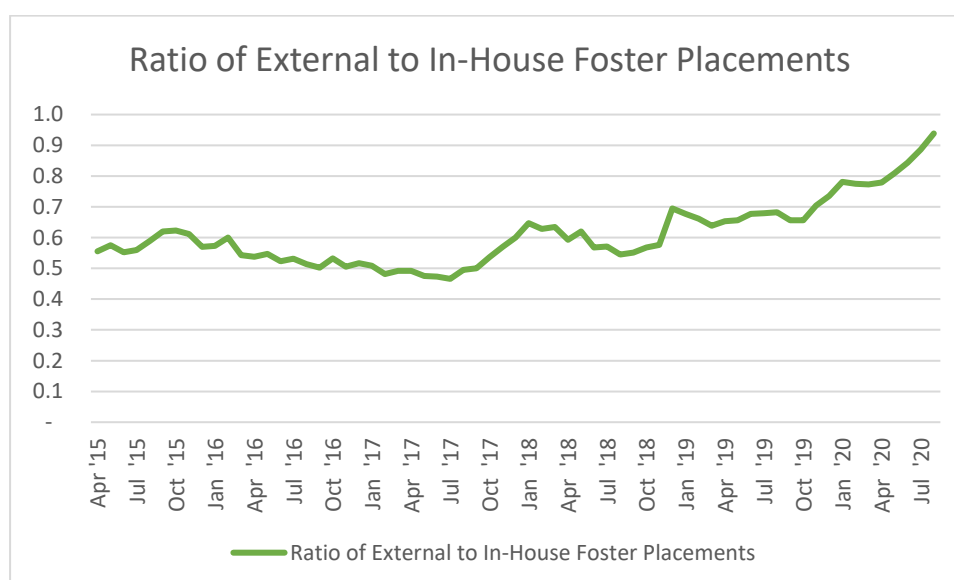
- 4.2.2 Currently, these in-house foster carers are providing placements for approximately 180 children and young people. This figure has remained relatively stable over recent years. (In addition, there are approximately 30 placements with foster carers who are friends, family or connected persons.)
- 4.2.3 As the number of CLA has increased, the number of in-house foster placements has not increased capacity to keep pace. Consequently, we have needed to make up the shortfall through the use of external foster carers who are sourced through independent foster agencies ("IFAs"), as can be seen by Figure 13.

²⁹ i.e. Foster carers who are friends or relatives of the LAC

³⁰ Provided by Medway Council's Performance & Intelligence Team

Figure 13: Number of Foster Placements split between in-house and IFA (2015-2020)³¹

- 4.2.4 As Figure 14 illustrates, the ratio of external foster placements to in-house foster placements is now at near-parity. This places an increasing financial burden on the Council as the cost of placements with external foster carers is higher than with in-house foster carers³².

Figure 14: Ratio of external to in-house foster placements (2015-2020)³³

- 4.2.5 The decline in the number of in-house foster carers has been analysed. There is little indication that foster carers are leaving Medway Council to become IFAs, with no cases recorded over the last two years. The Fostering Service team has indicated anecdotally that around half of those ceasing to be foster carers chose to do so for personal reasons, while the other half found the role overly demanding or were unable to receive the required levels of support they needed. Findings from the recent Partner In Practice diagnostic, conducted by Essex Children and Families, identified high caseloads for supervising social workers and a confused structure and responsibilities in the fostering service as a whole. These factors suggest that retention of foster

³¹ Provided by Medway Council's Performance & Intelligence Team

³² See section 4.5.4.

³³ Provided by Medway Council's Performance & Intelligence Team

carers could be improved if the Council provides a more comprehensive level of support.

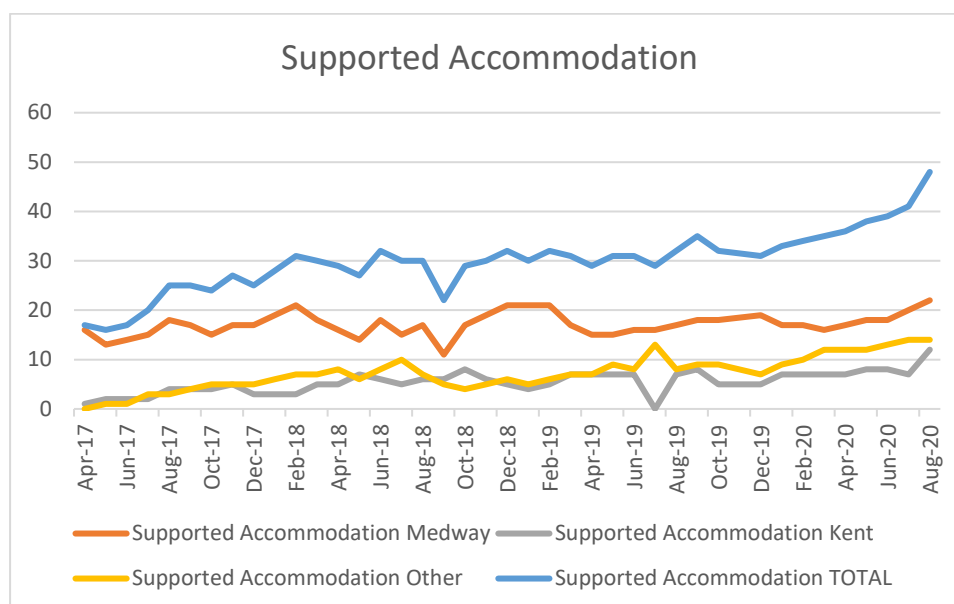
- 4.2.6 The recruitment of new foster carers has proven difficult and highly competitive, with 81 national and regional IFAs who recruit carers from the Medway area. The Partner In Practice diagnostic highlighted the disparity between the fees paid by Medway Council and IFAs or neighbouring local authorities. However, feedback from prospective foster carers suggest that the package of support and care is a more important factor than the fees alone.
- 4.2.7 While there is a need to increase the overall number of in-house foster carers, we have identified a particular need for the following types of placements³⁴:
- older children (aged 10+)
 - larger sibling groups
 - children with higher complex needs
 - parent and child placements
 - emergency placements.
- 4.2.8 These placements are more difficult to secure and often require external placements to be found. This is discussed further in section 4.4.
- 4.2.9 It is worth noting that while Medway has a high number of foster carers approved to provide in-house parent and child placements (“P&C”) compared to other regions³⁵, the demand continues to outstrip the in-house supply. There are 15 in-house foster carers who are approved for P&C placements: 6 are full, 3 are vacant, and 6 are not currently taking placements. There are currently 7 P&C placements with IFAs (plus 2 in a residential mother and baby unit). Further investigation is underway to establish why the three vacant placements were not filled in preference to the external placements. However, it is anticipated that this is either a timing issue or may have been due to the placement being for two parents and a child, which usually cannot be provided in-house at this time. Over the last two years (August 2018 to July 2020³⁶), the average number of external P&C placements in place each month was 6.
- 4.2.10 It is also worth noting that the number of external supported accommodation placements has increased markedly over recently months. As can be seen from Figure 15, much of this additional demand has needed to be met using supported accommodation located outside Medway.

³⁴ We intend that the full Sufficient Statement will provide a breakdown to show what number of each of these placements types are currently provided in-house / externally.

³⁵ This was specifically praised by the Partner In Practice, Essex Children and Families.

³⁶ Medway Council's External Placement Team.

Figure 15: Number of supported accommodation placements split by placement location (2017-2020)³⁷



To address the falling number of in-house foster carers, we will adopt the following priority:

- Improve the number of in-house foster carers in Medway and their capacity to take on more complex or hard to place children

4.3 Number of distant placements is increasing

4.3.1 Historically in Medway, a high percentage of new placements have been made within 20 miles of the CLA's home and inside the local authority's boundaries, as shown in Figure 16. However, the percentage of placements over 20 miles and outside the local authority's boundary has increased over the last few years.

Figure 16: New placements over/under 20 miles from home and within/outside LA boundary³⁸

Location of new placement	England 2018-19	SNs 2018-19	SE 2018-19	Medway 2016-17	Medway 2017-18	Medway 2018-19	Medway 2019-20 ³⁹
Under 20 miles and inside LA boundary	50%	48%	45%	48.3%	55.7%	54.4%	52%
Under 20 miles and outside LA boundary	21%	19%	13%	25.2%	22.7%	22.3%	21%
Over 20 miles and inside LA boundary	5%	3%	7%	-	0.2%	-	0%
Over 20 miles and outside LA boundary	16%	16%	20%	16.9%	16.9%	20.4%	20%
Distance not known or recorded	9%	19%	15%	9.7%	4.4%	2.9%	7%

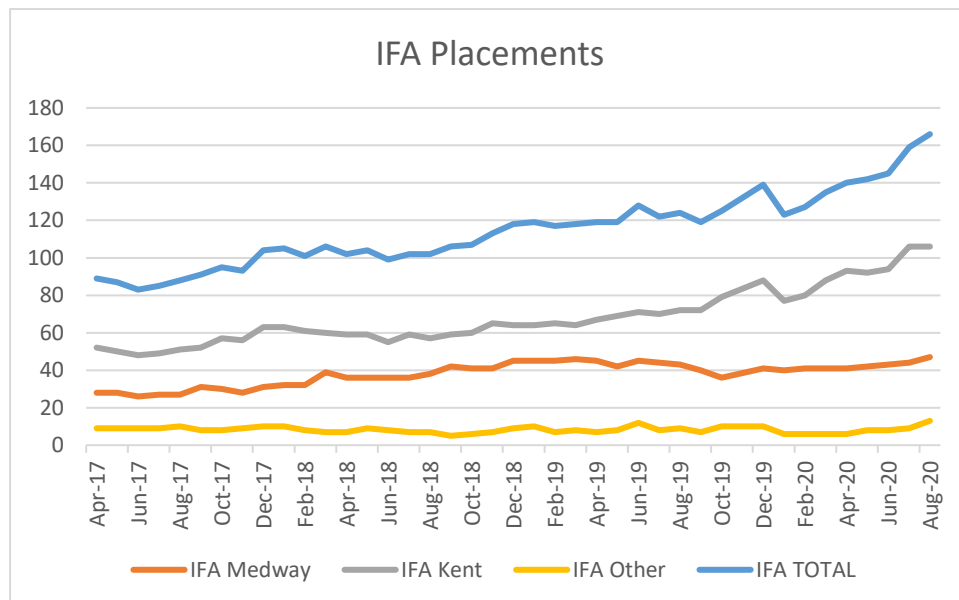
³⁷ Provided by Medway Council's Placements Team

³⁸ Provided by Medway Council's Performance & Intelligence Team

³⁹ Figures obtained from [Children looked after in England \(including adoption\), y/e 31 March 2019, Department of Education](#)

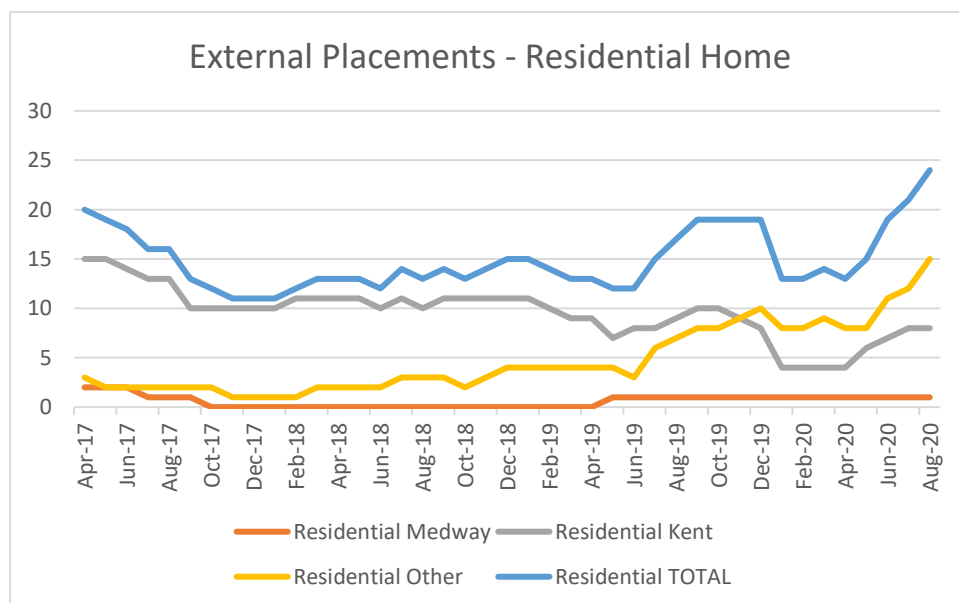
- 4.3.2 Looking at more recent data, it is also apparent that these IFA placements are increasingly being found in Kent rather than Medway, as shown by Figure 17. It may be that these placements are still relatively close to the child's home. However, they may still cause additional difficulties for the child or young person, especially where a change of school is then required.

Figure 17: Number of IFA placements split by placement location (2017-2020)⁴⁰



- 4.3.3 In relation to external residential home placements, it is clear from Figure 18 that more CLA are being placed at a distance during 2019/20. For the first time, more CLA are being placed in residential homes outside of Kent and Medway than within Kent and Medway. This is a cause for concern⁴¹.

Figure 18: Number of external residential placements split by placement location (2017-2020)⁴²



⁴⁰ Provided by Medway Council's Placements Team

⁴¹ We are conducting further analysis to confirm that the increase in CLA being placed at a distance is primarily driven by a lack of placements within Kent and Medway.

⁴² Provided by Medway Council's Placements Team

To address the increasing numbers of children placed at a distance from home, we will adopt the following priorities:

- Improve the number of in-house foster carers in Medway and their capacity to take on more complex or hard to place children
- Provide specialist high intensity support for complex CLA within Kent and Medway

4.4 Number of complex children and hard to place children is increasing

4.4.1 Children aged 10-15, sibling groups, those with a disability and those with complex needs (such as emotional and behavioural issues) are considered harder to place. Foster carers may be unwilling to take on children in this group or may not have the appropriate skills or accommodation to look after these children. This cohort is more likely to be placed with an IFA or in residential care out of borough.

4.4.2 Older Children

4.4.2.1 Looking at the demography of CLA as shown in Figure 19, there has been a significant increase in the proportion of CLA who are aged 10-15 years, with Medway having a higher proportion in this age band than its statistical neighbours⁴³ and this trend is predicted to continue. This age group is the hardest to place with foster carers.

Figure 19: CLA at 31 March 2019 by Age⁴⁴

Age	England 2018-19	SNs 2018-19	SE 2018-19	Medway 2016-17	Medway 2017-18	Medway 2018-19	Medway Sept 2019	Medway Trend
Under 1	6%	6%	5%	6.2%	7.0%	7.1%	6.6%	↓
1 to 4	13%	13%	11%	13.1%	13.8%	12.5%	12.0%	↓
5 to 9	19%	19%	18%	22.3%	20.3%	17.5%	17.6%	↑
10 to 15	39%	39%	40%	40.3%	41.3%	42.2%	43.7%	↑
16+	23%	24%	26%	18.2%	17.6%	20.8%	20.2%	↓*

*data taken since this report was written (Dec 2020) suggests that this is higher (26%) and the trend is increasing.

4.4.3 Complex Needs

4.4.3.1 Children who are taken into care have increased physical, emotional and behavioural needs and increased vulnerabilities to substance misuse, self-harm, teenage pregnancy, exclusion from education and criminality⁴⁵.

⁴³ See footnote 3.

⁴⁴ Medway Council's Performance & Intelligence Team

⁴⁵ Looked after children (who have been looked after for at least 12 months) are five times more likely to offend than all children according to [Criminal Justice System statistics quarterly: December 2017 - GOV.UK](#). In England in the year ending 31 March 2018, 4% of children aged 10 years or over (1,510 children) who were looked after for at least 12 months were convicted or subject to youth cautions or youth conditional cautions during the year.

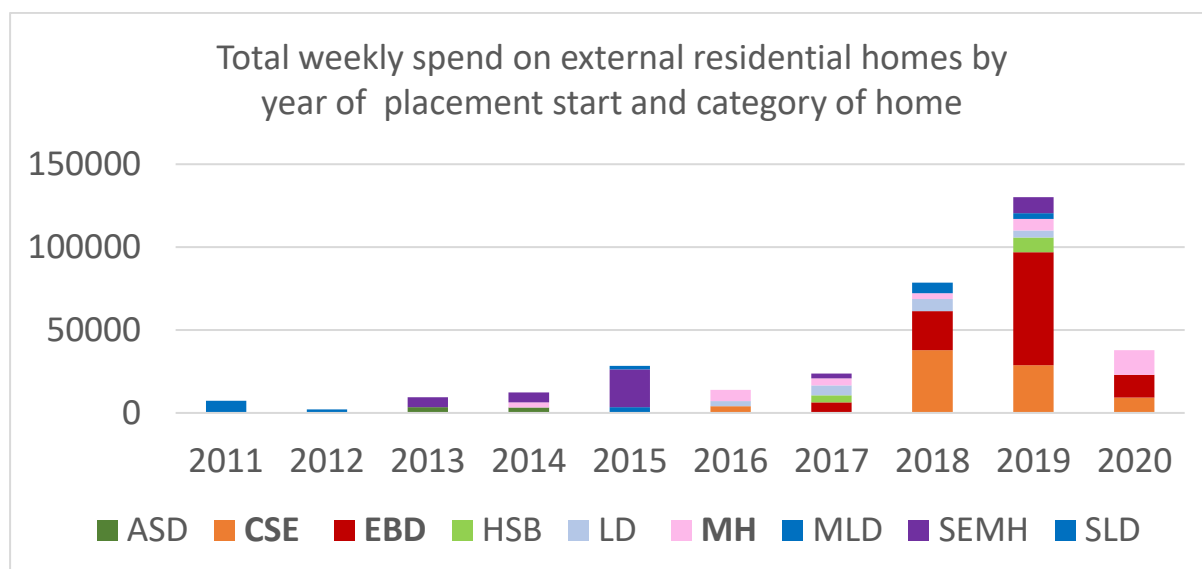
4.4.3.2 Looked after children are more likely to experience mental health problems. Whereas 1 in 8 (12.8%) of 5 to 19 year olds in England in 2017⁴⁶ met the criteria for one or more mental health disorders, around half of CLA in England may have a mental health issue based on their SDQ scores⁴⁷.

4.4.3.3 In Medway, the nature of needs is predominately in relation to attachment problems, depression, deliberate self-harm, anxiety, post-traumatic stress, trauma through previous sexual abuse and other post abuse problems⁴⁸. (Further work is underway to gather a breakdown of this information for analysis.)

4.4.3.4 In both recent and current times it is accepted that children and young people face a number of challenges to their safety and wellbeing. Of these, arguably none is more complex and damaging than exploitation. Being drawn into exploitative situations, where children can be both victims and perpetrators of serious harm, can have severe consequences for them and for their families, friends, and communities.

4.4.3.5 Anecdotally, the placement teams in Medway and other local authorities have indicated these difficulties have intensified over recent years for this age group, in line with a rise in emotional and behavioural concerns and child exploitation. This is illustrated by Figure 20 which shows that increasing amounts are being spent with external residential homes to support emotional and behavioural difficulties (EBD), mental health difficulties (MH) and those at risk of child sexual exploitation (CSE).

Figure 20: Weekly spend on external residential homes split by category of home⁴⁹



4.4.3.6 Data from the National Crime Agency⁵⁰ showed in 2018 that 41% of all referrals to the National Referral Mechanism (used to identify victims of modern slavery) were children who were being exploited. There was also a sharp rise in the number of UK national children identified (32% of the total number of all child victims). This is due, in part, to a rise in referrals of children exploited by 'county lines' gangs, where children are exploited to transport drugs from major UK cities to sell in small towns and rural areas.

⁴⁶ [Mental Health of Children and Young People in England \(2017\), NHS Digital](#)

⁴⁷ [Children looked after in England including adoption: 2017 to 2018, National Statistics](#)

⁴⁸ See [Medway Local Transformation Plan for Children and Young People's Mental Health and Wellbeing](#), 2019/20, Medway CCG / Medway Council / North East London NHS Foundation Trust

⁴⁹ Medway Council's Performance & Intelligence Team

⁵⁰ [National Referral Mechanism Statistics – End of Year Summary 2018](#), National Crime Agency

4.4.3.7 Locally, there has been a significant rise in all concerns reported to the Council's Single Point of Contact / Multi Agency Safeguarding Hub, as shown in Figure 21.

Figure 21: MASH contacts/referrals for Child Sexual Exploitation (CSE), Missing, Gangs⁵¹

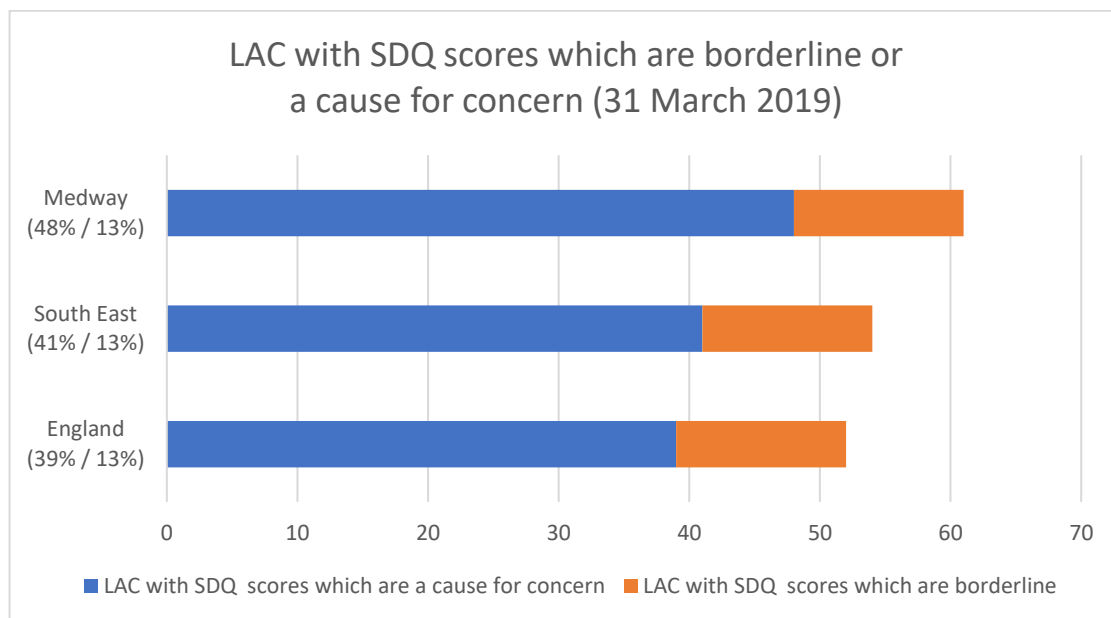
	Contacts			Referral		
	CSE	Missing	Gangs	CSE	Missing	Gangs
2018-19	222	100	104	127	49	66
2019-20	356	201	207	214	117	127
% increase	60%	50%	99%	69%	139%	92%

4.4.3.8 There is evidence from Strengths and Difficulties Questionnaires ("SDQ") that Medway has a more complex cohort of CLA than England and the South East.

4.4.3.9 Where SDQs are completed, they provide a useful insight into the emotional and behavioural wellbeing of children and young people. Medway has a high percentage⁵² of CLA who have completed the SDQ.

4.4.3.10 Figure 22 shows that, in the year up to 31 March 2018, only 39% of CLA in Medway have SDQ scores in the "normal" range. 13% have SDQ scores which are "borderline" and 48% have SDQ scores which are "a cause for concern". This is significantly higher than the average across England, where 39% are "a cause for concern", and the South East, where 41% are "a cause for concern".

Figure 22: Percentage of looked after children with SDQ scores which are borderline or a cause for concern⁵³



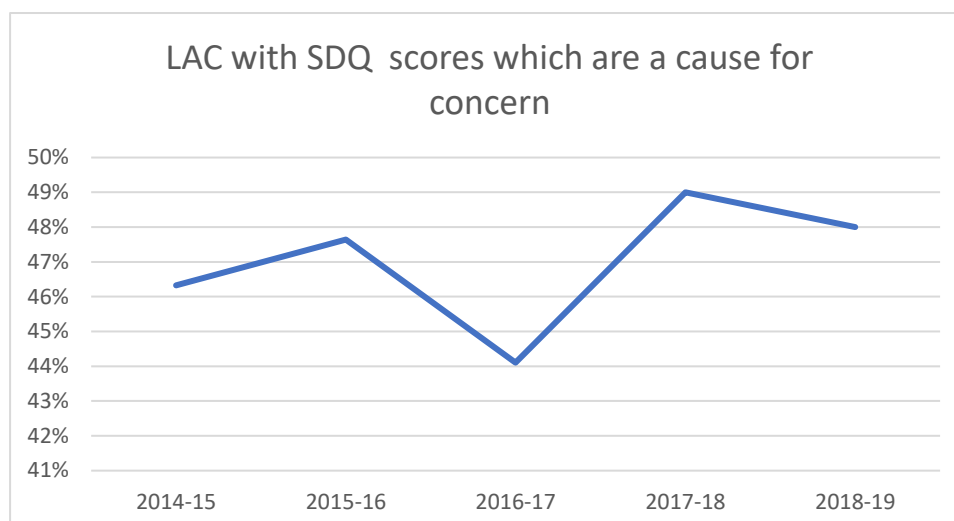
4.4.3.11 In addition, it is clear from Figure 23 that this high percentage of CLA in Medway who have SDQ scores which are "a cause for concern" has persisted for several years.

⁵¹ Medway Council's Adolescent Service

⁵² 92% in Medway, compared to 78% in England and 77% in the South East as at 31 March 2019 (see [Children looked after in England including adoption: 2018 to 2019, National Statistics](#))

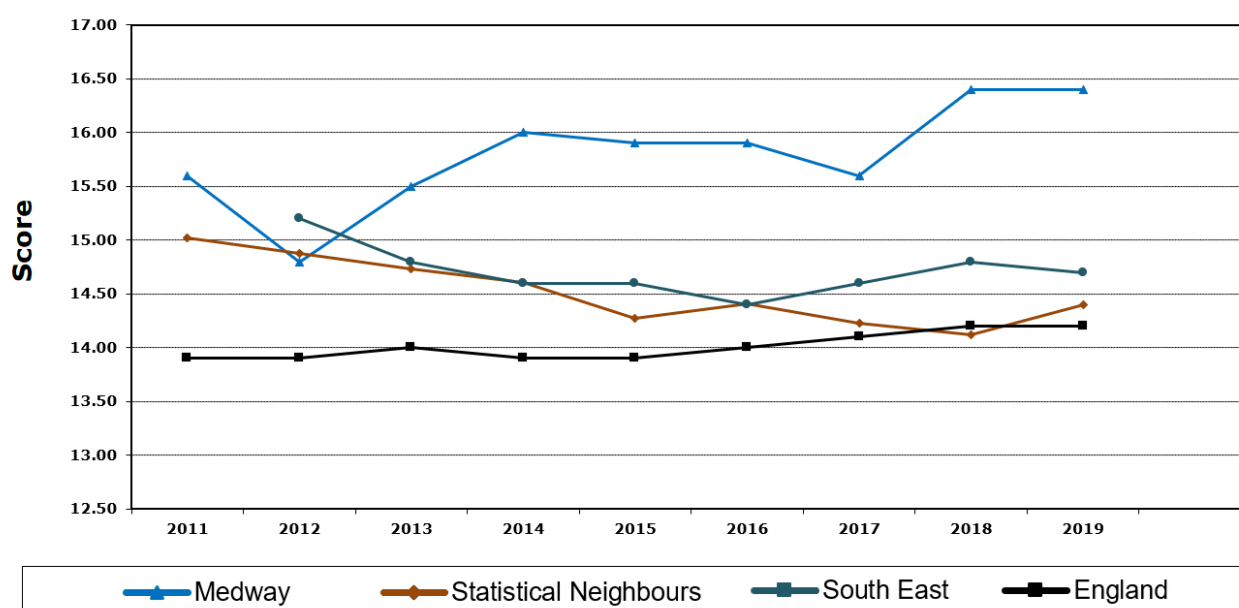
⁵³ [Children looked after in England including adoption: 2017 to 2018, National Statistics](#)

Figure 23: Percentage of looked after children in Medway with SDQ scores which are a cause for concern 2014/15 to 2018/19⁵⁴



4.4.3.12 Figure 24 shows that the CLA in Medway have a significantly higher SDQ score⁵⁵ on average, than its statistical neighbours⁵⁶, the South East or England. Medway is ranked 143 out of 151 local authorities on this indicator⁵⁷.

Figure 24: Mean average SDQ score for each CLA (4 to 16) who has been looked after for a year⁵⁸



4.4.3.13 There are several possible explanations for why Medway has a cohort with more complex needs than its statistical neighbours. To develop a deeper understanding of these issues, the Council plans to undertake a detailed review of children and young people who have accessed Tier 4 (therapeutic) mental health services⁵⁹ and further analysis is being undertaken of the more recent impact of Covid-

⁵⁴ [Statistics: looked-after children, Department for Education](#)

⁵⁵ An SDQ score of 0 to 13 is considered normal; 14 to 16 is borderline; and 17 to 40 is a cause for concern.

⁵⁶ See footnote 3.

⁵⁷ [Local Authority Interactive Tool](#) (2020) Department of Education

⁵⁸ [Local Authority Interactive Tool](#) (2020) Department of Education

⁵⁹ The review will include engaging with people who have expert knowledge and experience of children and young people's mental health services (into and out of tier 4 therapeutic services), bring the child and young person's voice to the heart of the review process to understand experiences of

19. Nevertheless, programmes across the country⁶⁰ have demonstrated how early identification and appropriate intervention can prevent needs from escalating, with bespoke therapeutic packages of care used to help de-escalate need.

4.4.4 Complex Needs: Placement Breakdowns

4.4.4.1 On the face of it, the placement stability figures for Medway are broadly positive compared to the national picture. Figure 25 shows a drop in the percentage of children with 3 or more placements in the year and a rising percentage of CLA living in the same placement for at least 2 years.

Figure 25: Stability of CLA placements at 31 March 2019⁶¹

	England 2017-18	SNs 2017-18	SE 2017-18	Good is	Medway 2017-18	Medway 2018-19	Medway 2019-20 Prediction	MW Trend
Children looked after at period end with three or more placements during the year	10%	12%	12%	Low	9.9%	9.7%	9.6%	↓
CLA in care at least 2.5 years at period end living in their current placement for at least 2 years	69%	66%	68%	High	66.5%	68.6%	69.9%	↑

(*Up to date figures for 2019-20 are being collated by Medway Council's Performance and Intelligence team for the full Sufficiency Report.)

4.4.4.2 However, analysis of data relating to external residential placements between March 2018 and March 2019 (as shown in Figure 26) reveals a high number of breakdowns for this type of placement, with many only lasting for a short duration. During that 13 month period, there were 10 breakdowns (affecting 4 LAC) across the 13.5 active residential placements⁶². This equates to a breakdown rate of 68 breakdowns per year for every 100 CLA that are in external residential placements. The average length of stay for each of the placements had been only 50.4 days. A remarkably high proportion of these placements had broken down within just a few weeks: 60% ended within four weeks and 80% ended within three months. Every one of those placements was terminated at the provider's request, noting an increase in challenging behaviour from the LAC.

4.4.4.3 We have identified that the referral in preparation for their placement search is not yet good enough leading to inappropriate matching and providers being set up to fail as they are not ready for the child with the presenting needs. This is under review for the service. We are also aware that our external providers need to be more resilient and better supported in their training to ensure our children with complex needs can settle into an environment where they can build trusted relationships and be prepared for longer term arrangement (ideally with a family if not their own).

4.4.4.4 The table below reflects the importance of matching and getting this right first time for the child to have a period of stability.

care, accessibility and support offered, and identify opportunities and recommendations to build a strong and supportive interface between health, social and education.

⁶⁰ See [The Children's Social Care Innovation Programme](#) which has been funded by the Department for Education (2014-2020)

⁶¹ Medway Council's Performance & Intelligence Team

⁶² This is the average number of placements across that period.

Figure 26: Duration of Residential Placements which broke down (March '18 to March '19)⁶³

Residential Duration	Mar '18	Apr '18	May '18	Sep '18	Oct '18	Nov '18	Jan '19	Grand Total	%
4 weeks or less	1	1	1	2	1			6	60%
5 to 12 weeks	1			1				2	20%
over 3 months						1	1	2	20%
Grand Total	2	1	1	3	1	1	1	10	

4.4.4.5 A similar picture is apparent for Kent County Council, which provided details of external residential placements⁶⁴ between August 2018 and July 2019. During this 12 month period, there were 80 breakdowns across the 104.5 active residential placements⁶⁵. This equates to a breakdown rate of 77 breakdowns per year for every 100 CLA that are in external residential provision (compared to a breakdown rate of 68 in Medway).

4.4.4.6 The situation is less extreme for placements with independent fostering agencies ("IFAs"), although again over the same period there is a high percentage of placements which broke down within the first 3 months, as shown in Figure 27.

4.4.4.7 There were 28 breakdowns across the 108.7 active IFA placements between March 2018 and March 2019⁶⁶. This equates to a breakdown rate of 24 breakdowns per year for every 100 CLA that are in IFA placements. While the majority of those breakdowns occurred in relation to placements lasting over 3 months, 43% of breakdowns occurred within the first 12 weeks. Every one of those placements was terminated at the foster carer's request, noting an increase in challenging behaviour from the LAC.

Figure 27: Duration of IFA Placements which broke down (March '18 to March '19)⁶⁷

IFA Duration (excl. P&C)	Mar '18	Apr '18	Jul '18	Aug '18	Sep '18	Oct '18	Nov '18	Dec '18	Jan '19	Feb '19	Mar '19	Total	%
4 weeks or less			1	1	1	2		1	1			7	25%
5 to 12 weeks		1				1		1		1	1	5	18%
over 3 months	2	3	1	3	1		3		1		2	16	57%
Grand Total	2	4	2	4	2	3	3	2	2	1	3	28	

4.4.4.8 Again, a similar picture is apparent for Kent County Council, which found between August 2018 and July 2019 that there were 61 breakdowns across 223.5 active IFA placements⁶⁸. This equates to a breakdown rate of 27 per year for every 100 CLA that are in IFA placements (compared to a breakdown rate of 24 in Medway).

⁶³ Medway Council's External Placement Team

⁶⁴ This category included:

- K1 - Secure children's homes (when the provider code is PR4 - Private Provision)
- K2 - Children's Homes subject to Children's Homes Regulations (where the provider code is PR4 - Private Provision or PR5 - Voluntary/Third Sector Provision)
- R1 - Residential care home (when the provider code is not PR1 - Own provision by LA)
- H5 - Semi-independent living accommodation not subject to children's homes regulations (when the provider code is not PR1 - Own provision by LA)
- R3 - Family Centre or Mother and Baby Unit
- S1 - All residential schools, except where dual-registered as a school and children's home (when the provider code is PR4 - Private Provision)

⁶⁵ This is the average number of placements across that period.

⁶⁶ This is the average number of placements across that period.

⁶⁷ Medway Council's External Placement Team

⁶⁸ This is the average number of placements across that period.

4.4.4.9 Having conducted further analysis, it is clear that breakdowns in Medway are disproportionately related to CLA aged 15 years old, with 90% of external residential placements (9 out of 10) and over 40% of IFA placement breakdowns (12 out of 28) relate to CLA aged 15.

4.4.4.10 It is important to note, however that this data relates to 2018-19. More up to date information is being collated and analysed, and will be included in the full Sufficiency Report.

4.4.5 Complex Needs: Emergency Placements

4.4.5.1 Emergency placements (namely those requiring a same day or next day placement) can arise for a number of different reasons, including where a child or young person requires urgent child protection. It can also arise where a planned placement search fails to find an appropriate placement within the available timeframe, or where a placement breaks down (although typically a period of notice should be given by the provider in those cases).

4.4.5.2 A detailed analysis of emergency placements was undertaken in 2019. The number of external placements was tracked between December 2018 and June 2019, and Figure 28 shows there is significant increase in the proportion of external placements which were emergencies over that period.

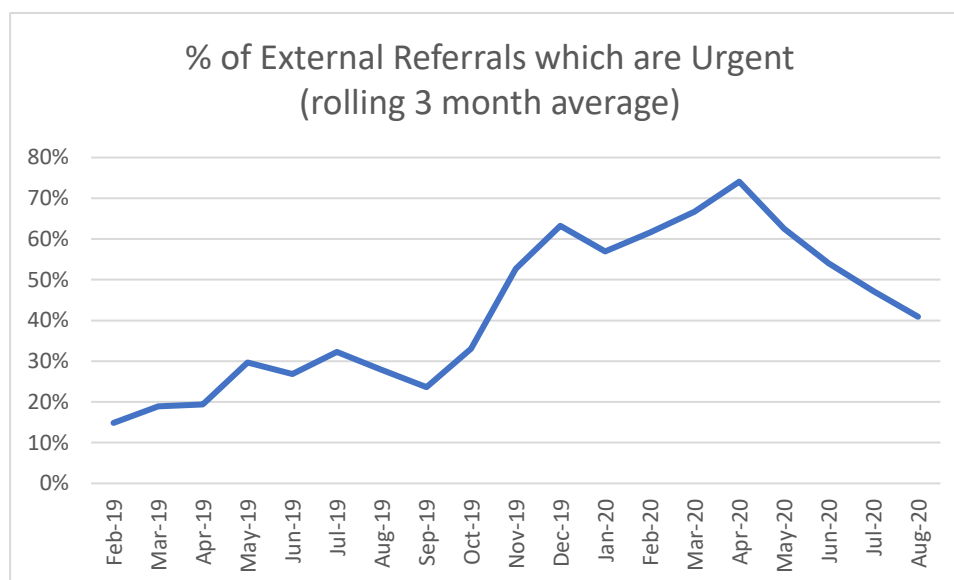
Figure 28: Number of emergency external placements found (December '18 to June '19)⁶⁹

EMERGENCY PLACEMENTS Placement Type	Dec '18	Jan '19	Feb '19	Mar '19	Apr '19	May '19	Jun '19	Total
38 week school placement		1			1			2
52 week school placement					1	1	1	3
Residential		1				3		4
Floating support					1	1		2
IFA	1	4		1	2	4	4	16
IFA Sibling group							1	1
Parent and child IFA	2		2	5	2	3		14
Respite IFA	1							1
Supported accom	2	1		3	1	1	2	10
Total Urgent Referrals	6	7	2	9	8	13	8	53

4.4.5.3 Figure 29 is based on more recent data (December 2018 to August 2020) and demonstrates a spike in the percentage of emergency referrals for external placements over recent months. While this appears to be returning to a more 'normal' level, the percentage is still high and significantly higher than 18 months ago. We intend to conduct further analysis to assess any correlation between a placement which was found at short notice (i.e. an emergency placement) and a subsequent breakdown of that placement within a short timeframe.

⁶⁹ Medway Council's External Placement Team

Figure 29: Percentage of referrals for external placements which are an emergency, based on 3 month rolling average (December '18 to August '20)⁷⁰



4.4.6 Disabilities and SEN

4.4.6.1 As of September 2020, there are 41 CLA in Medway who are listed as having a disability. This represents 11% of all CLA and appears to be a stable figure. It is important to note that these young people are frequently ones who remain in care for long periods of time. Medway has identified this as an area to develop our knowledge base for future planning and we are keen to improve the quality of the data recorded for this cohort.

4.4.6.2 Medway is in line with the average for England in terms of the percentage of children entering care because of the child's disability (Medway 2%; England 2%). While the number of children in this category is small⁷¹ (2 in 2017-18, 6 in 2018-19, 3 in 2019-20), they typically represent some of the hardest children to place and will often require a special school placement with an element of boarding either over term time (38 weeks) or for the full 52 weeks a year.

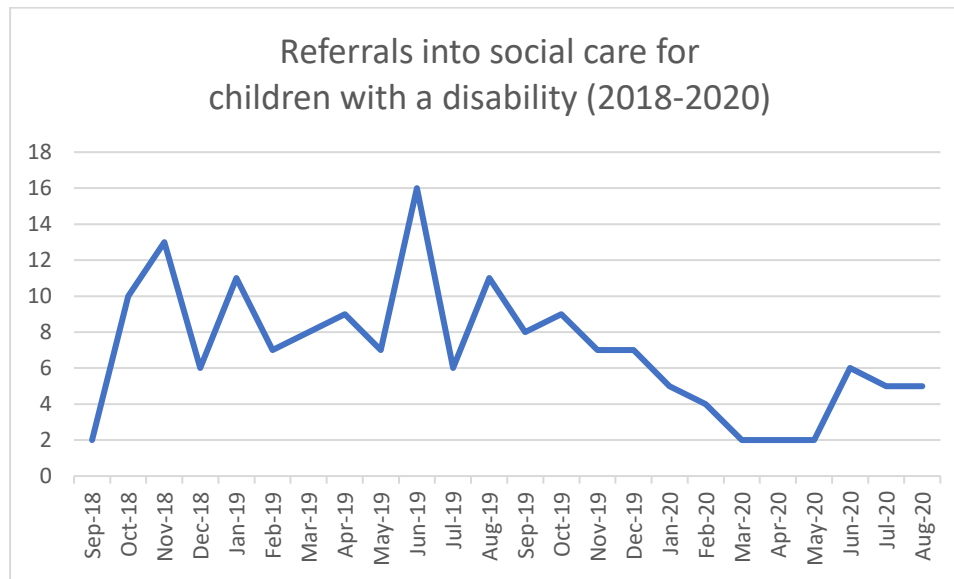
4.4.6.3 Feedback from Medway Parent Carers Forum indicated that Covid-19 has placed additional pressures on families ability to cope. This is because the Covid-19 lockdown has reduced the availability of the routine peer support services and respite activities (e.g. after-school clubs, school holiday clubs and peer support groups) which had helped to alleviate the pressure on families.

4.4.6.4 Currently, as shown by Figure 30, there does not appear to be an immediate spike in demand from this cohort. However, in line with Children's Services Commissioner's report⁷², we will develop further system to monitor and predict demand – and will keep this situation under close review.

⁷⁰ Medway Council's External Placement Team

⁷¹ Medway Council's Performance & Intelligence Team

⁷² [Report on ways forward for Children's Services in Medway](#), December 2019, Commissioner for Children's Social Care in Medway

Figure 30: Referrals to social care in Medway for children with a disability (2018 to 2020)⁷³

4.4.7 Sibling Groups

4.4.8 Up to date figures on sibling groups are still being collated for 2020. Of 589 children who became subject to Child Protection (“CP”) plans in the year ending September 2019, 80% were part of a sibling group. This is both an increase in children subject to a CP plan (373 in 2018) and an increase in the amount of sibling groups (71% in 2018) from the previous year.

4.4.9 There are few in-house foster carers in Medway who are able to house larger sibling groups. It may be difficult to address this issue as it is probably linked to constraints on the typical number of bedrooms within urban housing stock. However, the underlying cause of larger sibling groups of CLA can be addressed through reducing the need for repeated removals of children into care.

To address the increasing numbers of complex / hard to place children, we will adopt the following priorities:

- Provide specialist high intensity support for complex CLA within Kent and Medway
- Create time and space to assess the needs of CLA and ensure that placements and support meet those needs to avoid repeated breakdowns and escalating need
- Reduce the need for repeated removals of children into care

⁷³ Medway Council's Performance & Intelligence Team

4.5 Cost of placements is increasing

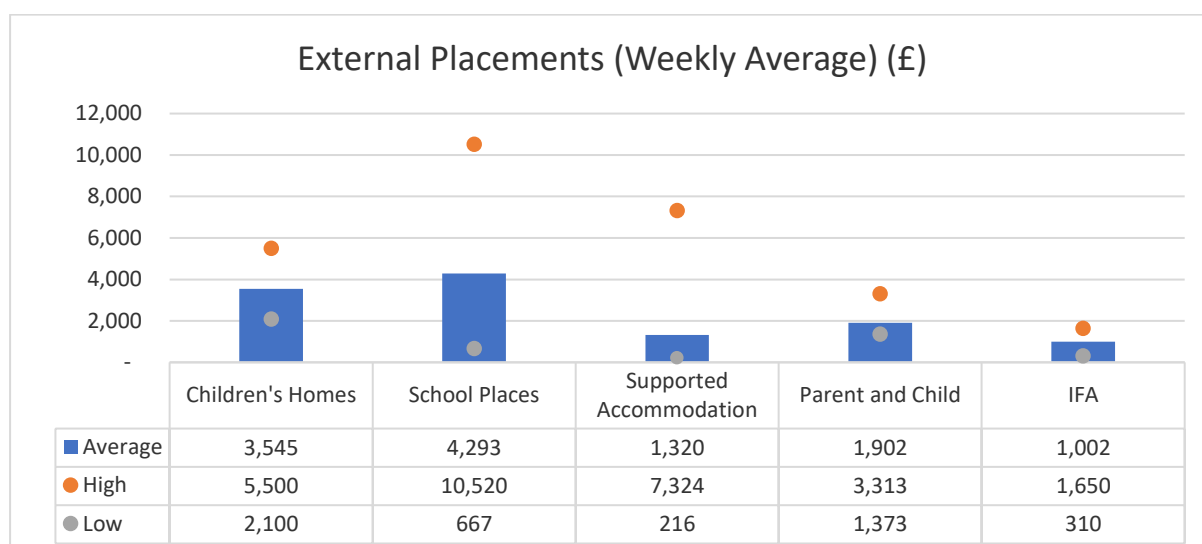
- 4.5.1 As shown by Figure 31, placement costs have increased significantly in recent months, with the greatest percentage increases affecting the more complex cohorts, namely, those in external residential care (24.6% increase) or external residential SEN care (65.3% increase).

Figure 31: Change in Placement Unit Costs 2018/19 – 2019/20⁷⁴

Placement Type	2018/19 Unit Costs per week	2018/19 Unit Costs per year	2019/20 Unit Costs per week	2019/20 Unit Costs per year	% Change
In-house Fostering	349.60	18,179.20	361.67	18,806.84	3.5%
In-house Residential	2,503.51	130,182.34	2,262.66	117,658.32	-9.6%
External Residential	2,914.00	151,528.00	3,630.46	188,783.92	24.6%
External Residential SEN	1,686.52	87,698.78	2,787.09	144,928.68	65.3%
External Residential 0-25	4,026.00	209,352.00	4,100.00	213,200.00	1.8%
External Secure	6,000.00	312,000.00	6,000.00	312,000.00	0.0%
Independent Fostering Agency	850.43	44,222.36	930.14	48,367.28	9.4%
Family placements	951.00	49,452.00	1,603.26	83,369.52	68.6%
Supported Accommodation (LAC & CARE LEAVERS)	957.00	49,764.00	811.45	42,195.40	-15.2%
Supported Lodgings (LAC & CARE LEAVERS)	189.00	9,828.00	223.69	11,631.88	18.4%
Special Guardianship orders (POST LAC)	230.00	11,960.00	150.61	7,831.72	-34.5%
Residence Orders	163.00	8,476.00	118.72	6,173.44	-27.2%
Child Arrangement Orders	168.00	8,736.00	130.71	6,796.92	-22.2%
Adoption Allowances (POST LAC)	133.00	6,916.00	173.00	8,996.00	30.1%

- 4.5.2 Medway Council's Finance Team reviewed and updated these costs in May 2020, as part of the first round of the development of the Mid Term Financial Strategy.

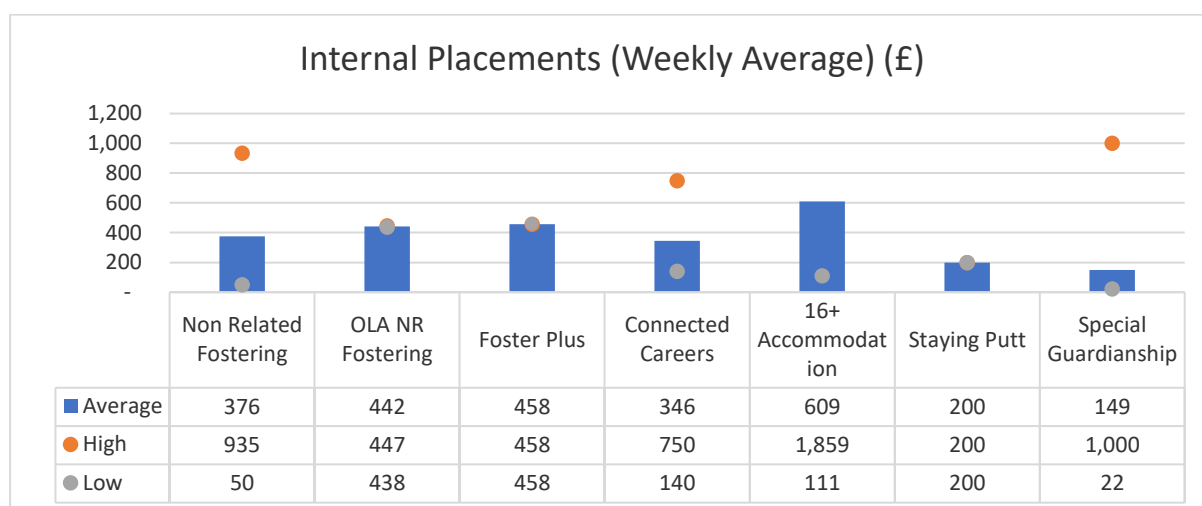
⁷⁴ Medway Council's Performance & Intelligence Team

Figure 32: External Placement Costs (May 2020)⁷⁵

- 4.5.3 Figure 32 shows that the average weekly cost of residential homes and residential schools remains high (£3,545 and £4,293, respectively), with some residential school places costing substantially more than others (i.e. more than twice the average cost)⁷⁶. The weekly cost of external foster care (IFA placements) has continued to increase from the costs shown in Figure 31, rising from £850 (2018/19) to £930 (2019/20) and to £1,002 (May 2020). Similarly, the weekly cost of parent and child placements (family placements) has continued to increase from £951 (2018/19) to £1,603 (2019/20) to £1,902 (May 2020). Supported accommodation weekly costs, which had dropped to £811 in 2019/20, have rebounded to £1,320.
- 4.5.4 Figure 33 shows the average weekly cost of internal fostering: £376 for general (non-related) fostering and £458 for advanced foster care (foster plus). This highlights the disparity with the IFA placements (£1,002) which cost between two and three times the cost. In addition, while these figures do not separate out the costs for in-house parent and child (“P&C”) placements, it is clear that even the most expensive in-house (non-related) fostering placement cost £935. This is still less than half the average cost of an external P&C placement (£1,902). What this does not take into account however is the cost to the Council of providing the in house service. Out of hours support, social worker support to families, insurance, Ofsted registration, recruitment, training, pensions, therapeutic support (not provided by the Council anyway) are not included in the calculation of the inhouse price but are factored in to the external costs.

⁷⁵ Medway Council's Performance & Intelligence Team

⁷⁶ The costs quoted for residential schools relate solely to social care costs and do not include any health related costs contributed by the CCG.

Figure 33: Internal Placement Costs (May 2020)⁷⁷

- 4.5.5 Medway Council's Finance Team has continued to monitor these costs since May 2020, as part of the second round of the development of the Mid Term Financial Strategy. This appears to show a further increase in the costs of external residential care, with the average cost in August 2020 now being around £4,300 per week (when averaged across both residential home placements and residential school placements). Further work is ongoing to validate these figures.
- 4.5.6 Medway Council has also commissioned CareCubed – an NHS cost tracker. This will enable us to cross check placement costs against national bench-marked figures, which will help to inform our discussions with external providers and have greater confidence that placements are delivering the best value for money. Where this system was implemented in Essex County Council for adult care packages, it produced savings of £367,000 per annum on new placements made and a further cost avoidance of £143k per annum on negotiated uplifts with providers for adult social care.

Seven of our priorities support our outcome of sustainably reducing Council expenditure.

While this is an outcome in its own right, it can only be achieved in conjunction with two other outcomes: (i) safely reducing the number of CLA and (ii) de-escalating the needs of CLA (wherever possible).

Our priorities to address the increasing cost of placements are:

- Reduce the need for repeated removals of children into care
- Seek to improve family resilience and the ability of families to care for their own children through early intervention
- Facilitate children safely returning home
- Facilitate children leaving care to other permanent families
- Improve the number of in-house foster carers in Medway and their capacity to take on more complex or hard to place children

⁷⁷ Medway Council's Performance & Intelligence Team

- Provide specialist high intensity support for complex CLA within Kent and Medway
- Create time and space to assess the needs of CLA and ensure that placements and support meet those needs to avoid repeated breakdowns and escalating need

5 Developing Models to Assess the Effect of these Trends

- 5.1.1 Medway Council's Business Change (Transformation Team) are conducting further analysis and developing a model which takes into account the cumulative effect of the trends on the number and cost of placements.
- 5.1.2 This model will reflect the rise in the number of children entering care. It is anticipated that it will analyse and reflect how these new CLA are distributed between different types of placement and how existing CLA move between different types of placement. This will allow accurate planning of anticipated demand across the system.
- 5.1.3 The model will undertake predictive analysis and demonstrate how the increasing cost of placements will impact future budgets.
- 5.1.4 While this model is being developed, the Finance Team has created a financial projection based on the existing number of in-house and external placements and which will be used to model existing expenditure.

6 Programmes of Work – Safely reducing the Number of Children In Care

6.1 Introduction

- 6.1.1 This section sets out a number of proposed programmes of work which are primarily designed to achieve the **outcome** of:

“Safely reducing the number of LAC, through prevention, reunification or leaving care to other permanent families” by focussing on the following **priorities**:

- Reduce the need for repeated removals of children into care
- Seek to improve family resilience and the ability of families to care for their own children through early intervention
- Facilitate children safely returning home
- Facilitate children leaving care to other permanent families

6.2 Parenting Strategy

Priority: Seek to improve family resilience and the ability of families to care for their own children through early intervention

- 6.2.1 Medway Council is developing a parenting strategy that will address parenting needs at a universal level across Medway. It will examine how a change of culture can be achieved to encourage families and communities to develop their own resources for supporting each other. It will identify strategies for supporting the parenting ability of key groups, especially:

- families where there has been severe violence (including linking to the ACE⁷⁸ strategy and YOT NVR⁷⁹),
- families with adult mental health issues,
- families with adult substance abuse,
- families with children with autism and ADHD,
- families with young people at risk of CSE,
- families with young people with MH conditions,
- families where the young person has presented as homeless to Housing services,
- Special Guardianship arrangements,
- adoptive parents,
- parents whose children are on the edge of care or custody,
- parents who have already had a child removed from their care.

6.2.2 In addition, we will undertake a project to develop an asset-based community parenting project to work directly with parents to establish how they can support themselves and their communities without requiring intervention from services.

6.3 **Repeat Removals Project**

Priority: Reduction in the need for repeated removals of children into care
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- 6.3.1 The Public Health team has proposed implementing a package of support to tackle the issue of numerous children being taken into care from the same birth mother.
- 6.3.2 One in four birth mothers who appear as respondents in care proceedings in England have had children removed from their care in previous instances, and 42% of mothers who appeared in recurrent care proceedings were likely to have had four or more children⁸⁰. The demographic can vary but typically these women are young (u25) from low socio economic backgrounds, are disadvantaged with emotional, environment and health-related needs. In Medway, an assessment of this cohort in 2018 shows that between April 2012 and April 2017, a cohort of 58 women in Medway had 218 children removed. It also showed that the average number of children removed per woman in Medway was 3.8 (slightly higher than in other areas which ranged from 3 to 3.6).
- 6.3.3 The Public Health proposal envisages delivering interventions through a “team around the person” model, where a dedicated multi-disciplinary group of professionals work together intensively to support the woman/family aligned to a peer support model to stop repeat pregnancies – but also to work towards the ability to potentially keep or regain a child in the future (if appropriate). In parallel, the team would work with other high risks groups to develop evidence of what drives the mothers’ changes in behaviour (i) to enable them to keep their child and (ii) to decide to stop having children which are taken into care. These proposals are designed improve the outcomes for these women, while substantially reducing the number of children coming into care and the costs associated with this.

⁷⁸ Adverse Childhood Experiences

⁷⁹ Youth Offending Team’s non-violent resistance programme

⁸⁰ [Broadhurst et al.](#) (2017)

- 6.3.4 In addition, it has been recognised that there has been, in some cases, insufficient exploration of parenting capacity before panel. This can delay permanency decisions while family group conferencing is undertaken and the courts have several times requested that both parents enter a Parent and Child (“P&C”) placement with their baby for assessment. This can accentuate demand for P&C placements (especially where both parents need to stay) to a level which outstrips our internal supply so the Council must therefore resort to purchasing these placements from IFAs at a significantly higher cost. The Public Health proposal will provide a multi-agency response to support the family and would continue to provide support until *all* children in the household have permanency. Where a child was taken into care, this support would also continue beyond then to try to break the cycle of repeated removals.
- 6.3.5 The proposal adopts a different model from the PAUSE⁸¹ programme, which has previously been considered in Medway. The PAUSE programme involves the creation of a bespoke team and, as such, proved to be very expensive per head (£500,000 per annum for 58 women) and was not considered as having a robust enough evidence base to justify the expenditure.
- 6.3.6 The Public Health team’s costed proposal envisaged costs of £725,000 over three years (Year 1: £325,000, Year 2: 240,000, Year 3: £160,000). It has not provided an indication of the number of pregnancies which it anticipates being avoided through its proposed project nor has it provided details of the costs that would be avoided by its implementation.
- 6.3.7 To provide some context on the number of pregnancies which might be avoided, it may be helpful to refer to the Department for Education’s evaluation⁸² of the PAUSE project. This predicted that between 8 and 18 pregnancies would be avoided per year per 100 women.
- 6.3.8 The Department for Education’s evaluation also sets out its analysis of the yearly cost savings attached to the avoidance of each child removal. This found that the yearly cost saving in the first year was £57,102 per avoided child removal and £52,676 in each subsequent year⁸³.
- 6.3.9 On this basis, if the Public Health’s proposal avoided just two child removals each year, it would cover the cost of the intervention within three years and would deliver substantial on-going saving thereafter.

⁸¹ [Pause Creating Space for Change](#)

⁸² [Evaluation of Pause](#) (2017) Department for Education

⁸³ This is comprised (i) £52,676, which was the mean yearly cost of a child in care across a range of placement types based on 2015 figures (excluding ongoing wider costs to social care associated with looked after children), (ii) £1,151 for a children protection core assessment (one-off cost), and (iii) £3,275 for the legal cost per care proceedings (one-off cost).

Figure 34: Projected savings for Repeat Removals Project

	Year 1	Year 2	Year 3	Year 4
Cost of Project	£325,000	£240,000	£35,000	£35,000
Initial Savings – avoiding 2 child removals this year)	£114,204	£114,204	£114,204	£114,204
Ongoing savings – avoiding child removal previous years	n/a	2 x £52,676	4 x £52,676	6 x £52,676
Savings (Cost) – this year	(£113,879)	(£20,444)	£289,908	£395,260
Savings (Cost) – cumulative	(£113,879)	(£134,323)	£155,585	£550,845

- 6.3.10 In addition to helping the women involved avoid the trauma associated with having a child taken into care, it is anticipated that the proposal would also lead to a reduction in their exposure to domestic violence, a reduction in drugs and alcohol issues and improvements in psychological wellbeing. However, it is difficult to quantify the financial savings associated with these improved outcomes.
- 6.3.11 We understand that it has recently been agreed that the project is being taken forward with some funding provided by the CCG only. The project will sit in Early Help and there will be an initial cohort of 20 families. We are tendering for a private provider to complete a quantitative and qualitative analysis of the client group and we are in the process of reaching out to commissioned providers (i.e. midwifery, Turning Point, etc) to scope their availability to participate in the project. Once we have completed the data analysis of this cohort (to aid understanding of future needs and likely demand), we will establish the service model. It is anticipated that this may be structured in three parts: prevention, statutory intervention and post intervention.

6.4 Early Help, Edge of Care and Adolescent Offer

Priority: Seek to improve family resilience and the ability of families to care for their own children through early intervention

Priority: Provide specialist high intensity support for complex CLA within Kent and Medway

Priority: Facilitate children safely returning home

- 6.4.1 As described in section 4.1.5, it is recognised that following the economic crisis in 2008, we saw an increase in the number of children who came into care from a family where the parenting capacity was chronically inadequate (recorded as ‘family dysfunction’). We are therefore expecting a further spike in CLA following Covid-19’s economic aftershock. It is also recognised that we are already seeing increasing numbers of children in care from families that are going through a temporary crisis that diminishes the parenting capacity to adequately meet some of the children’s needs (recorded as ‘family in acute stress’).

6.4.2 Early Help

6.4.2.1 Medway has developed its Early Help offer to provide assessments and targeted interventions to families in need of support but who do not meet the statutory thresholds. This includes help with issues such as domestic violence, anti-social behaviour and emotional wellbeing. Support is delivered through the four Children and Family Hubs and 9 satellite wellbeing clinics most of which are based at schools.

6.4.2.2 The Children's Services Commissioner's report⁸⁴ noted that:

"The role of early help needs urgent review and attention to become a skilled service which prevents situations escalating and needing social care involvement, and to enable cases to be stepped down from social care when appropriate. The capacity of early help staff has been reduced by recent unhelpful changes which created separate assessment and intervention teams. Several years ago, early help were given responsibility for finding accommodation for families deemed intentionally homeless and responsibility for families with no recourse to public funds resulting in some staff dealing with difficult housing and finance issues. Some families are placed at a considerable distance from Medway but are then visited every 6 weeks. Early help services are unlikely to be the most appropriate service to respond to these issues."

6.4.2.3 Work is ongoing to strengthen this offer. The recent Partner In Practice diagnostics work has indicated that the team is appropriately resourced and the focus is now on improving its effectiveness through practice improvement.

6.4.2.4 From Figure 35, there appears to have been a fall in those receiving Early Help support over the last 12 months. This requires further investigation, although this may reflect data quality issues. (Improvements in data quality are being made to support the service.) However, on the face of it, this fall may have been due to Early Help providing enhanced support to children in need ("CIN") or children in need of protection ("CP") in preference to focussing on those children who do not meet those statutory thresholds. If this is the case, this would carry the risk that interventions are not being put in place at an early enough stage for that cohort, which may lead to further escalations of need.

Figure 35: Numbers of On-Going Early Help cases for under 18s and families (Aug '19 to Aug '20)⁸⁵

	Aug '19	Sep '19	Oct '19	Nov '19	Dec '19	Jan '20	Feb '20	Mar '20	Apr '20	May '20	Jun '20	Jul '20	Aug '20
U18s	1330	1213	1101	1015	987	960	940	892	856	736	665	646	648
Families	566	520	472	441	425	410	397	368	358	312	298	294	293

6.4.2.5 The EH strategy is being developed which will be taken forward by the EH Partnership Board. The EH Hub went live in May 2020 within the Medway's Single Point of Access ("SPA") and the EH team has expanded its Parenting Offer. This now includes Incredible Years and Triple P.

6.4.2.6 Work is ongoing to improve the interface between EH and Children's Social Care. However, it is recognised that more needs to be done, including through the provision of additional support to the EH team's Family Group Conferencing capacity.

⁸⁴ [Report on ways forward for Children's Services in Medway](#), December 2019, Commissioner for Children's Social Care in Medway

⁸⁵ Provided by Medway Council's Performance & Intelligence Team

6.4.3 Edge of Care and Adolescent Service

Edge of Care

- 6.4.3.1 Medway Council recognised the importance of developing a service to support children and young people on the 'edge of care'. These are children for whom entry into care is being considered by the local authority, either on a voluntary basis or through legal proceedings. The term 'edge of care' has become understood as referring to children and young people who are at risk of entering the care system but where assessment has indicated that with delivery of the right intervention at the right time, care can be avoided without compromising the safety of the child.
- 6.4.3.2 In March, we commissioned Innovate CYPS to deliver, at pace, a 12 month Edge of Care programme to support 40 children and young people aged 7-16 years. This programme was designed to prevent these children and young people from entering care and promote positive outcomes.
- 6.4.3.3 The Edge of Care programme was delivered by a multi-disciplinary team to provide targeted interventions to the cohort. The team included senior social workers, family support workers, therapeutic parenting practitioner, family group conferencing and youth workers. Phase 1 of the project, over the first six months, involved a programme of direct interventions with the young person (at least 3 hours per week) and their family (at least 2 hours per week), including therapeutic support. Phase 2, over the second six months, focussed on sustainable change through group work, home-based mentoring, family group conferencing and a transition back to the Council's social worker teams.
- 6.4.3.4 Importantly, the programme was designed to operate alongside Medway's newly formed in-house Adolescent Service. This was designed so that the in-house staff could be upskilled by Innovate CYPS, therefore leaving a legacy of long term sustainable change.

Adolescent Service

- 6.4.3.5 Adolescence is a time of great physical and emotional change for all children. In both recent and current times, it is accepted that children and young people face a number of challenges to their safety and wellbeing. Of these, arguably none is more complex and damaging than exploitation. Being drawn into exploitative situations, where children can be both victims and perpetrators of serious harm, can have severe consequences for them and for their families, friends, and communities.
- 6.4.3.6 Medway has been developing its new Adolescent Service since March 2020. The service works with young people (typically 11-18 years old) facing a range of difficulties and challenges that are commonly associated with the 'state of adolescence', recognising that the more vulnerable the young person is as a result of the difficulties they are experiencing, the greater the risk that they may be exploited.
- 6.4.3.7 Its overall goal is to ensure that Medway's response to adolescent need/risk are timely, targeted and intense – to prevent family and placement breakdown, reduce the risk to self and others, raise expectations, self-esteem and community opportunities. In time, the service will develop into a single integrated service that can offer therapeutic interventions, multi-agency safety planning, family group conferencing, parent/carer support services, youth work intervention, exit custody support, immediate health/education assessment, community responses to external familial risks / contextual safeguarding, joint housing assessments and reunification back home (wherever safe to do so).

- 6.4.3.8 The practice approach within the service is creating consistency of worker/intervention and building quality relationships between the worker and the young person and their family. This requires the worker to hold lower case-loads with the service targeting 12 cases per social worker.
- 6.4.3.9 The multi-disciplinary team has grown quickly and includes a team manager, senior social worker, social workers, early help workers and youth workers, with plans in place to recruit mental health practitioner (to provide therapeutic interventions), an education inclusion officer and a joint-funded housing officer. The team is currently supporting around 100 young people across all case-holding staff. Much work has been undertaken to realign team structure and improve partnership working⁸⁶ and plans are in place to develop the Elaine Centre as the hub which can house the service.
- 6.4.3.10 Importantly, however, it should be noted that the level of demand for these services appears to be increasing⁸⁷. The team will therefore need to continue their preventative work with the Police⁸⁸ and other agencies to try to address the environmental factors and the processes through which young people are becoming exploited, as well as providing support to those young people who are currently exploited.
- 6.4.3.11 Despite the team being newly formed this year, there are already signs that it is having a positive effect. We have received positive feedback from stakeholders (such as schools and the YOT team) and directly from young people themselves. For example:
- “I/W has been has been refusing to drink any water and was making herself very dehydrated, so they had to fit her with a canular and give her fluids that way. I/W was quite hard to engage at first, but I brought loads of things with me and she soon perked up a bit- we made some bracelets, had lunch together, went on a little walk, did some arts and crafts stuff and spent some time in the sensory room. I/W did ask me to say that even though she is getting annoyed she really appreciates everything everyone is doing for her in terms of looking for a new placement and wanted me to pass that on to you all- she said to say thank you.”
- 6.4.3.12 Financially, intensive work undertaken with two high risk and high cost young people has enabled one to remain with his family and one to return to the care of a parent. Both had residential placements identified and were on the verge of being placed, one several hundred miles from Medway. This situation is more positive for the young people concerned and for each week that these situations hold, the Council avoids spending £9k per week. If these situations hold for a year, the total spend avoided will be £467,700. This is more than the entire cost of the commissioned Edge of Care service.
- 6.4.3.13 In addition, there have been several young people currently subject to child protection plans that the teams believe can be de-escalated. There is also evidence of reduced missing episodes and re-engagement with education for some of our most hard to reach young people. It will be important for these outcomes to be tracked, to continue to evidence the benefits delivered by this service.

⁸⁶ Including improving the Missing Coordinator's role to ensure the response is statutory, compliant and robust; updating the Missing Protocol; implementing a Young People Plan Profile and Trigger Plan; and working with our colleagues in Kent to reflect multi-agency ways of working and develop tools for practitioners to recognise harm and how to report them.

⁸⁷ See Figure 21.

⁸⁸ Plans are in place to co-locate police staff at the Elaine Centre, as part of a multi-agency approach to support adolescents.

6.4.4 Family Group Conferencing

6.4.4.1 Family Group Conferencing (FGC) is a tool which is used to support families with a child at risk of entering care. It is used to bring together parents/carers, the rest of the family, extended relatives, close friends and the child / young person, to discuss the issue they are facing, make plans and decide how to resolve the situation. It was noted in the Children's Services Commissioner's report⁸⁹ that Medway needs to develop the use of FGC, and we will implement plans to demonstrate the wider use and effectiveness of FGC in Medway. There are indications FGC could be used more routinely to pro-actively explore parenting capacity issues for pregnant women who have had a child taken into care previously. The FGC can also provide a useful tool through which these families can make positive changes which might avoid the need for their unborn children to subsequently come into care.

6.5 Targeted support for families to avoid breakdown

Priority: Seek to improve family resilience and the ability of families to care for their own children through early intervention

Priority: Provide specialist high intensity support for complex CLA within Kent and Medway

6.5.1 Following on from the previous section, there are a number of initiatives which the Council is implementing to provide additional targeted support to families which is designed to prevent children entering or returning to care.

6.5.2 Training and upskilling Special Guardians and Connected Carers

6.5.2.1 Special Guardianship ("SG") support has recently moved from the adoption team to the Connected Team, due to the creation of the Regional Adoption Agency which does not cover SG support.

6.5.2.2 This has been a much-neglected group nationally and there is much more additional work that could be done with this group of carers with more resource, including training and preparation, and increased support after placement. In part, this is because funding is only available for SGs where the child was in care immediately prior to the Special Guardianship Order ("SGO"). The current lack of support means that these placements are more likely to breakdown, leading to a return to care with all the associated costs, or more frequently the child or young person is passed round family members which is very damaging to their emotional well-being. It is proposed that additional support after placement is provided to all SGs, although further work will be required to cost this proposal.

6.5.2.3 The current 'Skills to Foster' course will be tailored to specifically meet the learning needs and circumstances of Connected Carers and Special Guardians.

6.5.3 Providing floating support to Edge of Care settings

⁸⁹ [Report on ways forward for Children's Services in Medway](#), December 2019, Commissioner for Children's Social Care in Medway

6.5.3.1 Floating support covers a range of interventions which is typically deployed to help stabilise placements. However, there are opportunities to provide floating support to families on the 'edge of care' and thereby avoid a child entering into care in the first place. The placement team will work with the 0-25 team, Early Help and the Adolescent Service to consider whether these additional interventions are appropriate.

6.5.3.2 There is anecdotal evidence that some long-standing adoptions broke down when the adopted child reached their adolescent years, resulting in the young person being taken into care. We are gathering further data on this and will assess to what extent early adoption support was provided or whether more could have been done to support the family and prevent this breakdown.

6.5.4 Facilitating peer support and respite care to families (including SEN)

6.5.4.1 When children with disabilities come into care they are more likely to require a special school placement with an element of boarding over term time or for the full 52 weeks a year. Families are usually extremely reluctant to have the child go into care and will do their utmost to prevent this as demonstrated by the predominance of Section 20s rather than Care Orders. In the period October 2019 to August 2020, four of the five young people with SEN brought into care came in on a voluntary Section 20 and only one on an Interim Care Order.

6.5.4.2 Families will often only agree to this when they are absolutely no longer able to cope. Frequently this occurs around the time the young person achieves puberty and very challenging behaviours surface, sometimes leading to aggression and violence towards family members placing them at risk.

6.5.4.3 As explained in section 4.4.6.3, feedback for Medway Parent Carers Forum has indicated that Covid-19 had placed additional pressures on families ability to cope. There has been severe reductions in the availability of routine peer support services and respite activities (e.g. after-school clubs, school holiday clubs and peer support groups) which had helped to alleviate the pressure on families.

6.5.4.4 This presents a significant risk in relation to breakdowns, which can result in children entering care for the first time. Once in these placements, children will rarely return to the care of their family and the placements in the school setting with often last through into young adulthood. As these placements are very specialised, they are very expensive and represent a significant and sustained cost.

6.5.4.5 Medway will be working with families to ensure these peer support and respite activities can be restarted safely as soon as possible. However, further consideration of this issue will be required if Covid-19 lockdown measures return for any significant length of time.

6.5.4.6 In addition, there is a lack of family-based respite care in Medway, with only one (six bed) in-house respite unit in Medway. This requires Medway to fund respite placements out of the area (e.g. Lewisham) at an inflated cost (e.g. £400 per night). We will therefore look to upskill a selection of specialist in-house foster carers to be confident to provide respite to this cohort.

6.5.4.7 We will supplement this work through a number of self-directed support (SDS) initiatives to adopt a strength-based approach. This will look to provide a platform that allows families in receipt of direct payments to make best of use the funding and develop a kite-marked list of floating support providers for parents to access the support directly.

6.5.5 Providing support to CLA with emotional wellbeing and mental health needs

- 6.5.5.1 Medway's Young People's Wellbeing Service has a commitment to provide the specialist mental health and behavioural support services that looked after children and care leavers are likely to need, following periods of maltreatment and/or neglect.
- 6.5.5.2 The Young People's Wellbeing service has reported⁹⁰ that Medway's looked after children have complex psychological needs; but that these are well within the skills and capability of their staff. The service works with our education and social work partners, including the leaving care team, to ensure that looked after children are able to access services, particularly where challenging behaviours in adolescence, themselves a response to their experience, are impacting on placement stability.
- 6.5.5.3 However, reducing waiting times for all children is a priority for Medway with particular issues identified with the neurodevelopment pathway.
- 6.5.5.4 Medway's Children's Services Ofsted report⁹¹ highlighted concerns with access to health services when children come into care and for children experiencing emotional and mental health problems. Through Medway's improvement plans, performance meetings and the LTP project board, these areas are being addressed.
- 6.5.5.5 In other parts of the country⁹², services have been commissioned to support looked after children who do not reach the threshold for Child and Adolescent Mental Health Services (CAMHS) but are assessed by a health and wellbeing panel as needing an intervention. Alternatively, a targeted approach can be adopted whereby therapeutic staff are placed within teams (such as the Adolescent Service) to provide interventions for that particular cohort.

6.6 Re-assessing Permanency: Reunification, Adoption and Special Guardianship

Priority: Facilitate children safely returning home

Priority: Facilitate children leaving care to other permanent families

6.6.1 Adoption and SGOs

- 6.6.1.1 As noted in section 4.1.9, there has been a national drop in the number of children leaving care to new families, with few SGOs being made and fewer families looking to adopt. Anecdotally, we are aware that the drop in prospective adoptive families has resulted in the permanency plans of some young children needing to be updated to long term fostering, whereas, historically, adoption would have been the selected permanency option.
- 6.6.1.2 The Regional Adoption Agency ("RAA") is going live in November 2020 covering the region of Kent, Medway and Bexley. It is understood that the proportion of CLA with adoption plans is lower in Bexley. It is therefore hoped that the RAA's larger pool of adoptive families will facilitate the adoption of more CLA in Medway.

⁹⁰ See [Medway Local Transformation Plan for Children and Young People's Mental Health and Wellbeing](#), 2019/20, Medway CCG / Medway Council / North East London NHS Foundation Trust

⁹¹ [Medway Children's Services – Inspection of children's social care services](#), July 2019, Ofsted

⁹² E.g. Cheshire West and Chester. See [Children In Care and Care Leavers JSNA](#), December 2018

6.6.2 Adoption: Fostering for Adoption and Early Permanence Placements for Siblings

6.6.2.1 We use Fostering for Adoption (“FfA”) placement in order to reduce the number of placement moves for children and ensure they are placed with their prospective adoptive family at the earliest opportunity⁹³. This involves placing a child in a foster placement with foster carers who are also approved prospective adopters where adoption is likely to be the outcome. Although the courts have occasionally proven reluctant to approve these placements, we will continue to encouraging more approved adopters to become approved foster carers in order to speed up the process of placing suitable children with them. Currently, the average number of days between becoming CLA and placement in an adoptive placement is 575 days (2019/20)⁹⁴.

6.6.2.2 Other local authorities have looked to implement other types of early permanence placement. Rotherham MBC has approached families who have adopted CLA in the past to see whether they would wish to be considered in relation to adopting a sibling of that CLA who is also being brought into care. If so, the family could become a foster carer for the sibling. This then allows the sibling to be placed with the family prior to the court approving any plan of adoption. This carries risks for the family (as there is no guarantee that the adoption of the siblings will occur) but can produce better outcomes for the sibling as they would not have the disruption of being placed with a different foster carer while the adoption process was ongoing. Given the known difficulties in placing sibling groups, this model should be explored more fully.

6.6.3 Permanency

6.6.3.1 Permanency is fundamental to a child’s emotional security, stability and wellbeing. For children it means they know where they are going to be living for the rest of their childhood and who their day-to-day parents are going be. Where children are brought into care, their permanency should be decided within the first six months and ideally by their second review (4 months).

6.6.3.2 The Ofsted report⁹⁵ noted that improvements were needed in “the effectiveness of managers’ formal permanence planning and decision-making at every point in the child’s journey.” We have therefore implemented plans to improve the tracking and oversight of permanence planning for looked after children to reduce drift and delay. This has included updating permanence procedures to more clearly set out when permanency planning should commence, relaunching the terms of reference for the permanency panel and monitoring evidence of timely permanency planning through monthly reporting. We now have 59% of children with their long-term fostering plan matched and confirmed (as at July 2020) up from 20% in May 2019⁹⁶.

6.6.3.3 It is proposed that permanency should be reviewed annually (following the Child & Family Assessment) to look for opportunities where the situation has changed and opportunities are presented for re-unification or special guardianships.

Re-assessing Permanency: Reunification

6.6.3.4 Other local authorities have implemented similar initiatives to re-evaluate a LAC’s discharge options as the child grows up, with a view to safely discharging them from care where appropriate. For some LAC, the nature of the risk can be re-evaluated as

⁹³ We anticipate that our full Sufficiency Statement will include details of the number of FfA placements we have made, together with details of early identification of prospective adopters.

⁹⁴ Medway Council’s Performance & Intelligence Team

⁹⁵ [Medway Children’s Services – Inspection of children’s social care services](#), July 2019, Ofsted

⁹⁶ Medway Children’s Services Improvement Plan (Updated July 2020), Medway Council

the child becomes older. Where this was implemented in Rotherham MBC, this proved successful with over 20 children being discharged in 2018/19 (around 3% of the CLA cohort). If this was equally successful in Medway as a one-off exercise, this percentage would equate to 14 CLA being discharge from care. It would be reasonable to assume that these children would mainly be discharged from foster care and that any in-house foster care placement vacancies would be refilled ahead of IFA placements. This would therefore mean that 14 IFA placements would no longer be required (each costing £1,002 per week on average) and could generate savings of up to £729,456 over the course of that year.

Re-assessing Permanency: SGOs

6.6.3.5 Rotherham MBC reviewed the care plan of every CLA to determine the correct permanency of that child, as part of their 'Right Child Right Care' programme⁹⁷. This revealed opportunities to support children in long term foster placements to achieve permanence. Conversations were held with foster carers (many of whom were external foster carers) to discuss SGO options. The outcome was highly successful with 111 children being discharged from care. This equated to approximately 18% of their CLA cohort⁹⁸. If this was equally successful in Medway, this percentage would equate to 84 CLA being discharged from care. The cost of an IFA placement is on average £1,002 per week, whereas an SGO placement costs £149 per week. Further investigations would be required to understand whether enhanced payments might need to be made to support the SGO, perhaps reflecting the level of payment the foster carers currently receive. However, even if the cost was increased to £500 per week, this would still represent a weekly saving per LAC of £502 per week and might therefore generate savings of up to £2,192,736 per year across 84 LAC. Even if this programme only resulted in a handful of discharges, it would still present significant savings.

7 Programmes of Work – Meeting Needs in the Best Environment & De-escalation

7.1 Introduction

7.1.1 This section sets out a number of proposed programmes of work which are primarily designed to achieve the **outcomes** of:

“Meeting the needs of our CLA and providing the best environment in which they can thrive” and

“De-escalate the needs of our CLA, wherever possible”

by focussing on the following **priorities**:

- Increasing the number of in-house foster carers in Medway and their capability to take on more complex or challenging children
- Provide specialist high intensity support for complex CLA within Kent and Medway
- Create time and space to assess the needs of CLA and ensure that placements and support meet those needs to avoid repeated breakdowns and escalating need

7.2 Improved Foster Care Offer

⁹⁷ [Right Care Right Child report](#), January 2018, Rotherham MBC

⁹⁸ Rotherham had 619 CLA as at 31 March 2018.

Priority: Increasing the number of in-house foster carers in Medway and their capability to take on more complex or challenging children

- 7.2.1 As noted in section 4.2, the number of in-house foster carers is dropping, causing an over-reliance on expensive IFA placements and external arrangements. We have identified the shortage in all foster care placements and in particular, placements for:
- older children (aged 10-15)
 - larger sibling groups
 - children with higher complex needs (primarily presenting as challenging behaviour)
 - emergency placements
 - parent and child placements
- 7.2.2 Findings from our Partner In Practice diagnostic, conducted by Essex Children and Families, identified two key areas of improvement: (i) the offer to foster carers, and (ii) the structure of the service.
- 7.2.3 We have developed proposals to address these areas, in line with recommendations from Ofsted⁹⁹, with the express aim of recruiting 15 additional foster carers (nett) each year.
- 7.2.4 It is clear that the package of support offered to foster carers is the most important factor both for families who are considering becoming foster carers and for those who are considering switching from IFA provision. We have therefore developed an enhanced package of support which includes support to birth children, out of hours support, training and induction, timely assessments and therapeutic support for the placement. This package must be underpinned by a strong team of supervising social workers with manageable caseloads who can provide the support needed to retain, develop and upskill the families into therapeutic foster carers.
- 7.2.5 A secondary factor, especially affecting those IFA foster carers considering switching, is the level of fees offered to foster carers. While we cannot match the IFA level of fees, we can provide a proposal which aligns with neighbouring local authorities, and which is enhanced by offering a number of Council concessions which cannot be matched by IFAs.
- 7.2.6 The improved offer and operational structure is intended to increase the number of in-house foster carers in a sustainable, service-appropriate manner that will better meet needs of vulnerable children in Medway. It will deliver improved placement choice and, through better local coverage, will reduce the distance from the placement to the child's home. By providing therapeutic support for families, it is anticipated that foster carers will be better placed to respond to and de-escalate needs, which, in turn, should help to reduce the risk of placement breakdown and more intensive placements at higher cost.
- 7.2.7 In the 17 months between 1 April 2019 and 31 August 2020, 23 enquirers¹⁰⁰ confirmed they would be applying to IFAs instead of Medway Council Fostering. This represents, on average, a rate of 1.35 per month over that period. The reasons given were the lower fees paid by Medway Council and better packages of support from their chosen

⁹⁹ The [Ofsted inspection](#) in July 2019 recommended "Leadership direction and assertive action to improve and develop the services to foster carers and prospective adopters".

¹⁰⁰ There may have been more than 23. These are the ones of which we are aware.

agency. Whilst it is not possible to determine whether these enquirers would have been approved by our in-house fostering team or for which type of placement(s), these figures do support a realistic target of recruiting 15 new carers per year if we are able to increase our fostering rates and enhance our packages to fostering families.

- 7.2.8 Recruiting these carers to Medway Council the following approvals could have generated the savings shown in Figure 36:

Figure 36: Projected savings from recruiting 23 in-house foster carers rather than using IFAs¹⁰¹

Age Band	Number of Carers	Possible Saving to LA per week:
0 - 2	3	£2074.17
2- 4	4	£2765.56
5 - 8	6	£4148.34
9-10	5	£3456.95
11- 15	2	£1382.78
16 – 18	2	£1382.78
P&C	1	£691.39
TOTAL	23	
TOTAL SAVINGS:		£15,901.97 per week
		£826,902.44 annually

- 7.2.9 On the basis that we have targeted recruiting 12 foster carers each year (rather than 23), the projected savings would therefore be £10,370.85 per week (£421,000 per year).
- 7.2.10 To avoid the impact of emergency placements (which are difficult to source and expensive), the improved model for the foster service will allow placements to be blocked-out to cover unexpected requests for emergency placements. To make best use of this resource, it would be sensible to place high-end children with these foster carers, as they can be the most difficult to place at short notice. The risk with this approach is that the foster carer will need to be sufficiently upskilled to deal with that type of high-end emergency placement. However, this might also provide opportunities to use these specialist foster carers to provide assessment placements. This is considered further in section 7.4.5.
- 7.2.11 Beyond this offer, more can be done to improve our understanding of how our in-house foster carers can meet the needs of our children in care. We already track the approval type of our foster carers, so we know which types of placements they are approved to deliver. However, we should develop this system further, so we can track their capabilities and preferences on an ongoing basis. This will allow us to encourage and

¹⁰¹ Ibid. The table provides the number of looked after children and the number who ceased to be looked after for each six month time frame. Some young people will have experienced a care episode that spanned more than one six month timeframe.

support our foster carers to develop the capabilities and obtain the approvals needed to meet the specific demands of our local cohort as they change over time.

- 7.2.12 Where a new placement is required for a child whose needs cannot currently be met by our in-house foster carers, we should record what additional support would have been required to enable our in-house foster carers to have delivered that placement in-house. We could then use this information to shape the ongoing training and upskilling of our foster carers to ensure they have the support and capability to meet the needs of our children in care.

7.3 Community Hubs for Foster Carers

Priority: Increasing the number of in-house foster carers in Medway and their capability to take on more complex or challenging children

- 7.3.1 We provide further support to our foster carers through our therapeutic community hubs. The first hub (for younger children, aged 5-11 years) opened in November 2019. The second hub (for adolescents) is due to open in November 2020. They are inspired by the 'mockingbird model'¹⁰² of building families and communities to assist children and young people with attachment and relationship building. Other local authorities (such as Kent County Council) have also implemented a similar model and have reported equally positive results.
- 7.3.2 We have two carers who have the hub house. They have no other children in placement and are paid a fee as hub carers. The carers work alongside our therapeutically trained social workers and fostering family support workers to support a constellation of up to six children at one time. The children are offered play dates with the hub carers, community events with the hub carers and their own carers (constellation carers) in addition to staff. The terminology 'respite care' is not used. The children and young people are each offered two nights 'sleep overs' per month. The sleep overs could be two consecutive nights or separate, always conducted at the pace of the child/young person. (Due to Covid-19, we needed to suspend these sleep overs for a time but we have adapted how the hub operates in light of the restrictions.) Sensory play and therapeutic books are incorporated into the hub time. The support of staff ensures that the hub carers and therapeutic carers are all parenting in line with the PACE model of therapeutic parenting. We are also ensuring that our hub and constellation carers are trained in Reflective fostering to enable them to understand and appreciate what the child's behaviour is telling them and not showing them.

7.4 Assessment Placements

Priority: Create time and space to assess the needs of CLA and ensure that placements and support meet those needs to avoid repeated breakdowns and escalating need

Priority: Facilitate children safely returning home

Priority: Provide specialist high intensity support for complex CLA within Kent and Medway

- 7.4.1 When young people and families are struggling to resolve issues on the edge of care, or children in care are experiencing repeated placement breakdowns, there is an

¹⁰² See [Mockingbird family model: evaluation](#) (November 2016) Department of Education

opportunity to properly assess the needs of the child / young person and put in place interventions which can have a dramatic positive impact on their life journey. Where placement breakdowns do arise, another placement must be found as a matter of urgency – often at higher cost¹⁰³. This can give rise to a vicious circle, with hastily arranged alternative placements failing to fully address the needs of the CLA and carrying an increased risk of placement breakdown. Assessment placements provide an opportunity to break this cycle by creating time and space for assessments to be undertaken and for appropriate focussed interventions to be put in place. This can present opportunities for reunification or for enhanced placement plans to be developed which improve the chances that a well-matched care placement can be found.

- 7.4.2 Medway Council has developed plans to repurpose the building which had previously been used as its in-house residential unit (the Old Vic). From this redeveloped hub, a commissioned service provider could deliver assessment placements and intensive support for more complex children in care or on the edge of care.

7.4.3 Assessment Hub: Edge of Care / CLA with placement breakdowns (NWD)

- 7.4.3.1 An initial specification has been prepared which envisages a rolling programme of assessment placements (4 beds) and outreach support, together lasting a maximum of six months. The service will aim to support (i) adolescent young people and their families who are at risk of care or custody, and (ii) adolescent young people in care who have experienced previous placement or accommodation breakdowns. It envisages support being provided by a multi-disciplinary team, which may include therapeutic workers, youth workers, family workers, clinical psychologist, educational psychologist and support workers. It is envisaged that this team would also support the developing Adolescent Service – providing additional capacity and specialist support for that team. (It will be important for Medway Council to link this work in with the police, as part of an integrated approach to address issues related to exploitation and serious youth violence, as was recommended by the Children's Services Commissioner's report¹⁰⁴.)

- 7.4.3.2 Each placement will look at stabilising the situation and building trust with the young person, before working with them to assess their needs and provide referrals / interventions. An exit plan will be developed and support provided to help transition the young person – either back home, into a foster care placement or to independence.

- 7.4.3.3 In many ways, this proposal is similar to the No Wrong Door ("NWD") model¹⁰⁵ which provides an intensive integrated residential care provision to those on the edge of care, edging into care or already in care – with a focus on building resilience and de-escalating need. In that model, a 'hub' is established with a team that consists of a manager, 2 deputy managers (one responsible for the residential element of the hub and the other the outreach service), NWD hub workers, a communications support worker who is a speech and language therapist, a life coach who is a clinical psychologist and a police liaison officer. The integrated team supports the young person throughout their journey to ensure that they are not passed from service to service but instead are supported by a dedicated team. Some young people are placed

¹⁰³ Medway Council's Finance team cited an example of a residential placement which started in January 2019 (at a weekly cost of £2,107) but which broke down four times in quick succession with escalating costs each time (£4,000pw, £4,150pw, £4,500pw, £5,850pw).

¹⁰⁴ [Report on ways forward for Children's Services in Medway](#), December 2019, Commissioner for Children's Social Care in Medway

¹⁰⁵ [Evaluation of the No Wrong Door Innovation Programme Research report](#) (July 2017) Department for Education

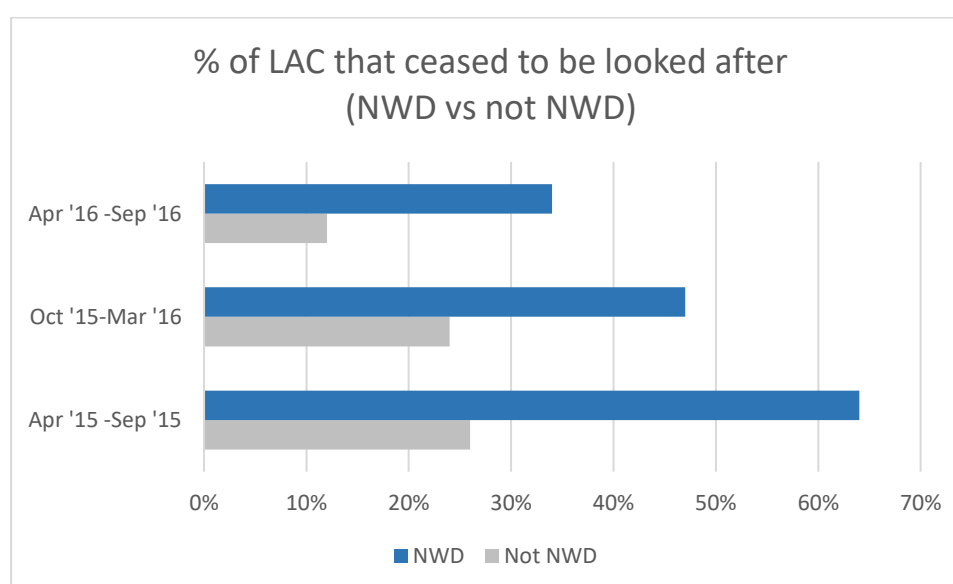
in the hubs, and others are supported by outreach while either in foster care, or living with their families. The model aims to improve accommodation stability and resilience, while reducing high risk behaviours such as criminal activity, CSE and drug and alcohol misuse. The average intervention time is 3 months.

7.4.3.4 When the NWD was assessed by the Department for Education between April 2015 and September 2016 a total of 290 young people were supported. 277 of these referrals (77%) were for young people edging to or on the edge of care. The majority of these (86%) remained out of the care system with the support from NWD. Of the 67 young people who were already looked after when referred to NWD to support their placement stability, 40% ceased to be looked after. Figure 37 compares the outcomes of the cohort of looked after children referred to NWD against a matched cohort of young people not referred to NWD. This shows that a considerably higher percentage of the NWD group ceased to be looked after. (This is represented diagrammatically in Figure 38.)

Figure 37: Number of young people (aged 12 to 17) that ceased to be looked after¹⁰⁶

	Apr 2015 – Sep 2015		Oct 2015 – Mar 2016		Apr 2016 – Sep 2016		Total	
	NWD	Not NWD	NWD	Not NWD	NWD	Not NWD	NWD	Not NWD
No. LAC	33	38	36	34	62	49	131	121
No. that ceased to be looked after	21	10	17	8	21	6	59	24
% that ceased to be looked after	64%	26%	47%	24%	34%	12%	45%	20%

Figure 38: Percentage of young people (aged 12 to 17) that ceased to be looked after¹⁰⁷



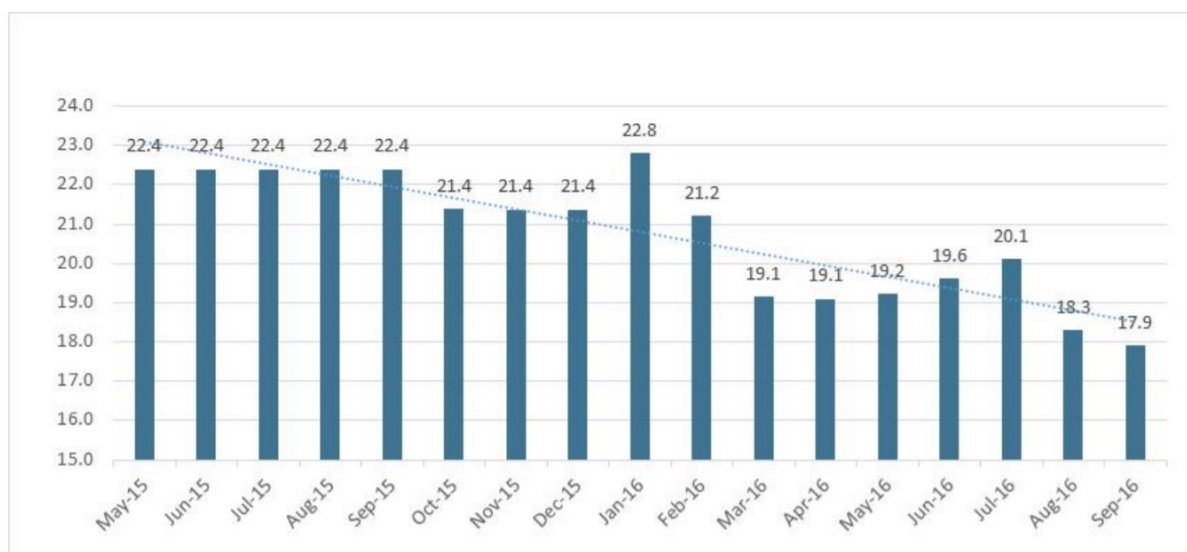
¹⁰⁶ Ibid. The table provides the number of looked after children and the number who ceased to be looked after for each six month time frame. Some young people will have experienced a care episode that spanned more than one six month timeframe.

¹⁰⁷ Ibid.

7.4.3.5 Importantly, re-entries to care for young people who experienced NWD were rare. Only 15% (25 out of 164) re-entered care during the 18 months from April 2015, and only 7 experienced more than one return to care.

7.4.3.6 Over the course of the evaluation, the SDQ¹⁰⁸ score for young people under NWD reduced from 19.5 to 16.8 (whereas a comparison cohort remained static at 11.7 and 11.5). Figure 39 below shows the SDQ scores for a sub-sample of NWD young people that were placed in the hubs at some time (and were therefore more likely to receive direct work from the life coaches). This sort of intervention may be particularly useful for CLA in Medway, who show significantly higher SDQ scores than those in Medway's statistical neighbours or England¹⁰⁹.

Figure 39: SDQ scores for NWD residential young people aged 12 to 17 (May 2015 to Sep 2016)¹¹⁰



7.4.3.7 The NWD model also provided evidence of a reduction in the number of days young people spend in care¹¹¹. There is also evidence that the NWD model supported a reduction in the number and proportion of young people experiencing 3 or more placement moves (reducing from 32% to 24%). The evaluation of this model also included evidence of a number of other positive outcomes which were achieved including reductions in criminal activity and high risk behaviours (such as substance misuse, missing from home incidents, CSE and crisis presentations).

7.4.3.8 It is difficult to use the NWD model figures to reliably calculate the outcomes that might be anticipated from Medway's proposed Assessment Hub model, not least because there may be slight differences in the proposed models and the throughput of young people at the Old Vic (with 4 beds) may be considerably smaller than in the NWD model (which converted two children's homes).

7.4.3.9 That said, the initial modelling (shown in 'box 1', below section 7.4.4.4) suggests that a similar approach to the NWD model could provide a cost-effective solution in Medway providing that a relatively high throughput of CLA can be achieved and that the Assessment Hub can ensure a similar percentage of young people avoid coming into

¹⁰⁸ An SDQ score of 0 to 13 is considered normal; 14 to 16 is borderline; and 17 to 40 is a cause for concern.

¹⁰⁹ See section 4.4.3.12.

¹¹⁰ [Evaluation of the No Wrong Door Innovation Programme Research report](#) (July 2017) Department for Education

¹¹¹ Prior to NWD, and in the first year of NWD, the modal placement length was 'more than 180 days' in care placement. In the second year of NWD, it reduced to 'between 32 and 180 days'.

care as a result of the intervention. Our initial modelling suggests the costs avoided would be around £1,000 to £2,000 per week for each young person for whom care could be safely avoided, and that around 1 in 4 young people in the programme would achieve this outcome by virtue of being on the programme¹¹². On this basis, the cost avoidance would be £250 to £500 per week for each young person on the programme.

7.4.4 Assessment Hub: De-escalating Residential LAC

7.4.4.1 As an alternative approach, Medway Council could implement an Assessment Hub model but rather than mainly focussing on children on the edge of care, it would instead primarily focus on complex CLA who are already in residential care.

7.4.4.2 If this model were successful in de-escalating the levels of need for this high-end cohort and the CLA could be safely placed with a foster family, this would be more likely to deliver a higher level of savings per week than focussing primarily on the Edge of Care cohort.

7.4.4.3 The average cost of a residential home placement is £3,545 per week. The average cost of an IFA placement is £1,002 per week. If the Assessment Hub could deliver interventions which enabled the young person to move to a stable and positive family environment with the foster carer without the need for ongoing high cost interventions, this might result in savings of c.£2,500 per week.

7.4.4.4 Of course, there are a limited number of young people in residential placements for whom the Assessment Hub's support might be appropriate at any one time. Indeed, it is anticipated that this support would be primarily focussed on those placements at higher risk of breakdown. For those times where no immediate support is required for this higher-end cohort, the Assessment Hub could focus on supporting those children on the edge of care. In addition, the Assessment Hub might also consider blocking out a bed to deal with emergency placement breakdowns for the high-end CLA cohort in residential care, so that opportunities are not missed to support those CLA in an emergency.

Box 1: Modelling the cost/benefit of NWD

The cost of delivering NWD across two hubs (including all staffing, specialist roles, non-staffing costs and packages of care) was around £2.25m per year. The programme supported 290 young people over 18 months. The packages of care varied substantially, with some young people requiring intensive, tailored outreach support, with daily face-to-face contact with their outreach worker. For other young people, the level of outreach support was much lower – for example, around 3 hours per month. The highest unit cost for NWD was to provide a short term, usually 28 days, bespoke package which was estimated to be in the region of £5,000 per week.

Based on these figures, around 16 young people were helped each month on average across the 18 month period, at an average total weekly cost of £43,000. (This equates to £2,700 per young person per week.)

Over the 18 month period, 35 CLA ceased to be looked after over and above the control group. Proportionately this equates to 23 CLA per year. If it is assumed that 3 of these CLA would have been placed in residential care with the remaining 20 placed in IFA foster placements, the costs avoided would equate to $(£3,500 \times 3) + (£1,000 \times 20) = \text{c.£30,000}$ per week. The cumulative effect of this cost avoidance alone would therefore be expected to cover the expenditure within two years, as shown in Figure 40 below. (It is also worth noting that NWD delivers substantially more benefits

¹¹² See Figure 37: 45% ceased to be CLA whereas 20% in the control group also ceased to be LAC. The difference is 25%.

than simply costs avoided though not bringing these CLA into care. These additional benefits are not modelled here.)

Figure 40: Costs and costs avoided based on NWD Model

	Year 1		Year 2		Year 3	
	Weekly cost	Annual Cost	Weekly Cost	Annual Cost	Weekly Cost	Annual Cost
Costs	£43k	£2.25m	£43k	£2.25m	£43k	£2.25m
Costs avoided in respect of that year's CLA cohort	£30k	£1.55m	£30k	£1.55m	£30k	£1.55m
Ongoing costs avoided in respect of previous years' CLA cohort	n/a	n/a	£30k	£1.55m	£60k	£3.1m
Costs avoided this period (nett)	(£13k)	(£0.70m)	£17k	£0.85m	£47k	£2.4m
Cumulative costs avoided (nett)	(£13k)	(£0.75m)	£4k	£0.15m	£51k	£2.55m

7.4.5 Assessment Foster Placements

7.4.5.1 In addition to the Assessment Hub, Medway Council might also consider whether it can use foster carers to provide targeted assessment placements. For example, Kent County Council piloted a 12 week assessment placement using in-house carers, which they now intend to roll-out more widely. They have targeted CLA who were likely to have multiple placements (as identified by the service manager) and placed these children and young people with a specified in-house foster carer. During the first six weeks, multi-agency work is undertaken to formulate an assessment of the LAC, with input from social workers / supervising social worker, the foster carers, youth officers and the schools. The second six weeks is used to help identify the right placement, using that assessment to write the placement plan (which forms part of the placement referral form) to ensure the final plan is of the highest quality.

7.5 Greater choice of specialist residential placements in Kent and Medway

Priority: Create time and space to assess the needs of CLA and ensure that placements and support meet those needs to avoid repeated breakdowns and escalating need

Priority: Provide specialist high intensity support for complex CLA within Kent and Medway

7.5.1 Children coming into care may have complex needs which can impact on their ability to live in a family setting. This means they may be placed in a residential home, where this can best meet their needs. We are aware that an increasing number of placements in residential homes are outside of Kent and Medway¹¹³, which may not always be the ideal outcome for the child or young person and can present logistical difficulties for the placement.

¹¹³ See section 4.3.3.

- 7.5.2 Medway Council is seeking to improve the availability of external residential placements in Kent and Medway, to avoid the need to place CLA at such a distance from home and to provide specialist support to our children in care.
- 7.5.3 We have been working with 4 or 5 supported accommodation providers who are looking to establish small (e.g. 2 or 3 bedded) children's residential homes locally.
- 7.5.4 One provider has secured premises and staff in Medway and is just awaiting Ofsted approval.
- 7.5.5 Another provider is looking to open residential provision in Medway, which is registered both with CQC and Ofsted and provides both children's residential accommodation and adult's residential accommodation in different parts of the premises. This has been designed to support a smoother transition from children's to adult's services.
- 7.5.6 Other providers are actively looking at options in the property market.
- 7.5.7 Medway senior leadership team will continue to work across provider forums and will use the sufficiency review to better plan and develop a range of provision to meet the needs of Medway's looked after children. This may include commissioning local provision which will work intensively with the CLA to deliver actions in relation to the child's plan. In relation to supported accommodation, we will also continue to develop our local provision of specialist supported accommodation for complex young people, young people with ASD and those exiting custody.

7.6 Supporting Education Outcomes and Re-engagement

- 7.6.1 Children in care have a statutory right to appropriate full time education. This schooling could be delivered in a mainstream, independent or special school, or through alternative provision including Pupil Referral Units ("PRU"). Children are supported by the Virtual School which tracks the progress of young people from term to term using the Personal Education Planning process ("PEP"), which is monitored at regular PEP meetings. As children move into care or between placements, it is important that they can still access schooling and this can pose challenges. If they were previously home educated they will have to wait for a school place to be allocated. If they move geographically they may no longer be able to access their existing school. Figure 41 shows the school year distribution for the CLA cohort for September 2020. There are 17 pupils arriving that month. Finding a school (nursery) place for the youngest children will be straightforward. However five places need to be found for teenagers, three being over the statutory school year 11. This is far more problematic.

Figure 41: Pupil profile and distribution for Medway Virtual School (“MVS”) 1 September 2020¹¹⁴

MVS	Below N1	N1	N2	YR	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10	Y11	Y12	Y13	count
All looked after children -	age 0-2	age 2-3	age 3-4	age 4-5	age 5-6	age 6-7	age 7-8	age 8-9	age 9-10	age 10-11	age 11-12	age 12-13	age 13-14	age 14-15	age 15-16	age 16-17	age 17-18	
cohort	72	13	14	11	19	15	16	18	24	22	36	31	43	44	48	48	3	477
SEN support	0	0	0	2	4	4	9	7	10	8	10	7	8	13	11	11	1	105
EHCP	0	0	0	0	1	2	3	4	3	6	11	9	17	11	12	17	1	97
no SEN support	0	1	5	7	12	3	4	6	8	7	13	12	15	14	21	10	1	139
SEN need unknown	72	12	9	2	2	6	0	1	3	1	2	3	3	6	4	10	0	136
Counting cohort for 2019-20 ¹¹⁵	11	7	7	4	10	5	10	12	16	15	26	21	33	36	30	33	3	279
No pupils leaving (this month)	0	1	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	3
No pupils arriving (this month)	5	0	1	1	0	2	0	0	1	0	0	2	1	0	1	3	0	17
Total number leaving in year	30	8	4	6	7	2	4	2	1	2	2	1	3	2	5	3	55	137
Total number arriving in year	65	10	8	8	9	9	6	4	4	4	10	8	12	9	16	13	2	197

7.6.2 We will routinely look to place our children in care in good or outstanding schools, wherever a change of school is required. However, we will always consider the needs of the child holistically when making these decisions.

7.6.3 The Virtual School has identified a funding stream issue which affects CLA when a school move is required. In the most straight-forward example, where these children move schools (and they are neither subject to an Education, Health and Care Plan (“EHCP”) nor are they excluded from school), it will take a minimum of 20 days before they can attend their new school. However, the position becomes more challenging where the child is placed out of area, has complex needs (but no EHCP), has a high fixed term exclusion and/or has a history of non-engagement. In all these situations there is need for tuition but may be no associated funding stream or process for resolving the lack of attendance. This can affect the education and stability of the CLA and also places a cost pressure on the education budget to fund tuition during that

¹¹⁴ Medway Council’s Virtual School

¹¹⁵ Over 12 months in care - this figure could reduce within the year should the status of the pupil change within the school year.

The counting cohort is defined as a ‘looked after child’ is a child who has been continuously looked after for at least 12 months up to and including 31 March 2020. This definition is used by the DfE because 12 months is considered an appropriate length of time to gauge the possible association of being looked after on educational attainment. However, note that a child may not have been in the care of a local authority for the whole of a key stage period

period. Even in a straight-forward case, 2 hours of daily tuition might cost around £500 per week.

- 7.6.4 The Virtual School has also identified the need to put in place a package of intensive work to re-engage young people (age 13+) in education. There are opportunities to work with the Adolescent Service on this package of support.

8 Programmes of Work – Care Leavers

8.1 Introduction

- 8.1.1 This section sets out a number of proposed programmes of work which are primarily designed to achieve the **outcomes** of:

“Increase the number of CL who are equipped for adulthood”.

- 8.1.2 The Ofsted report¹¹⁶ noted that improvements were needed in “the services to help care leavers access suitable accommodation, education, employment and training and to understand their rights and entitlements”. In light of this, we have set as a priority that:

“Care Leavers will have improved outcomes in relation to education, employment, training, health and accommodation”¹¹⁷.

- 8.1.3 This means that:

- CL are living in suitable accommodation with the right level of support to meet their need
- CL in education, employment or training increases to over 70%
- CL tell us that they can access appropriate health provision, including mental health support.

- 8.1.4 There is good evidence from feedback received from some Care leavers about the quality of support they receive, although it is clear from the data that there is more to do to ensure many more of our young people are accessing education, employment or training.

- 8.1.5 Plans are in place to create a multi-agency steering group (health, education/employment and accommodation). This will focus on the areas set out below.

8.2 Accommodation

- 8.2.1 We will focus on improving the range and quality of accommodation for CL through commissioning and housing development. This will ensure there is demonstrably an increase in choice of accommodation and providers. We will track the number of Council tenancies held by care leavers to ensure this increases month on month. Figure 42 below provides a snapshot of CL who are currently in suitable accommodation as at September 2020. There is continued good performance on this metric. The average percentage of CL in suitable accommodation is 92%, which is the same as for the year ending June 2019. In comparison, nationally 84% of CL aged 19-21 were in suitable accommodation in the year ending March 2018.

¹¹⁶ [Medway Children's Services – Inspection of children's social care services](#), July 2019, Ofsted

¹¹⁷ Medway Children's Services Improvement Plan (Updated July 2020), Medway Council

Figure 42: Care Leavers in suitable accommodation (September 2020)¹¹⁸

Age	Number is suitable	Care Leavers	% Suitable
16	1	1	100%
17	2	2	100%
18	57	58	98%
19	40	43	93%
20	26	29	90%
21+	45	53	85%
All ages	171	186	92%

8.2.2 We will work with colleagues in Housing and Adult Social Care to scope the need for different categories of accommodation, improve our ability to predict need, plan for accommodation and transition at different life stage, and develop a flexible menu of housing options in Medway across all levels of need. It is envisaged that this will include:

- Working with the Shared Lives team to better identify and plan for Shared Lives placements for young people exiting care or returning from residential school placements
- Recruit to the Supported Lodgings in-house provision to improve capacity
- Increase and improve the Foyer¹¹⁹ offer locally, capitalising on Foyer's ability to provide additional attractive options to young people through their national and international networks of accommodation and support
- Develop options for independent living pathways
- Develop a local market of stepdown supported accommodation
- Develop the market for supported living and employment schemes for young people with SEN

8.2.3 To support the transition to adulthood, we will work with IFAs and in-house foster carers to promote the Stay Put policy and clarify the remunerative offer within our revised foster care offer for in-house foster carers.

8.2.4 We plan to embed the use of Advocates to advise young people during the Joint Housing Assessment process.

8.3 Education, Employment and Training

8.3.1 We will develop and implement training and employment opportunities and apprenticeships for CL with partner agencies. We will track performance in the number of CL in education, employment or training ("EET") to ensure this shows improvement each month, and that the percentage of CL who are EET increases to 70%.

8.4 Health

8.4.1 We will ensure CL have ready access to a range of mental health support, are able to access treatment for substance misuse issues, contraception and sexual health advice, and provide dedicated parenting support for those CL who are or will shortly become parents. We will also empower CL to manage their own health. We will track performance through the number of CL accessing a range of mental health services.

¹¹⁸ Medway Council's Performance & Intelligence Team

¹¹⁹ The Foyer Federation offers a network of learning and accommodation centres, known as Foyers, which provide a home, a holistic development plan and a nurturing community for young people who can't live at home.

We will also gather feedback from leaving care practitioners and the CL themselves to ensure this shows an improvement in access to a range of mental health and substance misuse services.

- 8.4.2 We plan to undertake a moderated piece of scoping work with colleagues in Adult Social Care to understand the need and potential accommodation pathways for young people requiring high level of support with their emotional health and well-being, and transition.

- 8.4.2.1 Medway has also recently provided young people (age 10-25) across Medway with free access to an online community of peers and a team of experienced counsellors¹²⁰. This is a place where young people can go to get advice, information and support 24/7, and can chat to a qualified counsellor Monday to Friday between 12pm and 10pm and Saturday and Sunday between 6pm and 10pm. The service was opened up to the 18+ age group to try to provide additional support for CL.

¹²⁰ It is accessed at www.kooth.com