

Public Document Pack



Please note that the following documents were published separately from the main agenda for this meeting of the Planning Committee to be held on Wednesday, 2nd October 2024 at 5.30 pm in Committee Rooms 1 and 2, City Hall, Beaumont Fee, Lincoln, LN1 1DD.

2. Update Sheet (Pages 3 - 14)

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Update Sheet Planning Committee – 2 October 2024

More site photographs















7 Queens Crescent Lincoln LN1 1LR (Objects)

Comment submitted date: Fri 27 Sep 2024

I strongly object to the planning application for the change of use from C4 (HMO) to C2 (residential institution) at 14 Queens Crescent.

In Queens Crescent we have 26 properties. One C2 children's care home has already been approved. If a second is also approved then almost 10% of the properties on this small quiet residential road will be children's care homes! This is clearly inappropriate. Paragraph 60 of the Government's 2023 National Planning Policy Framework (NPPF) states that developments should provide an "appropriate mix of housing types for the local community." Approving this application for 14 Queens Crescent will clearly be in breach of this.

As mentioned by another neighbour, there has been a deliberate attempt by the applicants to mislead the planning committee. Number 12 Queens Crescent and number 14 Queens Crescent are owned by the same people. At the planning committee meeting for the C2 status of 12 Queens Crescent, there was no mention from the applicants that they were also intending to change the status of 14 Queens Crescent.

A Noise Impact Assessment has not been provided in support of the application. People in neighbouring homes have the right to know this information.

Some documents on the planning portal are incorrect or missing important information. E.g. the "Parking plan" shows the "block plan" - there is no information on the planning portal about how parking will work. Given that many of the objections are around parking, how can the committee proceed without this information.

A property sale on Queens Crescent has already fallen through because of 12 Queens Crescent being granted C2 status. Changes like this proposal have a significant and profound impact on individuals living in these neighbourhoods. Granting C2 status for 14 Queens Crescent will fundamentally change the character of this quiet narrow residential family street.

Supplementary Materials regarding Planning Permission Application C2 2024/0528/FUL, 14 Queens Crescent

Summary of Points of Contention from Public Consultation

These are the main issues and concerns raised by neighbours of the proposed development, as extracted from the consultation comments:

1. Traffic and parking issues:

Neighbours are concerned about worsening traffic and parking problems in an already congested area. They dispute the applicant's claim of four available parking spaces, arguing these are currently used by residents of 14a and 14b Queens Crescent.

2. Potential for anti-social behaviour:

Residents fear increased anti-social behaviour and noise due to the inevitable interaction between residents of 12 and 14 Queens Crescent, despite claims of independent operation.

3. Change in neighbourhood character:

There's worry about the gradual transformation of the street's character, with two out of 26 properties potentially converting to C2 use. Some fear this could turn the West End into a hub for children's care homes.

4. Change of nature of character:

Concerns exist about the impact on nature if the community as properties risk losing attractiveness for C3 use, with one instance cited where a sale fell through due to the C2 use permission granted for 12 Queens Crescent.

5. Applicant's qualifications and track record:

Neighbours doubt the applicant's ability to manage a care facility, citing their lack of experience and failure to maintain the property adequately.

6. Lack of suitable facilities:

Residents argue the property lacks essential facilities for a children's care home, particularly a secure outdoor space for vulnerable children.

7. Transparency and planning process:

There's a sentiment that the planning process lacks transparency, with staggered applications for 12 and 14 Queens Crescent seen as an attempt to obscure the full impact of the developments.

8. Safeguarding concerns:

Questions are raised about staffing, recruitment, and the experience of employers in managing children who have experienced trauma.

9. Interconnected nature of 12 and 14 Queens Crescent:

Despite claims of independent operation, neighbours are sceptical about the true relationship between the two properties, pointing to visible evidence such as joint scaffolding.

10. Cumulative impact:

Residents worry that approving this second care home could set a precedent, leading to a 'chain reaction' of similar applications in the area.

Regarding confidence in business owners to run a care home responsibly and effectively, and to maintain property to a decent standard for use

1. Statement or purpose provided by the applicants (https://planning.lincoln.gov.uk/online-applications/files/7FF453746BBB61C2F0B80B7BF668B342/pdf/2024_0528_FUL-STATEMENT_OF_PURPOSE-726949.pdf) plagiarised from <https://choiceshomes.co.uk/Home/SOP-TC/PDF.pdf> and is identical to the one for 12 Queens Crescent
2. The owners of 12 and 14 Queens Crescent have in the past not fulfilled their obligations to secure the perimeter of their property to prevent access to the passageways between 10 and 12 Queens Crescent and adjoining properties, despite multiple attempts to convince them to do so. The door is unsecured and the fence is collapsing:



Strangers (one reportedly a resident of the C2 residential institution on Yarborough Road) have been seen lingering in the passageways at night, after gaining access via the applicant's properties.

3. The wall to the passageways is a safety concern, and about to collapse



BBC Article on Children Care Homes

<https://bbc.in/3XXwDmb> (available also via QR Code on the side)



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Unlawful care homes 'profiteer' from at-risk kids



Sanchia Berg and Katie Inman
BBC News

17 September 2024
Updated 18 September 2024

Unlawful children's homes are demanding up to £20,000 a week per child and failing to keep vulnerable young people safe, the Family Court has heard.



She has struggled to find anywhere that will take "Jack" (not his real name), who has been in care since February.

In that time, he has attacked staff and even broken a staff member's arm.

While being moved between locations, Jack tried to kick out the windscreen of a moving car. Care workers said that to protect themselves, they were forced to transport him in the boot.

Most recently, Cheshire East Council placed him with a private care provider that was not Ofsted-registered. The £16,000-per-week cost of the placement is equivalent to £830,000 per year.

Despite this, Jack has repeatedly run away, and smoked cannabis regularly in the children's home.

Once, he returned to the home covered in what appeared to be someone else's blood - and would not say how that had happened.

The council is now applying to the Family Court to move Jack to a new private children's home, under what is known as a Deprivation of Liberty (DoL) order.

This means he will be constantly monitored by at least two staff who can lock him in, and physically restrain him if he tries to run away.

The new home - like the current one - is not registered with the regulator, Ofsted, and so it should be unlawful to place a child under 16 there.

In one case, heard in August in Liverpool, the court heard how despite the local authority paying high fees to an unregistered children's home, a 14-year-old boy was still at serious risk.

Increased demand for placements, especially for children with the most complex needs, has led to costs described as "breathtaking" by a senior judge.

The estimated bill for housing children in one local authority area has more than doubled in three years to £16m, one senior manager told the BBC, which risks bankrupting the council.

It is a busy day at Liverpool Family Court.

The BBC has taken advantage of unprecedented access to report its proceedings, as part of an extended pilot to make the workings of family courts in England and Wales more transparent.

Judge Steven Parker is hearing two separate but very similar cases, both involving 14-year-old boys in care in north-west England.

Both are violent, and both are suspected of being criminally exploited by drug dealers.

They are the responsibility of different local authorities, both of which have been forced to place them in unregistered homes, unregulated by Ofsted - no other children's home would take them.

Samantha Derbyshire is a senior manager at Cheshire East Council, where she is in charge of finding residential placements for children. She is giving evidence in one of the cases today.

Her local authority is being asked to pay as much as £20,000 a week per child for round-the-clock care.

"This is public money," she tells the BBC outside court.

"This is your money, this is my money, and they are profiteering off our children without the experience, and without the Ofsted regulations to go with it."

However, Steven Parker, sitting as a judge of the High Court, has the power to permit the placement, and the restraint.

He does so, saying there is no alternative. He adds that there is a risk Jack might "kill or be killed" if this order is not made.



Judge Steven Parker: Local authorities are "being left to the mercy of the private sector"

Ms Derbyshire tells the court that in the past three years, the local authority's bill for children's residential care has risen from £7.5m per year to an estimated £16.5m.

She says this is an overspend with a significant potential impact: "Either there will be cuts in another part of the local authority, or we may be forced into bankruptcy."

The new placement agreed for Jack will cost £12,000 per week, and the provider agrees to apply for Ofsted registration.

On the same day, Judge Parker hears the case of another boy who - like Jack - is suspected of involvement with organised criminal gangs.

The boy, who we are calling "Joe", has been in care for three years and has several criminal convictions - one for wounding a child, and nine offences for criminal damage and theft.

He is already subject to a DoL order and his local authority is asking the court to extend it.

The terms of Joe's placement means he is supervised at all times by three members of staff, who are allowed to restrain him. He has been out of education for over a year.

He occasionally leaves the home - closely supervised - to visit his family, or for outings.

But he has attacked staff, and made repeated attempts to abscond. Once, he tried to jump from a moving vehicle on the motorway.

Judge Parker says he sees "a risk of catastrophic harm or death" and agrees to extend the DoL order.

Children detained under little-known orders are speaking out after turning 18

22 May

As in Jack's case, he says anyone restraining Joe must be specially trained.

Joe's placement costs his local authority, Halton Council, £13,600 per week - about £750,000 per year.

Judge Parker describes the costs of placements as "breathhtaking" and comments that local authorities are "essentially being left to the mercy of the private sector".

He says that local authorities are often faced with "Hobson's Choice" (a choice that is no choice at all).

Speaking to the BBC after the court hearing, Ms Derbyshire says that while there are excellent Ofsted-registered placements run by private companies who do not charge excessive rates, there are also private care providers who are not registered or inspected - some of these, she says, "are in it for the wrong reasons".

Ms Derbyshire says some of these unregistered providers charge "staggering" sums, and says the placements are not usually staffed by trained social workers, nor do they offer specialist or therapeutic care.

Its CEO, Dr Mark Kerr, says his members want to see action taken against unregistered homes: "They're warehousing children [who are] not getting the care that they need."

Dr Kerr says the government also needs to support new specialist provision for children like Jack and Joe. At the moment, he says, it would be difficult to accommodate them in homes with other children.

Deprivation of Liberty applications for under-18s in England have risen

2017-18 18-19 19-20 20-21 21-22 22-23 23-24

Figures are for full year April to April
Source: Cafcass England

000

The Minister for Children and Families, Janet Daby, has told us that the government is committed to "cracking down on providers making excessive profits", and that measures will be contained in the upcoming Children's Wellbeing Bill, Labour's flagship legislation on education and children's care.

"It is devastating that these young people are being let down by a system that should be keeping them safe," she says.

Meanwhile, more children like Jack and Joe are coming before the Family Court.

The number of DoL orders has increased 12-fold in the past six years, from just over 100 per year to 1,200.



Samantha Derbyshire: Some providers may be exploiting the care system for profit

However, she says it is difficult for councils to challenge the rates.

"They will always say it's an executive cost or it's a responsible individual cost or a management cost," she tells us.

"And equally it's difficult for us at this moment in time to engage in those conversations because we know there's 10 other children waiting for that one bed."

Ms Derbyshire says her council is not an outlier and many others face similar problems. Last year the Local Government Association said "immediate national action" was needed.

Responding to the BBC report Ofsted national director for social care Yvette Stanley said that "urgent action across the whole of national and local government" is needed now.

She said that unlawful children's homes were a "huge concern" to the regulator.

Ms Stanley told the BBC "it can't be right" that the most vulnerable children are without the safeguards the regulator provided - like inspection, and power to enter the homes where they lived.

She said these children, some requiring medication, some subject to restraint, could be "at risk of actual harm today" from untrained staff, or those who had not been checked through the disclosure and barring service.

The Children's Home Association represents providers registered with Ofsted.

Ms Derbyshire tells us she often worries about whether these children are safe.

"I feel helpless," she says.

"I'm constantly thinking - where are they going tonight and is somebody looking after them to the standards which we expect?"

Related topics

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