
Housing and Regeneration Scrutiny Panel

TUESDAY, 30TH SEPTEMBER, 2014 at 18:30 HRS - .

MEMBERS: Councillors Adje (Chair), Bevan, Carroll, Diakides, Elliott, Engert and Marshall

AGENDA

1. WEBCASTING

Please note: This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.

Generally the public seating areas are not filmed. However, by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the Scrutiny Support Officer at the meeting.

2. APOLOGIES FOR ABSENCE

To receive apologies for absence.

3. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interest are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

4. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business. Late items will be considered under the agenda item where they appear. New items will be dealt with at the end of the agenda.

5. DEPUTATIONS/PETITIONS/PRESENTATIONS/ QUESTIONS

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

6. TERMS OF REFERENCE (PAGES 1 - 8)

To note the terms of reference for the Housing and Regeneration Scrutiny Panel.

7. CABINET Q & A

Cllr Demirci will attend to respond to panel questions within the planning portfolio.

8. PLANNING ENFORCEMENT - PERFORMANCE MONITORING (PAGES 9 - 22)

As part of the work programme for 2014/15, Overview & Scrutiny Committee agreed that scrutiny panels could monitor performance up to three areas.

The Housing & Regeneration Panel has chosen to monitor Planning Enforcement. A report that was submitted to Regulatory Committee on 9th September 2014 is attached to initiate panel discussions and from which the panel may wish to identify more specific indicators to monitor in the future (January 2015).

9. WORK PROGRAMME 2014/15 (PAGES 23 - 32)

To discuss and agree the work programme for the Environment and Housing Scrutiny Panel for 2014/15.

10. DELIVERY OF AFFORDABLE HOUSING (PANEL PROJECT)

To approve the scope for the panel project (delivery of affordable homes).

To follow.

11. DATES OF FUTURE MEETINGS

- 18.30 on 3rd November 2014
- 18.30 on 8th December 2014 (Budget Scrutiny)
- 18.30 on 22nd January 2015
- 18.30 on 2nd March 2015

Bernie Ryan
Assistant Director – Corporate Governance and
Monitoring Officer
Level 5
River Park House
225 High Road
Wood Green
London N22 8HQ

Martin Bradford
Scrutiny Officer
Level 5, River Park House
225 High Road
Wood Green
London N22 8HQ

Tel: 0208 489 6950

Email: martin.bradford@haringey.gov.uk

Tuesday, 23 September 2014

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Report for:	Housing & Regeneration Scrutiny Panel September 30 th 2014	Item Number:	
Title:	Terms of Reference – Housing and Regeneration Scrutiny Panel		
Report Authorised by:	Cllr Adje Chair, Housing and Regeneration Scrutiny Panel		
Lead Officer:	Martin Bradford, Scrutiny Officer, 0208 489 6950 martin.bradford@haringey.gov.uk		
Ward(s) affected:	Report for Key/Non Key Decisions:		

1. Describe the issue under consideration

1.1. There are 5 scrutiny bodies in Haringey an overarching Overview & Scrutiny Committee with four standing sub-committees (panels), these being:

- Adults & Health;
- Children & Young People;
- Environment & Community Safety
- Housing & Regeneration.

1.2. Overview and Scrutiny Committee agreed the terms of reference of each scrutiny body at its meeting on 30th July 2014. This report sets out the terms of reference for Housing and Regeneration Scrutiny panel.

2. Recommendations

2.1. That the terms of reference for the Housing and Regeneration Scrutiny Panel is noted and agreed by the panel.

3. Other options considered

N/A

4. Scrutiny panels general

4.1. Within the Overview & Scrutiny structure, there is one overarching Overview and Scrutiny Committee and four scrutiny panels. The Main overview and Scrutiny Panels have responsibility for scrutinising their own discrete areas of work, which are:

- Adults & Health;

- Children & Young People;
- Environment & Community Safety
- Housing & Regeneration.

4.2. Scrutiny panels are non-decision making bodies. The work programme and any subsequent reports and recommendations that each panel produces must therefore be approved by the Overview & Scrutiny Committee. Such reports can then be referred to Cabinet or Council under agreed protocols. Terms of reference are generic for all scrutiny panels.

4.3. The Overview and Scrutiny Committee has determined the terms of reference of each Scrutiny Panel. If there is any overlap between the business of the Panels, it is the responsibility of the Overview and Scrutiny Committee to resolve this issue. Areas which are not covered by the 4 Scrutiny Panels shall be the responsibility of the main Overview and Scrutiny Committee.

5. Terms of Reference for Scrutiny Panels

Policy Development and Review

5.1 Any Scrutiny Panels established by the Overview and Scrutiny Committee may, in accordance with Part Two, Article 6.03 (b) of the constitution:

- i. Assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;
- ii. Conduct research, community and other consultation in the analysis of policy issues and possible options;
- iii. Consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- iv. Question members of the Cabinet and chief officers about their views on issues and proposals affecting the area; and
- v. Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

Scrutiny processes

5.2 Any Scrutiny Panels established by the Overview and Scrutiny Committee may, in accordance with Part Two, Article 6.03 (c) of the constitution:

- i. Review and scrutinise the decisions made by and performance of the Cabinet and council officers both in relation to individual decisions and over time;
- ii. Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- iii. Question members of the Cabinet and chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- iv. Make recommendations to the Cabinet or relevant nonexecutive Committee arising from the outcome of the scrutiny process;
- v. Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance; and
- vi. Question and gather evidence from any person (with their consent).

Approval of findings and recommendations

5.3 Scrutiny Panels must refer their findings/recommendations to the main Overview and Scrutiny Committee for approval prior to referral to Cabinet or the Council as appropriate.

Policy Areas covered by scrutiny bodies

5.4 The policy areas covered by the Housing and Regeneration Scrutiny Panel are as follows:

- Tottenham regeneration programme, borough-wide regeneration
- Corporate property and investment
- Housing investment programme
- Housing policy, Homelessness
- Homes for Haringey and social landlords
- Planning policy, Planning applications and development management
- Building Control, Planning Enforcement
- Houses of Multiple Occupation

5.5 Full details of the policy areas covered by Overview & Scrutiny Committee and scrutiny panels are as set out in Appendix A.

6. Membership of scrutiny panels

6.1 As laid out in the Overview and Scrutiny Protocol, individual panels will be chaired by a Member of the Overview & Scrutiny Committee. The total membership of the panel will consist of between 3 and 7 non executive members and be politically proportional as far as possible (including the Chair), and that apart from the Chair, the other Panel members to be non-executive members who do not sit on the OSC.

6.2 Each Scrutiny Panel is entitled to appoint up to three non-voting co-optees. The Children and Young People's Scrutiny Panel membership, shall include the statutory education representatives of OSC. It is intended that the education representatives would also attend the Overview and Scrutiny Committee meetings where reports from a relevant Scrutiny Panel are considered.

6.3 The membership of the Environment & Housing Scrutiny Panel has been agreed as thus:

- | | |
|---------------------|-----------------|
| • Cllr Adje (Chair) | • Cllr Elliot |
| • Cllr Bevan | • Cllr Engert |
| • Cllr Carrol | • Cllr Marshall |
| • Cllr Diakides | |

7. Cycle of meetings

7.1 As per the Overview and Scrutiny Protocol, the scrutiny panel will meet five times per year, one of which will be a dedicated budget scrutiny meeting. The meetings are as set out below:

- | | |
|--------------------------------------|-------------------------------|
| • Tuesday 30th September 2014; | • Thursday 22nd January 2015; |
| • Monday 3rd November 2014; | • Monday 2nd March 2015. |
| • Monday 8th December (Budget) 2014; | |

8. Comments of the Chief Finance Officer and financial implications

8.1 There are no financial implications arising from the recommendations set out in this report. Should any of the work undertaken by panels generate recommendations with financial implications, these will be highlighted at that time.

9. Comments of the Assistant Director of Corporate Governance and legal implications

9.1 The Head of Legal Services has been consulted on this report. Under the Local Government Act 2000 an Overview & Scrutiny Committee has the power to appoint one

or more sub-committees to discharge any of its functions. In accordance with the Terms of Reference, the Scrutiny Panel may only report their conclusions/findings/recommendations to the Cabinet or Council with the approval of the main Overview and Scrutiny Committee.

10. Equalities and Community Cohesion Comments

10.1 Overview and scrutiny has a strong community engagement role and aims to regularly involve local residents in its work. It is anticipated that the new structure will enable local residents to have greater involvement in the work of Scrutiny by making engagement a more integral part of the scrutiny process.

10.2 Scrutiny promotes openness and transparency. All meetings and documents are public and therefore open to local people.

11. Head of Procurement Comments

11.1 N/A

12. Policy Implications

12.1 Scrutiny has a policy development and review role across the Council and with local partners. It is therefore anticipated that the Housing and Regeneration Scrutiny Panel will, during the course of its work, make recommendations which may impact on the policies and practice of the Council and its partners. The implications of such policy changes will be assessed by the panel and highlighted in any recommendations to Overview & Scrutiny Committee and Cabinet.







13. Use of Appendices






13.1 Appendix A – Scrutiny bodies, role and service areas.

14. Local Government (Access to Information) Act 1985

Appendix A – Overview & Scrutiny Committee and Scrutiny Panel membership and remits 2014-2015

Cabinet Link (s)	Scrutiny body	Areas of Responsibility
<p>Leader of the Council</p>  <p>Cllr Claire Kober</p> <p>Cabinet Member for Economic Development, Social Inclusion and Sustainability</p>  <p>Cllr Joe Goldberg</p> <p>Cabinet Member for Resources and Culture</p>  <p>Cllr Jason Arthur</p> <p>Deputy Leader & Cabinet Member for Communities</p>  <p>Cllr Bernice Vanier</p>	<p>Overview & Scrutiny Committee</p>  <p>Chair: Cllr Gideon Bull</p> <p>Membership: Cllr Pippa Connor (Vice Chair) Cllr Charles Adje Cllr Barbara Blake Cllr Kirsten Hearn</p> <p>Officer Support: Melanie Ponomarenko (0208 489 2933) Martin Bradford (0208 489 6950)</p>	<p>Leader: Growth and inward investment Commissioning Communications External partnerships Council performance Corporate policy and strategy</p> <p>Economic Development, Social Inclusion and Sustainability Tackling unemployment and worklessness Financial inclusion Social inclusion Post 16 education Increased job opportunities Adult Learning and skills</p> <p>Resources and Culture: Customer services and Customer Transformation Programmes* Corporate Infrastructure programme Information Technology Procurement and commercial partnerships Council budget Council tax, benefits and taxation Human resources and staff wellbeing Governance services (inc Member Enquiries) Arts and Culture / Libraries</p> <p>Communities: Equalities Community engagement (inc Area Forums)</p> <p>Other areas: St Ann's Development</p>
<p>Cabinet Member for Health and Wellbeing</p>	<p>Adults and Health Scrutiny Panel</p>	<p>Health and Wellbeing: Adult social care Public health Safeguarding adults Health and social care integration and commissioning</p>

 <p>Cllr Peter Morton</p>	 <p>Chair: Cllr Pippa Connor</p> <p>Membership: Cllr Gina Adamou Cllr David Beecham Cllr Gideon Bull Cllr Jennifer Mann Cllr James Patterson Cllr Anne Stennett</p> <p>Officer support: Melanie Ponomarenko (0208 489 2933)</p>	<p>Disabilities Voluntary sector engagement Working with CCG and NHS Children to adult social care transition</p>
<p>Cabinet Member for Housing and Regeneration</p>  <p>Cllr Alan Strickland</p> <p>Cabinet Member for Planning</p>  <p>Cllr Ali Demirci</p>	<p>Housing & Regeneration Panel</p>  <p>Chair: Cllr Charles Adje</p> <p>Membership: Cllr John Bevan Cllr Vincent Carroll Cllr Isidoros Diakides Cllr Sarah Elliott Cllr Gail Engert Cllr Denise Marshall</p> <p>Officer Support: Martin Bradford (0208 489 6950)</p>	<p>Housing & Regen: Tottenham regeneration programme* Borough-wide regeneration Corporate property and investment Housing investment programme Housing policy Homelessness Homes for Haringey and social landlords</p> <p>Planning: Planning policy Planning applications and development management Building Control Planning Enforcement Houses of Multiple Occupation</p>
<p>Cabinet Member for Environment</p>  <p>Cllr Stuart McNamara</p>	<p>Environment & Community Safety Scrutiny Panel</p>	<p>Environment: Streets and Highways Parking and traffic management Recycling, waste and street cleaning Licensing (except HMOs) Environmental health and enforcement Parks and open spaces</p>

<p>Deputy Leader & Cabinet Member for Communities</p>  <p>Cllr Bernice Vanier</p> <p>Cabinet Member for Economic Development, Social Inclusion and Sustainability</p>  <p>Cllr Joe Goldberg</p>	 <p>Chair: Cllr Barbara Blake</p> <p>Membership: Cllr Natan Doron Cllr Tim Gallagher Cllr Makbule Gunes Cllr Liz Morris Cllr Martin Newton 1 Labour vacancy</p> <p>Officer Support: Rob Mack (0208 489 2921)</p>	<p>Leisure and Leisure Centres</p> <p>Communities: Community Safety Engagement with the Police Tackling antisocial behaviour</p> <p>Economic Development, Social Inclusion and Sustainability Carbon Reduction and Haringey 40:20</p>
<p>Cabinet Member for Children and Families</p>  <p>Cllr Ann Waters</p>	<p>Children & Young People Scrutiny Panel</p>  <p>Chair: Cllr Kirsten Hearn</p> <p>Membership: Cllr Pat Berryman Cllr Mark Blake Cllr Bob Hare Cllr Emine Ibrahim Cllr Adam Jogee Cllr Liz Morris Officer Support: Rob Mack (0208 489 2921)</p>	<p>Children & Families: Outstanding for all - schools and learning Safeguarding children Early years and child care Adoption and fostering Looked-after children Children with disabilities or additional needs Haringey 54,000 programme* Youth and Youth Offending Services</p>

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Agenda item 8 – Housing and Regeneration Scrutiny Panel

Report for:	Regulatory Committee 9 September 2014	Item Number:	
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Title:	Planning Enforcement and Appeals Quarter One Update Report
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Report Authorised by:	Stephen Kelly/Emma Williamson
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Lead Officer:	Myles Joyce
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Ward(s) affected: All	Report for Key/Non Key Decisions:
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1. Describe the issue under consideration

- 1.1 To advise the Regulatory Committee of performance on Planning Enforcement and Appeals in Quarter One of 2014/15.

2. Recommendations

- 2.1 That the report be noted.

3. Background information

- 3.1 The service continues to receive a high number of cases with 246 received so far in 2014-15. The live caseload is 569. The first quarter of the year is on course to receive 984 cases by year end. This compares to 955 for 2013-14, 846 for the whole of 2012-13 and 718 for 2011-12. Returns with regard to enforcement notices issued (16) and enforcement appeals received (17) also remain high.
- 3.2 Planning Appeals show an improvement in the number of appeals allowed (19% for the first quarter compared to 29% in 2013-2014 and 38% in 2012-13). However Enforcement Appeals have also seen an improvement in performance from Appeal decisions have recovered with 0% so far allowed this year compared with 23% allowed in 2013-14 and 10% allowed in 2012-13.

4. Planning Enforcement and Appeals Performance

- 4.1 At 1st July 2014 569 planning enforcement cases are still open. Efforts to reduce the caseload to below 500 will be made in the second quarter of 2014-2015 as

officers have been dealing with the fallout from the high level of enforcement notices served on the final quarter of 2013-14

- 4.2 The overall caseload continues to increase since 2011-12 and the live caseload correspondingly has increased. In addition, formal action and enforcement appeals have also increased. However the number of older cases and therefore case backlog remains relatively low. The service has now put in place new procedures which aim to provide support to officers to make decisions on investigations earlier (or to escalate such cases to senior managers) and it is intended to increase the support provided by the Council's IT systems to ensure that management of cases requires less (manual) handling.

Planning Enforcement Appeals:

- 4.4 The service has received 17 Planning Enforcement appeals for the first quarter of 2014-15. This is considered to be a consequence of the high formal enforcement activity in the last quarter of 2013-14 when a large number of enforcement notices were served. Not surprisingly, determined appeals show a more limited and typical return with 5 appeals determined and all dismissed. Whilst this is encouraging, given the above it is considered too early to be able to satisfactorily compare performance with 2013-14 and earlier years.
- 4.5 Appendix 2 deals with Planning Enforcement's performance indicators. Performance returns have improved in the first quarter of 2014-15 with 41% closed within 8 weeks and 81% in 6 months,. This compares favourably with 2013-14 with returns of 36% and 72% respectively. At the same time determinations on action to be taken being reached in 8 weeks for the first quarter of 2014-15 was recorded. The return of 45% is well below the PI for this return set at 65%. It is considered that this is in part due to the fact that officers are still getting used to the process and the approval of the associated 8 week decision correspondence.
- 4.6 However the improvement in the case closure performance suggests that the introduction of this new PI has focussed officer minds with more with regard to more prompt decision making and further improvement in the decision and closure PIs are anticipated at the half year stage.

Caseload Matters

- 4.7 The continued increase in caseload must be acknowledged which at present rates will return a caseload of c. 984 for 2014-15, representing a more modest increase on the 957 cases returned in 2013-14 but was in itself a 15% increase on 2012-13 which also was an 18% increase on 2011-12. Formal enforcement action is relatively high with 16 enforcement notices issued in the first quarter of 2014-15. Overall, it is anticipated that the number of notices issued will be roughly in line with last year.
- 4.8 Appendix 3 shows how cases were closed in four main categories. The returns are not dissimilar to earlier years with 55% due to no breach. However only 5%

were due to immunity and 7% due to not being expedient to enforce, both representing a further drop in proportion in comparison with previous years. The proportion of cases closed through remediation regularisation or compliance continues at a comparatively high level at 27%, reduced slightly from 29% in 2012-13 but a significant increase from the 22% in returned in 2011-12.

Incomes and Prosecutions

- 4.9 To 30th June 2014, the returns so far this year are 3 completed cases: 1 prosecution and convictions, and two accepted simple cautions and costs paid in lieu of prosecution and three completed confiscation hearings under the Proceeds of Crime Act.
- 4.10 In addition 8 planning enforcement appeals attracted fees as the planning merits (Ground a avenue of appeal against the Notice). To date appeal fees required with regard to enforcement appeals total £9,076.
- 4.11 To 30th June 2014 prosecutions had attracted fines in the Courts of £2,500 and £20,920 with the Council awarded £500 in costs (Two simple cautions yielded £1,585 during the same time period.
- 4.12 Appendix 4 is concerned with the prosecutions and is split into three, the three completed POCA cases in Table 4A, the cases where successful prosecutions and convictions have been made but are still unresolved in Table 4B and cases where prosecution action has led to compliance either after conviction or when the Council accepting a cuaiton in lieu of prosecution. . The total income therefore received this quarter with regard to appeals and prosecutions (excluding POCA) is **£11,161**.

Proceeds of Crime Act (POCA)

- 4.13 There have been no further cases referred for confiscation under the Proceeds of Crime Act (POCA).
- 4.14 The total below for the three final hearings were heard with regard to POCA cases. This has resulted in the following confiscations for which LBH gets an 18.75% share. I am grateful to the Council's Legal Services for their assistance in compiling the outcomes for these three cases. The figures in bold are outlined below:
1. Goodwyns Vale N10
 - £44,640 POCA to be paid by 25 April 14.
 - £2,500 costs has now been paid to LBH.
 - Planning Enforcement's share will be **£8,370**.
 2. Heybourne Road and 1 Bruce Castle Road

- £44,640 POCA has been paid by the defendant to the Home Office.
- £8,771.78 costs have been paid to the legal service.
- Planning Enforcement's share will be **£4,687.50** should be paid by the Home Office to your department by 31 March 2014.

3. Izzet-

- £312,315 POCA to be paid by 22 June 2014.
- £6,900 costs to be paid by 22 June 2014.
- Planning Enforcement's share will be **£58,559.07**.

4.15 Legal Services advise us as a general note members should be aware that in recent times the Proceeds of Crime Act has been criticised in the press for not having sufficient teeth when it comes to recovery. It can be effective though if used selectively.

4.16 Should full recovery be achieved a total of **£71,616.57** from the above Council's Proceeds of Crime cases

5. Use of appendices /Tables and photographs

Appendix 1- Planning and Planning Enforcement appeals 1.4.14 to 30.6.14

Appendix 2 – Suite of Planning Enforcement Performance indicators 1.4.14 to 30.6.14

Appendix 3 - Outcomes of Planning Enforcement Cases Closed 1.4.14 to 30.6.14

Appendices 4 (7A-C) – Table showing planning enforcement prosecution & caution outcomes, including POCA cases, at 30.6.14

6. Local Government (Access to Information) Act 1985

Planning Enforcement Case files held by the Team Leader for Planning Enforcement, and Appeal case files by the Head of DMPE

Appendix 1: Planning and Enforcement Appeals Received and Determined April 1st to June 30th 2014

Type	2013-14 PE Appeals	%	2013-14	%	2014-15 Planning Appeals	%	2013-14	%
Received	17	100	39	100	11	100	74	100
Determined	5	100	39	100	19	100	73	100
Dismissed	5	100	30	77	15	81	49	67
Allowed	0	0	8	20	3	14	23	31.5
Split	0	0	1	3	1	5	1	1.5
Appeal withdrawn	0	n/a	4	n/a	0	n/a	n/a	n/a
Turned away	0	n/a	1	n/a	n/a	n/a	n/a	n/a
EN Withdrawn	3	n/a	3	n/a	n/a	n/a	n/a	n/a

Appendix 2 Table indicating Performance indicators for Planning Enforcement 1.4.13 to 31.12.13

Table of performance indicators			
Performance Indicator Number	Performance Indicator description	Performance Indicator target	Performance Output 2012-13
ENF PLAN 1	Successful resolution of a case after 8 weeks	40%	44% (364 from 887 cases closed adjusted)
ENF PLAN 4	Cases closed within target time of 6 months	80%	81% (684 out of 887 cases closed adjusted)
Performance Indicator Number	Performance Indicator description	Performance output 1.4.13-31.12.13	
ENF PLAN 7	Number of Planning Contravention Notices served	121	
ENF PLAN 8	Number of Enforcement Notices Served	16	
ENF PLAN 9	Number of enforcement notices appealed	17	
ENF PLAN 10	Number of enforcement notices withdrawn by Council	4	
ENF PLAN 10a	Number of Enforcement Appeals Allowed	0	
ENF PLAN 10b	Number of Withdrawn Appeals	0	
ENF PLAN 10C	Number of Notice Appealed withdrawn	3	
ENF PLAN 11	Number of prosecutions submitted for non-compliance with enforcement notice	1	
ENF PLAN 12	Number of Notices (Other) served	14 (7 TSN, 7 S225A Notices)	

Appendix 3 – Table showing Outcomes of Planning Enforcement Closed Cases 2010-15 and preceding years

Closure reason	2011-12	2012-13	2013-14	2014-15 Q1
No breach/Permitted Development	363 (54%)	384(52%)	488 (54%)	74(55%)
Not expedient	118 (18%)	86(11%)	86 (10%)	9 (7%)
Compliance/ Remediation/Regularisation	149 (22%)	214(29%)	235 (26%)	37 (27%)
Referred to Other SPs	n/a	n/a	20 (2%)	10(7%)
Immune from enforcement action	43 (6%)	63(8%)	76 (8%)	5(4%)
Total	673	747	905	135

Table 4a Cases referred for Confiscation Under Proceeds of Crime

No	Lead Officer	Breach Address	Ward	Breach	Latest Action	Future Action
1	Myles Joyce	2 Goodwyns Vale	Muswell Hill	Change of use to 6 self-contained flats	POCA case completed £44,640 POCA to be paid by 25 April 14. £2,500 costs is to be paid by 25 April 14. Planning Enforcement's share will be £8,370. If he sells the property and pays up in time the Council now received all mines relating to this confiscation	Sale of property to finance POCA and remedial works. June site visit revealed Notice complied with and case closed
2	Myles Joyce	9 Heybourne Road	Northumberland Park	Change of use to 8 self-contained flats.	POCA completed. October 2013. £44,640 POCA has been paid by the defendant to the Home Office. £8,771.78 costs have been paid to the legal service. Planning Enforcement's share will be £4,687.50 should be paid by the	Defendant's company in administration. Both properties have been sold at auction. Will need to liaise with new owners

					Home Office to your department by 31 March 2014.	
3	Myles Joyce	1 Bruce Castle Road	Northumberland Park	Change of use to 8 self-contained flats.	POCA completed. October 2013. See above	Defendant's company in administration. Both properties have been sold at auction. Will need to liaise with new owners
4	Myles Joyce	23 Hewitt Road	Harringay	Change of use to 4 self-contained flats	<p><i>Final confiscation hearing under POCA January 2013. November 2013 £312,315 POCA to be paid by 22 June 2014. £6,900 costs to be paid by 22 June 2014.</i></p> <p><i>Planning Enforcement's share will be £58,559.07.</i></p>	<i>Used as small HMO since 2013. Notice complied with.</i>

5	Myles Joyce	89 Burgoyne Road	Harringay	Change of use to 5 self-contained flats	Final confiscation hearing under POCA November 2013. See details above	Need final compliance site visit confirm Notice complied with.
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Table 4B Live Enforcement Cases Already Prosecuted

No	Lead Officer	Breach Address	Ward	Breach	Latest Action	Future Action
1	Fortune Gumbo	153 Gospatrick Road N17	White Hart Lane	UPVC window breach of Article 4 Direction	Convicted £2000 fined and £760 costs	Still in breach- negotiating remedial action with prosecuting officer
2	Fortune Gumbo	123 Risley Avenue N17	White Hart Lane	UPVC window breach of Article 4 Direction	Convicted fined £265 and £220 costs	Still in breach- negotiating remedial action with prosecuting officer

4	Myles Joyce	10 Woodstock Road	Stroud Green	Conversion to 8 self-contained units. Breach of Enforcement Notice.	Convicted and fined £13500 and £1980 costs. October 2012	Letter before action sent to owner. Owner portfolio landlord and unlikely to comply given profit motive an previous behaviour. Recommend that 2nd prosecution commenced and seek confiscation of assets under Proceeds of Crime Act (POCA) upon successful conviction.
5	Abby Oloyede	108 Cranley Gardens N10	Muswell Hill	Roof terrace. Breach of Enforcement Notice	Convicted and fined for second time £800 fine £600 costs. First conviction resulted in conditional discharge only.	Appeal lodged against conviction and sentence in Crown Court withdrawn. Still in breach.
6	Myles Joyce	76 Scales Road	Tottenham Hale	Unauthorised change of use to self-contained flats	Second conviction. Prosecuted and fined £20000 reduced to £18000 on appeal. March 2012. Costs to Council awarded.	Need a for further compliance site visit. If still in breach will recommend 3rd prosecution and

					First conviction in 2009 attracted a fine of £9000.	seek confiscation under Proceeds of Crime Act (POCA) upon successful conviction.
7	Abby Oloyede	143-5 Philip Lane	Tottenham Green	Erection of permanent covered canopy and unauthorised signage. Breach of Enforcement Notice and S11 Notice.	Convicted and fined £1250 and costs of £906 awarded in November 2011. Planning permission refused in 2012	Now complying with Notice expected completion autumn 2014.
8	Abby Oloyede	2 Moorefield Road	Bruce Grove	Change of use from 2 to 4 self-contained flats	Convicted and fined £2000 and £2073 costs. LBA sent 2 nd prosecution. Landlord evicting tenants	Consider 2 nd prosecution and seek referral for confiscation under the Proceeds of Crime Act (POCA) upon successful conviction
9	Fortune Gumbo	100 Myddleton Road	Bounds Green	Satellite dishes	Prosecuted and Convicted. Further action required as no compliance	Enforcement appeal dismissed, planning appeal pending
10	Myles Joyce	98 Hewitt Avenue	Noel Park	Erection of rear dormer.	Convicted 2 nd time. £14000 fine and £1455	Dormer has been reduced but still

				Conversion into 2 self-contained flats.	costs/ Appeal 29.4.13 Wood Green Crown Court withdrawn	2 flats. Will prepare for 3 rd prosecution and seek confiscation under the Proceeds of Crime Act (POCA) if conviction successful.
11	Lorcan Lynch	452 St. Anns Road	St. Anns	Illuminated signage and revolving sign	Convicted and fiend £800 with £672.50 Costs awarded to Council	Only part compliance. Consider direct action as best way to remediated breach

Table 4C: Prosecutions and Cautions determined in 2014-15

1	<i>Furtune Gumbo</i>	<i>27 Perth road N22</i>	<i>Woodside</i>	<i>Rear Extensions. Breach of Enforcement Notice</i>	<i>Prosecuted and convicted fined £2,500 and £500 costs</i>	<i>Site visit confirmed breach resolved and Notice complied with.</i>
2	<i>Fortune Gumbo</i>	<i>115 Tower Gardens Road N17</i>	<i>White Hart Lane</i>	<i>Outbuilding and wall breach of AT4</i>	<i>Simple Caution and £700 costs paid</i>	<i>Complied with</i>
3	<i>Lorcan Lynch</i>	<i>1 Meads Road N22</i>	<i>Noel Park</i>	<i>Door facilitating use as roof terrace. Part of breach of EN</i>	<i>Complied and paid Council Legal Costs of £780</i>	<i>Notice complied with</i>



Haringey Council

Report for:	Housing and Regeneration Scrutiny Panel 30 th September 2014	Item Number:	
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Title:	Work programme – development and monitoring
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Report Authorised by:	Cllr Charles Adje, Chair, Housing and Regeneration Scrutiny Panel
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Lead Officer:	Martin Bradford, Scrutiny Officer, Corporate Governance Martin.bradford@haringey.gov.uk
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Ward(s) affected: All	Report for Key/Non Key Decisions:
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1. Describe the issue under consideration

- 1.1 This is a report to support the Housing & Regeneration Scrutiny Panel in agreeing a work programme for 2014/15. It details how the work programme was developed and contains a forward plan, identifying what issues will be looked at and when in the year ahead.

2. Recommendations

- 2.1 The panel is requested to:
- 1) To note the work programme report;
 - 2) Consider upcoming Cabinet decisions relevant to this remit of this panel and raise any questions as it sees fit;
 - 3) To agree any updates and confirm the future work programme for 2014/15.

3. Other options considered

- 3.1 Work programme items have been developed in consultation with Cabinet members, senior officers and panel members with the agreement of the Chair of the panel.

4. Work programme development

- 4.1 The work programme is a fixed item on the agenda of each meeting of the Housing & Regeneration Scrutiny Panel. This is to enable the panel to oversee and monitor its plan of work in the year ahead.
- CfPS review

- 4.2 A review was undertaken by the Centre for Public Scrutiny to assess the structure and remit of scrutiny bodies in Haringey. As part of this review, the CfPS consulted the Leader of the Council, Leader of the Opposition, past and present members of Overview & Scrutiny members, senior council officers and scrutiny officers.
- 4.3 The review recommended that the Overview & Scrutiny Committee remains the overarching scrutiny body and continues to oversee the work of scrutiny panels. Whilst it suggested that the number of panels remain the same (at four), it was proposed that their remits are amended. These were agreed by the Overview & Scrutiny Committee and are as set out below:
- Adults & Health;
 - Children & Young People;
 - Environment & Communities;
 - Housing and Regeneration.
- 6.2 As part of this review a long-list of possible topics for inclusion within the scrutiny work programme for 2014/15 were identified. These are contained in Appendix A.

Scrutiny Cafe

- 6.3 The Overview & Scrutiny Committee held a consultation event (Scrutiny Cafe) in July 2014 at which members of the Committee Overview & Scrutiny Committee, other non-executive members, senior officers and local partners (NHS, Police) all participated.
- 6.3 From this consultation process a number of priorities were identified for the Housing and Regeneration Scrutiny panel to consider, these included:
- Support to tenants in the private rented sector
 - Ensuring regeneration delivers social benefits – procuring social value
 - Energy efficiency within homes
 - Unification of local Housing Service - corporate programme
- 6.4 These suggestions were ratified by Overview & Scrutiny Committee at its meeting on the 31st of July 2014, on the understanding that panel Chairs would meet with Cabinet members and senior officers to identify how scrutiny could positively contribute and where appropriate, to scope and plan work.

Consultation with Cabinet members and senior officers

- 6.5 The Chair of the Housing and Regeneration Scrutiny Panel met Cabinet members and senior officers relevant to the remit of the panel:

• Cabinet Member for Planning
• Cabinet Member for Housing and Regeneration
• Director of Regeneration, Planning & Development
• Assistant Director of Regeneration
• Head of Development Management and Enforcement
• Head of Commissioned Services
• AD Corporate Property & Major Projects
• Housing Improvement Manager

- 6.6 As well as discussing topics suggested through the consultation (as in 6.2) Cabinet Members and senior officers were also invited to suggest alternative topics for the work programme and to identify other areas that may benefit from scrutiny involvement (e.g. Items from the Forward Plan, Progress reports on key council priorities; Annual service reports or inspection reports).

7.0 Agreed work programme areas

- 7.1 Further to the discussions above, and in confirmation with the panel, it has been agreed that the Housing & Regeneration Panel incorporate the following issues within its work programme for 2014/15.

Project (depth piece of work undertaken by the panel)

Delivery of affordable housing (particularly in relation to infill sites);

- How is the Council performing?
- Are there any processes that can speed up homebuilding, what can be learnt from other authorities in respect of:
 - New legal structures that might assist this
 - What new financial structures might assist this
 - Funding streams available to support this – e.g. right to buy, HRA.

Short reports (as produced by relevant services to the panel)

- Update on Housing Unification and Improvement Programme – there is particular interest in respect of the prospective closure of APEX house and future customer service arrangements for housing service clients;
 - Haringey Housing Strategy – the panel will be involved in the consultation as agreed with AD for regeneration;
 - Homelessness Strategy – the panel would like to be involved in the consultation or preparation of this report;
 - Haringey Preferred Partnership Agreement (with Registered Housing Providers);
 - Update on Tottenham Regeneration plans;
 - Homes for Haringey – to invite Managing Director of Homes for Haringey together with Head of Commissioned Services;
 - Update on those properties owned by the council which are occupied by guardians number, how long they have been empty, and when heading back in to use;
 - Asset Management Programme (particularly plans to dispose those properties/sites surplus to requirements and those that could potentially be used for social housing);
 - Future plans for the Councils Community buildings.
- 7.2 The scheduling within the work programme of the above is as set out in the Housing and Regeneration Scrutiny Panel forward plan (Appendix A).

Performance Monitoring

- 7.3 To minimise duplication, it has been agreed that general performance monitoring would be undertaken by Overview & Scrutiny Committee (in line with Cabinet timetable). Scrutiny panels however, would monitor the performance of up to 3 key

service areas within their remit. The Housing & Regeneration Panel agreed that it would monitor:

- Planning Enforcement – this will be incorporated into Cabinet Member for Planning Q and A sessions.
- Provision of affordable homes – this will be incorporated within the panel project (as set out in 7.1)

Cabinet Member Question and Answer sessions

- 7.4 Under agreed scrutiny protocols, Cabinet Members will be invited to attend relevant scrutiny panels twice each year to discuss issues within their portfolio area. The format of Cabinet Q and A is not prescribed and can be varied according to local agreement between the Chair and Cabinet member. There is an assumption however, that questions will not be submitted (or answers provided) in advance of panel meetings.
- 7.5 Cabinet Members whose portfolio area that is covered by the Environment and Housing Scrutiny Panel are:
- Cabinet Member for the Environment
 - Cabinet Member for Housing.
- 7.6 Appropriate Cabinet Members have been invited to attend the Housing & Regeneration Scrutiny Panel and have been scheduled in the to the forward plan (Appendix A).

Budget Scrutiny

- 7.7 The budget (Medium Term Financial Plan) is scrutinised by each Scrutiny Panel in their respective areas and subsequent reports with their recommendations to be ratified by Overview & Scrutiny Committee. The areas of the budget which are not covered by the scrutiny panels are considered by the Overview & Scrutiny Committee. As per protocol, the Vice Chair of the Overview & Scrutiny Committee shall be responsible for the co-ordination of the Budget Scrutiny process.
- 7.8 To allow the Overview and Scrutiny and scrutiny panels to scrutinise the budget in advance of it formally being set and convey those recommendations to the Cabinet, the following timescales (exact timings are still being finalised and agreed):

November 2014	Financial Planning (Budget) Monitoring: Cabinet 18 th November 2014
November 2014	Draft Medium Term Financial Plan (MTFP) published
December 2014	Government Spending Review (Autumn Statement)
8th December 2014	Housing and Regeneration Scrutiny Panel to scrutinise MTFP and any budget saving identified in its area of responsibility. Cabinet Members / Snr. officers attend to respond to panel questions
December 15th	Recommendations of scrutiny panels considered and approved by Overview & Scrutiny Committee
3rd February 2015	Final Budget Scrutiny Report approved by OSC

10th February 2015	OSC recommendations from the Budget Scrutiny process, ratified by the OSC, referred to Cabinet. As part of the budget setting process, the Cabinet will clearly set out its response to the recommendations/ proposals made by the OSC in relation to the budget.
23rd February 2015	Budget setting at Full Council

Cabinet Forward Plan (pre decision scrutiny)

- 5.12 In considering its future work plan, the Housing & Regeneration Scrutiny Panel may wish to consider or note the Council Forward Plan (future key decisions taken by the Cabinet). Items or decisions to be taken by Cabinet (up until November 2014) and which fall within the remit of this panel are given below.

Cabinet Date	Item	Decision
14/10/14	Adoption of Planning Obligations Supplementary Planning Document (SPD)	The report seeks agreement to recommend the adoption of the Planning Obligations SPD by Council (Cabinet Member for Planning and Director for Regeneration, Planning and Development)
	Hornsey Town Hall - Options Appraisal	The report will set out the results of the options appraisal for the future of Hornsey Town Hall (Cabinet Member for Planning and Director for Regeneration, Planning and Development)
	Investment Framework for Wood Green	The report will seek approval for the vision, aims, objectives, core principals, timing and resources for the programme management of the investment Framework for Wood Green (Cabinet Member for Housing and Regeneration and Assistant Director for Regeneration)
	A Draft Housing Strategy for Haringey	To agree a draft Housing Strategy prior to consultation. The strategy will set out Haringey's proposed vision, ambitions and priorities for housing in the borough for the next 10 years (Cabinet Member for Housing and Regeneration and Director of Regeneration, Planning and Development)
	Approval of a Tenancy Strategy	The Localism Act 2011 requires the Council to publish a Tenancy Strategy that sets out its approach to tenure reform. The report also sets out the approach to the Affordable Rent model (Cabinet Member for Regeneration and Housing and Interim Chief Operating Officer)
	Homelessness Strategy	There is a statutory obligation to keep the Homelessness Strategy under review. This Strategy sets out the approach of the Council and key partners

		in preventing and managing homelessness (Cabinet Member for Regeneration and Housing and Interim Chief Operating Officer)
	Approval of a Revised Housing Allocation Scheme	The report seeks agreement to changes to the Allocation Scheme. This statutory Scheme sets out which households are eligible to be placed on the Housing Register and how they are prioritised for permanent lettings (Cabinet Member Housing and Regeneration and Deputy Director for Community Housing Services)
	Housing Lift Modernisation Programme 2014-2015	The report seeks approval to the replacement of lift car doors and lift room machinery (Cabinet Member for Housing and Regeneration and the Interim Chief Operating Officer)
18/11/14	Local Plan Making- Council's Preferred Options for Tottenham Area Action Plan, Sites Allocations and Development Management Development Plans (DPDs)	This report seeks approval to consult on three emerging Local Plan Documents (Regulation 18). These draft Development Plan Documents (DPDs) will set out Council's preferred options for Tottenham Area Action Plan, Sites Allocations DPD and Development Management DPD (Cabinet Member for Planning and Assistant Director Planning)
	Statement of Community Involvement	This report seeks Members' approval for public consultation on the Council's revised draft Statement of Community Involvement (SCI). This documents sets out the consultation framework for and development management decisions. The existing SCI needs updating in light of National Planning Policy Framework, Localism Act and the recent Scrutiny Committee recommendations (Cabinet Member for Communities and Deputy Chief Executive)
	Tottenham Area Action Plan Regulation 18 Consultation Document	This report seeks approval to consult on the Regulation 18 Tottenham AAP. The AAP will deliver a comprehensive spatial strategy for Tottenham which will help to create a framework for land assembly and investment that makes place shaping a reality in line with national, regional and local planning priorities (Cabinet Member for Planning and Assistant Director Planning)

5.13 As the Council forward plan only identifies those key decisions up until November 2014, it is expected that Cabinet Members will highlight key decisions (e.g.

strategies, policies or service changes) at relevant Q and A sessions and identify where scrutiny could contribute.

6. Comments of the Chief Financial Officer and Financial Implications

- 6.1 The costs of preparing this report have been met from within existing budgets. It is expected that undertaking Scrutiny reviews will largely involve contributions from existing staff and thus can be contained within current budgets, if additional expenditure is required to undertake reviews then appropriate authority should be received before spend takes place.

7. Comments of the Assistant Director of Corporate Governance and Legal Implications

- 7.1 The Assistant Director of Corporate Governance has been consulted on this report.
- 7.2 The work programme and any subsequent reports and recommendations that each panel produces must be approved by the Overview & Scrutiny Committee.

8. Equalities and Community Cohesion Comments

- 8.1 Overview and scrutiny has a strong community engagement role and aims to regularly involve local stakeholders, including residents, in its work. It seeks to do this through:
- Helping to articulate the views of members of the local community and their representatives on issues of local concern
 - Bringing local concerns to the attention of decision makers and incorporate them into policies and strategies
 - Identifying and engaging with hard to reach groups
 - Helping to develop consensus by seeking to reconcile differing views and developing a shared view of the way forward
 - Generating evidence to help identify the kind of services wanted by local people
 - Promoting openness and transparency; all meetings are held in public and documents are available to local people.
- 8.2 A number of engagement processes will be used to support the work of the Housing & Regeneration Scrutiny Panel and members will seek to include representation from a broad representation of local stakeholders. It is expected that any equalities issues identified during this process, will be highlighted and addressed in the conclusions and recommendations of individual reports produced by the panel.

9. Head of Procurement Comments

- 9.1 Not applicable.

10. Policy Implications

- 10.1 Recommendations for any policy developments arising from the work of the Housing and Regeneration Scrutiny Panel are agreed by the Overview & Scrutiny Committee before submission to Cabinet for approval.

11. Use of Appendices

- 11.1 The following appendices are included:

Appendix A - List of all work programme topics suggested through the CfPS review
Appendix B – Housing & Regeneration Scrutiny Panel Forward Plan

12. Local Government (Access to Information) Act 1985

Appendix A - List of all work programme topics suggested through the CfPS review

- Integration of health and social care
- Housing – private sector housing, tenants support.
- Universal credit and wider welfare reform – how prepared council is, how prepared community is.
- Mental health – CAMHS especially child to adult transition
- Waste management street sweeping
- Housing, land sales, social housing and regeneration
- Managing cuts
- Transformation programmes – fundamental to council's savings plans and future operation.
- Regeneration
- Community resilience e.g. different ways of working and working with community, existing groups, e.g. different ways of doing parks management
- Access to health services, tackling obesity
- Customer services - Channel shift and on-line services
- Public engagement and involvement
- Supporting parks
- Tackling childhood obesity
- Creating a high skills economy
- Post-16 education
- On-line services
- Munro report implementation
- Housing associations' compliance with planning permission conditions, management practices – engaging with external partners even where no formal powers
- Landlord licensing – get an evidence base for it, investigate IT, legal provisions – scrutiny could investigate details of what would work in Haringey
- Children – looking at academies and community schools comparisons, ensuring using all the authority's powers
- Care homes – ditto re looking at external providers on behalf of residents
- Scrutiny fulfilling role of looking at a range of providers as part of democratic representative role, facilitating council's role as enabler.
- Early help and prevention work - could be cross cutting
- Haringey 54,000 – contract with Impower, also safely bringing down numbers of children in care
- Adults social care and health integration
- Budget – strategy
- Service transformation – how are residents being involved

Appendix B - Housing and Regeneration Scrutiny Panel – Forward Plan (September 2014)

Meeting date	Planned Items
Tuesday 30th September 2014 18.30-21.30	<ul style="list-style-type: none"> • Panel Terms of Reference • Cllr Demirci Cabinet Q & A <ul style="list-style-type: none"> ○ General Update ○ Planning Enforcement monitoring • Panel Work Programme 2014/15 – to approve • Panel Project - Affordable Housing – to approve scope
Monday 3rd November 2014 18.30-21.30 Council Chamber	<ul style="list-style-type: none"> • Cllr Strickland, Cabinet Q & A • Housing Unification & Improvement Programme – update and plans (Catherine Illingworth) • Haringey Housing Strategy - consultation (Michael Kelleher) • Homes for Haringey - Andrew Billany & Mustafa Ibrahim (tbc) • Haringey Preferred Partnership Agreement - with Housing Associations (Michael Kelleher) • Work Programme Update
Monday 8th December (Budget) 2014 18.30-21.30	<ul style="list-style-type: none"> • Medium Term Financial Plan - Savings and investment proposals, capital expenditure (Cllr Strickland, Cllr Demirci and senior officers)
Thursday 22nd January 2015 18.30-21.30 Council Chamber	<ul style="list-style-type: none"> • Cllr Demirci Cabinet Q & A <ul style="list-style-type: none"> ○ Planning Enforcement monitoring • Current Asset Management Plan and update on disposal process of sites/ surplus to requirement (Jon McGrath) • Update on community buildings (Jon McGrath/ Charlotte Pommery) • Work Programme Update
Monday 2nd March 2015 18.30-21.30 Council Chamber	<ul style="list-style-type: none"> • Cllr Strickland, Cabinet Q & A • Work Programme Update

To schedule:

Homelessness Strategy - consultation

Empty Council properties and use of Guardians (number, length empty etc)

Economic Development & Growth Strategy

Panel Project

Delivery of affordable homes – evidence gathering sessions to be scheduled as per project scope.