

**Overview and Scrutiny Committee 1<sup>ST</sup> February 2010**

Q 'N' A: Item 7, **Cabinet Member Questions: Cabinet Member for Enforcement and Safer Communities, Councillor Canver**

<b>No</b>	<b>Agenda Page/ Point</b>	<b>Question/Observation From Councillor Winskill</b>	<b>Answer (Where applicable)</b>
1	Crime Performance P.31	Are there any suggestions that the recession is having an impact on any aspects of crime in the Borough? If so, what specific responses are being undertaken?	<p>It is expected that acquisitive crimes usually increase during recessions – burglary, robbery and motor vehicle crimes in particular. Hence the partnership work has focused on preventing, addressing, and reducing these crimes.</p> <p>The latest MPS weekly scorecard (April 09 – 3<sup>rd</sup> January 2010) show that we are set to exceed our target for serious acquisitive crime; a reduction of 9.5% has been achieved against a target of 1.4%. A range of partnership responses have been delivered which contributed to this achievement including a borough-wide burglary plan which has been recognised as good practice by the Home Office and has been shortlisted for a Safer London Foundation Problem Solving award. The plan included sophisticated analysis, improving the security of properties in vulnerable areas, a communications campaign and programmed patrolling by the Police.</p> <p>The Robbery Q-Cars continue their excellent work to provide a rapid response to robbery in Haringey. Their approach to investigating robberies ensures that offenders are identified and arrested swiftly and that false allegations are dealt with appropriately.</p>
2	ASBAT Success Rate P.31	How is the “success rate” measured? What follow up work is undertaken	<p>The ASBAT are measured against performance indicators which are as follows:</p> <p>Reports assessed within 24 hours, Stage One tasks completed in time, and Customer satisfaction rates. The last set of figures showed 100% of cases assessed in time (target is 90%); Stage One tasks completed 82% (target</p>



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			<p>70%); Customer Satisfaction rates at 57% (target 70%). The satisfaction rates are low due to the poor response rate of the satisfaction forms; HfH have recently introduced an incentive for completion of these forms – there is a prize draw every quarter with a £100 prize. This has already increased the number of returned forms and hence the satisfaction rate is beginning to improve.</p> <p>The ASBAT has a 98% success rate for all legal applications made, and the ASBAT CCTV service has a 100% success rate on all prosecutions.</p> <p>The ASBAT runs its own parenting service and 150 families have completed the course with no further legal action being required after this.</p> <p>The Government uses the national indicator (NI 21) to measure public perceptions re anti-social behaviour and Haringey has improved to 28% (target is 24%).</p> <p>When ASBAT cases are closed they are reviewed along with the customer satisfaction survey form to see where the service can be improved and to ensure further incidents are prevented where possible. The ASBAT also now has a Victim Support worker who works with victims of anti-social behaviour.</p>
3	<p>YOS _“Concerns about the proportionality of the new sentencing network”. P.33</p>	<p><b>Please elaborate these concerns.</b></p>	<p>The YOS concerns centre on the issue of fairness in sentencing of young people now that the Youth Rehabilitation Order (YRO) has been introduced. The example cases are of two young women being sentenced for offences of relatively minor thefts. The sentences passed by the Court involved the imposition of YRO's with several requirements attached. Each of the requirements attached would, under the old sentencing framework, have constituted an order in themselves. In these cases the young people have in effect received multiple sentences for single offences. Therefore the new sentencing framework has enabled the Court to impose sentences that could be considered to be disproportionate to the seriousness of the offences committed by the young people involved.</p>



			<p>The YOS is concerned that if this practice continues young people may be sentenced to Court orders that are not based entirely on the principles of justice and could lead to over punitive sentencing by the Courts.</p> <p>In order to deal with this issue the YOS has introduced a new Pre-Sentence Meeting, in which sentencing proposals are discussed, and a YRO Consolidation Group then monitors progress under the new framework and considers required changes to practice. This second forum will ensure that feedback is taken to the Youth Panel at which the YOS can raise issues of concern directly with local magistrates.</p>
4	PREVENT evaluation.P.34	Please assure me that all councillors will be given access to the full report as soon as it is available.	The evaluation will be published on the website alongside the existing documents and councillors can be sent a copy.
5	Clean Sweep P.36	Are any Clean Sweep activities planned for areas of the Borough other than those listed? How were they selected?	<p>Since October 2009, 5 Clean Sweeps have been programmed as part of the Council's My Cleaner Haringey campaign..</p> <ul style="list-style-type: none"> <li>- Tottenham Green - Week Commencing 26 October 2009</li> <li>- Haringay – Week Commencing 23 November 2009</li> <li>- West Green - Week Commencing 7 December 2009</li> <li>- Seven Sisters - Week Commencing 25 January 2010</li> <li>- St Ann's - Week Commencing 15 February 2010.</li> </ul> <p>No more are scheduled at this time, however, once those delivered have been evaluated, the intention is to publish a further schedule for the remainder of 2010. Each of the locations selected for the first 5 reflected a variety of sources including</p> <ul style="list-style-type: none"> <li>- Place Survey 2008 – wards with highest levels of dissatisfaction with</li> </ul>



			<p>'keeping public land clear of litter and refuse'</p> <ul style="list-style-type: none"> <li>- Residents Survey 2009 – wards reflecting greatest concern over cleanliness</li> <li>- Environmental Crime workload (2008/9) – wards with highest levels of complaint and enforcement need</li> <li>- Encams (now Keep Britain Tidy Group) cleanliness and survey data (2009)</li> <li>- Waste Management cleanliness monitoring data (2009)</li> </ul>																																						
6	Community Volunteer Scheme. P.	Please list the numbers of CVs per Ward. Please tell me how the scheme will be reviewed and what the consultation programme is.	<p><b>Ward</b></p> <table> <tr><td>Alexandra</td><td>2</td></tr> <tr><td>Bounds Green</td><td>5</td></tr> <tr><td>Bruce Grove</td><td>5</td></tr> <tr><td>Crouch End</td><td>1</td></tr> <tr><td>Fortis Green</td><td>2</td></tr> <tr><td>Harringay</td><td>7</td></tr> <tr><td>Highgate</td><td>0</td></tr> <tr><td>Hornsey</td><td>3</td></tr> <tr><td>Muswell Hill</td><td>4</td></tr> <tr><td>Noel Park</td><td>7</td></tr> <tr><td>Northumberland Park</td><td>4</td></tr> <tr><td>Seven Sisters</td><td>7</td></tr> <tr><td>St. Ann's</td><td>6</td></tr> <tr><td>Stroud Green</td><td>6</td></tr> <tr><td>Tottenham Green</td><td>7</td></tr> <tr><td>Tottenham Hale</td><td>2</td></tr> <tr><td>West Green</td><td>3</td></tr> <tr><td>White Hart Lane</td><td>3</td></tr> <tr><td>Woodside</td><td>5</td></tr> </table> <p>The Enforcement Service took over effective administration of the scheme in December</p>	Alexandra	2	Bounds Green	5	Bruce Grove	5	Crouch End	1	Fortis Green	2	Harringay	7	Highgate	0	Hornsey	3	Muswell Hill	4	Noel Park	7	Northumberland Park	4	Seven Sisters	7	St. Ann's	6	Stroud Green	6	Tottenham Green	7	Tottenham Hale	2	West Green	3	White Hart Lane	3	Woodside	5
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			<p>attending their quarterly meeting 3 times since September 2009. At these meetings, and each ward, CVs are being encouraged to tell us what their priorities are and to support o</p> <p>At this time we are still developing our understanding of which CVs are active and what t be surveying them and hope to learn more about them, to understand the diversity of the</p>
7	<p>Legal Spend : “In the case of planning enforcement appeals <b>costs are never awarded to the council</b> and this reflects a significant proportion of our planning enforcement spend. Enforcement activity is expected to remain high and <b>the Council is working with our local court to ensure costs awarded to us are recovered</b> and promptly as possible”</p>	<p>I would be grateful for a clarification of this.</p>	<p>The parties at an appeal inquiry or hearing normally meet their own expenses. Applications for costs are not normally accepted where planning appeals proceed by written representations. There are some exceptions, notably enforcement notice and lawful development certificate appeals, where the costs of the proceedings may be awarded even though no inquiry or hearing is held. Either of the main parties - the appellant or the local planning authority - can apply for costs if they consider the other party has behaved 'unreasonably'. Any interested third parties in an appeal can also apply for costs if an inquiry (or hearing) is cancelled, as a result of 'unreasonable' behaviour by the appellant or the local planning authority.</p> <p>In the year to date the Enforcement Service has spent £84k on legal costs for planning enforcement. Approximately £51k of this reflects costs associated with appeals and £33k for criminal work such as prosecution. This reflects an increase in appeals this year relating to enforcement of breaches in Myddleton Road conservation area. In total over the same period only £7,000 has been returned to the Council as recovered costs and none of this reflects costs for planning appeals.</p> <p>Across the whole of enforcement the total legal spend up to Dec 2009 was £180k and the value of costs recovered through the courts in the year to date is £27,500. Although it should be noted that these two sums do not</p>



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reconcile to the same cases, and not all costs are recoverable at court.

Haringey Council has been raising concern at the poor return of costs awarded at court. This is a separate issue to the award of costs at court. The main issues we are challenging has now been escalated to the Deputy Justices Clerk for London in Her Majesty's Court Service (HMCS). These are -

- Cheques come to us sporadically and information with them does not easily allow us to reconcile them to cases. Costs of reconciling can sometimes effectively cancel out the value.
- Contact arrangements at court make it difficult to raise enquiries.
- We are not kept informed when our costs are remitted or written off.
- The courts cannot be clear what the outstanding debt to us is - this has been the subject of a recent (Jan 2010) Freedom of Information (FOI) request. A Nov 09 request went unanswered.

We have involved colleagues from London Boroughs of Enfield, Tower Hamlets, and Camden who have all expressed similar concerns.