

Appendix 1 – Table demonstrating Planning Enforcement Caseload 2012-13

Year	No. cases opened for investigation	No. of cases remaining open
2001/2002	401	0
2002/2003	782	0
2003/2004	881	0
sub total 2001/2 - 2003/4	2064	0
2004/2005	898	0
2005/2006	939	2
2006/2007	686	1
sub total 2004/5- 2006/7	2523	3*
2007/2008	914	1
2008/2009	1052	4
sub total 2007/8 - 2008/9	1966	5
2009-2010	878	5
2010-2011	760	4
2011-2012	718	31
2012-2013	846	98
sub total 2009/10 - 2012/13	3202	138
2013-2014 (up to 30.09.13)	955	312
Total for all years	10710	458

Appendix 2: Breakdown of cases by received by breach and Enforcement Notice served 2012-13 and 1.4.1 to 31.3.14

	2013-14		2012-13		2013-14		2012-13	
Type of Breach	Cases Received	%	Cases received	%	EN	%	EN	%
AT4-Breach of Article 4 direction	9	1	34	4	9	8	20	17
ADV-Advertisement	25	3	34	4	S225Ax7	-	2	2
APP-Appeal	3	0	n/a		2		n/a	
CON-Breach of Condition	7	1	7	1	-	-	3	3
COU-Change of Use	51	5	47	5	6	5	-	-
DEM	3	0	2	1	-	-	-	-
DEP-Departure from Plans	91	10	58	8	6	5	-	-
EXT-Extension	39	4	47	5	4	4	See UNW	
FCV-Conversion to flats	113	12	107	13	29	28	39	34
HMO-House in Multiple Occupation	17	2	19	2	3	3	See FCV	
LBW-Listed Building	0	0	10	1	-	-	0	0
PRO	12	1	n/a		12		n/a	
PRJ-Project case	23	2	n/a	n/a	9	8	n/a	n/a
SAT-Satellite Dish	42	5	70	8	10	9	4	5
SOC-Social Club	0	0	6	1		-	1	1
TPC- Works to Trees	38	4	25	3	-	-	-	-
UNT-Untidy Land	4	0	4	1	-	-	-	-
UPW-Place of Worship	1	0	6	1	1	1	-	-
UNW-Unauthorised Development	475	50	370	42	33	30	43	37
TOTAL	957	100	846	100	109	100	114	100

Appendix 3: Notices served by Ward 2012-13 and 1.4.13 to 31.3.14

Year	2012-13	No.	No.	2013-14	No.	No.
	R	EN	PCN	R	EN	PCN
Alexandra	46	2	2	38	3	1
Fortis Green	40	2	0	27	2	1
Highgate	68	7	10	56	7	2
Muswell Hill	43	2	0	31	0	1
Crouch End-CE	40	3	2	44	1	1
Hornsey-HY	25	2	1	14	0	3
Stroud Green SR	56	4	14	23	5	0
West Total	318 (37%)	22 (19%)	29 (27%)	233(3 2%)	18 (31%)	9 (10%)
Harringay	44	14	11	38	2	1
St. Anns	45	6	6	43	1	1
Northumb Park	27	3	4	34	2	10
White Hart Lane	63	23	0	41	4	5
Tott Hale	47	5	9	32	4	9
Tott Green	67	10	8	62	3	17
Seven Sisters	47	10	2	59	9	9
Bruce Grove	40	4	4	33	0	4
West Green	23	3	0	38	3	11
Bounds Green	40	6	7	31	5	4
Noel Park	47	8	3	43	4	4
Woodside	31	2	2	29	4	9
East Total	527	94 (81%)	80 (73%)	497(68 %)	41 (69%)	84(90 %)
LBH Total	845	116	109	730	59	94

Appendix 4: Planning Enforcement Appeals Received and Determined April 1st to March 31st 2014

Type	2013-14 PE Appeals	%	2012- 13	%	2013-14 Planning Appeals	%	2012- 13	%
Received	39	100	54	100	74	100	X	100
Determined	39	100	34	100	73	100	X	100
Dismissed	30	77	18	90	49	67	X	90
Allowed	8	20	2	10	23	31.5	X	10
Split	1	3			1	1.5		
Appeal withdrawn	4	n/a	3	n/a	??	n/a	X	n/a
Turned away	1	n/a	5	n/a	x	n/a	X	n/a
EN Withdrawn	3	n/a	8	n/a	x	n/a	X	n/a

Appendix 5 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%	41% (364 from 887 cases closed adjusted)
ENF PLAN 3	Customer satisfaction with the service received	56% overall	1 st April to 30 th September 2013 only.
ENF PLAN 4	Cases closed within target time of 6 months	80%	77% (684 out of 887 cases closed adjusted)
ENF PLAN 5	Cases acknowledged within 3 working days	93%	94% (734 out of 781 cases)
ENF PLAN 6	Planning Enforcement Initial site inspections 3, 10, 15 working days	90%	91% cases initial visit within the time period)
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	109	
ENF PLAN 9	Number of enforcement notices appealed	39	
ENF PLAN 10	Number of enforcement notices withdrawn by Council	8	
ENF PLAN 10a	Number of Enforcement Appeals Allowed	8 (1 part)	
ENF PLAN 10b	Number of Withdrawn Appeals	4	
ENF PLAN 10C	Number of Notice Appealed withdrawn	4	
ENF PLAN 11	Number of prosecutions submitted for non-compliance with enforcement notice	7	
ENF PLAN 12	Number of Notices (Other) served	14 (7 TSN, 7 S225A Notices)	

Appendix 6 – Table showing Outcomes of Planning Enforcement Closed Cases 2012-13 (2011-12 in brackets)

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

Table 7a 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 should receive it by <u>30 Sep 14</u> (the Home Office sends it to us at the end of the next quarter after the quarter in which the defendant paid).	Sale of property to finance POCA and remedial works. May not resolve breach of planning control
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	Defendant's company in administration. Both properties have been sold at auction. Will need to liaise with new owners

					share will be £4,687.50 should be paid by the 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	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. Planning Enforcement's share will be £58,559.07.	Used as small HMO since 2013. Notice complied with.
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.

Table 7B Live Enforcement Cases Already Prosecuted

No	Lead Officer	Breach Address	Ward	Breach	Latest Action	Future Action
1	Fortune Gumbo	153 Gospatri ck 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
3	Abby Oloyede	43 Topsfield parade	Crouch End	Signage to ground floor premises	£170 Fine and £50 costs	Propoerty now vacated. Consider direct action to remediate breach as no access issues and prosecution has not remediated breach
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 2 nd 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. To be heard in March 2014.
6	Myles Joyce	76 Scales Road	Tottenham Hale	Unauthorized change of use to self-contained flats	Second conviction. Prosecuted and fined £20000 reduced to £18000 on appeal. March 2012. Costs to Council awarded. First conviction in 2009 attracted a fine of £9000.	Need a for further compliance site visit. If still in breach will recommend 3 rd prosecution and 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	Recommend that Direct Action under S176 is taken as no access issued and prosecution conviction and planning application process has not remedied breach
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	Breach with regard to ground floor change of use to self-contained

						flats subject of an enforcement appeal and planning applications.
10	Myles Joyce	98 Hewitt Avenue	Noel Park	Erection of rear dormer. Conversion into 2 self-contained flats.	Convicted 2 nd time. £14000 fine and £1455 costs/ Appeal 29.4.13 Wood Green Crown Court withdrawn	Dormer has been reduced but still 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 fined £800 with £672.50 Costs awarded to Council	Only part compliance. Consider direct action as best way to remediate breach

Table 7C: Cases Already prosecuted- Closed as Complied with in 2013-14

No	Lead Officer	Breach Address	Ward	Breach	Latest Action	Future Action
-----------	---------------------	-----------------------	-------------	---------------	----------------------	----------------------

1	Lorcan Lynch	63 Gladesmore Road	Seven Sisters	Erection of roof extension. Appeal dismissed against enforcement notice.	Entered guilty plea. Sentenced November £750 fined and £1275 costs awarded to LBH Adjourned for sentencing November	Amendments granted planning permission regularising breach.
2	Myles Joyce	38 Thackerary Avenue	Bruce Grove	Conversion to self-contained flats	Convicted and fined £15000 costs £645.	Site visit in November 2013 revealed Enforcement Notice has been complied with
3	Myles Joyce	Car Wash Upper Tollington Park	Stroud Green	Erection of canopy and signage. Breach of Enforcement Notice	Convicted and fined £200 fine £800.	Site visit in November 2013 revealed Enforcement Notice has been complied with

Table 7D: Cautioned accepted and costs paid in lieu of Prosecution as compliance achieved 2013-14

1	Lorcan Lynch	135 Castlewood Road	Seven Sisters	Rear Extension. Breach of Enforcement Notice	Simple caution accepted and costs paid £1000 23 rd July 2013	Site visit whilst matter in Court revealed compliance so offer of simple caution made
2	Lorcan Lynch	89 Wargrave Avenue N15	Seven Sisters	Erection of porch, a/c units and other departure	£1416.75 legal costs paid to Council and simple	Site visit in August 2013 revealed Enforcement

				<i>s from approved plans</i>	<i>caution accepted</i>	<i>nt Notice has been complied with so offer of simple caution made</i>
--	--	--	--	---	------------------------------------	--