

**Appendix 1: Planning and Enforcement Appeals Received and Determined April 1<sup>st</sup> to June 30<sup>th</sup> 2014**

<b>Type</b>	<b>2013-14 PE Appeals</b>	<b>%</b>	<b>2013-14</b>	<b>%</b>	<b>2014-15 Planning Appeals</b>	<b>%</b>	<b>2013-14</b>	<b>%</b>
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Appeal withdrawn	0	n/a	4	n/a	0	n/a	n/a	n/a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EN Withdrawn	3	n/a	3	n/a	n/a	n/a	n/a	n/a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ENF PLAN 10	Number of enforcement notices withdrawn by Council	4	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ENF PLAN 10b	Number of Withdrawn Appeals	0	
ENF PLAN 10C	Number of Notice Appealed withdrawn	3	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 20104-15 and preceding years**

<b>Closure reason</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15 Q1</b>
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%)
<b>Total</b>	<b>673</b>	<b>747</b>	<b>905</b>	<b>135</b>

**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>

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

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

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 and previous behaviour. Recommend that 2 <sup>nd</sup> 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 3 <sup>rd</sup> 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 form 2 to 4 self-contained flats	Convicted and fined £2000 and £2073 costs. LBA sent 2 <sup>nd</sup> prosecution. Landlord evicting tenants	Consider 2 <sup>nd</sup> 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 <sup>nd</sup> 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 <sup>rd</sup> 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**

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

