

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| Appeal withdrawn | 0 | n/a | 4 | n/a | 0 | n/a | n/a | n/a |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| EN Withdrawn | 3 | n/a | 3 | n/a | n/a | n/a | n/a | n/a |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| ENF PLAN 10 | Number of enforcement notices withdrawn by Council | 4 | |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| ENF PLAN 10b | Number of Withdrawn Appeals | 0 | |
| ENF PLAN 10C | Number of Notice Appealed withdrawn | 3 | |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> |

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|----------|--------------------|-------------------------|------------------|--|---|---|
| 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> |

