



City of Westminster

Council Follow-on Agenda

Title: **Council Meeting**

Meeting Date: **Wednesday 13th November, 2019**

Time: **7.00 pm**

Venue: **Westminster Council House, 97-113 Marylebone Road,
London, NW1 5PT**

Members: **All Councillors are hereby summoned to attend the Meeting
for the transaction of the business set out.**

Admission to the public gallery is available from 6.30pm.



**Please telephone if you are attending the meeting in a
wheelchair or have difficulty walking up steps. There is
wheelchair access via the Sammy Ofer Centre.**



**An Induction loop operates to enhance sound for anyone
wearing a hearing aid or using a transmitter. If you require
any further information, please contact the Committee
Officer, Reuben Segal, Head of Committee and Governance
Services.**

**Email: rsegal@westminster.gov.uk Tel: 020 7641 3160
Corporate Website: www.westminster.gov.uk**

FOLLOW-ON AGENDA

Priority Order of Business

(Pages 3 - 6)

Item 9 Future Policy Plan – No. 97 - Briefing Note on Short Term Lets

Item 12 Report of General Purposes Committee: Programme of Meetings 2020-2021

(Pages 7 - 8)

**64 Victoria Street
London, SW1E 6QP
7 November 2019**

CITY OF WESTMINSTER

COUNCIL MEETING – 13 NOVEMBER 2019

AGENDA ITEMS 9 & 12 PREFERRED ORDER OF ITEMS FOR DEBATE (STANDING ORDER 11)

MAJORITY PARTY

No	Agenda Item 9	Issue	Cabinet Member Portfolio
1.	Future Policy Plan	Abuse of Short Term Lets See attached Briefing Note	Public Protection and Licensing

MINORITY PARTY

	Agenda Item 12	Subject	Cabinet Member Portfolio
2.	Notice of Motion	Care Homes in Westminster	Adult Services and Public Health

Stuart Love
Chief Executive
12 September 2019

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Council Meeting: 13th November 2019

Briefing Note

Subject: Short Term Letting – Background Paper

Background

Westminster has experienced unprecedented growth in short-term lettings (STL) since the introduction of the Deregulation Act 2015. Recent online data shows us that there are over **11,000** Westminster properties advertised on Airbnb, and further evidence suggests that **8,000** of these are entire homes.

Legality and Council Powers

Private Homeowners within Westminster

Prior the Deregulation Act 2015, anyone planning to STL their property was required to obtain planning permission from their Local Authority. Following the implementation of the 2015 Act, homeowners can STL their property for up to 90 nights per calendar year. STL for more than 90 nights requires planning permission, otherwise it is deemed unlawful. However, the limit is effectively unenforceable as there is no way of knowing when a property has exceeded 90 night.

Leaseholders and Tenants of Westminster City Council

Leaseholders of Westminster City Council are **not** permitted to short-let their property as per the terms of the lease. While the Deregulation Act (2015) allows short letting for a period up to 90 days in a calendar year, the terms of the Westminster City Council lease prohibit this. Subletting a tenanted Westminster property is illegal under the Prevention of Social Housing Fraud Act 2014. Westminster Housing tenants found unlawfully STL their property will be face possession proceedings resulting in eviction.

Issues

While a large number of people let their homes responsibly within the 90-day limit, a large number do not. The council has extensive evidence that illegal and irresponsible short term letting is associated with crime and ant-social behaviour. The council receives regular complaints of noise, disruption, and a sense of chronic unease due to the loss of neighbourliness created by a transient population.

When asked in the City Survey whether residents thought STL was a problem in their area, **one in ten** residents agreed. This rose to almost **one in four** residents in the West End. The council currently has **1,363** enforcement cases open as of November 2019.

The council is also concerned about the impact of short term letting is having on the supply of private rented accommodation.

The nature of short-letting means that investigations can require considerable resources to conduct enquiries and without notice visits before there is sufficient evidence to be likely to succeed at court.

What we are doing

Tackling STL in our housing stock: The council a dedicated team within leasehold operations who work very closely with housing management to pro-actively identify and to react to reported cases of STL. The team is investigating data on websites where council-owned properties are advertised for STL and contact the leaseholders and tenants to investigate the matter. In the cases where STL does not cease, the council will take the appropriate enforcement action.

Housing Standards Taskforce: the council set up the Housing Standards Taskforce as part of a deliberate effort to integrate enforcement functions and create a multi-agency taskforce.

Considerate Landlords Charter: the council worked with the Short-Term Accommodation Association (STAA) to publish a Considerate Landlords Charter to encourage responsible letting and best practice.

Information Sharing Protocol: The council attempted to work with the STAA to develop a data-sharing framework to improve enforcement. The STAA does not wish to pursue this.

Industry Accreditation: the council encouraged the STAA to improve self-regulation and an accreditation scheme was subsequently set-up in partnership with Quality in Tourism under which providers of holiday accommodation can become accredited as 'Safe, Clean and Legal' should their application and inspection be successful.

Airbnb imposed 90-night limit: the council has worked directly with Airbnb to improve self-regulation – they have introduced a 90-night limit on bookings.

International and national best practice: The council is continually looking at international and national best practice and how this can best be applied to Westminster.

Lobbying the government: the council has been lobbying the government to alert ministers to the challenges create by persistent and unlawful STL in Westminster.

REPORT OF THE GENERAL PURPOSES COMMITTEE HELD ON 6 NOVEMBER 2019

Present: Councillors Paul Swaddle (Chairman), Tim Mitchell David Boothroyd and Robert Rigby

1. Programme of Meetings 2020-2021

- (a) We have approved the Programme of Meetings for the Committees and Sub-Committees of the Council for the 2020-2021 municipal year, having regard to the approach we have previously agreed.
- (b) We noted that the principles we endorsed in May 2012 for the scheduling of formal meetings, which allows for a more consistent approach, have worked well to date. Accordingly, these principles have been carried forward for the preparation of the 2020-2021 programme of meetings. Through this approach we have been able to ensure that most Policy and Scrutiny Committee meetings are not held on Tuesdays to avoid clashes with the Council's Planning Applications Sub-Committees.
- (c) The full Council is required to approve the dates for its meetings and these are set out in the recommendation for adoption.

We recommend: That meetings of the Council be held as follows:

20 May 2020 (Annual), 24 June 2020, 16 September, 11 November (Budget Proposals), 20 January 2021, 3 March 2021 (Council Tax/Budget Setting) and 12 May 2021 (Annual).

Paul Swaddle, Chairman

Local Government (Access to Information) Act 1972

Report/Minutes: General Purposes Committee (06.11.2019)

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