

Scrutiny committee

Date: Thursday, 28 June 2018

Time: 16:30

Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

All group pre-meeting briefing – 16:00 Mancroft Room

This is for members only and is not part of the formal scrutiny committee meeting which will follow at 16:30. The pre-meeting is an opportunity for the committee to make final preparations before the start of the formal meeting. The public will not be given access to the Mancroft room before 16:30.

Committee members:

Councillors:

Carlo
Coleshill
Fullman
Fulton-McAlister (M)
Hampton
Manning
Raby
Sands (S)
Smith
Stewart
Thomas (Va)
Thomas (Vi)
Wright

For further information please contact:

Committee officer: Lucy Palmer
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Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website

Agenda

Page nos

- 1 Apologies**
To receive apologies for absence
- 2 Declarations of interest**
(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)
- 3 Public questions/petitions**

To receive questions / petitions from the public

Please note that all questions must be received by the committee officer detailed on the front of the agenda by **10am on Monday 25 June 2018**

Petitions must be received must be received by the committee officer detailed on the front of the agenda by **10am on Wednesday 27 June 2018**

For guidance on submitting public questions or petitions please see appendix 1 of the council's constitution.
- 4 Minutes** **7 - 10**
To approve the accuracy of the minutes of the meeting held on 24 May 2018
- 5 Scrutiny committee work programme 2018-19** **11 - 20**
Purpose - To consider the scrutiny committee work programme 2018-19
- 6 Response to the Communities and local government report on effectiveness of local authority overview and scrutiny committees** **21 - 28**
Purpose - The purpose of this report is to provide an update to members the current position of Norwich City Council in relation to the recommendations made by the communities and local government committee report 'Effectiveness of local authority overview and scrutiny committees'
- 7 Growth of short term letting of homes in Norwich** **29 - 36**
Purpose - To consider the growth of short term letting of

homes, and the impact of these on both income for the council and the wellbeing of local residents.

Date of publication: **Wednesday, 20 June 2018**

- T** is this, the right **TIME** to review the issue and is there sufficient officer time and resource available?
- O** what would be the **OBJECTIVE** of the scrutiny?
- P** can **PERFORMANCE** in this area be improved by scrutiny input?
- I** what would be the public **INTEREST** in placing this topic onto the work programme?
- C** will any scrutiny activity on this matter contribute to the council's activities as agreed to in the **CORPORATE PLAN**?

Once the TOPIC analysis has been undertaken, a joint decision should then be reached as to whether a report to the scrutiny committee is required. If it is decided that a report is not required, the issue will not be pursued any further. However, if there are outstanding issues, these could be picked up by agreeing that a briefing email to members be sent, or other appropriate action by the relevant officer.

If it is agreed that the scrutiny request topic should be explored further by the scrutiny committee a short report should be written for a future meeting of the scrutiny committee, to be taken under the standing work programme item, so that members are able to consider if they should place the item on to the work programme. This report should outline a suggested approach if the committee was minded to take on the topic and outline the purpose using the outcome of the consideration of the topic via the TOPIC analysis. Also the report should provide an overview of the current position with regard to the topic under consideration.

By using the flowchart, it is hoped that members and officers will be aided when giving consideration to whether or not the item should be added to the scrutiny committee work programme. This should help to ensure that the scope and purpose will be covered by any future report. The outcome of this should further assist the committee and the officers working with the committee to be able to produce informed outcomes that are credible, influential with SMART recommendations.

Specific, Measurable, Attainable, Relevant and Time-bound

Scrutiny committee and a protocol for those attending meetings of the scrutiny committee

- All scrutiny committee meetings will be carried out in a spirit of mutual trust and respect
- Members of the scrutiny committee will not be subject to whipping arrangements by party groups
- Scrutiny committee members will work together and will attempt to achieve evidence based consensus and recommendations
- Members of the committee will take the lead in the selection of topics for scrutiny
- The scrutiny committee operates as a critical friend and offers constructive challenge to decision makers to support improved outcomes
- Invited attendees will be advised of the time, date and location of the meeting to which they are invited to give evidence
- The invited attendee will be made aware of the reasons for the invitation and of any documents and information that the committee wish them to provide
- Reasonable notice will be given to the invited attendee of **all** of the committees requirements so that these can be provided for in full at the earliest opportunity (there should be no nasty surprises at committee)
- Whenever possible it is expected that members of the scrutiny committee will share and plan questioning with the rest of the committee in advance of the meeting
- The invited attendee will be provided with copies of **all relevant** reports, papers and background information
- Practical arrangements, such as facilities for presentations will be in place. The layout of the meeting room will be appropriate
- The chair of the committee will introduce themselves to the invited attendee before evidence is given and; all those attending will be treated with courtesy and respect. The chair of the committee will make sure that all questions put to the witness are made in a clear and orderly manner



SCRUTINY COMMITTEE

16:35 to 17:10

24 May 2018

Present: Councillors Wright (chair), Carlo, Coleshill, Fullman, Fulton-McAlister (M), Manning, Raby, Smith, Stewart, Thomas (Va), Thomas (Vi)

Apologies: Councillors Hampton and Sands (S)

1. Appointment of vice chair

RESOLVED to appoint Councillor David Fullman as vice chair for the ensuing civic year

2. Public questions/petitions

There were no public questions or petitions

3. Declarations of interest

There were no declarations of interest.

4. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 22 March 2018

5. Appointment of representative and substitute to the Norfolk Health Overview and Scrutiny Committee

Following discussion it was:-

RESOLVED to

- (1) appoint Councillor Fullman as the representative and Councillor Fulton-McAlister (M) as the substitute for the Norfolk Health Overview and Scrutiny Committee for the ensuing civic year; and
- (2) ask the committee officer to attach the NHOSC work programme to the updates item going forward; and

- (3) ask the representative to raise the effects of air pollution on public health as a possible topic for inclusion on the NHOSC work programme

6. Appointment of representative and substitute to the Norfolk Countywide Community Safety Partnership Scrutiny sub panel

RESOLVED to appoint Councillor Stewart as the representative and Councillor Thomas (Va) as the substitute for the Norfolk Countywide Community Safety Partnership Scrutiny sub panel for the ensuing civic year.

7. Setting of the scrutiny committee work programme for 2018-19

The chair introduced the item and referred to the list of potential work programme items on page 17 of the agenda. He explained that the work programme was an evolving document and would be a standing item on every agenda to allow for any changes to be made.

Members discussed the review of parks and playgrounds item and a member questioned whether considering this at the February meeting would lead to a loss of momentum around the topic. The chair said that when a task and finish group had met with the head of citywide services previously, he had indicated that the review needed to span all four seasons to ensure that a rounded report was produced. The strategy manager suggested that another task and finish group could be formed mid-year to discuss updates before reporting back to the scrutiny committee in February.

Discussion ensued around the topic of Operation Gravity and whether this meeting of the committee could take place at a venue within the community. Councillor Fullman offered to meet with the director of neighbourhoods to scope the item and bring this to the July meeting of the committee for approval.

The strategy manager said that in previous years, a standing item on performance data had been included on the scrutiny work programme. He said that this information was available on the Citizen's Portal for members to access at any time. If members had a concern around any of the data, they could ask for that particular piece of data to be brought to the committee for consideration.

It was therefore:-

RESOLVED to:

- (1) ask the scrutiny liaison officer to add the following items to the scrutiny committee work programme 2018-19:
 - a) The impact of Airbnb type properties (June)
 - b) Presentation of the report of the Communities and Local Government committee scrutiny inquiry to the scrutiny committee for consideration (June)
 - c) Preparations for full service of universal credit (July)

- d) The impact of Operation Gravity/organised crime in Norwich since 2016 including the role of the council and police when dealing with communities blighted by anti-social behavior (September)
 - e) Good quality jobs in Norwich – the digital and emerging economy (October)
 - f) Responses to domestic violence in Norwich (November)
 - g) Corporate plan and performance framework and Equality Information report (December)
 - h) Pre-scrutiny of the proposed budget, Medium Term Financial Strategy and transformation programme (January)
 - i) Scrutiny of the parks and playgrounds review, its approach and scope (February)
 - j) Viability assessments and delivery of affordable housing (March)
- (2) Formulate a task and finish group at the September meeting of the scrutiny committee to consider the parks and playgrounds review and report back to the committee in February 2019.

CHAIR

Norwich City Council
SCRUTINY COMMITTEE

Item No 5

REPORT for meeting to be held on 28 June 2018

Work Programme for 2018-19

- Summary:** The purpose of this report is to provide an update to members on the items on the scrutiny work programme for 2018-19
- Conclusions:** The work programme is appended to this report (appendix A). It is proposed that any discussion is a whole committee discussion based on this documentation, to assist members in providing a clear scope for the items on future agendas to facilitate robust scrutiny.
- Recommendation:** To agree items and how these will be scoped and prepared for the remaining meetings of 2018-19.
- Contact Officers:** Adam Clark, Strategy manager,
01603 212273
adamclark@norwich.gov.uk
- Joanna Rowan, Scrutiny liaison officer
01603 212153
jorowan@norwich.gov.uk

Items for 2018-19

1. The attached appendix A shows the work programme as it currently stands, with items that have been assigned to future meetings. Members are encouraged to discuss the scope for outstanding items so that officers can undertake appropriate background work:
2. The cabinet forward agenda is also attached for information.

Scrutiny committee work programme 2018 – 2019

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
24 May	Setting of the work programme	Joanna Rowan (Scrutiny liaison officer), Cllr Wright	To assist committee members in setting the work programme for 2018/19
28 June	The impact of Airbnb type properties	Anton Bull, Director of business services Cllr Wright	To consider the growth of short term letting of homes, and the impact of these on both income for the council and the wellbeing of local residents.
28 June	Report of CLF inquiry for consideration	Anton Bull, Director of business services; Jo Rowan, Scrutiny liaison officer	To provide an update to members the current position of Norwich city council in relation to the recommendations made by the communities and local government committee report 'Effectiveness of local authority overview and scrutiny committees'.
19 July	The impact of universal credit on vulnerable groups of people, the impact of existing universal credit roll-out, preparation for full service of universal credit	Anton Bull, Director of Business Services; Adam Clark, Strategy Manager; Nicki Bristow, Universal Credit Team Leader	The objective of this scrutiny would be to scrutinise the plans for UC full service implementation in Norwich based on the data and learning from the live service, and experience of other areas that have already implemented UC full service. This would form the basis of recommendations relating to the council's own preparation (as outlined below), as well as how the DWP nationally and locally are implementing full UC.
20 September	The impact of operation gravity/organised crime	Bob Cronk, Director of neighbourhoods;	

Scrutiny committee work programme 2018 – 2019

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
	in Norwich since 2016, the role of the council and police when dealing with communities blighted by anti-social behaviour	Jo Sapsford, Early help and community safety manager	
11 October	Good quality jobs in Norwich – the digital and emerging economy		
22 November	Responses to domestic violence in Norwich	Jo Sapsford, Early help and community safety manager	
13 December	Corporate plan and performance framework, equality information report	Adam Clark, Strategy Manager	
10 January	Pre scrutiny of the proposed budget, MTFA and transformation programme (before February cabinet)	Karen Watling, Chief finance officer; Helen Chamberlin, Head of strategy and transformation	
14 February	Scrutinise and feed into the parks and playgrounds review, its scope and approach	Adrian Akester, Head of citywide services	

Scrutiny committee work programme 2018 – 2019

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
21 March	Viability assessments and impact on delivery of affordable housing	Graham Nelson, Head of planning services	

FORWARD AGENDA: CABINET and COUNCIL MEETINGS 2018 - 2019

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
COUNCIL 26 JUNE 2018	Annual Audit Report	To consider the annual report of the audit committee				
COUNCIL 26 JUNE 2018	Annual Scrutiny Report	To consider the annual report of the scrutiny committee				
CABINET 11 JULY 2018	Norwich Airport Industrial estate - procurement of a developer partner	To approve the brief for procurement of a developer partner	Cllr Stonard Andy Watt Gwyn Jones		Andy Watt	NO
CABINET 11 JULY 2018	Procurement of debt collection services including enforcement agents - KEY DECISION	To consider the future provision of debt collection services including enforcement agents	Cllr Kendrick Anton Bull		Anton Bull	NO
CABINET 11 JULY 2018	Broadland Northway to A47 Western Link	To respond to the County Council consultation on the options for the western link road	Cllr Stonard Andy Watts Bruce Bentley		Dave Moorcroft	NO
CABINET 11 JULY 2018	Procurement of photovoltaic panels for free on housing properties	To consider the procurement process for installing photovoltaic panels on housing properties, and to seek approval to award the contract.	Cllr Harris Bob Cronk Carol Marney	Yes	Bob Cronk	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
CABINET 11 JULY 2018	Procurement for the supply, installation and commissioning of a temporary boiler plant room and equipment at Barnard's Yard.	To consider the procurement process for installing a temporary boiler room for the district heating at Barnard Yard.	Cllr. Harris Bob Cronk Carol Marney		Bob Cronk	NO
CABINET 11 JULY 2018	Managing Assets (Housing) – KEY DECISION	To outline the options available for the assets future within the housing stock.	Cllr Harris Dave Shaw Lee Robson		Bob Cronk	Yes (Para 3)
CABINET 11 JULY 2018	Norwich Airport – expiry of the Public Private Partnership, Agreement- KEY DECISION	To consider the implications arising from the expiry of the PPP agreement on March 1 2019	Cllr Waters Karen Watling		Karen Watling	Yes (Paras 3 and 4)
COUNCIL 24 JULY 2018	Addition to 2018/19 capital programme	To seek approval to increase the capital programme to make a commercial loan to an external organisation	Cllr Kendrick Karen Watling		Karen Watling	YES (Para 3)
CABINET 12 SEPT 2018	Quarter 1 2018/19 quarterly performance report	To report progress against the delivery of the corporate plan priorities and key performance measures for quarter 1 of 2018/19	Cllr Waters Adam Clark		Adam Clark	NO
CABINET 12 SEPT	Bethel Hospital Repairs Notice	To consider the possible service of a Repairs Notice or Notices under Section 48 of the Listed Buildings Act 1990 specifying those works considered reasonably necessary for the proper preservation of the Bethel Hospital complex of buildings	Cllr Stonard Graham Nelson		Dave Moorcroft	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
CABINET 12 SEPT 2018	To write off non recoverable national non domestic rate relief	To provide an update on the position as at 18/07/2018 with regard to the write off of non- recoverable national non domestic rate (NNDR) debt and request approval for the write-off of debts totalling £169,939.27 which are deemed irrecoverable.	Cllr Kendrick Anton Bull Carole Jowett & Michelle Newell		Anton Bull	NO
CABINET 12 SEPT 2018	Procurement of Water supplies and additional services for Council sites – KEY DECISION	To inform Cabinet of the procurement process and seek approval to award the contract.	Cllr Kendrick Anton Bull Richard Buckenham		Anton Bull	NO
CABINET 12 SEPT 2018	Norwich Airport Masterplan – KEY DECISION	To report back on revisions to the draft masterplan and to seek approval of the final masterplan document.	Cllr Stonard Graham Nelson Judith Davison		Dave Moorcroft	NO
CABINET 12 SEPT 2018	Norwich Regeneration Ltd business plan – KEY DECISION	To approve the revised NRL business plan	Cllr Harris Gwyn Jones		Dave Moorcroft	NO
CABINET 12 SEPT 2018	Norwich Regeneration Ltd business plan – KEY DECISION	To consider the exempt appendix to the revised NRL business plan	Cllr Harris Gwyn Jones		Dave Moorcroft	Yes (Para 3)
COUNCIL 25 SEPT 2018						

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
CABINET 10 OCT 2018						
CABINET 14 NOV 2018						
COUNCIL 27 NOV 2018						
CABINET 12 DEC 2018	Quarter 2 2018/19 quarterly performance report	To report progress against the delivery of the corporate plan priorities and key performance measures for quarter 2 of 2018/19	Cllr Waters Adam Clark		Adam Clark	NO
CABINET 16 JAN 2019	Quarter 2 2018/19 quarterly performance report	To report progress against the delivery of the corporate plan priorities and key performance measures for quarter 2 of 2018/19	Cllr Waters Adam Clark		Adam Clark	NO
COUNCIL 29 JAN						

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
2019						
CABINET 06/13 FEB 2019	Corporate plan 2019-2022	To consider the corporate plan and performance framework 2019-22	Cllr Waters Adam Clark		Adam Clark	NO
COUNCIL 19/26 FEB JAN 2019						
CABINET 13 MARCH 2019	Quarter 3 2018/19 quarterly performance report	To report progress against the delivery of the corporate plan priorities and key performance measures for quarter 3 of 2018/19	Cllr Waters Adam Clark		Adam Clark	NO
CABINET 13 MARCH 2019	An overview of external relationships, contracts and grants 2019-20 – KEY DECISION	To consider commissioned services for the period 2019-20. These are both planned and current relationships with external organisations including partnerships, grants, contracts and shared services.	Cllr Waters Adam Clark Tracy Woods		Adam Clark	NO
COUNCIL 19 MARCH 2019						

Norwich City Council
SCRUTINY COMMITTEE

Item No 6

REPORT for meeting to be held on Thursday 28 June 2018

Response to the Communities and local government report on effectiveness of local authority overview and scrutiny committees

Summary:

The purpose of this report is to provide an update to members the current position of Norwich city council in relation to the recommendations made by the communities and local government committee report 'Effectiveness of local authority overview and scrutiny committees'.

Recommendation:

To consider the current position of Norwich City Council in relation to:

- 1) the recommendations made by the communities and local government committee.
- 2) the government response to the recommendations made by the report produced by the communities and local government committee.

Contact Officers:

Joanna Rowan, scrutiny liaison officer
Tel: 01603 212153
jorowan@norwich.gov.uk

Report

1. The communities and local government published a report on the 15 December 2017 titled 'Effectiveness of local authority overview and scrutiny committees'.
2. This report provides members with a summary of the report recommendations, summary of the government response to the recommendations and Norwich City Council's current position in relation to the recommendations and government response.
3. Members are invited to comment on the table included within this report.

Summary of the original CLG recommendations	Summary of Government response to recommendations	NCC current position
<p>Recommendation 1: Proposed revisions to Government guidance on scrutiny committees</p> <p>a) That overview and scrutiny committees should report to an authority's Full Council meeting.</p> <p>b) That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses.</p> <p>c) That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.</p> <p>d) That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial</p>	<p>The Government acknowledges that the current guidance was issued in 2006 and is happy to ensure it is updated.</p> <p>a) The Government notes the evidence supplied to the Committee. Updated guidance will recommend that scrutiny committees report to the Full Council.</p> <p>b) The Government accepts the need to limit the executive's involvement in the scrutiny meetings. Updated guidance will make clear that members of the executive should not participate in scrutiny other than as witnesses.</p> <p>c) Scrutiny committees already have powers to access documents and updated guidance will stress that councils should judge each request to access sensitive documents on its merits and not refuse as a matter of course.</p> <p>d) Updated guidance will make clear that support officers should be able to operate independently and provide impartial advice. It will also stress the need for councils to</p>	<p>a) NCC Scrutiny committee currently reports to cabinet.</p> <p>b) NCC executive members do on occasion attend scrutiny committee where an item relates to their portfolio. This is not normally formally deemed being a witness, but is intended to contribute an executive perspective on the item.</p> <p>c) It is rare for the committee to make specific document requests. There is no 'refusal as a matter of course' approach. Where sensitive material is shared, confidentiality processes are deployed.</p> <p>d) NCC currently provides the scrutiny committee with impartial officer advice via the Scrutiny Liaison Officer and wider democratic services team.</p>

<p>advice to committees.</p> <p>e) That members of the public and service users have a fundamental role in the scrutiny process</p>	<p>recognise and value the scrutiny function and the ways in which it can increase a council's effectiveness.</p> <p>e) The Government fully believes that local authorities should take account of the views of the public and service users in order to shape and improve their services. Updated guidance will make this clear.</p>	<p>e) NCC scrutiny committee invites public questions and allows members of the public to attend and ask those in person. It also aims to hold at least one committee meeting a year in a community location to reinforce the public-facing nature of the committee</p>
<p>Recommendation 2: That the Department for Communities and Local Government (DCLG) works with the Local Government Association and Centre for Public Scrutiny to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered.</p>	<p>The Government will give further consideration to this recommendation.</p> <p>The Government fully accepts that the chair of a scrutiny committee can have a great impact on its effectiveness.</p> <p>The Government also accepts that, in some instances, the election, rather than the appointment, of a chair might help ensure that the right individual is ultimately selected, but feels that this is a decision for every council to make for itself.</p> <p>The Government is happy to explore with the sector how best to establish the impact of elected chairs on scrutiny committees' effectiveness, but is not yet convinced that running pilot schemes is the best way to achieve this.</p>	<p>This is a question for the committee chair and committee to determine</p>

<p>Recommendation 3: Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator.</p>	<p>The Government does not accept this recommendation.</p> <p>Many councils do not have dedicated scrutiny support staff - officers work on issues and engage with committees as part of the flow of business - so this would make quantifying the support that scrutiny committees receive very difficult. In the Government's view, the quality of the support is the more important issue.</p> <p>The Government firmly believes that each individual authority is best-placed to decide for itself how to support scrutiny most effectively.</p>	<p>See current position below relating to recommendation 4.</p>
<p>Recommendation 4: That the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny.</p>	<p>The Government does not accept this recommendation.</p> <p>As the then Minister outlined during the oral evidence he gave to the Select Committee, decisions about the allocation of resources for the scrutiny function are best made at a local level. Each council is best-placed to know which arrangements will suit its own individual circumstances. It is not a case of one size fits all.</p>	<p>NCC has a part time scrutiny liaison officer (SLO) to facilitate the committee meetings and a full time Democratic team leader who manages the SLO and attends and supports meetings. A report is sent to cabinet following all scrutiny meetings, including all recommendations. The strategy manager attends most scrutiny meetings and provides strategy and policy support where appropriate, as well as engaging other members of the strategy team as required. Other officers are also required to provide item specific</p>

		input such as compiling background reports and attending meetings. A member of the senior management team also attends all committee meetings.
Recommendation 5: The Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the Local Government Association and on the wider effectiveness of local authority scrutiny committees.	<p>The Government does not accept this recommendation. Local authorities are independent bodies and it is for them to ensure that their scrutiny arrangements are effective.</p> <p>The Government firmly believes that every council should be able to access the training it needs to carry out its functions effectively.</p> <p>The funding is determined annually and for 2017/18 is £21 million. The Government is, very keen to ensure that this funding provides value for money and that local authorities feel that the training on offer serves their needs.</p>	This is not relevant to NCC
Recommendation 6: Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to	Updated guidance will remind councils of the requirements set out in regulations that allow scrutiny members to access exempt or confidential documents in certain circumstances. As mentioned in response to the Select Committee's recommendation on guidance, the Department will also have discussions with the sector to get a better understanding of the issues some scrutiny committees appear to have in accessing information and whether there are any steps the	NCC Scrutiny committee does invite external agencies (including contractors) to committee meetings on a regular basis. There has not been any recent instance of the committee requesting specific information or data from external agencies, but this would have to be addressed on a case by case basis.

<p>ensure this happens.</p>	<p>Government could take to alleviate this.</p> <p>In terms of service providers' attendance at meetings, when councils are tendering contracts with external bodies they should carefully consider including requirements to ensure they are as open and transparent as appropriate. Ultimately, however, it is up to each council to decide how best to hold to account those who run its services.</p>	
<p>Recommendation 7: The Government to make clear how Local Enterprise Partnerships (LEPs) are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required.</p>	<p>The Government agrees on the importance of clear and transparent oversight of Local Enterprise Partnerships (LEPs).</p> <p>The Ministry of Housing, communities and local government (MHCLG) Non-Executive Director Review, looked at a range of governance issues for LEPs. The Review made a series of recommendations that we have accepted in full and are now implementing.</p> <p>The National Assurance Framework for LEPs states that democratic accountability for the decisions made by the LEP is provided through local authority leader membership of LEP Boards. In places where not all local authorities are represented directly on the LEP board it is important that their representatives have been given a mandate through arrangements which enable collective engagement with all local authority leaders.</p>	<p>This is not an issue for district councils such as NCC, although there have been discussions about the mechanism for scrutiny of LEPs at NCC scrutiny committee meetings in the past.</p>

	<p>The MHCLG Non-Executive Director Review into LEP governance and transparency explored the extent to which scrutiny was embedded into LEP decision making. The Review concluded that it was not appropriate to be prescriptive on the specific arrangements that all LEPs needed to adopt due to the variation in LEP operating models.</p> <p>The Government committed in the Industrial Strategy White Paper to reviewing the roles and responsibilities of LEPs and to bringing forward reforms to leadership, governance, accountability, financial reporting and geographical boundaries. Working with LEPs, the Government committed to set out a more clearly defined set of activities and objectives in early 2018.</p>	
<p>Recommendation 8: We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported.</p>	<p>At the Budget it was announced that the government will make available to mayoral combined authorities with elected mayors a £12 million fund for 2018-19 and 2019-20, to boost the new mayors' capacity and resources.</p>	<p>This is not relevant to NCC</p>

Norwich City Council
SCRUTINY COMMITTEE

Item No 7

REPORT for meeting to be held on Thursday 28 June 2018

Growth of short term letting of homes in Norwich

Summary:

The purpose of this item is to consider the growth of short term letting of homes, and the impact of these on both income for the council and the wellbeing of local residents.

Background:

Over the past few years, there has been a steady rise in the number of Airbnb style properties in Norwich, driven by our attractive location as a tourist destination.

This presents benefits for the property owners who can reap significantly greater income from short term letting, but raises questions about problems for neighbours who suffer from transient visitors, noise from party flats and of course loss of housing for local people.

The growth of short term letting of dwellings also affects the functioning and viability of the hotel and guest house/B&B sector as their costs are higher as they have more regulation with safety and standards.

Recommendation: To take a range of evidence to enable to committee to fully understand the impact of short terms lets on the city and make necessary recommendations to cabinet.

Contact Officers: Anton Bull, Director of business services
Tel: 01603 212326
antonbull@norwich.gov.uk

Introduction

1. A request was made by a member of the public to the chair of scrutiny committee to include the consideration of the unregulated growth of short term letting of homes in Norwich to the scrutiny committee work programme.
2. The information in this report sets out current evidence around short term lets (focussing on Airbnb) and explores the impact on the city, the council and the potential mechanisms at the council's disposal.

Background

3. Airbnb is an online community marketplace that connects people looking to rent their homes with people who are looking for accommodations. Airbnb users include hosts and travellers: hosts list and rent out their unused spaces and travellers search for and book accommodations.
4. Started in 2007 it has 4.85 million listings in over 191 countries. In the UK a typical host earned £3,286 in 2017, renting out 39 days a year.
5. The vast majority of guests say they chose Airbnb because they want to live like a local (79 %) and because it is more convenient than hotel locations (89 %).
6. Existing tourism accommodation business can also use Airbnb. Types of listing now include hotels, B&Bs and camping. Airbnb costs are considerably lower than other portals and help the small business achieve an international audience.
7. Airbnb is the top platform for this type of home stay. TripAdvisor and Bookings.com are expanding into this market.
8. Concerns nationally and internationally around:
 - a. Lack of regulation especially for Health & Safety, Fire etc.
 - b. Unregulated businesses operating.
 - c. Negative impact on existing accommodation businesses.
 - d. Negative impact on individuals living in close proximity to 'Entire place' properties.
 - e. Negative impact on local rental market, Westminster council estimates 5000 properties are no longer available to rent as owners generate up to 2/3 times more income by listing on Airbnb. This is particularly acute in top tourist destinations like London and Edinburgh.
 - i. Increasing numbers of properties being bought to then rent on Airbnb; cheaper mortgages available as different rules apply.

- ii. Increasing numbers of 'rent to rent' properties being rented by individuals as part of a property portfolio, this is more prevalent in top tourist destination cities.
- f. Use of listed properties for unlicensed and illegal activity e.g. Pop up brothels

Airbnb in Norwich

9. At the 2011 census, Norwich had around 63,000 dwellings. There are approximately 300 Airbnb listings for Norwich. Exact numbers are difficult to establish as some are clearly outside the city council area, but approximately 100 can be said to be in the city centre of Norwich (within the inner ring road).
10. The profile of the Norwich listings are as follows:
 - a. Types of listings in Norwich are mainly '*Entire place*' (60%) or '*Private room*' (40%)
 - b. Some existing small accommodation properties in Norwich list rooms on the site.
 - c. Average cost of '*Entire place*' is £102 per night in Norwich. (August)
 - d. Average cost of '*Private room*' is £48 per night in Norwich (August)
 - e. Many listings seem to be owned by the same host, due to similarities in address and style.
11. Norwich has traditionally had very little accommodation of any type in the city centre, apart from the Maids Head and Nelson Hotels, and no self-catering accommodation.
12. In 2006 there were 3 properties, including the UEA, offering self-catering accommodation in the Norwich city council area, despite the demand for this type from families and larger groups. Since then the number of serviced (Hotels and guest houses) rooms in the city has risen considerably with the development of new budget hotels (Premier Inn, Travelodge) and the new Holiday Inn, all within the popular city centre area.
13. Demand for accommodation in Norwich is still high, not only from visitors, but also the traditional overnight business travellers and the many specialist workers on development sites in Norwich seeking cheaper accommodation for a period of several nights or many weeks.
14. It would be difficult to analyse the impact of Airbnb alone on the business of local hotels when there are so many factors at play.

National and international activities and measures

15. Action has been taken in several international destinations to limit the number of nights bookable - e.g. New York, Berlin, Seville

16. Some cities have introduced compulsory registration or requirement to have a licence to rent out own rooms or property on Airbnb, enforced by fines – e.g. Berlin.
17. Airbnb collect 'tourist taxes/ occupancy taxes' on behalf of hundreds of cities in Europe, North and South America etc. which are paid directly to the authorities.
18. A government ruling on a limit of 90 nights bookable in London came into force in 2015 and is backed up on the Airbnb website by a hosting limit.
 - a. this can be overcome by relisting under a slightly different name, using another platform or listing as a 'private room' (which isn't affected at the moment)
19. Airbnb hosts in the UK are advised to abide by minimum safety regulations. Airbnb are investigating initiatives such as providing smoke alarms and carbon monoxide monitors to hosts in the UK.
20. HMRC is looking into how websites in the 'gig economy' like Airbnb can help ensure correct taxes are paid.
21. Some research on the impact of Airbnb has shown a positive influence on increasing the number of visitors to a destination, pushing tourist spend out into neighbourhoods where tourists wouldn't normally stay.
22. Some limited research on the impact to existing hotels has taken place, but is fragmented and limited in scope. Hoteliers generally remain concerned that the platform's hosts face less regulation and have none of the traditional overhead costs of a hotel.
23. A bill introduced by Karen Buck, MP for Westminster North, to require the simple online registration for anyone wanting to let out a room or a property on a short term basis has received cross party support this year, but is not likely to proceed further without government support and legislation.

Waste collection

24. If an address is registered for council tax, it receives a domestic waste and recycling collection. If not and it pays business rates, it would be expected to arrange its own commercial collections.
25. From waste streams alone, it would be difficult to determine whether or not a property is being used for short term lettings, such as Airbnb. People can run their home as a B&B and still be 100% rated as domestic, so occasionally renting out a room/s (like Airbnb) would likely fall in that category and we would still provide a domestic collection.

26. If we receive information that suggests a property may need or should have a trade waste collection, officer/s would investigate and base any decision on the findings of that investigation.

Planning

27. There is no single planning designation that would apply across all short-term lets. Generally, the use of a dwelling for short-term let purposes would be unlikely to require planning permission unless it was causing significant impacts over and above what would be expected if the unit was occupied as a permanent residence. This is unlikely to be the case for most holiday lets, particularly within smaller premises. Whether a change of use has occurred from 'single private dwelling house' is therefore a 'matter of fact and degree' on a case-by-case basis with reference to case law.
28. This means in practice that, if we are made aware of the presence of short-term lets which are causing a particular concern (possibly due to noise, anti-social behaviour or vehicular movements), we will investigate and establish whether a change of use has occurred; if so this may result in a planning application being sought or planning enforcement action being taken. However, it may be determined there has not been a change of use, in which case there would be no requirement for planning permission or enforcement action.

Short-term lets as Houses of Multiple Occupation (HMOs)

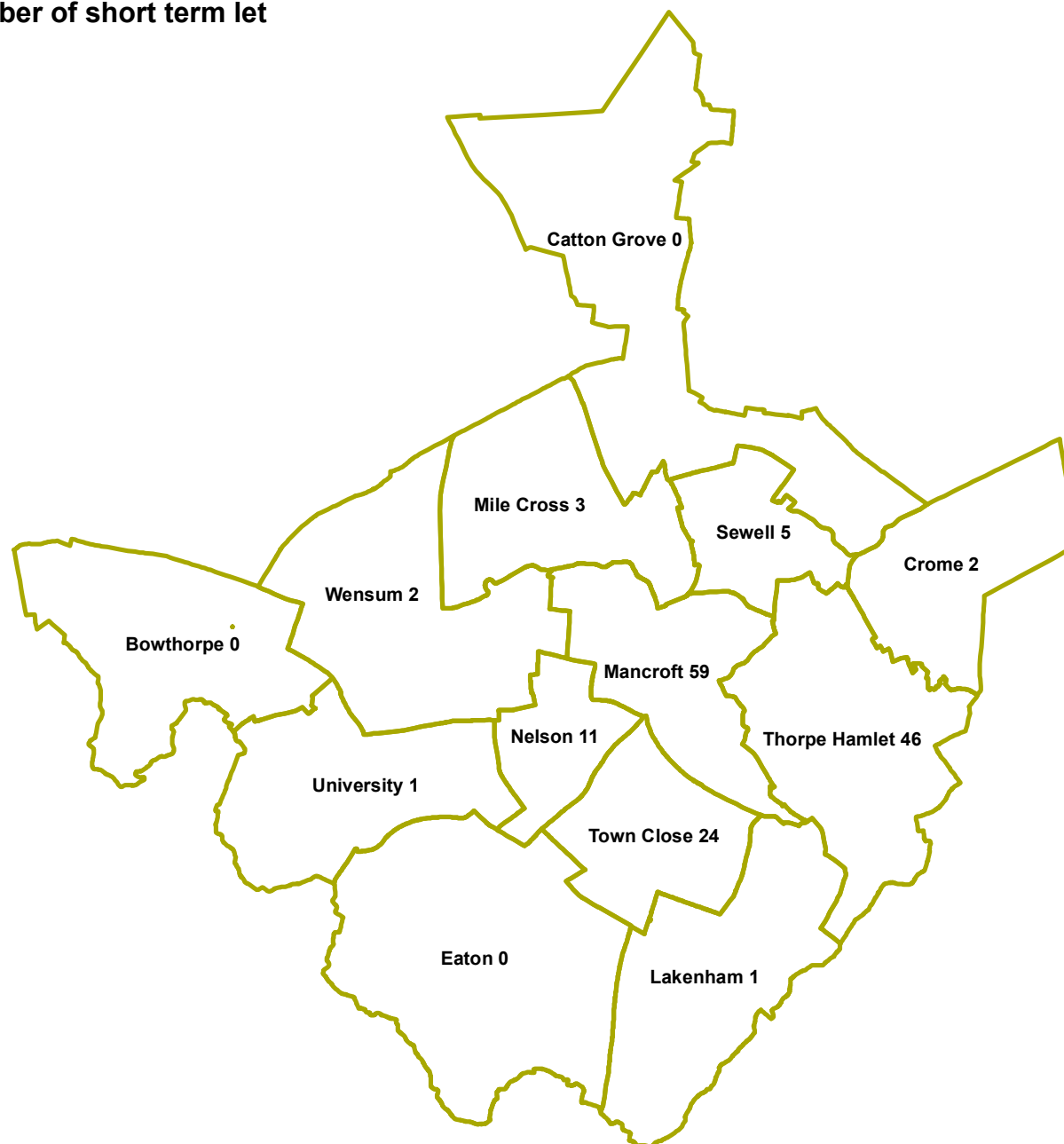
29. The definitions of HMOs and the duty to license them are derived from The Housing Act 2004. In order to qualify as an HMO the property must be used as the tenants' only or main residence and it should be used solely or mainly to house tenants. Therefore most short-term lets, if they are genuinely being used on a short-term basis, would not fall under this definition and would be subject to a different regulatory regime.
30. The exception would be where a room or rooms within a larger property, which also houses tenants on a longer-term basis, is designated as a 'short-term let'. These designations may be genuine, but we are aware of cases where there is intent to avoid falling under the scope of HMO licensing. If these instances are brought to the council's attention, we will assess the situation on a case-by-case basis, but we do not have resource to proactively seek them out.

Business rates and council tax (extract from March Scrutiny report on debt enforcement)

31. The council has tried to review some Airbnb properties in Norwich, however, one of the issues in finding them is that unless you actually book the property you cannot get the actual address.

32. To be non-domestic property, it will have to be made available on a commercial basis for not less than 140 days
33. If the owner has only one commercial property and the rateable value is £12k or less per year (which an Airbnb property would most certainly be) they would receive full rate relief. They can have a second property and keep the full relief on the first as long as the rateable value of both does not exceed £20k.
34. It is likely that someone owning a second furnished property would pay less on business rates than council tax under these circumstances.
35. This is something the council has looked in to but did not get too far as they are very difficult to locate and investigate. The ones the council did track down were unoccupied and it was unlikely that they would have met the above criteria.
36. In these circumstances it appears to be more advantageous to receive council tax on the properties in question rather than have them with full relief from business rates.

Ward map showing number of short term let properties in Norwich



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Short term lets by ward

Drawn: SRB Scale: 1:59,212 Date: 19/06/18

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