

TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE ADDENDUM 1

4.00PM, THURSDAY, 5 MARCH 2020

HOVE TOWN HALL - COUNCIL CHAMBER

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ADDENDUM

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**REGULATION OF SHORT TERM HOLIDAY LETS
CONSERVATIVE GROUP AMENDMENT**

To include additional recommendation 2.4 as shown in bold italics below.

2. RECOMMENDATIONS:

2.4 Committee agrees that the Interim Director Housing Neighbourhoods and Communities (ID) will determine which is the most appropriate department to be the central point of contact (POC) for residents and others to raise concerns about short term holiday lets with, and for that department to be responsible for co-ordinating the efforts described in 2.2 and liaising with the complainants. The council will also publish by way of general communication and on the website the point of contact details for the public to use. The POC to be identified no later than 31st March 2020 and the website to be updated no later than 30th April 2020. The ID to update Committee Members once the actions are complete.

Proposed by: Cllr. Robert Nemeth

Seconded by: Cllr. Mary Mears

Recommendations if carried to read:

2.1 Committee notes the content of this report

2.2 Committee agrees to officers using existing powers to investigate and respond to complaints about short term holiday lets, ensuring a co-ordinated approach to enforcement between services

2.3 Committee notes officers are actioning the requests in the Notice of Motion to lobby central Government for a national registration scheme and for enhanced enforcement powers for officers to deal with issues caused by these types of properties and to write to Air BnB regarding a consultation.

2.4 Committee agrees that the Interim Director Housing Neighbourhoods and Communities (ID) will determine which is the most appropriate department to be the central point of contact (POC) for residents and others to raise concerns about short term holiday lets with, and for that department to be responsible for co-ordinating the efforts described in 2.2 and liaising with the complainants. The council will also publish by way of general communication and on the website the point of contact details for the public to use. The POC to be identified no later than 31st March 2020 and the website to be updated no later than 30th April 2020. The ID to update Committee Members once the actions are complete.

**REGULATION OF SHORT TERM HOLIDAY LETS
GREEN GROUP AMENDMENT**

To add recommendation 2.3, to re-number the original recommendation 2.3 to 2.4 and to amend recommendation 2.4 (previously 2.3) as shown below in ***bold italics***:

2. RECOMMENDATIONS:

- 2.1 Committee notes the content of this report
- 2.2 Committee agrees to officers using existing powers to investigate and respond to complaints about short term holiday lets, ensuring a co-ordinated approach to enforcement between services.
- 2.3 ***Committee requests that the Interim Director of Housing, Neighbourhoods and Communities:***
- a. ***explore the feasibility of setting up an officer ‘task force,’ that could jointly share information, resident concerns and help address problems raised by short-term holiday lets. This could, for example comprise of a Planning Officer, an EHL Officer, a Community Safety Officer, a Field Officer, a Highways Officer, a representative from Cityclean, a Private Sector Housing Officer and a Licensing Officer. The feasibility should take into consideration any resource issues among staff teams.***
 - b. ***Set up mechanisms to further promote the options available to residents affected by a short-term holiday let or ‘party house’, such as through:***
 - ***Raising awareness of the role and jurisdiction of the planning enforcement team;***
 - ***Raising awareness of the work and role of the council’s noise complaint service (EHL);***

- ***The possibility of setting up a single ‘point of contact,’ option, such as an email address for residents, that could help direct complaints to the necessary department;***
- ***Any other appropriate measures that will build as rich a picture as possible of the city’s short term holiday let/party house lets, particularly in lieu of a registration scheme or any similar powers emerging from government***

2.4 Committee notes officers are actioning the requests in the Notice of Motion to lobby central Government for a national registration scheme and for enhanced enforcement powers for officers to deal with issues caused by these types of properties and to write to Air BnB regarding a consultation. ***Committee asks the Chief Executive to write to the Secretary of State seeking changes or additions to legislations as follows:***

- ***Nationally prevent tax evasion similar to those applied in Denmark, where owners’ tax details and income will automatically be sent to the authorities by AirBnB (and other providers),***
- ***Nationally introduce a new planning use class for such holiday lets or measures for such properties to apply for a change of use class from C3 to another appropriate use class (e.g. C1): in order to convert a property from a residential unit into a short-term letting place.***
- ***Introduce measures that permit local authorities to monitor and restrict the maximum number of short-term holiday lets or ‘party houses,’ permitted in one street; similar to the recently approved BHCC Art. 4 Direction for HMOs with a maximum % threshold.***
- ***Detail the feasibility of any short-term holiday let regulations or measures that can help local authorities to reflect the pressure on neighbourhoods and local housing need, such as a minimum, or maximum length of stay in areas of high density ‘short term holiday lets,’ and in high housing need;***
- ***Introduce a requirement that operators in the market share data on the location of properties with the local authority;***
- ***Introduce mechanisms for supporting local authorities to address issues of use/duration/frequency of short-term holiday lets where such measures can have a beneficial effect on local housing need and on communities***

Proposed: Cllr Ebel

Seconded: Cllr Rainey

Recommendations if carried to read:

- 2.1 Committee notes the content of this report
- 2.2 Committee agrees to officers using existing powers to investigate and respond to complaints about short term holiday lets, ensuring a co-ordinated approach to enforcement between services.
- 2.3 ***Committee requests that the Interim Director of Housing, Neighbourhoods and Communities:***
- a. explore the feasibility of setting up an officer ‘task force,’ that could jointly share information, resident concerns and help address problems raised by short-term holiday lets. This could, for example comprise of a Planning Officer, an EHL Officer, a Community Safety Officer, a Field Officer, a Highways Officer, a representative from Cityclean, a Private Sector Housing Officer and a Licensing Officer. The feasibility should take into consideration any resource issues among staff teams.***
- b. Set up mechanisms to further promote the options available to residents affected by a short-term holiday let or ‘party house’, such as through:***
- Raising awareness of the role and jurisdiction of the planning enforcement team;***
 - Raising awareness of the work and role of the council’s noise complaint service (EHL);***
 - The possibility of setting up a single ‘point of contact,’ option, such as an email address for residents, that could help direct complaints to the necessary department;***
 - Any other appropriate measures that will build as rich a picture as possible of the city’s short term holiday let/party house lets, particularly in lieu of a registration scheme or any similar powers emerging from government***
- 2.4 Committee notes officers are actioning the requests in the Notice of Motion to lobby central Government for a national registration scheme and for enhanced enforcement powers for officers to deal with issues caused by these types of properties and to write to Air BnB regarding a consultation. ***Committee asks the Chief Executive to write to the Secretary of State seeking changes or additions to legislations as follows:***

- ***Nationally prevent tax evasion similar to those applied in Denmark, where owners' tax details and income will automatically be sent to the authorities by AirBnB (and other providers),***
- ***Nationally introduce a new planning use class for such holiday lets or measures for such properties to apply for a change of use class from C3 to another appropriate use class (e.g. C1): in order to convert a property from a residential unit into a short-term letting place.***
- ***Introduce measures that permit local authorities to monitor and restrict the maximum number of short-term holiday lets or 'party houses,' permitted in one street; similar to the recently approved BHCC Art. 4 Direction for HMOs with a maximum % threshold.***
- ***Detail the feasibility of any short-term holiday let regulations or measures that can help local authorities to reflect the pressure on neighbourhoods and local housing need, such as a minimum, or maximum length of stay in areas of high density 'short term holiday lets,' and in high housing need;***
- ***Introduce a requirement that operators in the market share data on the location of properties with the local authority;***
- ***Introduce mechanisms for supporting local authorities to address issues of use/duration/frequency of short-term holiday lets where such measures can have a beneficial effect on local housing need and on communities***

**BEE BRICKS AND SWIFT BRICKS IN NEW DEVELOPMENT
CONSERVATIVE GROUP AMENDMENT**

To include the following changes to Recommendation 2.2 as shown in bold italics below.

RECOMMENDATIONS:

- 2.2 Agrees to the introduction from 1st April 2020 of a model planning condition and informative (Appendix 1) requiring the provision of swift boxes (***including swift bricks***) in planning permission granted for new development and an informal advice note, as set out in paragraphs 3.6 to 3.8 of the report (Appendix 2) ***and grants delegated authority to the Executive Director Economy, Environment & Culture to make minor amendments to the note having consulted the members of the three Groups who sit on this committee in advance of implementation.***

Proposed by: Cllr. Robert Nemeth

Seconded by: Cllr. Mary Mears

Recommendations if carried to read:

That the Committee

2.1 Notes the introduction of a model planning condition and informative requiring the provision of bee bricks which have been attached to all planning permissions for new build developments from 1st November 2019.

2.2 Agrees to the introduction from 1st April 2020 of a model planning condition and informative (Appendix 1) requiring the provision of swift boxes (***including swift bricks***) in planning permission granted for new development and an informal advice note, as set out in paragraphs 3.6 to 3.8 of the report (Appendix 2) ***and grants delegated authority to the Executive Director Economy, Environment & Culture to make minor amendments to the note having consulted the members of the three Groups who sit on this committee in advance of implementation***

