

BRIGHTON & HOVE CITY COUNCIL

PLACE OVERVIEW & SCRUTINY

4.00pm 25 MARCH 2025

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Evans (Chair) Cattell (Deputy Chair), Fowler, Lyons, Sheard, Sykes, Thomson, Winder, Grimshaw and Earthey

Other Members present: Mark Strong (CVS), Mary Davies (OPC)

PART ONE

38 PROCEDURAL BUSINESS

38. Procedural Business

38a Declarations of substitutions

Cllr Grimshaw is substituting for Cllr Hewitt
Cllr Earthey is substituting for Cllr Fishleigh

38b Declarations of interest:

There were none.

38c Exclusion of the press and public

There are no Part Two items today, so the press and public won't be excluded.

39 CHAIR'S COMMUNICATIONS

39.1 The Chair gave the following communication:

Today we have two items on the agenda.

We will be looking at the draft outdoor events strategy to inform further development before it goes to Cabinet in May. The strategy sets out the council's policies and approaches for securing, delivering, managing and supporting a diverse range of outdoor events across the city, which are important for the city's economy.

Secondly, I will present the report of the Task and Finish Group that has been running since October looking into the issue of Short Term Lets in the city. We will go through the findings and recommendations that have been formed by the members of the Task and Finish Group. The committee is being asked to refer the recommendations to Cabinet for consideration. Some members of the Task and Finish Group are not members of Place Committee so we have invited them to join the meeting for this agenda item. They are welcome to contribute to the discussion if they wish but if we are required to vote, please note that this will just be for the voting members of Place committee.

40 MINUTES

40.1 There were two sets of minutes for approval:

- Place Overview & Scrutiny Meeting 21st January 2025: minutes were approved by members
- Special Place Overview & Scrutiny Meeting 7th February 2025: minutes were approved by members

41 PUBLIC INVOLVEMENT

41.1 Catherine Lane, a local resident and owner of “My holiday let” presented her deputation as follows:

Dear Members of the Committee,

I appreciate the opportunity to address you today following my review of the Short Term Let report, which I found to be comprehensive and balanced. However, I wish to raise two concerns that I believe warrant your attention.

Firstly, concerning the definition of short-term lets, the report distinguishes these as properties that are not classified as main residences that are let out for brief periods. However, most cases of Short Term Lets are let on this basis and estate agents are actively suggesting this is how people can circumvent any planning rules. For instance there are many four and five-bedroom properties in Kemptown, that operate solely on weekends and accommodate up to 20 guests. These properties assert that they are their owners' main residences to circumvent paying business rates, reduce capital gains tax on a sale and potentially so they can get cheaper finance on these properties. In Brunswick Square although all properties would qualify for small business rates relief there are only three properties listed as holiday lets at the valuation office and I know of about 50 such properties.

The law stipulates that if a property is let out—whether as a main residence or otherwise—there are business operational standards that must be adhered to, including fire precautions and insurance liabilities. I urge that any recommendations encompass all properties advertised for short-term lets, irrespective of their claimed status as main residences.

Secondly, I take issue with the recommendation to lobby for no permitted development rights. This approach appears inequitable, particularly for those of us who have operated lawfully for many years. It is unreasonable to equate established operators, who may have been in business for up to 20 years and would qualify for a certificate of lawfulness after over 10 years of trading, with new entrants who may begin operations tomorrow. The need for existing businesses to secure bookings often two years in advance highlights the importance of recognising our long-standing compliance with the law.

Thank you for considering these points, and for your time today.

41.2 Cllr Evans gave the following response to the deputation:

Thank you for your deputation, Catherine. I'll address each point separately.

The definition used in the report is the one the Task & Finish Group is working to, rather than the council's official definition. With limited time available to us, we wanted to focus on properties clearly operating as businesses rather than those being occasionally let to guests. However, I acknowledge your point that the distinction between short-term let businesses and individuals earning extra income is not always clear. You are correct that the law does not differentiate between these properties in terms of safety standards and fire regulations—all guest accommodations must comply, and we are aware that there are some who, whether knowingly or not, are in breach of current legislation, even without any new rules coming down the track. If a registration or licensing scheme were introduced, the definition would be reviewed and determined by central government.

Regarding your second point, my understanding is that any legal change involving a change of use without permitted development rights cannot be applied retrospectively. Instead, it would focus on regulating the future expansion of short-term lets in areas where their concentration is already high. Existing properties would not be affected by the change, particularly in the case of responsible owners like yourself, already complying with all current legislation.

The Task & Finish Group recognises STLs as valuable to the city's economy, but we are concerned that in certain areas, the high numbers are causing issues, and may additionally have an impact on housing supply and cost. Lobbying for the removal of permitted development rights would give the council the authority to manage STL numbers in these areas, helping to mitigate their negative impact on the local community, and potentially helping to ensure that certain areas don't become so saturated that we create the worst of all possible worlds – ie, that not only is community cohesion damaged, but that we are **over**-supplying the tourist market, with short-term let properties (that could be housing residents) lying empty for much of the time.

42 MEMBER INVOLVEMENT

42.1 There were no member questions.

43 BRIGHTON & HOVE EVENTS STRATEGY PRE-DECISION SCRUTINY

43 Brighton & Hove Events Strategy pre-decision scrutiny

43.1 Cllr Miller, cabinet member for Culture, Heritage and Tourism, presented the report to the committee. Key points included the priority areas to develop such as improving community ownership of events, being more inclusive, protecting the natural environment and generating over £1m in revenue. The report explained how they plan to engage with the community through in person forums and using the Your Voice digital platform and it detailed the forward plan with a timeline.

43.2 Mark Strong of the Community Voluntary Sector asked questions about benchmarking with other cities, engaging with community groups to see how they are affected, particularly

access issues, citing fences in Madeira Drive during the marathon and hoarding walls that were erected around St Peter's Church. Mark Strong asked whether the 28 days included setting up and breaking down before and after the event itself. Ian Baird, Outdoor Events Development Manager, said that the 28 days allows for use of the space for that commercial purpose and does not include full build and break. He said that mitigations will be put in place to help with access issues and will be informed by equality impact assessments.

43.4 Mary Davies, Chair of the Older Peoples' Council, raised issues regarding physical access, public seating, buses, public toilets and ensuring events viewing areas are not standing only. There are accessibility issues during the marathon where residents cannot get to the seafront. Cllr Miller said that negative impacts cannot be completely removed for all events but they can be reduced, such as access issues only being in place for as short a time as possible. There are positive impacts that are not always obvious such as revenue being used to fund public toilets and subsidising smaller events.

43.5 Members asked questions about revenue generation, consultation with residents, the charges for event organisers and whether they could be increased, ground repair following events in green spaces, to consider tree roots when planning events so they are not damaged, to communicate the planned improvements out to residents, whether events can be mapped to their particular areas, the banning of sky litter and what happens if this is breached, and accessibility when large scale citywide events are taking place that can cut off parts of the city and make some areas inaccessible. With current fines for contract breaches at only £100, a suggestion was put forward to raise this.

43.6 Place Overview & Scrutiny Committee resolved to note the report

44 REPORT OF SHORT TERM LETS TASK & FINISH GROUP

44. Report of Short Term Lets Task & Finish Group

44.1 Cllr Evans presented the report of the Short Term Lets Task & Finish Group, commenting on the knowledge of the group and opinions on how best to manage the growth of short term lets, between the need for tourist provision, with all the jobs and income the hospitality industry provides, and the need for answers to the housing shortage, pockets of anti-social-behaviour, and dwindling sense of social cohesion in some over saturated areas. She referred to the different council officers from around the UK who spoke to the group and their preferences for regulation, and that two government departments are currently working on this issue. The finished report, once passed by Place OSC, would be sent to both departments and to Rachael Maskell MP, all of whom had requested copies. She summarised the issues of rogue operators who are not adhering to the law, whether intentional or not, and the disparity this causes with professional, good owners like Catherine Lane who presented the deputation. Cllr Evans ended by thanking everyone who had taken part in the Task & Finish Group.

44.2 Members were positive about the report and in agreement about the need for regulation of short term lets and had a discussion around the recommendations put forward. Points raised included the need to lobby for a new use class that must remove permitted development rights since the property needs to be treated differently to a residence and controlled by Planning; whether a voluntary register would be worthwhile; whether Brighton and Hove could follow Blackpool's example of using the "sui generis" use class; whether current buy-to-let properties

could migrate to being short term lets; whether enforcement could be taken in collaboration with HMRC through reporting rogue operators; and the effect of empty homes on the city.

44.3 Cllr Pickett asked about how the recommendations will be monitored to ensure that progress is made. The report will go to cabinet in May to consider the recommendations and it will be the responsibility of Place O&S Committee to monitor. We would expect an update report in a few months' time.

44.4 Place Overview & Scrutiny Committee resolved to note the report, agree the recommendations and to refer them to cabinet.

The meeting concluded at 6.23pm

Signed

Chair

Dated this

day of