

Question 1: Are you able to provide us with evidence illustrating the size and nature of the short-term and holiday letting market in England and/or its regions, and how that has changed over time?

This question is concerned with painting a picture of the market in England, in both revenue and people terms. Your answer should therefore focus on providing objective evidence, and not on providing an assessment of its consequences (e.g. on the housing market, which is covered in later questions).

For this question, the government is particularly interested in the following:

If you are a local authority / destination management organisation it would be helpful to have data illustrating short-term letting activity in your area.

This question is concerned with painting a picture of the market in England, in both revenue and people terms. Your answer should therefore focus on providing objective evidence, and not on providing an assessment of its consequences (e.g. on the housing market, which is covered in later questions).

In Brighton & Hove an AirDNA report commissioned in December 2017 indicated the following number of properties listed on AirBNB as short term and holiday lets:

Month	No. of entire homes listed	No. of rooms listed
June 16	921	779
July 16	1147	843
Aug 16	1307	919
Sept 16	1200	911
Oct 16	1135	937
Nov 16	1086	883
Dec 16	1235	922
Jan 17	1197	944
Feb 17	1044	831
Mar 17	1080	900
Apr 17	1301	946
May 17	1344	1022
Jun 17	1504	1073
July 17	1693	1120
Aug 17	1833	1188
Sept 17	1611	1089
Oct 17	1564	1041
Nov 17	1411	980
Dec 17	1562	1055

In 2017 data from AirDNA showed AirBNB entire home listings as achieving an average annual occupancy of 59% in 2017.

In January 2018 the Brighton & Hove Visitor Accommodation Study Update noted the following availability being advertised in January 2018, with the study noting that these figures increased during summer months:

Booking Agency/Site	Size of Property						Total Properties
	Sleeps 2	Sleeps 3-5	Sleeps 6-9	Sleeps 10-20	Sleeps 21-30	Sleeps 31-40	
Brighton Holiday Homes	28	75	22	33	8	1	167
Crown Gardens	6	16	16	38	2		78
City Pad Brighton	8	23	21	13	1		66
Best of Brighton	12	28	8				48
Owners Direct/HomeAway	49	62	15	27	3		156
Holiday Lettings/TripAdvisor	44	153	110	85	11		403
Airbnb	636	458	303	159	4		1254
Wimdu	26	15	9				33
Cottages.com		7	1				8
Total	809	837	505	355	29	1	2213
booking.com							146
Total							2359

Clearly the number of short term property and holiday lets grew rapidly when comparing 2016 to 2017 on AirDNA data. Based on the growth illustrated in 2016 vs 2017 it would not be unreasonable to extrapolate additional 35% year on year growth in 2018 and 2019, with numbers remaining static in 2020 and 2021 due to COVID, and a 15% year on year growth in rooms listed in the equivalent years. The following figures are based on this growth model:

Month	No. of entire homes listed	No. of rooms listed
Jan 21	1197	1248
Feb 21	2181	1098
Mar 21	1968	1190
Apr 21	2371	1251
May 21	2449	1351
Jun 21	2741	1419

July 21	3085	1481
Aug 21	3340	1568
Sept 21	2936	1440
Oct 21	2850	1376
Nov 21	2571	1296
Dec 21	2846	1395

Brighton & Hove's estimated private rented stock is 37,518. The 'growth' calculated at December 2021 for 'entire homes' based on the 2016/17 data suggests 2,846 properties were let as Air BnB (or equivalent) If this 'growth' has continued then this number would have increased. However, even at Dec21 estimate, this represents 7.6% of the private rented market no longer being available as a home for local residents.

Information received from colleagues at East Sussex Fire and Rescue Service in 2020 suggested that that there are approximately 1700 lets where the entire home is let, and approximately 1000 properties where someone can book a room in a person's residence. One booking company has stated that they have 3000 properties in the city and 60% of these are let out as an entire house However there are also several other companies offering these types of short term lets.

In March 2022 the website airdna.co indicated 3,118 properties ([Airbnb Data on 3,118 Vacation Rentals in Brighton And Hove | MarketMinder \(airdna.co\)](#)).

Question 2: What do you consider to be the main benefits of short-term and holiday letting for:

a) Homeowners

b) Consumers

c) Businesses and the wider economy

Where possible, please provide detailed quantitative evidence. Quantitative data will assist with producing robust estimates of the costs and benefits of any policy responses.

A) For homeowners, there are opportunities to:

- Make money from spare rooms in their own home
- Rent their home on a short-term basis when they are on not in residence eg on holiday
- To create an income stream from a second home / apartment when it is not in use
- To invest in property where the sole purpose is to generate revenues from the short term let market

B) For consumers

- There is a greater choice and type of accommodation available to them, with the opportunity to 'live like a local'.
- Strong weekend demand for group houses in Brighton & Hov for both family gatherings and 'hen' and 'stag' parties
- Do we have information about relative affordability short term holiday lets provides compared with traditional visitor accommodation?
- C)For business and the wider economy
- Short term and holiday letting properties offer additional overnight capacity, allowing us to accommodate additional visitors. Brighton has one of the strongest hotel markets in the UK with occupancy averaging at 80% in 2017, so the short-term let offer can augment capacity during our busiest periods of school holidays and while the City hosts large conferences.
- The sector has also facilitated the creation of ancillary businesses to service the accommodation including cleaning companies

Question 3: How do you assess levels of compliance with regulations on:

a) Fire safety b) Gas safety c) Health and safety d) Food and drink within the short-term and holiday letting market in England?

- **Option 1 - Compliance is very good**
- **Option 2 - Compliance is good**
- **Option 3 - Compliance is fair**
- **Option 4 - Compliance is poor**
- **Option 5 - Compliance is very poor**

For each of these, please give reasons for your answer. If you believe there is significant non-compliance, please provide specific examples/evidence. Alternatively, if you believe compliance is generally strong, please also provide evidence.

If you are a platform, how do you inform hosts about their legal requirements?

If you are a host, are you aware of your legal requirements? How have you been informed of these requirements?

What assessment do you make of how effectively the regulation is enforced?

Option 5 – Compliance is poor

Given the volume of operators using premises for short-term and holiday let operators it is highly likely that they are not aware of the relevant regulations or not abiding to them.

We consider it very likely that providers are not undertaking risk assessments before letting their properties. This may be more prevalent where hosts are letting individual

rooms or during limited periods, where they will not provide first aid equipment and ensure basic electrical equipment has been tested or is fit for purpose.

In terms of fire safety and gas safety, similarly, ad hoc hosts are unlikely to undertake a fire risk assessment or obtain a gas safety certificate and put in place relevant measures.

If the relevant authorities do not have data indicating which properties are being utilised for short-term and holiday lets they cannot carry out any basic checks or request paperwork to ensure that appropriate risk assessments are in place and safety certificates have been obtained; this is totally at the discretion of individual 'hosts', putting consumers at significant risk, of which they may be unaware.

Given Expedia is rebranding discrete categories of short term rentals / hotels / guest houses to a generic 'lodging' category, with other providers likely to follow suit, consumers will no longer be able to differentiate between these categories so it is imperative that there is parity in the requirements for traditional hotel accommodation and short-term and holiday lets to protect the safety of the consumer.

East Sussex Fire and Rescue Service have undertaken meetings with many short term holiday let providers in the Brighton and Hove area, to explain their jurisdictions under the Regulatory (Fire Safety) Order 2005. All premises must have a fire risk assessment completed, and any significant findings found must be completed in a suitable time frame.

Because many of these premises are old houses converted, many of them do not have a protected route to allow a safe means of escape for persons sleeping on the premises. This could be overcome with an engineered solution; a strategy would have to be submitted to East Sussex Fire and Rescue Service, whereby a Fire Engineer would need to review the detail to determine whether the proposals could be considered. In the meantime if a premises is that unsafe for persons to sleep there until works have been completed, a prohibition notice may be issued. An inspection programme is in place to audit all short term holiday lets within Brighton and Hove. East Sussex Fire & Rescue Service are starting to audit the larger capacity premises managed by holiday letting companies and working through a list of known premises. If any complaints are made with regards these types of premises, an inspection may take place prior to the audit date. The approach to Airbnb will be considered further once these initial audits have been completed.

The fire service would expect the benchmark standard in the sleeping accommodation guidance written by the Department of Local Government to be met within these types of premises www.gov.uk/government/publications/fire-safety-risk-assessment-sleeping-accommodation

East Sussex Fire & Rescue Service advised the council in 2018 that they are finding it a major challenge to enforce fire safety regulations in the holiday let sector because of the number of holiday let properties that are now listed on online booking sites and the difficulties in making contact with owners.

Question 4: Do you consider there to be a problem with breach of contractual agreements in the short-term and holiday letting market in England? If so, why?

- **Option 1 – Yes, this is a major problem**
- **Option 2 – Yes, but this is only a minor problem**
- **Option 3 – No, there is no problem**

Please give reasons for your answer, as well as specific examples/evidence. The government is particularly interested in breaches of mortgage, tenancy and social housing agreements.

Option 1 – this is a major problem

Due to the proliferation of short term let accommodation in Brighton & Hove this is undoubtedly a major issue.

It is highly unlikely that the majority of 'hosts' do not have the requisite permissions from their mortgage companies, particularly those that are participating in the market on an ad hoc basis to supplement income during peak holiday periods.

Similarly, it has come to our attention that there is a growing cohort of tenants sub-letting properties to capitalise on the demand for accommodation during peak holiday periods in the City; it is extremely probable to assume that variations in tenancy agreements have not been sought so these 'hosts' are illegally offering their premises as short term let accommodation.

Similarly, it is unlikely they have gained the necessary permissions from insurance companies to cover short term and holiday lets.

Brighton & Hove City Council has a new procedure in operation whereby tenants have to request permission to take in paying guests with relevant health and safety considerations (fire safety) and other factors taken into account before permission is granted. Tenants are not allowed to sublet the whole of their premises and this would be a breach of tenancy matter. Legal advice taken on the position with leaseholders as well as leases specify that the property must be used as a private residential dwelling and therefore not used for business purposes e.g. Airbnb.

Question 5: Do you consider there to be other legal provisions concerning the supply of short-term and holiday letting to paying guests which are not covered elsewhere in this call for evidence but where there are issues with awareness, compliance and/or enforcement?

- **Option 1 – Yes**
- **Option 2 – No**

If yes, please be specific about the legal provisions concerned and provide supporting evidence.

Option 1 – Yes

We are concerned that there is no regulation in place to ensure that hosts are not discriminating against potential customers; as a city that prides itself on being fair and inclusive it is extremely important to us that this issue is addressed and monitored, ensuring that hosts comply with the Equality Act 2010.

There is also no regulation to ensuring that premises are not mis-sold and that any charges levied for damages are fair and proportionate. Our Visitor Services Team have been approached by consumers who have leased non-existent properties or have rented premises which have been misrepresented, and have sought help from the Local Authority to provide urgent solutions to issues, which clearly we are not in a position to resolve. We appreciate that there is an element of user referral and rating in the consolidator platforms but this clearly does not mitigate totally against risk.

In a City with a substantial portfolio of heritage properties, it is also likely that health and safety regulations around asbestos and safety glass is not being adhered to.

Question 6: Do you consider the increase in short-term and holiday letting in England to have had adverse consequences on the housing market?

- **Option 1 – Yes, this is a major problem**
- **Option 2 – Yes, but this is only a minor problem**
- **Option 3 – No, there is no problem**

Please give reasons for your answer, including specific examples/evidence of any adverse effects, particularly at a local level.

It would also be useful to get views on whether you think the COVID-19 pandemic has accelerated or altered some of these adverse consequences. For example, could there be an impact as a result of changes in the way people choose to work?

Option 1 – Yes this is a major problem

The short-term letting and holiday letting market has undoubtedly had a major impact on the Brighton & Hove housing market. Both to buy and to rent, inflicting disruption, distress and exacerbating the housing supply crisis.

With over 3,000 entire homes and rooms in approx 1,500 houses being used for short-term and holiday letting, some short-term and holiday lets have replaced long term rental accommodation, stifling the supply of rented accommodation and in turn driving rents up and conditions down. The detrimental impact holiday lets the rental sector is severely constrained, resulting in increased prices for renters.

Brighton & Hove's estimated private rented stock is 37,518. The 'growth' calculated at December 2021 for 'entire homes' based on the 2016/17 data suggests 2,846 properties were let as Air BnB (or equivalent) If this 'growth' has continued then this number would have increased. However, even at Dec21 estimate, this represents 7.6% of the private rented market no longer being available as a home for local residents.

A report commissioned by [ARLA in 2019](#), indicates between 3.8% to 8.7% of private rented properties would no longer be available for local residents). In a city like Brighton & Hove, with high levels of tourism, it reasonable to assume we would be at the top end of this estimate. 8.7% loss in the private rented sector represents 3,264 homes no longer being available for local residents.

This loss has a number of implications for the city.

- This loss of stock means we would be seeing more households being threatened with homelessness as a result of tenancies ending.
- The Jan22-Mar22 the council's H-CLIC returns to Government indicate 35.2% of homelessness during this period was due to a loss of PRS accommodation. For the whole of the South East, this figure 28.4%
- Not only would this mean more presentations due to loss of PRS accommodation, but our ability to prevent homelessness is largely driven by us helping people access a new private rented sector tenancy. The loss of available stock impacts this
- It's reasonable to assume this would lead to higher number of households in temporary accommodation – more households being homeless due to loosing private rented sector accommodation, and less ability to prevent/relieve that homelessness by securing alternative PRS accommodation. According to the latest available DLUHC data³, BHCC has the 14th highest number of households in TA. 11 of those higher than us are London boroughs and the other two are Birmingham and Manchester (both with much higher populations)
- Every household in TA costs the local authority an average of £7,000 per annum. It is estimated that we have 111 more households currently in TA, than our comparator local authorities in the area, as a result of loss of PRS stock. This is therefore a cost to Brighton & Hove of £780,000 pa. If the available PRS stock continues to reduce as a consequence of more short-term lets, this cost will increase year on year.
- Evidence of a recent case indicates landlord practice of re-letting private sector vacancies as 'short-term lets', but requesting 6 months' rent in advance. This clearly isn't a short-term let, but is practice being used to avoid issuing an assured shorthold tenancy, and also licensing the property as an HMO. This is an isolated example, brought to the council's attention due to

complaints from other tenants in the block. The scale of the issue is unknown as it relies on private tenants to bring to our attention.

- Housing demand and rising private sector rents have an adverse effect on affordability of housing in the city. The lack of affordable housing supply has an economic impact on our ability to retain lower income working households and employment in the city across all sectors. With less available stock and the same (or increasing) numbers trying to access this, this will result in higher market rents being charged. We continue to see an increase in advertised rents across most sized properties. Statistics from the Valuation Office Agency and the Office for National Statistics indicate the following rent levels were paid on the following sized properties (based on a sample of 3,720 lets) during 2021/22.

Size	Rent pcm
Room	£516
Studio	£715
1 bed	£930
2 bed	£1,259
3 bed	£1,541
4 bed	£2,235

These are consistently higher than England and South East comparators.

Demand for properties has also lead to sharp price increases Brighton & Hove. The Land Registry House Price Index figures show that the average property price in the city in June 2022 was £438,264, an increase over the last few months and higher than a year ago. The gap between the average property price for Brighton & Hove and England & Wales increased with average price in the city now £138,408 (46.2%) more. Between June 2021 and June 2022 prices in Brighton & Hove saw 10.8% increase compared to 7.3% increase nationally. By property type the averages are:

- Detached £859,000
- Semi detached £556,000
- Terraced £494,000
- Flat £336,000

Where flats and houses are used for short-term and holiday lets it not only reduces the number of housing units but causes massive problems for neighbours, such as anti-social behaviour.

The impact on price and availability of housing significantly impacts on the ability of workers to live in the City which undermines our aim for a circular local economy that builds community wealth of the visitor economy. In 2019 there were 17,894 full time equivalent jobs supported by the visitor economy in Brighton and Hove; with wages averaging £23k per annum it is clear that the holiday and short-term lettings market is creating a major issue in housing affordability with the disparity in terms of income and

price of accommodation has contributed to chronic labour shortages in the hospitality industry in the City.

Question 7: Do you consider noise, anti-social or other nuisance behaviour in short-term and holiday lets in England to be a problem? If so, why?

- **Option 1 – Yes, this is a major problem**
- **Option 2 – Yes, but this is only a minor problem**
- **Option 3 – No, there is no problem**

Please give reasons for your answer, including specific examples/evidence and detail on the type of noise, anti-social or nuisance behaviours you think are the problem, including data at a local level where possible.

Where you are aware of/or have experienced issues and you complained, what assessment do you make of how the incident was dealt with? How could this complaints procedure be improved?

Whether further regulation is necessary and proportionate or whether existing powers and authorities are able to adequately deal with these issues where they arise?

If you are an online platform or a host, what steps do you take to minimise the likelihood of anti-social or nuisance behaviour occurring?

Option 1 – Yes, this is a major issue

Brighton & Hove City Council have received complaints about noise from late night partying and departures and arrivals, waste not being disposed of correctly causing health and safety issues and illegal parking in residents parking areas and contravening parking regulations.

In the last two years the Council's Environmental Protection team has received 12 complaints about these types of properties relating to noise issues. Two complaints have been received by the Anti Social Behaviour and Casework team, but these were received from the Environmental Protection team.

Brighton & Hove City Council has registered the following number of noise complaints from short term and holiday lets:

	No. of noise complaints
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	from holiday let / party house
2018	13
2019	30
2020	80
2021	54
2022 to date	16

A noise-abatement notice was served on a “party house” in Court Close, Patcham, September 2019.

The Brighton & Hove Planning Enforcement team started to receive complaints about short term holiday lets in 2011. Of the cases received since 2011, 0.7% involved concerns about short term holiday lets. However, per annum since 2020 just over 1% of cases related to short term holiday lets so there is an upward trend in complaint terms.

Due to the volume of complaints to Brighton & Hove City Council caused by short-term and holiday lets, we are in the process of establishing a central point of contact (POC) for residents and others to raise concerns about short term holiday lets with, who will be responsible for co-ordinating response from council-wide enforcement agencies and liaising with the complainants.

We have also set up mechanisms to further promote the options available to residents affected by a short-term holiday let or ‘party house’, raising awareness of the (POC) and jurisdiction of the planning enforcement team and raising awareness of the role of the council’s noise complaint service.

Question 8: Aside from the impacts on housing and incidents of anti-social/nuisance behaviour, do you consider the increase in short-term and holiday letting in England to have had other adverse impacts on local communities and residents?

- **Option 1 – Yes**
- **Option 2 – No**

Please give reasons for your answer and provide specific examples/evidence.

Option 1 – Yes

In Brighton & Hove, areas of the city, particularly those in central locations, are becoming dominated by short-term and holiday lets. Creating stress and challenges for long-term residents who are finding that societal cohesion is being eroded.

Officers, through discussions with police colleagues, are also aware that there has been a rise in a number of these properties being used for illegal activity such as drug supply.

Short-term and holiday lets also add significantly to parking pressures and rubbish generation and recycling. Anecdotally, larger properties are being rented for use as 'party houses' which has the potential of turning residential streets into night clubs for 24-hour partying over the weekends.

Whilst formal complaints seem low regarding noise and anti-social behaviour ward councillors have heard from residents on the range of issues that residents have faced with some properties : [Phone line for anti-social behaviour in Brighton | The Argus](#)

The issue of uncontrolled short term holiday lets was raised as an issue of concern by residents and hoteliers during the scoping consultation on the City Plan Part 2 (June – September 2016) www.brighton-hove.gov.uk/content/planning/planning-policy/city-plan-part-two

Question 9: Which of the following do you consider to be the most appropriate form of response in the short-term letting market?

- **1 - Do nothing**
- **2 - Provide more information to the sector**
- **3 - Develop a self-certification registration scheme**
- **4 - Develop a registration scheme with light-touch checks**
- **5 - Develop a licencing scheme with physical checks of the premises**
- **6 - Regulatory alternative to a registration system, such as extension of the Deregulation Act 2015**

Please give reasons for your answer, including why you consider other options to be inappropriate.

Are there other options that should be considered?

Brighton & Hove City Council would support a combination of:

- 4 - Develop a registration scheme with light-touch checks**
- 5 - Develop a licensing scheme with physical checks of the premises**

Our preferred option would be:

Develop a registration and licensing scheme with light touch checks

This would ensure that short-term and holiday lets are brought in line with rented accommodation in terms of the standards we expect and enforce as a local authority. Licenses would be dependent upon owners producing relevant health and safety documentation and risk assessments, gas and electrical safety certificates, proof of agreement from mortgage company / tenancy agreements and relevant insurance documentation, as per the current Portuguese system with the national tourist board maintaining a publicly available National Tourism Register.

Local authorities would have the power to rescind licenses if a threshold of unresolved complaints were submitted against the license holder.

Registration and licensing would be for property owners, not management companies; management companies would legally require a registration number and proof of license prior to representing individual properties.

We would also request that powers are delegated to local authorities to designate a minimum percentage of housing to be reserved for long-term lets and place a cap on the number of short-term and holiday lets, as per the system in Portugal where local councils have powers to implement 'containment areas' within their locale which can restrict the number of short-term rental properties. For example, in some parts of Lisbon no new registrations are being processed because more than 20% of the properties are short-term rentals.

Licensing is also needed in order to create a database of providers, which provides a robust data set, adding to the understanding of the sector and allows for communication and contact, creating resilience.

We would support the introduction a licensing scheme similar to that laid out by the Welsh Government, to not only limit the number of second homes and short-term holiday lets, but to ensure fair taxation is extracted from them.

In terms of the remaining options:

1 – Do nothing

We would not support this option as we believe that the current situation is impacting adversely both on the accommodation supply in Brighton & Hove for renters and buyers, impacting on residents co-existing in close proximity with short-term and holiday lets and does not provide a safe and regulated experience for consumers.

2 - Provide more information to the sector

The various providers including AirBNB and VisitEngland have been providing information to providers for many years detailing their legal requirements. Unfortunately, this approach has proved not to work in terms of ensuring obligations are met and does not resolve the issue of the proliferation of short-term let and holiday rentals impacting on price and availability of housing stock for long-term residents; the issue is not just about legal compliance but about ensuring parity with the long-term rental sector.

3 - Develop a self-certification registration scheme

We suggest that a self-certification scheme does not allow effective regulation of the sector as there would be no checks on the veracity of the information supplied. A 'tick box' exercise would not deter the providers who are not ensuring their properties are maintained and run to acceptable standards; even worse it gives some legitimacy to businesses who have no obligation to comply with H&S regulations, thus misleading consumers.

6 - Address any issues through a regulatory alternative to a registration system, such as extension of the Deregulation Act 2015

The stipulation that use of any residential premises in Greater London as temporary sleeping accommodation is considered a 'material change of use' for the purposes of planning permission, if used in this way for more than 90 nights per calendar year, is problematic to monitor and administer, given the proliferation of platforms that exist to market properties.

The council is aware that in London under the Deregulation Act 2015, use of C3 residential premises as short term lets for up to 90 days per calendar year does not need planning permission but above 90 days would require planning permission. The council recognises that as a first step in controlling existing C3 residential properties that the government could extend this provision to all local authorities. There would however need to be a clear requirement for data sharing by all the various online letting platforms in order that this regulatory alternative would be effective ie so that it could be easily enforced by local planning authorities and the council considers that it would not remove the need for a mandatory licensing scheme to support its effective implementation and address the other issues raised in this consultation around ensuring health and safety regulations etc are met.

Question 10: What do you consider to be the costs and associated burdens of these options, who would bear the costs and how might they be mitigated?

Please consider in particular (3) develop a self-certification registration scheme, (4) develop a registration scheme with light-touch checks, and (5) develop a licensing scheme with physical checks of the premises.

Please also consider what the benefits are of the market operating as it currently does, as well as what might be the benefits of each of all of the above options, either to businesses, property owners, or to the consumer.

For options: (3) develop a self-certification registration scheme, (4) develop a registration scheme with light-touch checks, and (5) develop a licensing scheme with physical checks of the premises, cost will be entailed to develop and maintain an

appropriate online portal through which hosts register or license their properties, be this hosted via central government or via individual local authorities.

Costs would also be incurred if hosts are required to submit evidence of compliance, albeit this would be a paper exercise so costs would be minimised. If physical checks were stipulated, then this would obviously increase costs significantly.

Any scheme introduced should be funded by contribution from short-term and holiday let hosts. A stepped approach would be welcomed whereby a basic license fee is levied, augmented by a cost per room ensuring that costs and charges are proportional to property size.

Option 6 would require additional resources for local planning authorities' enforcement to ensure the regulation could be adequately enforced.

Question 11: Do you have any insight or evidence on the impact of schemes that are already running, or approaches taken elsewhere in the world?

The government would also be keen to learn about any other approaches that have been taken.

Amsterdam

Amsterdam has well defined policies for holiday rentals and short stay rentals. The policy on holiday rentals allows city residents to rent out their home while they are away, to a maximum of four guests for up to 60 days a year. Each holiday rental must be reported to the City Council. The tourist tax must be paid on all holiday rentals. The rental must not cause any nuisance to neighbours and the property must meet appropriate fire safety standards. Property owners who do not report holiday rentals can be fined €6,000 or more. The Amsterdam short stay policy is designed to cover the commercial rental of non-subsidised housing for periods from seven nights to six months to people working in the city on a temporary basis, in the city for conferences, and longer staying tourists. Short stay letting is only allowed in the privatised rental sector, to ensure the availability of affordable housing for city residents on low incomes. The owner of the property must first secure a permit for short stay rentals. In order to protect the housing market only 10% of the private housing in each of the city districts can be licensed for short stay rentals. The City Council stopped granting new short stay permits at the beginning of 2014 because this level of short stay provision had been reached. As such, only newly constructed buildings can now apply for a short stay permit. The presence of short stay residents in the city must not be at the expense of the quality of life in city neighbourhoods. There is a 24/7 hotline for city residents to report any disturbances. The City Council strictly monitors landlords who provide short stay rentals for valid permits, fire prevention and safety measures, the number of overnight stays, and nuisance to neighbours. Transgressing landlords may lose their permits and can face fines of up to €20,500.

Berlin

From 1 May 2016, Berlin has banned home owners and tenants from renting out their home to short-term visitors unless they occupy at least 50% of the home themselves. This is a ban therefore on entire home renting for short-term lets. Shared home renting is still legal. The law was introduced to protect the residential lettings market. It is now illegal in Berlin to rent out apartments to tourists that should be available to residential tenants. Fines of up to €80,000 can be imposed on those that are found to be contravening the new law. The ban does not apply to apartments that were registered as commercial holiday apartments before 1 May 2014. The Berlin ban resulted in a 49% reduction in entire home listings on airbnb, a 5% increase in the prices charged by the remaining airbnb hosts, and a 55% reduction in monthly income from airbnb properties.

Question 12: What has been the impact of the Deregulation Act 2015, specifically changes made by section 44 to the Greater London Council (General Powers) Act 1973?

Please consider the extent to which these provisions have allowed local authorities to respond to challenges posed by short term lettings.

Please also consider the potential use and impact such stipulations may have in other areas of the country

Short-Term Lets in London | London Councils suggest:

- It has not stopped the growth in short term lettings
- Multiple online letting platforms mean property owners can circumvent the rules
- Lack of data and onerous task for enforcement officers to access the information to proactively engage with breaches with the concerns that properties may become immune from enforcement action after 10 years

They cite the example of LB Camden: '*Ongoing research from the London Borough of Camden has indicated that, of the 7,000 properties used as short-term lets in Camden in 2019, 48 per cent exceeded the 90-day limit, significantly higher than the figures that Airbnb are suggesting elsewhere.*'