

# Brighton & Hove City Council

## Cabinet

## Agenda Item 9

**Subject:** Short Term Lets

**Date of meeting:** Thursday, 26 June 2025

**Report of:** Chair of Place Overview & Scrutiny Committee.

**Lead Officer:** Name: Corporate Director- Operations

**Contact Officer:** Name: Nicola Hurley

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**Ward(s) affected:** (All Wards);

**Key Decision:** No

**For general release**

### **1. Purpose of the report and policy context**

- 1.1 As a council, we are committed to developing a flourishing and inclusive local economy that is a distinctive place for people to visit. Alongside this, we want to be a fair and inclusive city for residents where everyone has access to decent quality affordable housing. As a tourist destination, short term lets have been a feature for many years, and in many areas. We want to take a balanced approach to this complex and important issue that both supports our tourist and visitor economy, and prevents negative impacts to the city's housing supply.
- 1.2 At the 1<sup>st</sup> October 2024 Place Overview & Scrutiny committee meeting, members agreed to establish a Task & Finish group to explore issues relating to short term lets in the city. The findings and recommendations from the Task & Finish group were presented and endorsed at the Place Overview & Scrutiny committee on the 25 March 2025.
- 1.3 This report to Cabinet sets out the recommendations made by the Task & Finish Group. It is for Cabinet to decide whether it wishes to accept each recommendation. The Task & Finish Group recommendations have been discussed with the relevant Cabinet member(s) and with team across the council to determine whether it would be desirable and/or feasible to implement them. Cabinet is asked to agree responses to the Task & Finish Group recommendations which are listed in part 3 (paragraphs 3.23 – 3.36) of this report.

### **2. Recommendations**

- 2.1 Cabinet agrees the recommendations as set out in section 3 of the report.

### **3. Context and background information**

- 3.1 Short Term Lets are a traditional feature of many areas and can have a positive impact on the visitor economy in the city by people visiting the city and spending money and generating income for businesses
- 3.2 Visit Brighton during the Task & Finish Group sessions reported that short term lets have long been a significant feature of the city's accommodation offer, although the emergence in recent years of online booking platforms, such as Airbnb and booking.com has increased their visibility and resulted in a significant growth in the short term let sector. Short term lets are particularly popular with families, which can offer more flexibility than hotels. Whilst evidence on the number of short term lets in the city is unclear, it is thought that there is a relatively wide dispersal of short term lets across the city compared with hotels and guest houses, giving visitors a richer experience of Brighton & Hove and spreading economic benefits across the city. Short term lets also provide significant additional bed capacity, which is particularly important at times of high demand. The 2023 Economic Impact of Tourism study estimated that there were 4 million overnight stays in the city across the year, averaging 10,958 per night.
- 3.3 However, there are also potential negative consequences of a growing short term let sector, including impact on housing supply; nuisance and antisocial behaviour; impacts on the existing visitor economy and accommodation; and problems in ensuring that short term lets have the appropriate fire and gas safety measures in place, are properly registered as businesses, and are using commercial waste services.
- 3.2 At the 1<sup>st</sup> October 2024 Place Overview & Scrutiny committee meeting, members agreed to establish a Task & Finish group to explore issues relating to short term lets in the city.
- 3.2 The Task & Finish group consisted of Councillors Amanda Evans (Chair), Amanda Grimshaw, Bridget Fishleigh, Anne Meadows. Jackie O'Quinn, Kerry Pickett as well as Mark Strong (Community & Voluntary Sector representative) and Doug Thompson (Older People's Council representative).
- 3.3 The Task & Finish group held a number of evidence-gathering meetings between November 2024 and February 2025.
- 3.4 In February 2025, the Task & Finish Group agreed a report which included a series of detailed recommendations, which it considered merited consideration. The recommendations were presented to the Place Overview & Scrutiny Committee on the 25<sup>th</sup> March 2025. Place Overview & Scrutiny Committee agreed to refer the recommendations to Cabinet.
- 3.5 A copy of the Place Overview & Scrutiny committee report is attached as Appendix 1.  
A copy of the Report of the Short Term Lets Task & Finish Group is attached as Appendix 2.

- 3.6 The recommendations of the Task & Finish Group cover a number of areas including lobbying of central government, improving information on the Council's website, and a number of areas for further consideration in respect of planning, licensing and parking permits.
- 3.7 One of the main issues with Short Term Lets currently, is that in the absence of a licensing scheme and the lack of certainty that all short term lets require planning permission, there is a lack of information of how many short term lets there are in the city.
- 3.8 The previous Government carried out a consultation that examined the possibility of introducing a licensing scheme and to introduce a new planning use for short term lets. The consultation received 4000 responses with support for a light touch registration system. The licensing/registration scheme or a specific short term lets planning use class were not introduced before the General Election in 2024. The current Government has confirmed that it plans to introduce similar measures and both the Department for Culture, Media and Sport and the Department for Housing, Communities and Local Government are currently working on the issue. In addition, Rachael Maskell MP for York, has recently put forward a Private Member's Bill to better regulate short term Lets. The current Government have acknowledged the impact short term lets can have and are considering their options regarding a licensing scheme and the introduction of a new use class.
- 3.9 The council has recently expressed interest in participating in a short term lets registration research project with Government
- 3.10 The recommendations of the Task & Finish group reflect the current legislative situation and are outlined below.
- 3.11 Recommendation 1:
- To lobby the Secretary of State for the Ministry of Housing, Communities and Local Government for a new planning use class for short-term lets with no permitted development rights.
- 3.12 Recommendation 2:
- To lobby the Secretary of State for the Ministry of Housing, Communities and Local Government for a licensing scheme with conditions on the operator to provide evidence that the property meets health and safety standards, is registered correctly as a business with the right arrangements in place regarding waste management, tax and business rates, parking and insurance; and to have good financial penalties for breaches.
- 3.13 Recommendation 3:
- To lobby the Secretaries of State for Ministry of Housing, Communities and Local Government and for the Department of Culture, Media and Sport for

any licensing/registration scheme to permit data sharing (of owners and addresses of STLs etc.) across public authorities and local statutory partners.

3.14 Recommendation 4:

To support the government's introduction of a registration or licensing scheme (pending details) to help the Council and other statutory bodies—such as Environmental Services, the Fire Service, and Sussex Police—gather accurate data on the number and locations of STL properties in the city, facilitating enforcement when needed, and to register as soon as possible.

3.15 Recommendation 5:

Additional resources for planning enforcement investigations once registration or a licensing scheme is in place (subject to funding becoming available – e.g. from a licensing scheme that enables the council to recover costs).

3.16 Recommendation 6:

To allocate a named officer with Cabinet member oversight, to have responsibility for short-term lets as a point of contact and to get involved in pilot projects if the government is introducing this.

3.17 Recommendation 7:

To look at initiatives from other local authorities, such as East Lothian Council, who have introduced specific parking permits for short-term lets that is a new funding stream for the council.

3.18 Recommendation 8:

To consider and investigate through the development of City plan 2041, add a clause in leases for new builds and conversions that they cannot be used as full time short-term lets.

3.19 Recommendation 9:

To consider and investigate through the development of City Plan 2041, the introduction of zones in the city where STL development would be permitted or restricted.

3.20 Recommendation 10:

To consider and investigate through the development of City Plan 2041 flexibility in planning permission for hotels and guesthouses to re-classify as residential.

3.21 Recommendation 11:

To update and improve information available on the Council's website and to include in any communications campaign in relation to short-term lets, including:

- Information and guidance for operators on their responsibilities, such as employing a commercial waste service, registering for business rates, applying for the correct insurance/s, and ensuring health and safety standards for fire, gas, water and electricity. To make it clear that they are breaking the law if these conditions are not met.
- To look at and update the planning guidance for short-term lets on the website
- Links to relevant websites

3.22 Recommendation 12:

To work with STL providers to provide an out of hours phone number for residents to call if STLs are causing nuisance in the neighbourhood and direct them to any employed security companies and/or the police if necessary

3.23 Review & Comments of the Cabinet Member for Finance & City Regeneration

3.24 The Cabinet Member for Finance & City Regeneration has reviewed the recommendations and has commented as follows:

3.25 Recommendation 1:

Recommendation Agreed

3.26 Recommendation 2:

Recommendation Agreed

3.27 Recommendation 3:

Recommendation Agreed

3.28 Recommendation 4:

Recommendation agreed subject to sufficient resource in place to support the introduction of a licensing scheme for teams across the Council.

3.29 Recommendation 5:

Recommendation on hold subject to a licensing scheme being introduced and subject to budget setting process.

3.30 Recommendation 6:

The Council have recently registered an interest in participating in a pilot for short term lets registration scheme.

3.31 Recommendation 7:

Recommendation requires further investigation and consideration. While introducing a short-term visitor permit is theoretically feasible, further analysis is necessary to understand the possible negative impact of revenue loss from on-street parking or car park usage. Additionally, it would need to be established that the proportion of visitor permits does not interfere with existing residents' parking or their ability to obtain permits.

3.32 Recommendation 8:

Recommendation requires amendment.

As part of the review for City Plan, this request can be investigated. A policy will only be able to be put forward if there is evidence to justify the policy. Further evidence gathering can be undertaken and will be discussed at the Planning Policy Member Advisory Group.

It would be beyond the remit of planning to require clauses are added to a lease for new builds and conversions to restrict use as full time short-term lets. However, if a new policy could be included in City Plan – a condition or a s106 agreement could be attached to the planning decision restricting the use of short term lets.

3.33 Recommendation 9:

Recommendation requires further investigation and consideration

As part of the review for City Plan, this request can be investigation. A policy will only be able to be put forward if there is evidence to justify the policy. Further evidence gathering can be undertaken and will be discussed at the Planning Policy Member Advisory Group.

3.34 Recommendation 10:

Recommendation requires further investigation and consideration

As part of the review for City Plan, this request can be investigation. A policy will only be able to be put forward if there is evidence to justify the policy.

A study looking at visitor accommodation which will look at the need and supply will be required to be undertaken as part of City Plan Review. The findings of the study will be discussed at the Planning Policy Member Advisory Group.

3.35 Recommendation 11:

Recommendation agreed in respect of updating the planning pages with further discussions required to create a specific webpage that covers all teams in the council and to introduce a one-council approach for members of the public to raise issues with short term lets.

3.36 Recommendation 12:

Recommendation agreed subject to introduction of a licensing scheme as this could be a stipulation of a licensing scheme that operators provide this.

#### **4. Analysis and consideration of alternative options**

- 4.1 These are the findings of the Task & Finish Group that looked at a number of options during their investigation into short term lets.

#### **5. Community engagement and consultation**

- 5.1 The Task & Finish Group held 5 evidence gathering meetings.
- 5.2 The group spoken to 34 officers from Westminster, Camden and Blackpool Councilors. The Task & Finish Group also spoke with Edinburgh City Council and Gwynedd Council.
- 5.3 The Task & Finish Group also spoke to Councillor Gill Williams, Cabinet Member for Housing & New Homes, ward councilors and a range of city council officers to get a sense of the positive and negative impacts of short term lets in the city.
- 5.4 Outside of the council, the group also spoke with East Sussex Fire & Rescue Service, a representative of local hoteliers, with representatives from the short term let industry, including Airbnb, the national Short Term Accommodation Association, with local STL providers and with a security firm that offers services to short term let operators. In addition, the Task & Finish Group spoke to Rachael Maskell MP and to officers from the Department for Housing, Communities and Local Government.
- 5.5 The Task & Finish Group also featured members representing the local community and voluntary sector and older people in the city.

#### **6. Financial implications**

- 6.1 Additional resources for planning enforcement would be subject to the introduction of a licensing scheme to fund the resources required and future years budget setting processes, though it would be assumed at this early stage that licensing scheme revenue streams would support these costs. Officer time for implementing other recommendations would be contained within existing Development Planning budgets, however outcomes from some recommendations such as introductions of short term let zones and other local authority initiatives including short term let visitor permits will require separate approval from cabinet as options are assessed.

Name of finance officer consulted: John Lack    Date consulted 01/05/2025:

## **7. Legal implications**

- 7.1 The recommendations in Appendix 1 to this report, if taken forward, need to be compatible with the relevant planning legislation. To date, the recommendations are not in conflict with the legislation and this will need to be carried through in any subsequent stages of the overall project.

Name of lawyer consulted: Katie Kam

Date consulted 28/04/2025:

## **8. Risk implications**

- 8.1 Housing delivery is a key priority for the Council and a key goal in the Council Plan within outcome 2 'a fair and inclusive city' includes the objective a 'home for everyone.' The increase in short term lets reduces the available housing stock in the city. If the recommendations are not agreed and implemented some of the short term measures that do not require a licensing scheme or a change in planning will result in a potential loss of more homes to short term lets.

## **9. Equalities implications**

- 9.1 It is currently not possible to accurately ascertain where in the city short term lets are situated and where any growth in the conversion of residential properties to short term lets is taking place. The Task & Finish Group's recommendations around registration and licensing are intended to address this.
- 9.2 With more accurate data, the council would be in a better position to understand what impact the growth of short term lets is having on housing supply in the city particularly for those residing in temporary accommodation. The availability of more data would also help to understand if and how short term lets have a disproportionate impact on people with protected characteristics

## **10. Sustainability implications**

- 10.1 Traditional hotel and guest house accommodation is focused in the city centre, making it relatively attractive for visitors to travel to and within the city by public transport. Short term lets tend to be spread more evenly across cities. There is consequently a risk that growth in short term lets may lead to more car journeys to and within Brighton & Hove, with negative impacts on carbon emissions. The recommendations of the Task & Finish Group relating to registration or licensing schemes are intended to help the council gather data on the prevalence and spread of short term lets so we are in a better position to consider mitigations. Furthermore, a licensing scheme could look to require standards such as minimum EPC levels to ensure the quality of the accommodation and improve sustainability levels.

## **11. Health and Wellbeing Implications:**



- 11.1 Short term lets can be a source of alleged noise nuisance and other associated anti-social behaviour linked to the properties which can affect the wellbeing of neighbouring residents. This can include late-night noise, criminal activities, illegal parking and anti-social behaviour. Other examples of nuisance being reported were fleets of taxis in the street and rubbish being left out. The recommendations of the Short Term Lets Task & Finish Group are intended to assist with improving information and management of short term lets given the lack of registration that currently exists.

## **Other Implications**

### **12. Procurement implications**

- 12.1 None

### **13. Crime & disorder implications:**

- 13.1 Short term lets can be a source of alleged noise nuisance and other associated anti-social behaviour linked to the properties. One significant difference between short term lets and hotels/guesthouses is that short term lets have no one on the premises to manage anti-social behaviour if it does occur. The recommendations of the Short Term Lets Task & Finish Group are intended to assist with improving information and management of short term lets given the lack of registration that currently exists.

### **14. Conclusion**

- 14.1 To conclude the Cabinet is asked to agree the recommendations put forward by the Short Term Let Task & Finish Group as set out in section 3 of this report.

## **Supporting Documentation**

### **Appendices**

1. Overview & Scrutiny Committee Report from the 25 April 2025
2. Report of the Short Term Lets Task & Finish Group

