

Brighton & Hove City Council

Place Overview & Scrutiny Committee

Agenda Item

Subject: Report of Short Term Lets Task & Finish Group

Date of meeting: 25th March 2025

Report of: Chair of Place Overview & Scrutiny

Contact Officer: Name: Giles Rossington, Scrutiny Manager/Natalie Sacks-Hammond, Overview & Scrutiny Officer

Email: giles.rossington@brighton-hove.gov.uk
natalie.sacks-hammond@brighton-hove.gov.uk

Ward(s) affected: (All Wards);

Key Decision: No

For general release

1. Purpose of the report and policy context

- 1.1 This report presents the report of the Short Term Lets Task & Finish Group (TFG) for consideration and review by Place Overview & Scrutiny Committee. The TFG report is included as Appendix 1.

2. Recommendations

- 2.1 That Place Overview & Scrutiny Committee notes the Task & Finish Group report on Short Term Lets attached as Appendix 1; and
- 2.2 Refers the findings of the Task & Finish Group report on Short Term Lets to Cabinet for consideration.

3. Context and background information

3.1 Task & Finish Groups

- 3.1.1 Brighton & Hove City Council's constitution permits Overview & Scrutiny Committees to establish informal task & finish groups (TFGs) to look in depth at specific issues.
- 3.1.2 At the 01 October 2024 Place O&S committee meeting members agreed to establish a TFG to explore issues relating to short term lets in the city.

- 3.1.3 TFGs typically hold a series of meetings with witnesses, potentially including council officers, executive members, other councils and public sector partners, businesses, academic experts and members of the public. Using the evidence gathered, the TFG agrees a report with recommendations which is then submitted for consideration, initially by the parent O&S committee. If the parent O&S so decides, the TFG report is then referred to the appropriate decision-making body, such as Cabinet or Council consideration.

3.2 The Short Term Lets TFG

- 3.2.1 The Short Term Lets (STL) TFG consisted of: Cllrs Amanda Evans (Chair), Amanda Grimshaw, Bridget Fishleigh, Anne Meadows, Jackie O'Quinn, Kerry Pickett; Mark Strong (Community & Voluntary Sector representative) and Doug Thompson (Older People's Council representative).
- 3.2.2 The TFG held a series of evidence-gathering meetings between November 2024 and February 2025. In February 2025, TFG agreed a report which included a series of detailed recommendations, which it considered merited consideration by Cabinet (Appendix 1).

3.3 Issues with Short Term Lets and TFG witnesses

- 3.3.1 The TFG defined Short Term Lets (STL) as whole properties solely used as short term lets (not including people renting out only part of their property or renting their main residence for short periods of time). STLs are a traditional feature of many local tourism economies. However, recent years have seen significant growth in the STL sector, driven by the emergence of online booking platforms such as Airbnb and booking.com. STLs can provide substantial benefits to the local tourism economy, delivering additional visitor bed capacity and generating income for the local area. However, there are also potential negative consequences of a growing STL sector, including impact on housing supply; nuisance and antisocial behaviour; impacts on the existing visitor economy; and problems in ensuring that STLs have the appropriate fire and gas safety measures in place, are properly registered as businesses, and are using commercial waste services.
- 3.3.2 These negative impacts have been recognised by Government, and the previous Government had announced plans to introduce a Bill to better regulate STLs. However, this was not introduced before the July 2024 General Election. The current Government has confirmed that it plans to introduce similar measures, and both the Department for Culture, Media and Sport (DCMS) and the Department for Housing, Communities and Local Government (DHCLG) 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 STLs. The TFG spoke to Rachael Maskell MP and to officers from DCMS. DHCLG was not able to offer a meeting within the timeframe of the TFG but has offered to meet with the council in May 2025.
- 3.3.3 In the absence of new legislation, a number of local authorities have adopted innovative approaches to managing their STL sectors. The TFG

spoke to officers from Westminster LBC, Camden LBC, and Blackpool Borough Council. The TFG also spoke with Edinburgh City Council and with Gwynedd council. It should be noted that local authorities in England, Scotland, Wales and London all operate under slightly different legal frameworks.

- 3.3.4 The TFG also spoke to Cllr Gill Williams, Cabinet Member for Housing & New Homes, to ward councillors, and to a range of city council officers to get a sense of the positive and negative impacts of STLs on the city. The Group also spoke with East Sussex Fire & Rescue Service which has a particular interest in ensuring that STLs follow fire and gas safety regulations; with a representative of local hoteliers; and with representatives from the STL industry, including Airbnb, the national Short Term Accommodation Association, with local STL providers, and with a security firm that offers services to STLs.

3.4 The TFG report

- 3.4.1 The Government plans to introduce new measures to help regulate STLs and a view could be taken that we should simply wait for these measures to be announced rather than undertaking local initiatives. However, the TFG believe that there is value in looking at STLs now. This is so we can try to influence the Government's thinking while its plans are still in development: the TFG report includes recommendations to lobby Government on issues including licensing and registration schemes. It is also because it may be some time before legislation or a national STL registration scheme is in place, and there are local measures that could be introduced in the interim. Finally, there are measures we could take locally which the Government plans are unlikely to cover, such as ensuring that we have a suite of information and advice available to encourage local STL operators to follow best practice.

- 3.4.2 The TFG has made 10 recommendations. These are:

BHCC Lobbying

- 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.
- 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.
- 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.

BHCC internal processes

- To support the government's introduction of a registration or licensing scheme (pending details) to help the Council and other statutory bodies—such as City Clean, the Fire Authority, 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.
- 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)
- 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
- 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

BHCC Planning

- To consider and investigate through the development of City Plan 2041:
 - To add a clause in leases for new builds and conversions that they cannot be used as full time short-term lets
 - To investigate the introduction of zones in the city where STL development would be permitted or restricted
 - To provide flexibility in planning permission for hotels and guesthouses to re-classify as residential

BHCC external

- 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
- 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

3.4.3 The TFG report (Appendix 1) provides more information and context for each of these recommendations.

4. Analysis and consideration of alternative options

- 4.1 Having noted this report, the Place Overview & Scrutiny Committee could choose not to refer the findings of the TFG report to Cabinet.

5. Community engagement and consultation

- 5.1 The TFG included members representing local Community & Voluntary Sector organisations and older people in the city.

6. Financial implications

- 6.1 There are not financial implications arising from this process.

Name of finance officer consulted: I CHAGONDA Date consulted
(03/03/25):

7. Legal implications

- 7.1 The informally constituted Task & Finish Group has delivered on its remit by carrying out a detailed piece of work on the topic of Short Term Lets, including by proposing recommendations for review. This Report is 'for noting' only by Place Overview & Scrutiny Committee. As a result, a detailed analysis of potential legal implications has not been carried out at this stage.

Name of lawyer consulted: Victoria Simpson Date consulted 3.03.2025

8. Equalities implications

- 8.1 It is currently not possible to accurately ascertain where in the city STLs are situated and where any growth in the conversion of residential properties to STLs is taking place. The Task & Finish Group's recommendations around registration and licensing are intended to address this. With more accurate data, the council would be in a better position to understand what impact the growth of STLs is having on housing supply in the city, and particularly if and how this has a disproportionate impact on people with protected characteristics.

9. Sustainability implications

- 9.1 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. STLs tend to be spread more evenly across cities, including in areas without good public transport links. There is consequently a risk that growth in STLs may lead to more car journeys to and within Brighton & Hove, with negative impacts on carbon emissions. The TFG recommendations relating to registration or licensing schemes are intended to help the council gather data on the prevalence and spread of STLs so we are in a better position to consider mitigations.

10. Health and Wellbeing Implications:

- 10.1 None identified.

Other Implications

11. Procurement implications

11.1 None identified.

12. Crime & disorder implications:

- 12.1 In some parts of the UK (e.g. Blackpool) the growth of the STL market is associated with an increase in antisocial behaviour. This is not necessarily the case everywhere, but one significant difference between STLs and hotels or guesthouses is that STLs have no one on the premises to manage antisocial behaviour if it does occur. The TFG heard about various practices instituted by the STL industry to address this issue, including security patrols or a hotline number.

13. Conclusion

- 13.1 The committee is asked to refer the findings of the Task & Finish Group Short Term Lets report to Cabinet for consideration. The TFG recommendations are based on a robust process of hearing and evaluating evidence from a number of expert witnesses.

Supporting Documentation

1. Appendices

1. Short Term Lets Task & Finish Group report.
2. Appendix 1: Minutes from TFG meetings
3. Appendix 2: Data sources