

# REPORT OF SHORT TERM LETS TASK & FINISH GROUP

Reporting to:

Place Overview & Scrutiny Committee, 25/03/2025

## CONTENTS

1.Chair's Foreword .....	2
2.EXECUTIVE SUMMARY .....	2
3.Recommendations .....	5
4.Introduction .....	7
4.1Purpose of the Task & Finish Group .....	7
4.2The Short Term Lets TFG .....	7
5.Data issues .....	8
5.1Lack of data .....	8
6.Safety standards, nuisance and compliance .....	9
6.2Fire safety .....	10
6.3.Business rates .....	11
6.4.Waste Management .....	11
6.5Parking .....	12
7.Noise and anti-social behaviour .....	12
8.Amateur and rogue operators .....	15
9.Impact of STLs on the local economy .....	15
10.Hotel industry .....	16
11.Housing market .....	17
12.Council powers, planning and enforcement.....	19
12.2England .....	19
12.3Wales .....	20
12.4Scotland .....	21
13.Resources.....	22
14.Registration vs Licensing .....	22
15.Government plans .....	23
16.Conclusion .....	24

# 1. Chair's Foreword

Most residents of Brighton & Hove are aware that it's a special place. Our vibrant south-coast city with its sparky and diverse population punches well above its weight financially with thousands of creative micro-businesses and tech companies, a hugely successful football club embedded in the community and a brilliant retail, hospitality, events and entertainment offer.

All this also combines to give us a thriving tourist economy that is the envy of many other seaside destinations. And gives rise to numerous conversations about how we can keep growing the number of beds available and therefore of visitors who stay for a night, a weekend, a week, rather than just coming for a day trip.

While holiday apartments have always existed in a small way alongside the more traditional hotels and guesthouses, the inexorable rise of Short Term Lets through booking platforms like Airbnb has seemed to provide an answer to some of those tourism questions.

However, we're also a city with a deep-rooted housing crisis and pockets of severe deprivation that are only worsened by the shortage of properties to rent or buy, and consequent sky-high price of what little is available. And the exponential rise of the number of whole properties previously used as main dwellings (whether rented or owned) that have been turned over to STL use has to have some impact both on that crisis and on community cohesion, particularly in some concentrated areas. Not that we can really quantify the effects clearly, since we have so little agreed data, and very few powers to regulate or manage this growing industry.

So, this is the circle that our task-and-finish group set out to square – to come up with a set of recommendations that would help all of us who live here, while not harming the visitor economy so many depend on. We talked to residents, councillors representing some saturated areas, trade bodies representing STL owners, representatives of booking platforms and traditional hotels, planning officers from our own and other councils who do things differently. We have looked at the work being done by two government departments on this topic, spoken to civil servants and to Rachael Maskell MP about her private members bill, and also to police, fire and waste service representatives. In short, we have talked to everyone we could with expertise in this subject, and it has been fascinating and highly educational.

It only remains for me to thank the other members of the TFG, all of whom have brought differing perspectives and asked excellent, searching questions of our witnesses; thanks to our brilliant scrutiny officers Natalie, Giles and Luke; and to express my heartfelt gratitude to everyone who came to talk to us either in person or online.



Cllr Amanda Evans – Chair of Place Overview & Scrutiny Committee.

## 2. EXECUTIVE SUMMARY

The Task & Finish Group (TFG) has been scrutinising the impact of Short Term Lets (STLs) in Brighton & Hove. STLs have been defined by the TFG as whole properties used exclusively for short-term lets. This does not include people renting out only part of their property or renting their main residence for short periods of time while they are away.

While contributing to the local economy and tourism, issues have been raised about STLs regarding housing availability, community impact, safety standards, and the challenges they pose to traditional accommodation providers. The TFG, formed in October 2024, worked from November 2024 to February 2025 to assess these issues. It gathered insights from other local authorities, the STL industry, public services, and other stakeholders, including those developing national legislation.

### 2.1 Key Findings

- **Data Issues**

A lack of reliable data poses significant challenges in managing STLs. The actual number of STLs in the city is uncertain, with estimates ranging from 2,000 to 6,000 properties<sup>1</sup>. Data-sharing restrictions, including GDPR, further inhibits the ability to gather accurate data on STLs. Local authorities find it difficult to monitor the locations, ownership, and occupancy frequency of STLs; and consequently struggle to ensure compliance with regulations on safety standards, waste management, taxes, and insurance.

- **Fire Safety**

Although STLs are required to comply with the Fire Safety Order, there are difficulties in tracking which properties are STLs, making it challenging to conduct inspections for all STLs within the Fire Authority's remit<sup>2</sup>. Without mandatory registration, it is unclear how many STL operators adhere to safety regulations, including the need for insurance and updated fire risk assessments.

- **Business Rates and Tax Compliance**

While we know that there has been a substantial rise in the number of STLs in Brighton & Hove, only 443 operators in 2024/25 were registered to pay business rates<sup>3</sup>. Many operators lack incentive to apply unless they qualify for small business rates relief, as paying council tax is often cheaper. Rachael Maskell MP estimates £6 billion in undeclared tax from the STL sector nationally<sup>4</sup>, highlighting the need for proper registration.

- **Waste Management**

All properties acting as businesses should pay for commercial waste collection; however, City Clean believe that many STLs do not. City Clean reports that STL operators also often produce more refuse than regular residential properties, and because visitors are unfamiliar with the city, rubbish or recycling is often left out inappropriately<sup>5</sup>. City Clean would like to have accurate location data on STLs to help with enforcement.

- **Parking**

The rising number of STLs has exacerbated parking difficulties in Brighton & Hove, especially with limited parking spaces and high demand. There have been reports of illegal sales of visitor permits to STL guests and potential instances of illegal parking.

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<sup>1</sup> See section 5.1.2

<sup>2</sup> Tom Glandfield, ESFRS, TFG meeting 10.01.25, Appendix 1

<sup>3</sup> Graham Bourne, BHCC; TFG meeting 10.01.25, Appendix 2

<sup>4</sup> Rachael Maskell, MP; TFG meeting 13.12.24, Appendix 1

<sup>5</sup> See section 6.4.1

East Lothian Council has introduced a special holiday parking permit system<sup>6</sup> which could be something Brighton & Hove City Council could consider as a new income generating stream.

- **Noise and Anti-Social Behaviour**

Noise complaints and anti-social behaviour linked to STLs have been a significant concern. While there are few formal complaints reported by local authorities<sup>7</sup>, it is thought that residents report disruptive incidents directly to STL providers and also to local councillors. The TFG heard from representatives in the industry who have introduced noise monitoring devices in STLs and use security firms who respond to a 24-hour helpline and conduct evictions when necessary<sup>8</sup>. The TFG believes that all STL operators should have a management plan in place to address noise and anti-social behaviour, as the lack of on-site staff in STLs increases the risk of escalating incidents.

- **Amateur and Rogue Operators**

Many STL operators lack awareness of safety and compliance requirements, often leading to violations. There is a call for more support and education for operators, including sharing information on their responsibilities. The TFG suggests that the council could provide better resources on their websites for STL owners and operators to encourage compliance.

- **Economic Impact of STLs**

STLs are a significant contributor to Brighton & Hove's economy, offering essential bed spaces, particularly during peak times<sup>9</sup>. While some cities, like Barcelona, consider banning STLs<sup>10</sup>, this is not something the group would be in favour of as they appreciate the positive impact the industry has on the city. STLs contribute millions in local spending, with some hosts relying on the extra income.

- **Impact on the Hotel Industry**

Brighton & Hove hosts major events that require additional bed space, making STLs crucial for meeting accommodation demand. However, their popularity is impacting traditional hotels, which must comply with more regulations, like business rates and commercial waste services, while STLs often avoid these costs, which makes it difficult for hotels to compete in the market.

- **Housing Market**

The impact of STLs on housing stock and prices in Brighton & Hove is unclear. The city's high house and rental prices may in part be due to many larger properties being used as STLs instead of family homes, which reduces housing availability for residents, including key workers<sup>11</sup>. Although some studies suggest the impact on housing from STLs is minimal compared to other factors<sup>12</sup>, such as inflation, income growth, the city's two universities and proximity to London, the city still faces a housing crisis and needs to build more affordable homes. The council may want to explore policies to ensure new homes are used as permanent residences rather than holiday lets.

- **Resources for Enforcement:** There was a lack of resources for enforcement in all public services that the TFG spoke to. For this reason, councils are keen on a licensing scheme which would allow for a fee to be charged which would cover

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<sup>6</sup> <https://www.edinburghnews.scotsman.com/news/east-lothian-short-term-lets-could-face-ps750-charge-for-parking-permits-4975683>

<sup>7</sup> BHCC Environmental Health data; Complaints data, Appendix 2

<sup>8</sup> See section 7

<sup>9</sup> Julia Gallagher, Visit Brighton; Appendix 2

<sup>10</sup> [Barcelona set to ban short-term rentals - Cities Today](#)

<sup>11</sup> See section 11.3

<sup>12</sup> EY report; [EY report finds Airbnb has little to no significant impact on UK housing](#)

enforcement costs. Whilst a registration scheme would provide agencies with potentially valuable information about STLs, it is not clear that there would be sufficient resource to make the best use of this additional data.

- **Council powers, planning and enforcement:** STLs should be regulated to ensure safety and manage impacts, but local councils lack enforcement power without central government action. London councils like Camden and Westminster struggle with enforcing the 90-day rule<sup>13</sup> and support a licensing system. Blackpool has imposed fines and created a "holiday area" for STLs which has been somewhat successful. The Welsh government introduced a new planning use class but faces enforcement challenges. Edinburgh's STL regulations have been contested via judicial review which has led to a strain on resources<sup>14</sup>.
- **Registration vs Licensing:** To gather accurate data on STLs, either a registration or licensing scheme could be implemented. Registration would require all STLs to record their data, allowing councils to communicate with owners and enforce regulations. However, such a scheme must be mandatory to be effective. A licensing scheme provides more benefits by ensuring compliance and generating revenue for enforcement. The TFG favours a mandatory licensing scheme as it offers more control and the ability to enforce regulations like health and safety standards.
- **Government plans:** The TFG spoke to civil servants from the Department for Culture, Media and Sport (DCMS) about the national registration scheme for STLs, which is in development. The scheme's first phase is complete, and the next phase, involving public testing and further policy work, could take about two years<sup>15</sup>. The DCMS team faced challenges in finding the right contacts within local authorities, as responsibilities for STLs are often spread across multiple departments. They emphasised the need for a designated contact person in each council to streamline the process.

## 2.2 Conclusion

The TFG acknowledges that STLs are important for Brighton & Hove's economy but stresses the need for regulation to address issues like housing, safety, anti-social behaviour, and community impact. Responsible STL operators already address these concerns, so would not be negatively impacted by increased regulation. Indeed, since they incur costs that less responsible operators currently avoid, they should welcome moves to make good practice mandatory. The TFG supports a level playing field between STLs and the hotel industry, especially regarding health and safety standards. While the government plans to introduce a registration scheme, the TFG suggests a licensing scheme would be more effective for enforcement. The TFG also advocates for a specific planning use class for STLs and better data to manage their growth. The TFG plans to share their findings with relevant authorities and to encourage local involvement in future regulatory developments.

## 3. Recommendations

### BHCC Lobbying

1. To lobby the Secretary of State for Housing, Communities and Local Government for a new planning use class for short-term lets with no permitted development rights.
2. To lobby the Secretary of State for Housing, Communities and Local Government for a licensing scheme with conditions on the operator to provide evidence that the

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<sup>13</sup> See section 12.2

<sup>14</sup> Elizabeth McCarroll, Edinburgh Council; TFG meeting 22.01.25, Appendix 1

<sup>15</sup> Flora Loughridge, DCMS; meeting 10.02.25, Appendix 1

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. To lobby the Secretaries of State for Housing, Communities and Local Government and for 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

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 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.
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)
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
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

#### BHCC Planning

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

#### BHCC external

9. 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:
  - a. 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.
  - b. To look at and update the planning guidance for short-term lets on the website
  - c. Links to relevant websites, such as ESFRS, STAA
10. 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

## 4. Introduction

### 4.1 Purpose of the Task & Finish Group

- 4.1.1 Brighton & Hove has long been a popular visitor destination due to its rich cultural heritage, historic seafront and architecture, and unique shopping, eating and entertainment offer, attracting people from across the UK and beyond. Short-term Lets (STLs) have been a feature of many local tourism economies, alongside the more traditional hotels and guesthouses, for many years. However, more recent years have seen very significant growth in the STL sector, driven by the emergence of online booking platforms such as Airbnb and booking.com.
- 4.1.2 STLs can provide substantial benefits to our city's 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 and follow-on impact on housing cost, community cohesion and increases in the number of young families moving out of the city and steep decrease in school places required; 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.
- 4.1.3 The issue of STLs was raised by members at the July 2024 Place Overview & Scrutiny planning meeting. It is a Council Plan priority to increase the supply of new homes in the city. There are concerns nationally and locally about the number of STLs increasing at the expense of homes for people to rent or buy.
- 4.1.4. At the 1<sup>st</sup> October 2024 Place Overview & Scrutiny Committee meeting members agreed to establish a Task & Finish Group (TFG) to explore issues relating to short term lets in the city.

### 4.2 The Short Term Lets TFG

- 4.2.1 The STL TFG consisted of: Cllrs Amanda Evans (Chair), Jackie O'Quinn, Amanda Grimshaw, Bridget Fishleigh, Anne Meadows, Kerry Pickett; Mark Strong (Community & Voluntary Sector representative) and Doug Thompson (Older People's Council representative).
- 4.2.2 The TFG defined Short Term Lets (STL) as whole properties solely being used as full time short term lets. This does not include people renting out only part of their property or renting their main residence for short periods of time while they are away.
- 4.2.3 The TFG held a series of evidence-gathering meetings between November 2024 and February 2025. The group met with a wide range of witnesses including ward councillors in heavily affected areas, Cllr Gill Williams, Cabinet Member for Housing & New Homes and a range of city council officers from planning, waste management, revenues and benefits, environmental health, parking and Visit Brighton, to get a sense of the positive and negative impacts of STLs on the city.
- 4.2.4 The TFG 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 (STAA), local STL providers, and a security firm that offers services to STLs.

- 4.2.5 The TFG also met with planning officers from other Local Authorities, which have adopted interesting or innovative approaches to managing their STL sectors. The TFG spoke to officers from Westminster London Borough Council, Camden London Borough Council, Blackpool Borough Council, Edinburgh City Council and Gwynedd Council. It should be noted that local authorities in England, Scotland, Wales and London all operate under slightly different legal frameworks, so some of the approaches adopted by a particular local authority may not work elsewhere.
- 4.2.6 The previous Government had passed legislation to enable a registration scheme for STLs in the Levelling Up and Regeneration Act 2023. This Act allowed the introduction of a STL registration scheme following a public consultation and the passing of secondary legislation with details of the scheme. At the time of the 2024 General Election the government had not responded to the consultation or passed the required secondary legislation. 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 at this time.

## 5. Data issues

### 5.1 Lack of data

- 5.1.1 The lack of reliable data available on STLs became apparent throughout the conversations with witnesses. It is simply impossible to gain the information needed on STLs in order to properly manage the sector. Local authorities do not know where the STLs are, exactly how many are in each area, who owns them, how frequently they operate, whether they follow safety standards, or whether they are set up as businesses with the proper arrangements in place for waste management, taxes, and insurance.
- 5.1.2 During the evidence gathering meetings, the group was informed that there were between 2,000<sup>16</sup> and 6,000<sup>17</sup> STLs in Brighton & Hove but that there was a lot of confusion around the data available and how reliable it was. Planning Officers at Brighton & Hove City Council (BHCC) and Visit Brighton have used AirDNA data<sup>18</sup> and LightHouse data<sup>19</sup> to get a snapshot of the STL situation in the local area. From July 2023 to June 2024 AirDNA data shows that there were 6848 STL properties listed over the year; 78% of these were for entire homes, 22% for rooms within a home. The average occupancy rate was 54%, the average stay 3 days, and the average daily charge £176.
- 5.1.3 The TFG heard about a data-scraping company called 'Talk & Code' from the London authorities who use it to give an estimate of the scale of STLs in their areas. Camden Council used it on an annual basis, scraping data from 6 sites estimating 6,000 properties, although the number is likely to be higher<sup>20</sup>. They then used the

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<sup>16</sup> Steve Taggart STAA; TFG meeting 27.11.24, Appendix 1

<sup>17</sup> Julia Gallagher, Visit Brighton, Air DNA data; Appendix 2

<sup>18</sup> Air DNA data; Appendix 2

<sup>19</sup> LightHouse data Appendix 2

<sup>20</sup> Elizabeth Beaumont, Camden Council; TFG meeting 12.12.24, Appendix 1



data to identify problem areas, for example, an entire block of 52 flats all being used as STLs.

5.1.4 It was acknowledged that data scraping services are not 100% reliable. This is because there are as many as 40 online STL booking platforms, with many properties listed on multiple sites<sup>21</sup>. These data companies claim to “de-duplicate” properties across platforms but it is unclear how successful this de-duplication is in practice.

## 5.2 Data sharing issues

5.2.1 In addition, GDPR rules make it difficult to share data between partners that might help with identifying the STL locations. For example, the Short-Term Accommodation Association (STAA) have set up a voluntary registration scheme with the Office for National Statistics (ONS), but they cannot share the data more widely due to GDPR<sup>22</sup>

5.2.2 Airbnb reported having “very stringent rules and requirements, about what we can share regarding personal data, unless it's in the form of a legal request or court order. But if you had a registration scheme, straight away you could go on and you could find out.” <sup>[OBJ]</sup>

*“One of the recommendations that we as Airbnb made to central government on the design of the registration scheme is to put in place some form of data sharing arrangement with the premium online booking platforms to automatically share any occupancy data that would be associated with any property that has a registration number.” - Carl Thomson, Airbnb<sup>23</sup>*

5.2.3 TFG members agree that, whilst a national mandatory STL registration or licensing scheme would be a step forward, such a scheme will only have a limited impact if there are restrictions on data sharing between the relevant authorities.

Recommendation:

- To lobby the Secretaries of State for Housing, Communities and Local Government and for 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.

## 6. Safety standards, nuisance and compliance

6.1 STLs have been linked to various disturbances within local communities, including late-night noise, criminal activities, illegal parking, and anti-social behaviour. Other examples of nuisance being reported were fleets of taxis in the street, rubbish being left out attracting seagulls, and lots of strangers around at night, making residents feel unsafe. Additionally, serious concerns have been raised regarding safety standards in some of these properties, highlighting the necessity for operators to understand and comply with their obligations.

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<sup>21</sup> Andy Fenner, STAA; TFG meeting 27.11.24 Appendix 1

<sup>22</sup> Ibid

<sup>23</sup> Ibid

## 6.2 Fire safety

- 6.2.1 The TFG met with Tom Glandfield from East Sussex Fire and Rescue Service (ESFRS) to discuss fire safety regulations for STLs. All STLs fall under the Fire Safety Order and are therefore subject to the authority's regulatory oversight. This regulation applies to all properties used for short-term accommodation, ranging from large hotels to individual flats rented out as STLs.
- 6.2.2. Due to lack of available data to inform which properties are STLs, the Fire and Rescue service is unable to conduct inspections for all STL properties within its remit<sup>24</sup>. A key challenge is that without some sort of compulsory licensing or registration scheme, resources are too limited to investigate the locations of these properties, making it difficult to triage and register them for fire safety compliance. As a result, much of the authority's work in this area is reactive, responding to complaints and engaging with property owners after fire-related incidents.
- 6.2.3 By contrast, Houses in Multiple Occupation (HMOs) are required to be registered, allowing the Fire Authority to contact owners and ensure compliance with fire safety regulations, including conducting fire risk assessments. Tom Glandfield noted that if STLs were subject to a similar registration process, it would enable the Fire Authority to proactively disseminate fire safety information to property owners. An accreditation or registration system for STLs would significantly improve regulatory oversight and compliance.
- 6.2.4 STL operators must have appropriate insurance and up to date fire risk assessments, which are required by law. It is unclear how many STLs have these in place because they are not registered as businesses and there is no mechanism to check. It is also unclear how many are aware that they are in breach of this legislation. It is possible that the majority do not have correct insurance and valid fire risk assessments and, without these, insurers may deny claims in the event of a fire. Steve Taggart, owner of "My Getaways," highlighted the availability of specialised insurance products for STLs, noting that they are only marginally more expensive than standard domestic policies. Responsible property owners would be willing to pay a little more money to ensure their property and their guests were safe.

*"If that registration process included even some sort of flyer from ourselves, just saying these are the things that we expect of you as a short term letter then that would be really useful and it would certainly make our lives easier if there was some form of accreditation or application process."* - Tom Glandfield, East Sussex Fire & Rescue Service<sup>25</sup>

### Recommendation:

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

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<sup>24</sup> Tom Glandfield, ESFRS; TFG meeting 10.01.25, Appendix 1

<sup>25</sup> Ibid

### 6.3. Business rates

- 6.3.1 The TFG spoke to Graham Bourne, Head of Welfare Revenues and Business Support at BHCC, whose remit covers council tax and business rates. Since April 1<sup>st</sup> 2023 any STL owner who wants to be considered as a business for non-domestic rates must apply to the Valuation Office Agency (VOA) for change of status who then notify any changes to BHCC. There is little incentive for operators to apply to the VOA unless they are entitled to small business rates relief but often it is cheaper to continue to pay council tax as normal. If registering as a business, they would also then have to declare income and pay tax. While it is again unclear how many STL owners are aware that they are in breach of legislation covering the safety and insurance of their properties, they are presumably aware that they are not declaring taxable income or paying the correct kind of rates.
- 6.3.2 The table below<sup>26</sup> shows the number of STLs who were registered as a business in Brighton & Hove over the last 7 years. It shows a sharp increase in the numbers, which demonstrates the surge in STLs. It had been previously reported to the group that there were between 2000 and 6000 STLs in the city but the numbers paying business rates is far fewer, which indicates that most STLs are not paying the correct rates. Rachael Maskell MP has estimated that *“there is around £6bn of undeclared tax in the UK from the short term let sector.”* This further demonstrates the need for mandatory registration.

Tax year	STL
2018-19	161
2019-20	228 (67)
2020-21	289 (61)
2021-22	363 (74)
2022-23	429 (66)
2023-24	485 (56)
2024-25	443 (-42)

### 6.4. Waste Management

- 6.4.1 City Clean, the BHCC waste management service, reported that littering and fly tipping were problems caused by STLs who should be using commercial waste collection and not the communal bins in the street. No waste generated from a business should be using residential services and the owner must have a contract with a waste disposal service and receive a 'Duty of Care' to demonstrate they have the correct arrangements in place. They can be charged a £300 penalty notice if not. These properties typically produce more refuse than a normal residential property and they should be paying higher disposal costs. There are additional issues with STL guests not recycling properly which adds extra pressure to the waste collection services. City Clean would like to be able to do targeted communications to STL owners informing them of their expectations on waste management. City Clean have the resources to go out and investigate when they are notified of an STL and would

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<sup>26</sup> Graham Bourne, BHCC; TFG meeting 10.01.25, Appendix 2

welcome better sharing of information and a registration scheme that would allow them to know where these properties are.

*“In an ideal world the service would have the information they need to know where these properties are. It would make it easier to enforce and if all owners were paying correct business rates, there would be more money to put towards resources.”* - Max Smith, Environmental Enforcement Manager<sup>27</sup>

## 6.5 Parking

- 6.5.1 Parking is already an issue in the city with limited street parking, high costs and waiting lists for permits. The influx of STLs increases the demand for parking spaces in the city, which is causing nuisance to residents, and there have been reports of visitor permits being sold illegally with “free parking” being advertised on STL sites. The Parking Team at BHCC are in control of the city’s CCTV, which is something that could be utilised for enforcement. They report that it is very difficult for a STL guest to get a visitors’ parking permit, but the owner could do so very easily, although they are limited in number and only valid for one day. There are zones in the city with no ability to pay to park so it is likely that some guests may be parking illegally. It was noted that many STLs are in the city centre so guests are more likely to be travelling by public transport; however, those staying on the outskirts of the city are more likely to travel by car and would require parking.
- 6.5.2 East Lothian Council in Scotland are looking to put in place special holiday parking permits within their control zone in the town of North Berwick. These would be charged at £30 per week and limited to 25 weeks a year. The council estimates that they have 445 STL properties in the controlled parking zone. If all were to take up the full complement that would bring in £333,750, which is a good income stream for the Council and something that BHCC could consider.<sup>28</sup>

### Recommendation:

- 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, and consider whether such a scheme could be successful in B&H, particularly at such time as a registration or licensing scheme comes into force.

## 7. Noise and anti-social behaviour

- 7.1 Cllr Alison Thomson, (Regency Ward) told the group that there are frequent complaints from residents in her ward about STLs.
- “The city needs an STL market, but it needs to be managed properly to ensure that the poor behaviour of a minority of visitors does not blight the lives of residents”* - Cllr Thomson, Regency Ward<sup>29</sup>
- 7.2 The increase in transient visitors can disrupt community cohesion with strangers coming and going who have less respect for the neighbourhood. There are reports of late-night parties preventing neighbours from sleeping and some criminal activity such as drug dealing, prostitution and modern-day slavery. Sussex Police and the Environmental Health Team reported that they do not get many complaints regarding

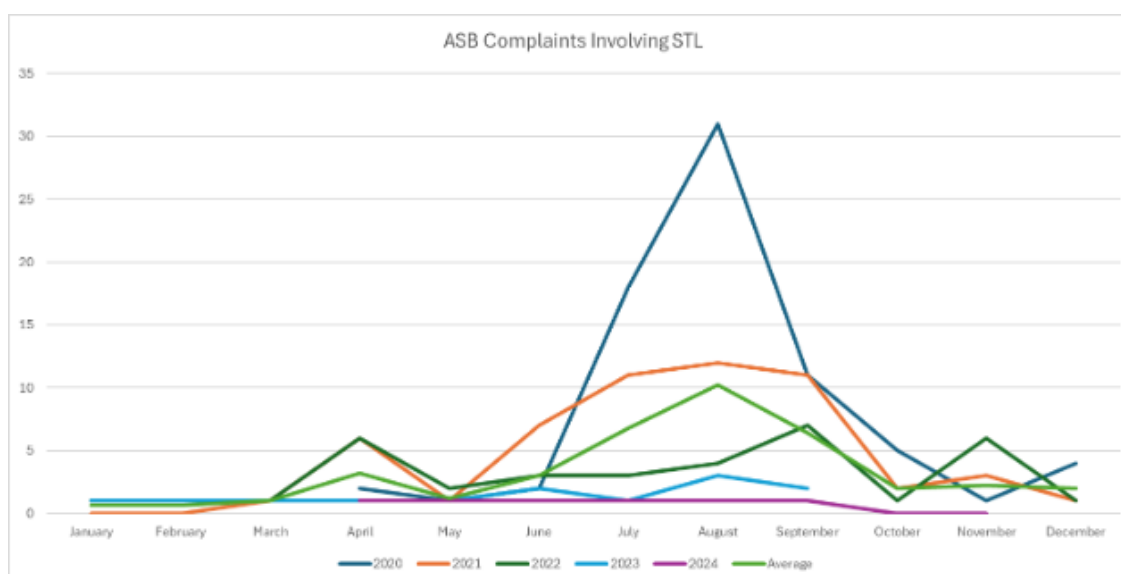
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<sup>27</sup> Max Smith, City Clean; TFG meeting 10.01.25, Appendix 1

<sup>28</sup> <https://www.edinburghnews.scotsman.com/news/east-lothian-short-term-lets-could-face-ps750-charge-for-parking-permits-4975683>

<sup>29</sup> Cllr Thomson; TFG meeting 27.11.24, Appendix 1

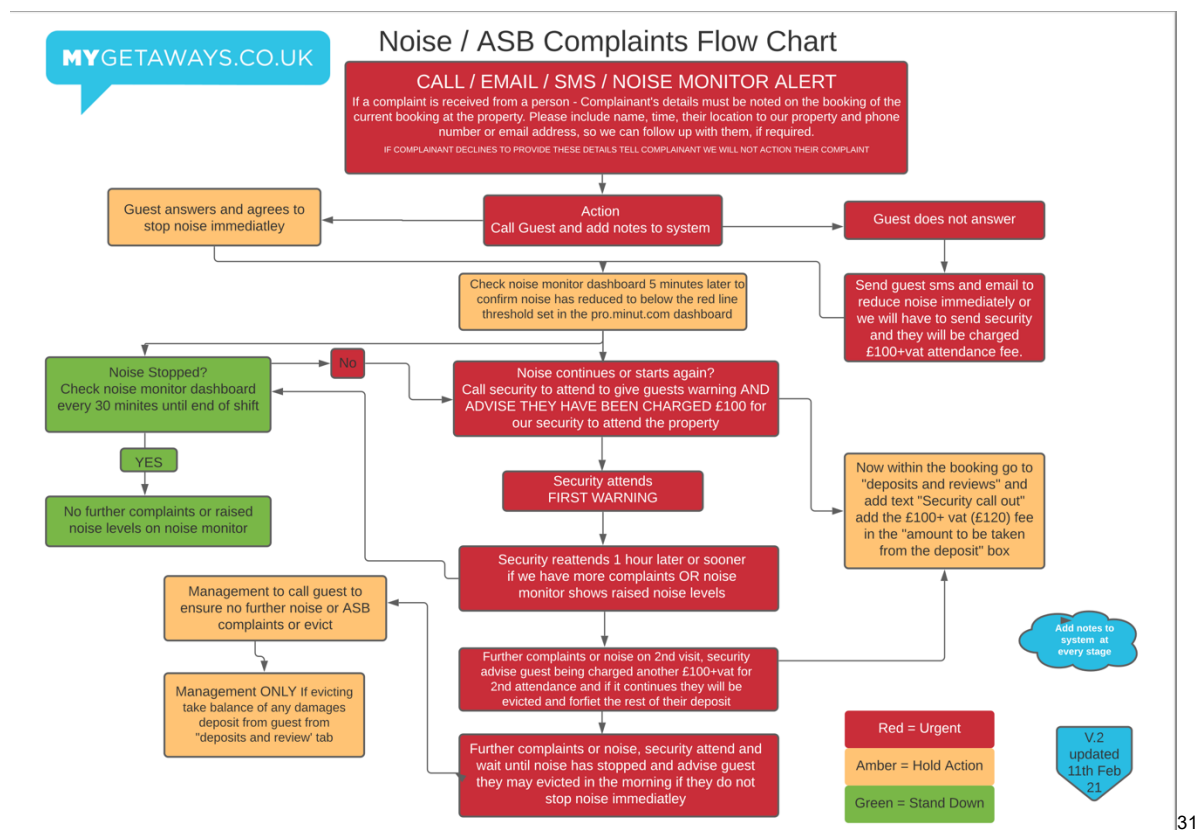
STLs and deduced that residents may be complaining direct to the STL provider, as demonstrated in the graph below. The data only includes instances where it has been specifically stated by the complainant that the property was a STL, which can be confused with HMOs where large groups of students often live.



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- 7.3 Andy Fenner from the STAA stated that rogue operators are not welcome in their association and owners need to adhere to safety standards and have a management plan in place to be listed on their platforms. The association uses noise-monitoring technology in their houses and have a 24-hour phone number for residents to report issues which are then dealt with promptly by a mobile team. Below is the process flow chart that 'My Getaways' uses on how they respond to these kinds of issues.

<sup>30</sup> BHCC Environmental Health data; Complaints data, Appendix 2



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7.4 Catherine Lane, a local resident and owner of "My Holiday Let", Brighton's longest established holiday let company, spoke to the TFG about her concerns regarding the management of anti-social behaviour by guests of STLs in Brighton. Unlike hotels, STLs typically do not have an on-site management presence and even when they do, the owner does not always know what to do if something goes wrong.

7.5 Catherine employs a security company called Consec, who offer a particular service to STL owners, providing a welcome briefing on arrival to go over "house rules" and check guests are who are expected. They will speak with neighbours and ensure they are aware to call them if there are problems. They patrol all night and will attend any incidents on behalf of the owners, operating a three-strike rule, with eviction taking place on the third visit. They work closely with the Business Crime Reduction Partnership and Sussex Police and reported evicting STL guests every weekend in Brighton due to anti-social behaviour<sup>32</sup>. There is a charge for the service that it is taken from the guests' security deposit at no extra cost to the owner. Employing a security company and/or having a management plan in place could be a condition of any licensing scheme that might be introduced.

*"All properties should have to communicate the numbers of these security firms on the properties for neighbours to use if there were any problems."* - Catherine Lane, My Holiday Lets<sup>33</sup>

*"I think that residents also need access to a central phone number through which they would be able to complain."* - Rachael Maskell, MP<sup>34</sup>

<sup>31</sup> Steve Taggart, 'My Getaways'

<sup>32</sup> Peter Miles, Consec; TFG meeting 27.01.25, Appendix 1

<sup>33</sup> Catherine Lane, "My Holiday Lets"; TFG meeting 27.01.25, Appendix 1

<sup>34</sup> Rachael Maskell, MP; TFG meeting 13.12.24, Appendix 1

- 7.6 STLs differ from hotels and guest houses in having no permanent on-site staffing. Whilst the customers of STLs may be no more likely to engage in nuisance behaviour than people staying in other types of accommodation, there is consequently a much greater risk that incidents of antisocial behaviour in STLs will not be addressed in a timely way and may escalate. The TFG believes it is important that this risk is addressed, and that this is something that all responsible STL operators should plan for.

Recommendation:

- 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

## 8. Amateur and rogue operators

- 8.1 Tom Glandfield from the Fire Authority commented that often he found that there is a lack of information for operators, many of whom are amateurs and are simply not aware of what they should be doing in terms of safety standards and compliance as a business. Both Tom Glandfield and colleagues from City Clean were keen to share information directly with the STL owners around what is expected of them. Blackpool Council has a lot of information on their website for potential STL owners, current operators and neighbours<sup>35</sup>, which is something BHCC could do to help inform those who want to comply.

Recommendation:

- 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 such as ESFRS, STAA

## 9. Impact of STLs on the local economy

- 9.1 STLs bring in a lot of money for the local economy and are a positive feature of a tourist city like Brighton & Hove, providing much needed bedspaces, particularly at key times of the year. Whereas some international cities, such as Barcelona, want an all-out ban<sup>36</sup>, this is not something the group would be in favour of as they appreciate the positive impact the industry has on the city.
- 9.2 Visit Brighton reported that STLs have long been a significant feature of the city's accommodation offer, although the emergence in recent years of online booking platforms has increased their visibility. STLs are particularly popular with families, offering more flexibility than hotels, sometimes at a cheaper price. There is a relatively wide dispersal of STLs across the city compared with hotels and guest

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<sup>35</sup> Nicola Rigby, Blackpool Council; TFG meeting 27.01.25, Appendix 1

<sup>36</sup> [Barcelona set to ban short-term rentals - Cities Today](#)

houses, giving visitors a richer experience of Brighton & Hove and spreading economic benefits across the city. STLs also provide significant additional bed capacity, which is particularly important at times of high demand<sup>37</sup>. 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.

- 9.3 Steve Taggart, who owns “My Getaways,” the largest holiday firm in the city, employs 14 people directly and supports the employment of many more. The firm had around 25K visitors last year, with an average spend of £180 per night and 57% occupancy. “My Getaways” has recently conducted an economic impact statement, showing that their guests are responsible for around £10M spend in the local economy<sup>38</sup>.
- 9.4 Airbnb reported that at the start of last year, there were just over 273,000 guest arrivals to the city through the platform. Airbnb said that a typical host earns around £5,500 per year although AirDNA data shows this being closer to £28,300 on average. Four in 10 of Airbnb hosts report that the money is crucial for them to be able to afford to stay in their homes<sup>39</sup>. Some owners rely on this extra income, particularly in an expensive city like Brighton & Hove and will rent out their property during the week if they are working elsewhere and it is vacant. STLs are not only used by tourists but also university professors who stay in the city for 2 –3 months and those who need short term accommodation if there is significant work being done on their homes. They provide a convenient, flexible, and often cheaper alternative to a hotel.

## 10. Hotel industry

- 10.1 Brighton & Hove hosts major events like conferences, live music, sports, and festivals such as the Brighton Festival and Pride, attracting performers, audiences, and crews who require accommodation for multiple nights. Therefore, additional bed space capacity is important to enable these large income generating events to take place.
- 10.2 Data from Visit Brighton shows that there are approximately 4,700 hotel and guest house rooms in Brighton & Hove. Assuming there are an average of 2 beds per room, this means that there are around 9,400 hotel and guest house beds available at any given time, with a gap between demand and supply of around 1500 beds<sup>40</sup>.  
These are average figures, and demand will be much higher at certain points, so it is clear that STLs play a major role in meeting visitor demand.

*There is ‘...a strong market for short-term holidays lets in Brighton & Hove. The holiday letting agencies .... in the city reported high demand for weekend breaks in smaller holiday let properties and strong weekend demand for group houses from stag and hen parties and other group bookings. They also reported good midweek demand for short-term holiday lets from business visitors, contractors, conference delegates, language students, and for short breaks and holidays in the summer months.’ - Brighton & Hove Visitor Accommodation Study Update 2018<sup>41</sup>*

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<sup>37</sup> Julia Gallagher, Visit Brighton; Appendix 2

<sup>38</sup> Steve Taggart, “My Getaways”; TFG meeting 27.11.24, Appendix 1

<sup>39</sup> Carl Thomson, Airbnb; TFG meeting 10.01.25, Appendix 1

<sup>40</sup> Julia Gallagher, Visit Brighton; TFG meeting 27.11.24, Appendix 1

<sup>41</sup> [Microsoft Word - BRIGHTON & HOVE VISITOR ACCOMMODATION STUDY UPDATE 2018 - FINAL REPORT - 25 APRIL](#)



- 10.3 Herve Guyat, a representative from the local hotelier sector, said it was clear that the popularity of STLs was affecting the business for traditional hotels and guesthouses. Hotels are required to comply with safety standards, pay business rates and use commercial waste services whereas many STLs continue to use residential bins, and pay council tax, often with a single person discount, which creates unfair competition with hotels. here are some measures that hotels and guest houses can take to compete, such as moving to an 'aparthotel' serviced apartment model, but this may not always be possible, particularly for more traditional guest houses.

*"It is important that there is flexibility for guest houses to re-classify as residential properties where they need to. The council needs to recognise that this may be the only option for some guest houses."* - Herve Guyat, Hotel Representative<sup>42</sup>

- 10.4 The TFG recognises that STLs present an increasingly popular accommodation model and one that is here to stay. However, it is important that there is a level playing field and that the traditional hotel and guest house sector is not subject to necessary costs and regulations that the STL sector is able to avoid, hence the TFG recommendations around greater regulation of the STL sector, and stronger powers to enforce existing legislation. However, even with a more level playing field, strong consumer preference for the STL model may mean that some traditional visitor accommodation is no longer tenable. It is important that hotels and guest houses are accorded maximum flexibility to meet changing consumer demand; and where this is not possible, it is important that more traditional operators are not stuck in a situation where they are unable to re-classify their businesses for residential use.

#### Recommendation:

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

## 11. Housing market

- 11.1 It is unclear what the impact of STLs have been on housing stock or prices in Brighton & Hove. The Brighton & Hove Strategic Housing Market Assessment (SHMA) from August 2023 reported on the city's high house prices in comparison to its neighbouring authorities. Although STLs were cited as a possible influence, it is very difficult to gauge the extent of this without understanding more about the size and the spread of the STL sector.

*"In the year to March 2022 the median house price in Brighton and Hove was £392,556. As such, the median house price in Brighton and Hove is above that of its neighbouring county authorities East and West Sussex and the South East region and significantly above the median house price for England as a whole (£270,000)."* - Brighton & Hove SHMA<sup>43</sup>

- 11.2 Rental prices in the city are also very high, with properties in demand from university students alongside a shortage of rental housing stock in the city. Landlords can demand increasingly high rents as they seek to pass on the cost of mortgage/interest rate increases to renters<sup>44</sup>.

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<sup>42</sup> Herve Guyat, Hotel Representative; TFG meeting 27.11.24, Appendix 1

<sup>43</sup> [Strategic Housing Market Assessment - August 2023](#)

<sup>44</sup> Ibid

- 11.3 Using these properties as STLs further constricts the market and adds to demand. Many larger properties with more than 3 bedrooms that could be used for family homes are being used as STLs instead, catering for large groups. In Brighton & Hove, the high cost of living has meant that many families cannot afford to live in the city and have left the area. This has resulted in 22% less children aged between 1-5 years, as shown in the recent national census, and this has impacted on schools with lower numbers attending primary school in the first instance, which will work its way through to secondary schools eventually. This figure is in sharp contrast to the much lower national fall of 6%<sup>45</sup>. There is also a lack of keyworkers, such as nurses, junior doctors and teachers, who cannot afford to live where they work and are not in jobs where they can work from home.

*“A nurse can’t afford to live in York, so they move to Leeds, but then to help with the cost of commuting they decide to work in Leeds.” - Rachael Maskell MP<sup>46</sup>*

*“STL is an uncontrolled housing market disrupter, reducing the available housing stock for sale and rent in the context of entire-home letting”. - Academic research on Airbnb<sup>47</sup>*

- 11.4 This issue is a global concern, with several major cities in Spain taking steps to reduce the number of licensed short-term rentals. In the near future, they plan to address this by not renewing existing licenses and halting the issuance of new ones. Barcelona has adopted the most assertive approach in implementing these measures.<sup>48</sup>
- 11.5 In contrast, Airbnb cited research by EY which suggested that STLs have limited impact on housing affordability or availability. According to EY, STLs make up around 0.7% of UK properties, and only 0.17% of those are let for more than 90 nights. The study concluded that “over 95 percent of house price increases can be attributed to factors unrelated to short-term rentals, such as increases in income and inflation” and “that the UK has failed to build enough homes to keep pace with demand pressures for years”<sup>49</sup>. Whilst this may be true for the UK as a whole, it is not necessarily so for places with a much larger than average STL market, including tourist cities such as York or Brighton & Hove.
- 11.6 Brighton & Hove currently has a housing crisis, and the council will need to build 2,498 new homes per year to meet demand<sup>50</sup>. New homes are vital for the city but if many are bought as second homes, or by investors here or abroad who use them as holiday lets, the benefits of building new homes will be much reduced. Therefore, action needs to be taken to ensure that new homes remain for that purpose and are not lost from the housing stock. Brighton & Hove currently do not have a Principal Residence Policy, which could be explored via the City Plan 2041 which is currently in development.

*“Covenants in new developments is important. At the moment it is up to leaseholders and management companies. A lot of new developments are sold to the foreign*

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<sup>45</sup> 2021 Census [Census results 2021](#)

<sup>46</sup> Rachael Maskell, MP; TFG meeting 13.12.24, Appendix 1

<sup>47</sup> [Airbnb - another argument for a revised, not compromised, spatial management approach, Adam Sheppard, Harry West and Stroma Cola, Town and Country Planning 90\(5/6\) July 2021](#) )

<sup>48</sup> [Barcelona set to ban short-term rentals - Cities Today](#)

<sup>49</sup> EY report; [EY report finds Airbnb has little to no significant impact on UK housing](#)

<sup>50</sup> as calculated through the government’s new standard method for determining minimum housing need, which was adopted in December ([Brighton and Hove needs almost 40,000 new homes by 2040, says report – Brighton and Hove News](#))

*market or for short term lets and are therefore not really adding to the housing numbers.” - Rachael Maskell MP<sup>51</sup>*

Recommendation:

- 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

## 12. Council powers, planning and enforcement

12.1 TFG members and the witnesses agreed that there needs to be some kind of regulation and enforcement for STLs to access reliable data, ensure safety standards and to reduce negative impacts as discussed in this report. Local authorities have little power to enforce and are reliant on central government to introduce measures and/or delegate powers to councils to enact. In the absence of new legislation, some local authorities have adopted innovative approaches to managing their STL sectors. It should be noted that local authorities in England, Scotland, Wales and London all operate under slightly different legal frameworks.

### 12.2 England

12.2.1 The TFG spoke to planning officers from two London authorities: Camden and Westminster. In 2015 there was a de-regulation of STLs in London which allowed properties to be rented out for a maximum of 90 days per year on a short-term basis. Any property used for short term lettings for a total of more than 90 nights in a calendar year must have planning permission from the local borough council in which it is based. The law considers that this is a material change of the use of the property, but this rule has not been fully enforced and it is unknown how many properties are breaching it<sup>52</sup>.

12.2.2 Initially, the TFG assumed that limiting the number of days a STL could operate was a positive thing. However, the London councils reported that the 90-day rule is too complicated to enforce and they would not recommend it being extended to other council areas. In order to investigate, they needed to look at the websites and feedback reviews to see how many nights people had stayed for and if it went over the 90-day rule, they would serve planning contravention notices. Owners would play the system and rent their property out for 89 nights on one platform and then move to another to advertise a further 89 nights<sup>53</sup>.

12.2.3 Roald Piper from Westminster Council reported that before deregulation, if a property was used as a holiday let for one night then that would be a breach and the Council could act. The problem with the 90-day rule is they now must gather 90 days' worth of evidence to demonstrate the change of use. The rule is only valid for one calendar year so the 90 days resets on 1<sup>st</sup> January. They can only serve notices with evidence and it becomes onerous.<sup>54</sup>

12.2.4 Elizabeth Beaumont from Camden Council agreed that it was hard to prosecute because even when an enforcement notice has been issued, the owner will stop operating for the rest of the year but can then start the 90 days again the following

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<sup>51</sup> Rachael Maskell, MP; TFG meeting 13.12.24, Appendix 1

<sup>52</sup> Camden Council research; [Half of short term lets in Camden exceeded the 90-night legal limit in 2019](#)

<sup>53</sup> David Campbell, DCMS; Meeting 10.02.25, Appendix 1

<sup>54</sup> Roald Piper, Westminster Council; TFG meeting 12.12.24, Appendix 1

year, and this does not solve issues of antisocial behaviour or disturbance in the neighbourhood.

- 12.2.5 Both London authorities were in favour of a licensing scheme that is set up in the same way as for HMO licensing. They also believed that STLs should have their own planning use class. Currently, residential properties are in use class C3 and STLs fall outside of use classes and are categorised as “Sui Generis” which means “of its own kind”. Once a council is notified of a STL, they need to conduct a “fact and degree” investigation to identify whether the property has had a material change in use, which is determined by a number of factors. If the property is deemed as no longer residential then the owner needs to apply for planning permission to continue to operate.
- 12.2.6 Blackpool Council has interpreted current powers differently and decided on a policy (through their city plan) that all full-time STLs were ‘Sui Generis’ as there was a change of use from a dwelling, and they served Planning Enforcement Notices (PENs) to operators who had not applied for planning permission. Owners were expected to provide evidence of key certificates and documents for safety standards. They were strictly enforcing these regulations and issuing fines for those who were not complying. There have been a number of appeals from STL owners, all of which the council have won at the time of writing<sup>55</sup>.
- 12.2.7 Blackpool has a designated “holiday area” in the city where hotels are concentrated and new STL applications are more likely to be approved than in a purely residential area. The impact has been a reduction in the number of STLs of around 200 in 2 years and they felt this was due to some naturally leaving the market but others had closed due to enforcement<sup>56</sup>. Brighton & Hove has a “hotel zone” in the city centre which could be utilised in a similar way to manage growth in the number of STLs.
- 12.2.8 Blackpool Council had been against the idea of the government introducing a new use class with permitted development rights because that would take control away from the council. The planning officers were adamant that a new use class must have planning permission requirements.

## 12.3 Wales

- 12.3.1 The TFG spoke to planning officers from Gwynedd Council in Wales. In October 2022, the Welsh government made amendments to the town and country planning use class order, creating three new use classes that differentiate from England. C3 is now a main place of residence, C5 use in Wales is now defined as being second homes and C6 use is now defined as being short term holiday lets, with permitted development between the use classes. Permitted development rights can be stopped with an “Article 4 Directive”, which Gwynedd has obtained, meaning planning permission is now required. The officers reported that the number of applications had reduced and there was an assumption against applications for a change from C3 dwelling to a C6 STL, but the Article 4 Directive had only been in place for a few months. There wasn’t much the council could do for those areas that already had high numbers of STLs other than stop creep into neighbouring areas. This was because the new rules could not be applied retrospectively. Gwynedd Council had

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<sup>55</sup> Nicola Rigby, Blackpool Council; TFG meeting 27.01.25, Appendix 1

<sup>56</sup> Ibid

successfully lobbied their government for the change of use class but warned that the Article 4 Directive was resource intensive.

## 12.4 Scotland

12.4.1 The TFG spoke to Edinburgh City Council whose STL regulations had ended up in a judicial review. On 5<sup>th</sup> September 2022, the whole of Edinburgh City Centre became a STL control area, which meant any STL in that area had to apply for planning permission as it was deemed a material change of use. At the same time changes to civic licensing were going through the Scottish Parliament that meant STLs would have to obtain a licence with a mandatory condition that meant the applicant had to either have made an application or obtain planning permission where required. The STL industry were unhappy and challenged this via a judicial review in 2023 on the basis that the council were applying the short-term let control area retrospectively. The Court decision agreed with the petitioners that the conditions of the control area cannot be applied to existing uses. These operators can now apply for a Certificate of Lawfulness, but these need to be considered on a case-by-case basis which generates a lot of work<sup>57</sup>.

12.4.2 Over the last 2 years, there have been around 1800 applications, most for certificate of lawfulness. Local news reports that nearly 90% of applications for new STLs have been refused<sup>58</sup> and that there are not enough bed spaces in the city to cater for the Edinburgh Festival anymore. More recently, it has been reported<sup>59</sup> that Edinburgh Council are looking to temporarily row back on some of their licensing measures as they are set to remove spare rooms and main homes from needing safety certificates during the Edinburgh Festival. This could be interpreted that the regulations put in place have resulted in too few available bed spaces at key times and the reduction of STLs has had a negative effect on tourism, at least at peak times.

*“Changing use class without having planning permission would be a disaster and would result in losing housing stock.... Short-term lets need their own use class, and a licensing scheme that is set up in the same way as HMOs.” - Roald Piper, Westminster Council<sup>60</sup>*

12.4.3 The TFG believes that the current situation where there is no use class for STLs makes it difficult for councils to understand the STL market or to manage its growth. A new use class for STLs, as introduced in Wales, would help here. However, to be effective in giving councils the ability to limit the growth of STLs in areas where there is already saturation, any new use class should not have permitted development rights: it should not be the default position that a property owner is simply permitted to change the use of a property from residential to STL.

### Recommendations:

- To lobby the Secretary of State for Housing, Communities and Local Government for a new planning use class for short-term lets with no permitted development rights.
- To consider and investigate through the development of City Plan 2041:
  - To investigate the introduction of zones in the city where STL development would be permitted or restricted

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<sup>57</sup> Elizabeth McCarroll, Edinburgh Council; TFG meeting 22.01.25, Appendix 1

<sup>58</sup> insider.co.uk [Half of short term lets in Camden exceeded the 90-night legal limit in 2019](#)

<sup>59</sup> Scottish Housing News, [Edinburgh agrees changes to short-term lets licensing policy | Scottish Housing News](#)

<sup>60</sup> Roald Piper, Westminster Council; TFG meeting 12.12.24, Appendix 1

## 13. Resources

- 13.1 There was a lack of resources for enforcement in all public services that the TFG spoke to, including the fire authority and most local councils. For this reason, councils are keen on a licensing scheme which would allow for a fee to be charged which would cover enforcement costs. Whilst a registration scheme would provide agencies with potentially valuable information about STLs, it is not clear that there would be sufficient resource to make the best use of this additional data. A licensing scheme allowing for a small fee to be charged would be a more effective option.

### Recommendations:

- 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)

## 14. Registration vs Licensing

- 14.1 To ensure authorities have accurate data on STLs, either a registration or licensing scheme could be introduced. Registration would mean all STLs are obliged to record their data on a system managed either centrally by Visit England or delegated to the local authority. All of this data would be made available to the council which would make it easier to communicate with the owners and for enforcement if needed. Registration could impose conditions on the owners that the property must comply to safety standards and be correctly set up as a business. However, the scheme would need to be mandatory to be effective: a voluntary scheme would simply not catch rogue operators.
- 14.2 A licensing scheme offers greater benefits by not only ensuring compliance but also generating revenue through fees, which could fund enforcement efforts.
- 14.3 This is the current arrangement in London, which could be replicated nationally. The London STL owners are required to obtain a license from their local borough council, which is between £200 and £450 for a 3-year license, depending on the borough. The license mandates them to provide evidence and documentation before they are allowed to operate.
- 14.4 These are as follows:<sup>61</sup>
- Safety certificates: fire risk assessment, gas safety, electrical installation report,
  - Carbon monoxide detectors
  - Furniture to comply with fire safety regulations (permanently attached label)
  - Proof of ownership when applying for planning permission
  - Public liability insurance
  - Noise management plan (for some)
  - Must declare rental earnings to HMRC
  - Operators must tell mortgage lenders and insurance providers about use of property as a STL
  - ASB regulations
  - Data protection laws
  - Pay business rates/ correct council tax

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<sup>61</sup> [New Rules for Short-term Rentals for London \[2024 Update\]](#)



- 14.5 The majority of witnesses participating in the TFGs agreed that a mandatory licensing scheme would be their ideal outcome with *“the same controls as hotels in terms of safety standards which would be certified on an annual basis”* - Roald Piper, Westminster<sup>62</sup>.

*“This would not only give the details of STLs but provide additional resources.”* - Nicola Rigby, Blackpool Council<sup>63</sup>

*“I believe that we need a proper licensing scheme rather than a registration scheme as the Levelling Up and Regeneration Act allows for. A licensing scheme would allow enforcement of things such as environmental standards and health & safety, it would give methods that local authorities can utilise to change behaviour such as fines or removing licenses.”* - Rachael Maskell, MP<sup>64</sup>

#### Recommendation:

- To lobby the Secretary of State for 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 strong financial penalties for breaches.

## 15. Government plans

- 15.1 The TFG spoke to civil servants from the Department for Culture, Media and Sport, who are enacting the previous government’s plans for a national registration scheme for STLs. At the same time Matthew Pennycook MP, Minister of State for Housing & Planning in the Ministry of Housing, Communities and Local Government, is working to see what additional measures are required to manage these properties and what additional powers local authorities need.

- 15.2 The first phase of digital development for the registration scheme is now complete and they are moving on to the “beta phase” and looking to expand engagement with local authorities, possibly via a ‘steering group.’ The next phase of the project will start over the next couple of months, followed by a period of public testing with other work continuing alongside this such as writing policy, working out how to enforce, fee structures, and secondary legislation that will bring the scheme to life. The timeline is likely to be 2 years as they want to ensure that it is being done properly, is robust and does what it needs to do<sup>65</sup>.

- 15.3 The DCMS team struggled to identify the right point of contact within local authorities regarding STLs. While some councils had dedicated teams, others spread the responsibility across various departments like planning, policy, and housing. They noted that having a designated contact person would be beneficial—an issue that other witnesses had also highlighted.

*“It would also be helpful if there was a settled point of contact within the council for the STL sector – the council has a complicated structure, and departments do not necessarily talk to each other effectively.”* - Andy Fenner (STAA)<sup>66</sup>

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<sup>62</sup> Roald Piper, Westminster Council; TFG meeting 12.12.24, Appendix 1

<sup>63</sup> Nicola Rigby, Blackpool Council; TFG 27.01.25, Appendix 1

<sup>64</sup> Rachael Maskell, MP; TFG meeting 13.12.24, Appendix 1

<sup>65</sup> Flora Loughridge, DCMS; meeting 10.02.25, Appendix 1

<sup>66</sup> Andy Fenner, STAA; TFG meeting 27.11.24, Appendix 1

*“Having named officers would help with identification and policing.” - Rachael Maskell MP<sup>67</sup>*

Recommendation:

- 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 steering groups or pilot projects if the government is introducing this

## 16. Conclusion

- 16.1 The TFG agree that STLs are vital for the local tourism economy in Brighton & Hove, bringing visitors into the city and generating income. However, this cannot be to the detriment of local residents who are impacted by high numbers of visitors staying overnight in their neighbourhoods. The TFG agree that there is a need for regulation of the sector including addressing the impacts on the community, housing supply, anti-social behaviour, lack of safety standards and data issues. The group agree that the sector needs to be on a level playing field with the hotel and guesthouse industry, particularly in relation to health and safety standards. The STL industry agreed with this and were keen to work better alongside councils to ensure all STLs were up to standard, refusing to include them on their platforms if they are not.
- 16.2 The Government plans to introduce new measures to help regulate STLs in the form of a registration scheme<sup>68</sup>. However, all public authorities suffer from a lack of resources and a licensing scheme that would generate funds for enforcement activity would be a better option. Having a use class specifically for STLs would make understanding and managing the growth of the STL market easier, particularly if there is no automatic assumption that an application to convert from residential to STL would be granted. There is an overwhelming need to have accurate data on the STLs which will allow for easier dissemination of information to operators and for enforcement if needed.
- 16.3 Whilst the Government is planning to introduce new measures on STLs, it may be some time before legislation is in place, and there are local measures that could be introduced in the interim, such as ensuring that there is a suite of information and advice available to encourage local STL operators to follow best practice, as well as existing health & safety, waste management and business rates legislation.
- 16.4 The TFG would like to influence the Government's thinking while its plans for regulation are still in development: the Group has agreed to share this report with DCMS, Rachael Maskell MP and any other group that would benefit from the insights gained from this piece of work. Pending any decision by Place O&S Committee and Cabinet, BHCC may wish to become part of any pilot project or steering group set up for the development of the registration scheme, or for the work that Rachael Maskell is doing with Matthew Pennycook of MHCLG.

## Acronyms

STL	Short-Term Lets
TFG	Task & Finish Group
O&S	Overview & Scrutiny

<sup>67</sup> Rachael Maskell, MP; TFG meeting 13.12.24, Appendix 1

<sup>68</sup> Flora Loughridge, DCMS; meeting 10.02.25, Appendix 1



BHCC	Brighton & Hove City Council
STAA	Short Term Accommodation Association
DCMS	Department for culture, media and sport
MHCLG	Ministry of Housing, Communities and Local Government
GDPR	General Data Protection Regulations
ONS	Office of National Statistics
HMO	House of Multiple Occupancy
VOA	Valuation Office Agency
PEN	Penalty Enforcement Notice
ESFRS	East Sussex Fire & Rescue Service

