

# OVERVIEW AND SCRUTINY COMMITTEE

## Agenda Item 50

Brighton & Hove City Council

**Subject:** Short term holiday lets scrutiny panel

**Date of Meeting:** 23 March 2015

**Report of:** The Strategic Director, Resources

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**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 A scrutiny panel was established to look at short term holiday lets catering for larger groups of visitors, and the impact that poorly managed accommodation can have on residents in the city. There is little national legislation that applies to this market, so the scrutiny panel agreed that it wanted to establish a set of best practice guidelines for operators. As part of the review, the panel brought together a number of local businesses in this field, who set up a local trade association to promote best practice.

#### 2. RECOMMENDATIONS:

- 2.1 That Overview & Scrutiny Committee members note and support the achievements of the Short Term Holiday Let Scrutiny Panel.

#### 3. BACKGROUND INFORMATION

- 3.1 The scrutiny panel – Councillors Jayne Bennett, Geoffrey Bowden and Alan Robins - sought to balance the benefits brought by responsible short-term accommodation operators against the genuine concerns expressed by residents about anti-social behaviour.
- 3.2 The panel felt it was important to find a mutually agreeable position that respects residents' views, but also supported responsible short-term holiday let operators catering for this market. They were also mindful of the impact on other local businesses, in particular small hoteliers.. The panel had no interest in stifling business, but wanted to find a way forward that would benefit as many people as possible.

- 3.3 It became clear that since a local authority's powers are limited, aiming for an operational 'gold standard' that responsible operators could sign up to might be the most realisable objective for the panel.
- 3.4 As a direct result of the establishment of the scrutiny panel, a number of local businesses came together to promote a 'gold standard' of best practice and offer some self-regulation of the market under the Brighton and Hove Holiday Rental Association (BHRA) umbrella.

The association has told the panel that they are committed to promoting the best service for visitors, and to contributing to the tourism sector in the city.

- 3.5 The panel made a number of recommendations for BHRA, the majority of which have been implemented through the BHRA website and 'gold standard' guidance, which is shared on their website <http://www.brightonholidayrentals.org/>. The website also gives the option for residents to raise noise nuisance complaints directly with BHRA.
- 3.6 The report recommendations also included two caveats:

***Monitoring and overseeing***

- a) *As a way of monitoring the situation, in the instance of any complaints being received by statutory agencies, eg noise, refuse, fire safety, the statutory agencies call BHRA into the regular Joint Intelligence Meetings straight away and consider investigating the properties to take any action necessary. In this way, we can encourage the operators to be self-monitoring but retain an oversight and step in as soon as a problem arises.*
- b) *The panel recommends that the council reserves the right to review the arrangements and bring the monitoring in-house if it is not deemed satisfactory. The first monitoring should take place after six months and the second should not take longer than 12 months after the report is agreed. It will be for council officers including Environmental Health and Planning Enforcement, and East Sussex Fire and Rescue Service and the Police to determine together with BHRA whether this is necessary.*
- 3.7 The Head of Regulatory Services has confirmed that the statutory teams including Environmental Health have not received any noise complaints from short-term let properties since 2012. They therefore do not consider there to be any need to bring monitoring in-house at this stage.

#### **4. CONSULTATION**

4.1 None has been undertaken in preparing this report.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

5.1 None to this report; the scrutiny panel work was carried out within the Scrutiny budget. If Environmental Health receives any complaints in the future, these will be investigated within existing budgets. The holiday rental website is managed and funded by the trade association.

##### Legal Implications:

5.2 There are no legal implications.

##### Equalities Implications:

5.3 there are no equalities implications.

##### Sustainability Implications:

5.4 None directly

##### Crime & Disorder Implications:

5.5 None directly, but the short term holiday let panel was set up following concerns about disturbance and disorder from certain properties in the city. Therefore any steps that can be taken to mitigate this are to be welcomed.

##### Risk and Opportunity Management Implications:

5.6 None directly

##### Corporate / Citywide Implications:

5.7 The steps taken to address residents' concerns about short term holiday lets will help to reassure residents and communities in the city.

#### **SUPPORTING DOCUMENTATION**

##### **Appendices:**

1. List of agreed recommendations from the Short Term Holiday Let panel.

