



## Short Term Lettings Scrutiny Review Final Report

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## 1.0 Foreword

- 1.1 The issue of Short Term Lettings is one that has grown in Blackpool in recent years and created significant concern for local people and businesses. As a scrutiny panel we have sought to understand the scale and scope of the issue within Blackpool and gain an understanding of the impact of short term lettings on our residents.
- 1.2 We have met with officers to consider the Council's approach to addressing the issues and the powers available to control the spread of short term letting. From these discussions we have developed our recommendations, which we hope will further the work already underway at the Council and help address the issues created by short term lettings in Blackpool.
- 1.3 I would like to extend mine and the review panel's thanks to all those who have taken part in the review process, including Mrs Nicola Rigby, Planning Enforcement Manager and Mr Tim Coglan, Head of Public Protection. Their input into the work of the review has helped us gain invaluable insight into the issues and the impact of short term lettings.
- 1.4 I also want to thank my fellow scrutiny members for giving their time to undertake the review, their input into the discussions and their positive attitude throughout.

Councillor Fred Jackson  
Chairman, Short-Term Lettings Scrutiny Review Panel  
October 2022



## 2.0 Summary of Recommendations

	<b>Timescale</b>
<b>Recommendation 1</b> That the review panel endorses the use of Planning Enforcement Notices to address the issue of short-term lettings being operated as holiday accommodation in residential areas without the appropriate planning permission.	To report back to Committee on progress in September/October 2023
<b>Recommendation 2</b> That the Council explore the maximum use of its available powers to address the issue of Short Term Lettings in Blackpool	To report back to Committee on progress in September/October 2023
<b>Recommendation 3</b> That the Review Panel recommends that additional resources be identified if possible to address the issue of short term lettings, recognising the high number of lettings in Blackpool and the growing number to ensure that enforcement notices could be issued when required.	To report back to Committee on progress in September/October 2023

### 3.0 Background Information

- 3.1 At the Tourism, Economy and Communities Scrutiny Committee on 6 October 2021 it was agreed that members would undertake a review of temporary holiday accommodation, known as short term lets, following discussion on the scale and scope of these types of accommodation in Blackpool. In recent years Blackpool has seen a significant rise in the number of this form of holiday accommodation and it was agreed a review would be undertaken to look into their impact on communities and the tourist industry within the town.
- 3.2 The Scrutiny Review Panel comprised of Councillors Paul Galley, Adrian Hutton, Fred Jackson, Martin Mitchell, Gerard Walsh and Paul Wilshaw.
- 3.3 Councillor Fred Jackson was elected Chair of the review panel at its first meeting on 4 July 2022.
- 3.4 A large amount of preparatory work was undertaken to identify the following key areas for consideration in the review:
- Number of short term holiday lets in Blackpool
  - How short term holiday lets had impacted on traditional accommodation
  - Where were short term holiday lets located? If they were in residential areas how had this impacted on communities
  - What powers the Council had when dealing with short term holiday accommodation
- 3.5 The review had originally been titled “Temporary Holiday Accommodation”, however following input from officers it was decided to rename the review panel to Short term Lettings, in order to align with the terminology used to refer to this form of let used by the Council.
- 3.6 This review related to the following priorities of the Council:
- The economy: Maximising growth and opportunity across Blackpool
  - Communities: Creating stronger communities and increasing resilience

## 4.0 Methodology

- 4.1 The Panel met twice with meetings in July and September 2022 to gather evidence and make recommendations.
- 4.2 Members met with Council Officers and the Leader of the Council at these meetings to discuss the issues arising from short term holiday accommodation.
- 4.3 Details of the meetings are as follows:

Date	Attendees	Purpose
4 July 2022	Councillors Jackson, Galley, Hutton, Mitchell, Walsh Nicola Rigby, Planning Enforcement Manager John Greenbank, Democratic Governance Senior Adviser	To consider a briefing outlining the scope of short term lets in Blackpool and the issues that have arisen from them.
20 September 2022	Councillors Jackson, Galley, Walsh, Wilshaw Councillor Lynn Williams, Leader of the Council Tim Cogan, Head of Public Protection Nicola Rigby, Planning Enforcement Manager John Greenbank, Democratic Governance Senior Adviser	To discuss the actions being undertaken by the Council to address the issues arising from short term lets in Blackpool and consider the final recommendations for the review.

## 5.0 Detailed Findings and Recommendations

### 5.1 Short Term Lettings in Blackpool

- 5.1.1 The review panel heard that as at 20 September 2022 there were 369 short term lettings known to the Council with Blackpool. Of these only a few had the correct planning permission in place to operate as short term lets / holiday accommodation. The majority of these were also found outside of the designated Main Holiday Accommodation Areas and actually located within residential communities. The 'part time' nature of short term lettings meant that the number of lets could fluctuate and the lack of a requirement to register a property as a short term let mean that the Council could not determine the exact number and relied on intelligence such as reports from partners or complaints from residents to identify properties being used as short term lettings.
- 5.1.2 Landlords for these lettings were often absentee, based outside of Blackpool with little connection to the town.
- 5.1.3 The Council had recorded a number issues associated with short term lettings, such as:
- Noise disturbances in residential areas
  - Anti-Social Behaviour, arising from holiday makers in residential areas
  - Lack of fire safety precautions
  - Uncollected waste
  - Incorrect tax classification, as residential property, resulting in accommodation not paying the correct Business Rate or Council tax.
  - Accommodation being incorrectly insured / mortgaged for holiday usage.
- 5.1.4 Further to this there was no regulatory frame work for how short term lettings should be operated. The lack of fire precautions is of grave concern to Lancashire Fire and Rescue colleagues.
- 5.1.5 These issues were reflected nationally with many local authorities considering how to address them. The Council had also prepared a response to a Government call for evidence on the issue of short term lettings, which had been submitted in September 2022. Although it was expected that Government guidance could be produced on how local authorities should approach short term lettings, at the time of the review none had been published. This had meant that the Council had to develop a response from its existing powers.
- 5.1.6 Elsewhere in the UK, Edinburgh City Council had sought to introduce regulation of temporary lets and the Scottish Government had been considering legislation to regulate them in Scotland.
- 5.1.7 Officers outlined that the Council had been trailing an approach for addressing short term lettings through the use of Planning Enforcement Notices (PEN). A property in Blackpool in a residential area, operating as a let without planning permission that had

- been the subject of numerous local complaints had been identified and served with a PEN requiring it to cease operation.
- 5.1.8 Officers noted that this could be appealed to the Planning Inspectorate and that it risked being upheld by them. However the Council was confident that due to the evidence gathered to support the use of PENs against this form of letting that any appeal would fail. If this was the case it would confirm that this approach was correct in dealing with short term lettings operating without planning permission in Blackpool.
- 5.1.9 The review panel recognised that this would be an effective approach to addressing the issues connected with short term lettings and expressed support for the use of PENs against them where appropriate.
- 5.1.10 Further use of the Council's powers was also explored by the review panel. With it being noted that other powers in relation to waste collection where by enforcement notices could be issued for using domestic waste collection for properties operating commercially. Commercial waste collection was a paid for service operated on the Council's behalf by Envaco. This would further support a reduction in domestic waste bins filling with commercial waste at short-term lets. It was therefore recommended that the Council explore the maximum use of its powers to address short term lettings.

#### **Recommendation One**

**That the review panel endorses the use of Planning Enforcement Notices to address the issue of short-term lettings being operated as holiday accommodation in residential areas without the appropriate planning permission.**

#### **Recommendation Two**

**That the Council explore the maximum use of its available powers to address the issue of Short Term Lettings in Blackpool.**

## **5.2 Funding and Resources**

- 5.2.1 The scale and scope of short term lettings and the challenge they posed was recognised by the review panel. At its July meeting the Council had identified 186 lettings, this had risen to 369 by the September review panel meeting. Although the planned use of Planning Enforcement Notices would hopefully address this increase, it was recognised that the cost of this work would have to be met from existing resources.
- 5.2.2 While noting the limited resources and pressure from other service demands the review panel asked that the Council consider the identification of additional resources to address this issue recognising the significant level of work that will be needed to undertake the necessary work.



**Recommendation Three**

**That the Review Panel recommends that additional resources be identified if possible to address the issue of short term lettings, recognising the high number of lettings in Blackpool and the growing number to ensure that enforcement notices could be issued when required.**

## **6.0 Financial and Legal Considerations**

### **6.1 Financial**

6.1.1 The report notes that the cost of the work required to implement these proposals would have to be met from existing resources. However, it also suggests the Council consider the identification of additional resources to address this issue, recognising the significant level of work that will be needed to undertake the necessary work. Any such additional resources would need to be identified from within the wider Public Protection team and the associated costs met from within the Public Protection budget.

### **6.2 Legal**

6.2.1 The report outlines the actions being undertaken by enforcement in respect of Short term Lets. It is noted that use of the Council's powers undertaken by enforcement is done so with the support of the Legal Services team.

**Short Term Lettings Scrutiny Action Plan**

Recommendation	Cabinet Member's Comments	Rec Accepted by Executive?	Target Date for Action	Lead Officer	Committee Update	Notes
<p><b>Recommendation One</b></p> <p>That the review panel endorses the use of Planning Enforcement Notices to address the issue of short-term lettings being operated as holiday accommodation in residential areas without the appropriate planning permission.</p>	<p>Accepted – The issue of short term lets in Blackpool’s residential areas is a significant problem and the use of PENs is an important tool addressing this.</p>					
<p><b>Recommendation Two</b></p> <p>That the Council explore the maximum use of its available powers to address the issue of Short Term Lettings in Blackpool.</p>	<p>Accepted – the Council is already exploring a number of methods for addressing the issue of Short Term Lettings and will continue to look at using the maximum powers available.</p>					

<p><b>Recommendation Three</b></p> <p><b>That the Review Panel recommends that additional resources be identified if possible to address the issue of short term lettings, recognising the high number of lettings in Blackpool and the growing number to ensure that enforcement notices could be issued when required.</b></p>	<p>Accepted – The Council is always looking to maximise the resources available to address, however as noted in the report this would have to be from within existing budgets.</p>					
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