

# **Brockenhurst Parish Council**



## **Response to Department for Culture, Media and Sport Consultation on a registration scheme for short-term lets in England.**

June 2023

Brockenhurst Parish Council

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<p><b>Preamble</b></p> <p>We are providing our views as a Parish Council (local authority) in the New Forest National Park.</p>	
<p><b>Question 1: Which high-level approach to the registration scheme do you prefer?</b></p> <p>Please give the reasons for your answer</p>	<p>An opt-in scheme for local authorities, with the framework set nationally.</p> <p>This will allow areas/communities to adopt the scheme only if they deem it necessary</p>
<p><b>Question 2: Who should be responsible for administering the registration scheme?</b></p>	<p>Local authorities</p> <p>This option would give ease of access to the register by the public and visibility of local conditions</p>
<p><b>Question 3: Should there be an analogue version of the registration scheme which would run in parallel with the digital one?</b></p>	<p>No</p>
<p><b>Question 4: Should the platforms require a valid registration number in order to list a short-term let?</b></p>	<p>Yes</p>
<p><b>Question 5: Should the registration number be displayed in any advertisement or listing of a short-term let?</b></p>	<p>Yes</p> <p>One for each letting unit. Each property should also be required to display the licence number(s) on the front of the premises. This will serve to avoid properties going “underground”. on an unadvertised market</p>
<p><b>Question 6: What should the ‘unit’ of registration be?</b></p>	<p>Individual accommodation units within a premises/dwelling.</p>

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<b>Question 7: How should the following types of accommodation be treated in respect of the registration scheme?</b>			
<b>Accommodation type</b>	<b>Include</b>	<b>Exclude</b>	
Caravans on sites or any site which accepts motorhomes or campervans or any other vehicle providing accommodation	<b>Include</b>		
Treehouses		<b>Exclude</b>	
Mountain bothies		<b>Exclude</b>	
Shepherd's huts	<b>Include</b>		
Cars		<b>Exclude</b>	
Motorhomes	<b>Include</b>		
Glamping	<b>Include</b>		
Yurts	<b>Include</b>		
Boats inc. houseboats, canal boats	<b>Include</b>		<p>We would suggest the registration of <b>Holiday parks &amp; Adventure centres and youth camps etc.</b></p> <p>These often comprise individual accommodation units, mobile homes pods, etc sometimes in separate ownership. There may be future attempts to repurpose these (under planning law) as permanent residences/ housing developments.</p>
House swaps	<b>Include</b>		
Other - please specify <b>Holiday parks &amp; Adventure centres e.g., youth camps etc.</b>	<b>Include</b>		
Please give reasons for your answers.			

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<p>There are circumstances where people stay for a short period outside their principal or primary residence. The following are not considered to be within scope of short-term lets for the purposes of this paper:</p> <ul style="list-style-type: none"> <li>• <b>a)</b> licenced hotels and B&amp;Bs and self-catering properties on their premises,</li> <li>• <b>b)</b> women's refuges,</li> <li>• <b>c)</b> homeless hostels and other temporary accommodation for homeless people,</li> <li>• <b>d)</b> accommodation for asylum seekers,</li> <li>• <b>e)</b> child or adult care homes and other council premises,</li> <li>• <b>f)</b> student halls of residence (whether used by students or others),</li> <li>• <b>g)</b> hospitals,</li> <li>• <b>h)</b> prisons, and</li> <li>• <b>i)</b> supported housing</li> </ul> <p><b>Question 8: Do you agree with this list of exemptions?</b></p>	<p>Yes</p>
<p><b>Question 9: Are there any other types of short-term accommodation that you think should be exempt from a requirement to register? If so, please specify.</b></p>	<p>We are not aware of any.</p>
<p><b>Question 10: How long should registration be valid for?</b></p> <p>Please give the reasons for your answer.</p>	<p>Three years To achieve a balance of cost against effective review/ inspection.</p>

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<b>Question 11: What information should be collected? (Please tick all that apply).</b>				
	<b>To be collected at registration</b>	<b>To be collected annually</b>	<b>Should not be collected</b>	
<b>a)</b> Address of the premises/dwelling(s)	YES	YES		
<b>b)</b> Name of premises/dwelling owner	YES	YES		
<b>c)</b> Address and contact details of premises/dwelling owner	YES	YES		
<b>d)</b> Address and contact details of operator/manager, if different	YES	YES		
<b>e)</b> Whether the premises/dwelling to be let is an dwelling or part of a dwelling, such as a room or outbuilding	YES	YES		
<b>f)</b> Self-certification of adherence to relevant regulations (see question 12)	YES			
<b>g)</b> Proof (e.g., a photograph or electronic upload) of adherence to regulations	YES	YES		
<b>h)</b> Detail about the accommodation unit(s) (e.g., number of units, number of bedspaces, accessibility)	YES			

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<p><b>i)</b> If relevant, confirmation that in any rental, lease or other agreement that the responsible person is entitled to use the premises for short-term letting purposes</p>	YES	YES	
<p><b>j)</b> Number of nights per year the premises is available to let</p>	YES	YES	
<p><b>k)</b> Number of nights the premises was let out for in the last year</p>	YES	YES	
<p><b>m)</b> Whether planning permission has been granted or is not required</p>	YES	YES	
<p><b>n)</b> Other - please specify</p>	YES	YES	
<p><b>Second Homes</b></p> <p>Please give the reasons for your answer. To identify <b>second homes</b> and identify their usage.</p>			
<p><b>Question 12: Which regulations should be satisfied in order for a property to be registered? Please tick all that apply.</b></p> <p>Please give the reasons for your answers.</p>			<ul style="list-style-type: none"> <li>• <b>a)</b> Gas safety</li> <li>• <b>b)</b> Boiler safety</li> <li>• <b>c)</b> Fire safety</li> <li>• <b>d)</b> Electrical safety</li> <li>• <b>e)</b> Furniture safety</li> <li>• <b>f)</b> Planning [where relevant, subject to DLUHC planning use class consultation] ✓</li> <li>• <b>g)</b> Food safety</li> <li>• <b>h)</b> Equality Act</li> <li>• <b>i)</b> Other - please specify</li> </ul>

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	To ensure compliance and legal use. We do not feel safety issues should be dealt with in this way but should be addressed by other means
<p><b>Question 13: In the context of compliance and enforcement, what should be the starting point of the registration scheme? Please tick all that apply.</b></p> <ul style="list-style-type: none"> <li>• <b>a)</b> An entirely self-certifying process with no element of ongoing physical inspection of documentation or of the short-term let.</li> <li>• <b>b)</b> Light touch inspections of documentation uploaded as part of the registration process based on a % of all properties to be spot checked at random on an ongoing basis.✓</li> <li>• <b>c)</b> Light touch physical inspections of short-term lets based on a % to be spot checked at random on an ongoing basis.</li> <li>• <b>d)</b> Light touch physical inspections of short-term lets based on an intelligence or risk-based approach on an ongoing basis.</li> </ul> <p>Please give the reasons for your answer.</p>	<p>Light touch inspections seem proportionate and should not involve too great cost.</p>
<p><b>Question 14: What issues do you think should incur a penalty? Please tick all that apply.</b></p> <ul style="list-style-type: none"> <li>• <b>a)</b> Short-term let owners/providers operating without registering ✓</li> <li>• <b>b)</b> Failure to provide valid documentation or information</li> <li>• <b>c)</b> Failure to renew registration if applicable ✓</li> <li>• <b>d)</b> Failure to comply with registration requirements (for example, failure to pay the relevant fee or charge within the specified period) ✓</li> <li>• <b>e)</b> Falsification of registration documentation ✓</li> <li>• <b>f)</b> Failure to grant access to the short-term let to the scheme administrator or relevant authority, if deemed appropriate.✓</li> <li>• <b>g)</b> Other - please specify</li> </ul>	

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<p><b>Question 15: What penalties do you think would be appropriate? Please tick all that apply.</b></p> <ul style="list-style-type: none"> <li>• Fines, which could vary according to the severity and duration of a violation.✓</li> <li>• Revocation of registration, for a period of time or permanently.✓</li> <li>• Notices requiring a short-term let owner/provider to rectify a violation could be issued in some circumstances before registration is revoked. If the owner/provider fails to take the necessary action within a specified timeframe, then the registration would be revoked.✓</li> <li>• Other - please specify.</li> </ul> <p>Please give reasons for your answer. If relevant, please also provide views on the appropriate quantum or procedure e.g., for a fine, a timeframe for addressing a violation, or for another penalty referenced above.</p>	<p>No other views - we expect any penalties to be proportionate</p>
<p><b>Question 16: Should there be a flat fee per owner, or a sliding scale attendant with the number of units being let? (See also question 6 on unit of registration)</b></p> <ul style="list-style-type: none"> <li>• a) Flat fee per owner</li> <li>• b) Flat fee per property or part of a property ✓</li> <li>• c) Sliding scale based on number of units owned</li> <li>• d) Sliding scale based on size of a unit (e.g., number of bedrooms)</li> <li>• e) Other (please specify)</li> </ul>	
<p><b>Question 17: Should there be an annual fee to be in the registration scheme, regardless of the frequency of renewal asked in question 10?</b></p> <p>Please give reasons for your answer.</p>	<p>Yes</p> <p>To fund administration and inspections</p>

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<p><b>Question 18: Should the platforms and/or other areas of industry contribute to the set up and running costs of the scheme?</b></p> <p>Please give reasons for your answer.</p>	<p>No</p> <p>To avoid any bulk schemes and potential vested interests placing undue weight on the registration body</p>																		
<p><b>Question 19: Do you think that any of the data captured should be shared at all beyond the competent authority administering the scheme, as determined in Question 2?</b></p> <p>If you answered 'No', please give reasons for your answer.</p>	<p>Yes</p>																		
<p><b>Question 20: If you answered 'Yes', which types of organisations should have access to the data collated by the registration scheme? Please tick all that apply.</b></p> <table border="1"> <thead> <tr> <th>Organisation</th> <th>Should have access to aggregated/anonymised data</th> <th>Should have access to detailed/individualised data</th> </tr> </thead> <tbody> <tr> <td>Local authorities / local planning authorities</td> <td>YES</td> <td>YES</td> </tr> <tr> <td>Enforcement agencies</td> <td>YES</td> <td>YES</td> </tr> <tr> <td>Organisations or individuals for commercial purposes</td> <td>NO</td> <td>NO</td> </tr> <tr> <td>Mortgage providers, landlords, freeholders, commonhold associations, resident management companies and neighbours</td> <td>YES</td> <td>YES</td> </tr> <tr> <td>English Tourist Board</td> <td>YES</td> <td>NO</td> </tr> </tbody> </table>	Organisation	Should have access to aggregated/anonymised data	Should have access to detailed/individualised data	Local authorities / local planning authorities	YES	YES	Enforcement agencies	YES	YES	Organisations or individuals for commercial purposes	NO	NO	Mortgage providers, landlords, freeholders, commonhold associations, resident management companies and neighbours	YES	YES	English Tourist Board	YES	NO	
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Central government	YES	NO	
Academics	YES	NO	
Other - please specify	Parish Councils	Parish Councils	
<b>Question 21: Should there be a de minimis below which a property can be let for without the requirement to register?</b> <ul style="list-style-type: none"> <li>a) yes (if so what should the minimum threshold be - please specify)</li> <li>b) no - all short-term let accommodation should be a requirement to register.</li> <li>c) Don't know ✓</li> </ul> <p>What are the reasons for your answer?</p>			There is often a need for people to let out homes while working away, say on an overseas contract. There are also bona fide homes swapped between friends. These should not be brought into any proposed system.
<b>Question 22: Are there any other issues that you think the government should be considering as part of its work to develop a short-term let registration scheme?</b>			No
<b>Question 23: Do you have any comments about the potential positive and/or negative impacts that the options outlined in this consultation may have on individuals with a protected characteristic under the Equality Act 2010?</b> <p>If you answered 'yes', please explain what you think these impacts (both positive and/or negative) would be</p>			No
<b>Question 24: In your view, is there anything that could be done to mitigate any negative impacts?</b> <p>If you answered 'yes', please specify what you think could be done to mitigate the negative impacts.</p>			No views