

COMMITTEE	CABINET
DATE	8 February 2017
SUBJECT	Tourist Accommodation Retention Supplementary Planning Document
REPORT OF	Director of Regeneration & Planning

Ward(s)	Devonshire, Meads
Purpose	To seek Cabinet endorsement of the Tourist Accommodation Retention Supplementary Planning Document (SPD) for formal adoption at Full Council on 22 February 2017.
Contact	Matt Hitchen, Senior Strategy & Commissioning Officer (Planning Policy) 1 Grove Road, Eastbourne Tel no: (01323) 415253 E-mail: matt.hitchen@eastbourne.gov.uk
Recommendations	<ol style="list-style-type: none">1. That Cabinet endorse the Tourist Accommodation Retention SPD as set out in Appendix 4, and recommend its adoption by Full Council.2. That Cabinet endorse, and recommend to Full Council, the revocation of the Assessment of Financial Viability of Tourist Accommodation Supplementary Planning Guidance as set out in Appendix 5.3. That Cabinet recommend to Full Council that any minor or technical adjustments found necessary in the Tourist Accommodation Retention SPD be delegated to the Director of Regeneration and Planning in consultation with the Cabinet portfolio holder.4. That Cabinet agree the terms of reference for a Tourist Accommodation Consultative Group.

1.0 Introduction

1.1 Eastbourne Borough Council has prepared a Tourist Accommodation

Retention Supplementary Planning Document (SPD) to update the planning policy position in relation to tourist accommodation as a result of changes in visitor behaviour and attitudes in recent years. The new planning policy position will help the tourist accommodation stock remain fit for purpose and meet the requirements of current and future visitors.

- 1.2 The formulation of new planning policy can only take place through a Local Plan. As the next Local Plan is not due to be adopted until 2019, it is not possible to create a new policy for Tourist Accommodation at this current time. However, the production of a new Supplementary Planning Document allows a new interpretation of the existing policy, which will allow a new policy position to be provided.
- 1.3 A Supplementary Planning Document (SPD) is a planning policy document that builds upon and provides more detailed advice or guidance on the policies in a Local Plan. SPDs are material planning considerations in the determination of planning applications.
- 1.4 The Tourist Accommodation Retention SPD has been developed in consultation with Local Plan Steering Group and the Eastbourne Hospitality Association, and was subject to public consultation between 23 September and 4 November 2016. In order for it to be a material consideration in the determination of planning applications, it needs to be formally adopted by Full Council.
- 1.5 Once adopted, the Tourist Accommodation Retention SPD will supersede the existing Assessment of Financial Viability of Tourist Accommodation Supplementary Planning Guidance (SPG), which was adopted in 2004. Therefore there is a need for the Assessment of Financial Viability of Tourist Accommodation SPG to be revoked.

2.0 Background

- 2.1 Eastbourne is one of the largest providers of tourist accommodation in the South East outside London, and has the 26th highest supply of hotel rooms in the country. Eastbourne has a significant stock of tourist accommodation, including 46 hotels, 60 guesthouses and 144 self-catering units, amounting to approximately 3,500 bedrooms. Over 90% of Eastbourne's hotels and guesthouses/B&Bs are located within the area along the seafront defined as the Tourist Accommodation Area.
- 2.2 The majority of the rooms (81%) are located within hotels. Although there is one 5-star and two 4-star hotels in Eastbourne, the majority of supply is concentrated towards the lower end of the market in the three-star, two-star and budget categories.
- 2.3 Since 2008, there has been a change in tourist behaviour and trends,

with a focus on multiple breaks for shorter durations, and increasing expectations of quality of accommodation. This has led to a decrease in the proportion of trips to seaside destinations, as the tourist accommodation in these locations is often not up to the quality and standard that modern-day visitors expect.

- 2.4 The Tourist Accommodation Study (2015) considers that Eastbourne has an oversupply of lower quality accommodation, particularly that which previously catered for the coaching market. This oversupply means that average occupancy levels fall as the lower quality accommodation providers reduce their prices to attract custom, which in turn means other providers need to reconsider their pricing. This ultimately drives down the average room rate and occupancy levels, particularly during the low season, and means that owners are unable to continue to invest in the maintenance and upkeep of the property resulting in a downward spiral of poorer quality stock.
- 2.5 This has implications on how visitors perceive Eastbourne in terms of the quality of their visit and the likelihood of them returning or providing recommendations. It also impacts on how hotel investors perceive Eastbourne, which restricts the ability of the town to diversify the tourist accommodation offer to attract a broader range of visitors to Eastbourne thereby enhancing the destination's overall competitiveness.
- 2.6 The conclusion of the Tourist Accommodation Study is that there is a need to rebalance and diversify the supply of tourist accommodation with future emphasis on quality rather than quantity. This will allow Eastbourne's tourist accommodation to develop more organically and in turn appeal to and attract new markets.

3.0 Planning Policy Context

- 3.1 The existing policies on tourist accommodation are contained within the Eastbourne Core Strategy 2006-2027 (adopted 2013), the Eastbourne Borough Plan 2001-2011 (adopted 2003) and the Assessment of Financial Viability of Tourist Accommodation SPG (adopted 2004).
- 3.2 The current position is that part of the seafront area is designated as the Tourist Accommodation Area, which represents what is considered to be the area where visitors would most expect to find visitor accommodation. The Tourist Accommodation Area is the area where the needs of tourists should prevail when considering development. At present, the majority of Eastbourne's tourist accommodation stock is concentrated within the Tourist Accommodation Area.
- 3.3 Within the Tourist Accommodation Area, applications that would result in the loss of tourist accommodation would only be permitted if it can be

demonstrated that the tourist accommodation is unviable. The 2004 SPG provides details on what evidence needs to be submitted to demonstrate that it is unviable.

- 3.4 The way that the 2004 SPG interprets the Borough Plan policy is very restrictive and makes it difficult for lower quality stock in areas that are located in streets away the seafront to change use in order to allow them to exit the market.
- 3.5 A rebalancing of the supply requires a more flexible approach to managing the tourist accommodation. In order to allow the gradual reduction of poor quality stock in more secondary locations and help stimulate investment in better quality accommodation, appealing to a broader range of visitors, a change of policy approach is required.
- 3.6 However, due to the current stage of formulation of the Local Plan, it will not be possible to introduce a new policy until at least 2019. Therefore, the production of a new SPD will allow the existing Borough Plan policy to be interpreted differently to allow this change of approach to take place.

4.0 Issues

- 4.1 There are a number of issues that the new policy approach through the SPD is looking to address.

4.2 Retaining an appropriate amount of accommodation

It is essential that Eastbourne retains sufficient bedspaces to form a critical mass of accommodation that maintains the town's reputation as a tourist destination.

4.3 Rebalancing the tourist accommodation stock to meet market demands

There is a need to rebalance the supply, with future emphasis on quality rather than quantity, which can be achieved through a reduction in accommodation stock of lower quality in more secondary areas. This will help stimulate investment in better quality accommodation and develop more organically and in turn appeal to and attract new markets.

4.4 Protecting the character of the seafront

The importance of hotels along the seafront is crucial to the character and appearance, and also these locations are where tourist accommodation will be most viable due to the sea views.

4.5 Clear and consistent policy

It is important that the SPD is easily understood and can be applied consistently, but also allows for an element of sensitivity in order to

reflect changing circumstances.

4.6 *Encourage owners to run their businesses appropriately*

If hoteliers think they can make money by selling their property for residential conversion, they may purposely run down the business. The SPD aims to discourage such actions.

5.0 New approach to Tourist Accommodation retention

5.1 The basis for the change in approach is that it should be easier for lower quality tourist accommodation in less prominent locations to demonstrate that the continuing use as tourist accommodation is not viable, allowing them to change use. The gradual reduction of this lower quality accommodation from the supply will allow diversification in the product, increasing quality and making Eastbourne more resilient to changing market conditions.

5.2 As the Borough Plan policy cannot be changed, the Tourist Accommodation Area has to remain as it is. However, to facilitate the rebalancing of the tourist accommodation stock, the SPD proposes to split the Tourist Accommodation Area into a Primary Sector and a Secondary Sector.

5.3 The Primary Sector comprises the prime locations on the seafront with unobstructed sea views. Within these areas, significant amounts of evidence will be required to demonstrate that the continuing use of land as tourist accommodation is not viable, as these prime locations are where tourist accommodation should be most viable.

5.4 The Secondary Sector comprises the locations behind the seafront that do not have views of the sea or face onto gardens/squares. It is in these Secondary locations where there is a large concentration of lower quality accommodation that is struggling to compete, and this is where there should be a gradual reduction of poor quality stock, which in turn should help stimulate investment in better quality accommodation appealing to a broader range of visitors. Within these areas, the SPD will allow additional flexibility, with less onerous evidence requirements to justify a change of use, and more options in terms of partial conversion.

5.5 It is estimated that the Primary Sector contains 60 hotels and guesthouses, equating to approximately 2,600 rooms. The Secondary sector contains 25 hotels and guesthouses, equating to approximately 500 rooms.

6.0 Assessment of Viability of Tourist Accommodation

6.1 The SPD sets out the criteria against which an application for the loss of

tourist accommodation will be assessed, in order to demonstrate whether or not the continuing use of the land as tourist accommodation is viable and economically sustainable. The SPD sets different criteria in the Primary and Secondary Sectors, in order to allow additional flexibility for tourist accommodation in the Secondary areas.

6.2 Primary Sector

6.2.1 Within the Primary Sector, applications for the loss of tourist accommodation will have to submit evidence to demonstrate compliance with a two-stage test.

6.2.2 The first stage involves an application needing to demonstrate that the existing use of the tourist accommodation is not viable. In order to do this, an applicant will have to submit evidence to demonstrate the following:

- There is no interest in the tourist accommodation business being bought as a going concern;
- The tourism accommodation business has been run in a reasonable and professional manner, and a serious and sustained effort has been made to save the business;
- The physical condition and cost of repair of the building would be prohibitive to running a viable business; and
- The running costs of the business cannot be covered.

6.2.3 Details of the evidence required to be submitted in order to allow this to be assessed is set out in the SPD.

6.2.4 Once the first stage has been satisfied, the second stage applies. The second stage of the test is the consideration of other tourist accommodation uses. Firstly, the applicant should show that they have considered partial conversion to unserviced accommodation (e.g. holiday flats), and then full conversion to unserviced accommodation, and then partial conversion to residential, before a complete loss of tourist accommodation can be justified.

6.3 Secondary Sector

6.3.1 Within the Secondary Sector, proposals for partial or full conversion to unserviced accommodation, or partial conversion to residential, will be supported. This is because it will reduce the number of rooms whilst enabling investment in the remaining serviced accommodation, enhancing the quality of the accommodation. This will be secured by a Section 106 legal agreement.

6.3.2 Proposals for the complete loss of tourist accommodation will need to

submit evidence to demonstrate the following:

- There is no interest in the tourist accommodation business being bought as a going concern;
- The tourism accommodation business has been run in a reasonable and professional manner; and
- The running costs of the business cannot be covered.

6.3.3 The evidence required to be submitted in order to allow this to be assessed is set out in the SPD.

7.0 Consultation

7.1 The drafting of the Tourist Accommodation Retention SPD was informed by a Tourist Accommodation Study, produced in 2015 by consultants Acorn Tourism Consulting Ltd. It was also influenced by consultation responses received on the Seafront Local Plan Issues and Options Report, as well as through thorough discussions with the Eastbourne Hospitality Association.

7.2 A Draft Tourist Accommodation Retention SPD was subject to a 6 week consultation period between 23 September and 4 November 2016 to allow stakeholders and the local community to comment and make representations.

7.3 During the SPD consultation period, a total of 17 representations were submitted from 10 respondents. It is not considered that any of the representations raised any major issues. A full list of the representations received and responses is provided as Appendix 1.

7.4 In response to representations and reflection on the SPD since it was drafted, a small number of minor modifications are proposed to the SPD before adoption. A schedule of changes to the SPD is provided as Appendix 2.

8.0 Tourist Accommodation Consultative Group

8.1 The draft SPD that was published for consultation contained reference to the formation of a Tourist Accommodation Consultative Group that could be used to assess the calibre of the application and whether or not the criteria have been met. This is a similar approach to that taken by other local authorities with similar issues to Eastbourne, most notably Bournemouth Borough Council.

8.2 It is envisaged that the Tourist Accommodation Consultative Group would evaluate proposals that would result in the loss of partial loss of tourist accommodation against the criteria set out in the Tourist

Accommodation Retention SPD. It is considered that this would be beneficial as it would provide a trade perspective on the factors which might influence the viability of a tourism accommodation business and would allow appropriate constructive criticism and advice to be given to business owners that will enhance the quality of any planning application submitted and allow it to be determined within statutory time limits.

8.3 The comments and recommendations of the Group would be a material consideration in the determination of an application for planning permission. However it is important to note that the role of the group would be strictly advisory and that the Council would not be bound by its advice.

8.4 It is envisaged that the Tourist Accommodation Consultative Group would contain representatives from the Eastbourne Hospitality Association (one of whom would chair the group), officers from Eastbourne Borough Council, and a local property agent who is not connected with the proposal. The Eastbourne Hospitality Association has agreed to provide all administrative support to the group.

8.5 The Terms of Reference for the group is provided as Appendix 3.

9.0 Implications

9.1 Legal Implications

9.1.1 The Tourist Accommodation Retention SPD has been prepared in order to comply with Regulation 12 of the Town & Country Planning (Local Planning) (England) Regulations 2012, and with regard to the requirements of the National Planning Policy Framework.

9.1.2 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 requires that the adoption of a Supplementary Planning Document is a function of Full Council. However, it is a proper function of Cabinet to consider the SPD make a recommendation to Full Council for its adoption with or without amendment.

9.1.3 Following adoption, there is a 3 month period where any person aggrieved by the decision to adopt the Tourist Accommodation Retention SPD may make an application to the High Court for judicial review. Any application for judicial review should be made not later than 3 months after the date of adoption (i.e. no later than Wednesday 17 May 2017).

9.1.4 In revoking the Assessment of Financial Viability of Tourist Accommodation SPG, Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that the Local Planning Authority cease to make any documents relating to the revoked

SPG available and take such other steps as it considers necessary to draw the revocation of the documents to the attention of persons living and working in their area. Therefore, and subject to Council agreeing recommendation 2 to this report, the SPG would be removed from the Council's website and a statement made available on the website and in next year's Authority Monitoring Report that the SPG has been revoked. (Lawyer consulted 16.1.17. Legal ref: 005954-EBC-OD).

9.2 Financial Implications

9.2.1 There are no financial implications to the Council as a direct result of this report.

9.3 Human Resource Implications

9.3.1 The Head of Tourism & Enterprise and a member of the Regeneration & Planning Policy team will attend meetings of the Tourist Accommodation Consultative Group as and when meetings are needed. Eastbourne Hospitality Association will provide administration support for the group, so it is not expected that there will be a significant resource implication for the Council.

9.4 Equalities and Fairness Implications

9.4.1 An Equalities and Fairness Impact Assessment has been undertaken and the assessment demonstrates that the Tourist Accommodation Retention SPD is unlikely to have any significant impact on equalities and fairness.

10.0 Conclusion

10.1 There is a need for a change of planning policy approach to tourist accommodation as a result of changes in the tourism market and visitor behaviour since the policy was adopted. At this stage, the most appropriate method of implementing a new approach is through the creation of a new SPD to provide guidance on how planning policy should be interpreted.

10.2 The Tourist Accommodation Retention SPD was published for consultation between 23 September and 4 November 2016. A total of 17 representations were submitted from 10 respondents. It is not considered that any of the representations raised any major issues, although some minor amendments are proposed to the SPD.

10.3 The formation of a Tourist Accommodation Consultative Group, consisting of representatives from the Eastbourne Hospitality Association, EBC officers and a local property agent, will help to provide a trade perspective on proposals and ensure the quality and standard of

applications for the loss of tourist accommodation so that they can be determined more swiftly.

- 10.4 The SPD will need to be adopted by Full Council before it can be used in the determination of planning applications. The Assessment of Financial Viability of Tourist Accommodation SPG, which the new SPD will replace, will also need to be revoked.
- 10.5 Cabinet are requested to recommend to Full Council that the Tourist Accommodation Retention SPD be formally adopted at the Full Council meeting on 22 February 2017.
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Background Papers:

- Tourist Accommodation Retention Supplementary Planning Document (EBC, January 2016)
- Tourist Accommodation Retention SPD Statement of Consultation (EBC, January 2016)
- Tourist Accommodation Retention SPD Sustainability Appraisal Screening Report (EBC, August 2016)
- Assessment of Financial Viability of Tourist Accommodation Supplementary Planning Guidance (EBC, 2004)
- Tourist Accommodation Study (Acorn Tourism Consulting Ltd, 2015)
- Eastbourne Core Strategy Local Plan 2006-2027 (EBC, 2013)
- Eastbourne Borough Plan 2001-2011 (EBC, 2003)
- Here to Stay: Tourist Accommodation Retention & Loss - Guidance for Local Authorities on the Development of Planning Policy (Tourism South East, 2006)
- National Planning Policy Framework (DCLG, 2012)

To inspect or obtain copies of the background paper, please refer to the contact officer listed above.

APPENDIX 1

Table of Representations Received on Draft SPD

Rep ID	Name	Section	Representation	Officer Response
TAR_SPD/01	A Bythesea	Introduction	Why does the tourist area not extend to the harbour? There was planning permission for a hotel by the Martello tower the far side of water treatment works. This would provide another tourist area with great beaches and allow a recreational bar/cafe for residents in that area.	<p>The SPD provides a detail to assist in the interpretation of an existing policy. The SPD is not able to amend existing policy. The Tourist Accommodation Area is part of existing policy, and therefore cannot be amended by this SPD to extend as far as Sovereign Harbour.</p> <p>The Tourist Accommodation Area as defined by existing policy represents the area where it would be most expected to find tourist accommodation. It is considered that the area around Treasure Island is the eastern extent of the area in which visitors would expect to find accommodation.</p> <p>Although the site at Sovereign Harbour close to the Water Treatment Works was identified for a tourism use in the past, this site is now subject to an extant planning permission for residential development, and therefore is no longer available for a hotel.</p>
TAR_SPD/02	Mike Reid (Reid+Dean)	Assessment of Viability	I consider the threshold of 15 bedrooms (better defined as 15 letting bedrooms) is too high. I think the determining factor on whether the business is "lifestyle" is whether staff need to be employed to run it. The majority of businesses with up to 8 letting bedrooms are	<p>The SPD recognises that a 'lifestyle business' is a blend of home and business, set up with the aim of achieving a certain level of income.</p> <p>It is appreciated that definition would suggest that the business does not employ staff to</p>

Rep ID	Name	Section	Representation	Officer Response
			run by a husband and wife team and are truly "lifestyle". Any more letting bedrooms than this then staff will normally need to be employed.	<p>help run it, and consideration has been given to amending the threshold to 8 rooms.</p> <p>However, the EHA are aware of a number of establishments of more than 8 rooms who do not take on staff. In addition, it is the experience of the EHA that smaller businesses of less than 15 rooms are unlikely to have business plans for the purposes of the assessment criteria. In addition, a threshold of 15 rooms is used in other situations, such as by the TV licencing authority who require a different type of licences for establishments over 15 rooms. Therefore it is considered that a threshold of 15 rooms is appropriate for the purposes of this SPD.</p>
TAR_SPD/03	Mike Reid (Reid+Dean)	Assessment of Viability – Proposals within the Primary Sector of the Tourist Accommodation Area – para 5.12	The phrasing of Criteria B is wrong. Change "save" to "promote"	<p>Applications submitted for change of use in the Primary sector will be on the basis that the applicant believes that the tourist accommodation is unviable and cannot be saved. If the tourist accommodation can be saved, it would not satisfy the criteria in the SPD as a whole.</p> <p>Therefore it is considered the "save" is the correct word in this context.</p>
TAR_SPD/04	Mike Reid (Reid+Dean)	Assessment of Viability – Proposals within the Primary Sector of the	At 5.20 it should be noted that for many years banks will not lend on a closed business (on its own account). They will usually only be interested in funding after three years of trading.	<p>The unwillingness of banks to lend on a closed business is noted.</p> <p>However, for the purposes of the SPD, if a tourist accommodation establishment with no trading history provided the information</p>

Rep ID	Name	Section	Representation	Officer Response
		Tourist Accommodation Area – para 5.20		<p>required and had been turned down for a bank loan, this would demonstrate a clear intention to get the establishment up and running, but it has not been possible.</p> <p>Therefore it is considered that there is no reason to amend para 5.20.</p>
TAR_SPD/05	Mike Reid (Reid+Dean)	Assessment of Viability – Proposals within the Secondary Sector of the Tourist Accommodation Area	Taken overall there is no reference to the Council's attitude to "winter lettings". Each establishment will have its own season and for many smaller ones they will effectively be closed for more than half the year. The policy should have regard to, and maybe encourage the use of winter lettings even if that does not include any meals being provided. It should at least give the opportunity for this kind of letting without incurring enforcement.	<p>It is not considered appropriate for the SPD to encourage "winter lettings" of tourist accommodation where it would function as permanent accommodation.</p> <p>The main conference season in Eastbourne is in the 'shoulder' months and it is considered that there is sufficient demand for a well-run business to run all year round. In addition, as a blend of home and income, a 'Lifestyle business' should be able to open and close accordingly.</p> <p>The use of an establishment as permanent accommodation, even if just in the winter, would constitute a HMO, which is not permissible by policy.</p>
TAR_SPD/06	Kath Boak	Assessment of Viability – Proposals within the Primary Sector of the Tourist Accommodation	This policy does a lot to update the current policies in line with modern tourism. I think it is good.	Noted.

Rep ID	Name	Section	Representation	Officer Response
		Area		
TAR_SPD/07	Stuart Bannerman	Tourist Accommodation Area	Whilst the objective is sound, some idea is needed about what other uses will be acceptable in the secondary area. A more comprehensive plan is essential to prevent uncertainty and/or confusion leading to a planning vacuum - which in turn (and in time) could undermine the primary area. Obviously not HMOs, so what else can be ruled out and what might be ruled in?	<p>Other uses that are compatible with tourist accommodation uses would be considered acceptable, in accordance with existing policy. The compatibility of any proposed use with tourist accommodation uses would be assessed through the planning application process.</p> <p>Conversion to HMO is specifically ruled out as it is considered that it would be incompatible with the tourist accommodation use. There may be other uses that would also be incompatible. It is not possible to identify exactly what uses would be appropriate – this would be determined at the planning application stage.</p>
TAR_SPD/08	Craig Booth	Tourist Accommodation Area	I agree that it is essential that redundant tourist accommodation is not allowed to be turned in to HMO's, or bed-sit style accommodation. Is there a method by which the planning authority could insist that buildings were kept as single family dwellings, or larger flats? I think such usage would encourage better maintenance, which will be crucial to maintain the welcoming appearance of the tourist accommodation areas.	It is not possible to insist that tourist accommodation that changes use to residential only does so in the form of single family dwellings or large flats. However, the Government have published nationally described space standards for new dwellings, and new residential units should comply with these standards.
TAR_SPD/09	Einar Solgaard	Assessment of Viability –	Additional criteria: Demonstrate that it has been attempted without success to merge the	It is not considered reasonable to require that tourist accommodation establishments merge

Rep ID	Name	Section	Representation	Officer Response
		Proposals within the Primary Sector of the Tourist Accommodation Area	tourist accommodation with neighbouring TAs to create a more robust business.	with neighbouring establishments. In addition, the Tourist Accommodation Study recognises that the establishments with between 10 and 50 rooms are too large for a lifestyle business, but too small to operate efficiently as a mainstream commercial hotel. Requiring tourist accommodation to consider merging could recreate more establishments between 10 and 50 rooms, and therefore would not necessarily create a more robust business.
TAR_SPD/10	Einar Solgaard	Assessment of Viability – Proposals within the Secondary Sector of the Tourist Accommodation Area	Additional criteria: Demonstrate that it has been attempted without success to merge the tourist accommodation with neighbouring TAs to create a more robust business.	See response to TAR_SPD/09.
TAR_SPD/11	Roger Clark	Background & Context – Background – para 2.7	<p>Since 1984 we have been a holiday accommodation provider on Eastbourne's seafront & adjacent to it also. We have noticed over the past decade or so there has been a decline in visitors wanting accommodation with us. Thankfully we have many repeat bookings, because we provide what is expected/ needed. Our visitors love Eastbourne & the surrounding areas, & use their own transport to explore.</p> <p>Unfortunately the decline began years ago</p>	The Tourist Accommodation Study recognises that there is a need to upgrade the supply of tourist accommodation in order to meet future market needs and attract a wider range of people. However, due to Eastbourne being a highly seasonal destination this does not necessarily mean expanding the number of available rooms, but rather focusing on diversifying the product and enhancing the overall quality. The Tourist Accommodation Retention SPD aims to do this by allowing

Rep ID	Name	Section	Representation	Officer Response
			<p>when the big coach companies came to Eastbourne offering in their hotels "cut price all-in holidays" (for a few days-- not a week), which included ease of travel, in house entertainment, trips out etc. This is still on going. Of course it is mainly visitor age related, but has had a knock on effect for us, re our age related guests, as it has for the rest of smaller accommodation establishments.</p> <p>Thankfully we do have families, younger people too, who stay.</p>	<p>additional flexibility for tourist accommodation establishments in secondary locations to exit the market and reduce some of the oversupply. The advantage of this is that this will help change the structure of the tourist accommodation stock in order to appeal to a wider range of visitors and respond to market trends.</p> <p>Eastbourne Borough Council is also undertaking a rebranding exercise that will help with aspirations for changing the perception of the destination and attracting more families and younger people to visit.</p>
TAR_SPD/12	Roger Clark	Tourist Accommodation Area – para 4.6 / 4.7	Regarding the "gradual reduction of stock" in the Primary & Secondary areas (Eastbourne's eastern seafront) tourist accommodation buildings should be returned wholly to residential use, with the proviso that a building is not divided into separate flats, or made into an HMO, or let for student accommodation.	<p>It is not possible to insist that tourist accommodation that changes use to residential only does so in the form of a single dwelling and not in the form of flats.</p> <p>However, the current policy does resist changes of use within the Tourist Accommodation Area to uses that are considered to be incompatible with tourist accommodation use. Borough Plan Policy HO14 specifically states that HMOs will not be permitted in the tourist accommodation area.</p>
TAR_SPD/13	Roger Clark	Tourist Accommodation Area – para 4.9	"Gradual reduction of stock" should be returned to wholly residential use, not divided into separate flats, or given to student accommodation, or HMO's	See response to TAR_SPD/12.

Rep ID	Name	Section	Representation	Officer Response
TAR_SPD/14	Natural England	General	Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.	Noted.
TAR_SPD/15	Highways England	General	We have reviewed the consultation document and do not wish to make any comments.	Noted.
TAR_SPD/16	Marie Nagy (Teal Planning on behalf of Sovereign Harbour Limited)	Background and Context	<p>It is appreciated that the SPD deals specifically with the retention of tourist accommodation and how proposals for the loss of accommodation within the proposed primary and secondary tourist accommodation areas will be assessed. The document's Background and Context Sections however has two significant omissions. These should be addressed if future trends in the visitor accommodation sector are to be fully understood and future planning applications appropriately appraised.</p> <p>The significance of the Business / Conferencing Sector, as a demand group for accommodation is not recognised. Trends in this sector (and within the local economy overall) are important for Eastbourne and for its accommodation providers across the town, including outside of the proposed primary and secondary areas set out in the SPD.</p>	<p>The Tourist Accommodation Retention SPD aims to update the interpretation of existing policy relating to the loss of tourist accommodation in light of changes in the tourism market. The SPD is only relevant to existing policy and cannot change this.</p> <p>However, it is accepted that the conferencing sector and associated demand for accommodation is part of the context to the changes in the tourism market, and therefore reference to this will be added into the Background and Context section.</p>
TAR_SPD/	Marie Nagy	Background and	The role of Sovereign Harbour as a visitor	The SPD interprets existing policy relating to

Rep ID	Name	Section	Representation	Officer Response
17	(Teal Planning on behalf of Sovereign Harbour Limited)	Context	<p>destination, with EBC's ambitions to strengthen this, in particular for business based visitors should also be acknowledged. Sovereign Harbour currently has no formal tourist accommodation. The Draft Tourism Accommodation SPD however includes a photograph of Sovereign Harbour on its front cover, thereby acknowledging the neighbourhood's importance as a visitor attraction.</p> <p>Site 1 at the Harbour was previously set aside for a new hotel, the Sovereign Harbour SPD lists hotel accommodation as an appropriate addition to the Harbour, and outline permission has been granted for possible new accommodation on Sites 4 and 7a. EBC's other emerging policy document, the ELLP, as drafted and promoted by EBC, however actively seeks to limit the provision of such accommodation to the remaining smaller sites within the neighbourhood which will limit the format of visitor accommodation that can be provided and in turn limit operator interest and take-up.</p> <p>If visitor accommodation can progress here (on the smaller sites or ultimately the larger available site, Site 7a), this will support both tourist and business based visitors.</p> <p>The SPD must recognise this planning background, the new offers that may come forward at the Harbour and how it will</p>	<p>the retention of tourist accommodation. This policy only applies to the Tourist Accommodation Area and not to Sovereign Harbour. The design of the front cover of the SPD follows a standard template for all of Eastbourne Borough Council's planning policy documents. The picture of Sovereign Harbour is part of this template and not specific to the Tourist Accommodation Retention SPD.</p> <p>The SPD updates the interpretation of existing policy relating to the retention of tourist accommodation; it does not deal with new accommodation. The 'Background & Context' section of the SPD recognises that there is an oversupply of accommodation stock, and a reduction is required to help stimulate investment in better quality accommodation appealing to a broader range of visitors. It is considered that this planning background is sufficient for the purposes of this SPD.</p>

Rep ID	Name	Section	Representation	Officer Response
			<p>contribute to the overall range of tourist accommodation for the town's visitors. This may impact on the Draft SPD's proposed primary and secondary tourist accommodation area but it will support the provision a wider choice for visitors, strengthening the town's as well as the Harbour's offer overall.</p>	

APPENDIX 2

Schedule of Changes to the Draft SPD

Note: Deleted text highlighted by ~~strikethrough~~. New text highlighted in red and underlined.

Ref	Section	Modification
C1	Introduction – Status of Supplementary Planning Document	Amend para 1.6: This draft Tourist Accommodation Retention SPD has been prepared for consultation with the local community and other stakeholders. <u>It was subject to public consultation between 23rd September and 4th November 2016.</u>
C2	Introduction – Status of Supplementary Planning Document	Amend para 1.7: Once adopted, the <u>The</u> Tourist Accommodation Retention SPD will be <u>is</u> a material consideration in the determination of planning applications. It will then supersede <u>has superseded</u> the <i>Assessment of Financial Viability of Tourist Accommodation Supplementary Planning Guidance</i> , which was adopted 2004.
C3	Introduction - Consultation	Delete para 1.9 to para 1.12.
C4	Background and Context – Background	Add new paragraph after para 2.7: <u>In terms of conferencing, Eastbourne hosts an average of between 18 and 20 conferences per annum, attracting an average of between 12,500 and 14,500 delegates per year. However one of the constraints facing the conference market in Eastbourne in terms of attracting more corporate residential conferencing is that the majority of corporates do not book two- or three-star independent hotels, which are prevalent within Eastbourne’s tourist accommodation stock.</u>
C5	Background and Context - Issues	Add new paragraph after para 2.18: <u>A £40m upgrade is being made to the town’s theatre and cultural offer at the Devonshire Park Complex, which will help to attract a new conference market to the</u>

Ref	Section	Modification
		<p><u>town. It is anticipated that rebalancing the tourist accommodation supply will attract investment to deliver the quality of accommodation that would appeal to the conference market, which will complement the Devonshire Park development.</u></p>
C6	Assessment of Viability	<p>Amend para 5.5:</p> <p>It is envisaged that a consultative group could be formed <u>A Tourist Accommodation Consultative Group has been set up</u> to assess the calibre of the application <u>proposals for the loss of tourist accommodation</u> and <u>provide a view on</u> whether or not the criteria have been met. <u>The Tourist Accommodation Consultative Group will consist of Council officers and industry experts, including representation from the Eastbourne Hospitality Associations who will provide a trade perspective on proposals.</u> It will be strongly recommended that any applicant should engage with this group before submission of an application. Any recommendation made by the consultative group will be a material consideration in the determination of the application.</p>
C7	Assessment of Viability	<p>Add new paragraphs after para 5.5:</p> <p><u>It is strongly recommended that any prospective applicant for a proposal involving the loss of tourist accommodation should engage with this group before submission of an application. This can be done by submitting a request for pre-application advice via the Eastbourne Borough Council website (footnote: http://www.eastbourne.gov.uk/businesses/planning-and-building-control/make-planning-application/pre-application-advice/), which will be passed to the Tourist Accommodation Consultative Group for consideration.</u></p> <p><u>There is no obligation for prospective applicants to engage with the Tourist Accommodation Consultative Group; however it is considered that this would be in the interests of the prospective applicant so that they can better understand the way in which an application will be judged against the criteria in the SPD. This will help to ensure that any future application is complete and comprehensive, which will ensure a smoother and quicker passage through the decision making process and avoid early refusal of permission because of inadequate or insufficient information.</u></p>

Ref	Section	Modification
C8	Assessment of Viability	<p>Amend para 5.10:</p> <p>It is considered that an appropriate threshold for 'lifestyle businesses' is 15 <u>letting</u> bedrooms. Establishments that are over 15 <u>letting</u> rooms are less likely to be run as 'lifestyle businesses' and would be expected to operate in a more commercial manner. Therefore such businesses would be expected to have business plans and marketing tools that would not necessarily be available to 'lifestyle businesses'. Therefore the council will apply additional flexibility when examining evidence provided by a "lifestyle business.</p>

APPENDIX 3

Tourist Accommodation Consultative Group – Terms of Reference

Name of group: EASTBOURNE TOURIST ACCOMMODATION
CONSULTATIVE GROUP

Title: TERMS OF REFERENCE (FEBRUARY 2017)

Purpose / role of the group:

1. The purpose of the Eastbourne Tourist Accommodation Consultative Group ("*the Group*") is to evaluate proposals that would result in the loss of partial loss of tourist accommodation against the criteria set out in the Tourist Accommodation Retention Supplementary Planning Document (SPD) (February 2017), in order to improve the standard and quality of applications and ensure that policy requirements have been met before planning application is submitted.
2. The role of the Group, which is independent from the development management function of the Council, is to provide a trade perspective on the factors which might influence the viability of a tourism accommodation and provide appropriate constructive criticism and advice to business owners and their appointed agents that will enhance the quality of the details to be submitted in support of a planning application for loss of tourist accommodation.
3. The aim of the Group is to ensure that sufficient information has been provided for a proposal for the loss of tourist accommodation to satisfy the criteria within the Tourist Accommodation Retention SPD. The Group will provide a recommendation to the Council as to whether the criteria have been met.
4. There will be a collective responsibility of those involved in the group to publicise the group's existence and encourage prospective applicants to engage with the group at the pre-application stage. However there is no obligation for a prospective applicant to use the pre-application advice service.
5. Although the intention is for the Group to be engaged at the pre-application stage, where an applicant submits a planning application without seeking the views of the Group, the Group will still make a recommendation as to whether the criteria set out in the Tourist Accommodation Retention SPD have been complied with.
6. The Group does not have any statutory planning function in its own right, but its guidance will be a material consideration for Eastbourne Borough Council's statutory planning function. For the avoidance of doubt the Council is under no obligation to strictly adhere to the advice of the Group.

Structure of the Group:

7. The Group will be composed of:
 - Two representatives from the Eastbourne Hospitality Association;
 - The Head of Tourism & Enterprise at Eastbourne Borough Council;
 - A member of the Regeneration & Planning Policy team at Eastbourne Borough Council; and
 - A local property agent who is not connected to the proposal.
8. The Planning Case Officer from Eastbourne Borough Council will be invited to Group meetings as an observer and discretionary contributor.
9. The Group will be chaired by a representative from the Eastbourne Hospitality Association. The chair will act as a co-ordinator at all meetings. Recommendations should be made by vote of group members, based on a majority vote, which may include the chair.
10. All activity carried out under the auspices of the Group is to be done with prior agreement from the group members; this should also include declaration of interests of conflict.
11. The administration for the Group will be provided by the Eastbourne Hospitality Association. This will include, but not be limited to: setting up meetings; inviting Group members to meetings; taking minutes of meetings; and circulating minutes for approval.

Working Methods:

12. The Group will carry out its functions through group meetings. These meetings will be held as and when necessary to discuss proposals that are submitted. The meetings are not public meetings.
13. The prospective applicant should submit a pre-application advice request to Eastbourne Borough Council, including evidence to support their proposal.
14. There is no obligation to use the Group at pre-application stage. However, where the view of Group has not been obtained and the required information has not been submitted with the application, this will impact upon the Local Planning Authority's ability to assess the application within the required timeframe, and will run the risk of the Council refusing permission on the basis of inadequate viability information being presented.
15. When a pre-application advice request or a planning application relating to the loss of tourist accommodation is submitted, Eastbourne Borough Council will inform the Eastbourne Hospitality Association about the proposal and request that a Group meeting be arranged.
16. Meetings will be organised by the Eastbourne Hospitality Association. Details and papers relating to the proposal up for discussion should be distributed by the

Eastbourne Hospitality Association to the other group members at least five working days in advance of the meeting.

17. The business owner or an agent acting on their behalf should be invited to the meeting to present their proposal and evidence. The group will discuss the proposal and the evidence submitted, and provide advice to the prospective applicant as to whether evidence submitted is in accordance with policy, or whether additional evidence/actions are required.
18. Following the group meeting, the Eastbourne Hospitality Association will circulate notes of meeting for approval, and subsequently feedback to applicant who can decide whether to submit application. The recommendation of the Group will be a material consideration in any future planning application.

Accountability:

19. The Eastbourne Hospitality Association is responsible for arranging meetings, writing up the notes of the meeting and circulating them to Group members who attended the meeting for revision and refinement. Once approved, the Eastbourne Hospitality Association is responsible for sending the final comments to the prospective applicant and the Local Planning Authority.
20. All Group members are expected to be objective and professional in making comments and will be excluded from discussing proposals where they may be exposed to conflicts of interest. Where a conflict of interest becomes apparent, that member should inform the remaining group members and nominate a substitute to replace them.
21. Group Members will be expected to:
 - Focus on whether or not proposals are consistent with the Tourist Accommodation Retention SPD
 - Act respectfully and politely to presenting property owners/agents and fellow Group members
 - Conduct themselves in accordance with the Nolan Principles for public service¹.
 - Encourage fair interpretation of relevant, up-to-date, legislation, policy and guidance
 - Contribute to a sound, collective, well-informed, professional opinion and avoid making personal or prejudiced comments
 - Respect the confidential nature of the proposals at the pre-application stage.

Sharing of information and resources:

22. The Group will use email as a means of communication, including the sharing of information and resources related to any proposals that are to be discussed by the group.

¹ The 7 principles of public life (<https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>)

23. Through the Group, confidential information relating to a proposal may be disclosed. This information should remain confidential and not be discussed outside of the Group meeting.
24. Information about the proposal and the response and recommendations from the Group will remain confidential at pre-application stage. However, the response and recommendations from the Group will be made public once the proposal is formally registered as a planning application.

Review:

25. The operation of the Group will be subject to a process of on-going review to refine and adjust the process in the light of practical experience, in an effort to ensure its function remains responsive and effective.
26. The Group Terms of Reference will be reviewed annually through the Council's Local Plan Steering Group and the Cabinet Portfolio Holder, in consultation with the Eastbourne Hospitality Association.

APPENDIX 4

Tourist Accommodation Retention Supplementary Planning Document

APPENDIX 5

Assessment of Financial Viability of Tourist Accommodation Supplementary Planning Guidance