**STL Questions**

**Questions from ASSC Webinar**

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| Big workload for Highland Council - many self catering properties. Will the Scottish Government provide funds for additional staff to prevent delays in processing? |
| How was the evidence gathered to come to the conclusion that H&S is a serious concern? |
| As an owner in Edinburgh I have zero trust in the objectivity and transparency of the council. In addition, the number of STL on booking platforms has been seriously reduced due to the drop in tourism since March. Has the scale of the perceived issue changed since Covid? |
| What does the SG see as the downside to an independent body with objectivity such as VS taking the coordinating role for this? |
| my holiday cottage is already under planning legislation to only be used as a holiday cottage - therefore will I need to have new planning? |
| So if family members stays at any time during the year the property does not have to be registered as a Short Term Let?Plus the additional cost if we have to go for planning permission. |
| there has been no funding for those starting self catering this season .. all open and ready for 140 days bookings in March but not booked yet and not on NDR. we lost out everything |
| Is the license 12 months only? what happens if you are seasonalIf you follow everything it should be free if you are not you be fined?what trouble? how is it going to be promoted to the general public? |
| If a business has multiple self catering properties, will one licence be required or will every property require a licence? |
| Cost? Planning application cost? License cost? On top of Covid 19 costs! Impact on viability of operators will be catastrophic! Andrews current responses are, frankly, facile! |
| Is this planning permission only for new business or do we all have to apply and could an application that has been running for some time i.e. more than 10 years be refused. Will it have a cost? Question to Andrew Mott |
| Do local authorities have the capacity to administer effectively the proposed licencing system - if we look at admin of the SBBS, Many Council's capacity to administer effective procedures is extremely limited due to austerity / personnel cuts in recent years |
| I would like to query the timing of regulations . The Edinburgh market has collapsed. many of us have put properties up for sale. The consultation talks of April 2021. I would argue that the number of properties in Edinburgh will dramatically reduce from what it was. The consultation asks for SC to fund the licensing department and costs - how is this possible. rural staycations are definitely up but city breaks have collapsed. |
| There needs to be significantly more information published on their proposal, this shouldn’t even be a topic for discussion given the ongoing challenges with COVID, businesses are going under daily, this needs to be the focus for now, not proposed new scheme |
| How are independent hostels going to be affected by the regulations |
| How do we know if we are in a 'local control area '? |
| Can you comment on the situation in Glasgow where there is already planning regulations in place which specifically do not allow short term holiday letting of a flat in a communal building full stop. |
| What are the costs involved for a. planning, b. licence the rent pressure zones/planning permission are the onerous issue... |
| If all the properties I manage are in a "designated area" I presume that I would have to make 40 Planning Applications as well as 40 Licence Applications. How much will this cost? |
| I wonder why you feel the need to continue with the regulations of the self catering, if the focus is on the pandemic? |
| Looking at Appendix C - how can an remote self caterer operator verify maximum occupancy let alone have it externally verified |
| What happens IF a local authority does not grant a Licence? Not referring to safety etc which is taken as read but for another reason - for example if there was insufficient affordable housing in one particular local authority area vis-a-vis potentially too many self-catering properties and how this would be evaluated across Scotland....  |
| Does the licencing apply to mobile homes, pods etc. If not is there not a danger of these replacing more traditional holiday homes. |
| Will there be a cost to this regulation? If so, WHY!!! |
| What about the planned regulation and even closure of STL businesses? |
| What differentiates between short term lets that look "more like a home?" as opposed to short term lets like caravans or canal boats?! |
| The restriction to inform all neighbours in 20m radius that you are applying for licencing will lead to problems. Why is that needed? |
| The proposal states in paragraph 3.7 that “The top priority for the proposed licensing scheme is to ensure the safety of guests, hosts and neighbours.”. The government consultation from April 2019 and the subsequent research conducted by Indigo House (October 2019) both refer many times to concerns raised about camping pods and similar structures, yet these are explicitly excluded from the proposed licensing scheme and planning control zones. Such temporary structures inevitably pose a much greater risk to guests, hosts and neighbours but will not be subject to the mandatory licence conditions. A similar argument applies to planning compliance, and not just the proposed control zone amendments. Why have such structures been excluded from the definition of STLs? |
| The timing difficulties are A) the inadequate time for the consultation and setting of the regulations in Parliament - which will effect our business forever and B ) the inability for councils to deal with this process when their people are working from home and won’t make visits to property |
| Will planning permission be required retrospectively? |
| Why on earth do Government / Councils think that people who don’t follow the rules now, will sign up for licensing? As already said, why exclude Pods, caravans, yurts, etc unless they are going to be picked up under camp site licensing... |
| Local authority resources for managing self-catering units via the Scottish Assessors system is in disarray and as a result there has been a real breakdown in the Small Business Bonus Scheme. This has led to abuse by second-home owners claiming SBBS relief when they are not entitled to it. What is the government's view of the SBBS scheme, because it is a benefit to legitimate small businesses like self-catering but has been allowed to fall down in term of assessment. Kate Forbes has highlighted this many times and so what is the future for SBBS? |
| We appreciate how difficult all of this is. However, there have been many, many people who have missed out and are suffering financial hardship, and many others who dont need the level of support they have received and yet have been given taxpayers funds. |
| this is not what this meeting is about, can we get to the subject we are here to discuss. |
| Why isn't a pilot run for this scheme for the areas such as Edinburgh with specific problems? |
| "Discretionary"? Should we not keep legislation Objective, rather than Subjective? |
| Cost burden? No grandfather rights on planning so, in Highland, £1500 for the planning application, plus x? for the License? |
| Is there a reason that short let operators can not be treated the same a residential let operators in terms of a landlords licence. The general safety certificates required by residental lets is the same as what most responsible short let operators are working to anyway. The residental licience system already exists for most councils already. |
| The consultation initially resulted in over 90% of ASSC respondents saying they were against this new regulatory regime. In what sense does going ahead with this nationally indicate that you are listening? Antisocial behaviour can be addressed under existing legislation - it just needs to be applied by Police and councils to shutdown irresponsible landlords!!! |
| Some of the listed licencing requirements - curfews / check in for example are just not practicable - people cannot always arrive at a designated time at remote accommodation unit |
| My concern is that the Edinburgh council is so anti SC who will ensure that they are acting in the interests of all parties. PKC I have no issues with but I have found on going to a number of talks that the Edinburgh council have spoken at that their position is very anti SC |
| Andrew Mott says we have nothing to fear, what we fear is extra work, extra cost with no added value |
| If local authorities can regulate, how can we be assured of a fair system across the country |
| If you are an operator which has properties across a number of different local authorities, is Andrew saying you would need to apply for a licence with each local authority? |
| I would suggest that over the course of the next few years, the housing crisis is going to be solved by the adaptation of the HUGE sum of offices that will be released as companies realise that working from home is often the way forward.... |
| If safety is one of the government's main If If safety is one of the government's main concern's why is unconventional accommodation not included? |
| How easy will it be to apply for a licence - how quick and how much will it cost ? Can we keep operating whilst waiting for our application to be processed ? |
| Why not just clear up the planning permission issue with FHL, make a clear process and forget the regulations in the meantime |
| How is declaring that the relevant tax will be paid; that there is mortgage compliance etc, constitute a safety issue? The licencing scheme is clearly about more than safety? |
| The control areas are fundamentally different to long term letting regulation are they not? and local authorities requirements can widely differ? How does that ensure consistency and enable them to pick up 'the people who are unaware or don't care'? |
| IN 2015-2017 only 80% of respondents to the Scottish Assessors in Highland Council region for the revised rates assessment from 2017-2022 actually sent in a form to the Assessors so in Highland's case how will they manage a licensing scheme when at present they cannot visit every property to check it out for an assessment of status or inspection for a licence? |
| We all know Local Authorities are very stretched for cash. Who will resource the extra work the Licensing Scheme will create. It is no good if a member of the public reports an unlicensed let and there is no-one to follow up the complaint. |
| no one has an issue with safety - it is the discretionary powers given to say "No" to an application. If residential, surely same registration details as for buy to let. e) impact on character of neighbourhood (planning) or f) the suitability of the building (planning). |
| Same impact on owner occupier, home sharing, self-caterers. Is that fair and proportionate? |
| Is there a reason that short let operators can not be treated the same a residential let operators in terms of a landlords licience. The general safety certificates required by residential lets is the same as what most responsible short let operators are working to anyway. The residental license system already exists for most councils already. |
| The consultation initially resulted in over 90% of ASSC respondents saying they were against this new regulatory regime. In what sense does going ahead with this nationally indicate that you are listening? Antisocial behaviour can be addressed under existing legislation - it just needs to be applied by Police and councils to shutdown irresponsible landlords!!!  |
| Some of the listed licensing requirements - curfews / check in for example are just not practicable - people cannot always arrive at a designated time at remote accommodation unitsIf there had been a registration scheme in place pre covid, Govt support to Self Caterers would have been easy to administer, there would have been no issues with bank a/c, genuine businesses etc. Leaving informal units - caravans, pods etc out of the equation makes no sense if your concern is health and safetyLocal Authorities do not have the capacity to police the scheme as you outline - are you aware of the number of "deleted" public sector positions in recent years - less people are having to do more and more work |
| My concern is that the Edinburgh council is so anti SC who will ensure that they are acting in the interests of all parties. PKC I have no issues with but I have found on going to a number of talks that the Edinburgh council have spoken at that their position is very anti SCConsultation does not recognise difference between rural and urban lets. e.g. getting resources to provide meet and greet is easy in the city much harder rurally - most people arriving rurally are less accurate with arrival times as driving. host does not always live onsite to a remote cottageIf you have a STL that is a 2nd home you sometimes let - if the council decides a let is not appropriate you just have to leave it vacant when not using it?we dont all offer meet and greet - its not appropriate for all rural. We dont all have faith that if we have property in Edinburgh that we will be allowed to continue to operatethey have given the council the power to say you cant operate |
| What are the perceived costs of registrationObviously it would be better through Visit Scotland rather than 32 authorities |
| Fiona, the reason why the government want to do it to us, is because they want total control, via a means they control (So local councils), not via a trade body over which they have little to no control. Local authorities will just run by the book, they wont view anything differently to another council, so we can be assured this still proposed regulation will hit EVERYONEThe benefit, be it veiled, is the bit not being discussed, extra Taxation.... |
| will the panning permission be retrospective? |
| How easy will it be to apply for a license - how quick and how much will it cost ? Can we keep operating whilst waiting for our application to be processed ? |
| Is this really the right time to be going down this route ??! Please let's get through Covid first ..one thing at a time ! |
| Are you saying that the scheme is 'voluntary' for local authorities ? |
| Are we guaranteed to get a license ? Is this just an exercise in more paperwork ?! |
| re RPZ's what kind of building would NOT be appropriate? |
| Why not just clear up the planning permission issue with FHL, make a clear process and forget the regulations in the meantime, |
| more burocracy and paper -filling. jobs for the civil servants at a cost to us |
| What evidence is there that some short term lets are not properly managed ? I have never come across any crooks in the self catering sector. |
| why cannot the Visit Scotland grading scheme be used in place of the proposed licensing scheme ? |
| It would be more appropriate for Visit Scotland administer a licensing scheme. Give them these powers and allow them to collect the fees and thus have a bigger budget to promote tourism in Scotland. |
| It has been generally recognised that planning permission is automatically granted to an operation which has been running for more than 10 years. Will this continue ? ie does a property which has been operating as a self catering property for more than 10 years almost automatically gain planning approval. |
| Liscencing and planning applications give the local authorities more opportunity to interfere and to raise money . ie another cost for us all to bear and another worry. |
| How is a home swap commercial? It is a swap not a rental. |
| What is the real purpose of these regulations? Control areas are totally draconian and may be wholly unnecessary. Won't be possible to know until impact of licensing is known, will it? |
| Will I get compensation if our flat is in a control area, not allowed to be an STL and I have no additional pension income? |
| How will they measure if these rules have been a success? |
| if this is about anti-social behaviour, target that rather than the sector which encourages tourism? |
| Platforms give enormous feedback on properties and guests decide not to book - we do not need regulation and even potential closure |
| Even if a high standard and totally safe, a control area could close us down, could it not? |
| Why give a council a power to kill its tourist industry if they will never use it? |
| Can a council refuse an application if all criteria are confirmed as being met? If so, it is a registration system by another name. Control areas are the biggest risk |
| Surely the impact of licensing must be seen long before control areas are allowed. Should they not be a very last resort? |
| Are the impacts on cleaners etc. taken into account. Their livelihoods depend on STLs. |

**Questions from 29 September (p1-30)**

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| I have three short term let properties within the Edinburgh Council area. I followed the Edinburgh Council procedure to change the use regarding residential council tax to non-domestic rates which included submitting evidence of confirmed lets and also holiday home insurance. I received confirmation of the change and subsequent non-domestic rates account details for all three properties but have recently received a ‘Planning Contravention Notice’ from Edinburgh Council regarding one of the properties. I wish the question to be asked during the above Webinar:* Are individual councils now proceeding with PCN’s ahead of the talks and outcome of the Scottish Governments Licensing system for short term lets?
* I should add that I also have a property in West Lothian Council area and when enquiring how to change from residential council tax to non-domestic business rates, I was directed to the Planning Department to apply for planning permission for change of use which I have subsequently received consent for in 2018,2019 and 2020.
* In the meantime, I would be grateful if any of the ASSC membership or committee can throw any light on this subject.

Any Comments on the Proposed Licensing Scheme:* Waste management is already controlled under business rates legislation. However, this in itself poses issues, especially in Edinburgh city centre ie; multiple bins required for each individual unit registered under business rates.
* Will revised legislation remove the duplication of requirements between licensing laws and business rates and address measures on multiple bins per unit/waste management/recycling - especially within Edinburgh city?
* Similarly, water supply is regulated under business rates. The proposed licensing policy appears to duplicate requirements.
* Check in/check out and curfews.
* The assumption is that this policy would be implemented to reduce noise. Therefore, will all residents in close proximity to the self catering unit be subject to the same curfew policy in order to reduce noise? Noise is not only or always, attributable to visiting guests.
* Clarity required on the consultation process in relation to the requirement to meet guests on arrival. Without clarity, this step appears to be a direct attempt to disrupt the effective management of the unit with no determined positive result.
* Littering in communal areas - a preconceived assumption that littering has been caused by guests. Proof and a full investigation would be required in each and every case.
* Alarming situation if Council officials have the right to forcibly enter a unit without prior notice. This policy alone may well alter the perception of Scottish hospitality in the eyes of visitors to our country.
* ‘Bottomless bucket’ scenario in relation to the potential for hosts to be charged for visits from Council officials in relation to complaints.
* Disproportionate level of fines.
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| Firstly, bringing regulation to the self catering market is very much welcome. In the absence to date of regulations, as I am both a Council registered HMO licensee for a student flat and private landlord elsewhere, when deciding on how best to protect my short term guests (taking in to account it is not their principle home, it never exceeds the residential capacity in my case of 4 as a 2 bedroom home)To date I’ve applied a blend of HMO and Private Landlord regulationsThe private landlord regulations (Covering all gas and electrical safety)Additional protections of Fire Assessments Specialist insurance Member of ASSC and adherence their extremely comprehensive best practice code (If unfamiliar with, it is very much worth reading)The HMO long term resident license is managed by an agent as it’s technical nature, property adaptations, keeping up to date with annual updates are not something I would be confident of managing myself.* My question is, if the property never exceeds the amount of people it’s residential capacity is suitable for, 1 bedroom 2 people, or two bedroom 4 people and it’s accepted that the average guest stay is for example 3 nights, why are private landlord regulations with additional protection not suitable?
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| * Which communities have either evidenced problems or are you trying to protect?
* I understand that one of the issues is noise in stairways eg high heels on a stairway. Is that not a residential issue rather than a STL issue? Why dies that merit licensing?
* Which local authorities have highlighted issues, or requested licensing for STLs?
* Which MSPs have highlighted issues from constituents regarding STLs? Do they represent an across Scotland problem?
* Do you consider licensing to be a proportionate approach for the whole of Scotland?
* Why do private landlords have a register but STLs merit a licensing scheme akin to an HMO license?
* What is the policy intention of a licensing scheme?
* Has a BIPA been undertaken? If not will one be undertaken before the end of the consultation period?
* This seems like a very short period of consultation. Don’t consultations normally take 12 weeks? Is there a reason for the short consultation?
* What’s the urgency? Why such a short consultation into the proposals? Is this anything to do with needing the Green vote to get the budget through?
* The affordable housing debate has been a ‘vote catcher’ for decades. Is this exercise just to capture votes in advance of the election?
* In areas of Scotland (eg Cairngorm’s), the entire economy is based on tourism. Joiners, game-keepers, etc are an integral part of the supply chain, and are indirectly reliant on tourism. Hotel provision has dropped due to market demand for self-catering. If the self-catering market is squeezed due to this burdensome legislation, and houses are returned to residential housing stock, it will have a direct impact on employment. Those unemployed will not be able to buy these newly available houses. Surely this is not a solution but potentially crippling to local economies, livelihoods and the sustainability of local economies?
* Why is our sector constantly under attack?
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| * What analysis has been undertaken to assess the impact of the Licensing and planning proposals on the viability of small self-catering operators and owner occupiers?
* Has any consideration been given to the loss of self-catering capacity, particularly in areas of high demand, that will most likely result from an imposition of the licensing and planning regulations on owner occupiers in particular?
* Why will the planning proposals not comply with normal practice in respect of grandfather rights?
* The impact of Coronavirus restrictions on self-catering providers is well documented. Many owner occupier providers have not qualified for any of the business grants or self-employment support schemes. Is there any recognition by the Scottish government that the imposition of these Licensing proposals will prove to be the straw that breaks the camel’s back?

Any Comments on the Proposed Licensing Scheme:* Local Authorities will be unable to implement these proposals. They are currently overstretched in terms of enforcing existing regulation of planning, licensing and environmental health provision. The notion that they have sufficient capacity or resource to implement the proposed licensing arrangements is farcical if it wasn’t so serious. The consequence of a charging regime to support an increase in capacity, on an already struggling sector post Coronavirus, is likely to be dire. This is particularly acute for small operators. They will close in significant numbers. Such regulation is a sledgehammer to crack a nut and takes no account of the wide diversity of provision and business in the sector.
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| * The Government accepts that the allowed time for consultation is very short and shorter than it should be due to Covid but is not prepared to extend this yet councils are often citing Covid for delays to many areas they are responsible for at the moment. Why is the government so unwilling to extend the consultation period on a matter which will have wide reaching implication for a sector already struggling badly from the effects of Covid and government imposed restrictions.
* It is widely recognised that all councils have different approaches to planning permissions and the level of support and guidance varies across Scotland. How will the government ensure that, were these regulations to go ahead, all areas of the country will be treated fairly and the same when submitting applications for a license?
* I note the point about councils being able to recover costs, yet another financial burden on an industry in these very difficult times. If this were to go ahead, will the government guarantee that any recoverable costs will be at the same level across all council areas in Scotland and will they also ensure that councils will operate any such scheme at best efficiency therefore keeping costs to the bare minimum required.
* When and how will we be made aware of the intended control areas and how can we, as taxpayers, input into discussions as to why any given areas is perhaps on a target list?
* Can the government honestly confirm that this whole process is a necessary change given everything else going on at the moment or will they be honest and admit it is being pushed through to deal with a perceived problem with Airbnb lets in Scotland’s cities?
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| * The consultation starts from the premise that a property is residential and is then turned into a short term let - this is not always the case. We operate two units in a large site which was originally given planning permission to operate only as tourist accommodation. Less than a year ago permission was given to allow the option for the units to be used for residential use but a number of owners, including ourselves, wish to continue running holiday lets. We are concerned that the proposed regulations could effectively force us to revert to residential use only. My understanding is that if a control area was declared we would be need to apply for planning permission (every 10 years) to continue running our business that have always been tourist accommodation! Is this really the intention of the proposed regulations?

Any Comments on the Proposed Licensing Scheme: * In simple terms the present proposal seems like a sledgehammer to crack a nut.
* We do think that standards in the short term let sector should be high. However it will be the professional operators that comply with the regulations and the others will simply operate under the radar - councils won't have the resources to enforce.
* If there has to be more regulation (rather than enforcement of existing laws) then ASSC has some great proposals - certainly registration is preferable to licensing.
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| * I am a short term holiday let owner, who's revenue last year was £14900 with nearly £8000 of costs.
* I have, this year, had to look into renewing my mortgage for my property and approached 2 experienced brokers. Both told me there was 1 product available.
* This product would increase my monthly payments by 46% but was actually not available to me as one of the applicants must earn £40k a year.
* Seeing as the average salary in Scotland is around £25000 and the nature of earnings in rural areas, how can we expect many many highlanders (of which I am one) to survive when there is little employment so we must strive to build our own businesses.
* The mortgage rule is not workable, unless the executive is adamant that only wealthy second home owners can continue to operate. If lending providers were encouraged to enter the sector then this would open competition and allow some fairness.
* Whilst the executive would never admit to wanting to use us STL operators to help solve their mismanagement of and failures in social housing, they may have to admit that they are happy to see small businesses fail. I cannot see how they could have it any other way.
* Many of the proposed licensing ideas are good and fair, but businesses should be supported and not destroyed just to cover other failings.
* Essentially my question is how can the mortgage sector issues be addressed fairly to ensure operators are given opportunity to preserve their businesses should they wish to?
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| * This is clearly a sledge hammer to crack a nut as the problem is airbnb properties. Usually large country properties or urban, flats etc. I am on Arran, the council may opt in on most optional info/requirements, this information listed is way too much, who will monitor how the councils carry out this legislation.
* The EPC part of the legislation needs to allow bothy style cottages to be open during good weather conditions. March to end of September. Any upgrading to buildings will destroy the charm of many properties. Please address this issue in the legislation. They are so far off party properties for airbnbs when rented out weekly it makes no sense.
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| As owner of a highly-rated holiday let in East Neuk of Fife, a number things concern me about these proposals.* At the heart of these proposals seems to be no desire to enhance renter experience. Regulations around fire safety, electrical safety etc are already there, and I don't see anything
* The proposals talk about ensuring that sufficient contribution is made to the local economy/community. Tax laws are already in place, which owners are already pay in the same way as other businesses have to pay Corporation Tax or for example, tax on Buy To Let rental profits - again nothing new in these proposals. So unless the plan is to tax holiday home owners more than other industries, I'm not sure that these proposals add anything.
* What it seems this does is create an opportunity to levy an unnecessary cost on owners, and remove their tenure/right to operate into the hands of others, with completely unclear criteria how this will be applied. This is critically important- the purchase set up and build-up of clients for a rental property takes some time and considerable costs including stamp duty, legals, furnishing. There is also a forward order book of rentals going ahead a year or more. It is not a business that owners would wind up at short notice without significant loss.
* Owners aren’t setting up new rental properties without some available market to rent to - market forces drive whether renting is a financial success or not. Already this is tight, and unlikely to support many new entrants in East Neuk, should the concern be around the number of them. And of course the nature of Scottish weather means that they rely on a short season to find that venture through the winter, when occupancy falls off dramatically. So there is a real need to separate perceived issues such as over-population of short term lets in cities v. any other perceived issues elsewhere.
* I think there is an important need for balance in these discussions, and the messaging is mixed. For example, while some feel that there may be too many short term lets in certain areas, tourist numbers in the East Neuk are nowhere near the levels of a few decades ago, before cheap package air travel took many staycation tourists away on European package holidays instead. The resulting closure of almost all hotels in the area means that tourists to the area rely heavily for n rental home operators or B&Bs to find accommodation. Reducing the number of them, or enforcing expensive bureaucracy on them will simply damage the sector.
* Worryingly these proposals seem to threaten the existence of owners businesses - I note that even existing businesses have no security of their licence to operate after 10 years under these proposals. So it seems owners would be expected to trundle on until then, and then wait for a possible removal of license. I’m not aware of buy-to-let registration having such a restriction on the absolute number of BTL properties in an area, or any possible remove a BTL registration at a future date from a landlord who operates a well-maintained, legitimate business.
* In fact, what other industry would be threatened with possible future removal of their license when they have are operating legally. What’s next - telling hotels to shut some/all of their rooms because someone has arbitrarily decided there are too many in the area? Closing some factories or shops because someone suddenly concludes there’s enough room in that neighbourhood? It’s disgraceful and draconian, and such a threat undermines an already challenged and under supported tourist industry.
* The level of contribution to local economy is significant, and should not just be measured in the tax burden. In the East Neuk, many local retail outlets only survive because of the summer season. Add to this the many cleaning, laundry and other support businesses in the area - jobs that only exist due to the existence of short term lettings, when hotels closed many years ago. Are we to let the success of the industry and the jobs it supports be subject to unspecified central control that may arbitrarily close down legitimately operating tourist accommodation? The proposals are so loose on this fundamental point.
* Aside from being irrational and unjust, the proposals of course don’t get to the heart of what local meetings and forums have been discussing. In the East Neuk the concern is around EMPTY second homes - contributing to soulless neighbourhood and overpriced housing by taking homes out of the market. Rentals are quite the opposite - filling houses, bringing valuable trade to local cafes and other attractions, and filling the void that the long-since closed hotels used to do. It’s this trade that fills pubs, cafes and restaurants. Perhaps the proposals should address these concerns of locals around empty homes, rather than applying more unnecessary bureaucracy and threat of termination to the beleaguered tourist sector.
* I hope you will be able to represent these views accordingly in the consultation period, encourage the Scottish Government to think more carefully about the plans for this industry, and be more specific about what and how they hope to achieve.
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| We are writing to express our concerns about the proposed licensing controls of short term lets across Scotland. * We built a house on the neighbouring island of Islay to save our children 3 hours of travelling every day and 2 ferry journeys. We then let the accommodation during school holidays to try and recoup costs.
* A one size fits all approach will inevitably be put in place.
* We ask the Scottish Government to consider a more targeted approach to resolve the Airbnb issue in city centres and the problem of second homes in remote areas like ours.
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| * Why is this a blanket policy and requirement for the whole country when it is quite obvious even from reading the consultation document that this is borne out of the issues residents are facing in Edinburgh?
* As this is come about as a result of a few problem areas in Scotland which is fully understandable, why can they not use local authority laws to manage these issues as they have done for camping management in the Loch Lomond and Trossachs National Park for example?
* What evidence is there that this is required on a national level, eg a rowdy shared close in Edinburgh versus a rural property in the middle of nowhere in Perthshire?
* As this appears to be extra red tape and extra taxes for one of the worst hit sectors during COVID, what steps are being taken to find areas where taxes and red tape can be reduced?
* Scotland has the largest percentage of tax payer funded jobs in the UK. How can this be reduced in our sector with the introduction of these proposed new jobs as there is only an infinite amount of money that the private sector can be asked to continually stump up especially as we are probably all resigned to the fact, that even though we have been the hardest hit by COVID, tax will inevitably increase and Scotland will no doubt remain the highest taxed part of the UK.
* What consideration has been put into property management for rural properties which in some cases are spread geographically over potentially hundreds of miles? How does a meet and greet work with guests arriving at all hours after their plane has been delayed? Our business would require someone to stand at every house for 2-3 hours minimum to welcome them. This is not feasible in any way and would directly result in the shutting of a substantial holiday letting business which employs many people in a rural economy.
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| * As a member of ASSC and a supporter of all their efforts in respect of matters relating to short term lets, I read with growing concern the government’s consultation document relating to licensing of short term lets.
* Clearly there is a perceived problem in certain areas, but if this scheme proceeds as envisaged, the solution will have widespread and serious consequences for any already struggling industry. Assuming that the government accepts that the short term lets industry contributes substantial to Scottish Tourism, then I cannot see why it wants to employ such a blunt instrument approach to what is, in effect, a relatively localised problem, which is capable of resolution in less radical ways.
* The proposed system as set out has many areas of concern to me. It relies on already overstretched local authorities, it has the potential to allow for micro-management (please carpet wooden floors; door closing mechanisms), will inevitably have cost implications, and exacerbate poor neighbour relations. Most ‘hosts’ are already operating best practices, as can be seen from the response of ASSC and the majority of their members to the pandemic. Penalising us, particularly at a time when our industry is reeling from the effect of Covid-19 is not only insensitive, it’s downright draconian.
* Interestingly, Annex A to the consultation document, entitled Design Principles, just about identifies all my concerns, and highlights the problems this scheme is likely to bring. There are alternatives. I urge the Scottish Government to work with ASSC to find them, and avoid doing irreparable harm to our industry.
 |
| * As a long term holiday let owner for the past 17 I strongly object to bring classed as ‘a short term let’
* I strongly disagree with the government’s decision to penalise the really holiday letting business.
* We as owners have all the regulations in place to run such businesses.
* Spare room owners on the other hand should be felt with on their own merit.
 |
| Thank you for the opportunity to comment on the short term let consultation.* I am a farmer who has seven properties in Caithness, all originally housing farm staff, one large farmhouse with five bedrooms and three two bedroom cottages for holiday let. I also have three cottages on tenancies. Up until three years ago, all were on tenancies but there simply was not the demand for them this far north. The NC500 has made these properties more viable and heating costs can be covered, it also keeps two cleaners in work.
* We had houses lying empty for up to two years, unlettable due to the high heating costs for tenants (old stone buildings are expensive to heat despite external insulation, double glazing etc etc). Of the three currently let out on tenancies, one had lain empty for over a year and I recently had to take the rent down from £400/month to £200/month for four months to avoid the house being empty again. Last year I transferred one rental cottage to self-catering after the tenant who had become an alcoholic had urinated on all the plasterboard walls! I had to spend over £50000 to take the property back to a condition fit for occupation. At least on self-catering, I am in control of the property again. Until the regulations for letting in terms of tenants being forced to respect my property, swing back in favour of the landlord, I will not consider letting more property on long term agreements.
* There are of course the odd problems with holiday lets as well, but they only tend to be there for a week and you have full control.
* This year, with the covid pandemic, self-catering has become the holiday of choice for many families, bringing youngsters here opens up many new opportunities for new business start-ups to a new market of guests staying a bit longer in an area. Locally we have a new surf school, a great, healthy, family activity which is a great example of a new type of business being established on the back of families and groups of friends.
 |
| * Is a Business Regulatory Impact Assessment going to be undertaken?
* The 2020-21 Programme for Government said that plans for the Transient Visitor Levy were put on hold due to Covid-19, and that “future consideration of the levy will take account of the changed context the industry is operating in”. Why is this not the case for STL regulation?
* Why is there no reference to the impact of Covid-19 on the Scottish tourism sector?
* Why is the short-term let consultation only live for 4 weeks, rather than the standard 12 weeks, during a time when we are facing further restrictions? Does that give businesses time to engage with the consultation?
* Has you considered piloting the scheme?
 |
| * Is there going to be a minimum number of weeks that oblige you to become part of this proposed scheme? I have a home that I rent out for a few weeks each year, to help cover the running cost, it is not a real commercial property it is my Scottish home.
* There are hundreds of thousands of properties in Scotland, as you know, where the Owners are just trying to make a small amount to help cover costs. For example I am a Pensioner.
* It appears for myself and many others it will probably be cheaper not to join this scheme and not to offer accommodation. This Policy will probably hugely benefit Hotels which are very expensive in the Highlands.
* I think this proposal of the Gov. will stop many people in Scotland from offering high quality accommodation.
 |
| * Please make the Scottish Government aware that the plans to over-regulate re-tax and limit all self catering properties purely because of a historical issue in Edinburgh only are potentially disastrous. I know sixteen self-caterers who say they might well just leave the sector and shut down entirely if this goes through.
 |
| * The Scottish govt existing licencing for long term lets is well intentioned but is a somewhat heavy handed and highly bureaucratic box ticking exercise - eg frequency of electrical appliance testing - and in my opinion designating a 3 person household as an HMO is also overly restrictive and may lead to underutilisation of resources.
* I hope there will be a lighter touch for holiday lets but suggest that tax on rentals be applied at source (ie from booking website) and paid immediately to HMRC to try to ensure a level playing field between self catering and hotels.
 |
| * Is the aim of the government to regulate businesses out of business?

Any Comments on the Proposed Licensing Scheme:* Increased costs are added to end user charges.
* Therefore an onerous licensing scheme deters investment, do the government want only large operators of buses, hotels etc in tourism?
* Surely the manager or managers would be better to be authorised, officially, to carry out licensed activities? , if onerous regulations apply, this will simply kill off decent entrepreneurs, investors and small companies willing to look after.
 |
| * Will the fact that the house is let as self catering simply to generate income for repairs and upgrades. No member of the family receive and remuneration. I am paid to manage and repair the house.
* Currently all funds and all costs come in and out of one account preserved for the maintenance of the house and is not for profit

Any Comments on the Proposed Licensing Scheme:* Stirling’s planning group are hopeless and will never understand the complexity of this issue.
 |
| * What be the financial costs involved to license and regulate a two bedroom holiday cottage for maximum four guests?
* Together with present increasing costs of insurance, letting agent fees, cleaning, utility bills and many other expenses, this could result in closure of my holiday cottage.
* My business is only just viable at this present time with the loss of bookings and new rules of no more than one household to stay in a property due to the COVID crisis. All of these factors are causing much unrest and anxiety.
* I am definitely NOT in favour of SCUs being financially affected t and policed by way of the proposed regulations.
 |
| * How is a neighbour defined? Is it by dwelling / proximity or distance?
* In brief how will it be differentiated?
* Will a flat within a complex be subject to the same rulings as an Exclusive use country house venue? As indeed we are currently experiencing during the COVID ruling?
* This should not be a one size fits all solution and criteria should be given to size/ and geographic location.
* For example The current situation in Edinburgh does not apply to rural Ayrshire, locally there are also serious economic implications in terms of employment and tourist revenue , should this not be properly assessed , as when comparing cities and rural this is a totally different scenario .
* Following the losses of revenue with COVID this could have very serious far reaching implications on our survival.
* I feel that most people will object to Airbnb premises operating in their neighbourhood ….it’s actually an easy option to do so, so I feel there needs to be a great deal of clarity around the rules and regs, it’s not one size fits all, ie if you live in the property or onsite, then I feel the rules should be different to city centre ‘ party apartments /houses‘
* Also, I am interested as to Who is going to Police this and how? It would be awful if it became a case for shop thy neighbour.
 |
| * I am unhappy that more regulation is being introduced into an already struggling sector....more expense and regulation is not the way forward
* I have only fairly recently joined the ASSC, I have had my cottage for 8 years and it was only following covid situation that I realised how important ASSC was, representing the whole sector be it owners with lots of properties to myself having only one cottage and a one bedroom at that, I find the fees quite difficult to manage ( paying the same as someone with a much bigger set up), why I am mentioning this is that here we are being faced with yet more regulation along with yet more fees which I believe would tip the balance for some which is a real shame.
* I use Sykes booking agents for a lot of my bookings but try to get as many bookings as I can myself, unfortunately as yet can’t go it totally alone without the agents.
 |
| * Have the government given any indication as to how they will decide who qualifies for a license and who doesn’t?
 |
| * I view the SG’s proposals as a clumsy one-size-fits-all attempt to address issues most specifically affecting Edinburgh. While not in the least dismissive of difficulties experienced by Edinburgh residents as a result of some short term letting, attempting to apply the proposed restrictions (which would be the most severe in the global industry) across the entire Scottish sector, would be wholly inappropriate. The unfortunately negative outcome would be the closure of many small businesses, which nevertheless make substantial contributions to their often fragile rural economies. Ironically, the proposed measures do nothing to alleviate some of the problems identified by the SG, for example, affordable housing. In short, the whole proposal seems yet another example of this government’s grandstanding, as in their preposterous, failed ‘Named Person’ attempt.
 |
| * + - How much of what is proposed is merely restating what already exists? eg

Requirements to have proper insurance, safe buildings etc. Anti-social behaviour in Airbuses&b is breach of law so owners could already be charged for allowing antisocial behaviour in their properties. Payment included in tax returns.* + - Aware that part of the problem is the 'Edinburgh effect’ and was personally appalled to be told of friends' family members working in Jersey who’ve bought a flat in Edinburgh to ‘do air band b'.
		- In Orkney most people who advertise airbandb also advertise on the self-catering site so there’s already the legislation in place regarding their regulation.
		- Two things that have recently been added to costs are water and refuse collection but I interpreted this as poor legislation when small businesses were granted rates exception.
		- Water meters were installed in this county when private companies analysed self-catering adverts and identified ‘gap sites’
		- Refuse collection charges when council audited costs. In my own case I’ve very little refuse from self caterers. Have a compost bin for fruit and veg and most guests eat out so little food waste- clean tins, plastic bottles, newspapers and wine bottles gathered and conveyed to the council business disposal site every month or two depending when green bag is full.
		- Both water and refuse charges should have been notified when rates exemption granted and been part of the legislation granting exemptions.
		- Poor legislation, made in haste always creates a problem.
		- Something I’d thought about when I first heard about the plans to licence properties. Probably not the only one who had these thoughts but the confusion of B&B and Airb&b. Aware of the origin Airbandb but it could be argued that people who are really running self-catering properties as AirBand B are advertising under false pretences since it claims to be a shared homes.
		- These are not home shares and the properties are business premises. I’ve never been interested in advertising on AirBandB. Have enough bookings and no desire to pay their commission. However well aware of people whose first thought for booking is to check Airbandb.
		- The idea of booking in and departure time is ridiculous. We have boats arriving very late evening/ even early morning i.e. midnight onwards if weather is bad. There’ll be similar situations on the mainland with people arriving by plane or train. This is arranged between owners and guests. Some people make special provision with key boxes. Rent will cover arrival times. I’ve people who pay the whole day for arrival at 11.30pm. |f they arrive on the early plane (7am in Orkney) it’s up to them to occupy themselves till 4pm though the amount of goodwill, and time released for landlady, earned by allowing them earlier entry if the property has been vacated is worthwhile Exit curfews the same you need to be on the pier by 5.30 am for first boat out and there’ll be similar timetabling for planes, trains and cars on the mainland depending where guests want to be later in the day. This the type of thing that can be badly organised and create awful legislation when the people drawing up legislation have no experience of the practicalities of running the organisations.
 |
| * At the moment there are various requirements/costs for holiday letting to ensure the safety of guests. Particularly when the property is let as a whole. i.e. safety checks, for gas, electricity, fire alarms. insurance etc etc.
* I understand the need for some clarification that property is safe so why then isn't there the same requirements when someone decides to offer a holiday let in their own home with shared bathroom and kitchen facilities with the householder sometimes staying in the property at the same time. (eg AirBNB)
* As a someone who tries to make sure the property is clean and safe for guests. We are now be classed alongside (as above) taking in guests just for a bit of extra cash but without any of the responsibilities. Looks like we are going to have to pay for it.
* Why not just clamp down on that sort of holiday let and leave the rest to carry on doing their best.
 |
| * Holiday accommodation such as our Chalets cannot by law be occupied all year round. Why then should they be required to meet the same regulations as a long term let or indeed a residential home? We operate within the law and have no problem with council or government enforcing existing legislation to ensure we are safe and legal but these proposals could make our business untenable.
* Has the Scottish government conducted a full Business and Regulatory Impact Assessment and what consideration has been given to the Islands? The impact on restrictive legislation on island communities could impact tourism further at a time when Covid has decimated fragile economies.

Any Comments on the Proposed Licensing Scheme:* The variety of short term lets available across Scotland is of huge benefit to visitors. This proposed legislation could damage the tourism industry by reducing choice and restricting accommodation options.
 |

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| --- |
| * Host checks: an applicant must be a “fit and proper person” to be licensed as a host (i.e. relevant criminal convictions, being disqualified as a private landlord, having had an STL or HMO license revoked etc). Will having a license as a Landlord for PRT satisfy the above requirement?

Any Comments on the Proposed Licensing Scheme: I suspect that there are a few rogue landlords, but will this Scheme sort the problem? |
| * + Is there a maximum registration fee going to be set by Scot gov, or will councils be able to charge as much as they deem necessary to cover costs for this administrative nightmare?
 |
| * Can you confirm that short term holiday lets will be exempt from having to pass EPC standards?
* If not, how can a 150 year old stone built property be expected to pass without a complete rebuild? It is just this kind of holiday let that tourists from all over the world dream of staying in when visiting Scotland.
* Throughout the Scot Gov document regarding short term letting (STL) licensing, reference is made to problems associated with STL in flats in urban environments. None of these problems pertain to my letting business with individual houses in a highland village; so why are we all being treated the same? Why are we trying to fix a problem with my business that doesn't exist?
* Having just completed a 4 year renovation / conversion project, I can tell you from experience the planning system is broken and not fit for purpose. Local authorities claim they simply do not have enough staff, therefore to implement this new planning requirement the total cost and them some will need to be met by the cost of the application process ie. hiring, training, accommodating a new work force. Can you give an indication of how much this will cost per property? Why should I have to pay this extra 'tax' when my properties have all been built/ renovated within the last 19 years with all the associated 'planning' and 'building standards' costs already paid out?
* I have recent planning consent and completion certificates for all 5 of my letting properties, why should I have to pay for and go through the whole process again?

If I replace a fossil fueled car with an electric car the government rewards me financially, If I replace my property's fossil fuelled heating system with an electric heating system the EPC rating system punishes me, go figure! Why is the EPC part of the proposed system when clearly it's not fit for purpose? |
| * What economic assessment has been made of these regulations?
* What is your assessment of a ‘proportionate’ response?
* What conversations have you had with the economists or tourism department prior to this publication?
* Why is there no mention of COVID-19 guidelines or the impact that’s faced the tourism industry since?
* Why is the Scottish Government encouraging in person check-ins during a global pandemic?
* Do you think it’s proportionate to ask hosts to replace wooden flooring with vinyl in order to operate for one night?
* What if an application fee is £500, nonrefundable for a spare room host? Is that a proportionate?
* Why do hosts have to submit a floor plan? Is that proportionate?
* What does ‘robust and fair’ mean for pricing? There are no guidelines included.
* How long will it take to get a license?
* How long will it take to get planning permission, then a license?
* Have you made an assessment of the European Commission’s recommendations that permit systems need to be immediate?
* What assessment have you made on how the Scottish system compares with other European approaches to STR?
* What assessment has the Scottish Government made of GDPR requirements and how these will interact with a public register?
* Why is the license cost determined on the number of rooms rather than the amount of money you will make?
* Will the two licenses be subject to different requirements? If not, why not?
* Why are we regulating for safety and not housing issues?
* You describe secondary letting as ‘short-term lets of whole properties’ but then later talk about ‘home letting’ what is the difference?
* How will Control Areas be defined? You state there will need to be ‘some form of consultation process’ - what will that look like?
* How will Ministers grant the control areas?
* It sounds like every local authority and every license will be different. How does this constitute a ‘straightforward’ process that’s easy to communicate?
* Will hosts be able to operate whilst their license application is being processed, such as local authorities would do for planning permission?
* Has the Scottish Government spoken to local authorities about implementing this system?
* Why will you revoke permitted development rights but then grant temporary licenses?
* Why should a check-in curfew be imposed in a licensing criteria? Who is to say that it’s a guest making that noise and not someone else in the building?
* Why do hosts have to submit information about how long they’ve hosted if nightly limits are a prohibitive licensing requirement?
* “Local authorities would be permitted to issue licenses with specified shorter periods of letting for home sharing and home letting in conjunction with offering a discounted fee” - does this mean that some licenses may only be granted for a certain number of days? Or are you talking about temporary licenses?
* How will hosts notify neighbours? Will neighbours have recourse action?

What are the timeframes for the first, second and third period? The Scottish Government has said there cannot be more than two years between the ‘first, second and third period’ but what’s the minimum timeframe? |
| * What will people do whose income is from Self-Catering in an area that will not be considered to now be in a control area? Will they have to sell their business and try to buy a property in the control area?
* If they can't get a new property in the control area allocation - what should they then do for income?
* Below in Italics – is an extract from the Gov document. The same complaints could be made against Landlords with long term lets or in fact even owner lived in properties. In that case should put licenses in place for long lets and house ownership too?

Potential issues *6.107. Some of the main concerns which residents and communities have raised in relation to short-term lets, through the 2019 consultation and research and elsewhere, include:* *overcrowding;**noise and nuisance, including drunkenness, smoking and drug-taking;**litter or other mess in communal areas;**failure to maintain the accommodation property in a good state of repair;**failure to maintain, or contribute to the cost of, communal area repairs and increased wear and tear; damage to property (e.g. from key boxes affixed to walls); and**unlawful activity (e.g. using the property as a brothel). unlawful activity (e.g. using the property as a brothel).* * Is the Scottish Government happy to reduce the number of beds available in Scotland during the tourism season? Will this not push the prices up and make Scotland a less favourable place to visit, considering the world is very small and tourism runs in a very competitive market?
* Is the Scottish Tourist economy and the Scottish Economy in general, currently so stable and buoyant that introducing a determent to businesses operating in accommodation and reduction of incomes - is a very good idea?
* Is it a good idea to add in extra licenses, rules, costs at a time when Scotland is ready to go into recession?
* Will the licenses money go towards a good cause/help/bolster communities they are meant to help or will it be a self-eating animal that eats up all the license income in bureaucracy and jobs for gov?
* Is it a good long term strategic idea for Scottish Tourism - to reduce the number of beds available to tourists in Scotland?
* Have you looked at where other countries have introduced this type of thing during a recession and pandemic - and it has assisted communities, the economy and tourism?
* Are there success stories elsewhere that you are trying to emulate that introduced this at a time when the country went into recession and had a pandemic hanging over it for ???? number of years?
* Do you think it would be more responsible to put these proposals on the back burner – till a time when there were less pressing issues unlike the current joblessness, pandemic, pressure on the NHS, recession, battered and bruised tourism industry and general global uncertainty … just in case you end up causing unnecessary harm, economic ruin and suicides for people who now have no other means of income?

Any Comments on the Proposed Licensing Scheme: * Now is not the time to even think of doing this. It goes against every rational decision possible.
* The whole subject is so hypocritical … since the biggest opponents use self-catering accommodation when they go visit other areas and countries, but they don’t want them in their own areas.
* Reducing the number of self-catering accommodation outlets will also put the price up and make it now out of bounds for families with children to be able to afford a holiday somewhere, without paying daily hotel or Guest House rate.
* The Gov needs to look at why worldwide the demand for self-catering has risen. Surely the reasons are many. However the point is – the market has grown due to demand. Why would you now be culling the products (self-catering establishments) that are growing to meet a growing demand?

Especially in a pandemic – where tourists feel safer by being less exposed to covid in a house/apartment that only they are using vs a hotel/guest house that is being used by many people? |
| * Is Fort William Likely to be in a controlled area?
* We currently have 2 holiday let apartments. I am seriously considering selling them both & adding a SCU to my own house instead. Mainly so I’m not forking out on overheads when they’re unoccupied (due to rule of 2 households not applying) If I do this, I will be relinquishing my host status for a time which could coincide with the license application for my new SCU. Is my history as a host likely to be considered or not at all?
* Any idea when Highland Council will be up & running for license applications?
* Can this process be delayed a bit as a lot of us have taken a huge hit with 2 households not being allowed?
* If we do build a SCU into our house, it’s a costly exercise. I will make absolutely sure we do everything to the letter, therefore if we tick all the boxes, are we likely to get the license?

Is there a limit on the number of licenses per geographical area?  |
| * My question is about Airbnb. I want to know how will this be regulated as the way I understand Airbnb, is that anyone can advertise their rooms but don’t have to be registered anywhere in any way. How will councils know who is offering Airbnb?
* For me as a holiday let owner, I have to meet strict requirements regarding standards. Who checks Airbnb?
 |
| We are in favour of a licensing scheme but:* There is a vast difference between small self catering units on outer islands with a short summer letting season and city properties or self catering units within relatively easy access that can realistically have lettings all year round.

Any licensing scheme charges need to reflect that difference or the former will be seriously disadvantaged  |
| I have a few questions, my background Wee barn letting, have a cottage on a rural village (Tayvallich, near Lochgilphead Argyll), I have been letting it for 30 years without a problem and have a large number of repeat customers some going back since I started, so must be doing something right.I have been responding to Scottish Govt consultations for almost 20 years in a professional and as an interested party* Reading the consultation, it is the first time in a consultation where I can see any significant benefit to either the property owner or the customer, certainly adding more cost and waste than adding value to the stakeholders. It looks as if it could deter responsible stakeholders carrying on particularly if they have sole or minimum number of properties - Can Fergus Ewing explain what the benefits of this licensing will be to both parties.
* From my perspective, it looks as if this clumsy legislation is there to smash a nut with a proverbial large hammer, it looks to me that it has been driven by the Air B and B in Cities ie Edinburgh. Why has the consultation not given consideration to the difference that exists between City/Urban and Rural/ Remote, the issues are quite different, particularly relating to communal entrances, disturbing neighbours etc.
* The consultation is highlighting the need for owners to highlight various H & S certificates that is taken as an order qualifier. It does however recommend a EPC certificate, again where is the benefit to the visitor, the majority of cottages supply heat and power as part of the rent and the consultation makes no this makes no differential between urban dwellings that may be new build, where as many of the rural and remote cottages can be hundreds of years old and the cost of bring the insulation up to standard is very expensive because of solid walls, with payback over 20 years. Will the Scottish Govt fund the insulation and upgrades to improve the EPC score?
* The legislation asks for the visitor to be met by the owner to explain excess noise and living with neighbours:
* Firstly under Covid 19 we have all fitted key safes in line with S Govt recommendations to avoid contact with guests arriving

Secondly: This is not practical for a rural or remote cottage, it would mean waiting for the guests to arrive to meet them, this could mean an owner or caretaker travelling to the location and hanging about for hours on end. Will add to the costs without added value and can be covered in terms and conditions |
| While I understand that short term lets can cause considerable issues in, for instance, blocks of flats in Edinburgh city centre, I don't see how these issues apply to more isolated, rural properties. How does the Government intend to ensure that the legislation is able to differentiate between different rental property types and not just be a "one size fits all" that might penalise property owners whose rentals don't cause issues for neighbours and the wider community?  |
| The things that would really hurt our Holiday Let would be:* Costs of licensing and any "extras" like inspections. These would need to be quantified and fixed so we can plan ahead;
* Requirement to meet guests on arrival. We operate a lockbox system which has worked absolutely fine with no hassle for our neighbours. The lockbox is on our (private) front door frame inside our garden and not in the street. Having to pay someone to meet guests would be a major cost for us and not viable;
* Neighbours vetos. We have a few anti-airbnb neighbours, who have been campaigning for a while, so having to deal with objections is a likely possibly, even though most of our other neighbours have given us positive feedback over the years;
* Given the uncertainty (also relating to Covid) we are considering moving to long term rental for a couple of years, and I'm sure we won't be the only ones, and I'm sure this is the result Scot Gov (and Greens) are looking for. My opinion is that these regulations will disproportionally affect small (single Airbnb) hosts who just won't have the resources to jump through all the hoops. Larger BnBs will be fine and probably already have the reception and admin resources in place. I guess in a few years things will balance out, and the situation will become clearer for small hosts.
* In any case, we will join the webinar tomorrow but realistically will probably switch to long term rental for a couple of years.
 |
| In amongst all the other arguments against the Scot Gov Short Term Letting proposals, please don't lose sight of this:This legislation will drive a coach and horses through the notion of "my home is my castle".In Scotland we abolished Feudal landholding some years ago, so, no longer would a homeowner have to go cap-in-hand to the local laird for permission to do something in their own home.  By extending their remit to include anyone taking paying guests into their own home, this legislation simply replaces the laird with the council.  If Granny decides to take in occasional paying guests to eke out her pension (and stave off loneliness), she would now have to apply for a licence.  She would have to be "a fit and proper person" according to some bureaucrat; she would have to fork out for energy certificate, gas certificate, fire certificate, legionnaires certificate, etc, etc, before she could have any chance of making any money.  That much red tape, and you give up before you start.This is abhorrent.What is equally abhorrent is that this consultation period is merely 3 weeks long!!!  I do not currently take in guests, so I only found out about the proposals from a friend (an actual granny) who did home-stay AirBnB last summer.This legislation (intended as a Statutory Instrument, so it doesn't need Parliamentary approval, merely committee nod-through) fundamentally changes the private homeowner's rights to how they use their property and it has not been communicated to the general public.  It not only affects those who currently take in guests and those who are considering taking in guests, but any homeowner, now and in the future, who lets someone stay in their home temporarily for money where the guest has a permanent home elsewhere.  The new work colleague you put up for a few weeks whilst they find a new home for the family; the mate who you have staying on the couch for a month or two because there's ructions at home; the friend whose house has been damaged and needs a place to stay whilst it's repaired (the insurance company paying you, rather than a hotel).  Published in 1922, Huntingtower, by John Buchan, tells the story of Dickson McCunn who discovers adventure during a walking holiday in South-West Scotland.  Finding the local Inn closed to visitors, he tries to find accommodation in the village and knocks on a random door:*'Good afternoon, mistress,' he said, broadening his voice to something more rustical than his normal Glasgow Speech.  'Me and my friend are paying our first visit here, and we're terrible taken up with the place.  We would like to bide the night, but the inn is no' taking folk.  Is there a chance, think you, of a bed here?'**'I'll no tell ye a lee,' said the woman.  'There's twae guid beds in the loft.  But I dinna tak' lodges and I dinna want to be bothered wi' ye.'**'But, mistress, we've taken a tremendous fancy to this bit.  Can you no' manage to put with us for the one night?'**She examined the Poet's neat clothes, and Mr McCunn's homely garments, and apparently found them reassuring.  'Come in,' she said shortly.  'I see ye're wilfu'folk and I'll hae to dae my best for ye.'*From this exchange on page 46 of my 1961 copy, the story runs on for another 180 pages in which Dickson, with the help of the Gorbals Diehards, rescue the stricken damsel, reunite her with her childhood sweetheart and defeat the baddies.Imagine the same text in 2022 if this legislation is approved:*'Good afternoon, mistress,' he said, broadening his voice to something more rustical than his normal Glasgow Speech.  'Me and my friend are paying our first visit here, and we're terrible taken up with the place.  We would like to bide the night, but the inn is no' taking folk.  Is there a chance, think you, of a bed here?''I'll no tell ye a lee,' said the woman.  'There's twae guid beds in the loft.  But I dinna tak' lodges and I dinna want to be bothered wi' ye.''But, mistress, we've taken a tremendous fancy to this bit.  Can you no' manage to put with us for the one night?'She examined the Poet's neat clothes, and Mr McCunn's homely garments, and apparently found them reassuring. 'Alright, I'll let you stay, but first I have to apply to the council for a licence, for which I'll need to fit a new boiler and double glazing to bring my home up to standard, have the water checked for legionnaires disease and have the council check my criminal record.  Come back in 3 months.''Sod that for a game of soldiers mistress,' said a disgruntled Dickson, and he turned and left, heading for the train station and home to Glasgow.  THE END.*A few years ago, changes in fire certificate legislation resulted in even the smallest B&B being treated the same as a large hotel.  The changes that were then required by private homeowners to comply with the new regulations meant that many operators simply shut up shop.  The dead-hand of regulation killed the mid-range B&B and guesthouse market in Scotland.  This proposed legislation, initially intended to counter the issue of anti-social party flats in cities, will do the same thing. |
| In my opinion this whole registration thing is a complete waste of time and money. It seems the whole nation has to be inflicted with this when all it serves to do is to further curtail one of the few success stories. That is AIR BNB. From what i read the problem was created by the popularity of Edinburgh. Not the whole country.Has the government not got enough to do without this?  |
| I run 2 holiday lets on Arran and wanted to log my horror that these proposals are being put into place at a time when the industry is reeling as a result of COVID and, maybe even more importantly (and certainly in my case), at a time when we simply don't have the time to properly log our objections because we are snowed under with ever-changing COVID regulations, insurance claims, cancellations and questions from guests and, of course, a massively increased cleaning regime triggered by the virus.It feels as if the Scottish government are trying to sneak this through on the fly while we are all too busy to object. I am disgusted and simply don't understand why the government would shoot themselves in the foot by handicapping a vastly important industry for Scotland by imposing the most regressive short term lets regulations seen throughout the world! |
| * Does the Scottish Government really think it is still appropriate in the context of the Covid-19 effective shut-down of the short term letting industry to push ahead with the legislation for the licensing of short term lets on the current accelerated timetable which provides only a short time for the consultation process ? Why not just wait a year and allow a proper process which gets the best possible outcome?

There are some positive features which will assist in upholding good standards but there is one crucial aspect of the current proposals regarding both the planning and licensing which appears almost designed to destroy the industry. This feature is that there is no automatic renewal process, you can do everything properly and not broken the terms of your licence but you could be driven out of business because the local authority - through no fault of yours but perhaps because of some policy change - decides not to renew your planning permission or licence and therefore shuts you down. This is a recipe for capital flight from the sector, reduced availability of places for tourists to stay, lack of investment in facilities and declining quality. If the Scottish Government wants the sector to thrive, a host who runs their business well and in accordance with their licence should know that their planning permission and licence will definitely be renewed.  |
| It is a noted feature of planning in Perth & Kinross for rural areas (and other planning authorities – I believe), that nearly the only development that is permitted in rural areas, is for the building of short term holiday lets. It will make future dev’t of rural communities even less easy if we have to get a permit (from (central) gov’t?), on top of the miseries of getting planning permission. You will know that P & K, (and other councils) have a policy that all development in the countryside is to be resisted. |
| As an ASSC member my comments are that in my experience of nearly 40 years in holiday Letting on Arran this proposed legislation is utter nonsense and is a serious waste of expensive and valuable time of our Parliament. The ASSC should request that the whole matter be dropped.If there is a problem in Edinburgh then let it be sorted in Edinburgh and let the rest of us get on with serving the tourists without further ado. |
| The proposal states in paragraph 3.7 that “The top priority for the proposed licensing scheme is to ensure the safety of guests, hosts and neighbours.” The government consultation from April 2019 and the subsequent research conducted by Indigo House (October 2019) both refer many times to concerns raised about camping pods and similar structures, yet these are explicitly excluded from the proposed licensing scheme and planning control zones. Such temporary structures inevitably pose a much greater risk to guests, hosts and neighbours but will not be subject to the mandatory licence conditions. A similar argument applies to planning compliance, and not just the proposed control zone amendments. Why have such structures been excluded from the definition of STLs?The proposal gives the impression that the licensing and planning interventions will be paper-based, and excessively bureaucratic. As well as introducing unnecessary costs (which will be borne exclusively by hosts), delays and inefficiencies, this indicates a lack of forward thinking or consideration of the benefits of using modern, digital technologies. There is an opportunity to construct an easy-to-use, digitally-based licensing system to match the technological developments offered by online letting platforms. Doing so would unequivocally ensure greater compliance with the Design Principles listed in Annex A. It could be used by all stakeholders to manage and interrogate declarations, view mandatory licence conditions and other relevant documentation, reduce administrative burdens and underpin consistency of the fundamental principles of the proposal. Will a digital system be used, and will it be consistently applied across Scottish regions?The proposal presents the possibility of licensees being required to provide detailed operational data with the stated intention of building greater understanding of the STL sector. The potential demands on hosts are onerous, excessive and intrusive. What guarantees are being offered that this data will not be used for any other purposes such as a mechanism to extract fees or impose additional individual restrictions?In the research supporting the proposal, much emphasis is placed on the perception that STLs are responsible for housing shortages. What research does the government have that compares the penetration of STL properties to other residential property uses, for instance, second homes? A chronic housing shortage has been a serious problem long since before the advent of Airbnb and similar platforms. Is the government scapegoating STLs as a smokescreen for its failure to address housing issues? Is it genuinely the government’s intention to disincentivise STLs as stated on page 3 of the October 2019 Analysis of Consultation Responses?The COVID-19 pandemic has posed colossal challenges for all industries, and by the nature of the disease and its control, the tourism industry has been affected particularly badly. Paragraph 1.10 states “The delay caused by COVID-19 means that this consultation is only open for one month (a shorter period of engagement than originally planned)”. However, the proposal itself makes no reference to COIVD-19 and the impact on the “top priority for the proposed licensing scheme… …to ensure the safety of guests, hosts and neighbours”, bar indicating that the consultation period is shorter than planned. The pandemic and its fallout has had, and for the foreseeable future will continue to have, a seismic impact on the operation and economics of the entire accommodation sector, not just STLs. It is astonishing that the government is bent on forcing the legislation through as quickly as possible without taking account of this. * Was work on developing the proposal also curtailed as a result of the COVID-19 pandemic? Would it not be prudent to take the time necessary to review the proposal in view of recent unique and far-reaching events?
* Why should STLs legitimately being run as small businesses be denied access to the Small Business Bonus Scheme (SBBS) relief, which already caps the cumulative rateable value of the ratepayer’s properties?
* Is the government overreacting to a perception that STLs are excessively profitable? Running a successful STL business involves significant overheads that are not evident from rates and requires significant investment in time and effort. What evidence does it have to demonstrate that the overall business performance (not just the turnover) of STL hosts, particularly those with only one property (the vast majority) is as dramatic as the perception?
* Paragraph 6.99 states “We are proposing that local authorities should have the power to visit unannounced, and enter the premises forcibly if necessary, but only in very limited circumstances.”. If the local authorities are to visit unannounced, it could have a significant detrimental effect on the relationship between the STL host and their guests. If forcible entry is to be permitted, the “very limited circumstances” must be published and scrutinised. Under what circumstances does the government envision unannounced visits and forcible entry?
* Accepting the impact on certain areas of Edinburgh in particular, it seems that STLs are being scapegoated for all of the housing-related behavioural problems perceived by local residents. To what extent has the antisocial behaviour attributed to short-term lets been substantiated? Is it not entirely possible that antisocial behaviour is also arising from other types of occupancy, nearby businesses or other factors? As an example, the Indigo House report actually includes a serious suggestion that STLs are connected with increased incidences defecation in residential closes and streets, which is preposterous.

Paragraph 6.41 states “Local authorities may wish to combine any discretionary condition relating to anti-social behaviour with a condition requiring hosts to meet all guests at the property (see paragraph 6.52 below) in order to explain safety arrangements, and set out house rules.” It is presented as a benefit for the host and guests but is self-evidently a potential mechanism to disincentivise other issues raised such as key safes. Many hosts can and do greet all their guests, but there are many scenarios where it is reasonable and preferable to allow guests to check themselves in, not least in light of the impact of the COVID-19 pandemic. This discretionary condition is unnecessarily onerous, ill-considered and flies in the face of the modernisation of the industry and its flexibility for both tourism and hosts. Will the government commit to scrutinising the potential side-effects of this condition in more detail before committing to its inclusion? |
| “Grateful to the Minister for this opportunity. The unfortunate events of last week have dented the confidence of our customers as well as our industry and increasing public debate and discussion over this legislation, has the potential to further damage industry and public trust over this Winter and next Spring. * Can the Scottish Government give badly needed reassurance to our customers and the industry and start talking positively and loudly about what people can do, the safe welcome and experience we offer and the outstanding quality and professionalism of self-catering accommodation in Scotland?”

A lot of owners will have had to refund substantial amounts so need to get income and now availability freed up for October and November. Just had a group looking to camp alongside an empty self catering cottage which has been let for a 60th birthday celebration and others in camper vans looking for free places to park so people are around! Stop talking about what people can’t do and rebuild trust and confidence!  |
| I expect you are hearing this from many members, but to introduce legislation (and the time and cost that we can ill afford, that comes with the dead hand of regulations – especially now!) for the whole country in response to some local and specific issues is disproportionate and unhelpful.It’s a bit like saying just because a small minority don’t wear face masks, nobody can go outside, ever. To illustrate my point, our self-catering unit was chosen partly because it appeals to tourists who want to get away, partly because it’s not in a location where the locals choose to live. Making a success of things is precarious enough as it is, and our profits highly taxed. We bring visitors who fund local retailers and attractions, trades and other businesses. If we throw in the towel, they will suffer. All because of some hotspots.Governments like legislation because it means manufacturing non-jobs that adjust their figures. The rest of us do not benefit.Please, reconsider, focus on the hotspots and defer, at the least, while we look forward to getting back on out feet. |
| Hi, I am interested to meet someone to discuss about short letting information  |
| I have a holiday cottage on the Isle of Arran. I know the problems caused by the sheer volume of Airbnb’s activities in Edinburgh are shared by many cities in Europe but they seem to be dealt with effectively on a local case by case basis. There is no need to lumber the entire country’s self-catering and short let businesses with yet more expensive legislation, licensing regulations and government interference.I sincerely hope the Scottish Government listen to the representatives of the business owners, many of whom live in remote rural locations and in communities who benefit directly from their letting operations. |
| Assuming that this ship is not for turning (blooming Edinburgh) ….question/s in blue belowI note that there will be a ‘suggestion’ to Local Authorities that they operate a ‘no claims/infringements’ discount to properties (*cf*)6.95. Local authorities may want to reward compliance and good practice with a reduction on the monitoring fees, in a manner similar to a no claims discount on insurance products.However, is it possible to put forward a pragmatic suggestion, under ‘Better Regulation’ / reduction of red tape principles, for those properties inspected and listed by Visit Scotland, to use existing VS inspection procedures to allocate an appropriate licence? Also, who will provide the Ombudsman role, because it seems to me that a LA could differ substantially in their fees to cover the scheme? (*cf*)6.91. Local authorities should be able to recover the costs of any monitoring and enforcement work that they undertake; the overall revenue from **all** fees should cover **all** establishment and running costs of the scheme.**Monitoring arrangements**6.92. The level of monitoring will be a matter for local authorities to determine and is likely to vary from area to area and, within areas, from property to property. |
| It is hard to know where to begin to comment having waded through pages of mind numbing beau acratic sledgehammer-to-crack-a-nut proposals to address a primarily Edinburgh AirBnB problem which is nothing to do with Scotland’s self-catering industry in general.But 2 big questions jump out -* What planet are the Scottish Government on? Even if some form of control is needed why on earth rush ahead with this now when the Scottish self-catering industry is already damaged from the effects of Covid AND if anything SG should be encouraging the industry to provide more staycations and benefit local tourist based economies????? More beauracracy and regulation is the last thing we need. (I appreciate you may wish to raise this in a more diplomatic form!)
* Why is this being done through secondary which in practice has little parliamentary scrutiny and publicity, rather than primary legislation where issues can be fully raised and debated??

It might be interesting to find out how many property owners would consider giving up if licensing come in - we certainly would consider it having read through the proposals….  |
| * It appears that much of the concern relates to noise and other anti-social behaviour of guests that adversely impacts neighbours. Where such issues have never caused a problem and the likelihood of such issues arising is low owing to the type of property, the proximity of neighbouring properties and the presence of the owners living in the same building, would the STL Delivery Group consider granting exceptions to property owners who can provide appropriate evidence of risk mitigation?

Any Comments on the Proposed Licensing Scheme:We understand the desire for regulation. We believe that such regulation might provide additional quality assurance to guests of licensed properties. We appreciate the guidance provided by ASSC especially the recent guidance for cleaning protocols to comply with UK Government Covid requirements. We understand the need for verifiable safety requirements for gas, electricity, carbon monoxide and fire safety. We also appreciate the need for a self-declared risk assessment for each property.  |
| NOT ENOUGH INFORMATION ABOUT THE LICENCE AND NOT ENOUGH FROM THE GOVERNMENT DISCUSSING THIS IN THE OPEN - what actually would the licence involve? An inspector to come around? A point system? Massive annual fees? Why would that stop anyone who is earning a lot? In Skye I make little profit but it’s my home and I can let it to cover costs but any more costs and I will stop. * HOW WILL YOU NOT PENALISE THE LOW INCOME EARNERS COMPARED TO THE HIGH ONES IN EDINBURGH?
* QUESTION: NOT JUST MY LOSS OF INCOME BUT SKYE'S if I stop and many others in my situation on Skye, you are going to lose about 45 weeks of a family spending on Skye. At a guess that’s about £300-600 depending on how much they eat out and what activities they do. So just me alone that's £27,000 less a year that my guests spend on Skye.
* QUESTION: SO HOW ARE THE GOVERNMENT GOING TO SUPPORT EVERYONE ON SKYE WITH THE LOSS OF INCOME TO ALL THERI BUSINESSES.

INSPECTORS - what a load of b&llocks they are. I've had building control and Visit Scotland. Both unable to use their heads and common sense. Penalised for 1. having internal steps down to my living room (I am not disabled it’s a great design!) and 2. a stove that if lit could become hot..that's its job. So inspectors have a complete no from me. * QUESTION: HOW ARE YOU GOING TO REGULATE?

WHO WILL BENEFIT FROM THE LICENCE FEE? Is this the government being greedy? Sad but true we just don’t trust all the regulators. Where is the support for our small but busy hardworking industry? |
| We have 3 self-contained glamping pods with plans to build 2 more to make 5 in total. How will this affect our business?  |
| My wife and I have been undertaking STL of our various New Town properties since 1997 and our son operates an STL Agency.I am attempting to understand the proposed legislation to license/register STLs due to be introduced next April with a view to making representations the opportunity for which ends next month. I have registered for tomorrow’s ASSC event at Noon. I read that the vast majority of STL properties do not have planning permission to provide their service. What I have read states that this is illegal. Despite 23 years involvement in this business neither my wife, myself or son have ever been asked if we had planning permission on any of our properties neither were we aware this is/was required. We have had discussions with the District Valuer over the years and indeed our business activity has been openly discussed with this department as well as the Scottish Tourist board with which we are registered. Is Planning Permission really required for Short Term Letting or is Edinburgh Council merely attempting to reinterpret existing legislation without a legal test case? |
| I would like to know how the new regulations are likely to affect those who let their self-catering properties up to 140 days per annum. |
| * I am concerned about the level of fees burdened on the host business required to cover the administration costs in a small Local Authority like Orkney with a relatively small number of active businesses. It is stated that all costs be covered by the local council with no subsidy from the Scottish government. How does the proposal intend to level the fees burden on the hosts across the country?

Any Comments on the Proposed Licensing Scheme:* I have been running a self-catering business responsibly for over 10 years on in a C listed property with commercial use registration with the council. I have accreditation by Visit Scotland and Green Tourism and it requires constant maintenance to maintain the level I have attained. I also meet a standard required of the conservation area - This I would not be able to afford unless I have revenues from the business. Could these schemes be enforced more widely rather than introduce further compliance requirements. The impending re-evaluation of council taxes due will be a burden enough.

I understand the reasoning to have planning consent for new development properties that intend to have short term lets rather than provide accommodation for local families. This should be a part of current planning consents with the local considerations taken into accounting the decision process. |