

ASSC Submission to Aberdeen City Council Short-Term Let Licensing Consultation

Licensing Conditions

The Council has the power to set additional conditions for short term let properties.

All short term lets which are granted a licence will be required to comply with a set of [mandatory licence conditions](#) which will apply across Scotland. Licence conditions set out a number of rules which the licence holder must comply with during the period for which the licence is in effect. For example, conditions can be used to set out the maximum occupancy of a property used as a short term let.

5. Should the Council adopt additional conditions?

(Required) Yes No

Licensing Conditions Further Questions

If you responded 'Yes' to the Council adopting additional conditions we have some further questions for you to answer.

6. What issues should the conditions cover?

(Required) **Noise** Anti-Social Behaviour Waste Failure to maintain the property
 Failure to maintain/contribute to communal repairs Damage or alteration to property
 Unlawful activity **Other**

7. Other

The ASSC believes that Aberdeen City Council should adopt additional conditions in relation to: (a) noise monitoring; and (b) community accreditation and mediation. However, on any additional conditions applying to noise, there has to be a causal link to issues from those premises. Licensing authorities cannot be allowed to set restrictions on premises where there is a perception there may be an issue. Restrictions should not be put in place where there is potential or existing issues in the vicinity of the premises unless it can be shown the issues occurring in the vicinity originated specifically from the short term let premises.

One example where such additional conditions have been shown to work is Barcelona, where this was introduced by local government, and further information is available in the ASSC's Forward Together paper.

ASSC, Forward Together: A Collaborative Approach to Short-Term Letting, Url:
<https://www.assc.co.uk/policy/forward-together-a-collaborative-approach-to-short-term-letting/>

Maximum Occupancy

It will be a mandatory condition of a short term let licence that hosts, and operators ensure that they do not exceed the maximum number of guests in their premises.

The Council may choose to specify on a licence that guests may bring children under a specified age limit, and that these children would not count towards the occupancy of the premises. Scottish Government guidance states that licensing authorities may wish to set the age limit as 'under 10 years', which is in line with the reference to children in the context of housing within the [Housing Act \(Scotland\) 1987](#).

8. Should children under the age of 10 count towards the occupancy of a premises?

(Required) Yes No

Temporary Licences

The Council can issue temporary short term let licences.

A temporary licence may be granted for a continuous period of up to six weeks, or longer if a host or operator has also made an application for a full licence.

Due to checks required and costs that will be incurred, the Council do not intend to issue temporary licences.

9. Should temporary licenses be introduced?

(Required) Yes No

Temporary Licences further questions

If you responded 'Yes' to the Council introducing temporary licences we have some further questions for you to answer.

10. What reasons do you think would justify a temporary licence?

Please details reasons(Required)

We note that Aberdeen City Council do not intend to introduce temporary licences.

11. Should temporary licenses have additional conditions?

(Required) Yes No

12. What additional conditions should be attached to a temporary licence?

Noise Anti-Social Behaviour Waste Failure to maintain the property Failure to maintain/contribute to communal repairs Damage or alteration to property Unlawful activity **Other**

13. If you responded with 'Other', please provide further details.

Please provide further details

As stated in our answers to Question 6&7, we believe that there should be two additional conditions in relation to noise and community accreditation/mediation, where a causal link can be established. However, whatever approach is agreed to, short-term lets operating under a temporary licence should be subject to the same additional conditions as those with a permanent licence.

Temporary Exemptions

An exemption could be issued for a property for certain occasions where there is a large number of visitors to the city over a short period e.g. Oil & Gas Conference

A temporary exemption would last for a single continuous period of up to six weeks in any period of 12 months.

Due to checks required and costs that will be incurred, the Council do not intend to issue temporary exemptions.

14. Should temporary exemptions be introduced?

Yes No

Temporary Exemptions further questions

If you responded 'Yes' to the introduction of temporary exemptions we have some further questions.

15. What reasons do you think would justify an exemption?

Please provide further details(Required)

We note that Aberdeen City Council do not intend to introduce temporary exemptions. However, this position should be kept under review and allow the flexibility for the Council to revise this position should circumstances change.

Moreover, if introducing a temporary exemption, Aberdeen City Council will require a clear and unambiguous policy on the type and style of event that would be eligible. All those operating under a temporary exemption should expect to be subject to the same conditions as applying to short-term let licences.

16. Should temporary exemptions have additional conditions?

(Required) **Yes** No

17. What additional conditions should be attached to a temporary exemption?

Noise Anti-Social Behaviour Waste Failure to maintain the property Failure to maintain/contribute to communal repairs Damage or alteration to property Unlawful activity **Other**

18. If you responded with 'Other', please provide further details.

Again, we believe there should be two additional conditions – for noise monitoring and community accreditation where a causal link can be proven. However, whatever approach is taken forward, the additional conditions should apply to all types of short-term let, including temporary exemptions.

Licence Fees

Based on a Licence Granted for 3 years, please see draft fees below. The definition of each Let Type is available [here](#).

Let Type	Up to 2 Bedrooms	3-4 Bedrooms	5+ Bedrooms
Secondary Letting	£650	£700	£750
Home Letting	£650	£700	£750
Home Sharing	£650	£700	£750
Home Letting and Sharing	£650	£700	£750

19. Do you agree with the proposed Licence Fee cos

(Required) Yes **No**