

ASSC Submission to Fife Council Short-Term Let Consultation – May 2022

3. Short-term let licences should be granted for the following term (Please tick one per row):

Secondary letting – letting a second home

1 year

2 years

3 years

Don't know

Home letting – letting your home when absent

1 year

2 years

3 years

Don't know

Home sharing – sharing your home

1 year

2 years

3 years

Don't know

Home letting and home sharing

1 year

2 years

3 years

Don't know

4. The legislation contains mandatory short-term let licensing conditions and Councils can introduce additional discretionary licensing conditions to reflect local circumstances. Discretionary conditions may include anti-social behaviour, overcrowding, unlawful activity etc.

Do you think discretionary conditions should apply?



Yes



No



Don't know

5. What discretionary conditions should apply (please select all that apply):



Anti-social behaviour



Privacy and security



Overcrowding



Noise and nuisance



Litter in common areas



Repairs and maintenance (including common areas)



Damage

- Unlawful activity
- Other – community accreditation and mediation**

6. Discretionary conditions should be introduced for which of the following license types:

Secondary letting - letting a second home

Yes

No

Don't Know

Home letting - letting your home when absent

Yes

No

Don't Know

Home sharing - sharing your home

Yes

No

Don't Know

Home letting and home sharing

Yes

No

Don't Know

7. The legislation allows Councils to introduce temporary exemptions to the licensing scheme for up to 6 weeks in any 12 months period.

Do you think temporary exemptions should be introduced (please select)?

- Yes**
- No
- Don't know

8. If temporary exemptions are introduced for which of the following reasons (please select all that apply):

- Major sporting event e.g. Open Golf**
- Major international events e.g. CoP26**
- To allow hosts to trial short-term letting before applying

- Don't know
- Other

9. Temporary exemptions should be introduced for which of the following license types:

Secondary letting - letting a second home

Yes

No

Don't know

Home letting - letting your home when absent

Yes

No

Don't know

Home sharing - sharing your home

Yes

No

Don't know

Home letting and home sharing

Yes

No

Don't know

10. Councils can introduce additional conditions for properties with a temporary exemption. Do you think discretionary conditions should be introduced for properties with temporary exemptions. Discretionary conditions may include anti-social behaviour, overcrowding, unlawful activity etc. (please select)?

- Yes**
- No
- Don't know

11. What discretionary conditions should apply for a temporary licence (please select all that apply):

- Anti-social Behaviour
- Privacy and security
- Overcrowding
- Mess in common areas
- Repairs and maintenance (including common areas)
- Damage
- Unlawful Activity

- Other – (a) noise monitoring; and (b) community accreditation and mediation.**

12. Which discretionary conditions should be introduced? (please tick all that apply)

- Anti-social Behaviour
- Privacy and security
- Overcrowding
- Mess in common areas
- Repairs and maintenance (including common areas)
- Damage
- Unlawful Activity
- Other – Noise and Nuisance and community accreditation and mediation.**

13. Short-term lets require to provide Health & Safety [sic] documentation to apply for a license. Do you think premises should also be inspected to determine a licence?

- Yes
- No**
- Don't know

14. If no property inspection is carried out, what alternative options are there to ensure the safety of residents?

We do not believe property inspections are in anyway proportionate or necessary. There is existing health and safety legislation that still stands and there are enforcement bodies in place to carry this out (for example, fire regulations will still be enforced by the Scottish Fire and Rescue Service). Carrying out property inspections will simply add to the administrative burden faced by the Council and increase the fee paid by operators.

We believe that the ASSC Code of Conduct should be encouraged by local authorities in terms of best practice management.

15. Should children count toward the occupancy of a premises?

- Yes
- No**
- Don't Know

16. What are the positives of short-term letting?

Self-catering provides a £867m per annum boost to the Scottish economy, benefiting local communities the length and breadth of Scotland, supporting 23,979 FTE jobs. Given the importance of this sector to the Scottish tourism industry, which has experienced such a challenging time due to the impact of Covid-19, an appropriate regulatory balance is a necessity, as is a supportive

environment to help businesses recover and flourish. The recovery of Scottish tourism will benefit small businesses, while responsible and sustainable tourism can help communities to recover too.

For Fife alone, Frontline Consultants have estimated that the traditional self-catering industry provides a £26m annual boost to the local economy [1] and the sector important source of accommodation for major events within the local council area, but also for any overspill from those held in Edinburgh. Tourism in Fife contributes approximately £566m annually to the Scottish economy, providing 9% of all employment in Fife [2], and the ASSC are proud of our members contribution towards this.

Short-term letting also adds to the diverse range of accommodation available within Fife and responds to consumer trends towards more authentic local experiences. The fact that consumer trends are shifting towards short-term lets and self-catering is illustrated by the fact that hotel chains are moving into this market and why they list rooms on popular booking platforms like Airbnb and Booking.com.

Traditional short-term letting activity, such as self-catering, is a small business like any other, with dedicated full-time professionals striving to provide positive experiences for guests and visitors. Given the competition to maintain standards, holiday let owners often spend money more frequently on additional property maintenance than they would on their own property. Their guests spend money in local food shops, cafes, gift shops, galleries, restaurants, tourist attractions etc – many of which would simply be unviable without visitor spending.

Therefore, the impact of STL regulations with the aim of reducing the number of properties, will not be limited to self-catering and short-term letting overall as there will be a significant negative impact to businesses in the wider supply chain. This emphasises the value that short-term letting provides to the wider economy (especially within the context of Covid recovery) from the operators themselves, with negative knock-on effects on hospitality, local activity providers and local attractions. There will also be a negative impact on laundry providers and cleaning services and guests, not to mention property managers, and the onward tech supply chain.

Finally, for Scotland, and indeed Fife, to remain competitive as a leading tourism destination, it needs to be responsive and adaptive to consumer trends, both in respect of the range of accommodation available, as well as for more environmentally conscious options. Holidaying within Scotland, rather than jumping on a plane to a resort overseas, should not only be encouraged during a global pandemic – but as an environmental, social and economic positive going forward. Self-catering properties can, therefore, be viewed as a solution to sustainability, not the problem.

Indeed, as one of our members – Louise Dickins (owner of Dickins Edinburgh Ltd) – so ably put it: *“Quite often in our rural locations [self-catering units] are the main choice of where to stay. And they’re an opportunity to stay in the heart of nature. They’re affordable to families too. Scotland is one of the most beautiful countries in the world and so we’re so lucky across the UK to be able to holiday here and not damage the planet in the process.”* [3]

We believe that traditional self-catering provides both economic and environmental benefits for communities and the country as a whole. However, in order to ensure benefits are realised, self-catering needs to be actively encouraged as a sustainable option for travellers and an enabling regulatory landscape, not a draconian one, is critical.

[1] Frontline Consultants, *Economic impact of Self-Catering Sector to the Scottish Economy* (2021).
Url: <https://www.assc.co.uk/policy/economic-impact-study-self-catering-worth-867m-to-scottish-economy/>

[2] Fife Tourism Partnership, *Fife Tourism and Events Strategy 2019-2029*. Url:
https://www.fifetourismpartnership.org/site/assets/files/6214/fife_tourism_events_strategy_2019_29_digital-1.pdf

[3] ASSC, 'Short-Term Lets Vital for Sustainable Tourism in Scotland', Jan 2021. Url:
<https://www.assc.co.uk/short-term-lets-vital-for-sustainable-tourism-in-scotland/>

17. What are the negatives of short-term letting?

Tourism is a mainstay of the Scottish economy; and self-catering is hugely important to Scottish tourism in terms of jobs, revenue, and world-class experiences offered to guests. To be such an essential part of Scotland's tourism mix is even more remarkable for our sector when most self-caterers operate small or micro businesses. Our professional self-caterers are diligent and considerate business owners who are too often unfairly maligned. They do not, for example, 'hollow out communities', as some have claimed, but rather are part of local communities across Scotland and have been for many, many years.

The 'negatives' concerning short-term letting are often based on hearsay. Sadly, in recent years, due to the rise of the collaborative economy and online accommodation platforms, negative attitudes have increased with a hostile media and political climate which has been detrimental to hard-working professional self-catering operators who have operated in Fife for decades with minimal complaints or issues. This climate has, in turn, impacted upon community cohesion and led to bad policy decisions where short-term lets are used as a convenient scapegoat for long-term failures to address housing challenges within Fife and the rest of Scotland. We would respectfully encourage an evidence-based approach to short-term letting – as well as a holistic approach to tackling housing challenges – and not one that relies on perception or anecdote.

18. Are there any further comments that you would like to make on any aspect of the licensing of short term lets?

The Association of Scotland's Self-Caterers (ASSC) welcomes the opportunity to respond to Fife Council's consultation on short-term let licensing. Founded in 1978, the ASSC are the leading source of knowledge on short-term letting and holiday homes in Scotland and are the only trade body representing the interests of the traditional self-catering sector. We represent over 1300 Members, operating tens of thousands of self-catering properties throughout Scotland, from city centre apartments to rural cottages, to lodges and chalets, to castles. The ASSC commits its members to maintaining the principles of "quality, integrity, cleanliness, comfort, courtesy and efficiency" and to offering visitors to Scotland consistently high standards within their self-catering properties.

The ASSC is not averse to regulation; but we do challenge policies that are pursued while lacking a firm evidence base which will damage the livelihoods of our members and Scotland's vital tourism industry. Overall, we want to ensure a balanced and proportionate approach for business, tourism and local communities and get a regulatory framework in place that works for all. We will work constructively with all stakeholders, including Fife Council, to achieve this crucial objective. A range of policy papers, briefings and other sources of information on short-term lets in Scotland are available on our website: <https://www.assc.co.uk/policy/>

We concurred with many of the observations made by Fife Council in their submission to the Scottish Government's 2021 short-term let licensing consultation which related to the administrative

and financial impact this would have on local authorities, including on concerns over indicative fees and related issues:

“It is not helpful for the paper to set out average indicative fees for licences, even allowing for 2 different scenarios. The fees set out are incredibly low, and could be even lower once all the possible discounts are factored in. The total fees for the scheme are supposed to meet the costs of the scheme and it is clear from the BRIA that the fees can include the costs of establishing as well as running the scheme.

The costs of setting up new teams and new processes, possibly buying new IT packages, will be considerable and will have to be spent ahead of any fee income coming in. LA’s won’t know the level of applications expected so it will be difficult to set fees at a level that will meet the costs.

This section of the BRIA should be more realistic and not give a false hope to applicants of low fees, as the scheme can be compared to the HMO licensing scheme, then fees are likely to be more realistic if that table at Appendix B on page 52 is used as indicative fees. This would range from £167 (renewal fee in Midlothian) through to £1906 (initial fee in Glasgow)

It is also of note that the vast majority of LAs recognise that there is no cost saving to the Council in a party renewing their application, with only 13 LAs listed charging a reduced fee for renewal applications. When LAs make a more realistic costing of their fees which will be significantly higher than the average indicative fees, it will be the LAs who receive complaints and will be inundated with queries and complaints regarding the discrepancy between the figures quoted. It appears that many costs have not been factored into the calculation including enforcement work outlined in paragraph 152.” [4]

Given the considerable financial impact of short-term let licensing at a time in which council resources are stretched, we would therefore encourage Fife Council to work as closely as possible with the self-catering sector to minimise the regulatory burden for professional small businesses like self-catering, as well as to ensure that any licensing scheme taken forward is as proportionate and cost-effective for the Council as possible.

[4] Fife Council, *Submission to Scottish Government’s Short-Term Let Licensing Consultation* (2021).
Url: https://consult.gov.scot/housing-and-social-justice/short-term-lets-draft-licensing-order-and-bria/consultation/view_respondent? b_index=300&uuld=903862775