

SHORT-TERM LETS FACTSHEET

LICENSING ORDER

Proposals for the licensing of short-term lets.

LOCAL AUTHORITIES will be required to implement a licensing scheme for short-term lets which sets mandatory licence conditions prioritising safety. This means that every short-term let in Scotland will need to be licensed. They can also choose to apply further conditions tailored to local circumstances and to address the concerns of local residents. This factsheet is a summary of chapter 6 of the consultation paper where you can find out more.

Current position

There is currently no licensing scheme for short-term lets in Scotland.

Licensing scheme

The licensing scheme covers a range of processes including: the application process and what information hosts need to provide; the application fee and subsequent fees for monitoring and compliance; mandatory safety and other conditions which will apply across Scotland; discretionary conditions which local authorities might choose to apply if relevant for their areas; compliance and monitoring; the sanctions for failing to comply with licence terms and conditions; and the sharing and publication of data to help with enforcement and understanding of levels

of short-term let activity across Scotland.

What will the licensing scheme do?

The licensing scheme will help local authorities:

- to ensure short-term lets are safe and address issues faced by neighbours; and
- to know and understand what is happening in their area and handle complaints effectively.

Which short-term lets need to be licensed?

Any host operating any type of short-term let will need a licence.

When will the licensing scheme open?

We intend to lay the Licensing Order (and the Control Area Regulations) in December 2020. Subject to the approval of the Scottish Parliament, the Licensing Order is expected to come into force on 1 April 2021. Local authorities will need time to put in place a licensing scheme for their area. They will have until 1 April 2022 to do this.

When should hosts apply for a licence?

Once the licensing scheme is live in a local authority area, existing hosts will be given time to make sure they comply with the terms of the scheme in their area and to make an application

for a licence to their local authority.

When do hosts have to be licensed?

All hosts in Scotland will have to be licensed by 31 March 2024, at the very latest. In some local authority areas, the deadline will be earlier.

How much will a licence cost?

There will be a fee to apply for a licence which will be determined by each local authority. There will also be a regular subscription payment or a renewal fee in order to cover the costs of monitoring and compliance.

Can hosts still operate before getting a licence?

Yes. When a local authority is ready to launch their licensing scheme, they will allow time for existing hosts to make an application and for those applications to be processed before it is mandatory to have a licence.

How long will a licence be valid for?

Local authorities can issue licences which are valid for up to three years. They can choose to issue licences which last a shorter time.

What are the mandatory conditions?

The mandatory conditions for the licensing scheme will apply across Scotland (i.e. in

all local authority areas) and for all types of short-term let. A lot of these conditions cover basic standards with which many hosts will already be complying, such as keeping the accommodation safe and in a good state of repair and making sure the host has the permission and cover to provide short-term lets.

What are the discretionary conditions?

Local authorities can choose to apply additional licensing conditions to address local concerns, for example around noise, nuisance or littering. What, if any, additional conditions are needed may vary from place to place.

Will information about short-term lets be published?

Yes. Local authorities will publish a register of short-term lets in their area. People will be able to check that accommodation is licensed. We will also publish a report on activity across Scotland.

Will there be Scottish Government guidance?

Yes. We will publish guidance to help local authorities and separate guidance to help hosts and platforms prepare for the licensing scheme.

