

Question Detail

To ask the Scottish Government, further to the answer to question S6W-06962 by Tom Arthur on 8 March 2022, what the reasons are for any delays in ministers meeting the responsibilities under paragraphs 2.28, 2.29 and 2.30 of Planning Circular 01/2021; whether it can confirm whether or not it has approved the control area under paragraph 2.28, and when it will publish its decision.

— Mark Griffin

Details Documents History Actions

Answer

Scottish Ministers are currently considering the City of Edinburgh Council's proposed designation of the Edinburgh Short-Term Let Control Area, in accordance with the relevant legislation and Planning Circular 1/2021. There is no statutory timescale for considering such proposals but a decision on the proposal will be made and published as soon as possible.

SCOTTISH GOVERNMENT

Background Note

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BACKGROUND NOTE FOR S6W-09495

1. Mr Griffin has registered an interest in the PQ. In the Register of Interests, Mr Griffin has recorded that he receives rental income from a flat in North Lanarkshire. Mr Griffin is the Scottish Labour spokesperson on housing and local government and is a member of both the Local Government, Housing and Planning and the Social Justice and Social Security Committees.
2. Section 26B of the Planning Act allows a planning authority to designate all or part of its area as a short-term let control area (a 'control area'). Within a designated control area, the change of use of a dwellinghouse to a 'short-term let' is deemed to involve a material change of use and therefore requires planning permission.
3. In summary, a 'short-term let' ('STL') is where sleeping accommodation is provided for commercial consideration (e.g. a holiday let), where none of the residents are closely related to, or employed by, the accommodation provider. If the accommodation is someone's only or principal home, it is not a STL even if it is used as a B&B. In addition, various forms of accommodation (including hotels, guest houses and care homes) are excluded from the definition of short-term lets.
4. The City of Edinburgh Council has submitted a request to Scottish Ministers for approval to designate the entire City of Edinburgh Council area as a control area. PARD officials are currently considering the request and we intend to provide advice and a recommendation to Mr Arthur shortly.
5. The PQ reference S6W-06962, referred to by Mr Griffin in this question, asked what the Scottish Government's process and timeline is for considering whether to approve the City of Edinburgh Council short-term let control area designation. The answer (given by Mr Arthur on 8 March 2022) was "The Scottish Ministers will consider any applications for approval of a proposed short-term let control area in accordance with the relevant legislation and the considerations set out in Planning Circular 01/2021."

Contact Name:

Ext:



Please delete this sentence and following page before forwarding draft to Private Office.

Final check for officials prior to sending draft PQ answers to Private Office.

- **Have you removed any unnecessary text and is the text in the correct format?** The text for Written PQs should be in Arial 12. Oral PQs and First Minister Questions should be in Arial 14.
- **Have you typed the answer in single spacing?** The answer should be typed on the second line below the Minister's name and should be in single spacing.
- **If you have a table contained in the answer - is it in the correct format?** Tables must be in the PQ document (not a separate Excel table) be in portrait format, be within the margins of the document, no smaller than Arial font size 8 and have one cell for each piece of information (no bold or shading allowed).
- **Have you included a background note?** Even when an answer needs no extra briefing/explanatory notes, a background note is required with the contact details of the relevant official.
- **Have you checked spelling, punctuation and that the answer makes sense?**
- **Have you alerted any Ministers, including the First Minister that may have a portfolio interest?**

From: [REDACTED]
To: [ET FMQ/PQ Mailb](#) [REDACTED]
Cc: [REDACTED]
Subject: RE: S6W-09495 - 14/07/22
Date: 01 July 2022 13:38:00
Attachments:

Hi [REDACTED]

Yes, this sits with the Planning Decisions team, please could you allocate it to me.

Thanks

[REDACTED] | Senior Planner | Planning, Architecture and Regeneration Division |
Scottish Government

Please note I do not work on Mondays.

General Planning Decisions enquiries should be directed to: planning.decisions@gov.scot



From: [REDACTED]
Sent: 01 July 2022 13:19
To: [REDACTED]
Subject: FW: S6W-09495 - 14/07/22

Hi [REDACTED], one for us?
[REDACTED]

From: [REDACTED]
Sent: 01 July 2022 13:11
To: ET FMQ/PQ Mailbox <ETFMQPQ@gov> [REDACTED]
[REDACTED]
Subject: RE: S6W-09495 - 14/07/22

Hi [REDACTED]
This relates to a live case with the planning decisions team. Copied in [REDACTED] for
[REDACTED] views
[REDACTED]

From: [REDACTED] **On Behalf Of** ET FMQ/PQ Mailbox
Sent: 01 July 2022 12:22
To: [REDACTED]

Cc: ET FMQ/PQ Mailbox <ETFMQPQ@gov.scot>

Subject: RE: S6W-09495 - 14/07/22

Hi [REDACTED]

Would you be able to let us know if this would sit with your area?

Many thanks

[REDACTED]
First Minister Questions & Parliamentary Questions
Room 1N.04 | St Andrew's House | Edinburgh | EH1 3DG

[REDACTED] [REDACTED] [REDACTED] [REDACTED]
 Before you print think about the ENVIRONMENT


You can find more detailed information on answering PQs here [Answering Parliamentary Questions \(PQs\)](#)

You can also [download the PQs desk aid to print out and keep](#). It summarises the process and important timings to remember for delivering PQs each week.

If you or anyone in your team require any training/awareness in PQs please get in touch

From: [REDACTED] **On Behalf Of** ET FMQ/PQ Mailbox

Sent: 01 July 2022 10:08

To: [REDACTED]

Cc: ET FMQ/PQ Mailbox <ETFMQPQ@gov.scot>

Subject: S6W-09495 - 14/07/22

Hi [REDACTED],

We have received the below PQ that we think might sit with your area.

If it does can you confirm who we can allocate it to. If not, can you please copy in colleagues you feel this should sit with?

It is due with Private Office for 14/07/22.

S6W-09495 Mark Griffin: To ask the Scottish Government, further to the answer to question S6W-06962 by Tom Arthur on 8 March 2022, what the reasons are for any delays in ministers meeting the responsibilities under paragraphs 2.28, 2.29 and 2.30 of Planning Circular 01/2021; whether it can confirm whether or not it has approved the control area under paragraph 2.28, and when it will publish its decision.

Many thanks

[REDACTED]
First Minister Questions & Parliamentary Questions
Room 1N.04 | St Andrew's House | Edinburgh | EH1 3DG

[REDACTED] [REDACTED] [REDACTED] [REDACTED]
 Before you print think about the ENVIRONMENT

