

Emails between Fiona Campbell and Scottish Government

From: [REDACTED]

Sent: 02 February 2022 13:28

To: 'Fiona Campbell' [REDACTED]

Subject: RE: Short-term lets - Working Group Meeting 5 - Agenda and Papers

Dear Fiona,

Apologies for the delay in responding, I have had a busy diary today.

Thank you for your email ahead of today's working group meeting, re-iterating that you wish to work constructively and collaboratively to facilitate implementation of the licensing scheme, and outlining assurances you are seeking ahead of re-joining the working group. I have responded to each of the points you seek assurance on below.

- We will have free and meaningful input to change the guidance for operators **and** local authorities to make it simple and workable

All members of the working group are invited to use their knowledge and experience to make suggestions about revisions to the scope, style and content of the guidance. All views and comments will be carefully considered by officials. The purpose of the working group is to assist the Scottish Government to finalise guidance, ahead of implementation of the licensing scheme from October 2022. Responsibility for the guidance rests with the Scottish Government, and sign-off with Scottish Ministers.

- Guidance should reflect a risk-based, intelligence-led approach that would result in inspection being as light touch as possible, especially in the case of established businesses
- Our input to amend Local Authorities guidance gives them the opportunity to be as light touch as they wish, according to local demands / benefits to tourism

We acknowledge that a significant factor in the cost to a licensing authority in implementing a licensing scheme is the inspection of premises. The Cabinet Secretary for Social Justice, Housing and Local Government set out in her letter to the Convener of the Local Government, Housing and Planning Committee of 7 October that we want licensing authorities only to use inspections as part of a risk-based, intelligence-led approach. You can find Ms Robison's letter here: [Short-term lets licensing order update: letter from Cabinet Secretary - gov.scot \(www.gov.scot\)](https://www.gov.scot/Information/Press/2022/02/Short-term-lets-licensing-order-update-letter-from-Cabinet-Secretary)

- Guidance ensures that existing operators will not be treated as criminals if they fail to make an application by 1 April 2023

Key to the successful implementation of the short-term lets licensing scheme will be awareness raising amongst hosts and operators. The Scottish Government and Licensing Authorities will have a key role to play in raising awareness, in collaboration with trade bodies, such as the ASSC, and platforms. In making an application by 1 April 2023, existing hosts and operators (unlike new operators) will be able to continue operating until their application is determined.

Legislation contains sanctions that can be imposed - such as fines for operating without a licence - to protect the interests of short-term let hosts and operators that choose to do the right thing by applying for a licence and complying with all licence conditions.

- Acknowledgement that a summer 2023 review is unachievable given the lack of a comprehensive and robust dataset of the small tourism accommodation sector

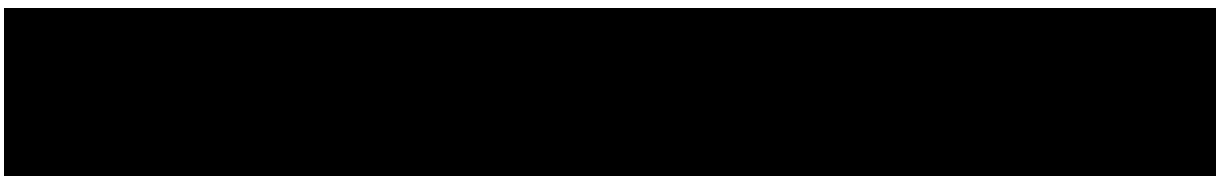
We remain committed to working with local authorities to review the levels of short-term let activity in hotspot areas in summer 2023. This will assess how the actions we are taking are working and whether any further measures are required. This review will also seek to confirm that the wider sector is still healthy, and checking there are no unintended consequences. I have added this review to the agenda today because I am keen to discuss with you all – the review will give initial chance to consider impacts in 2023 but as I said when we spoke, I anticipate we'll keep ongoing monitor on evidence over a longer timeframe.

- Adequate time will be given to revising the guidance as above to ensure it reflects the Working Group's meaningful engagement.

In working to revise guidance, we are conscious that licensing authorities require adequate time to consider updated guidance in order to allow them to finalise their preparations for opening licensing schemes in their areas from 1 October. We have circulated a revised draft version of the guidance to working group members for comments, reflecting changes to the Licensing Order that was approved by Parliament last month, and are working to carefully consider all stakeholder views ahead of publishing the guidance next month.

I hope this reply is helpful.

Best Wishes



From: Fiona Campbell [REDACTED]

Sent: 01 February 2022 20:19

To: [REDACTED]

[REDACTED]

Cc: [REDACTED]

[REDACTED]

Subject: Re: Short-term lets - Working Group Meeting 5 - Agenda and Papers

Dear [REDACTED],

We do have grave concerns that the only outcome for our rejoining the Working Group will be to give the Scottish Government's guidance for Operators and Local Authorities legitimacy, and we believe that this is contrary to our member's best interests, and the best interests of our sector, which benefits the Scottish economy by £867m per annum.

On this basis we seek the following assurances as conditional to our re-joining the group:

- We will have free and meaningful input to change the guidance for operators **and** local authorities to make it simple and workable
- Guidance should reflect a risk-based, intelligence-led approach that would result in inspection being as light touch as possible, especially in the case of established businesses
- Our input to amend Local Authorities guidance gives them the opportunity to be as light touch as they wish, according to local demands / benefits to tourism
- Guidance ensures that existing operators will not be treated as criminals if they fail to make an application by 1 April 2023
- Acknowledgement that a summer 2023 review is unachievable given the lack of a comprehensive and robust dataset of the small tourism accommodation sector
- Adequate time will be given to revising the guidance as above to ensure it reflects the Working Group's meaningful engagement.

We would like this to be minuted as part of tomorrow's meeting.

I do hope that you are amenable to this.

I look forward to working constructively and collaboratively with you to facilitate the implementation of this legislation in order to mitigate against the worst of the unintended consequences.

All the very best,

Fiona Campbell

Chief Executive

The Association of Scotland's Self-Caterers (ASSC)

[REDACTED]

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