



Licensing of short-term lets

Evidence submitted to the Local Government, Housing and Planning Committee

16 October 2021

This is a response to the Local Government, Housing and Planning Committee's online survey on licensing of short-term lets. Comments were invited ahead of plans to introduce a Licensing Order to the Scottish Parliament in November 2021. Further details about the regulation of short-term lets is available on the [Scottish Government's website](#).

Consultation questions

How would you describe your view of the proposed licensing system for short-term lets? (Please select one box)

Option	Please indicate your choice by selecting one box below.
Strongly support	<input checked="" type="checkbox"/>
Support	<input type="checkbox"/>
Neither support nor oppose	<input type="checkbox"/>
Oppose	<input type="checkbox"/>
Strongly oppose	<input type="checkbox"/>

Why do you think this? (please select all that apply)

Option	Please indicate your choice(s) by selecting the box(es) below
It will safeguard the amenity of people living alongside short-term lets	<input checked="" type="checkbox"/>
It will protect existing communities in areas with high visitor numbers	<input checked="" type="checkbox"/>
It will ensure short-term lets meet minimum safety and management standards	<input checked="" type="checkbox"/>
It protects legitimate short-term let businesses	<input checked="" type="checkbox"/>
It should not include traditional Bed and Breakfast accommodation	<input type="checkbox"/>



It will disproportionately affect businesses in rural areas	<input type="checkbox"/>
It will lead to the closure of short-term let businesses	<input type="checkbox"/>
It will increase costs for short-term let businesses	<input type="checkbox"/>

Please provide any other reasons

While we recognise that short-term lets can support tourism and provide a source of income for 'hosts', the substantial increase in residential properties being converted to short-term lets in recent years has had a significant impact on communities across Scotland. We believe that short-term lets should not be prioritised over the right to adequate housing for everyone living in Scotland.

The loss of residential accommodation means that housing options in certain areas can be limited and competition can drive up prices. It has also been well documented that a high concentration of short-term lets can have a negative impact on community cohesion, security for residents in communal stairs and issues with noise and nuisance (<https://bit.ly/3BbM8IK>).

The lack of regulation of short-term lets to date has also disadvantaged residential landlords and has incentivised the conversion of residential properties to short-term lets allowing some private landlords and homeowners to avoid costs associated with landlord registration and meeting the Repairing Standard. We do not think that any home should be let, whether long term or short-term, without meeting basic standards of safety and repair.

We welcome the introduction of a mandatory licensing regime to ensure a balance between the needs of local communities and the tourism sector.

Thinking about your response above, how do you think the proposed licensing system could be improved?

We support the requirement for all local authorities to establish a licencing system and that flexibility will allow local priorities to be reflected. However, it is essential that local authorities have the resources required to enforce the licensing rules in their area.

If adequate enforcement activity is not undertaken, 'hosts' will be able to continue operating without meeting the same standards as private landlords. As the Scottish Government continues to consider the possibility of further increasing the



rights of private tenants through the development of a new Rented Sector Strategy, it is essential that if some private landlords decide to leave the sector, they are not incentivised to convert homes to short-term lets and avoid regulation because of a lack of enforcement.

As such, we welcome confirmation from the Cabinet Secretary that no maximum cap on licensing fees will be specified, and recognition that fees may vary depending on the local context (<https://bit.ly/2ZkfGah>). This will allow local authorities to set fees at a level that reflects the costs of licensing and enforcement.

Is there anything else about the proposed licensing system, or its potential impact, that you would like to mention to the Committee. It would be helpful if you could keep any comments brief and provide evidence to support any claims made.

No further comments.



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