

Agenda item	7
Report no	HLC/042/22

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 6 September 2022

Report title: Short Term Let Licensing

Report by: The Principal Solicitor – Regulatory Services

Purpose/Executive summary

- 1.1** This report seeks to allow the Committee to consider the responses received in respect of the draft Short Term Let Licensing Policy Statement and the proposed additional conditions and, in light of those responses, determine whether any changes should be made to the draft Policy Statement
- 1.2** This report also invites the Committee to consider the fee structure for short term let licensing.

2. Recommendation

- 2.1** This Report invites the Committee to:
- (i) Note and consider the views expressed to the public consultation exercise which was carried out between 21 June 2022 and 5 August 2022.
 - (ii) Consider, in light of the responses received, the proposed changes to the draft Policy Statement
 - (iii) Consider, in light of the responses received, the proposed changes to the draft additional conditions for short term let properties
 - (iv) Agree the fee structure for short term let properties
 - (v) Agree to finalise and publish the Short Term Let Licensing Policy Statement
 - (vi) Agree to finalise and publish the additional conditions

3. Background

- 3.1** On 19 January 2022, The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (“the Order”) was approved by the Scottish Parliament. The Order came into force on 1 March 2022 and inserts new legislative provisions into the Civic Government (Scotland) Act 1982 (“the Act”).
- 3.2** The Order introduces a new mandatory licensing system for short term lets which local authorities are required to establish by 1 October 2022.
- 3.3** Prior to the introduction of the legislation, there was no requirement to licence short term lets and, therefore, local authorities did not have the ability to regulate these types of premises.
- 3.4** The licensing scheme was brought in by the Scottish Government with the aim to ensure short term lets are safe, address issues faced by neighbours, to facilitate local authorities in knowing and understanding what is happening in their area and handling complaints effectively. It also enables local authorities to ensure the people providing short term lets are suitable. The legislation aims to make sure that the economic and tourism benefits from short term lets are balanced with the needs and concerns of local communities.
- 3.5** The short term let licensing scheme will cover a wide range of residential accommodation including, but not exclusively, self-catered properties, B&B’s, guest houses, glamping pods and yurts.

4. Draft Policy Consultation

- 4.1** In accordance with the Committee’s decision on 20 June 2022, a public consultation seeking views on the draft Policy Statement and proposed additional conditions was undertaken. The consultation was open from 21 June 2022 to 5 August 2022. The consultation was available on the Council’s main web page and the Council’s civic licensing webpage. It was also published through the Council’s social media channels.
- 4.2** A copy of the full public consultation questions are set out at **Appendix 1**.
- 4.3** A total of 476 responses were received. A copy of the responses are set out at **Appendix 2**.
- 4.4** Officers comments in relation to the responses received are set out at **Appendix 3**.

5. Determining Policy

- 5.1** Proposed changes to the draft Policy Statement are shown with red tracked changes within the document at **Appendix 4**.

6. Additional Conditions

- 6.1** Proposed changes to the additional conditions are shown with red tracked changes within the document at **Appendix 5**.

7. Fee structure

- 7.1 Licensing authorities are required to charge fees in respect of processing and determining applications. The Civic Government (Scotland) Act 1982 states that licensing fees must be sufficient to cover the authority's administrative expenses. This doesn't just include staff time and ongoing associated expenses, but all the work involved in getting the licensing scheme up and running.
- 7.2 Licensing officers have worked alongside the Council's finance department and other services to establish the costs involved in the preparation of the scheme to date and the ongoing costs of administering the scheme. This includes consideration of the level of staff and estimated time required in processing an application through to the cost of Committee time and any potential appeals.
- 7.3 The legislation also enables enforcement costs to be recovered separately. These are for premises which require inspection after ongoing complaints or whether there is a failure to comply with conditions relating to the premises.
- 7.4 The fee structure requires a level of estimation given the unknown certainty as to how many licence applications will be received for The Highland Council area. From data collected, figures suggest that there are approximately 10,000 properties that will require to be licensed within The Highland Council area. A close analysis of income vs expenditure for short term let licensing will be undertaken from 1 October 2022 to ensure that fees are set at the correct level. This will be reviewed annually.

The following fee structure is proposed:

Application and renewal – full licence (maximum 3 year licence)

Guest capacity (people) (excluding children aged under 2)	Home sharing and home letting	Secondary letting
1-2 occupants	£320	£400
3-6 occupants	£390	£470
7-9 occupants	£460	£540
10+ occupants	£530	£610

Other types of application	Fee
Temporary licence application (up to 6 weeks)	50% of the full fee
Variation of licence / change in circumstances	£120
Duplicate licence	£20
<i>[Temporary exemption application]</i>	<i>[£100]</i>

7.5 Enforcement costs

A licensing authority may charge such reasonable fees as they may determine in respect of an inspection of premises following—

- (i) a failure to comply with a licence condition, or
- (ii) a complaint relating to the premises (unless the complaint is frivolous or vexatious).

The decision to make such a charge will be taken in a proportionate manner in line with the [Enforcement Policy for Environmental Health](#). Where such a charge is to be made, the Council will seek full cost recovery for such inspections based on the appropriate productive hourly rate for the grade of officer undertaking the inspection.

Note - Where a local authority charges a fee in respect of an inspection, the licensing authority must—

(a) produce a report of its finding to the licence holder within 28 days of the inspection, or
(b) where a report is not provided within 28 days of the inspection, refund the fee charged to the licence holder.

8. Equality Act

8.1 The Committee ought to have regard to their obligations in terms of the equality duty under the Equality Act 2010. An Equalities Impact Assessment (“EIA”) was completed in relation to the Policy Statement following the public consultation. A copy of the EIA is attached at **Appendix 6**.

9. Next steps

9.1 The Council is in the process of recruiting staff to administer this new licensing scheme. Interviews and appointments are currently underway.

9.2 The online application process has been created and is currently going through its final round of testing. The online application form will open shortly before the 1 October 2022 deadline.

9.3 A specific short term let licensing webpage is being created for the application process. It will also provide all the information that applicants require to submit as part of their application. This will be available shortly after the meeting.

Date: 24 August 2022

Author: Claire McArthur

Background Papers:

The Civic Government (Scotland) Act 1982 (Licensing of Short Term Lets) Order 2022

Civic Government (Scotland) Act 1982

Appendices:

Appendix 1 – Consultation questions

Appendix 2 – Consultation responses

Appendix 3 – Officers comments in relation to consultation responses

Appendix 4 – Revised Draft Policy Statement

Appendix 5 – Revised Additional Conditions

Appendix 6 – Equality Impact Statement

Public consultation survey

1. What is your full name?
2. What is your e-mail address?
3. What is your post code?
4. Which of the following apply to you?
 - a. Short Term Let Host/Operator
 - b. Short Term Let User
 - c. Short Term Let Neighbour
 - d. Other
5. If Other, please specify
6. Have you read the draft policy and proposed additional conditions?
7. It will be a mandatory condition of a short term let licence that hosts and operators ensure they do not exceed the maximum number of guests for their premises. The Council may choose to specify on a licence that guests may bring children under a specified age and these children would not count towards the occupancy of the premises. Scottish Government Guidance states that Licensing Authorities may wish to set the age limit as 'under 10 years'.

Should children under the age of 10 count towards the occupancy of a premises?
8. If Yes, please state why
9. All short term lets which are granted a licence will be required to comply with a set of mandatory conditions which apply across all of Scotland. The Council has a discretionary power to impose additional conditions for short term let properties. The Council has proposed a number of the additional conditions which are set out in the policy statement.

Do you agree with the proposed additional conditions?
10. If No, please specify which conditions you do not agree with and provide your reasons

11. Should any of the proposed additional conditions only be applicable to certain types of short term let licences (i.e. secondary letting, home letting or home sharing) or certain types of properties (i.e. flats, semi-detached properties etc) other than already specified within the conditions?
12. If Yes, please specify why and which types of licences/properties should be exempt
13. The Council has the option to grant temporary exemptions to the requirement to have a licence for a period up to 6 weeks. This would need to be applied for. This could be for a large influx of visitors over a short period for a particular event. The Council is not proposing to use this approach given that the main reason the legislation is being brought in is to ensure that premises are safe to let.

Do you agree with the approach to not grant temporary exemptions?

14. If you answered No to the previous question, please state why and please specify any particular events within The Highland Council area that you think should be considered for a temporary exemption
15. If temporary exemptions to a licence are introduced, should the additional local conditions apply?
16. If No, please specify why
17. The Council also has the ability to grant temporary short term let Licences. These can be granted for a duration of up to 6 weeks. Do you think that the Council should introduce temporary licences?
18. If No, please specify why?
19. If temporary licences are introduced, should the additional local conditions apply?
20. If No, please specify why
21. Are there any types of property that you think would not be suitable as a short term Let?
22. If Yes, please state your reasons
23. Are there any other areas of the Draft Policy statement or the proposed additional conditions that you wish to make comments on?
24. If Yes, please provide your comments below

25. Are there any other areas in relation to the licensing of short term letting that you wish to comment on?

26. If Yes, please provide your comments below:

CONSULTATION RESPONSES

4. Which of the following apply to you?

[More Details](#)

● Short Term Let Host/Operator	350
● Short Term Let User	56
● Short Term Let Neighbour	83
● Other (please specify on the nex...	69



5. If Other, please specify

1	Local resident
2	Local resident
3	Former neighbour of short term let property.
4	Guest house owner
5	Holiday Cottage Letting Agency
6	Local business that benefits from visitors staying in the Highlands
7	Resident of Lochaber
8	Resident of a town where there are a number of short term lets
9	Resident in town with high number of short term lets
10	Retired B and B owner looking to sell B and B business
11	Ex B&B owner
12	Resident and work in fort wiliam
13	Resident
14	I live in a mid-terrace in Innes street. and there are several Airbnbs close by

15	Use self catering cottages for holidays but also live close to an excess number of short term lets in Inverness
16	Potential Short Term Let Operator (my property was previously used as such but has not operated for two years)
17	Guest House owner
18	Potential let host
19	Tying to move near family to assist with childcare in Boat of Garten - house prices going for 20-40% over property valuations due to second home, short term rental buyers purchasing. Almost given up hope of actually being in a position to move there.
20	Owner of guest accommodation - non domestic property with business rates.
21	Resident of Highland and taxpayer
22	B&B owner
23	We are a traditional Scottish Highland B&B, not AirB&B, providing hospitality for the general traveling public, mainly walkers and cyclists.
24	All of the above
25	B&B
26	Local resident in Grantown-on-Spey
27	Accountant to businesses affected
28	Ex-resident, frequent visitor
29	Resident in an area with high level of tourism and rising number of short term lets
30	HMO operator
31	Current long term tenants being evicted so the owner can use this house as a short term let
32	Potential Short term let Host/Operator
33	Potential short term let operator
34	Fully employed on the Isle of Skye and unable to find accommodation
35	Bed and Breakfast owner
36	Restaurant
37	Home owner, new to letting
38	Resident Highlands and Islands
39	Member of public. I also use short term lets in the Highland region normally 2 times on average per year.
40	Bed and breakfast operator

41	Log Cabin Holiday Let
42	B&B, one room in own home
43	private house
44	A resident in a community where there are short term lets
45	Might become a short term let operator / host
46	key worker unable to find a private long term let in area impossible due to short term lets (skye)
47	May run a short term let in future, live in Highland, use short term let's for family breaks
48	Live in a community affected by them
49	Local Business
50	I don't fit into any of these categories I am a local resident
51	Residential Landlord with Tenants
52	Concerned previous highland resident
53	Someone who grew up in ullapool and if I wanted to buy a house here would be hard pushes because spare land, houses for sale etc get used for short term let's
54	B&B and own 2 long term let's.
55	local resident concerned about the growing number of pods and other air n b&b's
56	I've used air bnb before
57	Have to rent accommodation because locals have been priced out of the buying market. Rents are far too high, too.
58	I am trying to move to the area and there us no opportunities for long term let due to everyone making fast money on the short term let!
59	Full time resident home owner in Sutherland
60	User of short term lets you
61	We are a Licensed Restaurant with Rooms and therefore exempt from STL Licensing.
62	Hoping to be a short term let in near future
63	Extensive experience in dealing with the housing issues related to short term lets and second homes, such as affordability and availability of housing.
64	B&B owner
65	PROSPECTIVE SHORT TERM HOST OPERATOR

66	Home owner
67	Local resident
68	Booking platform
69	Member of the public
70	see later
71	Soon to be Short term let operator
72	Guest House
73	Glamping pods

6. Have you read the draft policy and proposed additional conditions?

[More Details](#)



7. It will be a mandatory condition of a short term let licence that hosts and operators ensure they do not exceed the maximum number of guests for their premises.

The Council may choose to specify on a licence that guests may bring children under a specified age and these children would not count towards the occupancy of the premises. Scottish Government Guidance states that Licensing Authorities may wish to set the age limit as 'under 10 years'.

Should children under the age of 10 count towards the occupancy of a premises?

[More Details](#)

[Insights](#)

● Yes 253
● No 223



8. If Yes, please state why:

1	Too many children under the age of ten in one family would make our premises overcrowded. I don't take children if I can avoid it
2	Increases the opportunity to bring more adults, increases use of shared spaces like gardens and closes
3	Noise
4	To ensure safety of all concerned.
5	I think it is reasonable not to include babies and toddlers in calculating occupancy but making the limit 10 years would create the conditions for a lot more potential disturbance to neighbours as well as having fire safety implications for guests. Would also potentially create more pressure on parking.
6	Children could create more noise than adults. Too many children could make property overcrowded, which may invalidate host's insurance.
7	For Fire risks and insurance purposes the total Number of guests needs to be inclusive of children.
8	The impact of children at that age can be significant for neighbours. Maybe keep the limit to those that would require a seat when travelling?
9	Because they take up a bed space; only infants under 2 years old should not count
10	Premises are only a set size to have an unconditional number of children staying under a certain age is surely a fire risk
11	Over occupancy is dangerous and a fire man would want to know how many guests are in regardless of age

12	My insurance will only cover so many guests in my house regardless of age.
13	possible noise issues
14	Noise and amount of stuff they need
15	If accommodation is for four people it is four no matter the combination of adults and children.
16	They will use a bed which otherwise could be used by an adult to overcrowd the accommodation
17	Young children can have just as much impact as adults in terms of noise level, water use, waste creation and so should count towards occupancy limits to avoid burdening neighbours and council services.
18	Discounting upto age 10 would lead to a large over occupancy. I think a cap at under 5 or infants in a crib would be more appropriate.
19	Because on a health and safety front, a child is as vulnerable, if not more so, to harm. Also, this could be taken advantage of - if they are not counted as occupants then "bookers" could potentially bring along several children believing they do not require to register them. It's not unusual for clients to not classify a baby or toddler as an issue when booking, particularly if they think it is acceptable to have them in a shared bed.
20	Children who no longer use a cot/travel cot to sleep in use a bed and all other facilities like any other guest. I would use the age of 2 and above.
21	It could be a 2 bed let so 2 couples with 2 children under age of 10 each = 4 adults + 4 children trying to amuse themselves within a confined space in the evenings
22	They don't usually count towards other exercises.
23	Safety and to prevent overcrowding
24	to encourage family use : if there are enough family bookings there will be less party bookings
25	Children under 10 (with the probable exception of babies) can significantly add to the level of noise that neighbouring properties need to endure.
26	Often children are more disruptive to neighbours than adults
27	A child is still a guest. They are counted in fire regulations etc. They require a bed space. They should be counted. Plus anyone can see that 2 adults could bring 6-7 kids and not break the regulations.
28	Everyone counts
29	people are people. do not give the task of age judgement to hosts.
30	Occupation of beds determines this. If a 10 year old is staying in a property like my own SCU then yes they should be included in the maximum number of guests.
31	Many your children create more nuisance than adults.
32	A child who is 10 yrs old will require to sleep in a bed. The age limit should be lower than 10 years, suggest 2 yrs old as babies/toddlers can sleep in a cot.
33	I wouldn't include infants and toddlers in any guest total but I'd suggest a cut off age of 5. Children between 5 and 10 need proper sleeping accommodation.
34	As a neighbour in communal flatted development children running up and down stairs can cause a lot of noise.

35	What happens when 2 children 9 & 8 girl & boy have to share a bed!
36	A child under 10 is still a life so a business should have business insurance which covers for a certain amount of people and a child is a life. Also in a Emergency a extra bed on the floor or not enough floor space in a bedroom is dangerous.
37	Number of occupants should include all children as if a small let has 4 occupants this can prevent 2 separate family groups of 4 adults along with their children booking thus preventing overcrowding in the property.
38	My place is small .. additional numbers to my current add pressure to the facilities and also noise for neighbours.
39	They need to go somewhere i.e. in beds. Perhaps younger children should be excluded.
40	Because a 10 year old can still take up the space of an adult and should therefore count!
41	Already guests often do not declare children when booking and turn up with them unexpected. We do not allow children under 10 but they still turn up . I can't then turn them away. Can be inconvenience to other guests
42	They do not need adult facilities.
43	They are a guest and require space/bed/seat and they make noise.
44	Children need to be accommodated safely and have safe means of escape in case of fire the same as adults. I can see that children under 2 who would sleep in a cot in a parents room and be carried out of a premises by a parent or carer might be an exception.
45	Because children count. They use water and other resources. Somewhere suitable for four adults doesn't mean it can cater for four adults and six kids under ten.
46	Business insurance policies for B&B, holiday lets etc, stipulate a maximum number of occupants that you are permitted to have as guests within your property, unless special insurance is taken out the maximum number does not exclude children under any age limit. I for example am insured for a maximum of 6 guests and 4 residents if I am doing B&B or 7 guests if the house is let for self catering.
47	The maximum occupancy should be set regardless of age, with the exception of infants (under 2 years of age) who are likely to sleep with the parents in the same bedroom. Insurers may require the total number of guests not to exceed a certain number.
48	They should count as half occupancy, the majority of B&B's, apart from Air B&B, charge half price for under 13 year-olds.
49	My property sleeps 8 people including children, however we do provide a travel cot for an infant. The infant would not count toward the occupancy of the premises.
50	Safety is the main concern, and the maximum occupancy of the property is determined, then this should not be exceeded, regardless of age. Maximum means Maximum, no buts.
51	To ensure that the property has got the facilities in place especially for sleeping arrangements.
52	Families may bring children with them on holiday.
53	A 10-year old is not too far short of being an adult and will certainly require a "proper" bed - i.e. not a cot - so accommodation providers will have to provide sufficient beds to sleep not just the adults but the children too. This will leave the door wide open for the system to be abused, with the beds intended for children being occupied by adults. Therefore, logically it follows that all those requiring a proper bed should count towards the occupancy numbers, thereby meaning that the only people who would not count should be babies - up to the age of about 18 months, say.

54	They require a bed and use facilities
55	Everybody counts
56	Most common source of noise
57	There needs to be sufficient bed, bedding etc provided for children under 10. There is also the possibility this would be used as a loop hole by guests to bring additional persons to the property
58	Because they count as part of fire risk Assessment.
59	Because by age 10 they are reasonably large - not as if they are infants.
60	My property is set up for 4 people (two double rooms). there is not extra capacity for extra guests ... even if they are young children. Any child counts as one of the 4 and they use the beds available. I do not have provision for travel cots etc .
61	Important to know the total number of guests booking.
62	Because they still use a bed.
63	You could have a 3-bedroom self-catering holiday home where 6 adults bring 3+ children giving 9+ people occupying the property, which would not have adequate seating, beds and space for the occupants, and could lead to increased noise and nuisance for neighbours
64	10 is an inappropriate age. If they can sleep in a travel cot or similar they should not count towards the occupancy. If they need a "proper" bed then they should.
65	To prevent over-crowding and hence benefit children concerned.
66	Due to noise considerations
67	Because a large amount of children who are 7 or 8 years old can cause a lot of noise and disruption. I would set the age limit lower, for example at 6 years.
68	Children under ten can cause as much, if not more, noise and disturbance as adults. We would not want our properties, which sleep four, to be occupied by four adults and an unspecified number of under-tens. We ban children anyway.
69	Anyone over school-age should count
70	To ensure safety and prevent overcrowding. Not sure if there are implications with fire code and safe occupancy limits. Also young children can be as disruptive to the quiet enjoyment of neighbouring properties.
71	Children have more impact on the property than adults.
72	Children occupying a bed provided by the host should be counted towards occupancy, as this is a cost incurred on the host - laundry, maintenance etc, especially in smaller premises. Infants occupying a travel crib or cot provided by the guests should not count. I.e. I would prefer to see the age limit reduced to 3 years old.
73	A child even a very young child will take up space in the property and therefore should count towards the occupancy.
74	We ask guests to order a baby cot for kids under 2 years old and would guess the rest, especially 5-10 years old, will sleep on a bed. Therefore, it's OK to count them as guests.
75	Because they require bed space the same as someone above the age of 10 yrs
76	Impact on property. Under 3 would be fine.

77	It could invalidate your insurance as say house only sleeps 4
78	The number of people staying in a house should match the number of beds available - even if they are children.
79	A 10 year old would still take up a bed
80	All guests should be considered -
81	they are another person to be accountable for
82	Because I like children.
83	Maybe infants should not be included in total guests as they are using cots but other children require beds and these should be used correctly instead of having people utilising make shift beds
84	Maybe if the age was lowered to 5/6 fine but any child of Primary age should be included in the count.
85	Insurance companies need to know about the numbers of people occupying premises - adults and children both count - so the owner would need to know how many children would be occupying the premises for insurance purposes.
86	A family could have numerous children... contributing to noise and extra waste/rubbish. Also who monitors age of child? Parents could say a child/children are under ten when in fact they are older.
87	Children under the age of 10 still contribute to overcrowding; noise nuisance and use of water where water comes from a shared private water supply.
88	Because they require beds, use facilities and make a mess.
89	In a B&B, children eat breakfast, therefore are charged - toddlers/babies do not/are not - age could be lower.
90	All persons should be counted, regardless of age.
91	In my case I have only two bedrooms and no extra space for children. I don't want the house to be over capacity.
92	Fire safety. Wear and tear. Owner must know who are occupying.
93	Children over 4 yrs are likely to sleep in a bed, if they are not included in max occupancy, you could easily exceed number of beds available. (Eg In a house sleeping 6, you could find 6 adults plus 3 or 4 children under 10 occupying property). Insurance companies may not settle any claims, Fire safety regs may be broken etc. Age of children who are not counted should be much lower, ie 4 yrs or younger
94	They are still persons inhabiting a property. Otherwise, 10 single parents could come with the offspring under 10 of each family, perhaps 2 per family meaning there could be 30 people in a space meant for 10.
95	Parents have to bring their kids on holiday
96	Children take up a space at a dinner table or a single bed at the age of 10 or under. I think the age were children do not count towards occupancy should be a lower age, such as age 3 or under. Occupancy should however state individually adults AND/OR children for each property plus number of toddlers/babies that can be accommodated per room/property etc.
97	Peoples as people regardless of age.

98	They will still use of toilet and water thereby impacting on the sewage system, this clearly being more relative to new lets
99	As they require a bed. Under 2 year old can sleep in a cot. If not the cottage can be very overcrowded particularly if guests are not truthful at time of booking of how many will be staying regardless of your maximum occupancy. Have personal experience of this on at least two or three occasions.
100	They are definitely individuals so why wouldn't they be considered? They use the facilities, possibly cause more harm to the property in some cases - they are more likely to run around and/or use the property inappropriately.
101	They make at least as much noise and use the same amount of resources, or more
102	Most rooms are set up in such a way that sharing a bed isn't possible. Also For insurance reasons.
103	Because they use building same as adults
104	Under 3s should not count. Any child in a cot should not count towards occupancy as cots can be placed within the parents/carers bedroom. Any child or person requiring a full size bed should be classed as an occupant.
105	A child under 10 still requires a single bed. I would have said under 5 was a more suitable age.
106	Clearly all persons using short term lets use services such as water and waste and of course children are more accident prone and therefore could use more local doctor/hospital/dentist services
107	I think each person regardless of age counts towards the total head count for insurance purposes.
108	They are a consideration when evacuating the building.
109	I think there could be issues with over crowding if these aren't counted as within the occupancy no's.
110	Regardless of age, they still occupy the space
111	They contribute to the noise nuisance.
112	Ensure property suitable to the needs of children. To prevent overcrowding and possible noise. The need to know how many people are living in the property with regards to fire etc.
113	They take up a bed, use the facilities etc the same (or even more) than an adult
114	They are all residents regardless of age.
115	Children represent a significant source of noise nuisance to neighbours such as playing in gardens, hot tubs etc.
116	Because they are another person!
117	Health and safety reasons
118	Age is irrelevant . If there is a fire a dead human being can be both an adult or a child and the good old Scottish authorities would still prosecute for over crowding.
119	From a Fire Safety aspect an overcrowded space would have dire consequences if the children were not removed in a Fire, due to being unable to access exits and ratio outweighing capacity for speedy removal. From a noise perspective also, if Children were not counted the noise levels could be an unacceptable level.

120	Number of beds in a property
121	Insurance purposes
122	Need space and use facilities
123	4 children under ten is a lot of extra bodies.
124	Unclear why they wouldn't be included in the first place
125	children put demands on the house and neighbourhood so it is good they are counted
126	Children can cause as much disruption to their surroundings as adults.
127	I know families with 4+ children under 10 so why shouldn't they count? It would be different if it was children under 2 where they sleep in cots, but 10 year olds sleep in beds.
128	They are using beds, too.
129	Rules need to be followed
130	From our perspective as hosts, children still take up significant space - and require a bed - wear on tear of a property is equally (sometimes more!) affected by children under age of 10. We would always include children within the maximum number of people that we would let the property out to. Potentially an exception for babies in travel cots could be made?
131	Children contribute considerably to the noise produced within a property. A two bedroom property could have four adults and then an equal number of children under ten or more if children did not count to the occupancy - this would make the property overcrowded and potentially very noisy for neighbours. Maybe an exception could be made for children under two who would be accommodated in cots and would be under parental control at all times.
132	1 person irrespective of age should be counted for occupancy purposes as 3 children can be more disruptive and noisy than adults
133	Our properties are set up for a fixed number of people, the age is not relevant, the issue is wear and tear, we have to maintain our properties to a standard then ensures we can keep our VisitScotland 4 star rating.
134	The child will require a separate bed, chair, towel, etc. Every person (bar infants) is an occupant.
135	Children under the age of 10 still use the same accommodation requirements as adults
136	The property immediately next door to us is used by multi-family groups, in which children feature heavily. The noise and disruption caused by these groups is already substantial. removing the <10yr old children from the occupancy numbers, would encourage even bigger groups. More worryingly, if children <10 yr old do not count towards the maximum premises occupancy, there will be significant safety risks.
137	Because of the noise issues with neighbours and overcrowding in the lets
138	They use facilities and naturally make noise hence should be included.
139	Under 10s still need single beds etc. Cut off should be small children under 3? Who can be accommodated in a cot for example.
140	The council themselves judge children as counting towards occupancy for the occupancy of residential houses so why wouldn't they count in a short term let (holiday abode)? In my opinion all children who are over the age of a crib should have a proper bed allocated to them in any premises.

141	A neighbouring house is a holiday let and often has multiple families renting it with children. That means there have been up to 8 children at a time and therefore they should be counted. Babies who sleep in cots could be excluded from the number
142	Children of say between 7 -10 years old need a bed of their own.
143	Because we have to provide separate beds for them and this requires appropriate furniture, mattresses etc.
144	I feel true capacity numbers are important for fire safety
145	To prevent over crowded property
146	A small three bedroom property with 6 adults visiting and potentially six children under ten would I think defeat the purpose of the policy ie overcrowding. Perhaps better to be limited in number and of a lower age
147	It's a small person that needs a bed, if the house is already full capacity and you have few kids that are under 10 years, where are they going to sleep, sit ? 10 years old is too old not to be counted in the occupancy. I would suggest max under 5 years be much more reasonable
148	Because children are guests too and they need almost as much space and equivalent facilities as an adult guest - they need a space to sleep, a bed, suitable toilet and washing facilities, dining and food preparation space and equipment and the property needs sufficient parking to accommodate vehicles to convey them to and from the property. If the number of children is not regulated or included within the overall guest capacity then overcrowding will definitely be an issue in some instances.
149	If a household bring an unlimited number of children to a rental with neighbours it could impact on their peace. Under 5 or under 2 would be more appropriate
150	Because they occupy beds and take up space. Under 3's - probably not.
151	Many reasons. As examples. Children under 10 use the facilities e.g. water in the same way as adults, they contribute just as much to the noise (possibly more) generated by a let property.
152	They make a mess, use the hot water, and electricity
153	Because if your property only sleeps a certain number of people and you have only that number of beds of course they should count towards the occupancy regardless of age young or old
154	A child aged 10 would require a proper bed. Only a child in a cot should not count.
155	Because my premises, for example, has 'permanent' beds for maximum of 4 guests, which may be 4 adults, or 2 adults and 2 children, or 1 Adult and 3 children. That is, my accommodation has room for a maximum of 4 guests, whichever configuration it is made up of (but clearly there must be someone aged 18 and over accompanying children). In addition, there is no provision at my property for children requiring a travel cot, so one of my conditions is that there are no children under 3 years old. Also, in my property there is no extra fold out bed available, which some hosts do provide. The extra bed may be put up in a living room for example to accommodate another guest.
156	Yes only children sleeping in cots should not count as they don't use a normal bed if you like. ie under 2 years old
157	All children ,regardless of age, are very capable of creating noise nuisance which ,in my experience of short term letting, is the major cause of disturbance and complaint.
158	Don't understand why a child wouldn't count as one person
159	Noise levels and risks. I don't take children due to potential hassle factors.

160	It should be on the number of available beds eg my property sleeps 5 so we only take additional under twos as they have a cot.
161	Children take up as much time, space and resources as adults do.
162	We live in the ground floor flat of a city centre building containing 4 individual flats. 3 of 4 are owner occupied, but the flat about ours is now in use as an Air BnB (this was not the case when we purchased our flat from the owner of the upstairs flat, and it was not disclosed to us that it was their intention to use the property for short term lets when the sale was going through). The sound proofing between properties is poor, and children on holiday cause a lot of noise running around upstairs and jumping up and down.
163	In a multi bedroom short let premises there could be a high number of children on the premises. From our experience of this situation considerable noise can be generated to the annoyance of neighbours.
164	From an occupancy viewpoint a 10 year old is not so different from an adult. Suggest under the age of 3.
165	A child aged under 10 take up as much space as an adult
166	Yes, absolutely. From a host perspective (that doesn't take children and lives next door to our property), noise, damage and wear and tear. From a neighbour perspective, noise... shouting and screaming in gardens etc. 'If you give an inch, they'll take a mile' - this applies to some hosts and some guests... if you allow this, some hosts will cram people in, and some guests will lie, and take the mickey. To allow under 10's to not count against occupancy is a fire risk, a liability, and an insurance risk. They MUST count towards occupancy.
167	It depends... a small child would require a bed, but an infant would not. Therefore, infants, i.e. those using a travel cot, should be excluded, but otherwise they should be included in the person count
168	Insurance requirements for rental properties
169	Because they are people.
170	Because they occupy rooms like anyone else and small houses get so crowded. Holiday makers use our residential carpark to park campers where they have additional people to those occupying the airbnb. There should be a cap on numbers of people, otherwise turn them into HMO's.
171	They are using the facilities such as bathrooms as much as adults maybe more so the number of beds in a property should not be less then the number of occupiers maybe exclude children under 1 years of age in this. I would nto take any more then the number I state on my website.
172	They will take up bed space and if they are not included then that may lead to overcrowding. Infants under 2 who are likely to share their parents rooms or be in a cot should not count towards the occupancy numbers.
173	Each STL will have a limited number of beds, based on the size of the premises. If it sleeps 4 adults and they then each take one child under 10, then that makes it a sleeps 8, but only beds for 4. If it sleeps 10 adults and they each take a child under 10, that then makes it a sleeps 20. An exception can be made for an infant that uses a cot, supplied by the host, or if a guest brings their own cot.
174	Incase there are 3-4 children under 10. Beds would need to be provided. However if someone had a child under the age of 1yr then they would probably be bringing their own cotbed.
75	Age is irrelevant to use of the property, access to/from the property. I don't see why children under 10 should not count towards total occupancy.
176	They would use a bed however children who would sleep in a travel cot in parents bedroom should not count ie under the age of two

177	10 year old children are at a size that they need their own bed and therefore should count as an occupant
178	They are people and can be as unruly as adults
179	Children under the age of 10 are also people, they use water, create waste and noise. For fire safety having two adults and three kids under the age of 10 crammed into a room would be dangerous.
180	Children under 10, create noise, and waste just the same as adults and to a point more - so from a point of view of health and safety, noise to neighbours they absolutely should count towards the occupancy of the premises.
181	Because over the age of circa 2 years they will occupy a bed
182	Regarding children under 3 it would be reasonable that they sleep in parents beds, but under the age of 10 - materially affects the occupancy of the property, bookings should be made on the basis of available beds to ensure quality of stay, and that facilities (dining, bathrooms and so on) are appropriate to the visiting group size.
183	The maximum occupancy of the property should reflect the number of bed spaces available. The only exception should be babies.
184	Because they occupy a bed, but babies in cots or sleeping with parents shouldn't count.
185	Because they occupy a bed, but babies in cots or sleeping with parents shouldn't count.
186	I feel 10 years old age limit is too high. Potentially 4 adults could turn up with 4 or 5 under 10s meaning 9 people would be in a 4 person premises. Young children can be very noisy. How ever I do not think babies and toddlers should count towards occupancy rate.
187	A 3 - 10 year old needs a proper bed to sleep in, which should be classed in the occupancy numbers. A baby to 3 year old can be in a cot which is can be out with occupancy
188	Always knowing how many people are in the premises at one time is needed.
189	Large groups or families with lots of children under ten could cause nuisance.
190	They will need proper accommodation - bed, seating etc, unless they require baby facilities.
191	Children will contribute to the noise levels that impact neighbours
192	As the purpose and rightly so is to ensure high standards and guest safety, what matters is the number of beds, sleeping arrangements and how many guests whether adults or children can sleep comfortably.
193	It is imperative to ensure Fire Safety for all parties including the visitors and neighbouring properties. If the under 10's are not recorded and the adult numbers are at a maximum for the facilities, this could create a risk not only to the family but other services assisting in the event of a fire incident.
194	Children over the age of 2 need a bed, a seat at the dining room table and bathroom facilities. Children of all ages need to be able to escape fire (and floods). An overcrowded property with put-me-up beds and chairs would increase risk and decrease the quality of accommodation. I agree that children under the age of 2 should not count towards the occupancy of a premise. We provide a cot and highchair.
195	Although this does not apply to my circumstances I do think that a family of say 4 children under 10 (a normal family) in a small self catering property, which could be licensed for a maximum of 2 or 3 people, would be unacceptable, especially to neighbours.

196	Children older than babes in arms need a bed
197	Given that known occupation numbers are a crucial part of fire and health and safety regulations and indeed VisitScotland star ratings take into account the distribution of guest numbers within allocated bedroom spaces to afford the most comfortable living experience, if it is left open to exclude children other than infants, then unscrupulous guests could pack in far too many unbeknown to owners leading to damage and incidents which may then negate insurance, also endanger other occupants in the event of a fire. Perhaps if provision can be made for one or more cots or an inflatable bed or bed settee then these figures should be entered as the maximum. I believe cases of huge numbers packed into holiday houses have occurred. A finite number protects guests within a single unit and the amenity. Given that the new legislation was understood to stem from city party and overcrowded air b and bs causing disturbance, surely unspecified and easily exploited conditions like this neither address the threat of disturbance, safety and noise in the spirit or aim of the legislation, nor do they make sense in protecting the business of the owner who on the face of the licence has permission for an appropriate number of occupants suitable for the accommodation.
198	The age should be based around whether the child has the ability to sleep in one of the installed declared beds.
199	The require a bed to sleep in.
200	could lead to over crowding if not
201	My property sleeps 10 - it has beds for ten whether adults or children. If a party were to bring a single additional put you up bed for an under 10, it would not make much material difference but in my opinion more than just one additional bed - and therefore an additional child under 10 - would for me mean the group was too large for the property.
202	All host should know how many guests are staying and property should be fit for party staying
203	They take up beds
204	They would still need a bed
205	They have the same impact as an adult in terms of noise, disruption and beds required.
206	Under 2's shouldn't count. Any over that should. Otherwise you could end up with 7 adults and 7 children in a 10 occupancy let which is then overloaded. Example, obviously.
207	For safety and welfare reasons
208	Because they make a lot of noise.
209	If they're using a bed and eating breakfast then they count
210	A child is still a person and needs adequate room and sleeping area.
211	A lower age would be more appropriate. However this may just our viewpoint. We do not take any children.
212	They are people !!
213	They are a person occupying the property
214	Because kids are mini people and can be more intrusive on neighbours than adults , to discount them is unfair

215	They are using beds, bedding and facilities. If children under 10 are not counted toward occupancy then facilities and supplies provided may not meet their needs. Would excluding under 10's effect insurance or booking fees?
216	They occupy beds and use facilities.
217	If there was a fire a nine year old would be treated the same as an adult
218	It's good to know the correct numbers in your property for safety
219	I would suggest under school age (5) is better as they can share bed with parents, if a child has their own bed then they should be counted.
220	Children, especially younger ones, tend to be less mature than adults and therefore potentially cause more damage to the property.
221	Small premises could be overcrowded with extra children
222	Safety and Insurance implications. Why make it more difficult than necessary. Transparency is key!
223	For health and safety reasons
224	I feel for safety reasons the beds in each property should determine the number of guests.
225	They contribute to excessive noise, tend to explore land without due respect for land owners and can be rude
226	Because you don't want to attract over crowding to properties.
227	10 is an age where a child would require a full bed and the support potentially of an adult to evacuate in an emergency.
228	Liability Insurance applies to all occupants
229	why would they not count ?
230	They costs the same as an adult!
231	Infants <2 years old Only should not be counted
232	I feel a property should be licensed for maximum occupancy regardless of age
233	H & s, fire risk
234	I have limited space
235	They are using spaces
236	I think a child of 10 would occupy a bed on their own so should be counted, only a child sharing parents bed would not count.
237	Homes are set up for a set number of people and if too many stay in one, it would become overcrowded and not the experience the family deserve. Should reflect the number of people the home was intended for when it was built.
238	Because a 10 yr old will need a bed. Infants under 2 yrs should not count to occupancy but definitely children over the age of 2yrs

239	There seems to be little point specifying number of guests if an unlimited number of children are allowed. Children under the age of 2 could be allowed
240	They take up space and use the facilities.
241	They will need facilities such as bed etc. etc. just the same as an adult.
242	Children under 10 years old would require their own beds, children under 2 in cots would perhaps not count towards occupancy I would have thought.
243	Child of any age will occupy a bed and therefore count as part of the short term booking.
244	They are taking up a bed or cot tgen they are a guest also for health and safety reasons as well
245	There may not be enough beds otherwise Use facilities in same ways as adult Wear and tear
246	My room is for 2 only
247	Insurance purposes
248	Because they occupy a bed and maximum occupants should be the same number of beds. Babies and toddlers in cots should not count towards occupancy
249	Over the age of about 4, many if not most children sleep on their own in a bed. An operator needs to know how the bed spaces provided will be used. For example, If a property has 8 bed spaces in a combination of singles and doubles, then 8 adults can be accommodated - - although there may be some guest concerns around bed-sharing between guests of differing ages, sexes and marital/partnership status. Suppose that the same group of 8 adults brought with them 4 children under 10 of differing ages and sexes, how does anyone determine whether or not there will be available bed spaces for all? I believe that the licence is an inappropriate way to deal with this issue: it should be a matter for resolution between guests and host, taking into account the health and safety of all occupants of whatever age and the contractual requirements of the host's insurers.
250	I have a double bed and two single beds. I do not allow children under 3 and maximum occupancy 4 people.
251	Need bed etc
252	Because they take a bed. Only exception should be infants in cot or with parents
253	If they occupy a bed space so it should be counted towards occupancy.
254	Need to provide beds & space etc for all guests

9. All short term lets which are granted a licence will be required to comply with a set of mandatory conditions which apply across all of Scotland. The Council has a discretionary power to impose additional conditions for short term let properties. The Council has proposed a number of the additional conditions which are set out in the policy statement.

Do you agree with the proposed additional conditions?

[More Details](#)

 Insights

● Yes 290
● No 186



10. If No, please specify which conditions you do not agree with and provide your reasons:

1	Additional condition 5(i) Floor coverings & (ii) noise monitoring. I understand the reasoning behind both points, however these do not need to be applied to all types of accommodation and would create unnecessary additional expense for such properties. (ie separate annex's, yuts, detached remote properties etc)
2	I agree but would like to see conditions re carpets etc to minimise noise to include stairs as well as halls. I would also like to see more recognition that noise can travel not just between flats below but also to adjacent properties ie between semi detached houses through shared walls.
3	Will neighbours be able to access contact details for the licensee so can share concerns/issues/complaints? Parking can be an issue too
4	All are acceptable other than -is item 1 not a part of the normal legislation already and requirements of 4. Noise should only be applied if three or more validated complaints
5	Reporting incidents
6	In an area where there are housing shortages there are also employment shortages so if you make it harder for existing businesses to get a licence you are creating even harder employment restrictions. nec
7	Bureaucratic and difficult to administer with little benefit for the sme
8	I do not see the need for the Highland council to be involved with this, there are already too few places for visitors to rent.
9	System is working well in the area, its already hard to continue to do business and extra restrictions/ legislation will make it harder to continue short term let's. People won't go to long term let's due to all the extra restrictions against landlords so there will be a further crisis of both holiday accommodation and long term let's in the area.
10	the whole thing is bad enough without adding more on

11	Carpets in properties are unclean. Hard floors such as wood or laminate are preferred for hygiene. Also it is unfair to ask that hosts be responsible for common areas in shared properties. This is a shared responsibility & other owners/tenants etc must fulfil their obligations. It would also be against the existing title deeds to suggest 1 person is responsible for keeping shared areas clean. Are you going to re write existing title deeds ?
12	Do think loud music after 23:00hrs is still too late. If an issue is raised time should be earlier and consideration given to type of neighbour, eg if in residential area, may be problematic for families trying to get kids to sleep for school next day.
13	Should be requirements to pay business rates and trade waste charged etc
14	Why make it more restrictive?
15	Agent - there must be the provision of naming a property manager as I will be not on site to deal with guests and/or the property in person. EPC - display of this does not make any sense to a guest in a holiday let, its more intended for a tenant or a buyer of the property
16	5. iii) Whilst it would be unlikely any guest would arrive after 11pm, unless their train/flight had been significantly delayed, it seems ridiculous to prevent guests from checking out before 7am. There are 9 scheduled flights from Inverness Airport at 7am or before. Many short-term let's in Inverness are flats and have a communal entry, this rule would preclude them from hosting guests catching an early flight. Lots of people work an early shift and live in flats, this rule seems ill thought out and unfair.
17	noise criteria and management is technically wrong unworkable and prohibitively expensive. you can not set maximum dB it would have to be a A or C weighted time equivalent level for an appropriate time frame.
18	5.ii appears to require installing noise monitoring equipment. Our property is a fully detached house set in a rural area with the nearest property 50m away. This requirement is excessive. Likewise requiring us to put arrival departure time notices (11pm to 7am) in our documentation is absurd! Many of our guests need to leave before 7am to get to ferries, planes on time! They won't even disturb the neighbours sheep!
19	5.1 I do not think it is fair to require carpets or vinyl floor covering with underlay. If the property were occupied as a residence the owner would be entitled to use other types of flooring, in particular wood flooring. The noise level would therefore be the same whether the property is occupied as a Short Term let or otherwise.5.2 I don't think it is reasonable to expect a licence holder to keep and operate noise monitoring equipment. The noise level will vary depending on the activities and number of the guests at any point in time. The licence holder will not be on the premises.
20	Ensure any vehicles belonging to guests are parked lawfully, for example explaining where any designated parking spaces are to be found and highlighting any local rules. - This is the responsibility of the vehicle driver who can be penalised personally. The licence holder shall notify the Council, as soon as is reasonably practicable, of the details of any incident of anti-social behaviour affecting or emanating from the premises which has necessitated police involvement - may prevent the emergency services being called quickly. Would the police not refer and serious incidents to the licencing body? The licence holder must take reasonable steps to ensure that guests do not first arrive or finally depart from the property between the hours of 11 pm to 7 am - This is unusual behaviour and you would expect reasonable people to do this quietly. Can we restrict people's liberties to this extent? The licence holder must not affix a key box, or other device to facilitate guest entry to the property, to any public or jointly owned private infrastructure without prior written permission of the relevant authority or owner(s) - This may unnecessarily restrict legitimate and responsible small businesses. It may be that a compromise regarding complaints around lets could see a restriction placed on individual operators.
21	Unnecessary

22	Many of the conditions do not apply to the very many rural properties for rent in remote areas of Scotland e.g. noise nuisance, anti social behaviour. Also the property I regularly rent is already full compliant with all require health and safety requirements, e.g. chimney flue, water supply.
23	All of them , there is existing legislation to control all of these issues. This will make the scheme more onerous and costly
24	Not for some properties . These will affect people that offer rooms in their homes on a casual basis to earn extra cash, those that offer basic style bothy accommodation , so things the EPC ratings won't apply. This is just a way for some people to earn a little extra money for a few months and provide cheap accommodation for those on a budget. This licence will inflict the same rules as large self catering ./ B & B establishments and is unfair
25	5. Noise - In particular ii, iii, iv, v to set specific hours for arriving, leaving, use of hot tubs and so on is too restrictive especially as a vast part of the council area is rural. Having to have noise monitoring is also excessive. The noise levels should be restricted to be in line with the standard residential use in line with reasonable use of ones property. There shouldn't be a requirement to monitor decibels as there are no requirements for parents to limit the number of decibels their children produce when they play (or similar). 8. Prohibition of LPG room-heaters and storage of inflammable liquids etc - Anything that can be legally done for a residential property should remain. In a house sharing situation the paragraph written as is would stop me from storing small gas bottles for my own use but allow the guest to store theirs. This restriction should be removed altogether 9. Maintenance of property - The mandatory checks, inspections and records should be removed both for solid fuel and hot tubs. These are too onerous and there is no demonstrable problem in these areas for short terms let that justify the imposition of further bureaucracy and costs which are a particular burden for house sharing scenarios. 10. Requirement to produce on demand any policy, certificate etc. - This makes no sense to me. Who would be an "authorised person" and would one check if they are indeed authorised'? In this age of scams, whilst I think it is fair enough to have to be able to produce license documents, who is authorised then must be extremely clear and easy to verify to avoid fraud
26	several irrelevant to rural properties
27	The regulations are already complicated enough.
28	5. Noise ii Noise monitoring equipment – very very expensive . In a rural detached building that has been trading for 50 years as a bed and breakfast and has 4 room/8 guests is this necessary? Where does the monitoring equipment go? This is invading guests privacy. How do you take into account the seagulls, low flying jets, dog barking? This is not possible to do. iii Guests do not depart from the property between the hours of 11 pm to 7pm – This is totally unrealistic. For 20 years we have worked with Scottish Ambulance Service to provide accommodation for relief paramedics that need to be in the area for work and save life. This will make it impossible for these guys to stay in any accommodation. They work shifts and can get called out at night or arrive back late after a long shift or a call out in the early hours of the morning. We also have many workers that need accommodation whilst they work in the area temporary. These guys can start/leave for work 6am or before. Walkers like to get on the hills early, photographers come to the area for sunrise photos.
29	The licence holder must take reasonable steps" to ensure that guests do not first arrive or finally depart from the property between the hours of 11 pm to 7 am. " The public transport connections in rural and remote areas may well make this unreasonable. For example, making an onward journey from Tain to the central belt ,or to Orkney may require taking the 6am bus. This is not unreasonable.
30	Definitely should never need planning permission on an already established stl
31	The condition of annually cleaning a wood stove flue is unrealistic considering the limited amount of authorised, accredited chimney sweeps in the Highlands! The cost of getting someone to Durness to do this would along with the other mandatory inspections would amount to well over a weeks letting income.
32	I believe that these additional conditions should only apply to short term lets in flatted dwellings.

33	All of them, because this is killing the traditional Highland B&B where guests become part of the family and have similar rights and responsibilities.
34	Noise – it would be unreasonable to exert additional costs on properties that have solid wooden flooring (or similar) by them having to cover with carpet, etc. unless there was evidence of noise complaints. Some properties, such as listed buildings, may not be able to cover flooring. In this instance such a condition may put this operator out of business. Noise monitoring equipment should not be a mandatory condition as matter of course and only be required if noise complaints are received. Local authorities already have powers within existing legislation to deal with noise complaints. Adding additional conditions to existing powers would be arbitrary.
35	This is the death knell for tourism in Scotland. Yet another ASSEMBLY and Sturgeon disaster.
36	Endless paperwork
37	I agree with some of the suggestions, but not with all. #1 agree #2 unnecessary #3anti social behaviour, license holders may not be notified by guests, or police about any anti social acts, therefore how can they notify the council? Unrealistic expectation, they should act on Anti Social behaviour should any be reported to them, but they can't notify on what they don't know about! #4 agree #5 I don't agree with the need for noise monitoring equipment, again ridiculous!! live on the premises I will be the monitoring equipment! And I will certain stop any noise problems #6 Agree #7 Agree #8 #9 Chimney annually cleaned/ inspected, there is a stove in my part of the house, guests have no access to the stove (EVER) I use it maybe twice a year but I would have to get it cleaned (unnecessarily) for something which isn't used or accessible to guests, Don't Agree! Safety around Guest accessible hot tubs, I Agree
38	1. Material Changes, it is not defined what is meant by this
39	Several of these seem excessively bureaucratic, especially for outlying rural areas - particularly conditions 3, 4 and 5.
40	They are geared to short term let's but the legislation also includes B&Bs. As a B&B we will often have people stopping for 1 night who need to be on the road early to catch ferries/planes etc. The legislation needs to ensure it covers all that it applies to and in such a way that it allows businesses to operate properly
41	I don't agree with butting noise monitoring equipment in place. I feel that brakes privacy as that would be recording guests and would Put people off. AllGuests are told about noise levels from letting agent and if necessary neighbours can call My self of the police but it's over the top to put in noise detectors into property. Especially those that are not flats and that don't host large number of guests and don't except parties.
42	Trying to compare rural & town/city in this is unreasonable. Some of the conditions do not need to be included in rural properties.. flooring, arrival and departure times are unsuitable for an area that claims to be the outdoor capital (Lochaber), hillwalkers set out very early for example so may want to leave early morning, longer travel times to get to area or to depart early to avoid busy times in the central belt
43	Many. Bureaucratic rules will harm this business sector. The Scottish government evidently has no interest in rural communities.
44	We do not agree with the exemptions regarding yurts, pods and unconventional buildings etc because in our opinion these types of premises are more likely to fall short in terms of safety. It seems to us that premises like ours (normal self catering in a conventional building) will be unfairly targeted.
45	Key boxes requiring prior written permission of the relevant authority or joint owner(s). Presumably this applies to communal areas with a block and effectively gives other residents the power to veto a licence application with no reason or appeal process. Also what if they simply dont reply - as written permission is required they effectively also prevent a licence being issued.

46	No mention of fire doors, automatic closures, thumb turn operated locks on escape routes And outside doors
47	requirement to specify designated parking, the area available for parking at my proposed site is a private road over which residents have right of access to properties. There is ample "parking" available but I do not have the right to "designate" it as parking, as is the case for most of the Hotels in Inverness.
48	It's only the keybox requirement to have a written consent form all neighbours that worries me. We have no problem with neighbours and help each other on bin days for example. However, written consent is often another story that may open issues with some neighbourhoods in town.
49	Bed and Breakfasts in rural/remote areas should be exempt from the legislation
50	Condition 5 (noise) items i and ii. Condition 7- Preventing damage to property
51	Agree with majority of additional conditions BUT (5iii) This cannot be set as a condition. People, are travelling/arriving/departing flights etc. it can be an advisory; (5iv)... if you have a hot tub in a built up, residential area, I can see this being advised but if you're in the middle of nowhere or quite private, then not 10pm. Hot tubs are not all about hen/stag party nonsense. Our guests like to watch the dark, starry sky late at night not disturbing anyone. (6) we can only instruct on what rubbish goes in what bin. All areas in UK/internationally are different. What goes in a blue bin here is not likely to be the same in the south of England .
52	in general rural properties with no near neighbours would not cause noise nuisance and there would be no mechanism for the host to ensure these conditions were met
53	5.iii - sometimes guests are workers in the area (hospital staff, construction staff, night shift workers etc) who work shifts so the 11pm to 7am requirement is not reasonable. We need these workers in the area due to staff / labour shortages locally. 7. Lockbox rules aren't going to work, they are already affixed to buildings and which will look messy if they are now removed. People will drill into walls rather than wooden door structures - the lockboxes will still be there, just in a different place. Or even worse, hung onto railings (so they are not affixed).
54	I feel that these laws and rules should be for second home owners and folk letting rooms in council houses
55	5. Noise - are you saying that only carpet or vinyl flooring can be used? What about wooden floors, tiles, etc? You can expect people to remove these quality floorings and fit vinyl.
56	I don't agree with any licensing is going to damage the economy of many families
57	Not all conditions should apply to all properties. Some are on the middle of towns and some are in the middle of fields.
58	It's all the additional paperwork for paperworks sake that I have an issue with, not to mention the additional cost of getting reports written.
59	All of them are over extensions of legislation. And generally repeat power and guidelines already generally available.
60	Where loud music in the garden should stop by 23:00. If the let is in an otherwise residential area this is too late. Consideration should be given to neighbours who may well have work or school the next day. Many campsites use 22:00 and this would be more appropriate.
61	Yes and no would be my answer. A lot of the conditions we are already doing but as it's very difficult to get a tradesman at short notice on Skye already as they have so much work. I suspect it will be difficult to get Electrician, for example to safety check everything as so many others will also be needing the same checks. Possibly delay in obtaining licence?

62	I don't understand the problem you are trying to fix by adding more bureaucracy and cost to people's lives?
63	I'm unable to download the document so I haven't read it.
64	Just ridiculous, putting many small operators out of business as it is without making it more complicated
65	I broadly support the additional conditions but feel that Section 3 iii should be reworded
66	They complicate the process and make it difficult for hosts. This is a popular tourist area. Tourists should be encouraged to our area and thus the hosting process should not be over complicated
67	Over regulation, totally unnecessary additional costs, Big Government gone bad.
68	I think that sound measuring system is completely unnecessary requirement for a detached property and the statement should reflect this. Also use of hot tub should be restricted to 9.00pm and external music 10.00pm.
69	Re: floor covering. My small B&B which is also my home is not the same as a 5th floor airbnb. One size does not fit all. Wooden flooring in a rural location is more practical than carpet
70	Requirement for an EPC in properties that are new build or conversion in the last 10 years as an EPC will already exist and is valid for 10 years.
71	The additional conditions are far more suited to city and town lets, not rural ones
72	We let out one room in our house. This does not affect local housing availability, which was the driving factor for legislation. We bring tourists and tourism money in to the village. The local shop, cafe and pub all benefit , as does the village in general. We strictly adhere to all safety recommendations and operate under airbnb, who are extremely professional. We see this as another stealth tax in our case. We are retired pensioners who only let out 3 months of the year to supplement our pension. This year has been particularly slow due to fuel costs and general cost of living. This tax will be another nail in the coffin for us and the area. If a tax is brought in we will have to close our busines This to our detriment and the village in general.nb
73	You are not considering the cost of these requirements. A long term let currently costs around £2000 to be fully compliant from scratch.
74	Planning consent prior to the deadline of April 22 is a worry to me. Surely Planning consent means the neighbours will all have to agree to allow the SLT to be allowed. This is really unlikely to happen. In B&S area where my STL is located you could make 20,000 new homes available tomorrow, they will all sell/rent to people moving from outside B&S claiming they deserve the right to live and work there, rather than a holiday house. I am English, I explain this knowing England has a housing problem too. People are constantly moving to areas like Aviemore, the supply can never meet demand within U.K wide as incomming population from other Nations Hong Kong, SouthAfrica, Asia, Africa, Ukraine, Global, worldwide housing issues, legal or entry for refuge, all puts a demand on housing stock. I am from Kent, I policed mass migration daily hundreds of people entering U.K to find shelter. I cannot blame them. However, what we are seeing now is an impact Globally and across Europe, successful countries where housing prices and availability is stretched. The planning permission worries me because yes I am a STL and fear my business and others will have objections, but what does this solve? We then cannot trade? Does that mean holiday people no longer can find accommodation, so they go elsewhere? Most of my customers (approx 80 percent) are now Scottish. They come from Aberdeen, Glasgow, Edinburgh, Perth to have short stay in Aviemore. They can all fly out elsewhere. Aviemore will loose spending internally. I have a house I've invested locally with every item I purchase. I use local shops for all my interiors. All local technicians carrying out work. I invested in new carpets, new zero emission heat system, furniture. The whole house needs constant redecoration. Take all that away, what work do the locals do? I can long term let my house sure, but what work does that person do whilst renting my house if no tourists are visiting? , if it beomes a ghost town? Of course people will object planning permission because let's face it, if you don't have to listen to holiday people in your street and had a quiet older couple, it would be a nicer thought - I can see few applications going

	through with no objections because most people are blinkered to a bigger picture and think just for their own self, not for wider infrastructure and business being able to sell products like outdoor clothing and services such as Laundry and cleaning, needs holiday visitors. So, planning permission on top of the Licence is a real worry. The cost of two fee's in itself is crippling when the running costs are so high in the first place. Projected profits really very low with increased energy costs.
75	Leaving guest house at 7am. This imposes a restriction on other persons in the household leaving early for work.
76	I note those around noise are subject to investigation - important the distinction between rural & urban let's is made.
77	No, none of these additional conditions are Highlands Council specific problems. I don't see why Highland Council need to set additional conditions that weren't deemed necessary on the mandatory conditions set up by the Scottish Government. Any additional conditions will make the Highland Council area less business friendly than other council areas of Scotland. The Highland Council area already struggles with business and employment opportunities.
78	We are a rural BnB. These are more for City units.
79	Unreasonable conditions
80	Why are you hurting a business sector already on its knees experiencing huge increased costs.
81	The council are not the correct Body to be running this
82	Noise conditions should already be dealt with by environmental health should it not? Whilst in theory it is great to ensure that guests dispose of waste / recycling appropriately it is virtually impossible to police with every local authority having different rules within the UK let alone the language problems with guests from abroad.
83	LPG heaters - we have a calor heater, stored in garage, for use during power cuts (common in our area). This would prohibit use of this, unless you put a provision in.
84	Highland Council should not have extra powers to impose as they feel fit, they should be governed by and be answerable to high government.
85	The mandatory conditions will incur considerable cost on an on-going basis; there are also considerable challenges in securing the required expertise/qualified professionals in rural areas (such as the highlands) to complete the actions demanded by these conditions making it even more difficult for hospitality businesses to meet the requirements for a licence.
86	I fail to see how the council will monitor the properties. Particularly as they are cash strapped at the moment.
87	there should be a condition that requires operators to be contactable outside of normal working hours - ie: to be contactable during Saturday and Sundays, as presently, even if I raise a concern, no-one from the operator/agency bothers to answer or raise the issue with the guests until Monday morning, and by then it is too late. As a lone woman, I do not feel safe approaching a group of rowdy people late at night to address potential anti-social problems; that should be the job of the agency/operator. Also, any 'games room' [sometimes a garage) should be adequately sound proofed and should not be used after 10pm, same as Hot Tubs.
88	Section 5, part 11 Monitoring equipment-is this something else hosts will have to pay out for ? Part 111 Arrival/departure times-addresses in rural areas are difficult to find, lack of road-names, street names even with sat navs.guests will get lost and arrive out of hours. Surely a catch all phrase' Hosts will take reasonable steps to ensure that guests do not cause a nuisance to other residents/guests in the area' would suffice.

89	The requirements for noise monitoring equipment - this should not be required for detached houses. The requirement that guest cannot leave finally before 7am - many of our guests have very long journeys from remote parts of the highlands; this is not compatible with tourism in the north west of the highlands. Both of these are applying city issue problems to remote holiday cottages where these problems do not exist.
90	I do not believe that additional conditions are routinely needed.
91	Confusing! what type of records are required for furnishings and mattresses? pictures of labels? why is an EPC included when the property is not for sale?
92	The draft document is not clear and could not see any additional condition just for the highlights
93	ADDITIONAL CONDITIONS - OBJECTIONS 3. Antisocial behaviour: 1. LHs already take reasonable care through signs, instructions and Ts & Cs but cannot "ensure" or make other people "adhere" – so you cannot expect STL owners to act as police and law enforcement. V. LH should not themselves be penalised in the rare event that police involvement is required to deal with any bad behaviour on someone else's behalf. 4. Privacy and Security: I. Again, the license holder "cannot ensure" adherence to these rules a. The LH cannot "protect" other neighbouring premises security or privacy, apart from normal courtesies and respect. 5. Noise: I. Can't "ensure" the type of floor covering – suitability is subjective and dependent on a range of needs. II. You cannot enforce the installation of noise monitoring equipment, which both guests and LH's would find objectionable, intrusive and against GDPR privacy. It is unreasonable to ask LH to "ensure" noise rules – and how? How do you judge what is a reasonable complaint and what is not, regarding the loudness, frequency and duration of any nuisance? Such monitoring equipment would not prove a noise nuisance issue, (unproven cause and effect) and I cannot see how this would be recorded, monitored or enforced. The existing legislation ALREADY serves this purpose, and local authorities already have relevant powers III. LH cannot "ensure" THESE arrival and departure rules; and particularly so in the Highlands where long distances to public transport and onward travel dictate circumstances. IV. Hot tub Ts & Cs should cover this. How would you expect a LH to "ensure" the behaviour of their guests? You can't seriously expect a LH to stand there with a watch and towel! Midge will probably see them off! V. Outside music -This would be covered by Ts & Cs – again subject to "reasonableness" and "neighbourliness" 6. Waste disposal: a. All LH should already be providing and paying for business waste collection, which is already regulated with dated Highland Council Bin Collection Stickers, without which it is not collected! b. Professional STL operators already provide information in their premises on waste collection. c. Again the LH cannot "ensure" guests obey local waste & recycling rules and bin use. d. Toilet notices would be in place with professional operators but a council sticker might be useful. 7. Preventing Damage to Property I. Again this is relevant to HMO premises only. Removal of key boxes may result in more disturbance? II. Key boxes could perhaps be centralised somewhere that is secure and available 24 hrs. 9. Maintenance of Property I. Wood stove chimney: Inspection of a chimney and "a suitably competent person" – are these defined and is an annual cleaning of the chimney by the owner, a visual inspection and a written note of the date sufficient to comply? here would not be enough chimney sweeps to professionally survey the Highlands! II. Hot tub rules: Again the LH cannot "ensure" adherence to the rules, but common sense rules of use should be displayed. 10. Requirement to produce on demand any policy, certificate etc. – as per terms of the STL License.
94	8 is unclear whether LPG bottles like propane for BBQ can be stored on premises - if there is additional condition about storage of fuel, then this should be separate from the content about room heaters.
95	The proposed conditions are reminiscent of a police state.
96	They are heavy handed. Particularly the ones about noise monitoring equipment and floor coverings.
97	Anti social behaviour - There are virtually no examples of this currently in relation to short term lets in our area. It is impossible for STL operators to 'ensure' that no anti social behaviour takes place. A better phrase would be 'to take reasonably practicable steps to encourage guests to behave well and in a manner that is in accordance with the proximity of the property to other residences'. "Reasonably practicable steps' should be used to replace ensure in all cases where the word 'ensure' is used throughout the additional conditions. The additional conditions should also be placed in context. Rural and remote properties will be different for example to a flat in Portree. An

	owner cannot 'ensure' their guests understanding of anything, unless they plan on interrogating them. Again 'reasonably practicable steps' would be better phrasing and more proportionate. Noise monitoring equipment is totally pointless in a rural setting and the results are subjective. This clause gives nefarious neighbours the opportunity to complain and potentially challenge the granting of a licence that really should be granted. Noise monitoring equipment in rural locations should not be required. Again context, proximity to other properties and proportionality should all be borne in mind. So too with the hot tubs curfew. This is overly onerous in a remote setting where using a hot tub after 10 pm had no impact of neighbours whatsoever.
98	I think that normal conditions are already a good step forward and additional conditions if required should be consider at a later stage once the license is rolling.
99	Conditions which are not reasonably enforceable
100	I do not agree with with the extremity of the proposed conditions and associated costs, as these will see tourist accommodation fall dramatically, and the will mean a loss of much needed income, especially in the more remote areas, which are already being depopulated.
101	Electricity, safety checks are all extra costs for small business. This is just the snp applying extra taxes and restrictions on business owners so they can give fritter out cash away on benefits and vanity projects.
102	EPC requirement for home sharing as this is irrelevant if short term let premises is not wholly occupied by guests and is within family home.
103	The only thing it might be worth considering is the timescales for noise outside during the week when neighbours, residents, are working. 11pm is quite late for noise outside on a week night. Our experience is that guests on holiday are often oblivious to the fact that people who are residents in tourist destinations are living normal lives with typical day to day responsibilities.
104	I do not agree with the condition banning amplified music only. All noise , not only amplified noise, can be of great annoyance to neighbours. For example loud singing, shouting, bagpipes, shrieking children. It's not only amplified noise that creates problems.
105	More regulation equals more cost for all involved parties. I am not aware of any evidence that these additional conditions are needed.
106	As a host, the only condition I don't actually agree with is, is 5.ii (noise monitoring equipment). However, if it is only to be applied as stated, after complaints of noise, then yes, fair enough. Whilst I agree that this should be applied to town and city premises, and probably holiday lets that are semi detached, I feel this is overkill for much of Highland. Many Highland holiday lets are remote, rural and detached, with the nearest neighbours being some distance away, and I do not feel that noise monitoring equipment is relevant in these cases. Also, as all noise monitoring equipment is different from brand to brand and price to price, unless they are all calibrated to a standard, they are someone defunct before they've started. From a guest point of view, I'd find it intrusive, worry what else was being recorded, and wouldn't book anywhere that had one.
107	The majority we agree with, however there is the one stipulation in Anti-Social Behaviour 3iii where SLT owners are required to notify the Council on any police call-out. In our experience, the police are often over-committed and unable to attend reports of disturbance and anti-social behaviour (especially at weekends).
108	Mostly ok. However, in respect of floor coverings, there are two additional considerations: 1) definition of a residential property. Is this one that that 100% occupied, or does a second home/other STL count? 2. If a condition was added under this section, there should be a period of time to allow for changes to be made. A period of 3 months should be ok, which allows for existing bookings.
109	Some are incomprehensible eg on nose levels some are excessively detailed the general thrust is good but you do not require all landlords in all situations to incorporate all the actions you specify. I support the intention but the specifics play into people's prejudices about local government beaurocracy.

110	There is no need to have separate reporting for noise related issues, there is already existing legislation relating to this. Via environmental health. There is similarly no need for the owners to act as Police for their properties, if the guests of properties are misbehaving and breaking the law, that is not as a result of what the owners are doing. It could also cause conflict and therefore safety of the landlord/lady
111	I think the licence should be for longer than 3 years. Remember people are often booking a year in advance and taking deposits for this. You would need to start the process before the 3 years was up. The burden on both the business and the council would be much reduced if you increased this to 4 or 5 years.
112	I do not agree with any of this licensing policy.
113	Do not agree with the policy.
114	They appear to be far too controlling - e.g. use of hot tub, music etc. No restrictions are imposed on home owners on time permitted to use a hot tub or play music. Why should users of a holiday home have additional restrictions applied?
115	Many short term lets owners are not on site. How can they ENSURE that these conditions are met . Would be better worded to state " advise guests" . The timings rule for entry and exiting is unworkable as many guests have to leave early to catch flights or ferries (the early flight from Inverness leaves at 7 am. Guests from my B & B would have to leave here at 4am in order to catch this) Re privacy and security , since Covid many operators have changed their access arrangements and key boxes are often standard . You would need owners to change codes on a daily basis to ensure that guests cannot re-enter after they leave
116	2 as a house owner I don't have to inform the council of these incidents and have insurance in place should they unfortunately occur. I would have to inform our online agents that we couldn't fulfil guests holidays until the property had been rectified 3 how would I know at the time unless informed after the event by next door neighbour After 4 years there has been no problems no 4 specify as to what sort of property these would apply to no 5 again this is a block of flats 5 ii noise monitoring equipment this is not a requirement in a home so why should it apply in a holiday home you can ask that people respect others in the vicinity late at night but unless councils have noise patrols you are relying on good will 5 iii this would only apply if guests were leaving to take flights home .many let's are 7 days leave at 10am and in at 4pm 5 iv Ideally you don't want noise in the garden after a reasonable time but I am not in a position to check guests are indoors by 10pm and not having a bar B Q ,drink or hot tub in the garden on their holiday when it doesn't get dark til late .5v I can ask politely that considerations are given towards neighbours but I cannot ensure it at the time . I will tidy up litter left by guest but I can't ensure that it was left by my guests or passing public 6 don't you think this is already done and in the guest welcome info 7 it would be more clear if you stated where to place the keypad on the property and to ensure guest knows where to find it 9ii risk assessment for the hot tub and inclusion of insurance to cover liability 10 itemise the certificates and risk assessments which should be available annually eg insurance ,fire risk assessment, current EPC etc in
117	Visitor accommodation in historic houses with antique upholstered furnishings will not be able to comply with Furniture and Furnishings (Fire Safety) Regulations 1988. There needs to be some discretion on how this is applied.
118	Many of the conditions do not apply to a traditional B&B style property. The additional conditions, all of them, should not be applied as a blanket requirement. Mention of hot tubs regularly are irrelevant for lots of properties which do not have hot tubs. In over 50 years of this property being run as a bnb there has not been a single complaint of noise or anti-social behaviour. Specifically in relation to condition 9, solid fuel appliance - this should not be applied as blanket as some properties will have a wood burning stove in an area of the home where guests are not allowed. We have a lounge for personal use with a log burning stove which guests have no access to, therefore we should not have this condition applied. Additionally as an accommodation provider we can provide guests with rules and information but there is no way of physically making anyone do anything they choose not to.

119	<p>Maintenance of property Re Solid fuel : a record of the annual inspection and cleaning of the flue is able to be produced, on request by the Council: Where a log burner is present that does not provide hot water and or a dedicated source of heat for a room / building and is in effect akin to a decorative light in the owner / occupiers private area of their home, which guests have no access to and where suitable fire safety mitigations are in place for the building - Why should THC demand to see paperwork associated with this when they are not able to walk into a private house and demand to see similar paperwork. – It's an example of why this legislation and guidance is not required for traditional bed and breakfast accommodations who's properties were built specifically for the purpose of offering seasonal bed and breakfast lodgings to guests.</p>
120	<p>Conditions 3, 4, 5 and 6. Whilst a short term owner can ask guests not to behave in an antisocial manner, be excessively noisy and manage litter appropriately it is not feasible to "ensure" that they do so.</p>
121	<p>I let my property through a reputable Agency and they already impose similar conditions.</p>
122	<p>Reporting of certain incidents. The vast majority of such incidents would be nothing to do with a Council Licensing Officer. The Emergency Services would take precedence and the additional burden involved in having to report it to the Council is unacceptable. Anti-social behaviour. Requiring operators to ensure that their guests do not engage in anti-social behaviour requires them to considerably exceed their personal powers and possibly place them at risk for their own health and safety. Further, it is neither reasonable nor relevant to expect home sharers, particularly, to act as special constables in their own locality. We can and do give guests guidance on acceptable forms of behaviour relating to noise, check-in times, disposal of waste, etc but - like every other form of business - it is virtually impossible to enforce with guests that do not wish to comply. Enforcing parking requirements is not relevant in the Highlands for the vast majority of STL operators and is not possible to enforce if it is. Notification of incidents of anti-social behaviour is also ridiculous because - in the vast majority of incidents - the operator may not know it has happened. Privacy and security. Again this is irrelevant for the vast majority of Highland operators. More importantly it is impossible to enforce. Noise. The vast majority of premises in the Highlands will not have any likelihood of noise nuisance occurring. Are we all to be tarred with the same brush as tenement flats and suburban party houses in Edinburgh? Littering and waste disposal. How, exactly, does the Council expect this to be enforced? Do Take-Away food sellers have conditions on their license to prevent littering and poor waste disposal? If so there is precious little evidence of it being enforced effectively in most of our villages and towns. Further, there are multiple examples of public area waste bins being left overflowing for long periods of time and refuse collection being missed. Who is supposed to enforce this? Local householders? It might be best to tell them that then. Preventing damage to property. How is the provision of key boxes damaging to property? They are used for a multiplicity of reasons including to provide access for carers or to enable guests to return from a day or evening out without having to risk losing their key. In common with the proposed privacy and security condition, Highland Council should assume that all operators, like all citizens, are quite capable of working out what is appropriate for their premises. This feels like a totally unwarranted intrusion into operators lives and businesses. Prohibition of LPG room heaters etc. is a duplication of mandatory conditions and is rendered unnecessary as a result. Proposed conditions 9. Maintenance of property and 10. Requirement to produce on demand any policy, certificate, etc. replicate existing mandatory requirements and repeating them in additional conditions demonstrates a complete lack of understanding of how short term lets operate.</p>
123	<p>Do not apply in 'home letting' properties when not let! Flexibility required.</p>
124	<p>It is not clear in the draft what are statutory and what are additional conditions.</p>
125	<p>The Draft Policy should make it clear that the additional conditions are not to be imposed in a blanket fashion across all short-term let licences that are granted, but instead by assessing each licence application on its own facts and merits. We have noted that draft additional conditions 3 to 7 are based largely on template conditions contained within the Scottish Government Guidance, with draft additional conditions 8 and 9 being more bespoke conditions. However, we disagree with draft additional conditions 1, 2 and 10 – these are draft conditions that are already covered by the requirements of the 1982 Act, the 2022 Order, the mandatory conditions, or are otherwise regulated by other legislation. Condition 1 essentially restates paragraph 9 of Schedule 1 to the 1982 Act. Condition 2 is largely addressed by the mandatory conditions, in particular that the</p>

	holder of a licence take all reasonable steps to ensure the property is safe. Condition 10 is largely addressed by the 1982 Act (for example, section 5).
126	Conditions are going to far in stipulations. Guests are coming on holiday not a concentration camp with rules such as these. I have successfully run my short term let business for 10 seasons, with 5 stars and with the highest regard for people's safety and well being, cleanliness and respect for neighbours. I don't have a hot tub for guests but one off our neighbours has for personal use and can be in it till midnight, why should that not apply to them? What if a guest has ongoing transport to connect with and have to leave at 6am it's not unreasonable to allow them to leave to do so. In my 10 years no-one has given me reason to intervene, maybe I've just been lucky. Also why does it matter if my personal circumstances change.
127	Agree with almost all except Clause 5. iii "The licence holder must take reasonable steps to ensure that guests do not first arrive or finally depart from the property between the hours of 11 pm to 7 am." ".The licence holder must advise guests..." Reason -Though the clause specifies reasonable exceptions there are others that need to be covered e.g. British Airways flights from Inverness to London depart around 7:00 in the morning. so many guests may have to leave before 7am. Maintaining Quiet hours between 10pm and 7am is possibly a more reasonable option
128	I am a member of the ASSC. I have read and considered their submission to this same question around the proposed additional conditions, and fully agree with their submissions. As a member of the ASSC I frequently refer to them for their long established experience and expertise, and have found them to be an excellent source of best practice that reflects and balances the interests of all stakeholders (guests, neighbours, applicable authorities, macro and local economic tourism interests). I would humbly request that the Highland Council consider the ASSC submissions on the basis that they are thorough, balanced, expert, reasonable and underpinned with the utmost integrity. As a general note, I am supportive of legislation that helps provide a level of confidence in the short term let sector especially around health and safety of the guests, respect of neighbours (and vice versa) and the greater good that tourism enables. On the basis that the short term let sector in the Highlands is valued, and has a good reputation, I believe the best approach to the introduction of the new STL legislation is at first minimal. If over time there is sufficient evidence of poor practice, the STL scheme provides platform for the Highlands Council to introduce additional measures to address any such specific local circumstances or concerns at that time. I would humbly ask the Highlands Council to not introduce any "additional conditions" at the outset, and instead adopt a watching brief and step by step approach to intrude any additional conditions as and when required.
129	Unless a STL host lives at the property, it is impossible for them to ensure that the guests abide by the additional conditions.
130	If "reasonable steps" for noise, waste, parking and anti-social behaviour means hosts will be required to put these conditions into their T&C's then I agree because these are considerations of being a 'good neighbour'. However, nobody can ENSURE guests follow requests. We have never had any complaints about our guests. However I might expect these additional conditions to be applied retrospectively for premises causing persistent problems for neighbours. Other conditions within a host's control, eg flue certificates, I agree with.
131	10. It is not realistic to produce such documents "on demand". Since most of these will be kept on the premises, to avoid disturbance to guests the requirement should be that they be produced within a reasonable period (e.g. seven days)
132	Generally :- The Additional Conditions impose a requirement on licence holders to "ensure" various matters which are outwith their control especially if they do not live near the letting unit and find it difficult to attend in person. Specifically :- 2 (i) (b) Why is this requirement being imposed and what relevance does it have to a letting licence? Does the Council require owners who live in their own homes to intimate gas leaks etc? If not, why are licence owners being required to do so? Additional Condition 3 (i) What steps can a licence holder of a self contained self catering unit be reasonably expected to take to "ensure" "no antisocial behaviour by guests to anyone else in the short term let"? Additional Condition 3 (ii) (iii) How can a licence holder reasonably be expected to "ensure" that guests park lawfully. This should be restricted only to a requirement to explain where any designated parking spaces exist and to highlight local rules. Additional Condition 5 (iii) How can the licence holder be required to ensure this given obvious risks of guests being delayed by traffic

	<p>conditions or bus, rail or airline disruption? Additional Condition 5 (v) What definition exists for "amplified music"? Additional Condition 6 (iii) (iv) How can a licence holder of a self catering unit "ensure" that "guests manage their waste properly" especially when the licence holder might live a distance away from the unit and not be able to attend in person? Additional Condition 10 Surely this must be relaxed to require production "on demand or within a reasonable period of time" Licence holders cannot be expected to have all papers mentioned in the AC immediately to hand.,</p>
133	<p>Maintenance of property associated with the flue of a solid fuel appliance. The annual requirement should be an inspection OR cleaning as this means it is dependent on the amount of use within the year.</p>
134	<p>Generally, this seems more about creating a job to someone in the council rather than helping the holiday let owner. You should trust the vast bulk of owners to do the right thing. Owners live and die by their reviews - if you provide a good service as a matter of course, a lot of these conditions are not really required.</p>
135	<p>2. Reporting of certain incidents Not clear what this would cover as any incidents involving a gas leak or fire, for instance, relate to safety and the I would be obliged to engage the emergency services as they are directly relevant, not a council licencing official. 3. Anti-social behaviour Incidents of anti-social behaviour in self-catering premises are rare. Note - item 3i and 3ii, the language attached to the additional conditions by Highland Council in the draft Policy Statement that the licence holder must "ensure" that no disturbance or nuisance arises within or from the premises, or indeed ensure vehicles belonging to guests are parked lawfully, is unreasonable. First, many operators will not always be on site at their property. Second, while operators can reasonably ask that their guests comply with the two aforementioned examples but they cannot compel them to do so. In addition, we are very concerned at the cost implications for Highland Council to enforce this – will the Council have officers patrolling near self-catering units to check that guest vehicles are parked in an appropriate fashion? On 3 iii, that "the licence holder shall notify the Council...of the details of any incident of anti-social behaviour...", this should be dealt with by existing anti-social behaviour legislation. This would appear to be a duplication of current regulatory requirements. 4. Privacy and security Similarly, the Council repeat the same language on 4 ii that licence holders "must ensure" that guests know rules applying to shared doors and how to securely close them. Again, operators should ask their guests to comply with this request but cannot compel them to do so. 5. Noise The ASSC believe that Highland Council should adopt additional conditions in relation to: (a) noise monitoring; and (b) community accreditation and mediation. However, on any additional conditions applying to noise, there has to be a causal link to issues from those premises. 5 i. Applying a condition that the licence holder must ensure that bedrooms, living room and hallway have suitable floor coverings is disproportionate and an additional cost to hosts. This is not required for private landlords. 5 iii The council state that "reasonable exceptions" would apply to ensuring that guests arrive or leave during specific hours, it is again unfair to place the onus on operators on factors that are completely outwith their control, such as delayed transportation. At the present time, due to difficulties faced by airport operators, as well as industrial action on the railway network, many guests will arrive at their destination late due to no fault of their own. Why are Highland Council again using the language of "ensure" on factors that are not the preserve of operators? 4 6. Littering and Waste Disposal The Council again state the licence holder "shall ensure" in respect of 6i and 6ii – while operators can advise guests of refuse collection day, they cannot compel them to comply. On a more practical point, we are dealing with individuals in the Highlands for a holiday and who will not wish to spend a large amount of time familiarising themselves with waste management and recycling issues. Similarly, with 6iii, operators should of course provide the necessary materials and advice in regard to waste disposal but expecting every holidaymaker to follow this to the letter, especially when many may reside in areas with different policies for recycling etc, is unreasonable. 7. Preventing damage to property Prohibiting the use of keyboxes or other related devices is arbitrary. First, it should be recognised that keyboxes are used for a variety of different purposes, not just to facilitate entry to a short-term let – for example, they are readily utilised by carers. We would presume that Highland Council have no issue with keyboxes for this purpose but why should it be any different for short-term lets? It is the same device affixed to a</p>
136	<p>Noise - points ii and iii - it needs to be clear that noise monitoring equipment isnt compulsory (I hope it isnt anyway) . The arrival times seem unnecessary for an isolated rural property . These conditions seem to be for a particular set of circumstances that dont always apply. How would an owner prove that somebody arriving late was doing so because of transport delays? It seems impossible to enforce. Is it the intention that people have to apply for permission to install a key</p>

	box? This seems bizarre! I assume this means on shared property? If so this needs to be made clear.
137	The additional conditions are unnecessary.
138	The whole scheme is a farce and just a way to steal money from hard working people.
139	Don't remember what they are - its unreasonable to send out a survey on a Friday evening with less than 5 hours to the deadline
140	Don't know what they are
141	NOISE MONITORS AND WASTE DISPOSAL CHECKS
142	I do not see any justification for these additional requirements
143	Too draconian
144	I agree to make a RA. But change furniture, keep logs, noise reduktion etc. of an old house that has excisted for over 100 years is impossible. The old ways of Scotland etc is what turists wants. Neighbours can complain, Even if the house had been let out for years. It gives work to the People, Who takes care of it plus all repairs. The license should be more flexible, for owners that have People taking care of the holiday let.
145	Most to much beaurocracy.
146	To restrictive and unnecessarily demanding
147	Having read the additional conditions it appears there are a number which are already covered by the mandatory conditions. As this is new legislation and an additional burden to have to manage please make it as simple as possible, please don't make appear to be or make it more complicated than it needs to be. The repeated use of the word 'ensure' is a cause for concern as it is being used in circumstances when it is impossible for the holiday accommodation provider to 'ensure' within the legal definition many of the actions the council is requesting them to do. For example Hot tubs - the accommodation provider must 'ensure' that hot tubs are not used after 10pm. Firstly how is this possible, an owner can request this and have it there T&C's but cannot 'ensure' that a guest doesn't use a hot tub after 10pm. Are owners supposed to patrol the property and check up on the guests to ensure they are compliant? Also why is this a proposed condition, if a property is detached and away from neighbours why shouldn't the guest sit out under the stars - they are not bothering anyone?
148	Key box should be allowed on the property
149	It's just another money making scheme and will discourage people to do holiday let's in Scot
150	They are Draconian and unfair. Pubs restaurants and hotels have been breaking those conditions without penalty since the day I was born e.g. noise restrictions. Guests not allowed to arrive after 11pm. Really? Why not? So if my neighbour has a hot tub can I ask them to stop using it at 10pm. Can I tell them no visitors allowed after 11pm. Of course not! So why apply these additional rules. It looks like a targeted campaign against short term lets both the guests and hosts are being punished even where there is no history of resident complaints
151	Carbon monoxide detector- If the premises has no hydrocarbon sourced fire or boiler then this is pointless
152	
153	Over the top and stating the bleeding obvious if one is hosting guests at one's own home.

154	Those which include BandB only provision
155	Rural isolated properties with no neighbours should not be subject to same expectation on noise regulation , timing etc
156	I don't agree with the need for planning permission for properties that have been trading for a number of years without any issues from neighbours or guests. I think all the same conditions will be met applying for for a licence
157	In general the conditions are appropriate particularly in urban settings, but some further consideration should be given to those undertaking occasional and informal bed and breakfast provision, particularly in rural areas. For example a blanket prohibition on a portable LPG room heater - to the extent of an outright ban within the premises - does not take into account the normal domestic nature of some bed and breakfast facilities and could unduly impact them. Of course it is eminently sensible in confined and densely populated urban areas. It would adversely impact some casual operators in rural areas, which lack mains gas supplies, and are also facing serious challenges given energy price inflation of oil, electricity and other fuels. In the light of the Bank of England forecast of a year long recession combined with high inflation rates, care should be taken in attaching conditions not to impose excessive costs on hosts not operating as full time commercial enterprises.
158	Without knowing what the discretionary powers are it is not reasonable to agree to them
159	In addition to the licence fee (£800?) the host is expected to pay for various safety certificates. Taken as a whole these additional costs are prohibitive to such a small enterprise.
160	Noise - section ii. I don't believe it appropriate to install noise monitoring equipment, Unless a noise complaint has been submitted and the council request the information.
161	We are contributing to the tourist economy. We do not need to be penalised
162	They remain vague and over prescribed
163	3ii.iii we cannot be responsible for a guest who parks illegally. How do we "ensure"? General comment - we can "inform" our guests but we can't ensure they will do/not do something
164	Demands to produce documentation at any moment. Notice will be required by the owner.
165	Overprovision - the market will settle this. If you stop new operators opening in control areas it will mean those already licensed will get lazy and offer inadequate accommodations.also electtcal and gas safety will need longer to get in place as getting the relevant tradesmen to do these checks will take ages for all existing operators so the deadline of April23is not realistic
166	
167	Most are ok, but some could be considered over restrictive and could be subject to vindictive complaints
168	Scary bureaucracy! Big government on steroids. The Scottish government must be the greatest control freaks in the Western Hemisphere. They are overwhelmingly anti-business.
169	This is adding a complete and unnecessary lair of bureaucracy that is completely uncalled for.
170	yes, but I am hoping that the Council will be flexible and sy pathetic to some situations.
171	I don't agree with this license idea at all.
172	Many of the additional conditions set out by Highland Council are wholly unnecessary: a. due to a replication of mandatory conditions; b. that they do not relate to the provision of accommodation

	<p>through short-term letting; or c. they are not within the control of the operator. Additional licence conditions: 2. Reporting of Certain Incidents Why does Highland Council believe this is a matter pertaining to licencing? Any incidents involving a gas leak or fire, for instance, relate to safety and the operator would engage the emergency services as they are directly relevant, not a council licencing official. 3. Anti-social behaviour. Incidents of anti-social behaviour in self-catering premises are rare. Operators want harmonious relationships with neighbours and the local community – it is not in their interest to allow any anti-social behaviour in their business. This is part of the basic management of their property and there already is existing anti-social behaviour legislation that can be utilised by councils to respond when complaints arise. 4. Privacy and security. Operators lack the ability to enforce these rules. 5. Noise. There has to be specific causality between a noise complaint and the occupancy of a short-term let. 6. Littering and Waste. The policy places an unreasonable burden on operators to ensure compliance when at best they can only make recommendations to their guests. 8. Use of LPG/storage of inflammable liquids and 9. Maintenance of Property and 10 Production of documentation. Why is it necessary to replicate mandatory regulations here?</p>
173	<p>As a host my house rules includes no parties and all guests have to comply with normal respect for others, this goes for parking, recycling etc. As to ENSURE they do so is impossible as I live 12 miles away. In the last two years I have been hosting I only had one guests of a different ethnic background who smuggled half his family in 7 in occupancy and this was reported to Airbnb as soon as I found out.</p>
174	<p>You are ignoring the already stringent conditions set by letting agents not to mention the professional and personal responsibility and effort already made by hosts to maintain the highest standards. WE DO NOT NEED TO BE TOLD WHAT TO DO BY YOU.</p>
175	<p>I am unsure exactly what Highland Councils additional conditions are.</p>
176	<p>Restrictions on times for check-in and check out, and for noise reduction measures affecting lower floors, hot tub use, etc are NOT relevant to certain (ie isolated rural) properties and wording should be improved to specify that. All else okay.</p>
177	<p>Listings 14.(1) (b)a valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008 . I can't see how this should be relevant for a STL.</p>

11. Should any of the proposed additional conditions only be applicable to certain types of short term let licences (i.e secondary letting, home letting or home sharing) or certain types of properties (i.e flats, semi-detached properties etc) other than already specified within the conditions?

[More Details](#)

 Insights

● Yes 166
● No 310



12. If Yes, please specify why and which types of licences/properties should be exempt:

1	As answer above: Additional condition 5(i) Floor coverings & (ii) noise monitoring. I understand the reasoning behind both points, however these do not need to be applied to all types of accommodation and would create unnecessary additional expense for such properties. (ie separate annex's, yuts, detached remote properties etc).
2	Many of the conditions would not be suitable for situations where you are renting out a room in your own house.
3	My business is a guest house and some of the additional conditions would appear to be not required.
4	Reporting incidences should only be reported in communal shares, not individual homes
5	Those that are second homes and let out
6	All properties should be exempt.
7	Not every short term let is the same. Whether urban or not should count or if purpose built
8	If your not in shared accommodation i.e flats then all the extra legislation should not apply.
9	B&B's should be exempt! They are already having to ensure full compliance with insurances and regulations, safety certificates (PAT/EICR/Gas etc) and PPL PRS if relevant, hotel tv licences etc. These are people who are trying to make a living and live on the premises now facing yet another raft of legislation in a business which has suffered drastically between covid and cost of living rises. You cannot market rooms over the local market rate, which means those who only have 3 or 4 bedrooms barely break even. Hence why I gave up. Where the issue lies is with AIRB&B and 2nd/3rd homes which are pricing locals out of the community by grabbing all the available lower cost housing stock. It's a disgrace that small local businesses are yet again going to be hit with exorbitant costs.
10	The additional conditions should not be included at all! These have been produced with very little thought
11	Can't remember all the additional conditions but recall some may not be an issue if a property is in middle of no-where with no neighbours as opposed to a built up residential area
12	Bed and breakfast we are struggling 🤔

13	<p>There should be a limit on how many flats can be licenced in any one block of flats. and perhaps a ban on small blocks of flats, to preserved the local community and the residential nature of the block. e.g. a block should have, for example, 6 or more flats before 1 can be a short term let. Residents should not be in the minority. A similar approach should be taken to neighbourhoods, perhaps set a maximum % of short term lets to residential units in each area to preserve community and provide accommodation for local people. Licences should be voided on the sale or transfer of the property to avoid price inflation and make properties available for local people. New owners should have to re-apply for a licence which should not be taken for granted as being approved and provide opportunities for others to apply for a licence in that area. It should be easier to short term let a part of your residence e.g. a room or annex (attached or within your grounds) than to holiday let an entire property as this still provides accommodation and income for local people rather than absentee home owners. It also means the owners are on site to deal with any potential antisocial behaviour. Planning applications to create / build annexes should be generally approved assuming they meet all regulations to help provide potential income generation for local homeowners this could also help to provide space for caring for relatives if required.</p>
14	<p>Not sure that letting a room in your home should come under the same category as 'short term lets'</p>
15	<p>Long running B&Bs should not be required to adhere to restrictions intended for family homes being misused as income generators for absent landlords.</p>
16	<p>Guest Houses dont need this as most owners live at the property too so can deal with any noise or anti social behaviour at the time it happens. Absentee landlords/licensees and second home owners are the ones who need these additional measures.</p>
17	<p>noise in buildings with neighbours.</p>
18	<p>Fully detached properties rented out for usage by one family should not be subject to the same anti-social requirements as properties catering for groups. Likewise, properties let out for periods of under 1 week should have stricter anti-social requirements than those let out for a week or more.</p>
19	<p>The additional conditions should not apply to rural or semi-rural detached properties except in exceptional circumstances. They sensibly seem to be targeted at flats and more urban properties</p>
20	<p>Flats with communal areas are very different from B&B or cottage in county. Neighbours affected need to have contact details of someone who can help if there are issues as it can be very intimidating</p>
21	<p>I have a B&B which is my family home and we live in it 12 months of the year. I'm from here and our house was built on the family Croft. The B&B is classed as domestic and commercial. Also my 3 self catering shepherd huts were put up to attract more people to the area and I was given a leaders grant for this. Why should local people that as legal that work and stay all year have to pay this. It's about time The Highland council went threw Air b n b, booking.com, trip advisor and the signs outside the doors etc and made sure everybody is legal , paying business stream and declaring there earnings to the tax man and paying tax. Still so much cash in hand.</p>
22	<p>air b & b needs to be regulated</p>
23	<p>Rural properties - as above. It strikes me that most of the new 'regulations' are aimed at higher density short term lets (in urban areas perhaps) and the Scottish Government is applying a 'one size fits all' approach to this legislation. Applying these new regulations is a sure way to disadvantage your tourist industry which is only just recovering after 2 years of a pandemic. Owners of rural short term lets who are already fully complying with regulations should not have to suffer additional restrictions on their ability to trade.</p>
24	<p>They should apply to no businesses they are not required</p>
25	<p>I think any properties where the owner is present IE living on the premises?</p>
26	<p>Albeit I think some of the restrictions are excessive, if they really (really) had to be left this should only be imposed for properties to the sole use of guests and/or in close proximity to neighbours. The following should only be imposed for if not removed for "Secondary letting" 5. Noise 6.</p>

	Littering & Waste Disposal 8. Prohibition of LPG room-heaters and storage of inflammable liquids etc. 9. Maintenance of property
27	Some of the conditions would not cause nuisance or problems for other guests or members of the public in traditional B&Bs
28	Flats
29	B&B should be exempt - it's the Air B&B's that are the problem - mainly because they don't provide the second "B" and are therefore not doing what they say. They are no more Bed and Breakfast than fly on the wall.
30	Traditional Highland B&B's, which provide real Highland hospitality with a decent bed and cooked breakfast should be exempt from this ill-thought-out ASSEMBLY legislation. Air B&B's DO NOT provide a B&B service and should NOT BE exempt from licencing.
31	E.g. particular flooring in flats, keyboxes in . As i didn't agree with a few of these 'extra' conditions, then it is clear I don't think they should apply to short term lets. Noise monitoring equipment, for my own home, when I only 'let' when I am physically present, in a detached house, seems ridiculous and bureaucracy gone too far. I mentioned the chimney inspection already, the assumption you make is that 'within the premises' means the guests have access or that indeed the item is used, e.g. my wood burner isn't accessible to guests and might be used twice a year,(by me) but I need to have it cleaned and inspected yearly is wrong. It should be appliances accessible to guests.
32	MAYbe applicable for flats etc not for Guest House operators
33	Holiday lets. My property is adjacent to my house and only in use for 9 months of the year. It is too small for a family to reside in all year round.
34	Properties in rural locations, detached properties, properties where there is home sharing. These are properties where the likelihood of causing nuisance to neighbours is minimal.
35	Bed & Breakfasts and small Guest Houses where the owner/proprietor lives on the premises should be exempt. There is less or no chance of disturbance/noise/anti social behaviour as home owner is always there. Its the absentee landlord who should be targeted in my opinion as they are the ones never there when theres a problem and also it would deter the ' 2nd home owners' from buying up every house in the village therefor giving young local 1st time buyers a chance to buy a home in their own village. Also this license could not come at a worse time as B&B's will struggle to be able to afford this, especially after Covid and low visitor numbers this year. Please please please reconsider.
36	As above answer
37	Noise detection just for flats or large 8 bed properties that get used for parties.
38	Rural properties. Either b&b's or chalets/pods.
39	Rural
40	If flats then easier to use as Airbnb/Booking.com etc. Houses are different if a local family could rent it. If available for rent and no tenants after 3 months then an exemption could be granted to allow hosting.
41	Yes flats. See above - the other residents can prevent a licence being issued by either objecting or not responding with apparently no appeal process.
42	Should not apply to property which have been specifically designed for bed and breakfast operation
43	B&Bs and guest houses should be exempt from all this legislation.

44	Just a remark, I think it's common sense to ask for flue certificate only properties who actually have chimneys and would expect to be the point here too.
45	Yes certain types of accommodation which could have issues with noise Shared/ flats etc. Not a house in the middle of nowhere with no neighbours .
46	Bed and Breakfasts for the reasons stated above
47	Detached houses, ground floor flats with individual private entrance should be exempted as they are much safer and private than other types of properties.
48	Common sense should be applied
49	Properties that are not adjacent too any other property should be exempt. Many Highlands and Islands properties are in remote locations far from neighbours and it seems unfair to expect the additional conditions regarding noise to be necessary.
50	Due to a shortage of residential accommodation in this area any property/accommodation which is suitable for longer living should not be exempt. Yurts/pods etc can be as they're not suitable for winter habitation.
51	Home sharing - no need for separate bins as the bins could be the same as for the rest of the house.
52	I feel that these laws and rules should be for second home owners and folk letting rooms in council houses
53	Traditional bed and breakfasts are completly different to self catering properties.
54	2nd homes Town areas
55	Not sure how the policy covers wild camping/motor homes not using camp sites - all this tax (it is just another tax) is going to do is force people to increase prices making it more likely the issue of "wild" holidaying will bring increased issues in the area.
56	Home sharing in homes fully owned by pensioners, who need income to supplement their government state pensions, should be exempt.
57	Those without immediate neighbours with only 1 room let.
58	This needs to be fair across the board.
59	Noise - exception should apply to remote, solo properties with no neighbours such as holiday cottages in isolated locations and where it does not impact wildlife, livestock and local communities.
60	Licencing should only be required for antisocial behaviour where the owners or there agents are not available on site.
61	Everyone who makes money from tourists should follow the same rules whether you let out a cottage, rooms caravan or pod. Pods often earn more money per night than your average cottage with only limited facilities. There does not appear to be any planning restrictions on these. So many gardens have them insitu all over the island.
62	What's the point of this exercise? We comply with regulations in both our holiday and our home. We spend the money on new smoke detectors etc that are required in Scotland and not in the rest of the UK. You are now going to add extra burden on us for a license that isn't required elsewhere. I doubt this is about raising standards = it will be another tax on being Scottish - in this case being in the Highlands in particular. Are you determined to make living/working in the Highlands even harder?

63	I feel there's a world of difference between B&B in one's own home, hotel, guest house as opposed to absentee owners with multiple properties
64	If you let rooms in your primary residence then process should be simplified. Where it is in a separate premises to your own home then there should be greater legislation.
65	All properties should be ex empt. This is all unnecessary cost.
66	Please see note on point 10.
67	Homesharing exempt
68	It should only apply to city and town lets in flats
69	When a dwelling that takes guests is also used as hosts permanent home.
70	Some holiday let's do not require the same rules due to location/type of property etc
71	Rooms within a home which does not affect young homebuyers getting on the market.
72	All
73	Private B&B / Guest houses should not be included & be exempt. They do not pose any threat to the decrease in domestic private lets due to short term holiday lettings. Most are established, are already regulated & comply with both local authority & H&S and most are registered via statutory 3rd parties - it is ridiculous the they are being included in this legislation.
74	Unmanned short term lets should all be subject to conditions but people renting rooms in their own homes should not. Their own homes will already be compliant enough.
75	If the establishment is in close proximity to other houses then it should still be able to leave the house at 7am for work but persons should be respectful of neighbours
76	Many of these conditions are specific to urban/city properties. A distinction between rural and urban would be useful in relation to noise/disturbance.
77	Only applicale to City apartments. Upstairs Downstairs etc. Shared properties should be exempt. Not applicable. We live here. It is our home.
78	All these scamming folk renting out their second bedrooms should be made to follow conditions. It will make it safer for everyone.
79	If a property is designed and built as a holiday home or part of a holiday comes.
80	The rules need to be for everyone, properties not fit for purpose need to be removed
81	Some of these additional conditions are highly restrictive
82	Home share lets should be exempt. They have no impact on the housing market, which I understand was the initial driving force in rural areas. Our one room brings not only a top up to our state pension, but also much needed income into the village, as our gusts are encouraged to use the local shop, cafe and pub. We are very aware and considerate to our neighbours and adhere to all the necessary safety and cleaning regimes. We are closely monitored and tutored by our accommodation platform and feel that this would not be the case with the council, as they do not have the manpower, or resources to police all properties. If this tax is introduced then with our limited bookings we will have no option , but to close shop. This to the detriment of ourselves and the village in general.
83	These should be exempt: Detached properties in rural locations, with no immediate neighbours.
84	Detached and semidetached properties where the licence is for the whole dwelling.

85	Additional Conditions should only apply as necessary or on the basis of assessed risks.
86	Properties which are detached and have landlord/owner living on premises or in adjacent building should be excluded as lettings will be monitored throughout any letting period. Conversely licences should be needed when the owner/landlord is living in a different location.
87	You could argue that the hot tub condition is particularly or only relevant to rural premises but the cleaning requirement would still apply if it was inside a premises. I do think that some of the wording is very focussed on town or village lets and not enough reference is made to rural properties that whilst some distance from others can still cause a nuisance with noise and wandering up gardens/other buildings. Perhaps the language should either include a definition of premises to make clear it includes the garden or outside areas of the house being let.
88	All the properties are very different and should have that taken into account. Especially if it's full time self catering or if it's your residency and house is only let in your absence. Would be nice to see some flexibility if the house is your main residence and let less than 6 months and if it could be exempt or any other period as after all it's main residence
89	Apply it more specifically ie, not exempt! : Some of the additional rules are only appropriate to HMO properties, and these stipulations should not be applied in a blanket approach across the whole of the Highlands. (see comments in 10 above). Likewise some properties are operated from the owner's home eg. a granny flat, which is independent and has its own door and is therefore part of the owners own home but is not occupied or shared by the owner at the time. Would this be category 4. a home let and a home share perhaps? A separate annual license could be used for more casual STL's that operate for short periods for a large event (13)
90	I think letting out a spare bedroom in a house should be exempt.
91	Properties that are remote and rural should be exempt from curfews on the use of hot tubs and limited times for guests arrivals and departures. Where the behaviour of guests can have no possible impact because there are no other properties close by, any additional provisions should be proportionate.
92	Single Family Residencies with Parking should not be subject to the shared conditions. 4 (1,2 and 3).
93	This is not applicable to free standing properties with no neighbours close by. They should be exempt.
94	I have a small bungalow let in a rural village. Imposing unnecessary conditions more applicable to tenements in cities is not needed.
95	I believe all existing stl's should be exempt if they are already rated by the council.
96	All should be exempt from these ridiculous taxes.
97	Home sharing where host is present during guest stays does not reduce available housing for locals. Home sharing hosts homes are already subject to fire safety regulator that keep guests safe in their own homes with interlinked fire alarms.
98	Noise monitoring equipment (5ii), as in answer 11. As already mentioned, I can see the point if this for semi detached holiday lets, apartments etc, and in village / town / city lets if appropriate. But even then, calibrations between brands are different and how reliable are they actually? From a guest point of view, I'd never book these types of properties for a holiday anyway. Also, 5(iii) Guest arrival and departure times. Again, I think this is applicable to accommodation in shared buildings, such as apartment blocks, flats, semi detached homes etc, I do not think it's particularly relevant to many properties in Highland, that are remote and rural, or detached, with no immediate neighbours. But again, if only to be applied to those types of properties as stated in the draft, then yes, I actually do agree.
99	I rent a detached house, I don't need conditions on common entrances, on floor noise etc.

100	Noise should only relate to towns and villages out in rural areas it is hardly relative. Noise in flats also needs some control. What happens if the guest(s) in a property get harassed by neighbours, what protects your guests?
101	Homesharing. This is not the same as home letting. You are still living in the house, so noise and litter, arriving late/early would not be the same as if you were not there.
ID	Responses
102	If guests are staying in a B & B then things like litter collection are not their responsibility, hosts will clean rooms and empty bins so no need for guests to know bin collections dates
103	The type and location of property plays a pivotal part. For instance, a property that is let in a block of flats is very different to a lone standing property with no immediate neighbours. They should be treated very differently
104	For home sharing it should be up to the home owner to decide on maximum occupancy, privacy and security. Noise conditions should not be applicable where the accommodation is not within 100 metres of any neighbours and does not impact on the privacy and security of neighbours.
105	The additional conditions in the draft I read already specify that certain conditions will be applied to certain circumstances - 5. Noise, this shows clearly they will only be applied after complaints are made or iii where a property is on the 1st floor or above. Clearly this is already aimed at specific properties, most notably flats. And again a reference to a hot tub, N/A to many.
106	This is a very important question and has significant impact for Highland - We have a density of traditional Bed and breakfast providers who's' properties' have been built specifically to host guest from around the world indeed many of these properties' were established in the 1990's as part of economic growth funding from HIE and they comply with H&S and fire legislation as well as being detached properties' - During the initial stage of application process these traditional bed and breakfasts should be identified quickly so THC are able to take time processing applications from secondary letting, or indeed applications from certain types of property - in an attempt of keeping the costs as low as possible, also applications that are similar such as those from traditional bed and breakfasts should see that cost reflected in the licence fee.
107	EG Noise 5.1 - no relevance to a single storey detached dwelling.
108	Highland Council can't pick and choose how the mandatory conditions of STL Licensing are applied, more is the pity. So, by definition, if the additional conditions are approved they will need to apply across all types of short term let license.
109	Home Letting
110	Remote and rural properties who don't have immediate neighbours. Hotels generally have conditions specific to them.
111	Not all need be applicable to all properties. eg 5.i.
112	Some conditions are not valid on all properties such as those classed as unconventional. These are defined, but no specifics within the documents as what does or does not apply to them.
113	Flats and semi-detached properties need extra control.
114	Home sharing lets, like mine, should be exempt from licensing altogether
115	I think some of the additional conditions may be overly onerous for home sharing. I am thinking of the LPG heating for example.
116	Additional Condition 3 (i) relative to antisocial behaviour among guests should not apply to self contained self catering units.

117	It seems that this is a bit of a "catch all" and more applicable to AirBnB type rentals in city/town settings - there needs to be some local context
118	My property is a large detached house that sits in its grounds at least a quarter of a mile from the nearest neighbour - the conditions regarding arriving and departing between certain times and ensuring adequate sound proofing are irrelevant.
119	Holiday lets (cottages or flats) I built up areas, or cities where there can often be antisocial behaviour / noisy guests.
120	Secondary letting only
121	Flats, semi-detached or town houses, with nearby neighbours, should have special consideration for their location and effects on other residents. Lets within the curtilage of the hosts own home should have least additional requirements, including any stl which isn't a full 'home', eg camping pods. These aren't affecting the local housing availability.
122	should apply to second homes only not accommodation on the same site as a main house
123	NOISE MONITORS TO FLATS, DETACHED PRIVATE RENTALS IN THEIR OWN GRUNDS SHOULD BE EXEMPT
124	Conditions should apply to any property that would be suitable for use as a family home for local people. So specialist tourist accommodation - hotels, B&B's, glamping, camp sites, and caravan parks - should be exempt.
125	Bothies that have no electricity but are rented, and houses with no electricity.
126	Home sharing
127	People Just trying to earn a little extra in the Highlands especially the People whom only rent out a room.
128	Detached property should be have less onerous conditions applied,,
129	I think properties that have been taken of the general housing stock and used for short term let's should have to apply for permissions . Other accommodations like caravans and pods are not causing accommodation issues in Highland
130	In areas where there is a repeated history of problems. No need to apply additional restrictions where there is no problem
131	All short term let's are extremely situational therefore I don't think it can be a general rule for all.
132	Home sharing should be exempt.
133	Rural property with close neighbours
134	Shouldn't be applicable to home sharing.
135	B&B provision differs greatly from self catering, home letting and sharing
136	I think that if the person who owns and runs the property and lives within close proximity to the property should be except for having to apply for planning permission. Apply for licence only
137	flats these are a great asset to the hospitality industry there are not enough beds available. We need tourists for our economy

138	As before, it may be worthwhile considering exemptions for certain categories of occasional/temporary or season resident host particularly outwith urban areas. Many seasonal Bed and Breakfast offers across the Highlands involve year-round residents for whom a small B&B income is a vital addition to offset household expenses. There has been recently, however, a number of commercial enterprises entering the Airbnb/conventional B&B market with no host or personal connection, purely to exploit the tourist business and these categories should be the focus of strict regulation.
139	The additional conditions should apply to separate properties not where a property is the hosts principle residence.
140	I have one en suite bedroom I let in my own home. The purpose of my let is to supplement our household income. I have a young family and both my husband and I are native of Skye. This income enables us to afford to live in our area where fuel costs, food costs and other living expenses are higher than other parts of Scotland, and this has been the case long before the ongoing cost of living crisis impacted our community. Both my and my husbands parents, with dozens of others, relied upon income from short term letting to tourists in the form of BNB accommodation to supplement their income before us. This has long been recognised as a way of enabling local families to inhabit our communities for several generations. I have not bought up multiple properties preventing others from staying in the community so I don't see why my modest annual return should be subjected to the same charges and regulations as those who have used our community to make a fast buck. I absolutely agree there is a desperate need for regulation but I feel it is unfair to take a blanket approach to this. In addition to this, I applied for planning permission to create my accommodation in what was an integrated garage of our home in March 2019. One of the conditions of that permission is that I can only use the room for short term lets. I think it is very unfair that I now have to pay for a licence for it.
141	Generally - properties should be exempt when they are in a rural location, entered away from neighbours
142	Flats and semi detached properties where they share common areas. Not private properties in their own grounds.
143	
144	Rural secondary letting
145	Exempt should be properties where home sharing is going on.
146	Purchase to solely short term let should be restricted.
147	Glamping pods should be exempt
148	Home sharing
149	Secondary lets
150	Lodges and purpose built holiday accommodation.
151	Home sharing maybe
152	If someone in the area uses the let for their business /income they should be exempt.
153	Rural or isolated properties should not have restrictions on check-in/out times; hot tub use; noise reducing floor coverings, etc
154	I don't think it's fair for secondary lettings in communities that struggle to attract visitors such as mine (lack of accommodation provided) to be asked to comply to any additional conditions.

13. The Council has the option to grant temporary exemptions to the requirement to have a licence for a period up to 6 weeks. This would need to be applied for.

This could be for a large influx of visitors over a short period for a particular event.

The Council is not proposing to use this approach given that the main reason the legislation is being brought in is to ensure that premises are safe to let.

Do you agree with the approach to not grant temporary exemptions?

[More Details](#)

[Insights](#)

● Yes 361
● No 115



14. If you answered No to the previous question, please state why and please specify any particular events within The Highland Council area that you think should be considered for a temporary exemption.

1	Same rules need to apply to everyone.
2	It may be that the initial phase of existing operators applying for licences will swap the council and therefore the council should ensure that it can grant temporary exemption to allow it to "flex" it's resources on start up
3	Would these premises have to adhere to the strict regulations being put into place for those trying to earn a living through this?
4	Any opportunities to boost the local economy, when visitor figures are at their lowest since 2019, should be made as easy as possible
5	Temporary exemptions can be very handy and should be available
6	I.e world mountain biking event. There is no where near enough accommodation, this would further restrict/ hinder tourism in our town. Some only let out for that one event.
7	I ran a Bed and Breakfast for 12 years and there were busy times when tourists would turn up at my door in tears because they were unable to find any vacant rooms between Fort William and Drumnadrochit. They were usually exhausted. We often phoned people we knew who could accommodate them. What will happen if you criminalise people for doing that. These tourists will be a danger on the roads or will sleep in cars in lay-bys.
8	This is madness stop wrecking business.

9	I think people could apply for a temporary licence, as these special events are often known about in advance, but they should still have to demonstrate their premises are safe to let.
10	because there is never enough cheap accommodation in town : I volunteer on the big sporting events for Caledonian Concepts and sometimes families accompanying competitors are in b and bs in Fort Augustus (on a Sunday bus service)
11	Each should be considered on its own merit.
12	If the rule is necessary it should be permanent. If it can be lifted then it is clearly unnecessary so why bring in the legislation?
13	As we want to encourage tourism and business in the area and ensure their sustainability.
14	It will be abused and the operators of guests houses running perfectly safe for the last 50 years will have the costs of this.
15	Landlords should have the ability to short term let for up to 12 weeks per year without the need for a licence.
16	It's conceivable that the Highlands may host large events and allowing properties to be let for such may be essential. It would remain within the Councils control to grant such or decree an area for a temporary exemption.
17	exigencies may require flexibility: concert, gathering in highlands may attract large nos of guests at short notice
18	If there was a large sporting or international event proposed for Highland then large areas of Highlands would be unable to benefit due to accommodation capacity issues
19	For Home Letting and House Sharing, it's important to be able to have a trial period. Also in general, it's good to have the option of hosting people in peak periods and avoid completely unmanaged flows.
20	It is quite feasible, in fact entirely probable, that given the number of applicable businesses in the Highlands, the council will not be able to guarantee the issuing of licences or renewals in a timely manor. This is particularly problematic to existing traditional B&Bs who's business relies on advanced bookings, and generally are already operating well within the conceived parameters of this "new" scheme.
21	You don't know what's in the future.
22	If I have a licence everyone should have one even for 6 weeks
23	I think that exemptions should be permanent and last the whole year - for the traditional B&B.
24	There were at one time 12 traditional Highland B&B's in our village, now there will be none due to Scottish ASSEMBLY legislation. There are major events taking place throughout the year, accommodation is at a premium. As very few residents are currently providing B&B, becoming less with this legislation, event organisers will look for venues outwith Scotland and the Highlands resulting in loss of revenue for the many support businesses and B&B's. Yet another Scottish ASSEMBLY disaster, clearance and destruction of Scotland by Sturgeon and her cohorts. Highland Councillors should be lobbying the ASSEMBLY against this legislation, not rolling over and accepting it, they are employed to act on our behalf. Let them earn their salaries.
25	For the Belladrum festival
26	People either have to fulfil all the criteria other operators do, pay the full fee and comply or not. What is good for one, is good for all, on the grounds of safety and democracy.
27	Short term lets have been around for years with few safety problems, so a short exemption would be ok for big events.

28	Typical local authority approach. No understanding at all about business. i have yet to read about the mass of unsafe holiday lets!
29	If not operating then it is unlikely you would then be able to quickly switch to hosting.
30	Seems ridiculous to have to go through all hoops for a short period.
31	I'm not sure. It may be that a family wishes to rent out their home while it's vacant (e.g. away on holiday) and may wish to be compliant/transparent by applying for a temporary licence. However, the administrative burden for this type of application would be very difficult to ascertain and plan for by the Council, and so on balance I think it would be impractical.
32	The arrangement should be as flexible as possible within the rules. Therefore it should allow individuals/businesses to put forward a case for a temporary exemption. This will allow any unusual circumstances to be catered for.
33	Particular events such as Highland Games, Music Festivals, Salomon Sky Race , Mountain Bike World Cup at Nevis Range etc may have mass numbers for only a night or two. If temporary licensing is not available then there is a real risk of tourist infrastructure overload by wild campers, camper vanners etc.
34	There are many events across Highlands where a village or area may have many guests for a short period. Highland games, annual festivals and also the period over Christmas and New year.
35	This legislation will make a bad situation worse for tourists looking for accommodation- this option should be available for use in extreme situations
36	This should be on a case by case basis. In a small island setting there can sometimes be need for extra short term accommodation for not only events, but also business needs. Temporary staff, a building project etc ...
37	Exceptions should be applicable in special circumstances, perhaps even for a shorter period of even just a week or set number of days eg. local community events, Belladrum music festival, Shetland Folk Festival, Stornoway Celtic Festival and allow local people to capitalise from such events occurring.
38	Property is generally in safe condition due to housing regulations and an assertion from the applicant that everything is in order would be appropriate for a short term exemption.
39	It might be required if people are waiting for safety checks to be done.
40	Some people only do B and B on a very small scale over the very busy summer weeks and this will be prohibitive.
41	So, what's the point in that? Either the properties need to reach a standard or they don't. Unless you think you can temporarily put a large number of people at risk but it suits the council at some points? Again, I don't see what problem you are trying to solve here and this adds weight to my presumption that it's a tax grab rather than an effort to raise standards (where I see little evidence of a problem)
42	Useful to have surge properties for things such as the 6 day trails and mountain bike world cup. Allows residents to gain a bit of income from these
43	I think there should be temporary exemptions. It would be so expensive for small rural accommodation providers, who only open for a couple of months a year to implement for a short time. There will be a huge gap in the accommodation available to tourists. Is this really what we want for the Highlands when it is so dependant on tourism?
44	I do not believe this tax is being brought in for safety reasons. This are of letting is more than covered by the various letting platforms, who are very stringent. How would the council monitor safety ? It's obviously just another tax tpo raise money for the presently cash strapped councils.
45	Well, let's look at Covid 19 as an example. Hotels were not able to operate due to large capacity of mixing and spreading the deadly virus. STL were not permitted, but if a Key Worker wanted or needed accommodation it was allowed, where else were they meant to stay? This was dreadfully difficult, we

	<p>were in a National Lockdown. It will likely happen again one day. I and others turned away business because we could not get relevant documentation to feel it valid to take some key workers. It was not worth the stress of taking custom, so I turned them all away, they were really struggling for accommodation but I took none. I still had the joining neighbour accuse me of trading. I didn't. I declare all custom and I declined all, nobody visited throughout the entire lockdown. Not even myself. I had an empty house throughout with no paying customers. I didn't dare visit, but had a pre-booked new heating system installed as my boiler was broken before covid started. This was allowed. I did not visit until all works completed but had to sign off the £13000 installation so after the week installation was complete I visited and was accused recently just this year in 2022 by this neighbour of trading during lockdown. I did not! I had a duty to check the installation of the heating system this was completed April 2021, it had been in pipeline for a year waiting until the instalkation comlany were able to fit it, just as restrictions were to ease. But you see how bitter and difficult things quickly become? The same neighbour also has a holiday let caravan in Boat of Garten. Will she require a licence and planning permission, if not out of sheer spitefulness could decline mine under made up grounds and get more business for her own caravan? My friend in another situation did get paperwork for water board employees testing treatment areas of water. An essential key worker. What a hard time he had accommodating them. The neighbours were in uproar they were saying statemets like 'how dare outsiders bring in covid, killing everyone, visiting when not permitted', the property owner was threatened for taking business during the pandemic, even though he proved the tennant was a key worker testing water supplies. It went on and on. Police involved etc. Hysteria on grand scale with no common sense or consideration how services cope. The same Landlord had later on had another Key worker contact direct to ask for accommodation at an essential role at Baxters foods in the local area of Moray where his house is located near to, but decided not to bother with another stressful situation so denied any custom after the attack on his business. Let's just clarify this, despite key workers not being able to work to provide food for the country, not getting accommodation! It was a crazy and really eye opening experience how single minded people are. Baxters could not fill their urgent gap in productions, effecting delivering tins of food to the Nation, as they could not get staff accommodated. Water treatment staff treated badly because of accommodation. So, yes you should allow temporary permits because you never know when a situation, unexpected, arises and accommodation is required, that cannot be provided in any other way. It not only supports the communities it would support the accommodation provider.</p>
46	To give time to adjust
47	Let people make some income absolute joke !
48	<p>Could it be that in remote areas there could be a wedding where there isn't sufficient accommodation and people hosting the wedding might like to ask locals to provide accommodation as a one off ... Could you supply a list of reasonable behaviour conditions - eg waste management etc, with penalties for the person who applied for the exemption if they are not met. (although now I have read q17 - this could cover this - but depends how complex the temporary short term licence applications/ conditions are...)</p>
49	<p>I work for a council and I know how some of my colleagues procrastinate. Imagine someone giving you several months notice, application sits in someones email while they are on A/L, then sick leave comes work to find 200-300 emails in their inbox. In addition a boss is breathing down their neck for something that they might not even be working on, where do they start? Business lost because Council does not operate effectively.</p>
50	<p>The main reason was not safety - the main reason was noise and nuisance in flats are shared dwellings and lack of registration of properties with planning to control the proportion of short term letting properties compared to other letting and residential ownership. Properties that are already registered for business rates as self catering units should be exempt from needing a licence.</p>
51	<p>It may be useful to have short exemptions to allow additional accommodation, not normally use for STHL to be made available for large events.</p>
52	<p>Comment. How will council know of high influx of holiday makers? What is "high" number?</p>
53	<p>I don't agree with the conditions that require to be met for a license, the immense burden on the host will inevitably means a massive reduction in STL's which one can only presume the government intends, but I strongly feel this is a very short sighted approach to the lack of government commitment to build social housing, and will only serve to further increase the depopulation of the North Highlands.</p>
54	<p>I imagine that it would be a very rare occurrence for there to be an event in The Highlands that would create a demand for accommodation that greatly exceeds availability but I think it would be remiss to</p>

	assume that it could never happen. Aberdeen has just put in a bid to host Eurovision next year for example and there is always the possibility of hosting a major sporting event or an international conference event such as the COP or G7 type gatherings.
55	I'm not in favour of the temporary exemptions because I'm not in favour of the licensing in the first place. It will narrow the choice of available accommodation and push prices up. This is bad for families like ours who enjoy staying in self catering rentals.
56	Because the property needs to be safe to let, whatever is happening locally. It needs to be let on a basis that respects its neighbours. Exemptions for specific events may negate this.
57	There will be occasions where events would require additional accommodation. If exemptions are offered on a case by case basis, they should be allowed. Hotels on Skye for example are limited in the numbers of beds they can offer.
58	I answer yes because there is a lot of planning involved in letting accommodation so unless we have a visibility at least 6 months prior the period then it is not helpful. There would also be at the disadvantage of all hosts who went through the license process and paid to get everything to meet the license criteria (because they would require a higher fee per guest)
59	Don't see the point to a temporary exemption. If a license is required - then why have exemptions?
60	The council will not have the infrastructure to manage this type of policing, it'll be a disaster.
61	Extra paperwork and jobs for council workers. Their time would be better spent fixing the roads, infrastructure and otherwise stopping the breakdown of societal rules in scotland.
62	Some times there are surges in demand for special events, such as festivals or conferences. Would have to be recognised as of significant impact on temporary accommodation to need an exceptional extension.
63	Do you mean that people can let for short periods with out a licence. My reading was that you could let for 28 days with out a licence is that correct. If it is due to safety and we have to spend a lot of money to get things put in place and another can let for temporary period with nothing in place then it does seem unfair, but if an event was to take place like say a large festival then organisers rely on people to help out and make rooms available. They are not going to do that if they need a licence. On the other hand most self caterers properties are already high standard of health and safety as it wold not be in their interests not be. I see this could be a problem area.
64	On the balance of risk not granting a temporary licence for say the clan gathering at Dunvegan castle where local members of the clan might want to rent out a room seems to be a bit overly draconian.
65	Someone might be attempting to start a business and are putting toes in water to see if it might work. Six weeks would give them time to consider their situation.
66	There are a lot of people who only STL in their own properties for a few weeks during the summer. These should not be treated the same as for those who STL their property all year. eg we let for July and August only, but if we had a temp licence we would only let for the 6 wks. Or perhaps increase the temp licence for the 8 weeks of the 'summer' months.
67	I do not agree to any of the proposed policy.
68	Do not agree with any of the proposals.
69	Unless there is a humanitarian need
70	Anti- social behavior is common when certain events, like for instance the Harley weekend takes place, therefore if rules are to be applied it should be permanently and not as and when someone outwith the area decides they can make money at residents expense.
71	n/a

72	Eventy like the highland show, or any event where visitors would be priced out of the event due to lack of accomidation. Also providing the oppertunity for residents to suppliment income providing b&b accomidation (for example) lessens the negative impact for locals of big events
73	We do not agree with the Council's approach to not grant any temporary exemptions. This approach is said to be because "the main reason the legislation being brought in is to ensure that premises are safe to let". In enacting the 2022 Order, the Scottish Government put in place the licensing scheme to ensure basic safety standards are in place across all short-term lets operating in Scotland. In allowing for the principle of temporary exemptions, the Scottish Government must have been satisfied that a temporary exemption would not reduce basic safety standards (since, were it otherwise, the Scottish Government would not have permitted local authorities to grant temporary exemptions). In terms of paragraph 1A(3) of Schedule 1 to the 1982 Act, it will also be open to the Council to attach conditions to any exemption granted, and which would permit the Council to attach such conditions as it felt necessary in connection with safety matters. We believe that the Council should enable temporary exemptions to cover major sporting events, major international events, festivals and first-time operators trying out short term letting for the first time. Short term lets provide additional accommodation during important times of the year, e.g. the summer festivals. The Highland Council need only look to other local authorities, such as Glasgow, to see how short-term lets allow a city to tackle capacity issues and host a major event. 30,000 delegates, officials, and observers were expected at COP26 in the city; yet Glasgow's hotel capacity is only 15,000. To ease the supply of accommodation, Airbnb offered first-time hosts a £100 bonus to welcome delegates. The 2022 Order provides for an exemption "from the requirement to obtain a short-term let licence in relation to a specified property or properties and during a specified period (which must not exceed 6 weeks in any period of 12 months)". For these reasons set out above, we consider that the Council should introduce a policy setting out the circumstances and events (and the types of properties) for which the Council would permit applications for temporary exemptions. This would provide the Council with the flexibility for occasions (festivals, etc) when the temporary exemption would be particularly advantageous in meeting the increased demand for short-term tourist accommodation in the local authority area.
74	Golf tournaments. Summer school holidays.
75	Everything needs to be clear, you're a host or not Property is for holiday makers or full time tenants not both
76	The conditions to be met are complicated and extensive. Some require expert service to conduct surveys and upgrades. Many of these services are thin on the ground and given the large number of likely applicants the services could easily be overwhelmed meaning some leeway for n timing should be made available.
77	If people are visiting an event , they need somewhere to stay
78	Actions to close out requirements will take time and cost money.
79	If people cannot get accommodation for events they will not come or the events will not run. The downhill World Cup in Fort William will probably not happen
80	Council never get things done quickly.
81	I can't name specific events,, but should in the future specific events ie a festival exist then there will be no need to go through the amendments to existing legislation
82	Highland games
83	For future large scale festivals etc. there should be this option available.
84	One size doesn't fit all
85	Because it would allow standards of premises to slip
86	Short term letting in people's homes gives local families much needed extra money over the summer months. It also brings a lot of money through tourism to the local area.

87	Opens up too many loopholes
88	One option to facilitate the informal offering of Bed and Breakfast by individual hosts, particularly in rural settings, would be to offer temporary exemptions - but temporary could well extend beyond the six weeks suggested. The usual seasonal market in the Highlands is Spring/Summer and it should be possible to offer an exemption to permit occasional, informal single host B&B offers throughout that season.
89	If you have rules they should apply across the board
90	That's an unfair question!
91	The timescale needs to be addressed
92	A temporary licence may give landlords time to resolve any issues
93	In Highland Council areas we regularly have specific events attracting guests from all over the world - sporting events, cultural events, one-off events that increase the accommodation demand for specific time period. This is in addition to our usual Summer visitors. There is no way our accommodation providers can meet the demand leading to disappointment for guests and additional travel time/cost/environmental impact for guests.
94	Some people may only wish to do STL for a limited period. People ought to be able to do as they wish with their private homes. It is an additional intrusion
95	As a business, there should be some leeway. Otherwise, guests may have to be turned away to comply with the regulations. Surely we are trying to welcome tourists in Scotland? I simply don't understand this approach.
96	Terms of insurance will dictate the safety of a property to accommodate, temporarily, an influx of visitors for a certain event. To deny this may prevent some events for happening in the Highlands.
97	Because the safety checks either need to be there or not. However if people cannot get gas or electric safety checks done due to lack of tradesmen the exemptions need to be made
98	
99	If license is mainly for safety reason, all the short term let should have the license
100	As capacity is restricted for tourists visiting the Highlands over popular periods, temporary licencing can support busy periods.
101	Any large events in lochaber
102	This could tackle the demand for a large influx of visitors over a short period.
103	Temporary exemption should be allowed for long term host illness or for renovations to property
104	Festivals, concerts, sports events (eg world championships mountain biking at Fort William) because these events can bring in large amounts of people at short notice. Also national disasters, refugees or asylum seekers and cases such as accommodation for NHS workers during Covid
105	Where's the logic in allowing 'unsafe' properties to be used for 6 weeks! If your premise is true- that there is a significant risk to life and limb with unscrupulous hosts letting tourists live in dangerous, sub-standard properties why on earth are you suggesting that's OK for special events!! It's a stupid idea.
106	Big venues etc bring money to local area.
107	In the case of new large-scale events either annually (eg like Rock Ness) or one-off (eg British Open Golf), there would be enormous pressure on accommodation. I don't see why you couldn't allow for

temporary exemption—provided certain conditions of premises could be met? Much as most of the properties now in an unlicensed environment are fine.

15. If temporary exemptions to a licence are introduced, should the additional local conditions apply?

[More Details](#)

 [Insights](#)

● Yes 400
● No 76



16. If No, please specify why:

1	I do not agree with the licensing scheme.
2	Not need for short amount
3	No need.
4	enough already
5	If your going to include for 1 then they need to apply to all
6	Because it is not in such heavy usage and therefore the regulation would be Iberia and off putting.
7	Keep things simple.
8	bureaucracy
9	Additional conditions are overreach and should not apply to any license. Existing legislation should be used
10	The exemption may allow time to adhere to local conditions without closing the business.
11	The additional local conditions should not apply as stated in question 10 as they are unrealistic and very expensive.
12	a/a

13	If they do introduce this legislation then another long-standing, 30 years, Highland B&B will be lost to ASSEMBLY legislation. Highland Councillors should be lobbying the ASSEMBLY against this legislation, not rolling over and accepting it, they are employed to act on our behalf.
14	More paperwork
15	See above.
16	Compliance needs to apply to all properties all of the time - the safety of guests is paramount. It doesn't make sense to drop standards just because there's an event etc.. Any noise would presumably be worse during a busy time.
17	temporary exemptions should be treated on an entirely individual basis
18	As response above (Question 14)
19	If you give an exemption then the exemption itself should clearly set out any restrictions that apply to that exempt period.
20	Because they limit the profitability of the short term rental.
21	not all could be achieved within the 6 week time slot - e.g re indoor stoves. Noise and nuisance requirements should apply.
22	I Don't agree with any licensing
23	I don't feel they should exist in the first place
24	Not sure what the additional local conditions are to be honest. Would need to read document again.
25	temporarily exclude the need for a license suggests allowing a period of time where you allow use of unfit properties? I don't know what you're trying to achieve - unless this is a tax grab.
26	I don't know, there are only two options but I'm a 'don't know '
27	As above
28	They would generally be in hosts primary residence - these hosts should have relaxed regulations
29	Should be minimal govt interference. We were doing fine without this pen pushers charter.
30	It would be too expensive to implement in the short term.
31	Planning permission would take too long if it is temporary.
32	Unduly burdensome
33	The additional local conditions should apply but consideration also given to further additional conditions if TEs are introduced
34	Some conditions might not be relevant. Conditions should be bespoke tailored to special exemptions. General health and safety should be maintained, but EPC's may be less relevant for example.
35	Nobody is going to change their floor coverings to rent out a property for six weeks. It wouldn't be worth it
36	The additional local conditions as currently drafted are onerous and disproportionate for a rural environment
37	Again depends on purpose for providing it but in principle probably yes
38	Won't be enforceable

39	I don't support temporary exemptions.
40	
41	When a temporary exemption is granted it is by necessity for a short period of time for a specific event so should not need any additional conditions.
42	In the rare occurrence of a temporary non license period specific local conditions should apply and be placed on the council website so all who offer accommodation are aware of terms and length of temporary period after which they must apply for a license if they continue to take guests .
43	n/a
44	In relation to additional conditions, for the reasons we have set out above, these should be applied depending on the facts and circumstances of a particular application in order to address any specific concerns that may arise.
45	As the additional conditions cannot be blanketed over all forms of let covered by the licencing.
46	Temporary exemption should minimise requirements imposed on hosts, not add to them
47	Again, I think some of them may be overly onerous for providing short term accommodation, eg for a festival.
48	Temporary won't work
49	As above
50	It does not seem equitable to introduce an exemption, even a temporary one, yet hamper the holder with extra requirements.
51	Because it's temporary
52	They are over the top for people hosting on a very short term basis in their own homes.
53	Local conditions should inhibit the misuse of exemptions by non-hosting B&B businesses, self contained holiday lets, and other commercial interests.
54	Basically if tourism is the main highland income, and is not damaging anyone in the highlands , why are we being restricted? As long as our homes are safe for the visitors
55	There would likely be an increase in some level of possible nuisance with increased numbers - if the Council grants the temporary exemption it would presumably note that the need to grant an exemption overrides, temporarily, possible nuisance.
56	Not sure what you mean. Badly written survey
57	I don't agree with this license idea at all.
58	Cost might deter owners from offering their premises for a short term licence
59	Not sure
60	You need to stick to your claim - 'the main reason the legislation is being brought in is to ensure that premises are safe to let.' Either they're safe or they're not. The don't magically become 'safe' for a 6 week period then revert to being 'unsafe.' Who dreamt this up?! What kind of mad scheme are you proposing to impose on the tourist industry!!!

17. The Council also has the ability to grant temporary short term let Licences. These can be granted for a duration of up to 6 weeks. Do you think that the Council should introduce temporary licences?

[More Details](#)

 Insights

● Yes 290
● No 186



18. If No, please specify why?

1	the length of time needed to issue a licence
2	Because temporary licences have the potential still to cause upheaval to neighbours and gradually change the residential character of neighbourhoods.
3	I think this would open the door to abuse of the system
4	If it is so necessary to have strict guidelines in place how can just anyone let a place for 6 wks
5	Why should someone who has set something up temporarily be s as now to let out with the conditions everyone else has to follow. How will it be monitored that they don't go over the 6 weeks?
6	Either you conform or you do not, temporary implies a free pass therefor invalidating those businesses that aply for a licence.
7	open to abuse without reasonable consultation with other members of the communities
8	The council should not be involved in a private sector industry, they have already killed off the licensing trade with continual added red tape to the point that it is now impossible to run a restaurant or pub in a marginal small community.
9	Because it would be a huge administrative burden on the council for what gain?
10	There are lets which are run as businesses and lets which are covering a second home mortgage. Those covering the second home mortgage should pay a premium.
11	If granted the accommodation would not be available for long terms family occupation
12	it needs to be scrapped
13	Difficultty in monitoring overstays
14	Either a property is licensed or it is not!
15	Just creates more work for the council. If well publicised and people know they need a licence surely they can plan in advance, there should be a certain timescale for applications being processed. If council can't meet deadline then perhaps there is a need to grant a temporary licence.
16	Why not charge camper vans who litter and offer nothing to the economy

17	The additional cost of processing these would be prohibitive and counter productive.
18	There should be no short cuts and exceptions licences should be Limited to protect the communities and the Availability of housing stock
19	I think any temporary short term licence scheme would potentially be open to abuse by certain owners
20	Will be used as loophole
21	There is no way this is a workable idea. Do council's really have the time to administer a 6 week licenses? To make it happen it would have to be prohibitively expensive. If not then it will be unsupervised so what is the point in having a license?
22	I don't see why they would be required and am concerned they would put pressure on the system and increase costs unnecessarily.
23	This scheme, as has been said many times, is ill-conceived on many fronts and it will cost operators significant sums of money for operators. Planning ahead and being able to book reservations ahead for guests is key, so no temporary licenses. What happens in Edinburgh does not happen in the Highlands.
24	This would encourage "fly by night" letting and appears to go against the very aim of the short-term let regulations!
25	This could cause more problems particularly if it was for something like a music event with lots of younger people partying. Probably more of an issue in city centre.
26	To stop airbnb's opening just for the peak season.
27	Nobody let's for 6 weeks. The seasons in hospitality are getting longer.
28	The work required will be identical to that required in the consideration of a full licence. Therefore, it seems that all licences should be full.
29	I think there is sufficient capacity within the letting properties available?
30	I can not answer this question as more information is needed. What information is needed for a temporary licence?? In what area, in what kind of accommodation??? The question is too open.
31	Because you've enough to do. There's talk of staff on four day weeks because you can't afford a pay rise and you want to faff around with more admin...
32	If all health and safety conditions are met then I have no problem with temporary licences, otherwise they should not be allowed.
33	The premise set by Scottish Gov' was to level the playing field and ensure all short term rental accommodation adhered to the same safety standards. If the granting of temporary licences was on the basis of the Host/Operators complying with the same safety requirements and standards and same costs that all other Host/Operators have for licences then this would be fair and ensure a level playing field for those operating on a full-time basis.
34	The Highland Council should object to the introduction of this legislation by the ASSEMBLY. Highland Clearance by Sturgeon and cohorts. Our duly elected Highland Councillors should be lobbying the ASSEMBLY on behalf of their constituents, let them earn their salaries for a change.
35	I am a professional operator fulfilling all the regulatory requirements, all of which has a cost implication, time implication and is on the grounds of guest safety, neighbourly respect etc. All of these criteria should be required for all operators, or this two tier system where the professionals are essentially financially penalised for ensuring the highest standards, where some may be granted short term licenses, to 'cash in' on a local event to the possible endangerment to guests/ neighbours, shows what a farce the new system is, it a temporary license is something you will grant.

36	Unfair on those who operate legally and properly
37	It will entail a lot of expensive bureaucracy for minimal short-term benefit. If a property owner is going to jump through all the hoops to comply with all the requirements, they're not going to do it for such a short-term return.
38	Encourages letting without any real legislation or guarantees for guests - unless planned well in advance.
39	There is enough established property and hotels covering the area.
40	(happy for temporary licences to be granted as long as applicant has to go through the same process/provide the same level of standards etc as everyone else)
41	It's not a viable business model for hosts
42	No because we think the rules would have to be diluted somewhat for these premises as they would not go through the full process of adhering to your conditions just for 6 weeks.
43	On the grounds of safety, possible overcrowding, letting of unsuitable properties, nuisance to neighbours
44	6 weeks is insufficient time
45	Unnecessary
46	Consistency and also administrative demands, you have a lot of extra work already that will derive from this legislation. Variances will add to complexity.
47	How often would you allow temporary STL in a year? Would you carry out an inspection of EVERY property that applies for a temporary STL to ensure they are at the standard all other licence holders have to adhere to?
48	Whats the point? Either a premises is suitable or it's not, how can it only be suitable for 6 weeks? Checks must be the same for a 6 week license as a full license
49	As per answer in Q.14. Furthermore, I find this slightly confusing. The document states that a temporary licence cannot be renewed so does this mean it can only be issued once, or would it be an available option periodically? If not, there seems little point in introducing what would be a very costly administrative project given that already new staff will need to be recruited to deal with the existing demand this new initiative will create.
50	This is not needed and appears to be the same as the granting of temporary exemptions covered above.
51	It defeats the object of applying for planning/a license.
52	There should be only long term licences.
53	As per reason in 17..... Scot gov say it's all about regulation of safety etc. you either have a short term let business or you don't
54	The difference between exemption from requirement to licence and granting of temporary licences has the same end. Exemption from requirement to licence would be most straightforward for hosts and more manageable in the case of some events
55	Im not sure under what circumstances one would be granted. But i guess there s always one. if you give grants for 6 weeks will that be followed on by an annual licence? is it fair for a 6 week licence as others will have gone through a complicated process to get an annual one.
56	You either run the property as a business or not at all
57	This could have a negative impact on residential areas where an empty property exists a licence could be granted

58	I believe it is unfair. Bed and breakfasts in my area are seasonal and why should some be able to get a 6 week licence when we are being forced to pay for a yearly licence when only open for 6 months.
59	Standards will slip more easily.
60	Easier to administer and allow upto 6 weeks per year of letting outside of the licensing agreement
61	A property is either required to be licenced or not, why do short term licences?
62	The whole purpose of this legislation is to make safer for everyone short term lets. Given the already huge increase in population during the Tourist Season, temporary short let licences would mean that inexperienced landlords may be letting and making money in a situation they have no experience nor expertise in putting lettees at risk, and by extension the local population
63	as above
64	Waste of time, effort and money for everyone concerned
65	Houses are for living in not to short term let
66	Short term temporary licences sets a precedent for a property to be used for a full time let in future. Temporary licences will also take away from businesses, especially hotels, operating all year round. Temporary licences will only encourage people to benefit from large scale events maybe once or twice a year. Any benefit should go to those operating all year round. Large scale events are also more likely to cause disruption within an area than individual smaller bookings.
67	It creates two tiers of structure and management and I think it should just be one license fits all.
68	I think it has to be a level field for everyone who applies for a licence. No exceptions
69	Need to protect long term letting stock
70	No licensing for any air bnb type activities would be best.
71	I think these should only be used where there is an assumption that the STL complies with all the regulations set out. Otherwise what is the point of the licensing for operators complying - why would this approach be appropriate?
72	Licensing needs to be fair across the board and suppliers that offer short term lets throughout the year could be affected by an influx of available beds due to temporary licensing.
73	This will not help resolve the chronic shortage of housing for residents.
74	Only if they are able to meet standards that are to be put in place come October 22
75	There is already extreme pressure on housing supply. Adding extra reasons for property to be taken out of full time residential use is going to be counter productive.
76	There should be no need
77	Once again you would be opening the flood gates for chancers and loophole exploiters. Why create the loophole in the first place ? Keep it fair , balanced and simple for all.
78	Rules are rules
79	What use is a six week licence
80	At least something is collected and there is no excuse for not paying.

81	One of the problems in our area is that there is a lack of suitable year round accommodation for people living here. There are so many stories of people on informal tenancies during the winter months being evicted from their accommodation to make way for the tourists who pay higher rates. Six week licenses would only continue to encourage this behaviour on the part of operators.
82	People generally are open all season. 6 weeks is neither here nor there.
83	To my mind the main reason to restrict short term lets is to improve availability of housing for local people, if a building is used in the short term it seems likely to beget the owner gearing it toward full time holiday letting.
84	Because it will allow folks to rent out their spare room to god knows who.
85	Because the process if part of planning will be very slow
86	The people letting out rooms will find a way to get round any legislation.
87	Licences need to be passed 100% or rejected 100% Everything need to be clear
88	Everyone should be treated them safe!
89	It is essential that operators and short-term let owners develop a close and open relationship with neighbours and understand both the impact of any short-term lets. This can not happen realistically in a period of only 6 weeks.
90	The same rules should apply to everyone equally
91	This would undermine the whole ethos behind licensing
92	To have the admin and costs for such a short period seems overly burdensome.
93	This may be taken advantage of and effect long term renting
94	I assume that the licence fee will not be a large amount and therefore, given the practicalities and the time and resource this will take, I can't see ay real value in having them.
95	I don't think any licenses of this nature should be required in the Highlands, hasn't centralised government caused enough harm to the tourist industry here.
96	They should let people do what they wish with their own property so long as there are not complaints.
97	I think that will bring crowds of people who will not care for the property, environment and cause disruption - especially if it is a music event
98	Who is going to check that this temporary short term licence after the 6 week duration has indeed been stopped and that the Host/Owner is not running their business with no licence.
99	I would say most hosts are in short term letting because they are investing long term, as a way of providing income, pension, future security and financial stability for their family It has the additional benefits of adding to the local economy, such as local laundries, employing local cleaning staff, and bringing visitors in to spend in local shops. I just cannot foresee the circumstances or need for a 6 week temporary license.
100	No unless there is a licensing process ongoing and remedy are being taken to meet license criteria or similar delays from the council to get license processed
101	We either have to have a license or we don't?
102	The additional burdensome admin for hosts and the local authority alike.
103	Same answer as before, extremely hard to manage properly

104	You are just making jobs for yourselves.
105	Because the council will be unable to monitor such lettings.
106	Temporary licence conditions could be abused as the provider is only interested in a short term gain.
107	Why should short term licences be accepted when the long term have had to jump through hoops to get everything in place for short term just to walk in and take business from them.
108	For all the reasons that exemptions shouldn't be granted. If the reasoning for a license is safety, how many people would bother going to the lengths required, if it was only for 6 weeks? It would make a mockery of those of us running legitimate, year round businesses who are complying with all the necessary conditions to obtain a permanent license.
109	If they do not rent to tourists they rent to temporary workers in the area and in fact families living across the Highlands have an acute need of housing (rental and owned). Schools will close as a result of airbnbs and short term lets. Families cannot move in Fort William as it is so hard to find rent.
110	However these should be for 8 weeks not 6 weeks.
111	Under such a short time scale, how can the council verify these are fit for purpose. If the rest of us need to follow the guidelines so should the short termers.
112	I don't feel there is a need for temporary licenses if anyone wants to rent out their property on a short term basis anytime then they should consider having a license in place ready for when they wish to do this.
113	Either the council wants to impose short term let regulations or they don't. Temporary exemptions appear unfair and inconsistent.
114	Unless humanitarian need otherwise the council should set up temporary accommodation for person ie is to house persons attending a music event or area where they can pitch tents for a charge
115	The property may not meet the regulations within such a short time span. There appears to be plenty of accommodation in the area for short term lease and I cant think of a time that more is needed. If other 'hosts' meet the criteria year round I think it would be inappropriate for short term consideration
116	Rules either apply or they don't. This area has a housing shortage or so we are constantly being told, the area needs permanent long term residents not constant transients.
117	n/a
118	The ability to grant temporary licences completely defeats the point of this ridiculous legislation, It would then create a market of investors targeting areas with big events - who would simply rush in to purchase property and apply for a temporary licence make a killing then leave the property empty.
119	Unlikely the Highland Council will have sufficient resources to manage the process effectively.
120	The administration costs associated with the granting of temporary licences will be excessive and potentially therefore impact of the cost of permanent licences.
121	Hosts who operate a short term let as a business all year or even seasonal should benefit from the business not others wanting to take away from that
122	They should not be introduced, unless all the provisions of the STL Policy are met.
123	It is unlikely that neighbouring properties would be informed.
124	1. Any premise must come under the same Licence standards of inspection regardless. 2. Cost to the Council re visits etc would be required before a licence was granted. If we have a list of Licenced Operators, visitors could look up the register and make a booking to the owners.

125	Sorry, I am confused by the difference between a short term exemption and a short term licence though I have read both documents
126	Owners with properties established, maintained by local trades largely and with a long term vested interest in the area need to show sustainable income making it worthwhile meeting all requirements and providing a good service while promoting the area. such short term licences may cream off essential business which can be accommodated and should be supported not undermined.
127	I'm still to be convinced on the necessity of the licencing lets per se, let alone temporary ones.
128	If we have to go through the safety checks and licenceing demands at great expense to the professional operator and in the interest of safety of the customer this is just a loophole for potentially less scrupulous opportunists in the market.
129	there are plenty of full term hosts that accommodate the tourists
130	This won't work the property is eather holiday or full time rental
131	too much admin
132	Airbnb for peak seasons isn't fair on B&B and businesses which operate additional services such as hotels etc.
133	I don't see the benefit of these at all.
134	NO POINT...EITHER APPLY FR THE FULL THING NOW OR NOT
135	Surely we have enough problems finding sustainable accommodation for local families. This will just encourage short term evictions.
136	Why?? Maybe if some need it and apply. I think it is too complicated to get this license. So complicated that People have to hire prof. to figure it out. How Will poor People get through this?
137	As above
138	It will allow people to only let in the peak periods potentially taking away business from permanent licence holders
139	Unlikely people would apply for these.
140	As stated already , this defeats the purpose of licences.
141	If this legislation is to apply it should apply to all
142	Because it's just a bureaucratic exercise. Why should someone not make a little extra income. There is no need for administering it.
143	We as hosts go to great lengths and costs to ensure that guests to the Highlands are well looked after and leave with great memories anf hopefully return. I have found that guests using short term lets are mostly families or people who wish to experience living within the community and not in hotels There is danger.of Scotland losing out on this business if too many restrictions are placed on operators/Hosts as they will not use hotels.
144	Because it would allow standards to slip
145	There needs to be better safety checks which would be wasted for a 6 week period. Hosts should also be encouraged to work to attract tourists to these tourism areas throughout the year, not just when they want to make the most money. As a host, I feel my responsibility to the local area and its tourist industry.
146	I think for under six weeks one shouldn't need a licence.
147	It complicates the issues and opens up too many 'loopholes'

148	unfair on existing businesses
149	If you dictate rules they should apply to all
150	i would only be in favour of temp licenses if the holders were required to meet the same standards as permanent license holders
151	I don't feel too strongly about this, as I can't see why it would happen unless a massive event was taking place to warrant it
152	Every property should have to comply with the same standards for any duration - there should be no exemptions - standards are there for a reason. But if a property meets the required standards but does not want to do short term lets for long durations then there is no reason why they couldnt just have a temp licence.
153	defeats the purpose of licencing scheme
154	There is now plenty of accommodation in the area - for some of us, the bookings at busy times are the only ones that can be guaranteed so a welcome bit of business.
155	If applicant is still waiting for gas or electrical safety checks to be done as there will be a delay if everyone is getting them done
156	If the issue of introducing licencing is to promote safety, then it is irrelevant whether the letting period is a few weeks or longer term
157	No requirement for this.
158	I don't agree with the licence idea at all.
159	Short term lets need to be longer to be viable
160	You are either prepared to be licenced or not.
161	Read what I said above. Your logic is fatally flawed. Maybe you should come up with a better reason for bringing in this legislation. How about suggesting that anti-social behaviour in the Highlands will be dramatically reduced as a result of this brilliant initiative or - here's an even better one: 'the housing problem in the Highlands will be solved next year as a result of this long overdue legislation. Former short term letting properties will be transformed into affordable social housing as a result of the Scottish government's bold intervention.' This will relieve them and the Council of the need to take responsibility for the last 50 years of failure to address the housing needs of t
162	If STL need a license then it should be the for the same duration for all.

19. If temporary licences are introduced, should the additional local conditions apply?

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● Yes 401
● No 75



20. If No, please specify why:

1	There should be no council involvement.
2	No need.
3	As above
4	As stated previously.
5	in flats and built up areas. possible.
6	a/a
7	The Highland Council should object to the introduction of this legislation by the ASSEMBLY. Highland Clearance by Sturgeon and cohorts.
8	More paperwork
9	Should not apply at all.
10	No, because it is quite a lot of expense to ensure that a property meets those standards. However there should also be a notice that a temporary license can only be granted once within a particularly time period, for example once per year, in order to discourage multiple sequential applications for a temporary license from the same property owner (this could be a loophole).
11	see answer to 18 above
12	As my reply to 12
13	as above
14	Again I'm a don't know
15	Waste of time, effort and money for everyone concerned
16	If in primary residence then relaxed regulations only
17	As above, Imposing unnecessary costs and burdens on people trying to make a little extra by air bnb ing.

18	They will require an inspection for risk assessment and approval but to convert a building is not possible at short notice. Think of the pressure during the G7.
19	The costs to a temporary provider would be too much and they will not be able to open.
20	As above. It is temporary
21	Don't agree with a temporary licence. It should be a full licence or no licence
22	No everyone should be treated the same
23	They should be the same conditions as for a full / permanent licence
24	As above
25	Its temporary license
26	Some conditions might not be relevant. Conditions should be bespoke tailored to special exemptions. General health and safety should be maintained, but EPC's may be less relevant for example. Noise may be irrelevant if there was a large outdoor music event like Loopallu - just for one weekend.
27	The plan to limit or ban short term lets or limit their operating time is a bad idea
28	See above
29	I don't accept the need for the additional local conditions.
30	When a temporary licence is granted it is by necessity for a short period of time so should not need any additional conditions.
31	Council would set the rules for staying temporarily on council land and employ those needed according to the temporary event
32	n/a
33	See 19
34	In relation to additional conditions, for the reasons we have set out above, these should be applied depending on the facts and circumstances of a particular application in order to address any specific concerns that may arise.
35	The additional conditions are not practical for the STL host
36	See 16 above
37	Again, I think some of them may be overly onerous for providing short term accommodation, eg for a festival.
38	Temporary won't work
39	too much effort involved for a six week let
40	As above
41	Defeats the purpose of applying for a temporary licence if it is no different
42	It does not seem equitable to introduce a licence, even a temporary one, yet hamper the holder with extra requirements.
43	Only temporary anyway

44	Because there temporary
45	Over the top especially in peoples own homes.
46	
47	We don't need there to be a licence at all.
48	Cost might deter owners from offering their premises for a short term licence
49	Not sure
50	You should stick to your objective - make sure that not a single unsafe property is let anywhere at any time in the Highlands. Tourists need to be protected by the Council and the Scottish government. If you don't take responsibility for this who on earth is going to? The figures on tourist deaths and injuries from unsafe properties in the Highlands is shocking. It must be tackled and you must inspect each property rigorously and randomly to ensure that there is not a single hazard in any room that could harm a visitor and that the carnage of injuries and deaths is halted.

21. Are there any types of property that you think would not be suitable as a short term Let?

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22. If Yes, please state your reasons:

1	Property originally intended for affordable housing should not be used as short term letting
2	Whole properties. It is extremely difficult to rent properties within the highland council area and it took me over 8 months to find a place to rent (I have a permanent, full time job, and the average U.K. salary). I know people who have been forced to declare themselves homeless to then qualify for a council house, when their preferred option would have been to find a private or agency let flat. The situation is beyond being fixed by licensing and whole properties should not be eligible for use as an Airbnb
3	Properties where local housing need is evident. New builds. Previous authority owned housing.
4	If the properties meet the standards required they should be suitable.
5	Flats with shared entrances. Properties in mainly residential areas. Properties in areas where there is a shortage of homes for people living or working in the area.

6	Flats with a shared exterior door.
7	Garden Room extensions, garages, caravans parked in driveways, substandard accommodation as is already the case, garden sheds that are too small for purpose and dangerous
8	If an owner doesn't have full and exclusive access to the premises, i.e. flats with shared hallways and facilities.
9	Garden shed. Garage. Anything people can alter and say is a holiday let
10	Second homes which are taken out of the residential market, preventing people living and working full-time in the Highlands.
11	Those who are leased as second homes who aren't resident locally or contribute to the local tax system
12	affordable homes for local communities could exclude workers and key workers from housing
13	Any house which is used by the owner and family as a holiday /second home at any time.
14	Large villas in Resi areas.
15	Sub standard i.e made out of pallets/ a shed, unsafe locations. Some accommodation you see now is ridiculous.
16	Anywhere that entry to or use of the property requires a keycode or other information that's shared with other residents, as giving this out compromises their safety. Flats/apartments in predominantly residential blocks. Any house or flat in an area with insufficient housing provision for long term residents.
17	Properties which could be rented out long term to local families
18	those properties with buy to let mortgages as they are breaking their terms and conditions and lying to their lenders
19	Entire house/flats that could be used by local residents/employees of local firms should not be made available for short term lets. There are plenty granny flats, B&Bs, pods etc that could be used instead.
20	Properties in retirement blocks e.g. properties that have special designations. I think it's more about the nature of the place, e.g. places should be recognisably local, and provide homes for local people and not just holiday lets, so it's about managing numbers more, to ensure places have life and populations even on the off season. The availability of parking or public transport should be a consideration.
21	It isn't a type of property it is the number of properties in an area should be limited to protect housing for locals. Each additional house an individual applies for a licence should increase in cost to prevent huge buy ups in hotspots
22	as long as nuisance and disturbance are minimised, no problem (often, they are not, especially in shared stairwells) Its the time of arrival I question - after 10 oclock at night and before 7am really nor appropriate. Also, for me the problem is parking : on street by permit is contentious already, and short term visitors generally don't know the rules!
23	I think the local environment needs to be taken into account. For example; having a self catering house that sleeps 9 with an outside hot tub and BBQ in a tiny garden is probably inappropriate in a quiet residential area of Inverness.
24	Houses within purely residential streets, new or recent builds in areas where long term lets are in short supply for local workers.
25	Any where that doesn't have a landlord in residence. Small, primarily residential, flats, concentrated housing.
26	clearly residential roads / tenement buildings.
27	As an operator, I would not choose to operate accommodation without its own entrance as it sets up conflicts.

28	B&B which is our family home, the ones that are registered domestic and commercial
29	holiday cottages with occupancy and /or open only 6 months in a year
30	Safety; impact on residents; impact on environment.
31	Second/third/forth home owners who do not reside in the area or do not live in within say a 32km boundary. This would help to alleviate the issues with multiple home owners who are using second/third/forth homes as a cash cow and free up property for locals to live in. Local second home owners are using the income to support living in their area!
32	Do not feel that B & B's should be included. These do not fit in with the criteria set out for the Government's reasons for introducing this licence: lack of housing stock and anti social behaviour. We live in our homes so we don't operate a B & B we will still live in our homes so will not improve housing stock. As we live here we are part of the community and would not let disturbance happen to our neighbours. We can keep an eye on guests and make sure they behave, we are not absent landlords who allow hirers free roam. I also think that people that offer basic bothy style accommodation or rooms in their home on a casual basis during the summer months should be exempt. Often these are people just earning a little extra income and provide basic accommodation to those on a low budget. These rules will mean that these people will not operate and mean guests will have less accommodation choice.
33	Would have thought that was obvious.
34	Guest houses that have been running for 50 years are rateable value and are already registered with the highland council and are detached and rural can not follow the same policy statement as a flat/apartment in a block in a city. The licensing statement and additional conditions will make many business that have been running for many years not viable. This license needs to be more relevant for these businesses. You can not put all types of short terms lets in all areas city/rural in the same basket/statement.
35	Any property that's been a domestic home in the last 50 years.
36	Why bring b&b s into this !! It makes no sense at all
37	Air B&B's, they are a disgrace to the Highland Hospitality industry.
38	Shared entrance, due to potential disturbance.
39	No, as they would have to fulfil all the other requirements, this would soon determine if they were suitable or not, as they wouldn't comply
40	Buildings that do not comply with building standards. All pods etc should comply with building standards.
41	New currently residential property suitable for affordable housing
42	Holiday lets are open to the public to use. All mandatory conditions for safety are already in place.
43	In the middle of housing estates particularly new builds as these should really be for community either bought or rented long term
44	Letting rooms out in peoples own property
45	Properties that are of a type needed desperately for employees of local businesses and services.
46	Any premises that do not have suitable heating etc
47	Flats in blocks of apartments
48	Homes that are in residential,housing estates
49	Properties that would otherwise be used as affordable housing by the local community.

50	Existing long term lets, as there is such a shortage in the area already. Also it would be helpful to have some kind of cooling off period, to balance the housing market for people who live locally to be able to afford homes. If there was a stipulation that you had to offer newly purchased property as a long term let or live in it, for a period of time before it can be converted into a short term let, this may offset the market pressures created by speculative purchasers from elsewhere.
51	New Build housing. New build housing should be made available to the HC communities who are desperately needing accommodation for people, families and businesses who are in the area. I receive at least 3 phone calls a month from people/businesses in the area who are trying to find accommodation to allow them to work in the area. As very few councils in Scotland have built accommodation to replace all the council housing stock sold off thanks to the "Right to Buy" scheme, then there should be a moratorium on any new build in the HC catchment area being used as a Holiday Let until the waiting list for Council/Rural/Community Housing has dropped significantly.
52	motorhomes, should not be available under any circumstances for short term lets
53	Unserviced properties - e.g. garage.
54	Bed and Breakfasts in rural areas. This type of property causes zero disruption to others in close proximity.
55	Blocks of flats as neighbours can get different neighbours every night and associated noise
56	Too many pods now. They are everywhere on Skye now. Not very 'green' with lack of insulation and heating disappearing through the wood. However, if you try and build something properly and we'll insulated etc, you have to jump through ridiculous hoops, ie fire sprinkler requirements for a one bedroom property!
57	this probably best considered within terms of Control areas - for example short term letting should not be available within 'tenement' type flatted accommodation where the wellbeing of permanent residents may be affected. This is covered by the legislation but perhaps specific exclusions would need to apply - for example within supported housing environments.
58	Any accommodation which could be rented to local families or incoming workforce.
59	Flats in residential blocks/areas - disturbance to neighbours and makes homes feel unsafe with visitors coming and going
60	Buildings with shared entrances with other residential occupants in the same building. I would think short term lets would be highly disruptive to other occupants within a building with shared entrances.
61	Any property not specifically constructed for short term letting or as lesser part of a property for full time habitation. Property that would otherwise form part of the local housing stock.
62	Council houses
63	Places that do not have safe and adequate toilet facilities. Some advertise the 'green' (eco) option, but this is not sanitary! Dry toilets etc.
64	Houses that could go to those who soapy contribute to the community
65	Tents of any kind
66	tents, trailers, sheds, boats, horse boxes
67	Studio or one room apartments
68	Those in a predominantly close neighbourhood.
69	Residential Housing where the rest of the accommodation is used by local residents as their main home.
70	Pods, tents, yurts, huts within campsites should not be classed as a short term let property. Consideration should also be given to when does a campsite become a campsite e.g. if someone has pods in their garden for instance.

71	Any social funded property or property which part or all the costs is paid for from public funds.
72	Family homes in traditional residential areas where there is pressure on suitable housing for those wishing to live and work in the area.
73	Maybe flats if disturbance to neighbours.
74	Ex council houses - they should be available for long term let only.
75	any property that could house homeless people
76	Any property within a residential area i.e within housing schemes. Property on beach fronts, main thoroughfares or in the countryside away from other properties should be OK provided they meet requirements.
77	I don't think properties with a communal close (ie Flats) are particularly suitable due to echoing noise in the closes of suitcases trundling up and down, doors banging in a close, etc.
78	Needs to be wind and water tight. With water and electricity
79	Property in areas where key workers NHS etc are unable to find suitable property and as such render nhs boards etc unable to sustain services
80	Residential homes and flats etc. While I support short term let's, it should not be at the expense of the local housing stock.
81	I'm not sure what this question actually means to you mean physical property or operator type. I.e. we have a bed and breakfast and I don't think this should be included as we live on the property.
82	A bnb where its also your home
83	Properties with shared access that have residential tenants or owners are not suitable but all other property types should be considered as we need a variety of tourist accommodation available to keep the small towns alive.
84	Think that's obvious
85	in communal share entry and or provisions
86	Within a housing block as neighbours are often disturbed
87	Flats as they have so many neighbours around them who could be easily disturbed by the large number and frequent change if visitors. Houses within areas that there is a great need for housing. This is very much the whole of the highlands. If a house is purchased and taken away from the local market that's one less home for local residents.
88	Whole house rentals, particularly those within residential housing estates. The presence of STL's in such locations takes affordable housing out of the market and creates dis-proportional nuisance.
89	Second home owners who do not live within 32km of the property
90	Properties in rural areas where letting outweighs domestic residential
91	Flats with permanent residents or housing with permanent residents below. Obviously for noise complaints. Anything towable which would eliminate the ridiculous trend of people staying in rotten busses , taxis , gypsy caravans , train carriages , home made " mobile " huts etc etc . NONE of these contraptions are suitable as homes or safe as homes.
92	Properties within an elderly resedential building, I think these already have strict letting rules anyway!
93	Properties which could be used for protected tenancy

94	Caravans, pop up chalets in back garden, yurts in back garden etc
95	Anything that isn't safe or suitable
96	We need to bring existing numbers of short term lets down—in my village something like 60% of houses are rented out as holiday properties, and local people are in desperate need of accommodation. We need more houses for families, and fewer houses left empty for six months of the year.
97	Small Bed and Breakfasts that are your actual home and have only 2 rooms for guests.
98	Short term let licenses should not be granted to those who live more than a few miles from the property being let. This is very relevant to island communities that are being denuded of population due to large numbers of holiday lets.
99	I would severely restrict if not ban short term lets altogether.
100	Shared homes eg renting out spare rooms for less than 3 months should be illegal. They need to be regulated. Also all these shed conversions should be illegal, it's not safe or secure.
101	Built up residential areas which are not suitable or not intended as holiday homes and any form of social housing
102	The properties are needed to house local people.
103	Tin huts, sheds etc These are not safe and need to be removed
104	A property that doesn't meet the description provided by the host.
105	Flatted properties being used as B & B can be unproportionally disruptive to neighbours
106	Properties in Housing schemes, properties where the owner / manager does not live in close proximity to the property to be let, properties that are not graded by VisitScotland. Properties that are managed by individuals that are not members of a recognised Trade / professional body
107	Dwellings without planning permission, i.e. that are not purpose-built short term accommodation.
108	Home share properties, as they do not have any impact on local housing availability. They should be exempt.
109	Those in the immediate vicinity of a busy farm road (that is not a public A, B or C road), which farm vehicles are using on a daily basis - there are significant safety issues with large farm machinery passing close by a short-term let property, where the occupants are a) not used to thinking about farm vehicles, and b) do not act in a considerate and responsible way when drunk
110	Houses in the middle of any residential area where noise and nuisance can cause serious issues
111	Any that can't meet the regulations set out
112	Flats that are within blocks that are predominantly family homes and semi detached homes should not be included.
113	In a cul-de-sac court environment of 10 semi-detached houses there currently are 2 short term let properties...this undermines the principle of knowing and supporting your neighbours and leads to a feeling of a lack of security especially when the owners of the 2 properties live 20 miles and 185miles respectively, away from their property and do not physically meet their guests
114	Properties with shared entrances to residential properties need to be carefully assessed.
115	Main dwelling houses as there is a lack of housing available to local people.
116	Flats Terraced houses

117	Homes originally built as council housing , social or affordable housing. Flats in terraces with shared entrances. Flats with exclusive garden ground.
118	Multiple pods or the like in a concentrated area and rural areas which would flood small communities with people and traffic. I think also a significant number of short term let properties in areas with single track roads hugely increases traffic, impacts on the roads and locals. These sorts of lets costs the area for very little return and benefit to it. All too often these visitors bring all their food, travel outwith the area and there is little benefit to the area. The property owner at most provides a few hours cleaning work in a week for locals and usually lives well outwith the region.
119	Unlicensed properties - would be unfair on those who go to the trouble of getting a STL license! A caravan in a tree! If too many units in an HMO cause too much disturbance?
120	Starter homes, community built homes, homes with a shared communal entrance into the building, etc are aimed at providing accommodation on low incomes whose services are vital to the local community.
121	Properties in retirement complexes.
122	As long as the property is managed properly, conditions and house rules in place, safety certificates and emergency equipment and numbers available, I cannot think why any type of property would not be suitable. My priority as a host is safety, compliance and ensuring that my neighbour's lives are not disturbed or disrupted by any of my guests. I maintain a good relationship with my neighbours and they are able to contact me at any time, if they have concerns about any of my guests.
123	If a property is not safe or does not comply with existing health and safety guidelines and legislation for STLs it should not be allowed to operate as an STL
124	Not sure but pls see below
125	Properties that prohibit letting in their title deeds as the burdens protect local communities and make it possible for locals getting homes at reasonable cost but it would appear the council and government are not really interested in this protection. New developments should be afforded conditions that specifically prohibit short term letting to control prices and enable the purchase of these homes for those who live and work in the area.
126	B&Bs and holiday rentals.
127	Flats with shared access with residents and the host is not living in the building.
128	I feel that our property, a block of four flats in a Victorian domestic house with inappropriate sound proofing and shared driveway / access to the garden where people have to walk past our windows etc is not appropriate. It is very disconcerting to have strangers changing every 3 days (not to mention the regular moving in/out and cleaning process causing disruption) in your domestic setting and feel like a real invasion of privacy. There is no way of predicting who is coming and going and when, and whilst the current owners now notify us of changeovers after a fairly horrible summer in 2021, we could not guarantee that a future owner would even give us this respect. The uncertainty and disruption has led to lot of personal anxiety and stress and put strain on our relationships as the permanent residents in Inverness city centre.
129	Short term lets in multi unit buildings are not right. Great disturbance can be experienced by residents with all the coming and going at all times of the day and night.
130	Flats within residential settings Depends on how the number of short-term lets with compare with the availability of affordable housing and long term lets in the area
131	I think this applies more to big towns and cities, where whole apartment buildings, semi detached, family-residential homes etc are all ending up as holiday lets.
132	SLTs which accommodate large numbers of people within a rural setting, especially when hot tubs are also provided.
133	Some neighbourhoods round here are residential, for example housing association schemes. These areas should be kept as long term residential to avoid hollowing out communities.

134	Residential areas (they impact residents lifestyle) and are inconvenient when every time you get strage people using your common shared path because the law allows them. My child refuses to play in our garden because of the back and forth of people.
135	Flats with communal stairs in properties which are residential
136	HMO's . Too many different parties unsupervised.
137	High density old buildings which are not sound proofed and difficult to keep warm ie tenement style 1900 blocks particularly if many floored and limited escape routes Please be aware that EPC ratings have not kept up with advances in electric heating and now lead to downgrading properties because of this should you look to bringing in a minimum requirement
138	Second home bought for purpose of short term let when owner does not even live in the area
139	Converted garages and what appear to be small sheds that are being used as Airbnbs within the area. These should not be considered
140	N/a
141	" Types of property " - define..... Any property - residential or commercial - that does not have a water supply / toilet / adequate shelter
142	the provision of any "soft walled" accomidation should not be permitted (e.g. tents)
143	They are already identified in the legislation.
144	Any flat with multiple Neighbours.
145	Flats in residential blocks, especially if used for single overnight accommodation. Parking considerations should also be taken into consideration.
146	Any property without basic facilities ie; toilets, wash hand basins and showers and not shared.
147	There should be a defined distance between unconventional accommodation and all neighbouring residential property.
148	Blocks of flats that were built for permanent residential properties and not commercial use. Some will have this noted in the Title Deeds.
149	Flats, semi-detached and terrace houses are not suitable as "party" houses. Parties/weddings held in gardens/houses are a source of noise, parking issues etc
150	There are currently some wonderful, quirky and unique properties available for STL, e.g. Converted cow sheds, former railway signal boxes, etc. etc. These provide a significant attraction for the visitors on which the wider tourism sector depends, yet many of these will struggle to comply with regulations intended to apply to houses and tenements. Such properties should be wholly or substantially exempted.
151	I think the density of short term lets should be carefully considered. If they are too high a proportion of an area, the community can suffer.
152	Current residential properties particularly in established residential estates are too often being purchased with the intention of converting them into STL's
153	Clearly there will be wholly unsuitable properties - however the market has a way of making sure these types of properties don't thrive. No need for additional licencing.
154	Its not possible to answer this question - it would be on a case by case basis surely? However, what should be addressed is people letting properties where this is not permitted by the freehold owner, for example in apartment developments.

155	Converted sheds and tin huts, these are not safe or fit for purpose
156	Flats with shared access pose a security problem as many times locks are not put on properly or doors shut.
157	Affordable housing meant for locals/ families working in the area
158	Anything which could be used as a home for someone living and working in the area.
159	Any house or flat that is clearly suitable for family accommodation, whether owned or let under a short term tenancy.
160	Guest houses/ B&B are not self contained apartments and not suitable for long term lets
161	There is a huge problem with availability of housing in the Highlands. You should concentrate on sorting out people who have multiple properties in areas where renting is virtually impossible at the moment.
162	Council housing
163	The property must be suitable for habitation
164	Shepherds huts, tents, other non permanent structures
165	Flats where other tenants will have no control over visitors
166	Main stream housing stock
167	People who are letting rooms in their own homes and not registered as a business
168	Sheds,
169	Any property that doesn't have suitable health and safety measures in place for guests
170	I worry that standards may fall with some types of accomodation advertised
171	Property adjacent to sssi appointed land or near to breeding areas of certain wild animals or birds
172	Properties that only accept short term lets for a few summer months at great expense and are then closed for the rest of the year.
173	Bed and breakfast provision is NOT letting a complete home and owner is present as also their home!!
174	properties which are classified as affordable housing , shared equity etc where owners / tenants are under legal restriction and any other property with legal title restriction . legal title checks on restriction/ business use can be submitted and checked
175	HMOs, housing association/council owned property, second homes should not be included in short term letting arrangements.
176	Properties that with a change of use become incompatible with the local community. Properties that are unsafe to guests.
177	There are properties that are not fit for purpose and shouldn't be renting, at least licensing will make it fairer for everyone.
178	Multiple occupancy, residential, buildings and flats that provide homes to those people requiring long term lets.
179	Properties without main access doors, e.g flats etc
180	Any property that cannot achieve the standard

181	Flats where several properties are accessed via the same stairwell. As someone who used to live in such a property it would bother me that so many different people I don't know have access to my building and won't necessarily use the recycling/refuse bins, or park, in the correct way.
182	Flats
183	Were there are multiple groups of guests sharing one dwelling house and there is not a host on site overnight
184	Flatted accommodation in high density areas
185	All self-catering
186	Flat inside communal building.
187	Caravans
188	Locations such as sheds or garages that don't confirm to the regulations
189	We built our house specifically as a holiday let, there are a shortage of houses to rent so this should be monitored if people turn EXISTING property into short term let. Flats in purpose built blocks may also be unsuitable.
190	Glamping pods are not suitable for long term lets.
191	Unoccupied dwellings
192	Properties in high occupancy residential areas where the other houses are occupied by local people and party houses cause nuisance
193	Houses which could be purchased for families.
194	Some are problematic
195	Absolutely. There are dangers lurking in ALL properties: rugs that tourists could trip over, glass chopping boards that knives could slip on thus resulting in the loss of fingers. ALL properties are potential death traps in some way or other and you would be well advised to refuse licences for the vast majority of ALL of them. Let tourists live in hotels, tents or campervans.

23. Are there any other areas of the Draft Policy statement or the proposed additional conditions that you wish to make comments on?

[More Details](#)

 Insights

- Yes 184
- No 292



24. If Yes, please provide your comments below:

1	My cabin is built under caravan regs and a condition of planning is that it cannot be used for permanent habitation therefor does not affect the housing shortage. I therefore see no reason to try to price us out of the market by introducing costly licenses. It would simply be self defeating as fewer holiday premises means fewer tourists and less money in local circulation
2	Where the police are called to a property, this should be reported to the Council by the police and not left to the licence holder to report.
3	Do we know how this licensing system will be charged? ie. Per premises, per room, per annum or other
4	I have 3 small purpose built (in the 60s) chalets in the same grounds...will I need 3 licences. They have thier own entrance, shower room(not big enough for a bathroom) and kitchen (communal freezer and washing machine in separate building as chalet not big enough). So feel we are in a bit of a very grey area concerning this. They are not dwelling houses that could be lived in full time by any means.
5	Having everything Pat tested is not necessary also having certicates posted everywhere
6	There should be a requirement to ensure septic tanks are maintained and emptied regularly, similar to the condition on chimneys.
7	Far to complicated and not enough thought to those businesses that will not fit into your categories.
8	5.3 - Anonymous representations should be considered, since the license will be considered based on the suitability of the property/applicant regardless of whether or who complains. 5.5 - Relevant conditions for making a complaint should include the overprovision of short term lets within the surrounding area as well as the underprovision of long term housing, even if it is not a short term let control area. 5.7 - It is unnecessarily offputting and a potential safety concern to provide the address of someone making a complaint to the applicant. Consider especially that vulnerable, older or disabled residents may be most impacted by nearby short term lets, so the complaint process should be designed with them in mind. 6.5 - Anyone making a complaint should be invited to and assisted with attending the hearing remotely. The highlands council covers a large area, and this process must be accomodating to those who cannot travel due to costs/work/disability. 7.2 - This would prevent a person who made a complaint but was unable to travel to the hearing from making an appeal, which will disproportionately impact people with disabilities, care responsibilities, key workers etc 8.3 - Licenses should not be renewed for a period of longer than three years, in order to ensure the ongoing safety of properties. 14.2 - This should be broader, to ensure licenses can be revoked or suspended if necessary due to changes in the property or surrounding area. As with making variations to the license (13.1) the council should be able to revoke the license for any reason they see fit. 16.9 - The burden to obtain planning permission and follow regulations should be on the applicant, so the council should not waive the fee in this case. 16.12 - Should set a time limit on the reasonable opportunity for existing licensees to submit applications for planning permission 17 - As noted above, several of the points related to complaints about applications present equality issues Additional conditions: 5.v - Should be 22:00 hours
9	just ask for proof of mortgage lenders agreement and nothing else
10	Licensing not required.

11	I Think turnover of guests should also be considered in pricing and definition of short term letting. Big difference from someone letting a room to someone permanently working in area to someone letting a room in their house on an air b&b or to letting a pod in their garden where they may have numerous guests in a year as opposed to the house sharer who may have the same house mate for a year or more. Issues more associated where there is a high turnover of guests
12	By allowing short term lets in entire properties/flats within areas where there are known housing shortages only adds to the issues. There is currently a trainee GP in Badenoch and teachers in Strathspey unable to gain accommodation we need these people more than we need tourists.
13	Ridiculous and badly thought out .greedy and rotten
14	There is nothing about limits of licences. Surly there needs to be a limit put in some areas
15	Draft policy should ensure short let owners are paying correct local taxes eg business rates and trade waste charges etc as a condition of any license
16	Why are B&Bs/guest houses being included? If the owner/manager lives in the premises the it should be considered a B&B/guest house and be subject to different rules. Thls STL legislation is being inappropriately directed to any/all rented premises, not absentee landlords which is surely its intention.
17	I believe that the need for this license has been as a result of absentee landlords/licensees who are never on the premises when anti social behaviour occurs. I feel its a bit unfair to penalise B&B and guest houses whose owners live on the premises and who already have all the neccesary fire regulations/food hygiene certificates etc. Its been a tough couple of years due to Covid and this is an expense a lot of us cannot afford. What are Highland Council going to do with all this new revenue??
18	Existing premises which are run since 3 years or more with relevant Planning Consent in place and/or with a Premises License incorporating providing of accommodation and/or Apart-Hotels/-B&Bs should get granted automatically a license for a small fee of lets say £ 50 with renewal by approval every 3 years thereafter.
19	Re occupancy- there is only so much an owner can do to ensure occupancy rates without being too present as a landlord and putting off visitors. If this is introduced it should be on the basis of "taken all reasonable steps".
20	I think it's really important there is a fair sliding scale for the fee structure. For example, we have a 1 bedroom flat in town that has a small sofa bed (we recommend for children only). In peak season, if someone booked a whole week, we would charge around £600. There are numerous properties with 4 plus bedrooms that are charging over £4,500 for a week. I feel it would only be fair for those properties to pay a proportional fee. The fairest system would be based on the average price per night but I appreciate that would be onerous and expensive to administer. I do not envy you having to set the fees! I'm also concerned that us having a sofa bed would attract a higher fee. Whilst we can't stop adults from using it, it's mainly used by children and it's possibly in use once or twice a month. Depending on the fee structure, we would have to reconsider offering it for use, which would be a shame as we offer an affordable option for families. If the sliding scale was based on the property floor space and that guided the maximum occupancy rates that could possibly be a fairer system... Again, I appreciate it would complicate things, but certain areas of the Highlands attract a much higher price e.g. Skye, Fort William and the Cairngorms can be ridiculously expensive. Is it fair that we would pay the same in Inverness as a similarly sized property in Skye that's charging 50% more?
21	see comments on noise equipment and monitoring i'll considered and not practical.
22	The scheme is a knee-jerk reaction to issues that are mostly acute in Edinburgh and some other built up areas. Applying it to rural areas is a lazy solution. In the 10 years we have let out our property (Recognised 5* Visit Scotland) we have not once had a complaint from neighbours. On the contrary, neighbours enjoy the presence of visitors many who come from overseas and buy products such as eggs and seafood, and the local restaurants are grateful for the bookings they receive from our guests. We provide ample on-site parking for 2-3 cars. We fail to see how we should be held responsible for their actions outside our property.
23	The fee structure must be fair and represent a proper sliding scale based on maximum occupancy
24	5.5 Objections " Where there is other good reason" - scope is too wide. 16.5 Existing short term holiday let businesses should not be required to obtain planning permission or pay a fee to do so. I.e. it should not apply retrospectively. Appendix 3 conditions. A period of grace should be allowed to rectify any non compliance. Eg. 30 days

25	With regards to the lockboxes already on the wall outside each communal hallway, will the owners of these flats be required to ask for retrospective approval from other owners.
26	Under Listing there is :)a valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008 This has no relevance for short term lets only sellers of property and landlords.
27	The Reality • Licensing will be hugely disproportionate to the problems claimed and which have been stated to be required to be managed • The structure of the licensing has been shaped with mainly urban businesses in mind, with a one size fits all approach that has failed to reflect the diversity of short term lets rural businesses • The Scottish Government has demonstrated a lack of knowledge and understanding regarding the short-term let market sector and additionally failed to take into account the important role that short-term lets play across rural Scotland, by providing housing for communities and workers, as well as bringing in vital tourism • There is no differentiation between well-managed and reputable businesses who already comply with existing health and safety legislation, and irregular 'speculative or opportunist' lets • The scheme applies to the whole of Scotland, regardless of mainland or island locations • The potentially disproportionate and significant license fees are a major concern, which threatens that up to three-year licenses could be withdrawn in the future: o The Scottish Government suggests fees of £214 - £436 per three-year term o Industry groups and bodies, plus local authorities project significantly in excess of £1,000 per inspection period, be that one or three years • Licensing authorities will be empowered to require the inspections and licensing be undertaken annually. This means there is unlikely to be a significant lack of consistency with the implementation and administration of the scheme • A temporary exemption will be available by the granting of a temporary exemption or license, for a single continuous period not exceeding 6 weeks in any 12 month period • Excessive bureaucracy and spiralling costs could now lead to many associated businesses closing with a knock-on impact to the local communities they serve. Scottish Government Key Rural Facts (Feb'21) confirms that over 14% of all rural SME business are reliant upon the short-term let sector for their survival
28	Why are the fees in such a wide range or tbc. This is concerning that you can't work out what the costs will be and you expect us to make a constructive comment. Visiting a property prior to the grant of a license is unnecessary and will add a tbc additional cost to businesses
29	We need to know how much it is. I only let two rooms in my home from April to October (6 months) and yet I will be expected to pay for a licence for a year . I am currently getting bookings for 2023 , what do I tell my guests now? I am having to say that bookings are just provisional , which means that guests are going elsewhere which will affect my income. I am due to retire next October , so I would only be running my B & B for 6 months , I need to make a decision on whether it will be financially viable for me to open next year, but that depends on the cost of the licence. If this survey goes onto until August then when will we hear on the cost, We cannot wait until September to be informed this will cost us business
30	12.1.3. Public register - PII of the hosts should be protected as this can lead to identity fraud
31	• Licensing will be hugely disproportionate to the problems claimed and which have been stated to be required to be managed • There is no differentiation between well-managed and reputable businesses who already comply with existing health and safety legislation, and irregular 'speculative or opportunist' lets • The scheme applies to the whole of Scotland, regardless of mainland or island locations • The potentially disproportionate and significant license fees are a major concern, which threatens that up to three-year licenses could be withdrawn in the future: The Scottish Government suggests fees of £214 - £436 per three-year term o Industry groups and bodies, plus local authorities project significantly in excess of £1,000 per inspection period, be that one or three years • Licensing authorities will be empowered to require the inspections and licensing be undertaken annually. This means there is unlikely to be a significant lack of consistency with the implementation and administration of the scheme • Excessive bureaucracy and spiralling costs could now lead to many associated businesses closing with a knock-on impact to the local communities they serve. Scottish Government Key Rural Facts (Feb'21) confirms that over 14% of all rural SME business are reliant upon the short-term let sector for their survival.
32	The additional costs for self catering businesses is going to be a burden in an already difficult time.
33	Energy performance certificate - How does this help the license? What is the fee for the license? Will there be grants for all the additional costs, noise monitoring equipment, epc, licence fee?
34	I can understand that some people may have had experiences where short term lets appear to have increased the level of antisocial behaviour such as noise, vandalism or littering in an area. However, people who rely on letting property for an income may also feel that local antisocial behaviour adversely affects their business.

35	Double rates for properties unoccupied for more than six months and for holiday homes and holiday rentals. Pods/chalets upward - owners are coining it while the ratepayers subsidise the infrastructure (what little there is of it).
36	The need to renew a licence every 3 years provides great uncertainty in an area where many bookings are made a year or more in advance, especially by international guests. 3 years is a short time and in the event of a licence being withdrawn for (lets say political) reasons other than noise, disturbance, misbehaviour, etc, can only lead to customer disappointment and a blot on the image of highland hospitality.
37	How long have you got? The traditional B&B - staying with a family, as part of the family is to be legislated out of existence if this policy is followed through. We have been doing B&B for almost 30 years - we are not fly-by-night novices at this game, so have some knowledge of what guests want and layer upon layer of rules and regulations is not one of them. When we first started in Kinlochewe there were a dozen families offering summer accommodation to visitors. Now there's just the hotel and ourselves. Rules, rules, rules - such as these proposed draconian measures - have killed the joy of hosting visitors. Do you really want to make the Highland accommodation providers conform to some sort of disney-world sterile, bland, health-and-safety prioritising yes-men (and women - for equality!)???? It means the end of evenings chatting with guests round the fire over a dram (we'd have to show them the certificate that we've had the flue swept in the last year.....etc....) and probably have to get another licence to offer them a dram from our own bottle of whisky - even as we don't charge for it. Over the last 30 years we have made some very good friends who began life as our paying guests. This licencing fiasco turns that possible relationship into a lowest common denominator seller/buyer one.
38	The entire concept rings the death knell for tourism in the Highlands. The Scottish hospitality industry we have been renowned for over many decades and indeed centuries is being sacrificed. Welcome to Disney World in the Highlands, we have no accommodation apart from the corporate which is predominately owned by the Outlander set and NC500. No infrastructure = no tourists = no cash to keep the economy and infrastructure afloat, disaster.
39	I think the enquiry with neighbours should only be with those in immediate proximity of the dwelling i.e. those having a direct boundary with the property. These are the properties that are most likely to be affected by any noise.
40	see response to 25
41	As a Guest House owner it is unclear, this is fully commercial, identified as a Guest House and has been for decades, but I'm not sure on planning status - could you please provide this proactively so we can plan - we have a business to run. There needs to be clarity of costs - costs are mounting for our business and this is an additional unstated cost
42	Retrospective application of need for planning breaches human rights as money has been invested in holiday let properties in good faith and in accordance with the then law . Furthermore to apply retrospectively will overwhelm an already stretched planning system - the new planning requirement should only apply to new holiday lets
43	The Draft Policy Statement runs into 32 pages. This is the type of document which would likely emanate from Brussels! Given that we're out of the EU - thank goodness! - the document needs to be shortened considerably and simplified considerably. If the draft document is fully adopted as it stands, my wife and I will almost certainly close down our holiday let - which we have been running very successfully for the last 21 years.
44	As a B&B owner that has gone through the process of planning permission, I'm not sure what is being gained by the additional licensing. As it is already a family home it is not taking stock from the community for people to live in so at a loss as to why the additional rules are required.
45	Why is it only the person named on the license allowed to run the property/Let as with a b&b it's usually a couple or for others they may have a manager to run it for a season then they leave, unsure if that's what was meant by that condition. And why does the council have to go to the police as that could take even longer to approve an application and how far in advance can a license be applied for if it lasts for 3 years can the renewal be applied for in year 2 so it can take advance bookings.. as places hold weddings & guests which are booked sometimes years in advance of the date...for example
46	Focus more on curtailing planning for large developments that would result in anti social behaviour in local communities rather than trying to stifle small business.
47	Im just concerned about how operators are going to managed to get the electrical checks etc done if there is a shortage of people able to carry them out. Unfair if operators are not able get licence granted as waiting for someone to carry out this work

48	The cost of the 3 year license isn't specified so it's difficult to make a judgement on it. If it's a small reasonable cost akin to the short term tenancy landlord registration / letting costs then that's ok if it's too large then in all likelihood. Many hosts will just stop renting and shut down if it's easier then there would be less capacity for visitor accommodation.
49	I fail to see how the Highland council, which is under resourced as it is, can possibly process 10,000 applications for licences and also however many change of use applications for ward 22 within the next 7 months. The consultation is taking place far too late for legislation coming into force in Oct 22. We are being financially penalised by not taking bookings from April 23 onwards because we dont know what is happening and cannot afford to give refunds if we take booking and have to cancel as we dont have a licence in place by then. If people cant book they'll just go elsewhere and everyone will lose out.
50	
51	This policy has been introduced simply to crack a central belt nut 🍊
52	You have not stipulated what proof an owner must provide that a property is an existing short term let. And you have also not stipulated how long it must have been in operation to qualify. Anyone who lets a property to a friend for a couple of nights before oct 1 can potentially get around this requirement saying it was operating. And it isn't fair. Should ask for business record and filing history for taxes or something. And say has to have been in operation and have been let for a percentage of weeks within previous ____ months to qualify.
53	Ill thought out kneejerk legislation to what end? What are the problems you are encountering in the Highlands. And if you are you should address the problem directly not with blanket legislation.
54	fees must be minimum possible fee, covering council costs only, they must be fully transparent and justified and externally audited to demonstrate that the council is acting competently. Licenses should be for a minimum initial period of 10 years with renewals for a minimum of 5 years, how can anybody justify starting a new business if they cannot guarantee that they will be allowed to operate for at least 10 years. I have not seen any allowance for the licensed operator to leave the site unattended for any period of time. Is this intentional or an omission? If I set up a Glamping pod in my garden am I not allowed to leave my premises for the duration of the license? The License holder it would appear is also not ever allowed to go on holiday? Or be ill? Anybody who might, for instance, take over for a single changeover must have a license of their own? You MUST allow for temporary substitution, with the license holder remaining ultimately responsible but not necessarily required to be on site.
55	I would like to not have to apply for planning permission as I think there is enough pressure on the local council dealing with the new licensing without planning being involved.
56	Please try to implement with a light touch. Not all short term let landlords are problems - many of us got there by accident. We support the local economy and, speaking personally, always try to do so responsibly.
57	All these policies e conditions are a way to push landlords with as small portfólio (1 or 2 properties) out of the holiday let market, paving the way for big hotels to keep the monopoly and all the economic benefits from short term let from tourism accommodation market.
58	I believe the introduction of licencing will adversely affect the tourism industry, a vital source of income for many businesses.A simple registration process that covers the health and safety aspects of holiday rentals would be a much more effective way to address the issue.
59	PAT testing not clear and link to 'competent person' on government pages dated / incomplete. What counts as a competent person? What course must this person have completed?
60	Rural bed and breakfasts are different to city accommodation. Cities are all year round, guests coming for theatre, xmas panto, xmas shopping, cinema, etc. We are seasonal, april to oct. Why are we paying for a yearly licence when we are not open, or do not get bookings for over the winter months? A 6 monthly licence would be a good option. We are paying for a licence that is only relevant for summer season!!
61	Unsure as to the obligations on the council? You collect money (ignoring the biggest tourism issue in the region). Do you have an obligation to inspect? how often? will there be a quality standard? how will it be enforced? Given that we have already released pricing for next year, how do you expect us to tell guests we are now passing on an additional cost to them - will the council produce leaflets/links etc to explain this?

62	The implementation of this scheme will take a prolonged length of time due to the unrealistic demands on the already overstretched public services and departments.
63	Not to have any provisional figures or an idea of a process at this stage is crazy! How can we run a business on NO information??? I operate a very small holiday cottage. I have a business mortgage for holiday lets and I don't make massive profits. I cover costs and reinvest into upgrades. I need to forward plan in terms of how much I will have to increase rent to cover the licence and this lack of information makes planning impossible.
64	Authorised person is not defined within the legislation, this should be defined to avoid ambiguity
65	This whole thing is going to decimate the accommodation sector and the provision to tourists to our area, it's going to make it impossible for small units such as ourselves to compete with the larger hotels in the area who are geared up for all this legislation. The council states this is being brought in for safety concerns, i would highly oppose this, it is more a control policy and to make what has been an awful few years even harder. We are going to lose our revenue in small towns because tourists just won't come if they have no where to stay.
66	Detailed information for Existing Operations will be needed within Control Areas such as proposed Ward 20 Badenoch & Strathspey. For instance will all dwellinghouses within that Control Area be required to apply for planning permission and a material change of use for the dwellinghouse?
67	I think council should be looking at ways to encourage tourists to stay on Skye for longer breaks than the 1, 2 or 3 night fast holiday stops. Drive around take the photos and away. Sadly discounts for longer stays don't seem to appeal anymore. Only when weather is good do guests regret not booking for longer. More sustainable tourism could be helped if visitors had places to go or things to do when weather is bad. We do get a lot of rain. Lack of staff in hospitality this year has not helped visitors looking to eat out either. However that's not just a local problem.
68	I'm not sure if it applies to me letting out one of my two bedrooms with shared bathroom but I will not be getting a licence
69	It should be based on income. If you're under a certain amount then shouldn't need it. If you're bringing in lots of money then clearly it would be a good idea. But for majority of small businesses it would be too much money to set up and maintain that they wouldn't be able to pass onto end customer.
70	Short term lets should only be granted if there is no shortage of homes for people to long term rent. THE SCOTTISH GOVERNMENT no there are to many homeless people without allowing more short term lets.
71	EICR are required at the change of tenants which could be every 6 months, short term rental properties have a great deal more traffic and therefore wear and tear on things like electrical sockets (outlets) so should be inspected and tested more regularly. Free fuel is often supplied with short term lets - free firewood or electricity or gas included in the cost of the let hence there is much less incentive for renters to conserve energy and reduce emissions. I.e. they are not paying for the central heating to be on 24 hours a day in winter as an example
72	I was pleased to see the restriction on key safes from communal buildings but I think they should be banned altogether. I think hosts should have to physically meet and greet all their guests as this is the perfect opportunity make sure there are no "extras" turn up unannounced who weren't on the booking and also an opportunity for the host to communicate in person (we know guests don't read messages thoroughly) the licensing rules in respect of noise, parking, etc and the expectations in respect of good neighbourliness in general. I was also pleased to see the section on maintenance of the property inside and outside as far too many people are letting out places that are a completely eyesore.
73	Need a maximum number per area as a proportion of all private let's (not housing association) in order to protect private rents for essential workers like nurses
74	I appreciate this comes from the Scottish Government, but hope Highland Council will do its best to minimise the burden on local families trying to make a bit extra by air bnbng through the summer season. Putting these extra regulatory burdens and costs is completely disproportionate and does not help people in fragile rural economies to make a living. You should be supportive of local air bnb entrepreneurs, not blocking them. Rural depopulation will continue if people can't make a living here. Also as a local air bnb customer, for weekend family trips away, i appreciate the lower cost and sometimes quirky nature of air bnb, I fear this regulation will drive out some wee gems of places. There is much more of an issue with motor homes abusing the free camping they think they can do around the NC500 etc Air bnb is far preferable.

75	<p>One size does not fit all. The problem cities suffer with multiple airbnbs is not the same as rural highland properties where they operate as a small bnb. Running a small bnb which is also my home is not taking up homes for locals. If i cant offer bnb rooms here on Skye i can't pay my rent. There are no houses to let, not enough houses for affordable rent/sale. I would then become homeless or have to move to the mainland which is not ideal with teenagers in exam years. Also, no mention of fees???</p>
76	<p>General philosophy has to be of common sense. Public safety, nuisance and the restriction of rural communities being destroyed by remote owner holiday lets are a priority. The focus needs to be where a remote owner has a number of short term lets or where there are a proliferation of short term lets in an urban setting.</p>
77	<p>This draft policy has no bearing on the types of small accommodation providers in rural areas in the Highlands. We have given so much feed back about the new policies but nobody has considered or listened about the differences between rural and city accommodation. It is really only appropriate for large towns and cities where there are far too many short term let's. It will be far too expensive for most small rural self -catering businesses to implement. If you have a pod or a yurt is it really necessary to pay the same as a much larger b and b? I also do not understand how the council can afford to administer and make checks on all properties in the Highlands? I accept that properties have to be safe for renting but can this not be done without registration fees and accommodation providers given more support. This policy will force many small self-catering rural businesses to close . Do we need this now as costs are soaring for many households, inflated fuel bills are already having an impact on small businesses. We are only just recovering from a huge loss of earnings with COVID. Highland Council areas depends so much on tourism we need affordable accommodation not less and it provides so much employment for so many residents. If small accommodation providers close it will have a huge impact on the local economy. It would have been good to have more financial support and advise available to implement these changes, if you are in a rural area it is extremely expensive to gain certificates for all the listed conditions and availability of electricians etc is really difficult. The Energy Proficiency Report would not be appropriate for pods and yurts, there must be different types of licensing available.</p>
78	<p>I think you need to look at each individual holiday let and be realistic when applying these rules. For some who have operated safely and conscious of neighbours etc it is a vital income source. Look at reviews. I have over 220 reviews with 4.8 rating from visitors who had a wonderful experience. If this legislation affects me from operating as I do now then this will stop. We have a unique property and people love to stay here. You need to be considerate to how much we actually do to help people have the best experience of the Highlands and not restrict us from operating our businesses. We need to be valued on an individual basis.</p>
79	<p>Please see earlier comments</p>
80	<p>There appears to be no provision for Scottish Water to check that water supply and waste water disposal facilities are adequate for a given premises. This is particularly important as whole house STL's will typically use considerably more water and create more waste than if the property were residential use.</p>
81	<p>As previously stated I feel strongly that B&B's/Guesthouses are included - they are already regulated & are required to adhere to policies & do not remove accommodation from domestic residential market in order to profit from holiday lettings. It is completely un-necessary & only adds further burdens to proprietors - they are not self contained or self catering holiday lets & should be considered as such - Hotels are not affected - neither should B&B's. The whole thing has been poorly thought out.</p>
82	<p>Please look into the cost of fitting the relevant alarms , locks , boiler service , leigionella survey etc and then consider that when you set the fee for these licenses or for many the burden will be too high and you will drive them out of business.</p>
83	<p>The price is T.B.C which isn't helpful. Will we be put out of business purely by the costs? It seems unfair if neighbours were to make life difficult and state they do not want a STL due to noise, Pollution, parking whatever, and the planning permission and/or licence is denied, how is a landlord meant to make up these losses? How can they afford to appeal? This could be so malicious without real validity, just because Landlords appear rich owning a home they don't own for what is perceived as 'profit'. Not all Landlords are rich. I own one house, I happen to STL it to cover my mortgage. It is not making me rich. I have high costs in the house I rent. I had to move to Glasgow, I do not own another property but want to keep Aviemore to return. So, if I cannot trade, who compensates me for paying the fee's to customers already pre-booked for 2023? If I am no longer permitted to STL, who picks up that fee for cancelling the customer? It isn't the customer at fault, so I have a fee to pay by cancelling the booking. If I am then unable to trade, I no longer have any income. I can long term let, which means the property has a mortgage covered but I cannot pay any local people to clean the house, do laundry, cut grass, paint the exteriors, buy pillows, soft furnishing etc, all locally purchased. So, whilst HC cannot change the Government decision on this legislation, I do think setting additional Planning permission in Control zones in B&S is ruthless, it will have dire consequences for the whole</p>

	<p>community. It won't solve a housing shortage at all, it will have an opposite effect. Coming from overcrowded Kent I can tell you, this may bring more unemployed people renting, but less people spurring on their holiday needs and enjoyment. I lived in the house for 11 years because I loved Aviemore, I wanted a life away from the pressures in Kent. I have seen Aviemore double in size in those 17 years I've now owned the house. You could easily double Aviemore population again and still have a shortage of housing as all the people growing up there now, will want to stay, buy and rent locally, alongside an already bursting U.K population of 68 Million (known + many unknown illegally living) residents with more people wanting to reside in U.K every year. The pressure in England is greater than you could ever consider, so you will find supply more housing, more will come. It will not end the housing demand. It will bring you more people with less fast disposable income for recreation/shops etc. So a decline in a currently booming area.</p>
84	<p>This licence has the potential to resolve a number of issues with housing & tourism in the Highlands, and if not resolve, then at least bring in some money to help deal with the issues. Traditional owner/occupied B&Bs like mine should be exempt from licence fee as they currently help to alleviate pressure on local housing being turned into stl's. As with Airbnb as it was originally intended, someone letting a spare room in their house from time to time to help cover costs should not be subject to a licence fee. Perhaps a two tier scheme is the answer. One for owner/occupiers and one for unoccupied house let's. I think this will address the concerns of many tourism providers in the Highlands. We also need to address ever increasing 2nd home ownership. There are so many houses lying vacant for 10 months of the year. I know we can't stop people buying houses, but these do need to be properly taxed.</p>
85	<p>While I welcome these arrangements I really think the statement doesn't go far enough. We know many in our communities depend on tourism for their livelihoods, but there has to be a reasonable balance. The problem in rural communities is urgent: in our village there are more members of the community over the age of 80 than there are children under five. Our communities are being hollowed out by the overprovision of short term lets, and that means that what little services we have (public transport, weekly surgery) are being eroded too. It's becoming increasingly difficult to live.</p>
86	<p>"display a notice for a period of 21 days...at or near the premises so that it can be conveniently read by the public", this requirement is surely significantly outdated, might have been appropriate 20 years ago but the world is digital now, can there be a modern alternative.</p>
87	<p>I agree with the licensing in general but don't agree with shared BnB being lumped in with all the rest. We live here alongside the guests. They are in our house where we can stipulate and implement the rules. Guests are not left to their own devices.</p>
88	<p>Safety of buildings is not the primary concern to most people here, no point beating around the bush, people want limits on short term lets so that they and others from the area are able to live in their own area.</p>
89	<p>The people renting out should be vetted. There are far too many folk secretly recording guests. Too many are perverts with criminal records.</p>
90	<p>Why are you trying to destroy one of the few business streams in Scotland?</p>
91	<p>Page 6 Bullet point 3 you show hotels as exempt, but surely guest houses if not all Class 7 premises of the The Town and Country Planning (Use Classes) (Scotland) Order 1997, "Class 7. Hotels and hostels Use as a hotel, boarding house, guest house, or hostel where no significant element of care is provided, other than premises licensed for the sale of alcoholic liquor to persons other than residents or to persons other than persons consuming meals on the premises and other than a use within class 9 (houses)." which have a pre-existing planning permission for a class 7 use should be exempt also.</p>
92	<p>Licences should only be given to businesses that have an industry recognised award regaled to standard ie VisotS Scotland grading. Licences should only be given to businesses whose owners are members of a recognised Trade / Professional Group or local DMO Licences must be recognised by OTAs and only businesses with licences allowed on the OTA site</p>
93	<p>I think 3 years is a very short timescale between renewals. Just another cost and effort on the part of everyone. A five year policy might be a better idea - unless the main letting person/premises have a significant change of circumstance. Wouldn't that be more efficient?</p>
94	<p>The burden to meet the conditions and cost of licencing on hosts is too much. The conditions seem to have been designed to address issues in towns/cities rather than rural areas. The tourist industry is a</p>

	principal contributor to the economy and many are likely to leave the hospitality/tourist industry; it will also force hosts to pass on costs to tourists, discouraging many from visiting smaller areas who rely on this trade.
95	I feel that this is a stealth tax being spuriously proposed on safety grounds. Not unlike the landlords registration tax, which offered nothing in return.
96	All the antisocial problems I have encountered over the past few years have been due to 'short' short-term lets - ie: 3 nights or less per week. These groups tend to be 'party' groups who have no interest in the area, its culture or those around them, and who have repeatedly caused problems (screaming and shouting noise late into the night, flying drones over my house, letting dogs do the toilet on my grass, setting fireworks off close to my property). Generally, those who stay 4 or more nights tend to be far more considerate. Therefore, I would strongly advocate that a short-term license should only be granted for 4 or more nights, per week when the property is within close proximity of residential neighbours, or a specific objection is raised relating to this point.
97	13.1 Ability to vary licence terms for any reason - not acceptable. If terms change and licence is withdrawn what happens to existing bookings for future guests? How will they be compensated? Will the Council take responsibility for this? I am uncertain about requirements for planning permission for existing holiday let properties, not currently in a control area. It cannot be feasible that owners will have to apply retrospectively for permission to run a short term let, when the business may have been established and run for many years. Will there be any more 'control areas' in Highland region? How will new 'control areas' be identified and implemented? The additional conditions are included at the end of the Draft Policy Statement - so why are there two documents, duplicating this information? Mistake? Inefficiency - if people automatically print off the documents that they are advised to read this is a waste of paper.
98	Ours is a tourist area - you run the risk of being left with either big chains running everything, camper vans and caravan parks. I also think that if you live here and run a holiday let your application should be weighted more in one's favour than if you live outside the highland area.
99	There are already specific LEGAL HSE Electrical Regulations which cover PAT chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.hse.gov.uk/pubns/indg236.pdf If the Government/Council are to add requirements outside this legal paper then the paper needs to be amended to show this. Currently the paper does not fall into the line with Short Term Letting regulations which are over and above the HSE paper.
100	Absentee ownership of STL properties is unwise as a face to face evaluation of the STL guest is not carried out. This may prove to be regretful in hindsight after an incident that may involve the Police.
101	The requirement to display the licence request in public - if the property is already registered as a self catering business unit on the rates register - this requirement should not apply.
102	I refer to it above but I think tighter wording to make clear that rural properties with gardens are also covered and that what they do within the confines of the garden and the areas outwith, that also impact on neighbours is included ie noise and likewise wandering up other peoples drives/farm buildings or fields when the nature of the latter is outwith the scope of access rights. Potentially dangerous and intrusive. But generally I think this document is a move in the right direction. BUT there are significant resource implications and when it comes to enforcement I doubt you have the resource to deal with any issues in a timely manner
103	This license was introduced on the grounds of health and safety however whole policy is based on the housing crisis. Why is it put on the people who work hard and paid taxes for what they have and not being punished for government not able to sort housing issue and solving it by building affordable housing rather than telling people what they can and can not do with they property that they have invested time, money and contribute to local rural areas income?
104	ADDITIONAL CONDITIONS – GENERAL COMMENTS: It may be a good idea for STL owners to “sign up” to a general statement regarding common sense rules for good neighbourliness and public consideration, as they already do with quality assurance certification - rather than stipulating a huge list of specific issues which would normally be covered by business terms and conditions or existing law. If a neighbour was upset and disturbed, and they could not meet with an agreement about the issue, then they could apply to the council with their complaint. If you asked all STL License Holders (LH's) to confirm

	<p>they have in place their own Terms and Conditions (Ts & Cs) that covered the areas of concern highlighted below - then you wouldn't need to put in ALL these "additional conditions" in so onerous a manner! Many of the statements "must ensure" are not appropriate or enforceable in law. Any anti-social behaviour must have a "causal link" between the disturbance and the nuisance to be enforceable, and this would be difficult to prove, or monitor or regulate - even with surveillance equipment installed. Some of these additional conditions may contravene GDPR privacy legislation and effectively turn owners into a police surveillance system which is neither appropriate, legal, safe nor enforceable. Is there any protection in place for STL's where a neighbour may have a vexatious or malicious intent to hinder, prevent or otherwise interfere with a legitimate business, and in what circumstances would the legitimate business of the STL be upheld? Most of these proposed Additional Conditions are more relevant to somewhere like HMO's and Edinburgh Tenements and a blanket approach over the whole of the Highlands is both wrong and inappropriate. In General: I. Terms and conditions (Ts & Cs) of STL's usually cover rules of behaviour so that guests know what is expected of them, in terms of behaviour, noise, neighbourliness and security, and that they will be asked to leave if they do not adhere to these rules. II. Good neighbourliness and courtesy is understood by LHs and is of mutual interest. III. Laws and enforcement already exist to deal with antisocial behaviour and noise! IV. The perception of noise and disturbance – particularly in flat living - is very subjective. Some people are more used to communal accommodation than others. I would like to know how you propose to monitor, police and regulate these stipulations so that they are complied with fairly across all short term lets? Some of these issues could be dealt with if LH had to provide a web/url to an independent review site for potential visitors to check and an accredited quality assurance certificate (several schemes exist)?</p>
105	<p>I'm a little concerned as to the costs involved in all the annual checks required (especially given that there is as an yet undisclosed licence fee too) but even more concerned about the availability of qualified tradesmen to carry out these in a timely manner in rural areas. It would be good if there was a little leeway built in for annual checks in case we can't get people to carry out the checks around the time they're due....but maybe you've already taken that into account.</p>
106	<p>There should be an aim to process an application by x days to understand how long the council will process the licence application.</p>
107	<p>I note that a licence is proposed to be non-transferrable and I wonder if thought has been given to what would happen in the event of death or serious incapacity of a licence holder whose property has a full diary of upcoming bookings and also what thought has been given to how this could work in the event of the sale of a property to new owners who wish to continue the business and take on existing bookings? Might there be a benefit in licence holders having the option to appoint a deputy (who must pass the relevant fit and proper checks) to enable continuation of the business in the event of death or incapacity which would avoid cancellations and reputational damage, not only to the individual property but to Scottish tourism in general? In the case of a property sale, might it be beneficial to allow a new STL property owner to take on the remaining period of the existing licence just by completing the fit and proper checks to make the transition process quicker and easier?</p>
108	<p>If this goes ahead it will penalise families and local businesses. They won't come and stay in hotels. They will just go elsewhere.</p>
109	<p>PROPERTY LICENSING & COMPLIANCE Cairngorms national park primary revenue stream is tourism, self catering properties are significant part of this and primarily for families. • If holiday let property has history of accounts, business insurance, all compliance then it should logically be allowed to continue • Properties should be checked for relevant planning permission & building warrants for works done to convert to holiday lets (insurance wont cover any claim for alterations which were undertaken without correct consent) • Definitive clarity on exact criteria is needed that defines properties capacity, Beds, Bedrooms with bunks, bathrooms, area, location, off street parking for capacity? Capacity can not be subjective. • Family rooms are relative standard practice (dbl & 2 bunks) but some properties have crammed 7 beds in a room with no storage & very little floor space. This can't be allowed • Refusal for license cant be subjective, needs to be definitive • If accommodation was residential then turned to holiday lets there needs to be tighter criteria (as it reduces housing stock) Properties that were original commercial properties or 2nd homes never reduced residential capacity COMPLIANCE Properties need to show • Insurance • EICR • Annual Boiler service • CO / Fire Alarms • Planning permission • Building Warrants • Chimney Sweeps annually REVENUE GENERATION & RING FENCED BUDGETS • Commercial rates should be paid by all self catering holiday home (maybe a discount period could be introduced at first) • Proportion of rates revenue should be put towards managing industry in the area. • Rates revenue should be put towards Cairngorm Business Partnership to develop & market</p>

	<p>visitcaringorms and to help the industry (eg Advisory body set up, Help Specialist sales agencies, service companies)</p>
110	<p>The additional conditions are entirely reasonable, and as I have mentioned before, I ensure that my property is a safe place for guests to be, in terms of electrics and fire safety, etc., and that emergency equipment is available in case of fire, etc., as well as emergency contact numbers. It protects my guests and my property. In addition, I have conditions in place regarding arrival times, noise reduction and general behaviour, to protect my property and to preserve the peace of my neighbour. We all make noise, but that which is above and beyond what would be called reasonable and a normal level, is unacceptable. For that reason, there is a general 'respect the neighbours' policy, ie no loud music, keeping the noise level down when arriving and leaving the property, and in particular when guests are smoking outside. Most short term lets are non smoking, which means that guests will stand by the front door or nearby smoking and chatting at the same time. I have asked my guests to keep noise to a minimum if smoking outside, and if possible, to move away from the frontage of the property to do so, in order to preserve the peace and quiet of my neighbour. I also provide recycling bins in the property to separate waste.</p>
111	<p>Legionnaires disease test - is this really necessary in most areas? Could a checklist be introduced instead? Overall the process seems quite onerous on the hosts. A gradual introduction could have been used.</p>
112	<p>Fees - The fees attached to short-term let licensing are meant to be based on the principle of cost recovery – fees should not be set at a level greater than the amount necessary to recover establishment and running costs. I would refer to Scottish Government guidance which highlights ways to keep costs down, including: (a) economies of scale; (b) integrating service delivery with other housing and licensing functions; (c) using online and digital verification where possible, for example through photo and video evidence instead of a visit; and (d) taking a proportionate, risk-based approach to checks and verification, for example in considering whether, when and how often visits to premises are needed, especially in more remote and rural areas where the costs of such visits could be higher. Self-catering provides a huge £867m boost to the Scottish economy and needs to be supported for a sustainable recovery for our tourism industry. Unreasonable fees may cause irreparable damage to many small businesses throughout the local authority who do so much for our local businesses and communities.</p>
113	<p>Really positive about the fact it will be dealt with by the Committee and not primarily by the inept planning department.</p>
114	<p>Am not sure what the policy in the day to day management of the property is going to be. Not all owners are present every day. Will it be acceptable for a family member to help out if required or is it going to have to be the owner?</p>
115	<p>The legislation does not include second homes, those owned and used for holidays by families and businesses but not 'let'. In some areas second homes are as much a problem as short term lets, possibly more as their use is often limited to a few weeks a year.</p>
116	<p>Please don't make it too complicated, it will force out the little hosts and tourism will be affected. I never consider using hotels when I travel, always airbnb, etc</p>
117	<p>Costs for licensing home sharing hosts who are present when guests stay are likely disproportionately high cost compared to wholly let properties and these operators will be forced in many cases to stop accommodating guests, yet are ideal short term let operators as are residents of the council and present during guest stays.</p>
118	<p>You have not indicated your proposed charges. All the costs associated with this change will be passed on and likely have a negative impact on tourism. Vexatious or frivolous objections to license applications by neighbours should not be tolerated. The timeframe for introduction is very short. Just getting qualified electricians for example to do all the needed electrical checks by April 2023 seems outrageously optimistic.</p>
119	<p>A high proportion of properties in villages, such Strontian where we live, are holiday lets. They do bring income to and support jobs in the area through use of shops, tourist activity providers, dining facilities and cleaning staff to mention but a few. However, there is a delicate balance between having enough short-term lets that contribute to the local economy in the above ways and having too many, which eventually stifle a community as the transient visitor has little on-going interest in improvements for the community</p>

	<p>as a whole. Too many short-term lets also result in a shortage of long-term lets or affordable properties for those who have jobs in the area, many of which are poorly paid. For example, we have seen teaching vacancies being left unfilled at local schools as there are no properties available even within the budget of a teachers' salary, let alone a cleaner or waiter. The challenge for licencing would be to survey closely and respond to the local situation in each particular area, rather than applying blanket regulations that mainly address the issues that prevail in urban situations.</p>
120	<p>I am concerned about the cost implications for small scale operators. I represent a charity the purpose of which is to benefit the economic and social aspects of living in our remote community. Every pound spent on licence fees etc. is a pound less available to further the charity's aims. I cannot argue that there is a need in some parts of the country to safeguard the availability of accommodation for folk to live and work in these areas. But this appears to be a huge sledgehammer to crack a small number. Our accommodation is not on the council tax list of residential property, but is registered as "commercial". This appears as a huge open ended threat to our viability, yet another cost at a time of huge financial uncertainty. We are already having to consider whether we can afford to keep our accommodation available because of rising costs set against a background of economic belt tightening of tourism/holiday visitors.</p>
121	<p>The main issue is timing. One the one hand, applying for a licence ASAP makes sense. However, assuming that some applications will be unsuccessful, there is no benefit to apply early, as that could shoot oneself in the foot. Furthermore, there is no expectation about how long a licence application will take. While it is acceptable to continue to take bookings (conditional on a licence), the implication is that one could only take bookings for a max of 30 days ahead, in case that a licence was refused. This will seriously curtail future bookings, and prevent hard working families from booking holidays in advance in Scotland. But in reality, it may take months to approve a licence, and this should be factored into timings. A revised plan is required in this respect, such that operators could be given leeway to take bookings, say, a rolling 6 months months ahead, with a hard-stop date of 1st July 2024. This will encourage people of play within the rules, and allow families to book holidays. An additional factor to consider in the above is for bookings made via online travel agents (OTAs), e.g. booking.com, Trip Advisor, Airbnb etc. Whilst it will be possible to take bookings from one's own website with additional conditions of "assuming a licence is granted, etc", it won't be possible to do that via OTAs. Cancellations incur financial penalties for hosts, and if many bookings had to be cancelled, it could see the host banned from the site. OTAs are often used by foreign travellers, and cancellation of accommodation could have far reaching consequences for them, and give Scotland a bad name in the process. This could also have a massive impact for any host who, say, had three STLs; two licences granted but one refused. The OTAs group properties under a host, so any cancellations as above would have the the potential to decimate bookings for the remaining two licenced properties, and cost the host hundreds or even thousands of pounds in cancellation charges. Please ease the scheme in by allowing advance bookings on a rolling 6 monthly basis, without hosts having the possibility of either no bookings to seconds guess outcome of licence, or mass cancellations if bookings taken where licence not granted.</p>
122	<p>Making sure they are parked correctly, especially in on road/street parking. Highland council provides instructions where there is restrictions. Define locality of short term let. Police can inform you themselves if they have been called to a property. Regarding late arrival, are you also going to put a curfew on residents as well? This is unfair. Littering and waste disposal, define well maintained in garden with meadow grass, this is subjective not objective</p>
123	<p>It is unclear if you can let at all for short periods on a commercial basis with out a licence. The whole process will put many people off running this sort of business especially if they are just doing it in a limited way already. Less holiday homes means less tourists and not necessary bring the property in to the housing market. The cost seems step</p>
124	<p>PARA 16.3 AND 16.12. No idea in advance what will happen outside a control area, if each property is considered case by case. Control areas might change at any time and a licence could be revoked. Not good for the tourism industry and no peace of mind for hosts.</p>
125	<p>I still do not agree that the hosts who only STL for a few weeks of the year be treated the same as those who let all year, or those who let out the whole of the property. I am in no way stopping people from finding a home, so am not affecting the housing market. There are a lot of people who are trying to 'make ends meet' and this is their only way of doing it. Including us in the licence fee is yet another monetary burden, one which will ultimately mean that hosts do not do STL and this will in turn affect tourists who cannot then find somewhere to stay and so do not visit the area. This will then affect other local businesses eg pubs, restaurants, shops etc etc. Yes I agree that we should all have our PAT testing</p>

	done, but there are also going to be lots of hosts who have 'vintage period' furniture within their letting spaces, and these will not have the fire label on, are we expected to go out and buy brand new furniture, another monetary burden. Yes mattress and pillows should have these labels but there are going to be vintage sofa's out there which will not.
126	The proposed policy is not required.
127	As yet you have not indicated any details on the cost of these licenses . How can people comment on the scheme if they do not know the costs involved. Who is going to ensure these conditions are met? How will businesses prove these are the case , is this just a tick list exercise
128	Of course some of the conditions are relevant, neighbours should always be considered. But some neighbours in either private houses or rented property do not adhere to these rules. If guests see the neighbours in the hot tub at midnight they will think they can do it too!
129	Under excluded accommodation what is the definition of a bothy?
130	Tighter regulation on second homes that stand empty for months at a time , as far as I am aware you can only be in one place at a time, If you live in for example Glasgow, or Edinburgh that is your place of residence you don't need an empty property in the Highlands.
131	I don't believe this licensing scheme should set out to duplicate legislation which already exists - i.e. noise, anti-social behaviour, etc. This whole process is not meant to cost us anything, however there are additional costs involved in getting certificates etc. and this may prevent many older accommodation providers from applying, and could result in the closure of many bnb's, which will significantly impact the tourist sector in the most remote areas of the country. Tourism is one of the biggest industries in Scotland and we should promote it, not make it more difficult to provide. I understand the importance of providing safe and secure accommodation to visitors, I agree with this.
132	2. Reporting of Certain Incidents We would like to ascertain why the Highland Council believes this is a matter pertaining to licencing. Any incidents involving a gas leak or fire, for instance, relate to safety and the operator would engage the emergency services as they are directly relevant, not a council licencing official. The Council state the licence holder "shall ensure" in respect of 6i and 6ii – while operators can advise guests of refuse collection day, they cannot compel them to comply. On a more practical point, this entire section as with many other sections of the legislation or guidance bears no relation to traditional bed and breakfast operators, I am certainly not going to tell guests when my bin day collection is - especially when their stay may not include that day. 8. Prohibition of LPG room-heaters and storage of inflammable liquids etc. This section replicates the mandatory conditions in relation to gas safety. We would also ask why the Highland Council think that traditional bed and breakfasts would be storing liquified petroleum gas in their premises - and what evidence does THC hold that they do? 10. Requirement to produce on demand any policy, certificate etc. This is already part of compliance so does not need to be an additional condition imposed by the Council.
133	It would have been extremely helpful to have had some idea of the fee structure
134	See comments in 26
135	Regarding costs and enforcement, the details of both are not transparent. Letting properties are an important income source for many highlanders. Restricting the number of properties through onerous licencing conditions will not alleviate the housing issue, rather it will reduce numbers of visitors stopping overnight in remote areas, reducing money spent in these areas (leading to losses of jobs and services).
136	I am concerned about the requirement to obtain safety certificates etc from competent individuals. The numbers of these individuals are limited and it is already difficult to have work undertaken. The Highland Council need to consider having a list of approved contractors and fixed prices to avoid unscrupulous individuals charging premium prices for undertaking the certification without which a licence will not be granted. Highland Council also need to consider the number of competent individuals available in remote areas.
137	The tone of the draft policy statement is unnecessarily authoritarian and gives the distinct impression that all short term let operators are to be closely controlled and coerced into acceptable practice. This is very far from the truth and has already alienated large numbers of us who are owner occupiers and make a significant contribution to the tourism economy in the Highlands through the provision of high quality, affordable accommodation options. The rumour factory and local press reports indicate that the license fee will be between £300 and £600 per property. I am one of two thirds of operators in the Highland region whose annual turnover would mean that the license fee amounts to between 10% and 20% of their net profit. That money enables many of us to remain in our family homes and make ends meet. Covid recovery is not yet

	<p>achieved and the cost of living increases are biting hard. For some of us this will be the final straw, prompting us to close our micro-businesses, sell up and move away. This is especially relevant to those of us who need to substantially enhance our meagre pensions through home sharing. I'm told the the response to this from some quarters is that operators pass on the licensing costs to their guests. Economic idiocy! Cost of living issues and inflation are already making the self-catering market extremely price sensitive so that won't work.</p>
138	<p>What are the likely costs of licencing?</p>
139	<p>The Draft Policy is currently silent on the licensing fees to be imposed. In relation to the potential cost of licensing fees for the short-term lets licensing scheme, it should be remembered that small, short term let businesses and normal people sharing their home do much for the local economy, and contribute towards a sustainable and resilient economy and a growing business base. The Scottish Government is clear in its guidance that licensing authorities must determine their own fees and fee structures to recover establishment and running costs specific to the area (and not to be used to raise revenue). Disproportionately high fees will discriminate against the vast majority of hosts on Airbnb who are normal people, sharing their primary home to supplement their income. Almost 40% of Airbnb hosts in Scotland say the income helps their monthly household costs The Scottish Government expects licensing authorities to minimise their own costs of running the licensing scheme, and so ensure that any fees designed to recover establishment and running costs are similarly kept as low as possible. As the cost of living crisis bites, ordinary people are increasingly relying on Airbnb for the income they make from hosting. As of January 2022, over 80% of Hosts in Scotland only had one entire home listing, and over a third of UK Hosts on Airbnb use the income from sharing their own homes to help with rising living costs, according to our data (Internal Airbnb data as of 1 January 2022 and sourced on 19th May 2022). A suitable licence cost is one whereby the fees set are a level not greater than the amount necessary to recover establishment and running costs. The Scottish Government guidance is clear on this point. The Scottish Government guidance also provides examples as to the ways local authorities should be keeping costs down – economies of scale, integration with other licensing functions, and taking a proportionate, risk-based approach. In due course, the Council should explain how it has arrived at its proposed costs.</p>
140	<p>I think there should be close parity between this Policy and the requirements placed on Registered Landlords. There should be a public register of STL properties and landlords</p>
141	<p>Dog friendly short term lets should have additional conditions to ensure that the animals are contained within the confines of the STL property and are not a danger/threat to occupants/pets/agricultural livestock of neighbouring properties. There should be a minimum fence height requirement of 2m surrounding the property, for any short term let allowing dogs.</p>
142	<p>With regard to the draft "Short term let licensing policy statement" I would like to ask that the list of "Excluded accommodation" includes properties that are managed and operated by hotels. Hotels are professional operators fully versed in best practice in a well legislated environment. My apartment is a purpose built holiday home, there are 24 such apartments in two blocks adjacent to the Royal Golf Hotel Dornoch. The Royal Golf Hotel fully manages mine and 15 or so others within the two blocks. For such "Hotel Operated Properties", I would like to ask for them to be considered as "Excluded accommodation" as they could fall more easily within the already regulated Hotel environment. This would allow the Highland Council to deal with a single and already established operator, the hotel, instead of at least 15 additional individual operators. This approach would simplify the operational management of applicable legislation for the Hotel as the apartments are simply a natural extension of the hotel environment. The Royal Golf Hotel is part of the Highland Coast Hotel, within this hotel group is another hotel The Royal Marine Hotel in Brora which similarly operates a number of equivalent apartments under exactly the same business model in Dornoch. To achieve this, the list of "Excluded accommodation" could simply be amended to include "an aparthotel, or properties fully managed by a Hotel".</p>
143	<p>The whole draft statement and conditions need to be relooked at to ensure it is fit for purpose. The types of STL properties need to be considered. The same conditions cannot be placed on a Bed and Breakfast in the middle of a city and a glamping pod on a campsite in a rural location - there is no correlation between the two. I agree in principle with the idea, however the whole process needs to be carefully looked at to ensure that it is fit for purpose, affordable and practicable to ensure that these sorely needed businesses who bring income into local areas do not suffer and end up closing.</p>
144	<p>I have to say that this draft, and in fact the whole proposal, is akin to the sledgehammer/nut analogy. Small bed and breakfast operators, who let a room in their own home, are being subjected to legislation that should only be applied to bigger commercial operators. I understand the safety concerns, but really? Would I be happy in my own home if I had safety concerns? In the absence of any idea of the fees involved it's difficult to comment on costs, but it seems to me that any figure, given that the council must cover the cost of all this red tape, would deem it unviable for me to continue providing the valuable service I do to visitors. This would then probably entail my becoming a burden on the state having to apply for extra help to augment my state pension. Also, at a time when everyone, and especially pensioners, are suffering severe financial pressure, this is not the time to introduce further punishment. I believe that small bed and breakfast operators who let a room in their own home should be exempt from ALL the conditions of this STL licence scheme</p>

145	No indication provided on fees. This is essential information. "12.1.4. Complaints about suspected unlicensed hosts/operators should be directed to Police Scotland." This is surely completely unrealistic? At a time when officers are withdrawing "all goodwill" and taking other action re pay dispute, what chance is there of any enforcement on STL complaints?
146	Please consider that there are some properties which are only suitable as short term lets because of the distance from workplaces, public transport etc.
147	Policy Statement 4, sections 4.1 - 4.4 What is the definition of "submitted" in respect of a paper applications which may of necessity have to be posted? Must a paper application be sent by recorded delivery / registered post to establish date of posting? Will date of posting or date of receipt by the Council be deemed the relevant date of submission? Will a posted application not be deemed "submitted" until the fee is paid by phone? How quickly will the Council acknowledge receipt of email and postal applications? Sections 4.3 - 4.4 The notice must be displayed "beginning with the date on which the application was submitted" so the definition of "submitted" is crucial. The template for the style of notice will be useless if it is only supplied to the applicant once the application is submitted. The template needs to be available in advance to allow the applicant to have the notice in the correct wording ready for display immediately on submission of the application. Policy Statement 5. section 5.2. How is "received" by the Council defined? Will proof of posting of an objection establish date of receipt or does Highland Council date stamp all correspondence on receipt? Policy Statement 6. section 6.4. Will there be an additional fee if a hearing is required? There is no mention of this in the draft fees schedule. If so, will there be provision for the committee requiring this fee to be met by an objector if his or her objection is deemed frivolous or vexatious meaning that the hearing was unnecessary? section 6.5. What happens if the objector claims to be unable to attend the hearing? Will the hearing be deferred meaning more delay and uncertainty for the applicant or will the hearing still proceed on the original date assigned to it? If it goes ahead will the objection still be considered despite the absence of the objector to speak to it? Will the Council provide an opportunity to attend hearings by zoom connection? Section 6.7. The grounds for refusing an application are not "set out at paragraph 4.5" (should this not be 5.5?). Policy Statement 13. What is envisaged here? Surely a power for the Council to vary a licence "on any grounds they think fit" is too wide a power? A major variation could potentially make the operation of the business impossible / untenable and the policy statement as drafted appears to make no provision for appeal by the licence holder. Mandatory Condition 4. Will proof of reupholstered antique furnishings having been reupholstered be sufficient? Mandatory Condition 11. It is unreasonable to expect a licence holder of a self contained self catering unit who possibly lives a distance from the letting unit and who cannot easily attend in person to "ensure" maximum occupancy is not exceeded. All the owner can do is stipulate to guests that the maximum occupancy must not be exceeded (which will no doubt already be done in the property's booking conditions).
148	With 7 weeks before implementation of the need to apply for licences it is unacceptable that the fee structure is not available.
149	The costs associated in obtaining a licence and maintaining a professional holiday let, Bishta training, legionnaires maintenance, fire risk assessments, pat testing, EPC certificates, etc on top of HMRC requirements to be available for the requisite number of nights and let for the requisite number of nights comes at a high cost to the business. It is right and proper that licences are granted which will eliminate the backdoor operators. However the control areas should not be implemented as blanket approach. The number of professional operators that will stop operating and result in reducing the work employment and financial lifeline remote highland villages thrive on would be catastrophic. Professional holiday let operators whose guests contribute highly to the local economy through guest footfall and pound spend in our highland towns and villages will not simply sell up and hand their homes over as cheap additional housing. They will simply drive up the market for second home purchase and the villages will lose employment and income. It is particularly worrying that the councils may slap control areas to be seen to be doing something which in reality will sound a death knell. Small villages rely on tourism so much to survive its a very careful balance and the licencing conditions in the obtainment of a licence are onerous and costly enough in themselves to ensure robust holiday business models thrive and less scrupulous ones naturally fade away.
150	Simply to say that the time scales are extremely tight and thats not helpful for owners
151	The lack of any details on fees, makes it impossible to quantify the potential economic effects on my self catering holiday let business. Given the current economic climate, this is a perilous position to be in. Any profit margin is already slim and with escalating costs, the future looks very bleak indeed. The licensing fees could be the straw that breaks the camels back.
152	.
153	I'm worried that the cost of any licence required may be prohibitive for businesses against a background of widespread rising costs in particular heating premises.

154	It is unclear whether EPC's are required for all properties or just secondary letting
155	Greater clarity over the application timeline would help. This would necessitate greater council resource to be afforded to manage the administration. The council should commit to a maximum time it will take to process and grant an application
156	Traditional small B&B's should not be included (less than 3 rooms)
157	see below. Additionally the licensing should be used as a tool to deal with the purchase of what could be homes for residents in the area working here specifically to short term let them.
158	My wife and I and the vast majority of our friends, including many who work in the tourism sector, are delighted the Council has finally decided to get to grips with this issue which is blighting the future of so many local families and our young people.
159	There is a considerable issue with bothies and houses that have no electricity - as these are supposed to have an EPC, but the EPC algorithm cannot accept that houses do not have lightbulbs/fuze boards etc. There is a need to exclude houses with no electricity from the EPC requirement. The bothy is only rented from April to October - so does not need insulation, double glazing etc - it has no heating, or lightbulbs etc. I also have another house that has no electricity and also is supposed to have an EPC but again there are issues that negate this being approved.
160	The conditions for house sharing will be restricting a lot of people, as obtaining all those safety certificates will be very expensive.
161	See above comments
162	We opened our holiday accommodation 3 years ago. We have not taken any housing stock away from the community as our units are not standard build which we purchased and installed. They are design specifically for the holiday let market and we have already complied all the legislation in place to ensure our guest have a wonderful but safe holiday. We run our business in a professional manner and do not cut corners, our guest spend a huge amount of disposable income in the local community (we are in the remote NW) - restaurants, cafes, local shops, gift shops. It would be fair to say that 95% of our guest either eat out once or twice during their stay. We also support local businesses by purchasing goods to support our offer e.g. guest soaps, wood etc. It is disheartening to read the tone of both the mandatory conditions and the additional ones the Highland Council wish to implement - they assume we are unprofessional, care little for the safety of our guests and care nothing for our community. Tourism is not the only source of income in the remote parts of the Highlands BUT is it is very important none the less.
163	I think the whole legislation is Draconian in tone and purpose. I believe it will send the self catering tourism sector in Scotland back to the stone ages. I am sure we will lose a great deal of operators. This is an exercise in beaurocracy and will only create more public sector jobs in Scotland the cost for which will be borne by many micro businesses. If we must create more public sector jobs we should be investing in improving our health and education sectors, both of which need DRASTIC improvements in Highland Council.
164	We inherited the property, virtually derelict. We spent £100k (all) of our life savings to refurbish the property, and intend to move there one day- letting us a way if recouping some of this money to enable us to do so with our children. We make sure we only employ very local cleaners, electricians, builders, gardeners and solicitors as we believe this is important for the community. We are worried we will fall under "non local outsider ownership".this would not be fair.
165	It does not name reference to hiring of motorised accommodation eg campervans, motorhomes, vehicles supporting tents on roof!! These must also be licensed!!
166	In the current economic climate it is important to support permanent Highland residents who are vulnerable to the inflationary/deflationary pressures which prevail and are forecast to get worse. Imposing costly conditions on individual, casual hosts could prove damaging to the local economy and merely encourage more corporate/commercially owned operations that are already intruding into the area to the detriment of small communities and some urban areas.
167	Our property is our home. This additional level of bureaucracy - to state on record it's safety - is simply verification of what we already know to be the case. We already have specialist insurance, connected fire and smoke detectors and so on.
168	What will be your criteria for getting a licence ie what standards would you have to conform to to gain a licence.
169	Per above

170	The consultation has come at our busiest time and we haven't had enough time to digest the consultation and provide full feedback.
171	I am disappointed that there are no indications of costs for the licence or planning in the draft. Property owners are quite literally being kept in the dark. We have to be able to plan for extra costs.
172	This will kill the Scottish tourism industry
173	It was good to note that certain of the proposed additional conditions would only be applied to individual properties where a specific problem had been proven. This approach is crucial.
174	I notice there is no indication of the fees to be charged so it is difficult to comment on this other than to say I hope it won't be too expensive as there are already a lot of costs involved through electricians reports, epc reports etc.
175	The whole process should never have been approved and the legislation should be scrapped. Those of us who do this for a little bit of extra income to cover costs will not bother which in turn will reduce number of properties available for use: Whilst i can see a problem in places like the big cities in rural communities this is completely over the top.
176	Can quite see why anything to do with assessing the safety of oil, gas and electricity has to be carried out by a certificated person. However, it is not rocket science to use a brush set to clean a straight metal lined flue from a wood burning stove. Hope you are not expecting us to pay someone to do this.
177	Does seasonal letting mean you still pay the same license as someone who warns and hosts all year round like in big busy cities I live in a small town and in winter we are not busy at all
178	As per the Draft Policy, there are four types of licences for short term let accommodation. I would suggest to simplify into two types: (1) Secondary letting; and (2) Home letting and home sharing. Licence for home letting and home sharing should be granted together to increase the flexibility.
179	There is a presumption throughout the Draft Policy statement that there is widespread anti-social behaviour and littering associated with short-term lets - - yet no empirical evidence to support this. There are repeated instances of the Policy placing demands on operators which are unenforceable - - which is morally indefensible. No estimated fees are stated, nor the basis for their calculation. Unless the fee structure can be shown to be fair and reasonable recovery of the minimum necessary cost, it will disillusion operators and drive down capacity in the region, as businesses find the additional costs disproportionately burdensome. The ASSC has already made carefully-considered proposals to keep the costs of administering these controls to a minimum and would expect these to be appropriately considered by Highland Council.
180	You should have spent your time and resources on providing decent roads for tourists to drive on to reduce the number of burst tyres and accidents that do actually injure and kill them and once you had resolved that you could maybe have suggested to the government that they give the Highlands a couple of ferries that work. Crossing the Minch in a ferry that is liable to break down again is a bit of a danger to tourists.
181	How much will the licence be? Will Highland Council be held to a strict time line to issue a licence once it has been applied for?
182	Water safety: legionella I think regarding the above matter there should be more information available from local authorities on how to carry out the inspection as this information is proving to be difficult to be found without too many variants.
183	I agree with the condition regarding not playing after 23:00 where it would impact neighbouring residents but what about loud music from non short term letting e.g. pubs etc

25. Are there any other areas in relation to the licensing of short term letting that you wish to comment on?

[More Details](#)

 Insights

● Yes

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● No

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26. If Yes, please provide your comments below:

1	I suggest that rates are charged for those that could be used for permanent habitation
2	Please ensure the cost of licensing reflects the scale of business and location - the revenue from a rental property in the middle of Sutherland is quite different from Inverness. In addition please put in place a simplified version - at a low cost - for those renting out a room in their own house. This approach to short term letting should be encouraged.
3	As above, Whole properties should not be rented out. It is extremely difficult to rent properties within the highland council area and it took me over 8 months to find a place to rent (I have a permanent, full time job, and the average U.K. salary). I know people who have been forced to declare themselves homeless to then qualify for a council house, when their preferred option would have been to find a private or agency let flat. The situation is beyond being fixed by licensing and whole properties should not be eligible for use as an Airbnb. It is also nearly impossible for first time buyers to get on the property market, with Airbnb investors competing who often have much more to offer or can offer cash. Please do something actually meaningful to fix this situation.
4	how would this be enforced? Not all owners will comply
5	Proper enforcement by the Council is vital and must be adequately resourced.
6	Are single roomed B and B establishments going to have to be licensed?
7	As per ASSC proposal consider use of the Quality in Tourism service
8	I can only add that I do hope the council realise we are not the bad guys as being made to feel by the press and public at the moment. I love my holiday chalets ...(they are not taking a home away from anyone, were purpose built holiday chalets in the 60s) and all the many guests who revisit us annually and have such a respect for the local community. We have spent every penny we have made since we bought them in 2017 on the chalets upgrading them and putting in many safety measures etc.....we are not all in it to "make a quick buck" and rip everyone of as we feel we are all being portrayed. I hope we can work in a compatable partnership with the Highland council.
9	The council should as a matter of urgency begin consultations on establishing STL Control Areas in Skye and along the route of the North Coast 500. Planning Permission should be required as a matter of course in all areas to use a house as a STL. This is undoubtedly a change of use and should be enforced as such.
10	In the four areas of short let it is difficult to find a category my business fits in. The systems is as usual focused on the usual and not on the hybrid versions you often find in the Highlands. The whole scheme seems over complicated and unfathomable to the public and business person alike.

11	Short term lets should not be licensed.
12	No licences should be granted until the playing field on healthy and safety matters for all accommodation is level. That is short term lets must comply to the same regs as guest house. The cost of the licence should not be supported from the HC budget. Licences must be of a very high tariff and be renewable annually to try to curb short term lets. If not nothing will change except HC will have ticked a few boxes. Communities don't need any more boxes ticked.
13	Dont use a sledge hammer to crack a nut. It will ruin our tourism and bring about further hard ship to our area.
14	This is a positive change for local residents and short term let users.
15	If the licence fee is too expensive, it will not be worth running a bed and breakfast which only makes money in the summer season. I was already paying a fee to have my private water supply tested which I found expensive.
16	I would like to know what protocols are in place to prevent pop up or here today gone tomorrow accomodation providers setting up and then dissalpearing
17	I feel this legislation is totally unnecessary. I appreciate Highland Council were not in favour of it. The main concern I have is obviously the fees. The Scottish Government have overreacted to essentially an Edinburgh problem.
18	License scheme as it stands is creating extra work & expense when a different approach could of been used. Many laws such as safety already exist and 90% of short term lets currently abide by the law!
19	I cannot believe this is being done. Our costs are doubling and you are actually greedy and wicked to hit an industry decimated by covid. I lost all my savings and am in debt. My costs are doubled.
20	I think short term lets can offer welcome additional income/employment for local people, especially in rural areas, but it is very important that the licencing addresses local / visitor balance. People need affordable homes in their communities and the biggest % of entire properties should be residential in any one area. However the ability for people to let part of their home, annex or install a pod of some kind where suitable space exists could help address accommodation and employment issues in some areas. When building new homes we should be progressive and be considering including an accessible annex as it could change purpose over time to not only provide additional income in short /long term let but also it can help in multi generational families and in caring for elderly or incapacitated relatives. Objections should be material and not based on nimbyism.
21	Advice on relevant fee for the licence at earliest possible date.
22	Consideration should be given to removing partial exemption from council tax for properties not occupied year-round, if exemption is currently given.
23	Short term let's like all businesses should pay business rates. As an owner of a hotel we pay astronomical business rates, which we have to absorb int the costs we pass on to guests, I feel there is no level playing field for commercial let's. Short term let's and BB are operating at a huge competitive advantage by not having to pay the costs we bare: they do not pay water rates, refuse collection, employ litter or no staff and usually no VAT. They do not comply with stringent fire regulations or electrical testing, health and safety policies and procedures. Every year for the past 12 years I have seen more and more homes become holiday let's and second homes, this not only impacts my hotel, by creating more and more unfair competition but the community at large when there is no homes for new doctors, nurses, teachers, and for businesses looking to employ staff such as ourselves, no long term let's for them to rent. In recent years we have had to give up 1/10 of our hotel rooms to provide staff accommodation. Licensing is good. Limiting would be better, BEST limit and Comparable costs would ensure equality across businesses and increase much needed council revenue and protect housing for locals and long term residents.
24	licenses need to be area specific. renting a farmhouse for a week is not the same as a city apartment for one night. also costs should be capped - there are some outrageous charges being made. and it should be easier for an owner to choose to let longer term, say over the winter, as there is such a huge shortage of affordable lets now that owners are choosing, inevitably, to use airbnb as the model

25	6(d) makes reference to a "Portable Appliance Testing Report" and to date, label, and sign inspected appliances. This is contrary to the changes in the 5th Edition of the IET Code of Practice of In-service Inspection and Testing of Electrical Equipment which has specifically REMOVED the reference to PAT testing and the use of the word portable. No electrician following the current Code of Practice should issue such a document. Additionally, labelling is not required, and can be unsightly. Particularly the let is the homeowners own home it is unreasonable to have adhesive labels stuck to every appliance. The IET Code of Practice can be met simply with an equipment register, and legislating additional labelling is unnecessary and wasteful.
26	Where short term lets are letting to contractors they should be banned from parking their vans, trucks and trailers in residential parking associated with the short term let
27	Why are B&Bs/guest houses being included? If the owner/manager lives in the premises the it should be considered a B&B/guest house and be subject to different rules. This STL legislation is being inappropriately directed to any/all rented premises not absentee landlords which is surely its intention.
28	The charges should focus FIRST on the ability for accommodation provider to deal with them as we are in times the costs of providing accommodation in Scotland is getting soon not any longer feasible and with further charges by a licensing scheme for STL easily the majority of accommodation on offer like rural cottages/apartments, small B&B with 2-3 units will stop operating by these last expenditures and uncertainties on top of all the other ones from 'Cost-of-Living' via Covid & Co. to Travel Problems and SECONDARY by the costs for the council as they should get met mainly by tax payer as the license has been politically declared as in the interest of the public, its not in our interest as accommodation provider especially as this does benefit only the hotel industry as to change the face of scottish tourism forever.
29	It is evident that for a destination like mine of Skye, a Planning Control Area MUST be introduced. This will allow local elected members and planning officials the power to determine local issues. The example this week of an absent operator in Portree who had been refused PP for an STL but was able to take his case to Scottish Ministers whose Reporter overturned the Council's design and approved the project. This is obscene especially as the owner then applied for his appeal costs to be paid...If Ministers want local democracy then empowerment at local committee level must NOT be challenged.
30	Many of the rules detailed here are already required under other regulations. Eg gas equipment. While I do not oppose Licensing short term lets, the lack of clarity combined with excessively intrusive rules. One example is requiring carpets, when any property that wishes to cater for guests with allergies should ban them. Is the Council's aim really to limit the availability of adequate accommodation for families with allergies? A whole article on hot tubs! Why not an article on patios, garden furniture, use of lawns, opening windows when playing music!
31	My property is managed by Silverglades along with many other properties in the same area. The properties have been used as short term holiday let properties for many years. I think it would be unfair to accept or reject the licence for certain properties rather than others. I.e. the properties managed by Silverglades should be treated as a whole.
32	I think in general this is a large hammer to crack a small nut. Some light touch and a generous approach may mitigate the adverse impacts of this unfortunate policy choice.
33	I feel strongly that the 'conditions' of licence need to be different for different types of property. From personal experience it can be very intrusive in a town centre flat with six properties of which two are holiday lets. Not only is there a continual stream of guests but also cleaning companies coming in to do changeovers after each guest, they can be very noisy and treat our homes like a holiday resort. It would help to have contact details for the owner or someone when there are issues. The properties in my block are rented out by holiday companies so there is no personal connection whatsoever. Maybe a condition of licence in this type of development is that guests are met by someone or have to pick up keys from a person who can explain rules.
34	Can you be clearer on the use of 3rd party accreditation; do you mean past guest reviews on short term letting platforms can be used in support of license application of current hosts?
35	see above: wholly disproportionate
36	Licensing will be hugely disproportionate to the problems claimed and which have been stated to be required to be managed The structure of the licensing has been shaped with mainly urban businesses in mind, with a one size fits all approach that has failed to reflect the diversity of short term lets rural businesses The Scottish Government has demonstrated a lack of knowledge and understanding regarding the short-term let market

	<p>sector and additionally failed to take into account the important role that short-term lets play across rural Scotland, by providing housing for communities and workers, as well as bringing in vital tourism. There is no differentiation between well-managed and reputable businesses who already comply with existing health and safety legislation, and irregular 'speculative or opportunist' lets. The scheme applies to the whole of Scotland, regardless of mainland or island locations. The potentially disproportionate and significant license fees are a major concern, which threatens that up to three-year licenses could be withdrawn in the future:</p> <ul style="list-style-type: none"> o The Scottish Government suggests fees of £214 - £436 per three-year term o Industry groups and bodies, plus local authorities project significantly in excess of £1,000 per inspection period, be that one or three years <p>Licensing authorities will be empowered to require the inspections and licensing be undertaken annually. This means there is unlikely to be a significant lack of consistency with the implementation and administration of the scheme. A temporary exemption will be available by the granting of a temporary exemption or license, for a single continuous period not exceeding 6 weeks in any 12 month period. Excessive bureaucracy and spiralling costs could now lead to many associated businesses closing with a knock-on impact to the local communities they serve. Scottish Government Key Rural Facts (Feb'21) confirms that over 14% of all rural SME business are reliant upon the short-term let sector for their survival.</p>
37	<p>I believe strongly that the loophole that allows short term let hosts to claim small business relief on the council tax should be stopped. Claiming small business relief for these properties is wrong - in Badenoch and Strathspey many Short term let landlords are not domiciled in the council area or resident in Scotland therefore no tax from these business's come back to our economy. Yet their guests get the benefits of the services the council provide.</p>
38	<p>I'm a self catering host on a property with a buy to let mortgage, holiday let insurance and registered as a business for well over 10 years. There should be a way of the licences protecting such businesses that are established, set up properly and very different to Airbnb.</p>
39	<p>Why does the scheme you have devised differ so much from the motion passed by the previous council urging the SG to introduce a registration scheme that would be less onerous and costly . Why are you adding additional conditions to a scheme your own councillors opposed and says was not appropriate for Highland</p>
40	<p>How is this going to be monitored? Over an area the size of the Highlands how will you make sure that every self catering & B & B is licensed ? Will it just be the honest ones that will register or those that are easy to track down by looking on booking sites that will face the cost when lots of other will slip under the radar and continue to operate with no affect</p>
41	<p>A commentary on the costings that will be charged should be available.</p>
42	<p>We have been a B&B provider in Strathpeffer for the past 38 years. We are sorely disappointed that legislation that was aimed at AirBnb has been adapted to include B&Bs. Given the economic situation the government should be encouraging small B&Bs not penalising them with additional costs. It is no accident that the Scottish government has devolved the administration and costs of the new scheme to local councils who are already overstretched on so many fronts. So, in closing, we do not think that it will be economically viable for us to continue in business next year.</p>
43	<p>As responded already to the Scottish Government Consultation, licensing everything is just a way to kill off innovation and it disincentives entrepreneurship at a time and in a region in which they should be treasured. As there is no proof of an increased danger of short term let, I appreciate that you now have to put the scheme in place as approved by Parliament but do not put additional conditions in and further the burden on such an important secondary income which really help people stay and live in this beautiful region. There is no evidence short term lets are dangerous places (no more than any other place or ones home)</p>
44	<p>Regarding the non voluntary inclusion of traditional B&Bs, this is a very badly thought out and implemented policy. It goes against the advice of the trade associations and many MPs. It will be extremely damaging to business in the hospitality sector that operate under a raft of (acceptable) measures already, will add additional cost (After Covid and now the financial crisis) that may drive many out of business, and in the B&B sector, will do NOTHING to alleviate local housing issues. It may, in fact compound the very problem that it is designed to alleviate by forcing owners such as myself to sell up and move on. Being based in a wonderful rural area, the probability is that the most lucrative source of purchaser would be from the second home/ holiday home market. Thus displacing a local business and its Well established benefit to the local economy, and at the same time removing local housing from the property market. Unfortunately, all this has been pointed out many time during the consultation period and led to many trade associations walking away from talks as NO ONE WOULD LISTEN!</p>

45	The structure of the licensing has been shaped with mainly urban businesses in mind, with a one size fits all approach that has failed to reflect the diversity of short term lets rural businesses The Scottish Government has demonstrated a lack of knowledge and understanding regarding the short-term let market sector and additionally failed to take into account the important role that short-term lets play across rural Scotland, by providing housing for communities and workers, as well as bringing in vital tourism
46	These new regulations should only apply to new self catering businesses, and not existing ones. How can we take bookings not knowing if we will be granted a licence?
47	You can't put all short term lets into the same licensing policy. With the additional licence conditions it is unrealistic. What is the fee structure please??
48	Short term lets are a vital part of the local economy in my area, both for tourism and also for contract workers or business travellers. There are also many people who need to use a short term let to visit family members who do not have room to accommodate them. We are letting a part of our property which was used by an elderly relative when we were providing her care. We use the accommodation ourselves when family visit and by letting this accommodation we are not taking a property out of the normal rental market. It can be difficult to find electrical contractors in our area with capacity to do work in a reasonable timescale. It is not unusual to ask for estimates for electrical work and only find one person willing/able to quote for the work. These new licensing requirements may not be possible to achieve. If mobile electrical items need to be PAT tested every 5 years, do products less than 5 years old need to be tested? What about brand new products?
49	Charge more rates - see 24)
50	This will damage the tourist industry in areas that rely on tourism, we have had a bad few years we cannot cope with this at the moment
51	I understand the need for legislation but how is it going to be implemented across the board, especially in remote areas of the Highlands. What is the money raised going to be spent on or will the costs only cover the cost of actually implementing the legislation and inspections?
52	Please let us know the requirements of the policy abd the cost of the licences as I am receiving bookings for next year already.
53	Tell that apology for a legislative assembly at Holyrood to butt out of people's lives.
54	Due to the volume of applications (10k likely for Highland) the process of licencing should be mainly electronic with random physical property visits. Most compliance requirements can be checked online, risk assessments, EICR's, PAT testing reports, insurance docs, etc. My company – Gael Holiday Homes manages over 130 STL Highland properties on behalf of owners and has created an online portal for owners where all safety documents are stored and validated to ensure compliance. I've had an initial discussion with both licencing and legal compliance depts at Highland Council regarding the use of this portal to reduce cost base for THC and to assist in dealing with the volume. I and am happy to continuing exploring this further.
55	The entire concept rings the death knell for tourism in the Highlands. The hospitality industry we have been renowned for over many decades and indeed centuries is being sacrificed. Welcome to Disney World in the Highlands, we have no accommodation apart from the corporate which is predominately owned by the Outlander set and NC500. No infrastructure = no tourists = no cash to keep the economy and infrastructure afloat, disaster.
56	Having it renewed every three years will increase work for everyone
57	Regarding the fee for a short term let license I think there should be a 3 tiered approach. 1) People whoes main residential address is in the same Highland Council ward as the short term let in question pay £500 per per property per year. 2) People whose main residence is in the Highland council but a different ward pay £1000 per property per year. 3) People whose main residence is out with the Highland Council area pay £2000 per year per property they want a short term let license for. Doing it this way would mean that People who live in the communities where there short term let is located are not over penalised. It is the people who operate short term let's but don't in the live in the area who create most of the problems, they should have to pay the most for their license. Also I don't think things like pods or Shepard's huts etc. should be subject to same control as houses. Pods couldn't be used for long term lets anyway so there is no point targeting them. It is proper houses which could be used by families and workers which need to be targeted.

58	<p>This could be very lucrative for those who will carry out the inspections and issue the certificates - eg Pat Testers; Electricians. Also in remote areas these trades people are hard to get, charge mileage costs, etc making this very expensive for property owners. Already some property owners are saying they won't bother and will just close their business which will reduce guest bed availability for tourists. What is being put in place for caravan and camping facilities as these also provide facilities that should have certificates?</p>
59	<p>This is going to be prohibitive for small guest house businesses that are neither hotels or b and bs. Really disappointing this is being progressed like this with no recognition of business impact when we are so dependent on tourism for recovery</p>
60	<p>As refusal of license affects operators livelihoods an appeal system should be in place - judicial review is not an appeal system as only relates to ultra bites actions or wrong procedure - Council officials do make mistakes in judgement as evidenced by 30% of planning appeals being successful</p>
61	<p>This is an Edinburgh solution to an Edinburgh problem. It's not relevant to the rural Highlands in which the holiday letting industry has been running very satisfactorily in the main without causing local issues. The one area of tourism facilities which IS causing problems here, namely the massive explosion in the numbers of camper-vans, is not covered by the new STL legislation. Given that some holiday lets will inevitably close down, either because the owners are not prepared to undergo all the rigmarole of licensing, or because their licence applications are refused, the number of camper-vans on the road is only likely to increase even further, thereby putting yet more pressure on the local road infrastructure which was never designed to carry the volumes of traffic we are now seeing. The same applies as regards the provision of public toilets, waste disposal facilities, camping sites, etc., etc., all of which are simply unable to cope with the huge demand. Furthermore, it's hardly green and environmentally friendly to encourage yet more use of what are effectively large diesel vans converted to provide sleeping accommodation, and which drive around the area throughout the whole of the guests' holidays, as opposed to people travelling here in ordinary cars, quite possibly electric ones, and then staying in one location with the occasional trip out to visit local attractions, restaurants, etc.</p>
62	<p>Costs - B&Bs lost out on hospitality grants during Covid and as such are now in recovery mode. To add this extra burden is putting more strain on the business area and risk undermining the recovery of communities through tourism as many B&Bs will likely cease trading</p>
63	<p>I understand why this has to be done.. the housing situation is in need of it but so many places don't affect that for example a B&B, Guest House is also someone's home so if they don't get a license they just close up and when it does it won't help the situation. Chalets & pods have planning conditions on them that don't allow for long term rentals so even if they wanted to let longer they can't so yet again not helping the housing stock. A large number of small businesses have had no financial assistance during the past number of years and are struggling to survive. This is going to affect smaller communities as jobs will be lost - cleaners, laundries and various other suppliers as they won't be spending money in the area for their guests. The costs of all these things required along with the license is total madness.</p>
64	<p>Its been a tough time for all and I worry about what the costs of this licence will be as well as having the additional costs re electrical checks etc. I hope the licensing authority are mindful of peoples situations and not heavy handed when operators are trying their best to meet the conditions but struggling for genuine reasons (as opposed to those perhaps trying to avoid complying altogether).</p>
65	<p>It's a balance between visitor accommodation and local housing. We try each year to get our granny flat rented to long term tenants and noone wants it as it's in a block - renters want gardens and outdoor space which we don't have. So then while we wait for our parents to need the granny flat we host visitors.</p>
66	<p>It seems that all the legitimate businesses are the target of this licensing scheme. We know of many small self catering units that 'fly under the radar' to which according to the wording of this draft would be deemed unconventional and therefore exempt. We feel this is completely wrong and is not going to solve any housing shortage or nuisance/rouge host problems. We think that all self catering premises should adhere to the same conditions. It could get to the ridiculous stage where it would be easier for us to shut down our 4 selfcatering apartments which are in one building and build 4 "unconventional accommodation" in the garden!</p>
67	<p>An excellent idea to make sure that properties are safe for those renting and to ensure that they are not a nuisance to neighbours. Personally, I think there are too many self-catering properties in parts of the Highlands owned by people outwith the area: this is pushing up prices of properties such that locals and permanent residents cannot afford to buy, and bringing in too many people who do not use local facilities and thus destroying communities.</p>

68	While I totally agree with ensuring compliance there is so much which has not been properly thought out - primarily the time frame and the lack of Highland Council resources.
69	I feel the language in the policy needs to be stronger around holiday lets in unsuitable areas ie areas where there is a significant housing shortage or a street where there are too many lets already.
70	Anyone with and full HMO license should be granted a short-term let license automatically and at no further charge
71	As long term tenants with excellent references, it still took us a long time (and a very stressful time) to secure another place to rent in this area. The upheaval we have been put through is unfair. Many families are in the same situation and there is no cap being proposed in this region. Communities are being hollowed out as most homes are short term lets and families are forced to relocate. Neighbourhoods are impacted when the existing community relationships are replaced with transient tourists. Urgently, an inventory of existing short term lets must occur and limits placed on new licenses. Businesses cannot find staff as there is limited housing available and prices have lost the connection to the levels local employment and economy can support. Short term lets are creating a housing bubble that is a crisis in our communities and more must be done urgently.
72	fees must be minimum possible fee, covering council costs only, they must be fully transparent and justified and externally audited to demonstrate that the council is acting competently. Licenses should be for a minimum initial period of 10 years with renewals for a minimum of 5 years, how can anybody justify starting a new business if they cannot guarantee that they will be allowed to operate for at least 10 years. I have not seen any allowance for the licensed operator to leave the site unattended for any period of time. Is this intentional or an omission? If I set up a Glamping pod in my garden am I not allowed to leave my premises for the duration of the license? The License holder it would appear is also not ever allowed to go on holiday? Or be ill? Anybody who might, for instance, take over for a single changeover must have a license of their own? You MUST allow for temporary substitution, with the license holder remaining ultimately responsible but not necessarily required to be on site. Is this another air rifle licensing debacle? total and utter waste of everyones' money for a problem that is ultimately irrelevant? Couldn't this effort and resource be better spent on more pressing issues for Scotland? Like investing in NHS dentistry, or the NHS in general?
73	This whole process should be made as simple as possible and where possible to be an online application and decision. This will hopefully allow application to be process quickly and will keep the costs for the council and the applicant down.
74	I'm sure that the council is aware that many hosts are professional and this is our only income. Short-Term Lets do not exist because we wanted it but because there's a demand for it. We work well between us including helping fellow B&B and hotels by diverting enquiries we cannot serve to them. We are local businesses and spend our income/profit here in the Highland Council region unlike the faceless hotel-chains who take their profits away from the region. We have to all work together for a better and sustainable tourism. Thank you, Stefan
75	I think it's a good thing that everyone has to comply to the new licensing rules but I hope it will be an affordable fee especially after covid and the cost of living at the moment Also I can not see how it alleviates the housing crisis as I could not afford to rent out my house on a long term rental due to overheads, mortgage etc. Accommodation should be safe and transparent for all visitors and proprietors alike.
76	I believe the legislation will have a very negative impact on accommodation providers of all types. I can see the necessity for such changes in large cities where the likes of Airbnb has operated unchecked for some years but there is no justification for it to be introduced in more remote areas. It's introduction couldn't have come at a worse time following two decimated years by Covid and current difficult trading due to increases in cost of living/fuel/energy. The introduction of the legislation will lead to closures of B&Bs and self catering establishments alike which in turn will have a knock effect to local employment, reduction of tourism in some areas and support of local businesses such accommodation provided in the past
77	Please keep costs affordable or available property will start to leave the sector
78	Don't think you need to belong to a professional body with regards to letting. We manage all our own, only weekly lets to family's giving good old fashioned hospitality. Therefore we personally know who us arriving and meet them, some holiday cottage booking platforms ,the owners do not know anything about guests arrival apart from a name.

79	Appendix 3 – Mandatory licence conditions item 4. It is completely unrealistic to ask for landlords to provide records showing that all upholstered furnishings and mattresses within the parts of the premises, comply with the Furniture and Furnishings (Fire Safety) Regulations 1988 as most of these items have been bought years ago and records are probably unavailable.
80	Regulating of the industry is a good thing but this has been a witch-hunt. There was legislation already in place to deal with noise/safety etc which were not enforced and now respected hosts doing their best for their families and community are branded the same as if they were a city conglomerate. This is really to do with lack of housing, which I perfectly understand. I have 2 daughters who may well be looking to live in the area in the future. As a starting point, why not make it that unless you have a connection to the community, you can only buy to live in that property and a minimum number of years is stated. There are far too many STL property owners that have just bought to make a living out a 'country cottage'. Since the short term assurance rental has been replaced, you can barely get a long term let as owners too scared to let out the property and then they can't move on 'inconsiderate/bad tenants. They would rather leave their property empty.
81	It will be absolutely essential to have in place flexibility around ability to continue operating while awaiting outcome of legislation - and necessary to have in place a 'grace period ' of potentially a year beyond that. Tourist operators cannot possible work without taking and committing to advance bookings. In relation to the numbers of establishments which are covered by this legislation in Highland Region the timescales are absurd. There is no possibility at all of processing all applications prior to March 2022 or completing by March 24. Setting these artificial dates sets the system up to fail and creates huge stress on the Tourism sector already struggling enormously to recover from Covid years.
82	I do not believe that licencing will change the issues around a shortage of affordable homes, that is something governments should address not hard working businesses providing a service and much needed income in their local community. We are all trying to get back on our feet after the pandemic and to then hit us with all this bureaucracy and expense seems short sighted and unfair.
83	Although the most vocal element of such public debate is often those with money to lose, the problem of depopulation of large areas of the Highlands and Islands due to second homes and short term let's are one of the most catastrophic events of the last few generations and remains so for those to come. Any steps that can be taken to address this are hugely important.
84	Why should a hotel be exempt? Why should self catering within the grounds of a hotel be exempt? They could be just as much a 'problem'..noise, waste, rubbish, unsafe etc as anyone else! And they can afford the licence more than a small bed and breakfast!! And expensive self catering properties, over £200 a night in some cases... would they be paying the same licence fee as a small bed and breakfast such as myself £65 or £55(single occupancy) a night... it truly is not a fair scheme.
85	I would like to see much wider use of the short term let control areas within Highland. Communities are being hugely damaged by the lack of accommodation available to those living and working here. The problem is not just limited to Badenoch and Strathspey. Skye and Lochalsh, in addition to much of the west coast of Highland would benefit from the protections offered by being designated as a short term let control area.
86	Many operators are going to stop operating. This is an onerous process. The shortage of tourist accommodation in certain areas of the Highlands will be exacerbated causing a general reduction in tourist income. Its very sad.
87	It's ridiculous that a guest who is staying only one night or a few nights needs to see an EPC.
88	Biggest tourism issue in the region is wild camping on the NC500 - this in no way addresses that issue and as far as we are concerned, the council/government are simply hitting the easy target to bring in extra revenue whilst utterly failing to address the problems. Can you offer any guarantees that the monies raised will be used to improve infastructure? Can you offer any guarantees that the Highland council will even work out where the West coast is and spend some money in this area?
89	The costs associated with this licence will force some people to rethink their short term letting businesses and therefore put added pressure on the tourist industry as a whole.
90	I think is a big mistake , will ruin the economy of many and will make accommodation more expensive I honestly think gues houses and b&b should be out of this legislation, many guests houses are just an extra income to old people to top up their pensions and you ste converting honest working people into criminals

91	Owners need financial information about costs. In addition to this cost, we have to plan for the cost of living increases too.
92	Not all things suit all properties. Some distinctions should be allowed.
93	The costs should be made available as part of the consultation. And cost and future cost be laid out within the proposal. Explaining the justification and the timing for future review a d change. In addition ; the method of analysing the success of the policy should be laid out, & Where the data will be held, who is the data owner and how the data can be queried should be laid out. Any questions let me know.
94	There is a housing crisis, regulating self catering properties is not going to change the lack of affordable housing. We live in one flat and rent out the other as holiday accommodation, even if we sold both properties, we could not afford to stay in the local area. Our self catering is our pension, we don't make a profit, we cover our bills. This legislation and the control area for Badenoch and Strathspey is going to cripple us. I don't want to offer 6 month assured tenancy, all the rights are with the renters, not with me, I can't keep an eye on the property which I can do now as I go in to clean at least once a week. This whole thing is a hammer to crack a nut and you are penalising a sector that has already faced innumerable struggles.
95	This legislation did not address the problem of over provision of let or prevent more property being turned in to holiday accommodation all it dose is inflict huge costs on small business owners that are struggling to stay afloat.
96	How appropriate are the location of pods etc in densely populated areas. For example Inverlochty or Caol in Fort William where parking is restricted and negative impact on neighbours?
97	This is not about raising standards or safety, that is clear from discussion regarding temporary licenses when it suits the council. What is the real reason for the council spending time and our money on this?
98	Houses should first be available to Homeless not for greedy people to make money at the expense of giving a family a home. What is the point of THE SCOTTISH GOV BUILDING SOCIAL HOUSES IF MORE HOUSES ARE ALLOWED TO SHORT TERM LET.
99	Cost - how much is this all going to cost and that cost will be added on to the tourists bill at the end if the day, with the increase in cost of living and fuel I do question if we will see tourism numbers drop this year and therefore will any license cost be sustainable ?
100	The Welsh government are considering doubling or trebling the council tax for short term properties, this is an attempt to reduce the number in certain areas because locals are struggling to buy properties due to the rental market driving prices up. Parking also need to be considered because if a short term let has 5 bedrooms you could possibly have 5 cars arrive looking for parking spaces. We ourselves have also had a lot of extra traffic on the roads around our property and, we have been disturbed on numerous occasions by people who are 'lost' and we have to try and direct them to their correct location, very annoying when you get one or two a week despite our signage.
101	Whilst i fully support the introduction of the licensing, I think the detail of the licensing conditions should have been announced long before now. I'm also disappointed that we still have no clue how much this is going to cost hosts.
102	I think we need more control letting zones introduced, as in Strathspey area. Too many residential properties being bought by speculators are taking homes out of the market for local people. Consideration of not granting licences to newly purchased second (or third/forth) homes.
103	This will not solve the issue the Scottish Government are trying to solve. Including certain operators is a nonsense. I agree there should be more robust registration with the council or a tourist body for bed and breakfast and guest house operators and that background checks should be in place but this is overkill. The cost after the majority of us being excluded from government help during the pandemic could push some of us out of business. We already comply with health and safety, business liability insurance, etc. All that will happen is that people will have to sell up and most likely that will be to people who can afford a second home to rent out. Look at what Wales has done better approach to second home owning and put in a sustainable registration system as the various associations and tourist bodies have already suggested. Nicola has got this one very very very wrong.

104	Pricing of the scheme has to be affordable, many operators in the Highlands are small and rely on the lets as a sole income. I am in Grantown and our High Street already struggles and has a number of long term vacant commercial properties. Anything that reduces the number of tourist beds available will be a further detriment to the town.
105	Our B&B fully complies with the policy already but you now wish to charge an unstated fee which could run into thousands of pounds. The inclusion of small, legitimate B&Bs does nothing to address the majority of issues the short-term let license sets out to resolve. It just adds another layer of bureaucracy and financial burden on a sector that was overlooked for many grants and is still reeling from lockdown. Ridiculous piece of legislation for straggling legitimate owner-occupied hospitality businesses.
106	It is critical the the number of short term let properties is strictly limited in order to provide sufficient housing for local residents, many of whom work to support short terms lets. Short term lets bring some money into the area, but much of it flows outwith the area. Many short term lets are owned by people from outwith the area. We see many supermarket vans delivering to short term lets, which provides low paid jobs for local people, but most supermarket profits do not help the local area. Most of the jobs created by short term lets are low paid - is this really what local people want? Many of the problems caused by short term lets are caused by anti-social behaviour around hot tubs, often linked to excessive alcohol consumption. Hot tubs around us are emptied into septic tanks, causing these to malfunction and create obnoxious odours.
107	The Energy Proficiency Report would not be suitable for many types of accommodation in the Highlands, for example Pods and Yurts. In Skye tourists already can't find accommodation in the summer months. Do we want to discourage tourists from visiting the Highlands and Islands because there isn't sufficient accommodation?
108	would be good to have some idea now as to how much a licence will cost, so I can decide if its worth applying for and taking into consideration rise in everyday costs as well as certification that may be required
109	As above please remember how much we contribute by hosting visitors who go on to use local restaurants, visitor attractions and for shopping. Make this difficult for us and we will all lose out as well as our reputation. A warm Highland welcome is so important and often we, as accommodation providers are the first to give that welcome.
110	I very much agree that these properties need to be licensed. Not just for safety but also because there are now so many of them within the Highland area. There needs to be some kind of restrictions put in place. They are taking homes away from the local community. There is a huge need for staff across many different sectors from shop and restaurant staff to NHS staff. This is causing a huge problem in communities. Also, as someone who up until recently needed to rent privately it's really worrying that there are so few houses available to rent. My worry now is for my children as at this rate there won't be anywhere for them to stay in the future. Also, I think it's wrong that many air bnb's qualify as a small business and then they don't have to pay business rates. They also don't pay any council tax. The council is losing a huge amount of income from this.
111	Item 12.3.1 of Draft Policy Statement refers only to complaints by guests. What about complaints pertaining nuisance from neighbours? The wording should be revised to cover complaints by any interested party.
112	I feel it is very unfair that people who do not live nearby their letting property are allowed to rent these out! I feel that letting agents also fit this category therefore letting agents should not be allowed to manage on behalf of 'absentee' owners!
113	There should be a cap on amount of short term holiday lets in residential areas so areas are not simply full of 'key-safes' on front doors - where no community can thrive.
114	Councils may be DELUDED into thinking this will encourage people to place 2nd and 3rd properties onto the housing market and indeed you may be right. But here's some hard facts to consider. A three bedroom kit house sold last month in my neighbouring village of Camuslongart for £485000 and currently Dornie Bank House is for sale offers over £500,000 . Who exactly would you be freeing up all these homes for ? They certainly won't be from the Highlands that's a fact and all the guest house or pod owners who decide enough is enough , have you job vacancies for all of them if they decide to seek employment in other sectors ? I spent over 10 years in council and have run a neighbors holiday let for 23 years so I know what I'm talking about here. I URGE the council to think carefully about what you are doing. Thirty people in my village THIRTY , help support their families from the short term letting industry and they provide valuable rooms for the Highland tourist industry. DO NOT regulate them out of business. The landscape currently follows the trend and the current trend is tourism. This will change in time and we'll maintained ex holiday homes will gradually come back onto the market as people's interests

	change. Think long term for once and do not be influenced by a few mps or councillors who feel a bit envious because they don't own a second home.
115	I think it's a good idea - too many short term let chancers to the detriment of local communities
116	Whilst it is difficult to legislate for all potential differences, there is room to make this policy effective and workable. 1. Two tiers - owner/occupied accommodation v holiday let's 2. Rural /urban distinction. Is a property within 100m of another?
117	How is this going to be policed. I have spoken to lots of people from my area that are not going to apply for a licence, they said I quote I've been getting away for it for years. You can't expect people like me to have every thing in place and pay the relevant taxes when they get introduced and Joe Bloggs down the road is not complying with the new regulations and not paying tax, I for one will not be paying any taxes if I know people down here are not it's a form of discrimination, Arisaig is a bomb waiting to go off I await your answer about the policing ?
118	I think it is good that standards of accommodation are as expected and safe. I think it would be helpful if there is an appeal process if a licence is not granted for what ever reason and that the process is as transparent as possible
119	Running a small B and B for 23 years paying Council Tax and now having to pay for a license on top of all the expenses we have endured for the past year - £700 for heat detectors to be installed to mention but one - makes me wonder if it is worth going on - this, I am sure, will be the feeling of many small B and Bs. Also I fear that 2023 will be a very tricky year as visitors will be weighing up if it is worth the cost of driving all the way up to the Highlands
120	I hope the Highland Council will ensure costs for this scheme are kept as low as possible as per Scottish Government guidance. I note the Scottish Government have provided guidance on how to minimise these costs and costs should only be for cost recovery. I would hate to see this scheme costing more in the Highland council area than other local council areas in Scotland and meaning it more difficult to run businesses in the Highlands compared to other areas of Scotland.
121	I agree with it in general but think it is more geared to city's and towns where the guests can be disruptive ,noisy etc. We live in a small rural village where guests stay with us for maybe 2 / 3 nights. We are having to comply with regulations that are applicable to lets where guests are on their own.
122	Bed and Breakfast establishments where the owner occupies the property and lets out rooms in their home should be exempt, in the same way that hotels are. As we understand, one of the main reasons for implementing licensing is to improve the situation for communities in terms of housing. As it stands, the licensing scheme is not focussed - if people are living within the property that they let full time they are contributing to the local economy and are always there to deal with issues on a one-to-one basis. There is a big difference between a person in a different part of the UK, or the world, collecting a portfolio of properties to let remotely and a person who runs a traditional B&B or guesthouse that is invested in their community.
123	Although many may not realise they belong to it or be able to articulate it, highland people are a unique and distinct group, a gael is not simply a person who speaks gaelic. If we cannot live in our own areas our culture cannot survive and there will be no place we can be ourselves without question. Short term letting is probably the biggest single thing threatening this. We absolutely cannot sell our own homeland for business expedients.
124	The people renting out should be vetted. There are far too many folk secretly recording guests. Too many are perverts with criminal records.
125	The cost should be minimal as we are seeing a downturn in the industry
126	It's disgusting you are leeches.
127	Neighbours should not be involved in the process! It is an unfair cost amount being applied for the licence! We are already struggling, it is pure greed as usual by the council!
128	This is a sledge hammer to crack a nut, it could have been done much cheaper

129	I hope that any objecting parties will be subject to rigorous scrutiny and be required to present actual evidence to justify their concerns rather than be given a platform for airing vacuous grievances. The notes on Hearings seem to indicate that rigour will be sought.
130	I strongly appeal that you insist that letting agencies/operators have a robust system for being contactable outside of working hours, and respond to those contacts; as I have said earlier, all the anti-social behaviour problems encountered have been from groups who have stayed 3 or less nights over a weekend - and the agency/operator repeatedly say they do not work weekends, and therefore do not do anything until it is too late.. As a lone woman, I need to know that I can contact someone who will address the issues at the time, rather than put myself in a position of risk. I also feel it is wrong to have to call the police over anti-social behaviour problems that can be addressed by the agency/operator.
131	The scheme will be very hard to implement in rural areas .Neighbours should be allowed to comment and over ride any large holiday lets next to properties with full time residents
132	The resources needed to set up and run this scheme would be much better spent elsewhere.
133	Really don't know why anyone bothers trying to run a micro business- if I was travelodge bet I wouldn't have to do all this.
134	Mere months before businesses need to apply - there is still no indication of a fee structure
135	In our circumstances we have spent in the region of 25-30k bringing our home up to spec to put on airbnb using local trades men. We have a local cleaner at the cost of £300 per turnover, employ a local grass cutter. In addition when visiting to do maintenance etc we use the local Ardgay/Bonar shops. Our house can host 10 people-this size of house is a rarity on the holiday market in the area. Basically we have already put all of our money into this house. If the cost of licensing is mid-high hundreds we would possibly have to consider pulling out. Despite having some guests this year the running/tax liability /continued maintenance costs leaves very little to play with. We did offer to lease this house to HC several years back but it was too big for you to take on.
136	See 24 above
137	The licence holder must ensure that noise monitoring equipment [of type x] is maintained in full working order [in location y] and that the maximum reading does not exceed [a] decibels between 7 am and 11 pm, nor [b] decibels between 11 pm and 7 am. (Condition may be applied following investigations of concerns regarding noise.) This should only be required in flats or in apartments with shared entrances etc.
138	I believe that residential houses being let should have to go through full change of use planning, as all other non business to business/ business to residential areas do.
139	Licences should reflect the full council tax payable annually #, or portion there of relating to the time occupied. Business rates should not apply.
140	The additional costs will be substantial even for those who already have safe and fully insured properties. How will properties be checked? There is an indication of the cost of the licence but it could be substantially more. I can understand the need to tackle rogue lettings but those that have been complying for years are also being penalised at a time that we are barely making ends meet after Covid. There is also the problem that once the full regulations have been agreed then there will be a mass demand on electricians etc pushing the price up and severely increasing waiting times to get a service. It is difficult enough to get an electrician most of the time in rural areas. Consider also the price hikes in fire alarms and lack of supply because of the relatively short timescale for implementation. Why not concentrate on those who do not have tax returns and insurance certificates first?
141	A question really. Do business rates really cover the impact some of these lets have on the services in the area when you can have 3 - 4 car loads visit a small rural property. Are you going to set the licence fee to better reflect some of those costs.
142	I would like to see some license for caravan parks as the can be dangerous if not property maintained, highly noisy and trash local area. Yet there are no licensing for them
143	I think that they should be given to existing self catering providers who have been following the guidelines and have been providing high quality service for tourists

144	<p>How much is this likely to cost? Don't duplicate effort/evidence etc that is already in place with accredited industry organisations. Seriously, are you expecting the Police to chase up complaints about unlicensed properties? I believe that the industry representations by the ASSC have not been fully taken on board, nor listened to. It has been a hard time for the industry and this has been a bad moment to introduce this legislation. Although I think having a register of existing STL's and stipulating health and safety is a good thing. However the proposed draft is onerous and unenforceable and many nuisance or disturbance issues can be covered by signing up to a quality assurance standard and rigorous terms and conditions standards. Having a blanket approach to conditions, most of which are highly irrelevant to much of the Highlands, is also silly and unnecessary. The appeals process seems especially punitive and could end up with an STL closing due to financial stress. I also believe you are ignoring evidence and conflating this with planning issues when it comes to regard for the lack of affordable housing. You cannot assume that if you control the number of STL's that it will increase the availability of housing, and you must be very careful not to kill a vital economic resource. Likewise the proposal to maintain the temporary restrictions for landlords to regain possession of their property (Covid restrictions) then this is highly likely to reduce the amount of long term rental accommodation as well. We need more homes and an active local development plan and funding to implement it to start the ball rolling to build more homes, both for rent and for sale. I think STL will have little effect on the availability of housing. Why not look to compulsory purchasing empty, vacant, semi-derelict or barely used properties if there is a local housing supply issue first.</p>
145	<p>It would be good to have a ballpark idea on licence costs. My sister and I let our family home out 5-6 times a year because neither of us can move back north just yet, but we will at some point in the not-too-distant future, and need some income to keep the property maintained until that time comes. At the moment our lets don't cover our costs, so the additional checks that are going to be essential for licencing are going to put us even further out of pocket. If the licence costs are going to be considerable, we're really going to struggle, and we don't want to be forced to move our jobs and families when we're not ready to do so. Having some idea of costs (ie are we talking hundreds or thousands for a three-year licence?) would enable us to start some kind of planning for the future. If we're not going to be able to afford to continue our short lets, we've got a lot of thinking to do before the April deadline. I realise this sounds very selfish in light of problems that other families have, and we're in a very fortunate position, but we still need to be able to prepare for what's going to come sooner rather than later. Hopefully you've got it all in hand and prices will follow very shortly though!</p>
146	<p>I do agree that licencing in this sector is a good idea in the sense that it increases safety of STLs in Scotland and to raise awareness of responsibilities by STL owners, but not as a control for housing problems for which STL licencing is a blunt tool to a nuanced issue. For example, this does not solve the rural housing crisis, particularly the lack of rental accommodation. I have a spare building which I am reluctant to rent because of the rights of tenants to remain, and I'm not alone in this view - I realise this is about a separate legislation but STL was partially bought in as a populist response to lack of rental stock and affordable housing.</p>
147	<p>I cannot understand why the Scottish Government wants to make it harder for councils and holiday home providers to operate. The tourist industry is already on its knees and there are likely to be many operators that will simply not comply and operate under the radar. Then you will have the operators who provide amazing accommodation simply throwing in the towel. The general public and "guests" will have absolutely no idea what is going on and why. There are a million and one other things that the Scottish Government could be doing to support the tourist industry rather than assume we are all stupid enough not to have in place many of the conditions stated in the draft. Why don't they start building some affordable housing so tourism can be supported rather than bleating about it being our fault? I fully agree that all premises should be safe etc but it's a complete joke for most of us...</p>
148	<p>There has been a lot of press coverage / discussion on the "party house" properties, which is a terrible name for large luxury lodges that provide a very high level of accommodation for large family groups. Cairngorm National Park primary revenue stream is tourism. Nobody wants inconsiderate behaviour (least of all the owners!!) Would it worth considering a "Night Watchman / on call officer" role that could be called upon if required if a property was being inconsiderate or should this be a police issue only. This role could be managed by CBP & paid for from the rates revenue</p>
149	<p>I am a local resident having been born and bred in the area and have inherited a family house which is joined on to my own house and had no option but to set it up as a self catering unit either that or I would have had to sell my own house and I feel that local people that have been born and bred in the area are getting penalized by those that are buying houses solely for self catering and not even living in the area only buying for holiday lets. I think locals (born & bred) in the areas should pay less than those that come from afar running holiday lets. It is terrible that your ancestors in this Country worked hard to make a living and leave house, croft or whatever to their families only for them to pay a fee for trying to run/keep the property in the family and by doing so setting up a holiday let for these short months in the summer. In the Highlands north of Inverness you don't get many</p>

	<p>bookings for the winter months like you would if your property was in the Aviemore or Fort William area. Should we not be paying less than these properties that have winter attractions ie skiing etc. I hope this info goes to the Scottish Government for review as I can't see any of the above written comments doing any good</p>
150	<p>Short term lets help to bring much needed investment and spending by tourists to Inverness, and provide work and income for me and local services, such as the laundry that I use in Greig Street (Beaulay laundry burnt down!) and the local cleaner. In addition, the property that I let had been empty for about 4 years and I have renovated it fully, in line with local conservation area conditions (unlike my neighbour a few doors down!). The property is much improved and all our guests love staying in Beaulay and use the local shops.</p>
151	<p>Short Term Let operators contribute to the Skye and Lochalsh economy not only in terms of the economic output from the letting of their properties - but also visitor spend in the wider economy. Tourism is the number one driver of the economy in Skye and Lochalsh. Onerous conditions that negatively impact professional operators that shrink the sector will not only impact those operators but will significantly impact all those small and micro businesses that rely on that visitor spend. The visitor spend on Skye in 2019 from guests staying in B&Bs, self-catering and guesthouses amounted to £100M that year. I would suggest that the Council should think long and hard before introducing additional and onerous conditions that will impact a sector that is already shrinking post the economic impact of COVID. There is no relationship between the housing crisis and STLs. There is no data to prove that relationship. This area's economy is heavily dependent on the economic output and ancillary visitor spend from guests that stay in this type of accommodation. I would encourage all those within Highland Council considering these conditions to read the Moffat Centre Tourism Economic Output Report 2019 commissioned by SkyeConnect. Thank you. If anyone would like a copy please email me at clare.winskill@skye-connect.com</p>
152	<p>I am not sure why 'aparthotel' are being exempt- these are in principle self catering units for short term let including kitchen etc- why the exemption?</p>
153	<p>I have been a professional self catering operator for some 18 years and am committed to maintaining the principles of "quality, integrity, cleanliness, comfort, courtesy and efficiency" and to offering our visitors consistently high standards within their self-catering properties. I am not averse to regulation; but I do challenge policies that are pursued while lacking a firm evidence base which will damage my livelihood and Scotland's vital tourism industry. Overall, I 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.</p>
154	<p>I fully support the proposed licencing of letting properties but as mentioned above I am concerned that second homes are not included. I appreciate that this is a more difficult area to define but it is a serious problem in some areas of Scotland. I attended a rural housing conference some years ago in Sweden where the proliferation of second homes by wealthy 'outsiders' often foreign individuals or businesses had led to the closure of schools and shops as the permanent population declined, leaving the area due to the unaffordability of accommodation. The Swedes called these houses 'blackhouses', (an interesting historical link for us) because there were no lights on in the winter. An elderly resident in Alligin (Torridon) told me to come back in a winters evening and see how many lights were on, not many. Shortly after that he went into care and resulted in the sale of his house. His home became a holiday home as locals could not compete in trying to purchase the house. Having been involved in housing in the Highland for the past 45 years I have witnessed the decline in permanent population in many areas of the region. Businesses cannot get staff because there is no accommodation and the residents and incomers to these areas are mostly elderly and not looking for work. Highlighting another problem as these elderly eventually require care and carers are not available, NHS staff also have difficulty finding accommodation. We have created an untenable situation which might now be too late to reverse but the registration of letting properties is at least a start. I hope we will follow the Welsh example of 300% increase in council tax for these properties.</p>
155	<p>I have significant concerns that there are insufficient trades available to complete Gas and Electric checks in line with the deadline for licences to be in place</p>
156	<p>Those of us who already comply with insurance, EPC, electrical safety etc etc will be burdened again with cost and admin. Those who choose to ignore the existing rules will continue to do so. None of this will solve the local housing crisis. There are more unused second homes locally to me than holiday let's.</p>
157	<p>The whole thing is just a way of generating income for the snp and their vanity projects.</p>
158	<p>Please provide exemption for additional regulations beyond registering as licensee for home sharing hosts. You want to keep these in the local economy but will drive them out leaving only larger operators able to cope with the costs.</p>

159	<p>Given the Highlands ongoing problem with outward migration of young, working age people, I think it is a real issue and oversight that so many of our city centre residential properties are used as short term lets and holiday accommodation. Young people are attracted to culture and social activities, and to have a vibrant city centre with a feeling of community the council needs to make it possible for those people to settle and have the city lives they want if they are to attract them to the area. There is a lot of exciting change happening in Inverness and an opportunity for the City to really mature as a distinct and vibrant place 20 years on from the first developments, so there needs to be a commitment from the council to really prioritise it as a place to live as well as visit if they want to genuinely attract and keep the kind of working age talent in the area that they claim to want. I also wonder, if so much of the residential accommodation in the city centre is holiday lets, how they will fill all the big hotels they are building, and where the people who work in those hotels will live? I think short term let licensing is an opportunity to rebalance some key areas of the Highlands for people living and working there, which can help address outward migration, an ageing population and social isolation and achieve the long term economic aims of the council.</p>
160	<p>See answer to Q24.</p>
161	<p>It is clear from the proposal that, as feared from the outset, the licence has been set up to combat the problem of unregulated growth of Airbnb lets which are causing real problems through disturbance and reduction of opportunities for long term lets in the residential areas of our larger conurbations but gives NO recognition to the financial circumstances threatening the more traditional tourist accommodation providers in remoter, rural areas. No recognition has been given to the huge financial squeeze that small, traditionally run B&Bs have been put through recently as a result of Covid. I have run a small B&B now for 6 years. Both my children go to the local school and, as I am resident here all year, I contribute to the local community and economy in many ways. What myself and my business therefore brings to this village is vastly different from the owner of a self catering property, many of which reside at great distance from the let. I am always present at my property to address any issues arising from visitors and have worked hard and invested much time and money to make this accommodation safe and comfortable for all my guests which is reflected in the reviews I receive and the large number of repeat visits we get. Over the past three years, my small B&B business has: • weathered the restrictions necessarily imposed by Covid and the consequent reduction in income. Grants have indeed assisted but often been very slow to materialise • seen self catering properties awarded immediate grants at the start of Covid and then enjoy increased business as staycationing tourists view them as a 'safer' alternative to B&Bs which are seen as part of another person's home with more chance of infection • and is now 'swallowing' the increases in energy prices and goods essential for the running of the business which are due to peak at exactly the time when we shall have to find additional funds which we don't have to cover the licence and its requirements • not seen a return this year to pre-Covid business, most likely due to the rising cost of living since April, many British people holidaying abroad instead of at home and Brexit's effect on European visitors. Small B&B providers have struggled financially and are now looking at having to afford: • the licence itself • PAT report • EIC report • Gas safety report • Possible replacement of furnishings for which we have no proof of Fire Safety compliance • Costs associated with having a private water supply Job opportunities are minimal in this rural area, making it difficult to seek alternative employment as I struggle to live on the post-Covid income from my small business now. My husband's small outdoor adventure business has been equally affected by low visitor numbers this year, further affecting our combined household income. Home-grown businesses like my small B&B help to contribute to tourism which, in turn, brings so much to Scotland's economy and worldwide reputation that the authorities should be doing so much more to assist us at this time of need after emerging from Covid instead of 'rubbing the salt into our wounds' through the enormous costs associated with this new licensing. I predict that the licencing could see an end to this unique element of bespoke accommodation which has enabled visitors to experience the true warmth of Highland hospitality by staying in professionally-run B&Bs that are set within local residents' homes and have caused an absolute minimum of problems in rural settings.</p>
162	<p>Just a suggestion but a check sheet now going forward to make sure you have everything in place would be useful and what you don't you can work on to see if it's feasible to do.</p>
163	<p>I do think that regulation of glamping pods / huts / wagons etc needs to be per pod etc, not just one licence for the site. Each one on site should have to show that it meets the required safety standards surely? Many of them are already a blot on the landscape, and if only one license per site is required, people will just add more and more to their field or croft. Licensing all of them could be a way to keep their ever escalating numbers from spiralling out of control any further, and ruining the look and feel of our beautiful Highlands.</p>
164	<p>Please put yourself in the position of a potential guest, in respect of advance booking issues above. People want to book ahead without fear of cancellation. Please let them.</p>
165	<p>I think the license is a very good idea. Firstly to ensure a proper balance between short term lets and the residential population and to ensure proper safeguards for the community. Secondly to ensure the safety of</p>

	<p>renter's. However the economic prosperity of the community is currently closely linked to number of renters and availability of accessibly priced accommodation. There is clearly a community benefit but also a community cost of high tourist levels. The benefit/cost balance point is difficult to establish and can be uncomfortable particularly in peak season. I would like to see a mechanism included which sees a community benefit charge included in the licence fee to directly fund the local area eg for public toilets and campervan waste disposal. Clearly a mechanism for campervans to also contribute would need to be found. The license must be fair to all, easy to apply for, be simple to understand and be properly (and quickly) enforced in order for it to retain the support of residents and landlords.</p>
166	I'm sorry this has been forced on you by the Scottish government
167	I think a cap should be set on a maximum number of STLs.
168	3 years is too short a period to grant a licence. It will mean too much needless work for the council and for the business. The council will be overworked with enforcement any way, never mind the people that have got the licence and just want to renew. The council has a bad record for enforcement as it is.
169	Lack of commitment regarding fees at the moment. Will each Council be different? Should be one fee across the entire Country.
170	With out knowledge of the fees we cannot comment any further. It would have been good to have had sight of these within the Draft Proposals.
171	There is not much said about short term letting of an annex attached to own property, where owners are living on site. A lot of the conditions apply of properties where the owners are not living there. Will the same things apply or will there be different conditions for letting out short term stays in an annex
172	I do not believe the short term let changes will be a good solution to the problem. The shortage of housing has been created over many years by poor planning and approval being given to high end properties rather than affordable housing. Short term lets have not caused the problem.
173	<p>The most important thing is how much this is going to cost . How can you still be consulting on this only two months before people have to apply. What provisions will be made for the difference for one room bothy style accommodation compared to b& b's or huge " party let " style of properties?There will be a huge issue in the Highlands in getting contractors to carry out these checks like EICR . There will be huge costs involved in getting contractors to come to remote areas to carry these out. What happens if you can't get people in within the time needed for the licence application. I think you are hugely underestimating the number of short term let applications you will be dealing with , and surely the number should be used to base your costs on. How can you say to new operators that you can advertise but not take bookings. Many of us rely on advance bookings for the forthcoming season, it will be unworkable for people to have a business that is not taking any income whilst waiting for a licence . How will you ensure that every STL applies for for a licence? Will it just be responsible businesses that will apply . many people still so not know this will apply to them . Much press coverage states about Airbandb's I have spoken to many people who say I am not registered with Airbandb or I am not a let I am a B & B so this doesn't apply to me . Highland Council is failing badly on informing people of the rules and that people have to apply themselves. Many people believe they will be contacted by the Highland Council. It is wrong for it to be expected that people will report others in their community if they know they are operating without a licence. This will cause huge issues between neighbours and in communities</p>
174	<p>The fact that it is a draft is concerning at this stage as it is expected that people apply from now? The fee's have not been confirmed as yet. Who is on the committee? The biggest problem in the area is access to accommodation for those moving into the area for jobs. Huge difficulties obtaining a property for those wishing to move into the area for healthcare jobs, education and hospitality. Retention of staff due to housing is at crisis point. Second property accommodation (bought with the purpose of renting out short term) is a very different let than that of someone who has either put an extension on their home for lease or put another property on their own land for lease or those doing bed and breakfast within their home. Also a concern of mine is that as a health care provider I frequently enter the homes in the area and am very saddened by the condition of council/housing association properties yet with these new regulations you are more concerned about the safety of the tourists than our residents. This new legislation is a huge task, and whilst it is beneficial having some regulations it is very disappointing that the livelihood of some may be lost due to sketchy legislation. I really hope that cases are looked at individually.</p>

175	In a competitive world market for tourism it is important that imposing additional legislation does not make tourism in Scotland uncompetitive.
176	<p>General concerns I note the absence of any estimated fees from the Draft Policy statement, nor does the document go into any level of detail in terms of the criteria in the processing of determining the fees. Other local authorities, as part of their consultation process, have included estimated fees for stakeholders to comment on and I would argue that such figures, as well as an explanation behind the criteria used, are absolutely integral to this exercise. Our traditional bed and breakfasts cannot be expected to have any confidence in the new system in their absence – how can we be expected to properly engage with this consultation if we do not know the expected costs imposed on business? I refer the Highland Council to Scottish Government guidance which highlights ways to keep costs down, including: (a) economies of scale; (b) integrating service delivery with other housing and licencing functions; (c) using online and digital verification where possible, for example through photo and video evidence instead of a visit; and (d) taking a proportionate, risk-based approach to checks and verification, for example in considering whether, when and how often visits to premises are needed, especially in more remote and rural areas where the costs of such visits could be higher. It is imperative that any fees are kept as low as possible given the environment many small businesses find themselves in. In this regard, we wish to highlight our proposal which we believe could assist with an efficient and cost-effective way of securing compliance with the Licencing Order. I believe that a self-declaration model for traditional bed and breakfasts would be the way forward with risk-based inspections by the licencing authority. Overall, this approach has four main advantages: • It minimises the work required by the licencing authority to set the system up and renew licences; • Allows the licencing authority to focus its inspection resources on a risk-based basis; • Requires responsible behaviour and compliance by the operators; and • Minimises the additional costs to operators (which will have to be absorbed as an additional business cost and/or passed on to the very visitors we want to visit your area to boost our economic recovery).</p>
177	<p>1. I realise these comments will do nothing to alter the policy - however 2. This policy has been imposed because of deficiencies in controlling lettings arranged through organisations like Airbandb - a sledgehammer to crack a nut - largely in the main tourist cities. 3. For sole owners of letting properties it will force many to review whether this draconian imposition will force them out of the sector. I am already aware of individuals considering their position. This will affect local economies in remote regions where the tourist spend is very important. 4. My property is let through a reputable national agency who impose controls - this second layer of bureaucracy is a heavy burden and financially punishing. 5. Does Highland Council have the financial resources and manpower to administer ? I am aware of similar schemes elsewhere on private rented accommodation that have demanded licence fees with absolutely zero return or control. 6. Does Highlamd Council see this a a cash cow ?</p>
178	<p>How does Highland Council intend to justify taking on between 10 and 40 staff to administer STL Licensing in the face of immense budgetary pressures and cuts to much needed services? Full cost recovery in the Highlands is a myth. Highland Council should grow some backbone and tell the Scottish Government it can't be done in the timescales. If that isn't the approach then the Council is surely heading for a disastrous implementation of an already flawed and draconian piece of legislation.</p>
179	<p>The whole REAL purpose of this legislation is to reduce second home ownership and increase housing stock for locals. Not sure how this legislation will achieve that? i.e The Distillery in the dalwhinnie has at least 2 derelect propeties that need to be sorted first! Clarify the fees. Remove 'home letting' from the legislation as these are peoples homes part of the year! They are contributing to tourism and are not 'second homes' which are removing housing stock for locals as they are the locals!</p>
180	<p>While I agree that there are safety considerations which require properties to be licensed, licensing should not be used as a method to try and tackle housing shortages. Driving self catering businesses out of business will not rectify the lack of affordable housing. It will likely lead to more second homes only used periodically. For example traditional family homes that families wish to keep but cannot live in at the moment due to work, however intend to move to in future. These are often let out as holiday accommodation bringing tourism money into area. However families may be reluctant to let these out on long term basis as not everyone wants to be a landlord with the resultant issues this can raise if they get bad tenants The demand for holiday accommodation will still be as high. Small businesses with links and regard for the area are like to be replaced by large investment businesses only concerned with making as much profit as possible. These businesses will still be able to outbid locals for properties, therefore there will be no increase in affordable housing available.</p>
181	<p>Airbnb has worked with governments around the world to implement fair and proportionate regulatory frameworks for short-term lets. We do not rely on a “one size fits all” model; we understand the needs and aspirations of each country or region in which we operate and work in partnership to develop systems that work and are sustainable. We have considerable experience in frameworks that are cost- and resource-effective for governments, and those which are not. Since first engaging in these regulatory discussions in 2017, Airbnb has</p>

	<p>sought to work constructively with stakeholders to introduce sensible and proportionate regulation for the short-term letting sector. We want to protect the livelihoods of local hosts who most need the additional income that welcoming guests into their homes can offer, whilst balancing the needs of local communities that may want more control over this activity. As we emerge from the global pandemic, Airbnb also wants to see tourism play its critical role in supporting Scotland's economic and social recovery. In terms of the positives of short-term letting:-</p> <ul style="list-style-type: none"> · For many people in Scotland, Airbnb provides an economic lifeline; yet these are the people who will be hit hardest by this legislation. · The vast majority of hosts on Airbnb are ordinary people and families, sharing their primary home to supplement their income. Almost 40% of Airbnb hosts in Scotland say the income helps them to cover their monthly household costs. · Hosts are Scotland's teachers, nurses, musicians and artists. Home sharing gives these people a flexible source of income, which is reinvested into their communities and the wider national economy. · Short-term lets provide clear benefits for vulnerable guests and hosts. The Fairer Duty Scotland summary impact assessment of this legislation found short-term lets can help those on lower incomes by providing cheaper alternative accommodation for guests and an income supplement for hosts. · Hosts opening up their homes on an occasional basis play a key role in helping make not just one-off events possible, but also large scale annual events, such as the Edinburgh Fringe, the Open and the Highland Games. The need for flexible accommodation capacity is ongoing, across the country. · According to independent research undertaken on behalf of Airbnb by BiGGAR Economics, any major reduction in the number of lettings on Airbnb alone would represent a major blow to Scotland's economy. BiGGAR Economics found that, prior to the pandemic: More rural areas also received a significant boost as a result of short-term let activity - with Airbnb contributing nearly £130m in GVA and over 6,400 jobs in the Highlands. <p>Clarity needs to be provided for hosts around the inspection process and what hosts can expect as part of the licensing process. This should take into account the type of activity and be conscious of the fact that some hosts do so on a very occasional basis - often using part/all of their property for other purposes at different times of the year. For example, some hosts are letting out their child's bedroom only during term time whilst they are at university. There is a lot of confusion around the introduction of the new rules and what is expected of hosts and when. There is currently very little easily accessible information that sets out the process to hosts. Given the complexity of the new system and the fact that there are a lot of questions to be answered (in part through this consultation) we would recommend introducing a simple website that sets out the current status of the rules and what the expectations are of hosts as soon as possible.</p>
182	<p>For those of us that run successful establishments and do everything properly (and customer feedback tells the story) it yet again begs the question why the government and local councils want to try and make things that bit harder and at a cost to the host who is trying to make an honest living, pay their taxes, provide tourism to the area. I understand there is no doubt that there are people out there that are who are letting improperly and these are the ones you should be seeking out for licensing.</p>
183	<p>There should be a 30 day limit on the duration of each short-term let. Longer lets should only be permitted to Registered Landlords.</p>
184	<p>Overall - If there is a system of successful registration upon submission of all safety, mandatory quality assurance certificates and relevant operator STL details as a route to being granted the license, that would be helpful like the landlord registration scheme. Specifically - Some indication of timelines involved in making inspections, the other steps before a license is granted would be very helpful to prepare Can consideration be given to payment of the Inverness and Loch ness BID levy being included in the licensing fee instead of being charged two different fees separately? Whilst the need to maintain and safeguard high standards, neighbourhood harmony and guest safety is fully understandable and highly justified, due consideration should be also given to existing operators who have run STLs with integrity and an unblemished track record. Perhaps the Council/relevant authority could take into account qualitatively the guest feedbacks and reviews in the listings that are there online on airbnb, booking and homeaway? Clause 5.5 We understand and expect the Council will surely exercise due judiciousness in considering complaints. However, the following sub clause seems to be ambiguous and could be exploited unreasonably viz "The premises is not suitable for the conduct of the activity, having regard to "The possibility of undue public nuisance, public order; or public safety" Unless there are legal or evidential underpinnings to object on these grounds, "possibility" suggests one could make a complaint based on "anticipation". As tourism and visitors are a vital component of vibrancy of the local economy in the Highlands, adequate focus should be accorded not only to complaints but also on redress and remedial measures undertaken by STL operators Clause 4.3. The requirement to put up a notice for 21 days at or near the premises after submission of application may be exempted for existing operators of STL from detached houses with independent driveways Appendix 3 / Clause 12. a) to f) All of these certifications should and will in any case be mandatory for obtaining a license. Perhaps displaying a) i.e. a copy of the license only for guests should suffice?</p>
185	<p>Glamping pods, shepherds hut and unconventional buildings need to have a separate set of conditions and the pricing framework should ensure that it is fair in relation to the income of the STL property.</p>

186	If short term lets continue at the current rate, communities such as Skye & Lochalsh will be significantly challenged. House prices are not affordable for locals and already the exodus is underway. There needs to be a balance for all parties. Perhaps a very hefty licence fee may deter some from buying up all the houses and/or can the council limit the number of Licences to any individual or business ?
187	Do the police have nothing better to do than review every application for STLs? Non refundable fees if licence not granted - this strikes me as extremely unfair.
188	This will be one of the most economically damaging initiatives ever undertaken. Nowhere has it been shown or explained how this is going to help availability of housing. It represents the nationwide application of a sledgehammer to crack a nut in relation to what is essentially a central belt problem. It is not necessary or needed in the Highlands.
189	There is a risk that some lower-end properties will be called a "bothy" to avoid the licencing requirements. Is there any way of telling if something actually is a bothy?
190	Fort William in the last 2 years in particular become over-run with secondary letting. Residential properties are being purchased and converted into STL's, the planning portal shows many applications with objections from concerned neighbours, and that's just the ones which have applied for planning permission. I therefore believe it is essential that a control area is imposed. Fort William is a tourist hotspot so yes we need to accommodate visitors. (My husband & I own a home sharing B&B and constantly take enquiries from people looking for a room saying that they are struggling to find one.) The flip side of this is that the demand for hospitality staff keeps growing, but people who want to come and work here cannot find accommodation to rent and as a result hotels & restaurants are struggling and having to open reduced hours/days. Residential homes for rent are scarce. You only need to look at the local facebook groups and see the number of posts from people moving into the area because they have secured a job but cannot find a rental property. As well as hospitality staff these are often NHS staff, teachers and police officers.
191	I own a small property near Poolewe that is used by the same 6 unrelated families on a time-share basis. These families could now be regarded as 'friends'. Each family pays an annual fee that does not cover the cost of owning the property - ie, it is a non-profit arrangement. The description of the short term licensing scheme does not seem to cover this situation.
192	Overall this seems an over reaction to a perceived issue. Most owners who let their properties out are responsible. It seems more about (council) job creation than anything else.
193	I would hope that the Council will recognise that operators such as me aim at all times to ensure that the highest health and safety standards are met; that their guests respect - and indeed where possible make a positive contribution - to the local community; and that short-term holiday lets play an active role in boosting the local economy.
194	It is a very generic blanket requirement. Fully justified for some areas / holidays lets and totally unnecessary for other more rural areas
195	It is important to remember that Scotland needs tourism.
196	Short terms lets have impacted me in so many ways. Outbid on a first home which ended up as a short term let. Found it difficult to rent at affordable pricing Then lived under one with antisocial behaviour
197	I run holiday accommodation which has been run as such for 50 plus years. I comply with all existing statutory requirements re safety, risk assessments, insurance, PAT testing, fire safe furnishings and so on as required by law. Not sure that I should need additional licensing for that.
198	ITS A VERY SWEEPING POLICY WOTH NO REGARD TO INDIVIDUAL SITUATIONS OR REGIONS WHICH I UNDERSTAND TO AN EXTENT BUT I VIEW THIS AS A PURELY POLITICAL MOVE BETWEEN SNP AND GREENS AND COUNCILS WILL STRUGGLE TO EFFECTIVELY MONITOR ESPECIALLY JUST OUT OF COVID IN AN AREA WHERE TOURISM IS THE MAIN INCOME GENERATOR.
199	There is a considerable issue with bothies and houses that have no electricity - as these are supposed to have an EPC, but the EPC algorithm cannot accept that houses do not have lightbulbs/fuze boards etc. I have had a surveyor do a draft one and speak to the Issuing body but the EPC system is not set up to including houses without electricity from having an EPC. There is a need to exclude houses with no electricity from the EPC

	<p>requirement. The bothy is only rented from April to October - so does not need insulation, double glazing etc - it has no heating, or lightbulbs etc. I also have another house that has no electricity and also is supposed to have an EPC but again there are issues that negate this being approved.</p>
200	<p>As above</p>
201	<p>We provide a wonderful experience for our guests and work very hard to do so. We comply with all current legislation and do so willingly absorbing the costs because it is not right for guests to pay good money to stay in potentially unsafe accommodation but someone who values money in their pocket over the safety or the good experience of their guests does not. It is therefore frustrating to find that that local councils will not ensure that cowboy operators are registering for a license and expect communities to self police. This is not possible in small rural communities - "dob your neighbour in" is not a way to live in the remote parts of the Highlands. Therefore only reputable holiday accommodation providers will be burdened with the additional costs and the ones that run properties without registering for rates, paying for commercial waste collection, do not ensure that electricians are safe, log burners are swept etc etc will carry on regardless. One person on the council team checking booking.com, airbnb, local facebook pages and checking with the refuse collection teams would soon highlight the properties trading 'under cover' and the owners that cause issues that this poorly thought out legislation is supposed to be trying to resolve. Without tourism parts of the rural highlands will be incredibly worse off, please do not make this harder than it needs to be.</p>
202	<p>Short term let's have created a new economy in the highlands,, they have also been socially divisive , highland council needs to explain the positives and create a new narrative of the potential advantages for everyone to stop the them and us conversations that exist</p>
203	<p>Introducing licensing Scotland wide is likely to add cost and unnecessary bureaucracy in areas that currently do not have problems with short term lettering. Surely there should be a more targeted approach to more problematic areas.</p>
204	<p>This legislation is damaging for the local economy, poorly thought out, probably impossible to properly manage and totally unnecessary</p>
205	<p>See answer 24. This is a bad piece of legislation.</p>
206	<p>I was given to understand that the process of short term letting licences was brought in by the SNP to assist with unoccupied premises not being available for local people so this was to help homeless people.</p>
207	<p>I am concerned about the cost</p>
208	<p>Farmers particularly with multiple units should be assessed with any fee being accumulative on the amount of let's. Full building control clearly would be a prerequisite for the granting of any licence</p>
209	<p>All 'free overnight parking' of vehicles designed for sleeping must book into campsites or designated areas and pay for their overnight stay. It is not acceptable that these vehicles are exempt from strict regulations.</p>
210	<p>Being someone who lives in the same village where my short term let is located I would be very keen to find out if the money generated from these licences will go straight back into improving the local area in which the short term lets are located . For example revenue should contribute towards improving the local area for local people! swimming pools, ice rink , skate park etc</p>
211	<p>The proposals will not let up any additional houses. People will sell at prices that people cannot afford or leave them empty.</p>
212	<p>There is a risk that the licensing regime could become a bureaucratic burden, and that the costs of implementing the licensing arrangements could fall inequitably on some of those involved. It would seem that a scale of fees should differentiate from the small/occasional B&B host and those involved in more sustained enterprises.</p>
213	<p>This is penalising the short term small scale operator. It seriously leaves one to question the viability of continuing to offer a service.</p>
214	<p>It would be useful for an "approved vendor list" of local companies who can and are willing to offer EICR/gas safety/PAT testing etc. for the various areas in Highland Council. This will assist implementation of the policy.</p>

215	the lack of specific details so near to the introduction of the scheme is very worrying, living on the isle of Skye where there is a significant number of accommodation providers and where securing specific skilled trades has always been a challenge. when the exact requirements are confirmed there will likely be a rush in securing electrical contractors, gas engineers, energy evaluators etc, most will have to travel from the mainland which they may not be inclined to do if there is sufficient demand in there own locations which could potentially mean a large number of people requiring licences, unable to apply as they've been unable to get the relevant certificates
216	I think the criteria for the licence should be focused on property which is not occupied by the owners as a sole or main residence. The HC should consider sizeable licencing fees or refuse licences to individuals who are not resident in properties or with the post code. This approach will target the behaviour that has caused the damage to the property market and the economies of our communities. Those who provide short term accommodation within their own homes to supplement their income or as their main source of income, should not be penalised. It is these people who are contributing to our communities and they should be supported.
217	Existing accommodation providers will leave the market if licencing is mandatory. This will lead to guests wild camping/leaving the area/failing to return for future visits and will drive up costs for guests to Highland Council areas.
218	The proposals may result in limited tourism in the area which it relies on
219	The cost of the licence its self should not be prohibitive as there may be some landlords who will have additional costs to ensure they can comply. I do however welcome the introduction of a licensing scheme and will look forward to being able to display my licence number on the booking platform as a way of proving to guests that I take health & safety seriously and have invested the time and effort to make sure the property meets a safe standard. This will hopefully deter those who are not safety conscious from applying.
220	The proposed licence is an incredibly onerous process for bonafide operators, requiring unnecessary admin and expense, especially after trying to recover from the pandemic. Most of the licence requirements are already met by existing legislation. A registration system would be far more effective and less costly. Also don't see how this legislation would increase affordable housing stock. Health and safety requirements are already in existence.
221	cost
222	Tourism is the mainstay of the local Highland economy, especially in summer. Creating a shortage of accommodation would be a bad thing but by the same token having too much accommodation, some of it being run in a very amateurish manner. is bad for our area too. Licencing should weed out some of the worst providers and hopefully make it possible for those of us who run a very professional operation. to be able to continue. People who stay with me always really enjoy the experience and say they will return. They bring money to the local economy and I am always on hand to recommend restaurants, visitor attractions etc. With all the new hotels in the area, the short term lets that remain should be of the highest quality, meeting all the safety requirements and any lets that do not meet these standards or which do not have a licence must be closed down. Highest quality doesn't have to mean expensive either, it just means the host caters for those who prefer to self-cater in a very professional manner. I really hope the licencing process will be well advertised in the local press as many operators I know of still haven't heard of it, and will continue, oblivious to the new requirements.
223	Whilst I do understand the need to make sure properties are safe, this does seem to be a lot of extra work for the Council. I simply don't see the need for such strong enforcement.
224	We have run a successful guest house for 17 years. We are now seriously considering closing down. The B&B industry is the backbone of the Scottish tourism industry. This policy is a serious shot in the foot!!
225	I am already licensed and do not understand why I have to go through another process. Local councils should have the ability to license.
226	This questionnaire should not have been sent on Friday evening, demanding it's return by the following day, we should have been given more time.
227	In case of unsuccessful application, the licensing office should state clearly to the applicant about the reasons of rejection and allow for re-application, even within 1 year, if the issues are addressed.
228	This is another thinly veiled government tax. No need for it. People are struggling badly already. Another tax will close a lot of businesses.

229	<p>If licensing ensures all STLs meet a measurable (fair and affordable for the hosts) level that gives guests the reassurance that a standard has been met then that is acceptable. All hosts must meet the criteria irrespective of the type of STL property they own or the period of time they offer it for, otherwise the system is open to abuse. The licence adds cost to an operation that has for the last couple of years been loss making, it is to be hoped that the council recognise this when setting the fee.</p>
230	<p>Why include legitimate B&Bs that already have to follow legislation</p>
231	<p>Many self-catering properties have already been successful, legitimate and well-run businesses for many years, and have contributed hugely to the economic wellbeing of communities in Highland Council's area. Following the challenges of extended closures during lockdown, steep inflation and the emergence of an expected period of economic recession, this is not a time to place an arbitrary, regulatory burden on a sector which faces real pressures to survive. Operators will expect to see active engagement with representatives of the sector, like the ASSC, in order to have confidence that their views will be fully considered before this legislation is approved. Failure to do so will inevitably kill off a proportion of the businesses which serve the tourism industry well and make a considerable contribution to the economy - - some of which rely on self-catering income to contribute to their overall survival (for example where self-catering is a key part of a diversification strategy).</p>
232	<p>To be frank - you are going to put a lot of local people out of business, significantly reduce options for tourists, cut job opportunities for local people and tradesmen in ancillary tourist services and depress the economy - not to mention depressing those who have put a huge amount of their own money, time and effort to build up holiday let businesses over many years. They are not all rich property developers from England or overseas exploiting the tourist boom in the Highlands. Some of them are even crofters trying to diversify.....</p>
233	<p>Highland council are unable to process Council tax, non-domestic rates, planning & completion certificates in an acceptable timeframe. I would doubt very much that HC are prepared for the influx of applications for holiday let licenses.</p>
234	<p>There are many many circumstances in which people have cause or desire to let out their property. Licensing should help provide some protection to standards for visitors to the area but not be prohibitive to people's freedom of use of their own property or to meet their own personal needs and not be prohibitively expensive or discouraging.</p>
235	<p>6.11. If your application for a licence is refused, you cannot reapply for a licence within 1 year of that decision, unless there has been a material change in your circumstances since then. I don't agree with the above rule. People should be granted another chance to re-apply proving that necessary measures were taken/rectified in order to comply. Everything is very new to us, a lot of hosts, myself included, are hard working individuals trying to do their best as a small family business. A lot of costs are going to be added up, plus all the rising costs of living is proving enough difficulties to many of us. More flexibility/help should be offered.</p>
236	<p>No idea of the license fees seems to have been provided, there is going to be additional costs to providers e.g. noise monitoring equipment etc. My property is a small log cabin which was built over 30 years ago, it has always been a self catering unit (non domestic rates) and isn't suitable for residential - I tried to find out from planning what it is classed as to give me an idea if I'm going to need a certificate of lawfulness or to apply for planning permission - the duty planning officer was very nice but couldn't answer my question or tell me where I can find this information. There seems to be so many unknowns about all this and it's coming in in less than 2 months - I realise that we have until April but this also doesn't seem very long if needing to apply for permission or a certificate too.</p>



ASSC Submission to The Highland Council Short-Term Let Licencing Consultation

The Association of Scotland's Self-Caterers (ASSC) welcomes the opportunity to respond to the Highland Council's consultation on short-term let licencing. 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 1,400 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.

Questions

Have you read the draft policy and proposed additional conditions?

- Yes
 No

7. It will be a mandatory condition of a short term let licence that hosts and operators ensure they do not exceed the maximum number of guests for their premises.

The Council may choose to specify on a licence that guests may bring children under a specified age and these children would not count towards the occupancy of the premises. Scottish Government Guidance states that Licencing Authorities may wish to set the age limit as 'under 10 years'.

Should children under the age of 10 count towards the occupancy of a premises?

- Yes
 No

9. All short term lets which are granted a licence will be required to comply with a set of mandatory conditions which apply across all of Scotland. The Council has a discretionary power to impose additional conditions for short term let properties. The Council has proposed a number of the additional conditions which are set out in the policy statement.

Do you agree with the proposed additional conditions?

- Yes
 No

10. If No, please specify which conditions you do not agree with and provide your reasons:

The ASSC believe many of the additional conditions set out by Highland Council are wholly unnecessary. This is either due to a replication of mandatory conditions; that they do not relate to the provision of accommodation through short-term letting; or are not within the control of the

individual operator. We have set out our concerns with the following sections of Appendix 4 – Additional licence conditions:

2. Reporting of Certain Incidents

We would like to ascertain why the Highland Council believes this is a matter pertaining to licencing. Any incidents involving a gas leak or fire, for instance, relate to safety and the operator would engage the emergency services as they are directly relevant, not a council licencing official.

3. Anti-social behaviour

Incidents of anti-social behaviour in self-catering premises are rare. Last year, the ASSC submitted Freedom of Information requests to all thirty-two local authorities in Scotland and the results of this show that there is a mismatch between perception and reality: the number of ASB complaints against holiday lets in Scotland over the past five years is minimal.

Operators want harmonious relationships with neighbours and the local community – it is not in their interest to allow any anti-social behaviour in their business. This is part of the basic management of their property and there already is existing anti-social behaviour legislation that can be utilised by councils to respond when complaints arise. For instance, the Antisocial Behaviour Notices (Houses Used for Holiday Purposes) (Scotland) Order 2011 granted local authorities the power to deal specifically with the problem of antisocial behaviour in properties let for holiday use. However, this needs to be enforced, as the Cabinet Secretary for Housing Shona Robison MSP stated: “We expect all relevant authorities to use the powers available to them to deal with antisocial behaviour” (Shona Robison MSP, in answer to Parliamentary Question S6W-03022, 01/10/21. Url: <https://archive2021.parliament.scot/parliamentarybusiness/28877.aspx?SearchType=Advance&ReferenceNumbers=S6W-03022&ResultsPerPage=10>).

Regarding item 3i and 3ii, the language attached to the additional conditions by Highland Council in the draft Policy Statement that the licence holder must “ensure” that no disturbance or nuisance arises within or from the premises, or indeed ensure vehicles belonging to guests are parked lawfully, is unreasonable. First, many operators will not always be on site at their property. Second, while operators can reasonably *ask* that their guests comply with the two aforementioned examples but they cannot *compel* them to do so. In addition, we are very concerned at the cost implications for Highland Council to enforce this – will the Council have officers patrolling near self-catering units to check that guest vehicles are parked in an appropriate fashion?

On 3 iii, that “the licence holder shall notify the Council...of the details of any incident of anti-social behaviour...”, this should be dealt with by existing anti-social behaviour legislation. Why are Highland Council duplicating regulatory regimes?

4. Privacy and security

Similarly, the Council repeat the same language on 4 ii that licence holders “must ensure” that guests know rules applying to shared doors and how to securely close them. Again, operators should *ask* their guests to comply with this request but cannot *compel* them to do so.

5. Noise

The ASSC believe that Highland Council should adopt additional conditions in relation to: (a) noise monitoring; and (b) community accreditation and mediation. However, on any additional conditions applying to noise, there has to be a causal link to issues from those premises. One example where such conditions have been shown to work is Barcelona, where this was introduced by local government, and further information is available in the ASSC's Forward Together paper (see ASSC, Forward Together: A Collaborative Approach to Short-Term Letting, Url: <https://www.assc.co.uk/policy/forward-together-a-collaborative-approach-to-short-term-letting/>).

Licensing authorities cannot be allowed to set restrictions on premises where there is a perception there may be an issue. Restrictions should not be put in place where there is potential or existing issues in the vicinity of the premises unless it can be shown the issues occurring in the vicinity originated specifically from the short term let premises.

5 i. Applying a condition that the licence holder must ensure that bedrooms, living room and hallway have suitable floor coverings is disproportionate and is yet another cost levied on businesses. This would not be asked of a private landlord renting out a property where noise complaints had been levelled by neighbours, so short-term lets operators should not be discriminated against in this manner. Furthermore, from both a commercial and equalities perspective, operators need to make their premises as accessible and inclusive for all of their guests. For instance, carpeting can trigger conditions such as asthma and other adverse effects.

5 ii We would welcome the use of noise monitoring equipment in short-term lets in tenemental properties and those that directly adjoin another property, where a causal link has been evidenced regarding noise from that premises. Noise monitoring devices can be a useful tool in evidencing any repeat offences and can underpin existing anti-social behaviour legislation.

5 iii While we note that the Council state that "reasonable exceptions" would apply to ensuring that guests arrive or leave during specific hours, it is again unfair to place the onus on operators on factors that are completely outwith their control, such as delayed transportation. At the present time, due to difficulties faced by airport operators, as well as industrial action on the railway network, many guests will arrive at their destination late due to no fault of their own. Why are Highland Council again using the language of "ensure" on factors that are not the preserve of operators?

5 iv Operators can ask guests not to use hot tubs after a certain timeframe but cannot compel them to do so. What evidence does Highland Council possess to suggest that this is a problem facing the short-term letting industry?

Furthermore, if the hot tub is located within a self-contained self-catering unit, why do Highland Council consider it necessary to apply what amounts to a hot tub curfew? Moreover, this raises the matter of enforceability: will the Council employ someone to ensure that guests are using hot tubs at appropriate hours? This appears to be another instance of short-term let businesses being discriminated against compared to other accommodation providers or types of property.

5 v On amplified music, Highland Council need to define what amplified music means as what is 'loud' to one individual compared to another is relative, as well as how this will be assessed. We again raise the issue of enforceability of this and would also like to see what evidence the Council holds that this is a problem within self-catering units in of itself and compared to other types of property.

6. Littering and Waste Disposal

The Council again state the licence holder “shall ensure” in respect of 6i and 6ii – while operators can advise guests of refuse collection day, they cannot compel them to comply. On a more practical point, we are dealing with individuals in the Highlands for a holiday and who will not wish to spend a large amount of time familiarising themselves with waste management and recycling issues.

Similarly, with 6iii, operators should of course provide the necessary materials and advice in regard to waste disposal but expecting every holidaymaker to follow this to the letter, especially when many may reside in areas with different policies for recycling etc, is unreasonable.

Once again, there is a presumption of bad practice by short-term let operators implicit in this document. There is no business incentive for self-caterers to rent out properties sprawling with rubbish. Self-caterers have provided well-maintained and clean environments for guests for decades and we would like to see what evidence the Council holds to show that littering and waste disposal is a specific problem of the self-catering industry compared to any other type of property. Finally, this additional condition also raises the question of enforceability: how will the Council monitor compliance?

7. Preventing damage to property

Prohibiting the use of keyboxes or other related devices is arbitrary. First, it should be recognised that keyboxes are used for a variety of different purposes, not just to facilitate entry to a short-term let – for example, they are readily utilised by carers. We would presume that Highland Council have no issue with keyboxes for this purpose but why should it be any different for short-term lets? It is the same device affixed to a door used to enable entry.

Securing the agreement of all owners within a property will be near impossible to achieve. Unanimity of agreement for any change to a property (e.g., repairs) is difficult to secure in other contexts but would be especially so for keyboxes used by short-term let operators. We therefore ask the following: will this become a general policy for all keyboxes within the local authority area, or do Highland Council intend to solely discriminate against their use by short-term let operators?

Furthermore, Highland Council need to take cognisance of how the pandemic has changed the way operators interact with guests. There has been shift in consumer behaviour away from traditional meet and greets between operator/guest towards information being shared electronically and via apps. Indeed, due to specific Covid-19 legislation, it wasn't always possible for the two parties from different households to meet in-person – this is why many therefore chose to use keyboxes to ensure guests could gain access to properties.

Generally, the ASSC would encourage its members to affix any keybox in a manner that is aesthetically appropriate as possible.

8. Prohibition of LPG room-heaters and storage of inflammable liquids etc.

This section replicates the mandatory conditions in relation to gas safety. We would also ask why the Highland Council think that self-caterers would be storing liquified petroleum gas in their premises and what evidence they hold that they do.

9. Maintenance of property

On 9i and ii, this is already covered by the mandatory conditions and existing legislation and guidance so Highland Council are unnecessarily replicating regulatory regimes.

10. Requirement to produce on demand any policy, certificate etc.

This is already part of compliance so does not need to be an additional condition imposed by the Council.

11. Should any of the proposed additional conditions only be applicable to certain types of short term let licences (i.e., secondary letting, home letting or home sharing) or certain types of properties (i.e., flats, semi-detached properties etc) other than already specified within the conditions?

- Yes
- No

13. The Council has the option to grant temporary exemptions to the requirement to have a licence for a period up to 6 weeks. This would need to be applied for.

This could be for a large influx of visitors over a short period for a particular event.

The Council is not proposing to use this approach given that the main reason the legislation is being brought in is to ensure that premises are safe to let.

Do you agree with the approach to not grant temporary exemptions?

- Yes
- No

The ASSC has generally been supportive of granting temporary exemptions in other local authority areas, for instance in City of Edinburgh Council, as there can be instances where it may be beneficial for the local tourist economy to provide these where there is a large influx of visitors, due to events such as the Festival and Fringe. Alternative forms of accommodation, such as short-term lets, are integral to housing all those involved – whether participants, organisers or visitors. The same could be said for Glasgow City Council as the city had the challenges of hosting COP26 last year.

At the current time, we do not believe there are events of equivalent scale in the Highlands which would compare in order to justify a temporary exemption. However, this policy should be kept under review in case circumstances change and to enable flexibility. Moreover, if Highland Council did decide to introduce a temporary exemption, we believe that all forms of short-term let should be covered by both the mandatory and additional conditions in order to ensure a level playing field and that the main objective of licencing – to ensure premises are safe to let – is met.

15. If temporary exemptions to a licence are introduced, should the additional local conditions apply?

- Yes
- No

17. The Council also has the ability to grant temporary short term let Licences. These can be granted for a duration of up to 6 weeks. Do you think that the Council should introduce temporary licences?

- Yes
- No

19.If temporary licences are introduced, should the additional local conditions apply?

- Yes
- No

21.Are there any types of property that you think would not be suitable as a short term Let?

- Yes
- No

23.Are there any other areas of the Draft Policy statement or the proposed additional conditions that you wish to make comments on?

- Yes
- No

24.If Yes, please provide your comments below:

We have some brief general points we wish to make on the Draft Policy statement and additional conditions, as well as a more substantive point on a key omission from the Draft Policy statement.

Throughout the Draft Policy statement and additional conditions, there is a presumption of bad practice against the short-term let industry, from issues such as anti-social behaviour to littering, which we find incredibly disheartening and disappointing given the immense economic opportunities the sector provides to the Highlands, as well as the fact that many businesses in the area have been a welcome part of the community for decades.

In our previous answers, we have highlighted that many of the additional conditions are unenforceable and will merely burden the licencing authority. If Highland Council cannot enforce these, it is incompetent and leaves the Council open to judicial review. Many of the additional conditions discussed earlier are part of the basic management of a property and could be instead be delivered by a clear and robust Code of Conduct, such as that devised by the ASSC (see: <https://www.assc.co.uk/policy/code-of-conduct/>).

We note the absence of any estimated fees from the Draft Policy statement, nor does the document go into any level of detail in terms of the criteria in the processing of determining the fees. Other local authorities, as part of their consultation process, have included estimated fees for stakeholders to comment on and the ASSC would argue that such figures, as well as an explanation behind the criteria used, are absolutely integral to this exercise. Our industry cannot be expected to have any confidence in the new system in their absence – how can we be expected to properly engage with this consultation if we do not know the expected costs imposed on business?

Overall, the fees attached to short-term let licencing are meant to be based on the principle of cost recovery – therefore, the ASSC believes that fees should not be set at a level greater than the amount necessary to recover establishment and running costs. If a fee structure with costly, disproportionately high fees was introduced, this will reduce accommodation capacity in the region and will damage the industry at a time when we need to work towards a sustainable recovery.

We would refer the Highland Council to Scottish Government guidance which highlights ways to keep costs down, including: (a) economies of scale; (b) integrating service delivery with other housing and licencing functions; (c) using online and digital verification where possible, for example through photo and video evidence instead of a visit; and (d) taking a proportionate, risk-based approach to checks and verification, for example in considering whether, when and how often visits to premises are needed, especially in more remote and rural areas where the costs of such visits could be higher.

It is imperative that any fees are kept as low as possible given the environment many small businesses find themselves in. In this regard, we wish to highlight our proposal which we believe could assist with an efficient and cost-effective way of securing compliance with the Licencing Order. The ASSC have worked in partnership with Quality in Tourism to promote a self-declaration model with risk-based inspections by the licencing authority. You can find attached a presentation from Quality in Tourism which provides more information.

Overall, this approach has four main advantages:

- It minimises the work required by the licencing authority to set the system up and renew licences;
- Allows the licencing authority to focus its inspection resources on a risk-based basis;
- Requires responsible behaviour and compliance by the operators; and
- Minimises the additional costs to operators (which will have to be absorbed as an additional business cost and/or passed on to the very visitors we want to visit your area to boost our economic recovery).

We understand that local authorities across the country are facing severe pressure on their resources and we believe this system can go some way to help with the administrative challenges associated with the licencing regulations. We would be delighted to meet with officials to discuss this in further detail to see whether it would be appropriate for Highland Council.

25. Are there any other areas in relation to the licensing of short-term letting that you wish to comment on?

- Yes
- No

26. If Yes, please provide your comments below:

As the main trade association for the self-catering sector in Scotland, the Association of Scotland's Self-Caterers hopes that our expertise and insight can help inform the approach taken by Highland Council. We have always strived to work collaboratively and proactively with both local and national government stakeholders to ensure a balanced and proportionate outcome for all. We wish to make clear that 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.

Self-catering properties have been a longstanding presence in communities for generations, especially in rural communities, and provide an economic boost for local areas and enhance Scotland's tourist accommodation offering. Such self-catering properties are legitimate, bona fide businesses whose owners depend on the money generated for their livelihood – it is not a hobby or a way to supplement their income. This is entirely separate from the 'homesharing' concept, or those amateur operators who utilise online marketing platforms but are not subject to the same levels of existing regulation.

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, restaurants, tourist attractions etc – many of which would simply be unviable without visitor spending. Self-catering currently boosts the Highland and Western Isles economy by £211m per annum according to Frontline Consultants.

Given the importance of ensuring a sustainable recovery, and the significance of this measure for the livelihoods of our members in this region, we would respectfully encourage Highland Council to work as closely as possible with the sector and to minimise the regulatory burden on small business.

Fiona Campbell

Chief Executive of the Association of Scotland's Self-Caterers

e:

OFFICER'S COMMENTS ON THE CONSULTATION RESPONSES

User information:

- 476 responses were received to the online consultation
- 441 of the responses were from postcodes within The Highland Council area
- The majority of responses were from short term let hosts/operators
- 92% of users stated they had read the draft policy and proposed additional conditions

General comments:

- A lot of the responses refer to criticism of the legislation as a whole and disagreement with the introduction of a licensing scheme
- The licensing scheme is a mandatory scheme being brought in by the Scottish Government which the Council must implement by 1 October 2022. The Council has no discretion over this.
- The majority of the licensing requirements are set by the legislation. The legislation also sets out the mandatory conditions which all operators must comply with.
- The Council has some discretionary powers within the licensing scheme, these are:
 - Whether to introduce additional conditions for licences and, if so, whether these should apply to all or only certain types of short term let properties
 - Whether to introduce temporary exemptions to requiring to have a short term let licence
 - Whether to apply additional conditions to any temporary exemptions granted
 - Whether to apply additional conditions to any temporary licences granted

Maximum occupancy of a short term let property:

- 53% of responses thought children under the age of 10 should count towards the occupancy of a premises
- Key considerations were overcrowding, bed space, noise, wear and tear, fire risk and insurance purposes
- Consideration could be instead be given to children still sleeping in cots (under 2) and not requiring a bed space

Proposed additional conditions:

- 61% of responses agreed with the proposed additional conditions
- Concerns were raised that not all the additional conditions should apply to all types of accommodation and the applicability of some of the conditions to rural properties
- It should be noted that the proposed additional conditions in relation to floor coverings and noise monitoring already state they would only be applied to properties with evidence of ongoing noise concerns and properties located above another residential property. These are not blanket conditions to be applied to all short term let properties from the outset.
- Concerns were raised about licence holders having 'to ensure' guests would follow the specified rules rather than 'taking reasonable steps'
- Concerns were raised about the practicality of restricting guests to certain arrival and departure times given early travel connections or persons using the property whilst working
- Concerns were raised about the inspection and cleaning requirements for solid fuel appliances and hot tubs being too onerous and if the appliances were situated in an area not used by guests
- Concern was raised about the condition relating to the restriction of LPG calor heaters stored for use, such as in a garage for power cuts.
- Concern was raised that licence holders would not be able to produce certification or documents 'on demand' if they were stored in the short term let property.
- Concern was raised that there was a general safety mandatory condition and some of the additional conditions duplicated this.

- 65% of the responses stated that the proposed additional conditions should be applicable to all short term let properties other than already specified within the conditions

In light of the comments provided, proposed amendments have been marked up on the additional conditions provided at **Appendix 5**.

Temporary exemptions:

- 76% of responses agreed that temporary exemptions should not be granted.
- Comments in agreement included that these types of events could apply for a temporary licence in advance, these premises should still have to demonstrate they were safe and it should be a level playing field and opens up too many loopholes
- Comments in disagreement included that accommodation can be in short demand for large events and people look very last minute, the Scottish Government would have not introduced such an option if they hadn't considered the safety aspect and it provides more flexibility,
- If temporary exemptions were introduced, 84% of the responses stated that the additional local conditions should apply to these properties.

Temporary licences:

- 61% of the responses stated that the Council should introduce temporary licences
- 84% of the responses stated that if temporary licences were introduced, the additional local conditions should apply.

Suitability of properties:

- 41% of responses stated there are certain types of properties that they didn't deem suitable for use as a short term let
- A number of these responses referred to planning matters such as housing supply and the original intended use for housing as opposed to public safety or public nuisance issues
- A number of concerns were raised about flats with shared entrances or in blocks of apartments or houses in largely residential areas
- A number of concerns were also raised about properties that can be deemed unconventional buildings or houses styled as 'party houses'

Other comments:

- A large number of these comments relate to matters covered by the legislation rather than a Council policy.
- Mandatory conditions are set out in the legislation and local authorities have no power to override these
- It is the planning legislation rather than the licensing legislation that has the power to implement any policy in relation to a restriction numbers of short term let properties in a particular area.
- Caravan sites have a separate licensing regime.



Short term let licensing policy statement

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Foreword

This policy statement is the first one published by the Highland Licensing Committee.

The purpose of the policy is to provide guidance for applicants, licence holders and members of the public on the licensing system for short term lets.

Consultation on the draft policy statement took place during the period from [21 June 2022](#) to [5 August 2022](#).

A report providing details of the comments received from consultees was considered at the meeting of the Highland Licensing Committee on 6 September 2022. A copy of the report is available online at [].

This policy statement will be reviewed and revised when necessary.

DRAFT

1. Background

- 1.1. On 19 January 2022, The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (“the Order”) was approved by the Scottish Parliament. The Order came into force on 1 March 2022 and inserts new legislative provisions into the Civic Government (Scotland) Act 1982 (“the Act”).
- 1.2. The Order introduces a new mandatory licensing system for short term lets which local authorities are required to establish by 1 October 2022.
- 1.3. Prior to the introduction of the legislation, there was no requirement to licence short term lets and, therefore, local authorities did not have the ability to regulate these types of premises.
- 1.4. The licensing scheme was brought in by the Scottish Government with the aim to ensure short term lets are safe, address issues faced by neighbours, to facilitate local authorities in knowing and understanding what is happening in their area and handling complaints effectively. It also enables local authorities to ensure the people providing short term lets are suitable. The legislation aims to make sure that the economic and tourism benefits from short term lets are balanced with the needs and concerns of local communities.

2. Timescales for applying

- 2.1. After 1 October 2022, new hosts and operators will need to have a licence. This means that, if you were not using your premises to provide short term lets before 1 October 2022, you can advertise but not take bookings or receive guests until you have obtained a licence.
- 2.2. Existing hosts or operators (those using accommodation to provide short-term lets before 1 October 2022) have until 1 April 2023 to apply for a licence. During this period you can operate without a licence (by continuing to take bookings and receive guests) unless your licence application has been determined and refused.
- 2.3. After 1 April 2023, existing hosts can only continue to operate if they have submitted an application for a licence on or before 1 April 2023 that has not yet been determined or been granted a short-term let licence.

3. Definitions

3.1. A short term let is defined in the Act as the use of residential accommodation provided by a host in the course of business to a guest, where all the following criteria are met-

- (a) The guest does not use the accommodation as their only or principal home
- (b) The short term let is entered into for commercial consideration
- (c) The guest is not
 - a. An immediate family member of the host
 - b. Sharing the accommodation with the host for the principal purpose of advancing the guest's education as part of an arrangement made or approved by a school, college, or further or higher educational institution, or
 - c. An owner or part owner of the accommodation
- (d) The accommodation is not provided for the principal purpose of facilitating the provision of work or services by the guest to the host or to another member of the host's household
- (e) The accommodation is not excluded accommodation
- (f) The short term let does not constitute an excluded tenancy

Commercial consideration - this includes money and a benefit in kind (such as a provision of a service or reciprocal use of accommodation).

Guest – this means a person who occupies accommodation under a short-term let

Host – this means a person who is the owner, tenant or person otherwise in control over occupation and use of the accommodation

Immediate family member — a guest is deemed to be an immediate family member of the host if they are:

1. Your partner (spouse, civil partner or someone you live with as if you were married to them)
2. Is you or your partner's: parent or grandparent, child or grandchild or brother or sister
3. Is the partner of one of your: parents or grandparents, children or grandchildren, or brothers or sisters

Excluded accommodation – this means accommodation which is, or is part of:

- an aparthotel
- premises in respect of which a premises licence within the meaning of section 17 of the Licensing (Scotland) Act 2005 has effect and where the provision of accommodation is an activity listed in the operating plan as defined in section 20(4) of the 2005 Act
- a hotel which has planning permission granted for use as a hotel
- a hostel
- residential accommodation where personal care is provided to residents
- a hospital or nursing home
- a residential school, college or training centre
- secure residential accommodation (including a prison, young offenders institution, detention centre, secure training centre, custody centre, short-term holding centre, secure hospital, secure local authority accommodation, or accommodation used as military barracks)
- a refuge
- student accommodation,
- accommodation which otherwise requires a licence for use for hire for overnight stays
- accommodation which is provided by the guest,
- accommodation which is capable, without modification, of transporting guests to another location
- a bothy
- accommodation owned by an employer and provided to an employee in terms of a contract of employment or for the better performance of the employee's duties.

3.2. Please note that if you have an HMO licence for your property, you would still need a short-term let licence if it is also to be used for short-term lets. This is the case whether or not you live at the premises covered by your HMO licence.

3.3. Self-catering property in the grounds of a licensed hotel would be excluded.

Excluded tenancy – an excluded tenancy means a tenancy which falls within any of the following definitions:

- protected tenancy (within the meaning of section 1 of the Rent (Scotland) Act 1984)
- an assured tenancy (within the meaning of section 12 of the Housing (Scotland) 1988 Act)
- a short assured tenancy (within the meaning of section 32 of the Housing (Scotland) Act 1988)
- a tenancy of a croft (within the meaning of section 3 the Crofters (Scotland Act 1993)
- a tenancy of a holding situated outwith the crofting counties (within the meaning of section 61 of the Crofters (Scotland Act 1993) to which any provisions of the Small Landholders (Scotland) Acts 1886 to 1931(g)) applies
- a Scottish secure tenancy (within the meaning of section 11 of the Housing (Scotland) Act 2001)
- a short Scottish secure tenancy (within the meaning of section 34 of the Housing (Scotland) Act 2001)
- a 1991 Act tenancy (within the meaning of section 1(4) of the Agricultural Holdings (Scotland) Act 2003)
- a limited duration tenancy (within the meaning of section 93 of the Agricultural Holdings (Scotland) Act 2003)
- a modern limited duration tenancy (within the meaning of section 5A of Agricultural Holdings (Scotland) Act 2003)
- a short limited duration tenancy (within the meaning of section 4 of the Agricultural Holdings (Scotland) Act 2003)
- a tenancy under a lease under which agricultural land is let for the purpose of its being used only for grazing or mowing during some specified period of the year (as described in section 3 of the Agricultural Holdings (Scotland) Act 2003)
- a private residential tenancy (within the meaning of section 1 of the Private Housing (Tenancies) (Scotland) Act 2016)
- a student residential tenancy.

3.4. There are four types of licences for short term let accommodation. Any licence granted must be for either:

1. Secondary letting;
2. Home letting;
3. Home sharing; or
4. Home letting and home sharing

3.5. The different types of licences are defined as follows:

- **Secondary letting** – this means a short-term let involving the letting of property where you do not normally live

- **Home letting** - this means using all or part of your home for short-term lets whilst you are absent.
- **Home sharing** – this means using all or part of your own home for short-term lets whilst you are there

3.6. A separate licence is required for each of your premises. However, a single licence may be issued in respect of unconventional accommodation where there is more than one separately bookable property on the site.

3.7. Dwellinghouse means for these purposes, an independent dwelling (with its own front door, kitchen and bathroom) such as a house, flat, cottage etc

3.8. You do not need a separate licence for short-term lets within the same dwellinghouse. For example, if you are letting out two rooms in your home, that would be covered by one licence.

3.9. Unconventional accommodation – this means residential accommodation that is not defined as a dwelling house and would include residential accommodation such as glamping pods and yurts.

4. Application and notification

- 4.1. All applicants must complete ~~either an online or paper~~ short term let licence application form. ~~The application should either be submitted online or paper applications should ideally be emailed to stl@highland.gov.uk or, alternatively, posted to your local area licensing office, details of which are available at Appendix 1.~~
- 4.2. Applicants ~~must~~~~should~~ ~~either~~ pay the application fee as part of the online application process. ~~or if submitting a paper application form by making a payment to The Highland Council Service Centre by contacting 01349 88 6609.~~
- 4.3. Under the terms of the Act, all applicants who apply for a short-term let licence must display a notice for a period of 21 days beginning with the date on which the application was submitted to the licensing authority at or near the premises so that it can be conveniently read by the public.
- 4.4. The notice shall state that an application has been made for a licence, the main facts of the application, that objections and representations in relation to the application may be made to the licensing authority and how to make objections or representations. A template will be provided to the applicant once an application is submitted.
- 4.5. Applicants are required to certify compliance that they have displayed the site notice as soon as possible after the 21 days has expired. A template will be provided to the applicant once an application is submitted.
- 4.6. A copy of the application must be sent to Police Scotland and the Scottish Fire and Rescue Service by the local authority. A copy will also be sent to:
- The Highland Council's Planning Department
 - The Highland Council's Building Standards Department
 - The Highland Council's Environmental Health Service
- 4.7. All personal data will be processed in line with the following privacy notices:
- https://www.highland.gov.uk/directory_record/1036156/civic_government_licence
- https://www.highland.gov.uk/directory_record/1036197/licensing_payments

5. Objections and representations

5.1. It is open to any member of the public to submit an objection or representation in relation to a short term let licence application.

5.2. To enable The Highland Council, as licensing authority (“the Council”) to entertain an objection or representation, it must be:

- in writing (email is sufficient)
- specify the grounds of the objection or the nature of the representation
- specify the name and address of the person making it
- be signed off by them or on their behalf
- be received by the Council within 28 days from when the notice of application is displayed

5.3. Anonymous objections or representations will not be considered.

5.4. Late objections or representations may be considered if the Council is satisfied that there is sufficient reason as to why it was not made in the time required.

5.5. The objection should be relevant to the statutory grounds that can be taken into consideration when refusing an application. These are set out in the Act:

- The applicant or anyone else detailed in the application form is not a fit and proper person to be the holder of a licence;
- The activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused;
- The premises is not suitable for the conduct of the activity, having regard to:
 - The location, character or condition of the premises
 - The nature and extent of the proposed activity;
 - The kind of persons likely to be in the premises;
 - The possibility of undue public nuisance, public order; or public safety
- Where there is other good reason

5.6. It should detail clearly the reasons for the objection/representation and why the applicant and/or the premises are not suitable.

5.7. A copy of the objection or representation will be provided to the applicant and will include your name and address. All personal data will be processed in line with the following privacy notice:

https://www.highland.gov.uk/directory_record/1046990/licensing_objections_representations_and_complaints

6. Determination of application

- 6.1. Everybody named on the application form will be subject to the fit and proper test. Every application form will require consultation with Police Scotland who will carry out background checks.
- 6.2. Licensing authorities are responsible for determining whether you are a fit and proper person to be the holder of a licence for short-term lets. Consideration will be given to a wide range of information including relevant criminal convictions, other relevant information provided by Police Scotland, any previous disqualifications from being a private landlord, previous revocations of a HMO licence and providing false or misleading information in your application form.
- 6.3. If there are no objections or adverse representations to a short term let licence application, the application will be determined under delegated powers by the Principal Solicitor – Regulatory Services/Solicitor – Regulatory Services
- 6.4. If an objection or adverse representation is submitted in relation to the short term let licence application, the application will be subject to a hearing at a meeting of the Highland Licensing Committee.
- 6.5. The person submitting the objection or representation will be invited to attend the meeting of the Highland Licensing Committee and speak to their objection/representation. You will be given at least 14 days' notice of the hearing date.
- 6.6. The applicant or their representative will also be invited to attend the meeting and given the opportunity to state why the application should be granted.
- 6.7. The Committee will be able to ask questions of both parties and, thereafter, decide whether to grant or refuse the application. The grounds for refusing an application are set out at paragraph 4.5.
- 6.8. Applications will be heard in public unless required to be taken privately on the grounds of disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973
- 6.9. A copy of the Council's hearing procedure can be found at **Appendix 2**.
- 6.10. Both the applicant and the person(s) making an objection/representation can request a statement of reasons for the decision within 21 days of the date of the decision. The statement of reasons will be produced by the Principal Solicitor – Regulatory Services/Solicitor – Regulatory Services within 10 days of that request.

- 6.11.** If your application for a licence is refused, you cannot reapply for a licence within 1 year of that decision, unless there has been a material change in your circumstances since then.

7. Right of appeal

- 7.1.** The applicant and the person(s) making an objection/representation have a right of appeal to the Sheriff Court.
- 7.2.** However, they only have this right if they have taken every opportunity to state their case to the Committee as has been made available.
- 7.3.** The Sheriff can uphold an appeal only if the sheriff considers that the licensing authority erred in law, based their determination on any incorrect material fact, acted contrary to natural justice or exercised their discretion in an unreasonable manner.
- 7.4.** Any appeal must be lodged by way of a summary application with the relevant Sheriff Clerk's office within 28 days of the date of the decision appealed against.
- 7.5.** Parties should seek their own independent legal advice in relation to an appeal.

8. Licence duration and renewal

- 8.1.** The duration of the licence applies from the date on which the licence comes into force. This will be specified on the licence together with the expiry date of the licence.
- 8.2.** When an application is made to renew a licence timeously, the existing licence will continue in effect until such time as a decision is made on the renewal application.
- 8.3.** A licence shall have effect-
- for a period of 3 years from the date when it comes into force; or
 - for such shorter period as the licensing authority may decide at that time when they grant; or
 - for such longer period as the licensing authority may decide at the time when they renew a short-term let licence

8.4. The Scottish Government's guidance for licensing authorities on short term lets has made it clear that licensing authorities are encouraged to renew licences for a period of 3 years, unless they have good reasons to do otherwise.

8.5. Whilst, each application will be decided on its own merits, it is not anticipated that licences will be renewed for a period of longer than 3 years.

9. Licence conditions

9.1. The Act sets out a number of mandatory licence conditions which apply to all short-term let across Scotland. A list of these conditions can be found at **Appendix 3**.

9.2. In addition to the mandatory licence conditions which apply to all short-term lets, licensing authorities may impose additional conditions. These enable the licensing authority to respond to local challenges and concerns relative to specific types of short-term letting.

9.3. There are a number of additional conditions which will apply to all short term let properties. There also some specific additional conditions which may only apply to certain types of short term let properties or to properties following investigation of concerns. A list of the additional licence conditions which may apply to your short-term let licence can be found at **Appendix 4**.

10. Temporary exemptions

10.1. The Council will not be granting temporary exemptions under any circumstances. This position will be ~~reviewed in 3 years' time~~kept under review.

11. Temporary licences

11.1. A licensing authority can also decide to grant temporary licences. These can be applied for online or by way of a paper application. Details for the application process are set out in Section 3.

11.2. Temporary licences may be granted for a duration of up to 6 weeks.

11.3. A temporary licence cannot be renewed. However, if a host or operator applies for a full licence during the period of a temporary licence, the temporary licence duration will extend until their full licence application is determined.

11.4. Hosts and operators that apply for a temporary licence will still have to comply with all the mandatory conditions and any additional conditions deemed applicable.

11.5. It is anticipated that temporary licences will be used by hosts or operators that only require a short term let for a specific event that runs for 6 weeks or less or where a host or operator wishes to trial providing a short term let.

11.5.11.6. The additional conditions will also apply to any temporary licences granted.

12. Maximum occupancy

12.1. For licensing purposes, children under the age of 2 do not count towards the maximum occupancy on any licence granted.

13. Compliance and enforcement

13.1. Unlicensed short term lets

13.1.1. It is a criminal offence to carry on an activity for which a licence is required without having a licence and without reasonable excuse.

13.1.2. The Scottish Government has set out the following timescales for hosts and operators. Please note the rules are different depending on whether you are a new host/operator or an existing host/operator:

New hosts/operators

- From 1 October 2022 you **cannot** accept bookings until you have obtained a short term let licence
- From 1 October 2022, you **cannot** operate while your short term let application is being determined

Existing hosts/operators

- Existing hosts/operators must apply for a short term let licence by 1 April 2023, at the latest.

- If you have been trading on or before 30 September 2022, you may continue to accept bookings after 1 October 2022 but only if you have made a licence application by 1 April 2023.
- You can continue to operate for the time it takes for your licence application to be finally determined.
- A provisional licence number will be provided to you on receipt of a licence application
- By 1 July 2024 you should not be trading unless you have been granted a full licence

13.1.3. A public register will be maintained of licensed short term lets by the Council. This will allow members of the public to check the licensing status of a premises being used as a short term let.

13.1.4. Complaints about suspected unlicensed hosts/operators should be directed to Police Scotland.

13.2. Licensed short term lets

13.2.1. Hosts and operators must ensure that any advert or listing placed on or after they are granted a licence includes their licence number.

13.2.2. Hosts and operators must ensure that they comply with all the mandatory and any additional conditions on their licence. It is a criminal offence to fail to comply with a licence condition if a licence holder has not used all due diligence to prevent the offence.

13.2.3. It is also a criminal offence for a licence holder, without reasonable cause, to fail to notify the licensing authority of a material change of circumstances.

13.2.4. The Council may undertake premises site visits as part of the application process and throughout the duration of the licence to ensure compliance with licence conditions.

13.3. Complaints about licensed short term lets

13.3.1. In the first instance, guests should raise any concerns about their short term let with their host/operator or letting agent/platform. If the issue is sufficiently severe, then the Council may become involved.

13.3.2. A complaint must be relevant to the matters that the Council can take into consideration. Frivolous or vexatious complaints will not be considered.

13.3.3. The Council can consider matters relating to the suitability of the licence holder, threats to public safety or public order or whether a condition of the licence has been contravened.

13.3.4. These issues would include a host/operator exceeding the number of people staying at the premises, serious disturbance or antisocial behaviour or concerns about the maintenance and safety of the premises. These complaints can be directed to stl@highland.gov.uk

13.3.5. Please note that the Council cannot consider complaints in relation to the quality of a guest's stay or specific contractual matters between the guest and the host/operator as this is outside the scope of the licensing scheme.

13.3.6. Complaints will aim to be acknowledged within 5 working days. A full response advising you of the outcome may take some time if the complaint requires further investigation. The complaint may also need to be directed to other departments within the Council such as Planning, Environmental Health or other services such as Police Scotland or Scottish Fire and Rescue Service for input. Complainants will be kept up to date with progress if there is a delay in a full response being provided.

13.3.7. Premises site visits may be undertaken by the Council as part of an investigation into a complaint.

13.4. Enforcement

13.4.1. It is possible that some complaints may require enforcement action from the Council.

13.4.2. The Act provides for several options for enforcement action if justified. This includes additional licence conditions being attached, enforcement notices or variation, suspension or revocation of the licence or in more serious circumstance pursuing a prosecution.

13.4.3. An enforcement notice must set out the matters constituting a breach or likely breach, the action required to rectify or prevent the breach and the date by which the action must be taken.

13.4.4. If the matter is not addressed satisfactorily by the licence holder, the Council may then consider a variation, suspension or revocation of the licence.

13.4.5. You will not be charged a fee for a routine visit. However, you may be charged if a follow up visit is necessary because you have breached one of your licence conditions or for an inspection necessary due to a complaint relating to the premises, which is not deemed frivolous or vexatious (please see section 19. Fees for more details).-

14. Variation of a licence

14.1. A licensing authority may, at any time, whether or not upon an application made to them by the holder of the licence, vary the terms on any grounds they think fit.

14.2. A variation application cannot, however, be used to substitute a new holder of the licence for the existing one i.e. effectively to transfer a licence.

15. Suspension or revocation of a licence

15.1. A licensing authority may, whether upon a complaint made to them or not, suspend or revoke a licence.

15.2. A licensing authority may order the suspension or revocation of a licence if in their opinion-

- the holder of the licence is no longer a fit and proper person to hold the licence
- the licence holder is managing the property on behalf of someone who would have been refused the grant or renewal of the licence
- the short-term let is causing or is likely to cause undue public nuisance or a threat to public order or public safety; or
- a condition of the licence has been contravened

15.3. The period of suspension can be the unexpired portion of the duration of the licence, or such shorter period as the licensing authority may fix. The effect of the suspension shall be that the licence shall cease to have effect during the period of suspension.

16. Third party accreditation

- 16.1. The Council will consider third party evidence, accreditation or certification from certain approved bodies to demonstrate compliance with the mandatory and any additional conditions of a licence.
- 16.2. The Council will also consider the provision of supporting documentation being provided through suitable third-party platforms. Applicants will be expected to provide a link to the database with the supporting documentation in lieu of uploading the documents as part of the application process.

17. Planning permission

- 17.1. There is a separate legislative process from licensing which allows the Council, as planning authority, to establish short term let control areas.
- 17.2. The purpose of control areas is to help planning authorities manage high concentrations of secondary letting (where it affects the availability of residential housing or the character of a neighbourhood) and to restrict or prevent short term lets in places or types of buildings where it is not appropriate.
- 17.3. Outside of a control area, it is for the planning authority to consider whether any change of use of a dwelling house is material and, therefore, requires planning permission. This is determined on a case by case basis.
- 17.4. Within a control area designated by a planning authority, such a change of use will always require planning permission. The host or operator must make an application for planning permission or already have planning permission before they apply for a licence.
- 17.5. It is a mandatory condition of the licence that a host or operator has planning permission or has made an application for planning permission where their premises is in a designated control area, they are using it for secondary letting and it is a dwelling house.
- 17.6. Information in relation to areas within The Highland Council proposed to be designated by the Council, as planning authority, as a short term control area can be found at - https://www.highland.gov.uk/info/161/planning_and_building_standards/991/s-hort-term-let-control-area
- 17.7. Hosts and operators must comply with both planning and licensing law.

- 17.8.** The Council, as licensing authority, may refuse to consider a licensing application if the host or operator within a designated short term let control area needs planning permission but does not have it. The Council, as licensing authority, has 21 days from receipt of a valid application to decide to refuse to consider the application on these grounds. If an application is refused to be considered on these grounds, the host or operator must be notified within 7 days together with an explanation.
- 17.9.** A host or operator who then subsequently obtains planning permission or a certificate of lawfulness of use or development can resubmit their licensing application (with no additional fee) provided the host or operator submits the licence application within 28 days of obtaining planning permission or a certificate.
- 17.10.** Before 1 April 2023, the Council, as licensing authority, cannot determine a licence application on the basis that it breaches planning control unless they have given existing hosts a chance to submit an application for planning permission or for a certificate of lawful use or development. However, the Council, as licensing authority, can determine a licensing application before this date where planning permission or a certificate of lawful use or development has already been refused.
- 17.11.** The applicant has 3 months to submit a planning application. If the applicant does not do so within 3 months, the licence application can be determined for these purposes and the applicant must cease providing short term lets.
- 17.12.** Please note that planning authorities could designate control areas after a premises has already obtained a short term let licence. Licence holders would be given a reasonable opportunity to comply with the mandatory condition by submitting a planning application as soon as possible after the control area is designated. If planning permission is refused, this may result in the licence being refused, varied or revoked as appropriate.
- 17.13.** Hosts and operators are, therefore, encouraged to engage with the Council's planning department **prior** to submitting a licence application to confirm whether they require planning permission or a certificate of lawful use of development.
- 17.14.** Details for the Council's planning department can be found at - https://www.highland.gov.uk/info/161/planning_and_building_standards

18. Equality

18.1. The Equality Act 2010 Act introduced a new public sector equality duty which requires public authorities, including the Committee, to try and eliminate discrimination, promote equality and good relations across a range of protected characteristics.

18.2. Prior to the Committee implementing this policy an equality impact assessment was undertaken. This can be viewed using the following link [*to be inserted once the decision is made*].

19. Fees

19.1. Licensing authorities are required to charge fees in respect of processing and determining, the consideration of applications, the issue of duplicate licences and other matters. They must ensure that the fees are sufficient to cover their administrative expenses and are reviewed periodically.

19.2. Licensing fees are non-refundable. Whether or not a licensing application is granted, the Council incurs significant costs in processing the application.

19.3. The Council has considered the following criteria in the process of determining the fees:

- The size of the premises
- The number of rooms at the premises
- The number if guests who can reside at the premises
- The type of short term let

Application and renewal – full licence

Guest capacity (people) <i>(excluding children under the age of 2)</i>	Home sharing and home letting	Secondary letting
<u>1-2 occupants</u>	<u>£320</u>	<u>£400</u>
<u>3-6 occupants</u>	<u>£390</u>	<u>£470</u>
<u>7-9 occupants</u>	<u>£460</u>	<u>£540</u>
<u>10+ occupants</u>	<u>£530</u>	<u>£610</u>

Other types of application	Fee
Temporary licence application	<u>50% of the full fee</u>
[Temporary exemption application]	<u>[£100]</u>
Variation of licence / change in circumstances	<u>£120</u>
Duplicate licence	<u>£20</u>

Enforcement costs	Fee
Visit to premises where the visit is necessary due to a failure to comply with licence conditions or a complaint relating to the premises which is not frivolous or vexatious	
Inspection of a premises following a complaint where it is found that there are compliance issues (whether or not the subject of a complaint)	
Where a fee is charged for such a visit, a report must be provided to the host or operator within 28 days of the inspection. Otherwise, the fee must be refunded to the licence holder*	

Enforcement costs

A licensing authority may charge such reasonable fees as they may determine in respect of an inspection of premises following—

- (i) a failure to comply with a licence condition, or
- (ii) a complaint relating to the premises (unless the complaint is frivolous or vexatious).

The decision to make such a charge will be taken in a proportionate manner in line with the Enforcement Policy for Environmental Health. Where such a charge is to be made, the Council will seek full cost recovery for such inspections based on the appropriate productive hourly rate for the grade of officer undertaking the inspection.

Note - Where a local authority charges a fee in respect of an inspection, the licensing authority must—

(a) produce a report of its finding to the licence holder within 28 days of the inspection, or

(b) where a report is not provided within 28 days of the inspection, refund the fee charged to the licence holder.

Appendix 1 – Contact details

Email – stl@highland.gov.uk

Area offices:

Caithness, Sutherland and Easter Ross
Council Offices, Caithness House, Market Place, Wick, KW1 4AB

Inverness, Nairn Badenoch and Strathspey
The Highland Council, Town House, Inverness, IV1 1JJ

Ross, Skye and Lochaber
The Highland Council, Charles Kennedy Building, Achintore Road, Fort William, PH33 6RQ
The Highland Council, Tigh Na Sgire, Park Lane, Portree, IV51 9GP

Appendix 2 – Hearing procedure

DURING THE HEARING

1. The Chair will introduce the Members and Officials present. If the representations/objection(s) were submitted timeously and there are no spent convictions to be considered, then proceed directly to number 4.
2. If the representation/objection (from the Police or any other party) has been received late the Committee must hear details as to why the representation/objection was late and be satisfied that there is sufficient reason why it was not made in the time required. If they agree that then the representation/objection can be heard otherwise it should be disregarded. The process to be followed should be that the objector is invited to provide reasons as to why the submission was late. Members may ask any follow up questions of the objector. The applicant must then be asked if they have any objections to the late submission being accepted. The Committee must take all comments into account when deciding whether to accept the late submission.
3. If spent convictions are to be referred to then the guidance notes for spent convictions should be followed for each conviction. The Committee should resolve to go into private whilst considering spent convictions.
4. The hearing procedure below should now be followed:

a	The Licensing Officer will present the report to the Committee
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b	The applicant or the party who has initiated the hearing will present their case first
c	The presenting party shall be entitled to provide information in support of their application, representation or objection (as applicable).
d	Any other interested party will have the opportunity to ask the presenting party relevant questions.
e	The Committee Members will have the opportunity to ask the presenting party relevant questions.
f	Any other interested parties will then present their case in turn and be entitled to provide information in support of their application, representation or objection (as applicable)
g	Any other interested party will have the opportunity to ask the presenting party relevant questions.
h	The Committee Members will have the opportunity to ask the presenting party relevant questions
i	The Chair will invite the applicant, or the party who has initiated the hearing, to briefly summarise their points if they wish.
j	The Chair will invite the other interested parties to briefly summarise their points if they wish.
k	The Chair will ask the applicant, or the party who has initiated the hearing, and all parties making representations, that they are satisfied that they have said all they wish to.
l	At the sole discretion of the Members, the Committee may decide to retire to consider the representations/objections in private.
m	<p>The Committee will invite the parties to return to the meeting and the Chair will invite Members to take a decision.</p> <p>NOTE: If during private deliberations, the Committee receive advice on a legal submission from the Clerk which is contrary to the view of the party making the submission or the Committee believe additional information would be relevant, then these points should be raised with the parties, in public, prior to any decision being made.</p>

DECISION

A determination of the case will be made at the conclusion of the hearing and all parties will be notified of the decision in writing within 7 days of the hearing and shall be advised of his/her right to seek written reasons and appeal to the Sheriff Court.

If the decision of the Committee is to suspend, refuse or refuse to suspend a licence, a relevant person has a right to request within 28 days of the meeting, the Committee's reasons for arriving at their decision. Unless the circumstances of the case justify immediate suspension, the suspension shall not take effect for 28 days from the date of the decision.

Appeals against the decision of the Committee must be lodged with the Sheriff Clerk within 28 days of the date of the decision.

Appendix 3 – Mandatory licence conditions

Agents

1. Only those named as a holder of the licence can carry out the day to day management of the short-term let of the premises.

Type of licence

2. The holder of the licence may only offer the type of short-term let for which the licence has been granted.

Fire safety

3. The holder of the licence must ensure the premises has satisfactory equipment installed for detecting, and for giving warning of—

(a) fire or suspected fire, and

(b) the presence of carbon monoxide in a concentration that is hazardous to health.

4. The holder of the licence must keep records showing that all upholstered furnishings and mattresses within the parts of the premises which are for guest use, or to which the guests are otherwise permitted to have access, comply with the Furniture and Furnishings (Fire Safety) Regulations 1988

Gas safety

5. Where the premises has a gas supply—

(a) the holder of the licence must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises,

(b)if, after an annual inspection, any appliance does not meet the required safety standard, the holder of the licence must not allow a short-term let of the premises until the works necessary to bring the appliance to the required safety standard have been carried out.

Electrical safety

6. Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which the guests are permitted to have access, the holder of the licence must—

(a)ensure that any electrical fittings and items are in—

(i)a reasonable state of repair, and

(ii)proper and safe working order,

(b)arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person,

(c)ensure that, following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,

(d)arrange for a competent person to—

(i)produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and

(ii)date label and sign all moveable appliances which have been inspected.

7. In determining who is competent, the holder of the licence must have regard to guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006(2).

Water safety: private water supplies

8. Where the premises are served by a private water supply, the licence holder must comply with the requirements on the owners of private dwellings set out in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017

Water safety: legionella

9. The holder of the licence must assess the risk from exposure to legionella within the premises, whether or not the premises are served by a private water supply.

Safety & repair standards

10.(1) The holder of the licence must take all reasonable steps to ensure the premises are safe for residential use.

(2) Where the premises are subject to the requirements of Chapter 4 of Part 1 of the Housing (Scotland) Act 2006, the holder of the licence must ensure that the premises meet the repairing standard.

Maximum Occupancy

11. The licence holder must ensure that the number of guests residing on the premises does not exceed the number specified in the licence.

Information to be displayed

12. The holder of the licence must make the following information available within the premises in a place where it is accessible to all guests—

- (a) a certified copy of the licence and the licence conditions,
- (b) fire, gas and electrical safety information,
- (c) details of how to summon the assistance of emergency services,
- (d) a copy of the gas safety report,
- (e) a copy of the Electrical Installation Condition Report, and
- (f) a copy of the Portable Appliance Testing Report.

Planning Permission

13. Where the premises is in a short-term let control area for the purposes of section 26B of the Town and Country Planning (Scotland) Act 1997 (“the 1997 Act”), the holder of the licence must, where the use of the premises for a short-term let requires planning permission under the 1997 Act, ensure that either—

- (a) an application has been made for planning permission under the 1997 Act and has not yet been determined, or
- (b) planning permission under the 1997 Act is in force.

Listings

14.(1) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises includes—

- (a) the licence number, and
- (b) a valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008

(2) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises is consistent with the terms of the short-term let licence.

Insurance

15. The holder of the licence must ensure that there is in place for the premises—

- (a) valid buildings insurance for the duration of the licence, and
- (b) valid public liability insurance for the duration of each short-term let agreement.

Payment of fees

16. The holder of the licence must pay any fees due to the licensing authority in respect of the licence on demand.

False or misleading information

17. The holder of the licence must not provide any false or misleading information to the licensing authority.

Interpretation

18. In this schedule—

“Electrical Installation Condition Report” means a report containing the following information—

- (a) the date on which the inspection was carried out,
- (b) the address of the premises inspected,
- (c) the name, address and relevant qualifications of the person who carried out the inspection,
- (d) a description, and the location, of each installation, fixture, fitting and appliance inspected,
- (e) any defect identified,
- (f) any action taken to remedy a defect,

“Energy Performance Certificate” means a certificate which complies with regulation 6 of the Energy Performance of Buildings (Scotland) Regulations 2008,

“gas safety report” means a report containing the following information—

- (a) the date on which the appliance or flue was checked,
- (b) the address of the premises at which the appliance or flue is installed,
- (c) a description of and the location of each appliance or flue checked,
- (d) any safety defect identified,
- (e) any remedial action taken,
- (f) confirmation that the check undertaken complies with the requirements of an examination of—
 - (i) the effectiveness of any flue,
 - (ii) the supply of combustion air,
 - (iii) subject to head (iv), its operating pressure or heat input or, where necessary, both,
 - (iv) if it is not reasonably practicable to examine its operating pressure or heat input (or, where necessary, both), its combustion performance,
 - (v) its operation so as to ensure its safe functioning,
- (g) the name and signature of the individual carrying out the check, and
- (h) the registration number with which that individual, or that individual’s employer, is registered with a body approved by the Health and Safety Executive for the purposes of regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998,

Appendix 4 – Additional licence conditions

[\[stated on separate page\]](#)

Additional licence conditions

1. Material Changes

- i. The licence holder shall notify the Council immediately of any material change of circumstances affecting the licensed premises or the licence holder (or any agent appointed by them to manage part or all of the licensed activity), including details of any criminal convictions incurred by such persons since the granting or renewal of the licence

2. Reporting of Certain Incidents

- i. The licence holder shall notify the Council, as soon as is reasonably practicable, of the details of any incident affecting, or within, the licensed premises which (a) has resulted in structural damage to, or structural collapse within, the premises, or (b) which has involved a gas leak, fire, or explosion necessitating the call-out of the Emergency Services.

3. Noise and Anti-Social Behaviour

- i. The licence holder shall~~must~~ take reasonable steps to manage the premises in such a way as to seek to prevent and deal effectively with any noise nuisance or antisocial behaviour by guests to anyone else in the short-term let and in the locality of the short-term let.
- ii. The licence holder shall~~must~~ take reasonable steps to:
 - i. ensure that no disturbance or nuisance arises within or from the premises, for example by explaining the house rules to the guests;
 - ii. deal effectively with any disturbance or nuisance arising within or from the premises, as soon as reasonably practicable after the licence holder is made aware of it; and
 - iii. ensure any vehicles belonging to guests are parked lawfully, for example explaining where any designated parking spaces (if applicable) are to be found and highlighting any local rules.
- iii. The licence holder shall notify the Council, as soon as is reasonably practicable, of the details of any incident of anti-social behaviour affecting or emanating from the premises which has ~~necessitated~~ required police involvement.

4. Privacy and Security

- i. The licence holder shall~~must~~ take reasonable steps to manage the premises in such a way as to respect and protect the privacy and security of neighbours.
- ii. The licence holder shall~~must~~ ensure~~take reasonable steps to ensure~~:

- i. guests know and understand any particular rules applying to any shared areas and entrances;
- ii. guests understand that shared doors should be properly and securely closed after use; and
- iii. the provision of access codes or keys to guests cannot be used by guests to gain access to shared areas after they have finally departed.

5. Littering & Waste Disposal

- i. The licence holder shall take reasonable steps to ensure that adequate facilities, to the satisfaction of the Council, are provided for the storage, recycling and disposal of all waste and shall ensure that all common areas of the premises and all common external areas within the curtilage of the premises are kept in a clean, tidy, and well-maintained condition to the satisfaction of the Council.
- ii. The licence holder shall be responsible for advising residents of the refuse collection day and for making arrangements for the presentation of wheeled bins for collection at the appropriate time and day (if applicable).
- iii. The licence holder shall ~~also~~ take reasonable steps to:
 - i. clearly label bins as belonging to the premises
 - ii. ensure guests are made aware of how to correctly use the bins provided for the premises (if applicable)
 - iii. ~~ensure provide~~ bins/sacks are available (if applicable)
 - iv. ensure that guests manage their waste properly, including when they depart (if applicable)
 - v. ensure guests are made aware as to what items should not be disposed of by flushing down the toilet

6. Preventing damage to property

- i. The licence holder ~~shall~~must not affix a key box, or other device to facilitate guest entry to the property, to any public or jointly owned private infrastructure without prior ~~written permission~~consent of the relevant authority or owner(s). The licence holder must be able to produce evidence of the permission to the licensing authority on request

~~7. Prohibition of LPG room heaters and storage of inflammable liquids etc.~~

- ~~i. The licence holder shall not permit the use or storage on the premises of LPG room heaters or, unless in an external store designed and approved for such storage, the storage of any liquified petroleum gas (LPG) or any highly inflammable liquid, gas, or substance. This condition shall not apply to small amounts of liquids or gas sold in small non-refillable retail packs (e.g. lighter fuel or cosmetic appliance cartridges)~~

~~kept by guests for their own use. Nor shall it apply to the external storage of LPG in cylinders or tanks which are provided by the licence holder for the provision of gas for cooking or for water or space heating or other domestic use, provided the storage complies fully with LPGA Codes of Practice and Building Regulation Technical Standards and that any installation connected to such cylinders or tanks complies with The Gas Safety (Installation and Use) Regulations 1998 or any amendment thereto~~

8-7. Maintenance of property

- ~~i. Where there is a solid fuel appliance within the premises (i.e. wood burning stove), the holder of the licence shall ensure: -~~
- ~~i. the chimney/flue associated with the appliance is inspected and cleaned annually by a suitably competent person.~~
 - ~~ii. a record of the annual inspection and cleaning of the flue is able to be produced, on request by the Council~~

- ~~ii.i.~~ Where there is a hot tub provided at the premises for use by guests, the holder of the licence shall take reasonable steps to ensure: -
- i. that it is suitably located and maintained so as to ensure it can be safely operated and used by guests;
 - ii. that suitable and sufficient cleaning and disinfection procedures are in place;
 - iii. that guests are provided with clear instructions on its safe use and any restrictions on its use;
 - iv. that it is kept securely covered when not in use.

9-8. Requirement to produce on demand any policy, certificate etc.

- i. The licence holder shall require to produce as soon as is reasonably practicable, on demand to any authorised person any policy, certificate, document, record, certificate of inspection or safety, licence or plan required by or issued in terms pursuant to any condition of this licence.

Additional conditions that may be applied following on from investigations of concern regarding noise:

Note – These conditions are published in accordance with Scottish Government guidance that any proposed additional conditions should be publicised. These are not applied to all licences. These will only be recommended to Committee following specific case investigations by the Council’s Environmental Health team and if the use of the condition is deemed appropriate and proportionate for the specific case by enforcement officers following the Enforcement Policy for Environmental Health.

Noise:

- i. The licence holder must take reasonable steps to ensure that the bedrooms, living room and hallway in the premises have a suitable floor covering in order to minimise impact and airborne noise affecting any properties below. (i.e. carpet or vinyl floor covering with quality underlay) ***(Condition may be applied following investigation of concerns regarding noise and would be applied to properties located at 1st floor and/or above where a residential property is located below.)***
- ii. The licence holder must take reasonable steps to ensure that noise monitoring equipment [of type x] is maintained in full working order [in location y] and that the maximum reading does not exceed [a] decibels between 7 am and 11 pm, nor [b] decibels between 11 pm and 7 am. ***(Condition may be applied following investigations of concerns regarding noise.)***
- iii. The licence holder must take reasonable steps to ensure that guests do not first arrive or finally depart from the property between the hours of 11 pm to 7 am. The licence holder must advise guests of this as part of their booking terms and conditions. (Note: “reasonable steps” allows for exceptions, such as significantly delayed transport.) ***(Condition would only be applied following investigations of concerns regarding noise where a property is located at 1st floor and/or above where a residential property is located below, in close proximity to a neighbouring property or whether there is a shared entrance/communal areas.)***
- iv. The licence holder must take reasonable steps to ensure that guests do not use the hot tub after 2200hrs ***(Condition may be applied following investigation of concerns regarding noise associated with hot tubs and where a hot tub is positioned in close proximity or overlooked by neighbouring property.)***

- v. The licence holder must take reasonable step to ensure that guests do not play amplified music within the garden or external areas after [23:00 hours] where it would impact neighbouring residents.
(Condition may be applied following investigation of concerns regarding noise associated with playing music in outdoor areas.)

Community Impact Assessment:

Services should ensure that any new or revised proposals (plans, policies, practices and decisions) are considered for impacts on communities at an early stage.

- There is a legal requirement to consider the Public Sector Equality Duty.
- There are now duties to consider socio-economic impact at strategic level (the Fairer Scotland Duty).
- The Council has made commitments to consider rural impacts and there is now a duty to consider Island impacts.

Where negative impacts are identified these should be eliminated or minimised, and opportunities for positive impact should be maximised. Services should keep a record of initial screening documents. A copy of full assessments must be sent to the Policy Team.

Equality Impact Assessment:

The Public Sector Equality Duty (PSED) of the Equality Act 2010 requires public bodies to give due regard to the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

An Equality Impact Assessment (EQIA) is a process to comply with the duty and to ensure that policies, functions, plans or decisions do not create unnecessary barriers for people protected under the Act.

Socio-economic Impact Assessment

The Fairer Scotland Duty requires that public bodies consider the likely socio-economic impact of strategic plans and decisions on groups in poverty or at risk of becoming affected by poverty. Socio-economic disadvantage is typified by living on a low income compared with others and which limits access to opportunities and services.

Rural and Island impacts

Consider whether rural and Island areas are more likely to be impacted by the proposal but also if there is likely to be greater impact in some areas than others and whether specific areas are impacted by the proposal.

There are two stages to the Community Impact Assessment process:

Stage 1 - Screening is a short exercise to determine if a policy is relevant to equality and whether a full EQIA should be carried out.

Stage 2 – Carrying out a full impact assessment to note sources of evidence, identify and address potential negative impact, promote opportunities for positive impact, note actions and summarise and sign-off the assessment.

Stage 1 - Screening

Title/description of the policy	Short Term Let Licensing Policy Statement	
Name of the person(s) carrying out the assessment?	Claire McArthur, Principal Solicitor	
Service and Department	Corporate Governance – Regulatory Services	
Date of assessment	24 August 2022	
What are the aims and objectives of the policy/function/strategy?		
<p>On 19 January 2022, The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (“the Order”) was approved by the Scottish Parliament. The Order came into force on 1 March 2022 and inserts new legislative provisions into the Civic Government (Scotland) Act 1982.</p> <p>The Order introduces a new mandatory licensing system for short term lets which local authorities are required to establish by 1 October 2022.</p> <p>The licensing scheme was brought in by the Scottish Government with the aim to ensure short term lets are safe, address issues faced by neighbours, to facilitate local authorities in knowing and understanding what is happening in their area and handling complaints effectively. It also enables local authorities to ensure the people providing short term lets are suitable. The legislation aims to make sure that the economic and tourism benefits from short term lets are balanced with the needs and concerns of local communities.</p>		
Who may be affected by the policy	Predominantly any persons or organisations that operate a short term let property. It will also have an impact on short term let users or neighbours.	
How have stakeholders been involved in the development of the policy?	A six week public consultation was undertaken from 21 June 2022 to 5 August 2022. The consultation focused on the draft policy statement and proposed additional conditions to the licence. 476 responses were received from mainly short term let hosts/operators but also short term let users, neighbours and persons impacted by short term let properties.	
<i>Which parts of the Public Sector Equality Duty is the policy relevant to?</i>		
1. Eliminate unlawful discrimination		
2. Advance equality		
3. Promote good relations	X	

Screening: Which of the protected characteristics is the policy relevant to?

Is it relevant to the Fairer Scotland (socio-economic) duty?

Are there specific rural and/or Island impacts?

Tick and briefly describe any likely equality/socio-economic impact (positive/negative/neutral).

Characteristic	Positive	Negative	Neutral	comments
Age			X	
Disability			X	
Gender reassignment			X	
Marriage and Civil Partnership*			X	
Pregnancy/maternity			X	
Race			X	
Religion or Belief			X	
Sex/Gender			X	
Sexual Orientation			X	
Socio-economic / poverty impacts (<u>Fairer Scotland Duty</u>)			X	
Rural, including any specific Island impacts			X	

*applies only to Employment and the duty to give regard to the elimination of discrimination

Full Community Impact Assessment required?

Options – please tick which of the 2 options below relates to this policy/proposal

1	<p>No significant impact – Provide a brief statement why no further action required and retain copy of screening.</p> <p>This is a mandatory licensing scheme being introduced by the Scottish Government. Local Authorities are required to implement this scheme on their behalf.</p> <p>The Scottish Government EQIA demonstrates that there are no potentially negative impacts to equality groups as a result of the introduction of a short term let licensing scheme.</p>	X
2	<p>There is potential for negative impact or significant opportunities to advance equality or reduce inequalities. Full impact assessment required. Please continue. Contact Policy team for support if required policy6@highland.gov.uk or 702006</p>	