

Mr Alex Norris MP
Minister for Border Security & Asylum
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London
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Please ask for: Stewart Fraser
Email: stewart.fraser@highland.gov.uk
Our Ref: L/SDF/JG
Your Ref: MIN/1434320/25
Date: 11 March 2026
DX No: DX IN 5
**Please reply to Legal Services, The Highland Council
Glenurquhart Road, Inverness IV3 5NX**

Dear Mr Norris

Thank you for your letter of 3 March 2026 in response to my letter of 4 December 2025. I note your comments.

The Council has set out its position to the Home Office previously. The Council's position has not changed. It is noted that, at the time of writing, there has been no attempt by the Home Office to re-engage with Council officers following the Home Office's cancellation of a joint site inspection.

The Highland Council reconfirms its position that Cameron Barracks (if not being occupied by Members of the Armed Forces of the Crown) requires to be licensed as a House in Multiple Occupation ("HMO").

The reasons for this are set out below:

- Cameron Barracks would likely meet the definition of an HMO for the purposes of section 125(1) of the Housing (Scotland) Act 2006 ("the 2006 Act"). This is on the basis that the living accommodation will be occupied by three or more persons from three or more families, occupied by them as their only or main residence.
- Cameron Barracks would likely meet the test set out in section 125(2) of the 2006 Act for defining living accommodation.

This states that living accommodation falls within this subsection if it is:

- a house, or
- it is, or forms part of, any premises or group of premises owned by the same person and its occupants share **one** or more of the basic amenities with each other.

The basic amenities are:

- a toilet,
 - personal washing facilities, and
 - facilities for the preparation or provision of cooked food.
- Section 126 of the 2006 Act provides a list of exemptions where an HMO licence is not required. Our understanding is that none of these exemptions would apply to the use of Cameron Barracks for housing persons seeking asylum. The legislation states that the Scottish Ministers may amend this list of exemptions by way of an Order by adding or removing the description of any type of HMO to or from those descriptions for the time being listed in that subsection or varying any such description which is for the time being so listed. We are not aware of any such Order being made.

This is compared with the (now withdrawn) Houses in Multiple Occupation (Asylum-Seeker Accommodation) (England) Regulations 2023 which sought to temporarily exempt asylum seeker accommodation in England and Wales from the HMO licensing requirements for a two year period.

Please confirm if the Home Office have taken this into account and whether they intend to seek a similar type of exemption from the Scottish Ministers?

You make reference to Cameron Barracks having been used previously as temporary accommodation for Afghan nationals. It is the Council's understanding that this was for families relocating to the United Kingdom under the Afghan Resettlement Programme.

Whilst The Highland Council, as Licensing Authority, did not receive any notification of the use of Cameron Barracks during this period nor receive any engagement in relation to HMO licensing requirements from the owner; if family units were housed together sharing facilities, they may not have met the criteria for HMO set out in section 125(1) of the 2006 Act above.

In any event, the onus is on the owner of the provider of the living accommodation to ensure that they meet the licensing requirements. Each application is determined on its own merits, and no precedent is set by previous circumstances.

I note that you state that 'the intended use of Cameron Barracks for accommodating supported asylum seekers is the same, with the only difference being the nationality of the intended cohort to be accommodated.'

The previous information provided to The Highland Council was that the intention was that the site will exclusively accommodate single adult male asylum seekers. The likelihood was that these would not be related family members. Please can you confirm whether the intention is to provide living accommodation with shared facilities for three or more unrelated persons or to accommodate family units together?

In summary, and subject to your clarification of the points above, unless the position has been changed as previously reported, it is the Council's view that HMO licensing is required for the use of Cameron Barracks for asylum accommodation and as previously set out, the Council would encourage your early engagement with the Licensing team.

Yours sincerely

Stewart Fraser

**CHIEF OFFICER
LEGAL AND CORPORATE GOVERNANCE**