

Regulatory Committee

10.00am, Monday, 1 May 2023

Short Term Let Licensing Policy – Minor Updates

Executive/routine Wards Council Commitments	Executive All N/A
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1. Recommendations

- 1.1 It is recommended that Committee:
 - 1.1.1 Notes the content of this report; and
 - 1.1.2 Agrees the minor amendments to the policy described at 4.1 and 4.3.

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Report

Short Term Let Licensing Policy – Minor Updates

2. Executive Summary

- 2.1 The purpose of this report is to correct one typographical error in the Short Term Lets Licensing Policy approved by the Regulatory Committee on [29 September 2022](#); and to update references to the deadline by which existing hosts must have applied for a Short Term Lets Licence from 1 April 2023 to 1 October 2023, due to the relevant date being changed by amending the applicable legislation.

3. Background

- 3.1 The Council has previously called for additional regulation of the short term letting sector through changes to planning classifications and the introduction of a licensing system.
- 3.2 Following the commencement of the [Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets Order 2022](#), ('the 2022 Order'), which brings short term lets ('STL') within the scope of licensable activities covered by the statutory provisions of the 1982 Act, new powers were given to local authorities to regulate STL by means of a licensing scheme.
- 3.3 On [29 September 2022](#), Committee agreed a policy and conditions with respect to STL in the City of Edinburgh.

4. Main report

- 4.1 In the course of preparing for a forthcoming hearing with respect to the policy, a minor typographical error has been identified. This error arose at a late stage of preparing the policy for the Committee meeting on [29 September 2022](#), when the draft policy was edited to change the running order. Legal advice on this error is as follows:
- 4.1.1 "The adopted STL Policy ...contains a typographical error at paragraph 4.20 in the section (paragraphs 4.17 - 4.23) dealing with temporary licences. The last line of that paragraph uses the term "exemptions" instead of "licences", which is an obvious error and one that the Council is in the course of correcting".

- 4.2 This error will be amended to avoid confusion.
- 4.3 In addition, the [Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets Order 2022](#) (Amendment) Order 2023 extended the date for existing operators to apply for a licence by six months from 1 April 2023 to 1 October 2023. The opportunity is therefore being taken to update the policy to reflect this change.
- 4.4 There are no further changes to the policy proposed.

5. Next Steps

- 5.1 If Committee approves the recommendations in this report officers will arrange to publish the updated policy.

6. Financial impact

- 6.1 There is no direct financial impact to the Council as a result of these changes.

7. Stakeholder/Community Impact

- 7.1 If adopted, the recommended changes will ensure accuracy and transparency with respect to the policy.

8. Background reading/external references

- 8.1 Report to Regulatory Committee – [Short Term Lets Policy – Update After Consultation](#)

9. Appendices

- 9.1 None