

Addendum by the Administration

Planning Committee

31 January 2024

Item 8.1 - Short Term Lets

Recommendations:

It is recommended that Planning Committee:

- 1.1.1 Notes the information provided in this report;
- 1.1.2 Notes that officers inform Councillors of appeal outcomes and asks that links to the cases are added to the regular reporting in the business bulletin;
- 1.1.3 Asks for an update on how Planning and Licensing officers are working together on STLs in the next business bulletin, recognising that this is an operational matter but considers that Committee needs to understand the process in order to exercise appropriate scrutiny;
- 1.1.4 Notes that a letter was received from ASSC which was circulated to members and asks that officers provide a briefing on the matters raised and a report detailing this to the next Planning Committee;
- 1.1.5 Requests that matters arising out of the Short Term Lets working group are detailed in the Business Bulletin and notes that any matters requiring Committee decisions will be brought to the relevant Committee;
- ~~1.1.2~~ - 1.1.6 Approves the amended Guidance for Business (January 2024) which takes account of the Court decision;
- ~~1.1.3~~ - 1.1.7 Refers this report to the Regulatory Committee for consideration; and
- ~~1.1.4~~ - 1.1.8 Agrees that training should be provided for Committee members on Short Term Lets (STLs) and training on appeal outcomes referenced in 1.1.2.

Moved by: Cllr James Dalgleish

Seconded by: Cllr Lezley Marion Cameron

Amendment by the Green Group

Planning Committee

31 January 2024

Item 8.1 - Short-term Lets

Delete recommendations and insert:

“Committee:

- 1) Notes the report and thanks officers for their work in responding to the judicial review judgement of December 2023;

Guidance for Business

- 2) Approves the amended Guidance for Business (January 2024) (appendix 1) which takes account of the court decision;

Communication with licensing colleagues

- 3) Agrees that good communication between planning and licensing colleagues is essential for effective regulation of STLs, and therefore asks planning officers to ensure that licensing colleagues are notified:
 - a) on the submission of an application for planning consent (both full planning consent and certificate of lawful use applications) for an STL;
 - b) when an application for planning consent for an STL has been determined, and
 - c) what the outcome of that determination is;

Referral to Regulatory Committee

- 4) Refers this report to Regulatory Committee for consideration, and recommends that the Executive Director of Place provide a covering report for Regulatory Committee addressing the interplay between planning and licensing of STLs insofar as it falls within the remit of Regulatory Committee, and that this covering report may include, but not be limited to, the following issues:

- a) good communications between planning and licensing colleagues in respect of STL applications and decisions;
- b) ensuring that licensing colleagues are notified on the submission and determination of STL planning consent applications (both full planning and certificate of lawful use applications);
- c) whether the council would consider using discretionary powers of preliminary refusal for a breach of planning control under paragraph 2a of schedule 1 of the Civic Government (Scotland) Act 1982 as amended by the Civic Government (Scotland) Act 1982(Licensing of Short-term Lets) Order 2022 and, if so, what the implications of using those powers would be; and a suggested timetable for the use of those powers.”

Training for committee members

- 5) Agrees that training should be provided for committee members on short-term lets (STLs).”

Moved by: Cllr Chas Booth

Seconded by: Cllr Alex Staniforth

Amendment by the Green Group

Planning Committee

31 January 2024

Item 8.2 - Edinburgh Local Heat and Energy Efficiency Strategy and Delivery Plan

Committee:

- 1) Notes the report referred from Policy and Sustainability Committee, and the terms of referral;
- 2) Notes the importance of planning and building standards to delivery of the LHEES, with five of the key actions identified in appendix 2 being the responsibility of planning, further notes point G in the high-level principles that 'Additional levers will be required to catalyse change';
- 3) Asks officers to consider whether a planning colleague could be temporarily seconded to the LHEES office, either on a part-time or full-time basis, in order to increase the capacity of the office as it becomes established, and to report back to committee via the business bulletin on whether this has been achieved;
- 4) Notes the existing work being undertaken following the motion of Cllr Osler on 'Conservation and Adaptation' in November 2022, notes the decision of this committee of November 2023 asking for a further report to return to committee within three cycles with a roadmap for action, and agrees that this work should align closely with, and if possible be incorporated into, the work of the LHEES;
- 5) Notes that of the 5 actions in the current LHEES assigned to planning, only one (action 40, update the Edinburgh Design Guidance) has an agreed timetable;
- 6) Requests a report within three cycles setting out:
 - a) the expected timetable for the remaining four actions assigned to planning which do not currently have a timetable: actions 60, 61, 69 and 70;

- b) whether the heat opportunities mapping guidance, last published in December 2018, is considered to be superseded by the LHEES, or whether it needs to be updated in light of the LHEES;
- c) whether planning might have a role in contributing to the delivery of action 41 on co-ordinating excavation works for heat networks with other infrastructure works, for example through informatives attached to planning consent, and that information in response to this request should also be reported back to Policy and Sustainability through their business bulletin, as per paragraph 12 of the agreed motion;
- d) whether the LHEES office could be included on the list of internal council consultees for larger developments, especially those in the identified 'heat network zones';
- e) whether, on adoption of City Plan 2030, further amendment or creation of supplementary guidance is required to more closely align policy Inf 16 'sustainable energy and heat networks' with LHEES, especially in respect of 'heat network zones'.

Moved by: Cllr Chas Booth

Seconded by: Cllr Alex Staniforth