

Local Government, Housing and Planning Committee

4th Meeting, 2023 (Session 6)

Tuesday 7 February 2023

Evidence session on the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) (Amendment) Order 2023

Introduction

1. The purpose of this paper is to provide information for the Committee's evidence session with stakeholders on the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) (Amendment) Order 2023.
2. The Committee will take evidence from—
 - Professor Cliff Hague, Chartered Town Planner and Chair, Cockburn Association;
 - Rob Dickson, Director of Industry and Destination Development, VisitScotland;
 - Gillian McNaught, Legal Manager, Licensing and Democratic Services, Glasgow City Council;
 - Ailsa Raeburn, Chair, Community Land Scotland; Gary Somers, Solicitor, Licensing, Highland Council

and then from—

- Julia Amour, Director, Festivals Edinburgh;
 - Fiona Campbell, Chief Executive, Association of Scotland's Self-Caterers
3. A copy of the Order can be accessed via the following link—

[Civic Government \(Scotland\) Act 1982 \(Licensing of Short-term Lets\) \(Amendment\) Order 2023](#)

Background

4. On 22 November 2021, the Scottish Government laid the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 ("the Licensing Order") in the Scottish Parliament.

5. The instrument was concerned with giving effect to the Scottish Government's proposals for the licensing of short-term lets.

6. The policy note to the Licensing Order explained that the Order establishes a licensing scheme to "ensure short-term lets are safe and address issues faced by neighbours; and to facilitate local authorities in knowing and understanding what is happening in their area as well as to assist with handling complaints effectively."

7. A majority of members of the Committee agreed to support the Order and it was subsequently approved by the Parliament.

8. On 7 December 2022 the Scottish Government wrote to the Committee advising it that it planned to delay the requirement for existing short-term let hosts to obtain a license from 31 March 2023 to 30 September 2023. It indicated that an affirmative instrument would be laid in January to give effect to this delay. The letter further noted that new hosts will still have to obtain a licence before they can start taking bookings or receive guests. The letter explained the justification for the delay:

"This is a one-off 6 month extension recognising the wider economic circumstances of the cost of living crisis that is placing pressure on existing short-term let hosts and businesses at a time when they are organising and budgeting for work to comply with the new licensing requirements."

9. The letter also notes that the proposed review of the licensing scheme, scheduled for next summer, may need to be re-scheduled in light of this delay

10. A copy of the letter can be accessed via the following link—

[Correspondence from the Cabinet Secretary for Social Justice, Housing and Local Government](#)

11. Subsequent to receipt of this letter the Committee agreed to invite written views on the impact of the delay. Responses from local authorities (including Highland Council and Glasgow City Council) can be accessed via the following link—

- [Responses from Local authorities](#)

12. In addition, the Committee received the following responses—

- [Submission from PLACE Edinburgh](#)
- [Submission for the Association of Scotland's Self-Caterers](#)
- [Submission from Visit Scotland](#)
- [Submission from City of Edinburgh Council](#)
- [Submission from COSLA](#)
- [Submission from Festivals Edinburgh](#)

Next steps

13. Further to this meeting the Committee will take evidence from the Cabinet Secretary for Social Justice, Housing and Local Government at its meeting on 21 February. At that same meeting the Committee will be invited to consider whether it wishes to recommend to Parliament that the Order should be approved.

**Clerks,
Local Government, Housing and Planning Committee**