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James Dornan MSP  
Convener  
Local Government and Communities Committee  
Scottish Parliament  
Edinburgh  
EH99 1SP

18 February 2021

Dear James

## **SHORT-TERM LETS: LICENSING ORDER**

I am writing to advise you that I have decided to withdraw the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2021. This Government's intention, subject to the outcome of the election, is to re-lay the Order in June and keep to the timetable we have set out.

This will allow us to address the concerns raised by Members who are not content to pass this Order presently by ensuring we can also provide the draft guidance on the licensing scheme with the new Order. This will also provide further time to address the points raised by the Delegated Powers and Law Reform Committee and make any other adjustments needed to the Order following further stakeholder engagement.

As you know, we have established a stakeholder working group to develop guidance on the licensing scheme and control areas that is clear, comprehensive and easy to understand. The first meeting of the working group is taking place today. The work of that group will continue as planned and it will actively explore solutions to issues raised by operators, with a view to identifying any changes to the legislation that may be needed.

This revised approach will facilitate Members in understanding how the concerns of operators and hosts have been addressed and in seeing, through the draft guidance, how the licensing scheme will operate in practice.

I remain firmly of the view that legislation is needed and I want to reassure affected residents and communities across Scotland of our commitment to deliver this, subject to the outcome of the election.

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Our proposals to licence short term lets were developed in response to many concerns raised by residents in communities across Scotland and also by Members in all parties. Our proposals provide local authorities with the powers they need to balance community needs and concerns with wider economic and tourism interests that best suit their communities. Safety of those using short term lets is vital and our proposals will ensure that all short-term lets across Scotland adhere to a common set of safety standards as well as allowing local authorities to tackle issues such as antisocial behaviour. I want to emphasise that our proposals and timetable remains the same, giving councils time to tailor their scheme to local needs and we know they want to take action to protect visitors and residents.

Therefore, this government remains committed to the following dates which are set out in the Order:

- 1 April 2022 – for local authorities to open a licensing scheme;
- 1 April 2023 – for all existing hosts to have made an application for a licence; and
- 1 April 2024 – for all hosts providing short-term let accommodation in Scotland to be licensed.

We will also use this additional time to work with hosts and operators and local authorities to make sure the licensing scheme is as efficient and effective as it can be.

We are continuing with the Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021 and I hope that the Scottish Parliament will approve this instrument.

I would also like to place on record my thanks to the Committee for their work in consideration of both the Licensing Order and Control Area Regulations.

I hope the Committee finds this information helpful and I am copying this to Business Managers.

Kind regards



**KEVIN STEWART**

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