

| Local Authority | Planning | licence period/renewal | floor plans | transfer/new holder | temporary licence | temporary exemptions | hearings/objections | additional conditions | |
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| Aberdeen City Council | <p>Applicants must ensure that, where necessary, the relevant planning permission has been obtained prior to submitting an application. As there will be no Control Area designated at this point in Aberdeen, the planning department will consider whether any change of use of a house is material and requires planning permission on a case-by-case basis. Before 1 April 2023, if you are an Existing Host or Operator and you do not have the relevant planning permission, you will be given the chance to submit an application for planning permission. An Existing Host or Operator will have three months to submit an application for planning permission. If the Existing Host or Operator do not do so within three months, the application will be finally determined, and the applicant must cease providing short-term lets.</p> | A short term let licence will be issued for a period of up to 3 years | | | Applications for temporary licences will not be granted by Aberdeen City Council under any circumstance. This will be reviewed on an annual basis in line with the Policy review. | Applications for temporary licences will not be granted by Aberdeen City Council under any circumstance. This will be reviewed on an annual basis in line with the Policy review. | | | |
| Aberdeenshire Council | <p>We are not currently proposing to introduce planning control zones. Planning permission, change of use and certificate of lawful use will not be required for existing short-term lets in Aberdeenshire.</p> <p>Please note this is for guidance only, but generally, you might need planning permission if:</p> <ul style="list-style-type: none"> you want to build something new you want to make a major change to your building – like building an extension you want to change the use of your building your building is in a conservation area (you may need conservation area consent) your building is a listed building (you may need listed building consent) | No policy information published yet >>> | | | | | | | |
| Angus Council | <p>Under the 1982 Act, a preliminary ground for refusing to consider a Short-term Let licence is that the use of the premises as a Short-term Let would constitute a breach of planning control under the Town and Country Planning (Scotland) Act 1997 by virtue of section 123 (1)(a) or (b) of that Act. More information can be found in 2A of Schedule 1 of the 1982 Act. Your licence application will require you to provide evidence that you either:</p> <ul style="list-style-type: none"> have planning permission or have a certificate of lawfulness for existing use confirming you do not need planning permission <p>You may need planning permission to change a residential property's use to short term commercial visitor accommodation.</p> <p>You do not normally need planning permission if you live in a house (this does not apply to a flat) in the following circumstances:</p> <ul style="list-style-type: none"> where you are only letting one bedroom in your own home and it has fewer than four bedrooms, or where you are only letting one or two bedrooms in your own home and it has four or more bedrooms. <p>At present there are no Short-term Let Control Areas in place in the Angus local authority area. Applicants should note, however, that this could change in the future.</p> | <p>3 year New Grant</p> <p>6 year Renewal Grant</p> <p>6 weeks Temporary Exemption (in any period of 12 months)</p> <p>6 weeks Temporary Licence (exception where full application pending)</p> <p>Must apply for a renewal before the licence expires</p> | The Application should include a Layout Plan. It would be helpful for the Layout Plan to describe the Premises, including: (a) the location and width of any escape routes from the Premises; (b) the location of any equipment used for the detection or warning of fire or smoke or for fighting fires; (c) the location of any steps, stairs, elevators or lifts on the Premises; (d) the layout of rooms; (e) the position of any ramps, lifts or other facilities for the benefit of disabled people. | | A variation application cannot, however, be used to substitute a new holder of the licence for the existing one i.e. effectively to transfer a licence. | <p>A temporary licence may be granted for a duration of up to six weeks. (Paragraph 7 Schedule 1 to the 1982 Act). A temporary licence will last until the full licence application is finally determined. (This includes an appeal.) There is no restriction on the ability to apply for a temporary licence in Angus.</p> <p>A temporary licence number will be given and all mandatory conditions attached to the licence must be complied with. The application form for a temporary licence is the same as for a full licence application. The Licensing Authority will determine a temporary licence application within 6 months of the date of the application being submitted and complete plus payment of the fee being received.</p> | <p>A temporary exemption to the requirement to have a licence may be granted for a specified property for a specified single continuous period of up to 6 weeks in any period of 12 months.</p> <p>Temporary Exemption applications will be determined within 6 months of the application being submitted and complete plus payment of the fee being received.</p> | <p>Once a complaint is received it is sent to the Civic Licensing Officer for investigation. The complaint will be acknowledged within 5 working days and a response will be issued within 20 working days.</p> | Grounds of refusal are listed in appendix D of the policy |
| Argyll and Bute Council | <p>Whether or not planning permission is required for the use of a dwelling for short-term let purposes will firstly depend on whether it is located within a Short-Term Letting Control Area. Outwith control areas, the requirement for planning permission would be a matter for the planning authority to determine on a case by case basis, depending on the nature and circumstances of the property and the manner in which it is operated. Hosts and operators must comply with both planning and licensing law.</p> <p>Hosts and operators are, therefore, encouraged to engage with the relevant planning authority prior to submitting a licence application</p> <p>There are currently no Control Areas within Argyll and Bute and the Council and Loch Lomond and the Trossachs National Park does not propose to designate any Short-Term Letting Control Areas at this time, but will review this position in the course of 2023/24</p> | The licence should have effect for a period of 3 years from the date when it comes into force; or for such shorter period as the licensing authority may decide at that time when they grant; or if for such longer period as the licensing authority may decide at the time when they renew a short-term let licence | | A variation application cannot, however, be used to substitute a new holder of the licence for the existing one i.e. effectively to transfer a licence. | <p>The Council may consider granting temporary licences in limited circumstances. For example:</p> <ul style="list-style-type: none"> to ensure that short-term lets can continue as going concerns when being sold from one operator to another. <p>Temporary licences may be granted for a duration of up to 6 weeks.</p> <p>A temporary licence cannot be renewed. However, if a host or operator applies for a full licence during the period of a temporary licence, the temporary licence duration will extend until their full licence application has been determined. A temporary licence number will be given, and conditions attached to the licence must be complied with.</p> | <p>The Council may, on application made to it, grant temporary exemptions from the requirement to hold a short-term let licence in relation to a specified property or properties and during a specified period, which must not exceed 6 weeks in any 12 month period.</p> <p>The Council will aim to determine temporary exemption applications from the requirement to hold a short-term let licence within a two month period or less. Will only be considered in special circumstances, e.g. to accommodate a large influx of visitors over a short period to support sports championship competitions and arts festivals, for example, the Mull Rally or Trossachs Music Festival.</p> <p>A temporary exemption from the requirement to hold a short-term let licence does not affect the way planning rules apply.</p> <p>The Council will also attach conditions to a temporary exemption from the requirement to hold a short-term let licence. Conditions attached to a temporary exemption will include all Mandatory Conditions and if deemed high risk or deemed necessary, further additional conditions may be added.</p> | <p>The 1982 Act permits any member of the public to submit an objection or representation in relation to an application for a short-term let licence. The objection should be relevant to the statutory grounds that can be taken into consideration when refusing an application. These are set out in the 1982 Act-</p> <ul style="list-style-type: none"> (a) the applicant or anyone else detailed in the application form is not a fit and proper person to be the holder of a licence, (b) the activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused, (c) the premises is not suitable for the conduct of the activity, having regard to- (i) the location, character or condition of the premises, (ii) the nature and extent of the proposed activity, (iii) the kind of persons likely to be in the premises, (iv) the possibility of undue public nuisance, public order, or public safety, (v) where there is other good reason | | |
| City of Edinburgh Council* | <p>Scottish Ministers approved plans to designate the City of Edinburgh Council area as a STL control area. It requires residential accommodation owners wholly letting accommodation, which is not their principal home, as a STL in the Council area, to apply for planning permission for a 'change of use' to a STL. The designation came into effect on 5 September 2022.</p> <p>It is a mandatory condition of licence that a host or operator has planning permission or has made an application for planning permission where all of the following conditions apply</p> <ul style="list-style-type: none"> a. The accommodation is in a STL control area; b. The accommodation is being used for secondary letting; and c. It is a dwelling house. <p>In these circumstances, the host or operator must have made an application for planning permission or already have planning permission or have proof that planning permission is not required before they apply for a licence.</p> | Where appropriate, the Council will grant a STL licence for the following time periods: a. Secondary Letting – 1 year b. Home Letting – 3 years c. Home Sharing – 3 Years d. Home Letting and Home Sharing – 3 Years | An application, whether for a new licence or the renewal of an existing licence, will only be considered as complete if it comprises of a completed application form accompanied by all copies of required certificates and layout plan. | A variation application cannot, however, be used to substitute a new holder of the licence for the existing one i.e. effectively to transfer a licence. | <p>The Council can issue temporary licences for STL, which may be granted for a duration of up to 6 weeks.</p> <p>The Council consider that the grant of temporary licences for STL may be appropriate in the circumstances as set out below:</p> <ul style="list-style-type: none"> For home sharing or home letting or home sharing and home letting to give first time hosts the opportunity to try out STL, prior to making a full application. <p>Temporary licences would normally be suitable for the following types of let:</p> <ul style="list-style-type: none"> a. Home letting; b. Home sharing; or c. Home letting & Home sharing <p>It is considered unsuitable for temporary licences to be issued to accommodation used for secondary letting. There will be a rebuttable presumption, as defined in paragraph 2.9 of this policy, against the grant of temporary exemptions in such circumstances.</p> | <p>The Council may grant temporary exemptions to the requirement to obtain a STL licence in certain circumstances as set out below: a. During Edinburgh Festival Fringe and Edinburgh International Festival b. During Edinburgh's Christmas & Hogmanay Festival Period c. For Major Sporting Events d. For Major International Events</p> <p>Temporary exemptions will be issued for all types of let.</p> <p>The licensing service will aim to process and determine a temporary exemption application within 3 months of the application being received.</p> | <p>It is possible for any person to submit an objection or representation in respect of the grant of an application for a full STL licence. Objections must be made in writing (emails are accepted) and sent to the Licensing Service (licensing@edinburgh.gov.uk) within 28 days of the application being advertised. If an objection is lodged out with this period, it must explain why it has been lodged late. It would then be a matter for the Council to consider the explanation and if it is satisfied that there is sufficient reason why the objection was not made in the time required.</p> | <p>For the purposes of this policy, secondary letting in tenement or shared main door accommodation is considered as unsuitable and there will be a rebuttable presumption against the grant of a licence in such circumstances.</p> <p>The Council may take certain factors into account when determining whether an application for secondary letting in tenement or shared main door accommodation be granted as an exception to its policy Factors which may be considered include, but are not limited to the evidence of the following:</p> <ul style="list-style-type: none"> - Neighbours consent/support - Length of time previously operated - Frequency of bookings or intensity of use of accommodation - System to prevent neighbour concerns - Low level of complaints | |
| Clackmannanshire Council | <p>For secondary letting only, Planning Permission under the Town and Country Planning (Scotland) Act 1997 (the 1997 Act) for the use of the premises as a short term let; or proof that an application for planning permission has been made under the 1997 Act, which has not yet been determined; or proof that planning permission is not required (for example, a certificate of lawfulness).</p> | <p>Secondary Letting – 1 year</p> <p>Home Sharing – 3 years</p> <p>Home Letting – 3 Years</p> <p>Home Letting and Home Sharing – 3 Years</p> | | A variation application cannot, however, be used to substitute a new holder of the licence for the existing one i.e. effectively to transfer a licence. | <p>The Council consider that the grant of temporary licences for short term lets may be appropriate in the circumstances as set out below: For home sharing or home letting or home sharing and home letting to give first time hosts the opportunity to try out STL, prior to making a full application.</p> <p>Any temporary licence which is issued will be subject to the mandatory conditions of licence, as set out in the 1982 Act.</p> <p>Temporary licences will also be subject to the additional conditions set out in the Council's STL Conditions Framework.</p> | <p>The Council may grant temporary exemptions to the requirement to obtain a STL licence, for home letting or home sharing only, in certain circumstances.</p> <p>Temporary Exemptions will be issued for the following types of let:</p> <ul style="list-style-type: none"> Home Sharing; and Home Letting and Home Sharing <p>The licensing service will aim to process and determine a temporary exemption application within 3 months of the application being received.</p> <p>Any temporary exemption which is issued will be subject to the mandatory conditions of licence, as set out in the 1982 Act.</p> <p>Temporary exemptions will be subject to the additional licence conditions set out in the Council's STL Conditions Framework at appendix two.</p> | <p>It is possible to lodge an objection against the grant of an application for a full STL licence. Objections must be made in writing (emails are accepted) and sent to the Licensing Service (licensing@clacks.gov.uk) within 28 days of the application being advertised. If an objection is lodged out with this period, it must explain why it has been lodged late. It would then be a matter for the Council to consider if it is satisfied that there is sufficient reason why the objection was not made in the time required.</p> <p>Under the terms of the 1982 Act there is no objections process for temporary licence applications or for temporary exemption applications.</p> | <p>regulation of the STL sector through the introduction of a licensing scheme, as noted here. The Council believes that tenement accommodation, or those with a shared main door, are unsuitable for secondary STL due to its character, location and risk of creating undue nuisance. The Council also has concerns in relation to the risk that anti-social behaviour may be exacerbated within tenement or shared main door accommodation given the close proximity of other residential accommodation and communal areas.</p> <p>30.1 Option A) - Secondary letting in tenement or shared main door accommodation is considered as unsuitable and there will be a rebuttable presumption against the grant of a licence in such circumstances.</p> <p>OR</p> <p>30.2 Option B) - There will be a rebuttable presumption against the grant of a licence for secondary letting in tenement or shared main door accommodation, unless the applicant can demonstrate they have consent from the owners of all accommodation within the</p> | |
| Comhairle nan Eilean Siar | <p>There is a separate legislative process from licensing which allows the Comhairle, as planning authority, to establish short-term let control areas, where it may be deemed necessary to control secondary letting. The purpose of control areas is to help planning authorities manage high concentrations of secondary letting (and to restrict or prevent short-term lets in places or types of buildings where it is not appropriate).</p> <p>There is currently no short-term let control areas in the Outer Hebrides; if Comhairle nan Eilean Siar were to create a short-term let control areas in the future, then the information in this section will be updated.</p> <p>It is possible that some home sharing premises (B&Bs and guest houses) letting more than 2 rooms may not have the appropriate planning permission; however, outside of a control area, it is for the planning service to consider whether short-term lets have the appropriate permission, therefore it will not normally affect the issuing of a licence.</p> | <p>Licences will be granted initially and be renewed for three years; however, there may be exceptional circumstances where shorter periods will be considered. Reasons for considering a shorter duration licence would include: a) Previously upheld complaints about a let; b) New "non-traditional" lets which require specific additional conditions (i.e. tree houses); c) Concerns that the host will comply with the conditions for three years (i.e. poor history of compliance of providing evidence that conditions are being met); or d) feedback from Police Scotland and the Scottish Fire and Rescue Service</p> | <p>Drawings/plans should at least have details of:</p> <ul style="list-style-type: none"> room sizes; any beds, including type (i.e. bunk beds); Where rollaway/folding/sofa beds are used their location and footprint should be clearly detailed in the floor plan; any steps, stairs, elevators or lifts; location of any heat/smoke/CO detectors or other fire systems; and any fires/wood burners | A licensing authority may, at any time, whether or not upon an application made to them by the holder of the licence, vary the terms on any grounds they think fit. | A variation application cannot, however, be used to substitute a new holder of the licence for the existing one i.e. effectively to transfer a licence. | <p>Due to the 21 day display notice requirements and the 28 day period for objections and representations for standard licence applications, the minimum time period the Comhairle determine a licence is 28 days from the date of submission of a competent application, and while every effort is made to determine applications as soon as possible applicants should expect up to 6 weeks for determination.</p> <p>The Comhairle will only grant temporary licences as part of initial licence application. The criteria and conditions for temporary licences are the same as a normal licence (as are the Comhairle processing and administrative costs). The reason this process is being adopted is to allow the option of competent applications being determined within 28 days, subject to getting satisfactory responses from statutory consultees. By applying for an initial and temporary licence, there is no guarantee that an application for initial and temporary licence will be determined with 28 days. Due to the added administrative cost of processing a temporary and initial licence there will be an added variation licence fee added to the licence application cost.</p> | <p>The Comhairle will not be granting any temporary exemptions from 1 October 2022; however, this will be reviewed in November/December 2022.</p> | <p>The Comhairle has added three additional conditions which will apply to all short-term let properties. These are detailed below: Condition Detail Solid or liquid fuel fires or boilers Where premises have any solid or liquid fuel fires or boilers the holder of the licence must a) ensure that they are in - i) a reasonable state of repair, and ii) proper and safe working order, b) arrange for a competent person to - i) carry out an annual inspection (and service if necessary) ii) clean any chimney/flue used for solid fuel appliances annually Prevention of Nuisance and Disturbance The holder of the licence shall be responsible for the day-to-day running of the premises and shall ensure as far as reasonably practicable that no disturbance or nuisance arise within or from the premises. Equipment provided for guests The holder of the licence must take all reasonable steps to ensure that any equipment (including any personal protective equipment) provided as part of the let whether for on or off premises use is: a) fit for purpose; b) in a reasonable state of repair; c) in proper and safe working order; and d) provided with appropriate instructions to allow the equipment's safe use.</p> | |

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| Dumfries and Galloway Council | <p>In most instances, a grant of planning permission will not be required for an existing house to be used as a short term let. Planning permission is required within designated short-term let control areas but there are currently none of these within Dumfries & Galloway.</p> <p>If you received a grant of planning permission for the property to be specifically used as holiday accommodation, please provide the reference number. Similarly, if you have ever received a Certificate of Lawfulness for either an existing or proposed use from the Council, please provide this reference number.</p> <p>There is a separate legislative process from licensing which allows the Council, as planning authority, to establish short-term let control areas.</p> <ul style="list-style-type: none"> The purpose of control areas is to help planning authorities manage high concentrations of secondary letting (where it affects the availability of residential housing or the character of a neighbourhood) and to restrict or prevent short-term lets in places or types of buildings where it is not appropriate. It is for the Council as planning authority to evidence concentrations of Short-term Let properties and assess the impact they have on local communities. If a short-term let premises is in a control area it is a mandatory condition of their licence that planning permission is secured. The Council can use refuse an application for a short-term licence if planning permission is outstanding. Hosts and operators must comply with both planning and licensing law. | A licence shall have effect for a period of 3 years from the date when it comes into force; or for a period as the licensing authority may decide at that time when they grant it is not anticipated that licences will be renewed for a period of longer than 3 years. | | | <p>A licensing authority may, at any time, whether or not upon an application made to them by the holder of the licence, vary the terms on any grounds they think fit.</p> <p>A variation application cannot, however, be used to substitute a new holder of the licence for the existing one i.e. effectively to transfer a licence.</p> | <p>The Council will not be granting temporary licences under any circumstances. This position will be kept under review.</p> <p>Where an existing licensed Short-term Let is purchased, the new host or operator must apply for a Temporary Licence within 1 calendar month of the change in ownership, in which case a temporary licence for up to 6 weeks will be granted. Where the host or operator applies for a full licence within that 6-week period, the Temporary licence will be extended until their licence application is finally determined.</p> <p>No fee is payable for a Temporary Licence.</p> <p>Where a Host or Operator fails to submit an application for a Temporary Licence or a full licence within 6 weeks of a Temporary Licence being granted, the property cannot continue to be used as a Short-term Let until a full Licence is granted.</p> | <p>The Council will not be granting temporary exemptions under any circumstances. This position will be kept under review.</p> | | |
| Dundee City Council | <p>Applicants must ensure that, where necessary, the relevant planning permission has been obtained prior to submitting an application or evidence that a current planning application has been submitted. Outside a control area, planning will consider whether any change of use of a house is material and requires planning permission on a case-by-case basis. Where the necessary planning permission has not been obtained and is required, any application for a licence will be the subject of a Preliminary Refusal pending verification that the necessary permission has been obtained (see note 9). For further information on Planning Consent, email: planning@dundeecc.gov.uk</p> <p>At present there are no short-term let control areas in East Ayrshire nor is there any proposal to advance such an area. This position was reached on the basis that there does not appear to be a need for such control in Planning terms.</p> <p>Even although there is currently no designated control area in East Ayrshire, hosts and operators are encouraged to engage with the Council's planning department prior to submitting a licence application to confirm whether they require planning permission or a certificate of lawfulness of use or development.</p> <p>Should a short-term let control area be introduced in the future, there would be a requirement at that point for any existing hosts where planning permission was not previously required, to take steps to ensure continued compliance.</p> <p>This would mean that if a control area were to come into force during the lifespan of an existing Licence, the host would be required to apply to the local planning authority for consent. It would become a mandatory condition of the licence to do so, and should a host not take those steps, they would be in breach of the regulations and enforcement action would be taken.</p> | <p>A Short-term Let licence is issued for a period of up to 3 years. All licences expire on 01 February of the appropriate year except where a short licence has been granted. Where a licence has been previously awarded and is due for renewal, the relevant application form can be obtained from the Council's website. You will be contacted and reminded in advance of the 31 January (or renewal date) that your licence is due for renewal. Renewal applications will be accepted from 1 November onwards (or up to 3 months in advance of expiry).</p> | <p>A plan of the premises to a suitable metric scale (preferably 1:50) indicating the following: I. Floor plans of each level including the layout, purpose and occupancy of all rooms together with the location of sanitary ware, cooking facilities and the fire detection and alarm system. II. Maximum guest occupancy of the property.</p> | | | <p>Where an existing licensed Short-term Let is purchased, the new host or operator must apply for a Temporary Licence within 1 calendar month of the change in ownership, in which case a temporary licence for up to 6 weeks will be granted. Where the host or operator applies for a full licence within that 6-week period, the Temporary licence will be extended until their licence application is finally determined.</p> <p>No fee is payable for a Temporary Licence.</p> <p>Where a Host or Operator fails to submit an application for a Temporary Licence or a full licence within 6 weeks of a Temporary Licence being granted, the property cannot continue to be used as a Short-term Let until a full Licence is granted.</p> | <p>Dundee City Council will consider Temporary Exemptions to accommodate large scale and National events placing demands on City accommodation. Where Temporary Exemptions are granted, the fee will be £155.</p> | <p>Full list - see page 13 of the policy statement</p> | |
| East Ayrshire Council | <p>It is a mandatory condition that a host or operator has planning permission, or, has made an application for planning permission, where all of the following conditions apply: II their premises is in a control area; III they are using it for secondary letting; and III it is a dwelling house. In these circumstances, the host or operator must have made an application for planning permission or already have planning permission before they apply for a licence. In most cases, planning applications are determined within two months.</p> <p>Before 1 April 2023, the Council cannot determine a licence application on the basis it breaches planning control unless existing hosts have been given a chance to submit an Name of Committee/Date of approval</p> <p>Due for review on application for planning permission or, for a Certificate of Lawful Use or Development (CLUD). The Council may determine a licensing application before this date where planning permission or, a CLUD has already been refused.</p> <p>The applicant has three months from the date their application for a short-term let was submitted to lodge an application for planning permission or for a CLUD.</p> <p>Where the Council has not received an application for planning permission during this time, the ap</p> | <p>A licence shall have effect- <ul style="list-style-type: none"> for a period of 3 years from the date when it comes into force; or for such shorter period as the licensing authority may decide at that time when they grant it or for such longer period as the licensing authority may decide at the time when they renew a short-term let licence </p> <p>The Scottish Government's guidance for licensing authorities on short term lets has made it clear that licensing authorities are encouraged to renew licences for a period of 3 years, unless they have good reasons to do otherwise.</p> <p>Whilst, each application will be decided on its own merits, it is not anticipated that licences will be renewed for a period of longer than 3 years.</p> | <p>Floor/Layout Plan All applicants for the grant of a STL Licence will be required to submit a floor plan of the premises, scale 1:100, showing the following: II Rooms – living area/bedrooms/bedrooms available for guests III Room sizes, including bedrooms III Fire escapes III Location of heat/smoke alarms III Location of fire doors III Location of stairs/elevators/lifts For renewal applications, where there has been no change to the layout of the premises, a floor plan would not be required with the application. For variation applications, where the variation relates to change to the layout of the premises, a floor plan would be required with the application.</p> | | <p>A variation application cannot, however, be used to substitute a new holder of the licence for the existing one i.e. effectively to transfer a licence.</p> | <p>It is not the Council's intention to consider any application for a temporary licence. This will be reviewed after a period of 3 years.</p> | <p>The Council does not intend to have a policy on temporary exemptions and would not be supportive of such applications. This will be reviewed after a period of 3 years.</p> | <p>It is open to any member of the public to submit an objection or representation in relation to a short term let licence application. 6.2 For an objection or representation to be considered by the Licensing Committee, it must be: • in writing (email is sufficient) • specify the grounds of the objection or the nature of the representation • specify the name and address of the person making it • be signed off by them or on their behalf • be received by the Council within 28 days from when the notice of application is displayed</p> | <p>There is an extensive list of additional conditions please see Appendix 2</p> |
| East Dunbartonshire Council | <p>It is a mandatory condition that a host or operator has planning permission, or, has made an application for planning permission, where all of the following conditions apply: II their premises is in a control area; III they are using it for secondary letting; and III it is a dwelling house. In these circumstances, the host or operator must have made an application for planning permission or already have planning permission before they apply for a licence. In most cases, planning applications are determined within two months.</p> <p>Before 1 April 2023, the Council cannot determine a licence application on the basis it breaches planning control unless existing hosts have been given a chance to submit an Name of Committee/Date of approval</p> <p>Due for review on application for planning permission or, for a Certificate of Lawful Use or Development (CLUD). The Council may determine a licensing application before this date where planning permission or, a CLUD has already been refused.</p> <p>The applicant has three months from the date their application for a short-term let was submitted to lodge an application for planning permission or for a CLUD.</p> <p>Where the Council has not received an application for planning permission during this time, the ap</p> | <p>The Council may grant a licence for a period of up to three years, after which it requires to be renewed. Each licence will have a reference number and will confirm the expiry date. The duration applies from the date on which the licence comes into force.</p> <p>Where an application is made to renew a licence, the licence will continue to have effect until such a time as a decision is made on the renewal. The Council intend to grant a renewal of a licence for a period of up to three years unless there are circumstances which justify a different time period.</p> | <p>The Council may ask applicants to submit a floor plan for their premises as part of their application. This should indicate room sizes, fire escape routes and accommodation intended for guests with mobility impairment. The Council may also wish to ask for plans to show the location of any steps, stairs, elevators or lifts in the premises, as well as the extent and boundary of the building where deemed relevant.</p> <p>The Council may also ask for plans to show the location of any steps, stairs, or lifts in the Name of Committee/Date of approval Due for review on premises, as well as the extent and boundary of the building where relevant</p> | | <p>It is not the Council's intention to consider any applications for a temporary licence</p> | <p>The Council does not intend to have a policy on temporary exemptions and would not be supportive of such applications.</p> | <p>An objection may be related to, but is not limited to, the following areas: III whether the applicant is a fit and proper person; III the location, character, condition or type of accommodation; III whether the accommodation has relevant planning permission; III the possibility of undue public nuisance, public order or public safety; III whether there is a risk of affecting the privacy and security of neighbours; or III whether there is other good reason for refusing the application. Name of Committee/Date of approval Due for review on The objection or representation cannot be treated confidentially. The Council will acknowledge the objection or representation and a copy will be sent to the applicant or their representative. Once the application has been allocated to a meeting of the Housing Appeals Board, the Council will send the objector a citation letter inviting them to attend the meeting to speak to the objection or representation. At the hearing, the objector will be provided with an opportunity to speak to their objection or representation and the applicant will be provided with an opportunity to respond.</p> | <p>The Council will review its list of additional licence conditions on a regular basis. A list of the proposed additional licence conditions can be found in Appendix 2. This list is not exhaustive.</p> | |
| East Lothian Council | <p>The Council may refuse to consider an application for a short-term let if the host or operator of a dwelling house within a short-term let control area needs planning permission but does not have it.</p> <p>It is a mandatory condition that a host or operator has planning permission, or, has made an application for planning permission, where all of the following conditions apply: III they are using it for secondary letting; and III it is a dwelling house.</p> <p>Where the Council refuse planning permission for short-term lets, the application or licence contingent on the planning permission will be refused, varied or revoked, as appropriate.</p> <p>East Lothian Council currently has no control areas designated and this will regularly reviewed.</p> | <p>The Council may grant a licence for a period of up to three years, after which it requires to be renewed. Each licence will have a reference number and will confirm the expiry date. The duration applies from the date on which the licence comes into force.</p> <p>Where an application is made to renew a licence, the licence will continue to have effect until such a time as a decision is made on the renewal. The Council intend to grant a renewal of a licence for a period of up to three years unless there are circumstances which justify a different time period.</p> | <p>The Council may also ask for plans to show the location of any steps, stairs, or lifts in the premises, as well as the extent and boundary of the building where relevant.</p> | | <p>It is not the Council's intention to consider any applications for a temporary licence</p> | <p>The Council does not intend to have a policy on temporary exemptions and would not be supportive of such applications.</p> | <p>An objection may be related to, but is not limited to, the following areas: III whether the applicant is a fit and proper person; III the location, character, condition or type of accommodation; III whether the accommodation has relevant planning permission; III the possibility of undue public nuisance, public order or public safety; III whether there is a risk of affecting the privacy and security of neighbours; or III whether there is other good reason for refusing the application.</p> <p>The objection or representation cannot be treated confidentially. The Council will acknowledge the objection or representation and a copy will be sent to the applicant or their representative.</p> <p>Once the application has been allocated to a meeting of the Licensing Sub-committee, the Council will send the objector a letter inviting them to attend the meeting to speak to the objection or representation. At the hearing, the objector will be provided with an opportunity to speak to their objection or representation and the applicant will be provided with an opportunity to respond.</p> | <p>In addition to the mandatory licensing conditions, the Council will impose additional licence conditions to a short-term let licence. The Council will review its list of additional licence conditions on a regular basis. A list of the additional licence conditions can be found in Appendix 2.</p> <p>Where the Council opts to impose a supplementary licence condition, it will set out the issue that is being addressed by the supplementary condition, the reasoning for the supplementary condition, the action required of the licence holder and the deadline for this action to be completed by.</p> | |
| East Renfrewshire Council | <p>East Renfrewshire Council does not intend on implementing Control Area Regulations mainly due to the estimated, low prevalence of Short Term Let activity operating in this local authority area.</p> <p>Under provisions within the Licensing Order, a preliminary ground for refusing to consider an application for a Short Term Let is that the use of the proposed premises would constitute a breach of planning controls set out under the Town and Country Planning (Scotland) Act 1997 by virtue of section 123 (1) (a) or (b) of that Act.</p> <p>Hosts and operators are, therefore, encouraged to engage with the Council's planning department prior to submitting a licence application to confirm whether they require planning permission or a certificate of lawful use of development.</p> | <p>The Council may grant a licence for a period of up to three years, after which it requires to be renewed. Each licence will have a reference number and will confirm the expiry date. The duration applies from the date on which the licence comes into force.</p> <p>Where an application is made to renew a licence, the licence will continue to have effect until such a time as a decision is made on the renewal. The Council intend to grant a renewal of a licence for a period of up to three years unless there are circumstances which justify a different time period.</p> | <p>Where an owner sells a licensed STL, the existing licence will transfer to the new owner and last for one month from the date of purchase if the new owner submits a licence application before the end of that month, and the licence will continue in force until that application is determined. If the new owner has not made an application the licence will expire on the date that ownership transfers. Where a sole licence holder dies, the licence will transfer to that person's executor. The licence will expire three months after the date of death, unless, on an application by the executor, the local authority is satisfied that it is reasonable to extend it in order to wind up the licence holders' estate.</p> | | <p>It is not East Renfrewshire Council's intention to consider any applications for a temporary licence.</p> | <p>East Renfrewshire Council does not intend to have a policy on temporary exemptions (subject to Scottish Minister orders), whilst we gain a better understanding of the prevalence of business activity and any associated issues, with this new licensing scheme. This would mean that where a person is using their premises as a STL, at any time throughout the year, a STL licence would be required.</p> | <p>The objection should be relevant to the statutory grounds that can be taken into consideration when refusing an application. These are set out in the ACT: i. The applicant or anyone else detailed in the application form is not a fit and proper person to be the holder of a licence; ii. The activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused; iii. The premises is not suitable for the conduct of the activity, having regard to: a. The location, character or condition of the premises b. The nature and extent of the proposed activity; c. The kind of persons likely to be in the premises; d. Possibility of undue public nuisance, public order; or public safety iv. Where there is other good reason</p> | <p>There are a number of additional conditions which will apply to all Short Term Let properties in East Renfrewshire and are contained within Appendix 4 The Council cannot set conditions which limit the number of rights a premises may be used for secondary letting. The Council has no plans to set limits on home letting or home sharing premises.</p> | |
| Falkirk Council | <p>Where no control area is designated, it is for the planning authority to decide whether any change of use of a property requires planning permission. Under the Licensing Order, a preliminary ground for refusal to consider an application for a STL is that that the use of the property would result in a breach of planning control.</p> <p>Falkirk Council does not intend on implementing Control Area Regulations mainly due to the estimated, low prevalence of Short Term Let activity operating in this local authority area. Under provisions within the Licensing Order, a preliminary ground for refusing to consider an application for a Short Term Let is that the use of the proposed premises would constitute a breach of planning controls set out under the Town and Country Planning (Scotland) Act 1997 by virtue of section 123 (1) (a) or (b) of that Act.</p> <p>Early engagement with the Council's Development Management is encouraged prior to submitting a STL licence application to ascertain whether planning permission is required. Planning enquiries should be submitted to dc@falkirk.gov.uk</p> | <p>The Council may grant a licence for a period of up to three years, after which it requires to be renewed. Each licence will have been given a unique reference number and will confirm the expiry date. The duration applies from the date on which the licence comes into force (i.e. granted). Falkirk Council will grant an initial STL licence for 3 years.</p> <p>When an application to renew a licence is made, the licence will continue to have effect until such a time as a decision is made on the renewal application. The Council intend to grant a renewal of a licence for a period of three years unless there are circumstances which justify a different period.</p> | | | <p>It is not Falkirk Council's intention to consider any applications for a temporary short term let licence.</p> | <p>Falkirk Council does not intend to have a policy on temporary exemptions whilst we gain a better understanding of the prevalence of business activity and any associated issues, with this new licensing scheme.</p> <p>This would mean that anyone operating as a STL, at any time throughout the year, would require to be licensed. This position will be reviewed in due course.</p> | <p>The objection should be relevant to the statutory grounds that can be taken into consideration when refusing an application. These are set out in the ACT: • The applicant or anyone else detailed in the application form is not a fit and proper person to be the holder of a licence. • The activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused. • The premises is not suitable for the conduct of the activity, having regard to: • The location, character, or condition of the premises • The nature and extent of the proposed activity. • The kind of persons likely to be in the premises. • Possibility of undue public nuisance, public order; or public safety • Where there is other good reason</p> | <p>There are a few additional conditions which will apply to all Short Term Let properties in Falkirk and a few that may be applied in certain circumstances, and these are contained within Appendix 4.</p> <p>The Council cannot set conditions which limit the number of rights a premises may be used for secondary letting. The Council has no plans to set limits on home letting or home sharing premises.</p> | |
| File Council | <p>At present, planning permission is only required for the use of a property as a short term let if a material change of use occurs, currently this is determined on a case-by-case basis so advice should be sought from the Planning Authority. Outside of a control area, this will continue to be the case.</p> <p>Your licence application may require you to provide evidence that you either: <ul style="list-style-type: none"> Have planning permission to use the property as a short-term let Have a certificate of lawfulness of use confirming you do not need planning permission </p> <p>For very large, one-off events (such as the Commonwealth Games, Olympics or COP26), the Scottish Ministers can make a special development order to grant planning permission for change of use for an area and to require discontinuance of use after a certain period. In such circumstances, temporary exemptions could be granted in respect of secondary letting without any concern about breach of planning control.</p> | <p>3 years for a new grant, and 3 years for a renewed full licence</p> | <p>In order for the Council and Scottish Fire and Rescue Service to undertake an assessment of the maximum number of guests that can be accommodated safely, hosts and operators may be asked to submit floor plans where this is required.</p> | <p>This licence is not transferrable, and the Licence Holder must not sublet the property for use as a Short-term Let to any party. This is supplementary to the mandatory conditions.</p> | | <p>The Council may grant temporary exemptions to the requirement to have a licence for a specified single continuous period not exceeding 6 weeks in any period of 12 months. The 6 week limit is a maximum, and not a default.</p> <p>The Council may grant temporary exempt licences for significant/National events to meet the requirements for an influx of visitors. The Head of Housing Services would make the decision when temporary exemptions may be granted for National events.</p> <p>Hosts and operators must: <ul style="list-style-type: none"> Apply for a temporary licence before letting premises 16 Comply with all mandatory conditions for a short-term let (see Appendix 1) Comply with all additional conditions (see Appendix 2) Self-declare all conditions will be met Provide documentation requested in the application </p> <p>Hosts and operators must: <ul style="list-style-type: none"> Apply for a temporary exemption licence before letting premises Comply with all mandatory conditions (see Appendix 1) Comply with all additional conditions (see Appendix 2) Self-declare all conditions will be met </p> | <p>Where there are no objections, and the Council is not aware of any reason not to grant the application the Council will write to the applicant and advise that the Council is inclined to grant the application. Provided that the applicant has no objection, it is proposed that such applications will be dealt with administratively without the need for a hearing.</p> | <p>In addition to the mandatory licence conditions, which apply to all short-term lets, licensing authorities may impose additional conditions as they deem fit. These enable the licensing authority to respond to local challenges and concerns relative to specific types of short-term letting.</p> <p>There are a few additional conditions which will apply to all Short Term Let properties in Falkirk and a few that may be applied in certain circumstances, and these are contained within Appendix 4.</p> <p>The Council cannot set conditions which limit the number of rights a premises may be used for secondary letting. The Council has no plans to set limits on home letting or home sharing premises.</p> | |

| Local Authority | Planning | License period/renewal | Floor plans | transfer/new holder | Temporary licences | Temporary exemptions | hearings/objections | Additional conditions |
|------------------------|--|---|---|---|--|---|---|--|
| | <p>The Committee is aware that Glasgow's current Planning Policy states in relation to short stay accommodation:</p> <ul style="list-style-type: none"> All flats require planning permission; Houses would not require planning permission; and Renting a room in addition to one resident family would not require planning permission. <p>To avoid the Licensing Authority having to use the preliminary ground of refusing to consider applications based on planning grounds, the Committee agrees that a pre-requisite in applying for a Home Letting STL licence or a Secondary letting STL licence, where the premises is a flat, is that the applicant must have a planning permission or a certificate of lawfulness issued by the Planning Authority for the use of the premises as short stay accommodation; or a certificate of lawfulness confirming that the extent of the use does not amount to a material change of use. Either the planning permission or certificate of lawfulness must be provided with your application. The Licensing Authority will not accept your application without one of these documents, or confirmation that planning is not required, for these types of STL licences.</p> <p>Subject to section 9.2 below, an applicant would not currently require planning permission for</p> <ul style="list-style-type: none"> Home sharing where the premises is a flat or a house; Secondary Letting where the premises is a house; or Home Letting where the premises is a house. | <p>Grants - Under the 1982 Act the Licensing Authority can grant a STL licence for a period of three years or such shorter period as the Committee determines.</p> <p>Renewals - For the renewal of a STL licence application, the Licensing Authority can grant the STL licence for a period of three years, such shorter period as the Committee determines; or for such longer period as the Committee determines.</p> <p>The Licensing Authority may grant a STL licence renewal application for a period of five years where no objections and/or adverse representations to the application are received from the consultees and where there has been no enforcement action taken against the licence holder during the period of the grant application or last renewal.</p> <p>Under the 1982 Act, if an application for a STL licence renewal application has been made to the Licensing Authority before the expiry date of the current licence, the licence will continue in effect until a final decision has been made by the Licensing Authority on the renewal application. If a renewal application is refused by Committee, the existing licence will remain in effect for a period of 28 days from the date of the decision, the appeal period, and where an appeal has been lodged, until such time as the appeal has been determined by the Court.</p> | <p>All applicants for the grant of a STL licence will be required to submit a floor plan of the premises, scale 1: 50 showing at least the following:</p> <p>Rooms – living area/bedrooms/bedrooms available for guests;</p> <p>Room sizes, including bedrooms;</p> <p>Fire escapes;</p> <p>Location of heat/smoke alarms;</p> <p>Location of fire doors; and</p> <p>Location of stairs/elevators/lifts;</p> <p>For renewal applications, where there has been no change to the layout of the premises a floor plan would not be required with the application. For variation applications, where the variation relates to a change to the layout of the premises, a floor plan would be required with the application.</p> | | <p>The Committee is aware that under the 1982 Act, temporary STL licences could be applied for however, it is further aware that with temporary licences there is a limited consultation process when compared to a full licence. With a temporary licence application there would be no requirement to display a site notice, no opportunity for objections or representations to be received other than from the statutory consultees. In addition the only bodies the Licensing Authority would consult with under the legislation is Police Scotland and Scottish Fire and Rescue Service. Given a full consultation would not be undertaken, the Committee may agree not to accept any Temporary STL licence applications and instead require a full STL licence to be applied for as detailed at section 12. This would mean that all STL licence applications would be subject to the full consultation process as detailed in section 12.4</p> | <p>Given one of the reasons behind STL legislation being introduced is to ensure basic safety standards are in place across all STL, the Committee may agree that on this basis, no temporary exemptions will be granted. This would mean that where a person is using their premises as a STL, at any time throughout the year, a STL licence would be required.</p> <p>The Licensing Authority may however, grant temporary exemptions for national events within Glasgow.</p> <p>The Licensing Authority is aware of the statutory requirement to keep its temporary exemption policy under review and to publish it every three years.</p> | <p>Objections and representations must be in writing (email is acceptable), specify the grounds for objection, the name and address of the person making the objection, be signed and be provided to the Local Authority no later than 28 days after the later of:</p> <ol style="list-style-type: none"> The date the application was made to the Local Authority; The date of the public notice; or If the date detailed in any notice which has to be re-advertised on request of the Local Authority. <p>Objections and representations will be taken into account by the Committee when considering a STL licence application.</p> | <p>To cater for more localised matters, the Licensing Authority is also able to attach additional conditions to STL licences where necessary. Some style additional conditions are detailed in Appendix 2. It should be noted that the Licensing Authority cannot impose an additional condition which limits the number of rights a premises may be used for Secondary Letting.</p> |
| Glasgow City Council | At present there are no Short-term Let Control Areas in place in Glasgow. | | | | | | | |
| Inverclyde Council | <p>Inverclyde Council does not intend on implementing Control Area Regulations mainly due to the estimated low prevalence of Short-term Let activity operating in this local authority area.</p> <p>Hosts and Operators are therefore advised to engage with the Council's planning department prior to submission of a licence application to confirm whether they require planning permission or a certificate of lawful use of development. Enquiries in connection with planning should be directed to: dplanning@inverclyde.gov.uk To avoid the Council having to use the preliminary ground of refusing to consider applications based on planning grounds hosts and operators should contact the Council's Planning Service by email using the above address. Hosts and operators should be aware that when applying for a Home Letting STL Licence or a Secondary letting STL licence, where the premises is a flat, it is likely that the applicant must have planning permission or a certificate of lawfulness confirming that the extent of use does not amount to a material change of use.</p> <p>Furthermore, where the proposed maximum capacity exceeds 5 persons it is likely that planning permission will be required. Please note that planning permission may be required in other circumstances and accordingly enquiries should be made in the first instance with the Council's Planning Service. Should planning permission or a certificate of lawfulness be required then this must be provided with an application and the Licensing Authority will not accept an application without one of these documents, or written confirmation from the Council's Planning Service that planning is not required. It is the responsibility of the applicant to obtain such written confirmation.</p> <p>Having considered the nature of the short-term letting market in Midlothian it has been decided not to declare any Short-term Control areas at present. This position will be reassessed when the Policy is reviewed.</p> <p>Outside of a control area, it is for the planning authority to consider whether any change of use of a dwelling house outbuilding or other structure, is material and, therefore, requires planning permission. This is determined on a case by case basis. Under provisions within the Licensing Order, a preliminary ground for refusing to consider an application for a Short Term Let is that the use of the proposed premises would constitute a breach of planning controls set out under the Town and Country Planning (Scotland) Act 1997 (as amended) by virtue of section 123 (1) (a) or (b) of that Act.</p> <p>Hosts and operators are, therefore, encouraged to engage with the Council's planning department prior to submitting a licence application to confirm whether they require planning permission or a certificate of lawful use of development.</p> | <p>The Council may grant a licence for a period of up to three years, after which time it requires to be renewed. Each licence will have a reference number and will confirm the date of expiry. The duration will apply from the date on which the licence comes into force.</p> <p>Where an application is made to renew a licence before expiry of the current licence, the licence will continue to have effect until such time as a final decision is made on the renewal application. A renewal application will be granted for a period of up to three years unless there are circumstances which justify a different period of time. If a renewal application is refused by the Council's General Purposes Board following a hearing, the existing licence will remain in effect for a period of 28 days from the date of the decision, and where an appeal has been lodged at court, until such time as the appeal has been determined by the court. The process for applying for a renewal of a STL licence is the same process as when applying for a new STL licence.</p> | | <p>A variation application cannot, however, be used to substitute a new holder of the licence for the existing one. A transfer of licence is not possible under the 1982 Act and therefore a new application for a licence will be required.</p> | <p>Given one of the reasons for the introduction of STL legislation is to ensure basic safety standards are in place across all STL licences, applications for a temporary STL licence will not be accepted by the Council.</p> | <p>The Council currently does not intend to have a policy of granting temporary exemptions.</p> <p>One of the main reasons for the introduction of the new legislation is to ensure basic safety standards are in place across all STL licences, therefore to comply with this aim, no temporary exemption will be granted. Where a person is using their premises as a STL, at any time throughout the year, a STL licence will be required.</p> | <p>The objection should be relevant to the statutory grounds that can be taken into consideration when refusing an application. These are set out in the Act:</p> <ul style="list-style-type: none"> The applicant or anyone else detailed in the application form is not a fit and proper person to be the holder of a licence; The activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused; The premises is not suitable for the conduct of the activity, having regard to: <ul style="list-style-type: none"> The location, character or condition of the premises; The nature and extent of the proposed activity; The kind of persons likely to be in the premises; The possibility of undue public nuisance, public disorder or risk to public safety; Where there is other good reason <p>Where there are no valid objections or adverse representations to a STL application, the application will be determined under delegated powers by the Council's Head of Legal and Democratic Services in consultation with the Interim Head of Environment and Regeneration or such equivalent post holders who may succeed to those posts.</p> | <p>In addition to the mandatory licence conditions which apply to all STLs, a Council may impose additional conditions. These enable the Council to respond to challenges and concerns relative to specific types of Short-term Letting. There are a number of additional conditions which apply to all or some STL properties in Inverclyde and are contained in Appendix 4.</p> |
| Midlothian Council | <p>Outside of a control area, it is for the planning authority to consider whether any change of use of a dwelling house outbuilding or other structure, is material and, therefore, requires planning permission. This is determined on a case by case basis. Under provisions within the Licensing Order, a preliminary ground for refusing to consider an application for a Short Term Let is that the use of the proposed premises would constitute a breach of planning controls set out under the Town and Country Planning (Scotland) Act 1997 (as amended) by virtue of section 123 (1) (a) or (b) of that Act.</p> <p>Hosts and operators are, therefore, encouraged to engage with the Council's planning department prior to submitting a licence application to confirm whether they require planning permission or a certificate of lawful use of development.</p> | <p>The Council may grant a licence for a period of their choosing for up to a maximum of three years, after which it requires to be renewed. First licence applications will be granted for a period of one year. Each licence will have a reference number and will confirm the expiry date.</p> <p>Where an application is made to renew a licence, before the expiry date, the licence will continue to have effect until such a time as it naturally expires or a decision is made on the renewal, whichever is the later. Where satisfactory compliance with the licence conditions has occurred the Council intends to grant a renewal of a licence for a period of up to three years. However, where any licence conditions have been breached during the previous licence period, the renewal period (if renewed at all) will be for a maximum period of one year.</p> | | <p>A variation application cannot, however, be used to substitute a new holder of the licence for the existing one. A transfer of licence is not possible under the 1982 Act and therefore a new application for a licence will be required.</p> | <p>Midlothian Council does not intend to have a policy on temporary exemptions or temporary licences and would not be supportive of either such application.</p> | <p>Midlothian Council does not intend to have a policy on temporary exemptions or temporary licences and would not be supportive of either such application.</p> | <p>Grounds for objection to an application should relate to the purposes of the licensing scheme or planning rules. For example, concerns relating to:</p> <ul style="list-style-type: none"> Safety, noise or nuisance relating to licensing Availability of residential housing, the impact on the character of the neighbourhood or the suitability of the building which relate to planning. | <p>The licence holder must take reasonable steps to manage the premises in such a way as to seek to prevent and deal effectively with any antisocial behaviour by guests anyone else in the short-term let and in the locality of the short-term let. In addition the licence holder must co-operate fully with Council Officers in any investigation of antisocial behaviour and noise complaints relating to their short-term let.</p> |
| Moray Council* | <p>Applicants are required to check whether they require planning permission (under planning legislation) for the premises being used for short-term let before submitting an application for a short-term let licence. If planning permission is required, applicants should obtain this before submitting an application for a short-term let licence. The Council's Licensing Service will be notified by the Council's Planning Service if planning permission has been refused in respect of premises being used for short-term let. Any application for a short-term let licence contingent on planning permission will then be refused, varied or revoked as appropriate.</p> | <p>The duration of the licence applies from the date on which the licence comes into force. This will be specified on the licence together with the expiry date of the licence. Moray Council will grant or renew all short-term let licence types for a period of three years.</p> <p>When an application is made to renew a licence timeously, the existing licence will continue in effect until such time as a decision is made on the renewal application.</p> <p>A licence shall have effect for a period of three years from the date when it comes into force. Moray Council will consider each application on its own merits with regard to duration and renewal and may grant a licence for such shorter period as determined appropriate in the particular circumstances.</p> | | <p>An application for a temporary licence is subject to the legislative mandatory conditions which apply to all licences and consultation as set out below. In accordance with the legislation, applicants do not need to complete and display the Public Notice in Appendix 1 of the application form when applying for a temporary licence. Applicants do not need to complete and return the Confirmation of Display Notice in Appendix 1 of the application form when applying for a temporary licence.</p> <p>The issue of a temporary licence to a host or operator who is also making a licence application does not extend the time for the Council to determine the licence application.</p> | <p>Moray Council may grant a temporary licence for a duration of up to six weeks. A temporary licence cannot be renewed. If a host or operator applies for a full licence during the period of a temporary licence, the temporary licence may be extended until their full licence is finally determined (this includes an appeal if one has been lodged within 28 days of the decision).</p> | <p>Moray Council will not be granting temporary exemptions under any circumstances.</p> | <p>Competent grounds for objection to an application may include:</p> <ul style="list-style-type: none"> concerns that the application is inaccurate or misleading; concerns about the safety of guests, neighbours or others; concerns about noise or nuisance; and concerns that the application runs contrary to other legal or contractual requirements. <p>If there are no competent objections or adverse representations to a short-term let licence application, the application will be determined under delegated powers by the Head of Governance, Strategy and Performance Service.</p> <p>If a competent objection or adverse representation is submitted in relation to a short-term let licence application, the application will be subject to a hearing at a meeting of Moray Council Licensing Committee.</p> | <p>As part of the light touch approach to the licensing of short-term lets in Moray, the Council will not be imposing any additional conditions to short-term let licences. This position will be kept under review on a regular basis therefore may be subject to change. Should the Council choose to impose additional conditions to short-term let licences, the conditions will be published on the Council's website. Before choosing to impose additional conditions, the Council must be satisfied that:</p> <ul style="list-style-type: none"> the matter is not already covered by the Act, the Order or mandatory conditions; the matter is not already unlawful and enforceable; the matter is sufficiently serious to merit additional conditions, rather than a verbal warning, letter or memo and; the matter is not a breach of an existing condition. |
| North Ayrshire Council | <p>Although there is currently no Short-term Let Control Area designated in NAC under the Planning legislation, if there is one in force when you apply covering the Premises then you will have to be able to show that your application does not involve a "breach of planning control".</p> <p>Where the Premises is in a Short-Term Let control area for the purposes of section 268 of the Town and Country Planning (Scotland) Act 1997(24) ("the 1997 Act"), the Holder of the Licence must, where the use of the Premises for a Short-Term Let requires Planning Permission under the 1997 Act, ensure that either—</p> <ol style="list-style-type: none"> an application has been made for Planning Permission under the 1997 Act and has not yet been determined, or Planning Permission under the 1997 Act is in force. | <p>This lasts up to 3 years, and is renewable indefinitely.</p> | | <p>If the Host sells the Accommodation during the currency of the Licence, and the new owner wishes to continue operating the Accommodation as a STL, the Host (seller) will apply for a Variation of the licence, inviting the Council to substitute the buyer as the Host.</p> | <p>the Licensing Authority will not entertain applications for Temporary STL licences.</p> | <p>NAC have elected not to grant exemptions in any case, with one exception (1982 Act, Schedule 1, Paragraph 1A(4)). The reason for this policy is that the STL Licensing legislation has been introduced to maintain safety standards and prevent nuisance, so the Committee consider that it is not appropriate to grant temporary exemptions - apart from a single exception. The exception is that where a Host undertakes in writing: (a) that the specified Premises will cease to be used as a STL of any "Type of Short-Term Let" at the end of the shorter of these periods: - six (6) weeks from the date of Application for a Temporary Exemption, or - from the date of Application until 31 March 2023, and 15 (b) will not be used for a period of twelve (12) months after that end date (unless a STL Licence has been granted), the Licensing Authority will entertain that Application.</p> | <p>If we have one or more of: - Objections, - Representations which we consider to be adverse to your Application, or - an issue with NAC Policy, your case must be referred to the Licensing Committee (as it is now outside "Delegated Powers"). The Licensing Committee will decide if your case needs a Hearing. If there is a Hearing then you will be invited to attend, and if you cannot attend then you are entitled to send NAC written representations (by letter or email) The Committee meet in Council Chambers at Cunninghame House, Friars Croft, Irvine. For many months during the Coronavirus Emergency the Committee met remotely, using videoconferences where licence applicants dialled in, but now the Committee are meeting in person, as they did before Coronavirus. The Council have to consider the potential reasons for refusal set out in 1982 Act, Schedule 1, Paragraph 5(3) which are (briefly) that the Licensing Authority consider that - the Applicant is not a fit and proper person - the Premises are not suitable for their proposed use - there is another good reason for refusing the Application (for example, because of previous breaches of legal requirements).</p> | <p>As well as the national Mandatory Conditions, each Licensing Authority are also able to attach "Standard Conditions" to 1982 Act Licences. In STL Licensing, these are also called "Additional Conditions" - see part (b) of this Section, below.</p> |
| Orkney Islands Council | <p>Applications will be passed to the Council's Planning Service for screening. If the appropriate lawful status of the premises is confirmed by the Planning Service, that removes any planning impediment to progression of the application.</p> <p>If the premises do not have the necessary planning permission/status, applications can be suspended for a period of 3 months. The period starts from the date of the notice by the Licensing Service to the applicant. During that period, the applicant must submit a valid application for planning permission or a certificate of lawfulness of use or development and must notify the Licensing Service that the application has been validated.</p> <p>6.4. The licensing authority may decide not to consider the application for licence in the following circumstances, where it has notified the applicant in accordance with paragraph 6.3 above:</p> <ul style="list-style-type: none"> the applicant does not submit a valid application for planning permission or a certificate of lawfulness of use or development within the 3 months period or the planning authority refuses such an application and the applicant does not appeal or seek review of that refusal. | <p>A licence shall normally remain in force, unless previously suspended or revoked, for a period of three years. The Council can also determine a shorter period in any case, dependent upon the circumstances. Application fees will not be refunded if a shorter period is determined.</p> | <p>In order for the Council and Scottish Fire and Rescue Service to undertake an assessment of the maximum number of guests that can be accommodated safely, applicants must provide, as part of their application, floor plan(s) for their premises, indicating room sizes, fire escape routes, accommodation intended for guests with mobility impairment and other information. The Council's requirements for these plans are set out in Annex C attached to this Guidance.</p> | <p>The licence is not transferable</p> | <p>It will also be possible to apply for a temporary licence, lasting up to 6 weeks.</p> | <p>This authority will not grant temporary exemptions</p> | <p>Where an objection or representation is made to the Council after the date referred to but before a final decision is taken on the application, it is competent for the Council to entertain it if satisfied that there is sufficient reason why the objection or representation was not made within the period of time stated. A pro-forma form (preferred) and guidance for making Objections or Representations should be used. This is available from the Head of Legal and Governance and online via the Related Downloads link at https://www.orkney.gov.uk/Service-Directory/L/short-termlets.htm.</p> | <p>The Council may also attach reasonable additional conditions to short-term let licences, by adopting standard conditions, which must be published. The Council has not adopted any standard conditions at this time, but may develop these as the licensing scheme becomes operational.</p> |

| Local Authority | Planning | licence period/renewal | floor plans | transfer/new holder | temporary licence | temporary exemptions | hearings/objections | additional conditions |
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| | <p>At the moment there are no short term let control areas in South Lanarkshire but that position will remain under review by the planning authority.</p> <p>Outside of a control area the introduction of a short term let within a dwelling house may involve a material change of use requiring planning permission. This is determined on a case by case basis. Hosts and Operators should engage with the Council's Planning Service before submitting an application for a licence to find out if planning permission is needed. This is likely to involve the submission of an application for a certificate of lawfulness. Either the planning permission or certificate of lawfulness must be provided with your application. The Licensing Authority will not accept your application without one of these documents.</p> | <p>The licensing authority may grant a licence for a period of up to 3 years, after which it must be renewed. The duration and expiry date will be specified on the licence together with the unique licence number. The duration applies from the date on which the licence comes into force.</p> <p>Where an application is made to renew a licence, the licence will continue to have effect until such a time as a decision is made on the renewal. The licensing authority intends to grant a renewal for a period of up to 3 years.</p> | | | <p>The licensing authority has the power to grant temporary licences for a period of up to 6 weeks. The licensing authority will consult with Police Scotland and Scottish Fire and Rescue Service.</p> <p>Any host or operator granted a temporary licence will be expected to adhere to all mandatory and additional conditions.</p> <p>A temporary licence is not capable of being renewed but, where the holder of or the applicant for a temporary licence has also made an application for a licence in respect of the same activity, the temporary licence, if granted, shall continue to have effect until the full licence application is determined.</p> | | <p>Objections and representations can be lodged within 28 days from the date when the application was received by the licensing authority or the date when the Site Notice was put up, whichever is the later.</p> <p>Anyone can submit an object or a representation. Objections or representations must specify the grounds for the objection or the details of the representation and must be in writing (e-mail is acceptable) and must specify the name and address of the person making it and be signed by them or on their behalf.</p> <p>The objection or representation will be copied to the applicant for comment.</p> <p>Late objections or representations may be considered but only if the licensing authority considers that there is sufficient reason why the objection or representation was not made in time.</p> | <p>There are currently no additional conditions imposed by the licensing authority and this will be kept under review.</p> |
| South Lanarkshire Council | <p>any short-term letting of their premises is fully compliant with local and/or national planning policies and that planning permission or a certificate of lawfulness has been obtained, where applicable, prior to submitting a first time or renewal Short-Term Let licence application.</p> <p>In order to avoid Stirling Council having to use the preliminary ground under the 1982 Act to refuse to consider a Short-Term Let licence application based on planning grounds, Stirling Council may agree that as pre-requisite to applying for a Home Letting licence or a Secondary Letting licence, that the applicant must have planning permission or a certificate of lawfulness confirming that the extent of the use does not amount to a material change of use. Either the planning permission or the certificate of lawfulness must be provided with the applicant's licence application. Stirling Council will not accept a Short-Term Let licence application without one of these documents OR confirmation that planning permission is not required.</p> <p>Stirling Council will have regard to any changes to planning policies both nationally and at local level by Stirling Council's Planning Authority and Loch Lomond & Trossachs National Park Planning Authority when determining a Short-Term Let application as at the date a valid Short-Term Let application is received.</p> <p>Should any Short-Term Let Control Area be introduced across any geographical area of Stirling Council, this policy document would be reviewed to take account of any Control Area in the future.</p> <p>It should be noted that the introduction of any Short-Term Let Control Area would be utilising planning powers by either Stirling Council and/or the Loch</p> | <p>Grants – Under the 1982 Act, Stirling Council can grant a Short-Term Let licence for a period of three years or such shorter period as Stirling Council determines. Stirling Council will grant a Short-Term Let licence for a period of three years. If a licence application is referred to the Council's Planning & Regulation Panel for determination due to valid objections or representations, the Planning & Regulation Panel have discretion to conditionally grant the licence for a period shorter than three years, however any decision to do so will be based on the circumstances of that particular application.</p> <p>Renewals – Where a renewal is approved under delegated powers, the Council will grant a Short-Term Let licence renewal for a period of three years. Where a licence renewal application is referred to the Council's Planning & Regulation Panel for determination, this period may be reduced to such shorter period as the Panel may determine based on the circumstances of any particular application.</p> | <p>the aggregate for all such rooms in the premises of the numbers specified in column 2 of Table 2 below in relation to each room of the floor area specified in column 1.</p> <p>It should be noted that no account shall be taken for the purposes of either Table of a room having a floor area of less than 50 square feet.</p> <p>It should be noted that a room is available as sleeping accommodation if it is of a type normally used in the premises as a living room or as a bedroom. Stirling Council will not include children under 2 years of age when calculating the maximum capacity.</p> | | <p>The Council can decide to grant temporary short-term let licences. Temporary licences may be granted for a duration of up to six weeks. A temporary licence cannot be renewed. However, if a host or operator applies for a full licence during the period of a temporary licence, the temporary licence duration will extend until their full licence application is determined. Hosts and operators that apply for a temporary licence will still need to comply with all mandatory conditions and any additional conditions deemed applicable. It is anticipated that temporary licences will be used by hosts or operators that only require a short-term let for a specific event that runs for six weeks or less or where a host or operator wishes to trial providing a Short-Term Let.</p> <p>Due to the purpose of short-term let licensing being about ensuring minimum safety requirements and to minimise the impact on communities and neighbours, the Council will only consider granting a temporary exemption in exceptional circumstances for example: B To facilitate those hosts / operators who have never previously operated a short-term let but are interested in trying out home sharing or home letting to do so by making an application for a temporary exemption before deciding whether to do this permanently this requiring a full licence application thereafter. A temporary exemption from the requirement to have a licence does not affect the way that planning rules apply. The Council may apply conditions to an exemption. Conditions attached to a temporary exemption will include all mandatory conditions and if deemed necessary, further additional conditions may be added.</p> | <p>if the application receives any objections or representations that requires further scrutiny, the application will be referred to the Council's Planning and Regulation Panel for determination. Any decision to refuse a Short-Term Licence must be relevant to one or more of the grounds of refusal as detailed in the 1982 Act</p> | <p>To cater for more localised matters, Stirling Council is also able to attach additional conditions Short-Term Let licences where necessary. The types of conditions that may be applied are published on the Council's website for information.</p> | |
| Stirling Council | <p>dwelling house is material and, therefore, requires planning permission. This is determined on a case by case basis.</p> <p>Within a control area designated by a planning authority, such a change of use will always require planning permission. The host or operator must make an application for planning permission or already have planning permission before they apply for a licence.</p> <p>It is a mandatory condition of the licence that a host or operator has planning permission or has made an application for planning permission where their premises is in a designated control area, they are using it for secondary letting and it is a dwelling house.</p> <p>Before 1 April 2023, the Council, as licensing authority, cannot determine a licence application on the basis that it breaches planning control unless they have given existing hosts a chance to submit an application for planning permission or for a certificate of lawful use or development. However, the Council, as licensing authority, can determine a licensing application before this date where planning permission or a certificate of lawful use or development has already been refused.</p> <p>The applicant has 3 months to submit a planning application. If the applicant does not do so within 3 months, the licence application can be determined for these purposes and the applicant must cease providing short term lets.</p> <p>establishment of the Short-term Let Control Area for Ward 20: Badenoch and Strathspey.</p> | <p>A licence shall have effect-</p> <ul style="list-style-type: none"> • for a period of 3 years from the date when it comes into force; or • for such shorter period as the licensing authority may decide at that time when they grant; or • for such longer period as the licensing authority may decide at the time when they renew a short-term let licence <p>Whilst, each application will be decided on its own merits, it is not anticipated that licences will be renewed for a period of longer than 3 years.</p> | | <p>The legislation does not allow you to use a variation to substitute a new holder of the licence for an existing one i.e. effective transfer a licence. To do so would have the effect of enabling a transfer to be achieved where there is no express power to do so in the Act. The variation of a licence can only be used to vary the terms of the licence rather than its substance. This is set out in the Civic Government (Scotland) Act 1982.</p> <p>The host/operator would apply for a licence for a short term let premises. The definition of a host is set out in the legislation.</p> | <p>A licensing authority can also decide to grant temporary licences. These can be applied for online or by way of a paper application. Details for the application process are set out in Section 3.</p> <p>Temporary licences may be granted for a duration of up to 6 weeks. A temporary licence cannot be renewed. However, if a host or operator applies for a full licence during the period of a temporary licence, the temporary licence duration will extend until their full licence application is determined.</p> <p>Hosts and operators that apply for a temporary licence will still have to comply with all the mandatory conditions and any additional conditions deemed applicable.</p> | <p>Due to the purpose of short-term let licensing being about ensuring minimum safety requirements and to minimise the impact on communities and neighbours, the Council will only consider granting a temporary exemption in exceptional circumstances for example: B To accommodate a large influx of visitors to the area for over a short period of time to support exceptional events such as major sports championship competitions and art festivals.</p> <p>The Council will not be granting temporary exemptions under any circumstances. This position will be kept under review.</p> | <p>It is open to any member of the public to submit an objection or representation in relation to a short term let licence application.</p> <p>The objection should be relevant to the statutory grounds that can be taken into consideration when refusing an application. These are set out in the Act:</p> <ul style="list-style-type: none"> • The applicant or anyone else detailed in the application form is not a fit and proper person to be the holder of a licence; • The activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused; • The premises is not suitable for the conduct of the activity, having regard to: <ul style="list-style-type: none"> o The location, character or condition of the premises o The nature and extent of the proposed activity; o The kind of persons likely to be in the premises; o The possibility of undue public nuisance, public order; or public safety • Where there is other good reason | <p>Children under the age of 2 do not count towards max occupancy</p> |
| The Highland Council | <p>Outside of a control area, it is for the planning authority to consider whether any change of use of a dwelling house is material and, therefore, requires planning permission. This is determined on a case by case basis.</p> <p>Before 1 April 2023, the Council, as licensing authority, cannot determine a licence application on the basis that it breaches planning control unless they have given existing hosts a chance to submit an application for planning permission or for a certificate of lawful use or development. However, the Council, as licensing authority, can determine a licensing application before this date where planning permission or a certificate of lawful use or development has already been refused.</p> <p>Hosts and operators are, therefore, encouraged to engage with the Council's planning department (for Loch Lomond and the Trossachs National Park's planning department, for applications within the National Park area) prior to submitting a licence application to confirm whether they require planning permission or a certificate of lawful use or development.</p> | <p>A licence shall have effect 14 B for a period of 3 years from the date when it comes into force; or B for such shorter period as the licensing authority may decide at that time when they grant; or B for such longer period as the licensing authority may decide at the time when they renew a short-term let licence</p> <p>The Scottish Government's guidance for licensing authorities on short-term lets has made it clear that licensing authorities are encouraged to renew licences for a period of 3 years, unless they have good reasons to do otherwise.</p> | <p>Floor/Layout Plan - All applicants for the grant of a STL licence will be required to submit a floor plan of the premises, scale 1: 50 showing at least the following: i. Rooms – living area/bedrooms/bedrooms available for guests; ii. Room sizes, including bedrooms; iii. Fire escapes; iv. Location of heat/smoke alarms; v. Location of fire doors; and vi. Location of stairs/elevators/lifts; For renewal applications, where there has been no change to the layout of the premises a floor plan would not be required with the application. For variation applications, where the variation relates to a change to the layout of the premises, a floor plan would be required with the application.</p> | <p>The Committee is aware that under the Act, temporary STL Licences could be applied for however, it is further aware that with temporary licences there is a limited consultation process when compared to a full licence. With a temporary licence application there would be no requirement to display a site notice, no opportunity for objections or representations to be received other than from the statutory consultees.</p> <p>In addition the only bodies the Licensing Authority would consult with under the legislation is Police Scotland and Scottish Fire and Rescue Service. Given a full consultation would not be undertaken, the Committee may agree not to accept any Temporary STL Licence applications and instead require a full STL Licence to be applied for as detailed at section 4. This would mean that all STL licence applications would be subject to the full consultation process as detailed in section 4.</p> | <p>Given one of the reasons behind STL legislation being introduced is to ensure basic safety standards are in place across all STL, the Committee may agree that on this basis, no temporary exemptions will be granted. This would mean that where a person is using their premises as a STL, at any time throughout the year, a STL licence would be required.</p> <p>The Licensing Authority may however, grant temporary exemptions for national events within West Dunbartonshire.</p> | <p>into consideration when refusing an application. These are set out in Paragraph 5(b) of Schedule 1 of the Act and are: a) The applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either – i. for the time being disqualified under section 7(6) of this Act, or ii. not a fit and proper person to be the holder of the licence; b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself; c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to – i. the location, character or condition of the premises or the character or condition of the vehicle or vessel; ii. the nature and extent of the proposed activity; iii. the kind of persons likely to be in the premises, vehicle or vessel; iv. the possibility of undue public nuisance; or v. public order or public safety; or (ca) the applicant would not be able to secure compliance with the mandatory licence conditions, and ii. the standard conditions and any further conditions 12 under sub-paragraph 1(A)(b) to which the licence is to be subject, (cb) the application does not contain the information required under 12(2)(a) or (b) (the consent of the owners of the premises); or d) there is other good reason for refusing the application; 5.7. It should detail clearly the reasons for the objection/representation and why the applicant</p> | <p>There are a number of additional conditions that may apply to all short-term let properties. There are also some specific additional conditions that may only apply to certain types of short-term let properties or to properties following investigation of concerns. A list of some style additional licence conditions which may apply to your short-term let licence can be found at Appendix 4.</p> | |
| West Dunbartonshire Council* | <p>The Council is aware that in current legislation in relation to short term let accommodation: • Unless for home sharing, all flats require planning permission. • Houses do not require planning permission; • Houses will need to be checked on a case-by-case basis to confirm that the definition of a house in 8.1 is met; and • Renting room(s) in a house may not require planning permission. To avoid the Council having to use the preliminary ground of refusing to consider applications based on planning grounds, the Council agrees that a pre-requisite in applying 10 for a home letting STL licence or a secondary letting STL licence, where the premises is a flat, is that the applicant must have: • planning permission or a certificate of lawfulness issued by the Council as Planning Authority for the use of the premises as short term let accommodation, sui generis in terms of The Town and Country Planning (Use Classes) (Scotland) Order 1997; or • a certificate of lawfulness confirming that the extent of the use does not amount to a material change of use. Either the planning permission or certificate of lawfulness must be provided with your application. The Council will not accept your application without one of these documents, or confirmation that planning is not required, for these types of STL licences. Subject to section 8.2 below, an applicant is unlikely to require planning permission for: • home sharing whether the premises is a flat or a house; • secondary Letting where the premises is a house, or • home Letting where the premises is a house.</p> <p>At present there are no Short-term Let Control Areas in place in West Lothian.</p> | <p>Under the 1982 Act the Council can grant a STL licence for a period of three years or such shorter period as the Council determines. In relation to applications to renew STL licences, the Council can extend the duration of a STL licence for a period of three years or such shorter other period as the Council determines.</p> | <p>All applicants for the grant of a STL licence will be required to submit a floor plan of the premises, scale 1: 50 showing at least the following: • Rooms – living area/bedrooms/bedrooms available for guests; • Room sizes, including bedrooms; • Fire escapes; • Location of heat/smoke alarms; • Location of fire doors; and • Location of stairs/elevators/lifts; For renewal applications, where there has been no change to the layout of the premises a floor plan would not be required with the application. For variation applications, where the variation relates to a change to the layout of the premises, a floor plan would be required with the application.</p> | <p>The law does not allow licences granted under the 1982 Act to be transferred. In the event of the death of an STL licence holder, the STL licence will be deemed to have been granted to the executor and will remain in force for a period of 3 months from the date of the licence holder's death, unless previously suspended or revoked. Where the Council is satisfied that it is necessary for the purpose of winding up the estate, on request, in writing, by the executor, the Council may extend the period further. Licences held in the names of companies, partnerships and organisations will come to an end when the legal entity holding the licence is dissolved or otherwise no longer exists in law. Applicants should seek legal advice regarding which name a licence should be held in.</p> | <p>Under paragraph 7 of Schedule 1 of the 1982 Act, the Council can grant temporary STL licences. Such licences can be granted for periods not exceeding 6 weeks and may be able to be processed quicker as the site notice provisions do not apply. Temporary licences cannot be renewed but where a competent application is also made for a full STL licence within the application period or during the time that a temporary licence is in effect the temporary licence continues in effect until the full licence application is determined. The Council will issue temporary licences and any temporary licence which is issued will be subject to the mandatory conditions of licence, as set out in the 1982 Act. Temporary licences will also be subject to the additional conditions set out in the Council's STL Conditions Framework.</p> <p>The Council will consider granting temporary exemptions from the requirement to obtain a STL licence for particular events taking place in and around West Lothian for all four types of letting mentioned in paragraph 7 above. Any temporary exemption which is issued will be subject to the mandatory conditions of licence as set out in the 1982 Act. Temporary exemptions will also be subject to the additional licence conditions set out in the Council's STL Conditions Framework at Appendix 2.</p> | <p>To cater for more localised matters, the Council is also able to attach additional conditions to STL licences where necessary. These additional conditions are detailed in Appendix 2. In addition, the Council's advisors may in certain circumstances suggest additional conditions for particular premises when they are responding to applications and any suggested conditions will be copied to applicants for comments. It should be noted that the Council cannot impose an additional condition which limits the number of nights a premises may be used for secondary letting.</p> | | |