



Stirling Council

Short-Term Let Licensing Scheme

Draft Policy

DRAFT

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1.0 Definitions

Unless the Policy states otherwise, the definitions below shall apply throughout:-

1982 Act means the Civic Government (Scotland) Act 1982;

2022 Order means The Civic Government (Scotland) Act 1982 (licensing of Short-term Lets) Order 2022;

Accommodation includes the whole or any part of a premises;

Guest means a person who occupies accommodation under a Short-Term Let;

Home letting means a Short-Term let for the use, whilst the host is absent, of accommodation which is, or is part of, the host's only or principal home;

Home Sharing means a Short-Term let for the use, whilst the host is present, of accommodation which is, or is part, the host's only or principal home;

Host means a person who is the owner, tenant, or person who otherwise exercise control over the occupation and use of the accommodation which is subject of a Short-Term Let;

Planning & Regulation Panel means the Stirling Council's Planning & Regulation Panel;

Short-Term Let or STL has the meaning given in section 5.1 of this Policy;

Short-Term Let Control Area has the meaning provided in section 26B of the Town and Country Planning (Scotland) Act 1997;

Stirling Council or the Council means the council constituted under the Local Government etc. (Scotland) Act 1994 responsible for the local government area of Stirling.

Policy means this Short-Term Lets policy;

Police Scotland means the police service of Scotland having its headquarters at Tulliallan Castle, Kincardine; and

Secondary letting means a Short-Term let for the use of accommodation which is not, or is not part of, a host's only or principal home.

2.0 Introduction to Short-Term Lets

The Council's policy identifies the Council's approach to the regulation of the Short-Term Lets relating to applications for licenses of this kind. In producing this policy, the Council has taken in to consideration the Scottish Government's Short-Term Lets in Scotland Licensing Scheme Guidance (March 2022).

This policy provides guidance for potential applicants and members of the public on the Council's approach to licensing of Short-Term Lets within the Stirling Council area. The policy focuses on ensuring that an efficient, effective and proportionate licensing scheme is in place which is customised to the needs and circumstances of the Council's local area and supports applicants who wish to obtain a short-term let licence.

3.0 Background to licensing of Short-Term Lets

The 2022 Order came into force on 1st March 2022. The 2022 Order introduced a requirement for local authorities to have a licensing scheme for Short-Term Lets that requires all Short-Term Lets to be licensed by 1st April 2023.

4.0 Consultation and Evidence Gathering Process

While the Council recognises it is a legal requirement to licence Short-Term Lets under the 2022 Order, the Council carried out a public consultation from 9th September 2022 to 30th September 2022 (both inclusive dates) on the proposed licensing process of Short-Term Lets within the Stirling Council area. The consultation document was available on Stirling Council's website.

5.0 What is a "Short-Term Let"?

5.1 Definition of a "Short-Term Let"

The 2022 Order defines a Short-Term Let as follows:-

the use of residential accommodation provided by a host in the course of business to a guest, where all of the following criteria are met-

- (a) The guest does not use the accommodation as their only or principal home;
- (b) The short-term let is entered in to for commercial consideration;
- (c) The guest is not –
 - (i) An immediate family member of the host;
 - (ii) Sharing the accommodation with the host for the principal purpose of advancing the guest's education as part of an arrangement made or approved by a school, college, or further or higher educational institution; or
 - (iii) An owner or part owner of the accommodation;
- (d) The accommodation is not provided for the principal purpose of facilitating the provision of work or services by the guest to the host or to another member of the host's household;
- (e) The accommodation is not excluded accommodation (see section 5.2 below); and

- (f) The short-term let does not constitute an excluded tenancy (see section 5.3 below).

The Council will apply the criteria in the 2002 Order, or any subsequent amendment made to the Order, to determine whether a short term let licence is required for a particular property.

5.2 Excluded Accommodation

The 2022 Order excludes certain types of accommodation from the requirement to hold a licence. These are as follows:-

- (a) An aparthotel;
- (b) Certain licensed premises under the Licensing (Scotland) Act 2005;;
- (c) A hotel that has planning permission granted for use as a hotel;
- (d) A hostel;
- (e) Residential accommodation where personal care is provided to residents;
- (f) A hospital or nursing home;
- (g) A residential school, college or training centre;
- (h) Secure residential accommodation (including a prison, young offenders institution, detention centre, secure training centre, custody centre, short-term holding centre, secure hospital, secure local authority accommodation, or accommodation uses as military barracks);
- (i) A refuge;
- (j) Student accommodation;
- (k) Accommodation that would otherwise require a licence for use for hire for overnight stays (not included an HMO Licence granted under section 129 of the Housing (Scotland) Act 2006);
- (l) Accommodation which is provided by the guest;
- (m) Accommodation which is capable, without modification, of transporting guests to another location;
- (n) A bothy; or
- (o) Accommodation owned by an employer and provided to an employee in terms of a contract employment or for the better performance of the employee's duties.

The Council will apply the criteria in the 2002 Order, or any subsequent amendment made to the Order, to determine whether a property is regarded as excluded property.

5.3 Excluded Tenancies

As detailed in 5.2 above. Under the definition of a Short-Term Lt within the 2022 Order, one of the criteria for a Short-Term Let is that the letting agreement does not constitute an excluded tenancy. The 2022 Order defines an "*excluded tenancy*" as a tenancy which falls within any of the following definitions:-

- (a) A protected tenancy (within the meaning of section 1 of the Rent (Scotland) Act 1984);
- (b) An assured tenancy (within the meaning of section 2 of the Housing (Scotland) Act 1988);
- (c) A short assured tenancy (within the meaning of section 32 of the Housing (Scotland) Act 1988);
- (d) A tenancy of a croft (within the meaning of section 3 of the Crofters (Scotland) Act 1993);

- (e) A tenancy of a holding situated out with the crofting counties (within the meaning of section 61 of the Crofters (Scotland) Act 1993) to which any of the provisions of the Small Landholders (Scotland) Acts, 1886 to 1931) applies;
- (f) A Scottish Secure Tenancy (within the meaning of section 11 of the Housing (Scotland) Act 2001);
- (g) A Short Scottish Secure Tenancy (within the meaning of section 34 of the Housing (Scotland) Act 2001);
- (h) A 1991 Act tenancy (within the meaning of section 1(4) of the Agricultural Holdings (Scotland) Act 2003);
- (i) A limited duration tenancy (within the meaning of section 93 of the Agricultural Holdings (Scotland) Act 2003);
- (j) A modern limited duration tenancy (within the meaning of section 5A of the Agricultural (Scotland) Act 2003);
- (k) A short limited duration tenancy (within the meaning of section 4 of the Agricultural Holdings (Scotland) Act 2003);
- (l) A tenancy under a lease under which agricultural land is let for the purpose of it being used only for grazing or mowing during some specified period of the year (as described in section 3 of the Agricultural Holdings (Scotland) Act 2003);
- (m) A private residential tenancy (within the meaning of section 1 of the Private Housing (Tenancies) (Scotland) Act 2016); or
- (n) A student residential tenancy.

The Council will apply the criteria in the 2002 Order, or any subsequent amendment made to the Order, to determine whether a property is regarded as excluded tenancy.

6.0 Determination of Licence Applications

Stirling Council has an internal procedures documents that sets out how the Council will handle applications for licences and the circumstances where determination of a licence will be referred to the Council's Planning & Regulation Panel. Licence applications will be dealt with by Officers using delegated authority where there are no valid objections or no unusual features.

7.0 Planning Considerations before Applying for a Short-Term Let Licence

7.1 Planning Permission

Under the 1982 Act, a preliminary ground for refusing to consider a Short-Term licence is that the use of the premises for 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.

It is the responsibility of the applicant to check to ensure that the operation of 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.

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.

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.

7.2 Short-Term Let Control Areas

Under The Town and Country Planning (Short-Term Let Control Areas) (Scotland) Regulations 2021, a Planning Authority can introduce Short-Term Let Control Zones that would require any change of use for a premises to any of the classifications of Short-Term Letting to first require planning permission. At present there are no Short-Term Let Control Areas in place in the Stirling Council area or the Loch Lomond & Trossachs National Park Planning Authority Area where premises falls within the geographical boundaries of Stirling Council.

If any Short-Term Let Control areas are introduced within the geographical boundaries of Stirling Council either by Stirling Council's Planning Service and/or by the Loch Lomond & Trossachs National Park Planning Authority in the future, applicants and the licence holder should note that where planning permission may not be required at present, this may change in the event of a Short-Term Let Control Area being introduced.

Such licence holders should note that it is a mandatory condition of a Short-Term Let licence that if the premises were to fall within a Short-Term Let Control Area in the future, the licence holder must ensure that an application for planning permission under the Town and Country Planning (Scotland) Act 1997 has been made or is in force. This means that if a Short-Term Let Control Area is introduced during the period a licence holders Short-Term Let licence is in force, where planning permission was not initially required at the time of applying and being granted a Short-Term Let licence as detailed in section 8.1 above, the applicant would need to apply for planning permission.

If the applicant did not apply for planning permission or a certificate of lawfulness as applicable, or if the applicant continued to operate a Short-Term Let after planning permission or a certificate of lawfulness had been refused, the licence holder would be in breach of a licence condition and enforcement action may be taken.

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.

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 Lomond & Trossachs National Park Planning Authority.

8.0 Temporary Exemptions for a Short-Term Let Licence

A temporary exemption to the requirement to have licence may be granted for a period of up to 6 weeks in any period of 12 months. The 6 week limit is a maximum and not a default period. A temporary exemption application may take up to 6 weeks to determine.

The Council has the authority to grant temporary exemptions to the requirement to have a licence but the host / operator must apply to the Council for a temporary exemption.

Due to the purpose of short-term let licensing is 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:-

- 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.

The Chief Constable and the Scottish Fire and Rescue Service will be consulted in respect of applications for temporary exemptions.

9.0 Temporary Licences

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.

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:-

- 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.

A temporary licence does not affect the way that planning rules apply and applicants should first check with their local Planning Authority as to whether planning consent is required or not to operate a short-term let on a temporary basis for a period of up to six weeks.

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.

The Chief Constable and the Scottish Fire and Rescue Service will be consulted in respect of applications for temporary exemptions.

10.0 Determining a Short-Term Let Licence Application

10.1 Determining where no objection or representation is received

All named parties that includes the host / operator, owner/s, managing agent, board will be subject to a Fit and Proper person check carried out by Police Scotland who will carry out background checks and advise Stirling Council accordingly. Further statutory checks will be carried out in the premises.

Should there be no adverse comments or any comments do not bring in to question the ongoing fit and properness of the applicants, the application will be determined under delegated powers.

10.2 Determining where delegated approval cannot be made

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.

10.3 Duration of Licences

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.

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.

10.4 Variation

At any time, the holder of the Short-Term Let licence can apply to Stirling Council to vary the terms of the licence. There is no requirement to advertise a variation but Stirling Council will consult with the statutory consultees.

10.5 Material Change in Circumstances

A licence holder must notify Stirling Council in writing as soon as possible where there is a material change in circumstances affecting the licence holder and/or the Short-Term Let premises.

10.6 Suspension or Revocation of a Short-Term Let Licence

Stirling Council can suspend a Short-Term Let licence immediately if it is of the opinion that the carrying out of the activity to which the licence relates is causing or is likely to cause a serious threat to public order or public safety.

After an immediate suspension has taken place the licence holder will be given the opportunity to attend a hearing before the Planning & Regulation Panel in relation to the matter that triggered the suspension. Following the hearing, the Planning & Regulation Panel will determine whether to suspend the licence for a further period, revoke the licence or take no further action.

10.7 Timescale for Determining Applications

Under the 1982 Act, Stirling Council has 9 months from the date when the application is received to determine the Short-Term Let licence application from the date it is received with all the required documentation.

It should however be noted that for applications received prior to 1st April 2023 where the Short-Term Let premises was already in existence before 1st October 2022, Stirling Council will have 12 months to determine the application.

11.0 Conditions Attached to a Short-Term Let Licence

11.1 Mandatory Conditions

Under the 2022 Order there are certain conditions which the Council must attach to a Short-Term Let licence, irrespective of the type of Short-Term Let licence granted. These are referred to as Mandatory Conditions and may not be amended or varied by the Council.

11.2 Additional Conditions

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.

11.3 Maximum Capacity

One of the mandatory conditions that is attached to all Short-Term Let licences is that the number of guests residing on the premises does not exceed the number specified in the licence. The Council will require information to be submitted as part of the application process to determine the maximum capacity.

The maximum number of persons in relation to a premises is whichever the lesser is of:-the number specified in Table 1 below in relation to the number of rooms in the premises available as sleeping accommodation for guests; and

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.

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.

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.

Table 1

Number of Rooms	Number of Persons
1	2
2	3
3	5
4	7
5+	2 for each room

Table 2

Column 1 – Floor Area of Each Bedroom	Column 2 – Number of Persons
90 square feet (8.36 square metres) or more	2
50 square feet (4.65 square meters) or more	1

Appendix 1 – Mandatory Conditions

Agents

1. Only those named as the holder of the licence can carry out the day to day management of the Short-Term Let premises.

Type of Licence

2. The holder of the licence may only offer the type of Short-Term Let for which the licence has been granted.

Fire Safety

3. The holder of the licence must ensure that the premises has satisfactory equipment installed for detecting and for giving warning of (a) fire or suspected fire, and (b) the presence of carbon monoxide in a concentration that is hazardous to health.
4. The holder of the licence must keep records showing that all upholstered furnishings and mattresses within the parts of the premises which are for guest use, or to which the guests are otherwise permitted to have access, comply with the Furniture and Furnishings (Fire Safety) Regulations 1988.

Gas Safety

5. Where the premises has a gas supply:-
 - (a) The holder of the licence must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises;
 - (b) If after an annual inspection, any appliance does not meet the required safety standard, the holder of the licence must not allow a Short-Term Let of the premises until the works necessary to bring the appliance to the required safety standard have been carried out.

Electrical Safety

6. Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which guests are permitted to have access, the holder of the licence must:-
 - (a) Ensure that any electrical fittings and items are in:-
 - (i) A reasonable state of repair; and
 - (ii) Proper and safe working order.
 - (b) Arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person;

- (c) Ensure that following an electrical safety inspection, the competent persons produces an Electrical Installation Condition Report on any fixed installations;
 - (d) Arrange for a competent person to:-
 - (i) Produce a Portable Appliance Testing Report on moveable appliances to which the guest has access; and
 - (ii) Date, label and sign all moveable appliances that have been tested.
7. In determining who is competent, the holder of the licence must have regard to the guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006.

Water Safety: Private Water Supplies

8. Where the premises are served by a private water supply, the licence holder must comply with the requirements on the owner of private dwellings set out in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.

Water Safety: Legionella

9. The holder of the licence must assess the risk from the exposure to legionella within the premises, whether or not the premises are served by a private water supply.

Safety and Repair Standards

10. (1) The holder of the licence must take all reasonable steps to ensure the premises are safe for residential use
(2) Where the premises are subject to the requirements of Chapter 4 of Part 1 of the Housing (Scotland) Act 2006, the holder of the licence must ensure that the premises meet the Repairing Standard.

Maximum Occupancy

11. The licence holder must ensure that the number of guests residing on the premises does not exceed the number specified on the licence.

Information to be Displayed

12. The holder of the licence must make the following information available within the premises in a place where it is accessible to all guests:-
- (a) A certified copy of the licence and the licence conditions;
 - (b) Fire, gas and electrical safety information;
 - (c) Details of how to summon the assistance of emergency services;
 - (d) A copy of the gas safety report;
 - (e) A copy of the Electrical Installation Condition Report; and
 - (f) A copy of the Portable Appliance Testing Report.

Planning Permission

13. Where the premises is in a Short-Term Let Control Area for the purposes of section 26B of the Town and Country Planning (Scotland) Act 1997 (“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:-
- (a) An application has been made for the planning permission under the 1997 Act and has not yet been determined; or
 - (b) Planning permission under the 1997 Act is in force.

Listings

14. (1) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the Short-Term Let of the premises includes:-
- (a) The licence number; and
 - (b) A valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008.
- (2) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the Short-Term Let of the premises is consistent with the terms of the Short-Term Let licence.

Insurance

15. The holder of the licence must ensure that there is in place for the premises:-
- (a) Valid buildings insurance for the duration of the licence; and
 - (b) Valid public liability insurance for the duration of each Short-Term Let agreement.

Payment of Fees

16. The holder of the licence must pay any fees due to the Council in respect of the licence on demand.

False or Misleading Information

17. The holder of the licence must not provide any false or misleading information to the Council.

Interpretation for the Mandatory Conditions

In this schedule:-

“Electrical Installation Condition Report” means a report containing the following information:-

- (a) The date on which the inspection was carried out;
- (b) The address of the premises inspected;
- (c) The name, address and relevant qualifications of the person who carried out the inspection;
- (d) A description, and the location, of each installation, fixture, fitting and appliance inspected;
- (e) Any defect identified;
- (f) Any action to remedy a defect.

“Energy Performance Certificate” means a certificate that complies with regulation 6 of the Energy Performance of Buildings (Scotland) Regulations 2008.

“gas safety report” means a report containing the following information:-

- (a) The date on which the appliance or flue was checked;
- (b) The address of the premises at which the appliance was checked;
- (c) A description of and the location of each appliance or flue checked;
- (d) Any safety defect identified;
- (e) Any remedial action taken;
- (f) Confirmation that the check undertaken complies with the requirements of an examination of:-
 - (i) The effectiveness of the flue;
 - (ii) The supply of combustion air;
 - (iii) Subject to head;
 - (iv) Its operating pressure or heat input, or, where necessary, both;
 - (v) If it is not reasonably practicable to examine its operating pressure or heat input (or, where necessary, both) its combustion performance; and
 - (vi) Its operation so as to ensure its safe functioning.
- (g) The name and signature of the individual carrying out the check; and
- (h) The registration number with which that individual or that individual's employer, is registered with a body approved by the Health and Safety Executive for the purposes of regulation 3(3) of the GAS Safety (Installation and Use) Regulations 1998.

“holder of the licence” means any person to whom a Short-Term Let licence has been granted or jointly granted.

“home letting” means a Short-Term Let consisting of the entering in to an agreement for the use, while the host is absent, of accommodation which is, or is part of, the host's only or principal home.

“home sharing” means a Short-Term Let consisting of the entering in to of an agreement for the use, while the host is present, of accommodation which is, or is part of, the host's only or principal home.

“premises” means the accommodation which is the subject of an application for a Short-Term Let licence or the subject of a Short-Term licence.

“repairing standard” means the steps which the holder of the licence is required to take to comply with the obligations placed on the holder by Chapter 4 of Part 1 of the Housing (Scotland) Act 2006.

“secondary letting” means a Short-Term Let consisting of the entering in to an agreement for the use of accommodation which is not, or is not part of, the licence holder's only or principal home.

“short-term let” has the same meaning as in article 3 of the Civic Government (Scotland) Act 1982v (Licensing of Short-Term Lets) Order 2022.

“short-term let licence” means a licence for a Short-Term Let.

“type of Short-Term Let” means one of the following purposes:-

- (a) Secondary Letting;
- (b) Home Letting;
- (c) Home Sharing; or
- (d) Home Letting and Home Sharing.

Appendix 2 – Style of Additional Conditions

Stirling Council has power to supplement additional conditions to a Short-Term licence in addition to the mandatory licence conditions required under the legislation.

1) Disposing of Refuse

- a) The licence holder shall provide guests, no later than two days from the booking date, with an information leaflet on how to dispose of refuse (including general and recyclable refuse) properly and appropriately from the licensed premises.

This condition will be included in all licences to ensure that the disposal of refuse is in accordance with Stirling Council's current policy and procedures on the storage and collection of general household refuse and recyclable refuse.

- b) The licence holder shall take all reasonable steps to ensure that the appropriate refuse facilities (for both general and recyclable refuse) in line with Stirling Council's current policy on the storage and collection of refuse, are available at all times either in the communal areas surrounding the premises or within the premises boundary where there are no communal areas, for the disposal of refuse by guests.

This condition will be included in all licences to ensure that the licence holder provides all necessary facilities for guests to adhere to disposal of refuse is in accordance with Stirling Council's current policy and procedures on the storage and collection of general household refuse and recyclable refuse.

- c) The licence holder shall ensure that the refuse facilities at the premises and in the communal surrounding areas of the premises are used appropriately at all times by the guests.

This condition will be included in all licences where the licensed premises is a flatted dwelling or where the premises is a house, the only external area for the storage of refuse out with collection days is on communal ground shared with other premises. This is to ensure that the disposal of refuse is in accordance with Stirling Council's current policy and procedures on the storage and collection of general household refuse and recyclable refuse and ensures all residents with access to external communal areas for the storage of refuse is in accordance with the title deeds and/or the agreement of all co-owners..

2) Communal Responsibilities of Ownership

- a) The licence holder shall act reasonably in relation to the payment of their share of all maintenance costs, insurance costs and repair costs of areas in common relative to the premises and in all dealings with any other owners and relevant factor.

This condition will be included in all licences where the licensed premises is a flatted dwelling. This is to ensure that the licence holder is honouring all legal obligations in respect of the common parts of the tenement.

- b) The licence holder shall ensure that any undisputed invoice or notification of their share of maintenance costs, insurance costs and repair costs received in respect of common areas relative to the premises is paid in full in adherence to the payment terms stipulated.

This condition will be included in all licences where the licensed premises is a flatted dwelling. This is to ensure that the licence holder is honouring all legal obligations in respect of the common parts of the tenement.

- c) The licence holder shall ensure that all common areas are regularly inspected and any defects brought to the attention of the other owners and any relevant factor, with the licence holder making payment of the appropriate share of any costs to rectify such defects.

This condition will be included in all licences where the licensed premises is a flatted dwelling. This is to ensure that the licence holder is honouring all legal obligations in respect of the common parts of the tenement and ensure the safety of all guests residing in the licensed premises.

3) Neighbour Engagement

- a) The licence holder must act reasonably in relation to the management of the licensed premises in respect of any dealings with the neighbouring residents of the premises.
This condition will be included in all licences to ensure that the licence holder is effectively managing their premises to minimise the impact noise, nuisance and/or anti-social behaviour on neighbouring residents.
- b) The licence holder must take reasonable steps to investigate any complaint made by residents of the neighbouring properties relating to the behaviour of any guests at or in the vicinity of the licensed premises.
This condition will be included in all licences to ensure that the licence holder is effectively investigating and resolving any valid complaint from neighbours regarding the behaviour of the licence holders guests.

4) Access for Guests

- a) The licence holder must not affix a key box or other device to facilitate the entry of guests to the licenced premises, to any public or jointly owned private infrastructure without the prior written permission of the relevant authorities or owners. The licence holder must be able to produce the relevant permissions to Stirling Council on request.
This condition will be included in all licences to ensure that any key box or other device to facilitate entry to the licensed premises is located and affixed to property in the exclusive ownership of the licence holder or where affixed on any public or jointly owned private infrastructure, the licence holder has the necessary written consent of all the relevant authorities or owners.
- b) The licence holder must take reasonable steps to ensure that guests do not first arrive or finally depart from the licensed premises between the hours of 11pm and 7am. The licence holder must advise guests of this as part of their booking conditions.
This condition will be included in all licences to ensure that disturbance to neighbouring residents is minimised. Reasonable steps allows for exceptions such as significantly delayed transport out with the control of the guests.

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