**Short-term lets licensing**

**Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets Order) 2022**

**Application Form - Guidance Notes**

These guidance notes have been provided to help you completing the application form Before lodging an application for a licence for a Short Term Let (STL) please ensure that you have read the following Guidance.

**Part 1: Application and licence type**

**Q1: Application type:**

**Applications will be made for either a new licence, or to renew a licence. Applications to renew a licence must be submitted prior to the expiry of your current licence.**

**A renewal Licence will require to be submitted no sooner than 90 days prior to the expiry of your licence. The host and those named on the licence will be responsible for keeping note of this.**

**If you are an existing operator, operating the premises which is the subject of this application as a short-term let prior to 1 October 2022, please select ‘New application (existing operator)’. You will be able to continue operating whilst your application is being determined. If you have not been operating prior to the 1st October 2022 then please select New application**

**Q2: Short-term let licence type:**

**There are four types of short-term let licence which you can apply for:**

1. ***Home sharing*:** means using all or part of your own home for short-term lets whilst you are there.
2. ***Home letting*:** means using all or part of your own home for short-term lets whilst you are absent, for example whilst you are on holiday**.**
3. ***Home sharing and home letting*:** means you operate short-term lets from your own home while you are living there and also for periods when you are absent.
4. ***Secondary letting*: means a short-term let involving the letting of property where you do not normally live, for example a second home;**

**Q3: Permission from owners**

**Where you do not own the property and you intend to operate as a short-term let, you must demonstrate that you have secured the consent of the property owners. Examples of situations where this may be relevant and required include where somebody with a private residential tenancy wishes to let out a spare room.**

**Q4: Type of Licence being applied**

**In most cases, applicants will be applying for a full licence for a 3-year period, however in certain circumstances, such as testing the future viability of a short term let, or for a special event, a temporary licence can be applied for, this will allow a property to be let for no more than a 6 week period in a 12 month window and similar checks will be required.**

**Q5: You, Joint Owners/Companies/Partnerships**

**This section is split into two based on whether you are applying as an individual or corporate entity. Corporate entities include companies, partnerships, trusts or charities. If you select Individual, you will be required to give your details along with your home address and that of any Joint Owners of the short term let property. Should you select company/partnership, you will require to give full information relating to this as well as names of any board of directors.**

**Q6 Convictions**

**Details of any unspent convictions must be provided for everybody that has been named on your application in order for South Ayrshire Council as licensing authority to consult with Police Scotland (and any other body as appropriate) to determine whether all those name on the application are considered fit and proper persons.**

**Q7 Managing Agent**

**If there is anyone other than those mentioned in the Individual/Company/Partnership section who will carry out day to day management of the let, such as a business, letting agent, organisation or another person, they must be declared.**

 **Q8 Premises address**

**Please provide the full address, including postcode of the premises for which you are seeking a licence. If you have multiple premises, you will be required to submit an application for each premises (except in limited circumstances, for example 10 pods within a single field could be considered a single premises with multiple accommodation units).**

**Q9 – Property Type**

**Indicate the property type.**

**Q10 – Bedroom Size**

**Please state the number of bedrooms on your premises. For those offering home sharing, please state the number of bedrooms available for let. You will require to intimate if these are double rooms or single rooms.**

**Maximum number of occupants per unit / total maximum occupancy**

**Please state the maximum number of occupants allowed to reside on the premises. Children under the age of 10 will not count towards occupancy levels.**

**Where there are multiple accommodation units on the same premises, please include the total maximum occupancy and maximum occupancy per unit. Some illustrative examples are included below:**

|  |  |  |
| --- | --- | --- |
| **Premises type** | **Maximum occupancy per unit** | **Total maximum occupancy** |
| **Self-catering detached house (secondary let – entire property 3 bedrooms, 2 are double and 1 is single)** | **5** **(2 adults per double room, 1 adult per single)** | **5** |
| **Home sharing with 2 lettable bedrooms** | **2 bedrooms, with maximum occupancy of 2 per bedroom.**  | **4** |
| **Field with 10 separately lettable pods** | **5 pods with maximum occupancy of 2;****5 pods with maximum occupancy of 3.** | **25** |

**Q11 Description of Short Term Let**

**Indicate the best description that fits the short term let**

**Q12 Sought Planning Permission**

**South Ayrshire Council does not intend on implementing Control Area Regulations at this time however this will be kept under review as the application process opens and we can establish overall prevalence.**

**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.**

**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.**

**Q13 Non-Domestic Rates**

**Please indicate if the property is classed under Non-Domestic Rates**

**Q 14 Hot Tubs**

**Please indicate if the property has a hot tub, if so there will be additional conditions attached to your licence to ensure appliance is used appropriately.**

**Q15 – Wood burning Stove or other unconventional heating appliances.**

**Please indicate if the property has a wooed burning stove present as confirmation of fire safety compliance will be required.**

**Q16 – Declaration of compliance of Tolerable and Repairing Standard**

**Please indicate.**

**Q18 Supporting Documentation**

**Please refer to the application checklist re this section, you must ensure all required documentation is uploaded at point of submission of application, as your licence will not be approved without our ability to determine compliance.**

**Q19: Declaration**

**You are required to complete a declaration to confirm you have read and understood the mandatory conditions that apply to all short-term lets in Scotland and any additional standard conditions that are required by your licensing authority.**

**As noted within the declaration it is an offence to provide false or misleading information on your application form which could lead to prosecution, and you are therefore required to indicate that the information provide on your application form is correct to the best of your knowledge.**

**Licence Fees**







**Additional Documents:**

**Site Notice**

Applicants have a statutory obligation to advertise display a notice of application stating that an application for a short-term let licence has been made.

A template site notice is provided to download. This notice should be completed clearly and legibly. The notice must be displayed suitably protected from the elements on or near to the property in a position where it can be easily read by members of the public for a period of 21 days starting on the date on which your application is lodged with the Council. For example a lamppost at the property, the entry into a close or another suitable easily readable position. **You must provide us with evidence that you have done this such as a photo submission.**

You must take reasonable steps to protect the notice and if it is removed, obscured or defaced, within the 21 day period, it should be replaced. At the end of the 21 day period part B at the foot of the notice must be completed and the entire notice must then be returned to *South Ayrshire Council* at shorttermlets@south-ayrshire.gov.uk

If the notice has been removed or defaced then you must provide the Council with written confirmation that you displayed the notice for 21 days as required and took steps to protect and replace the notice if appropriate.

**Note** - Where an applicant believes that compliance with the requirement to display a Site Notice is likely to jeopardise the safety or welfare of any persons, or the security of any premises, they may apply to the local authority to be exempt from this requirement.

**Submitting your application**

Before submitting your application, please ensure the following:

* The checklist been fully completed.
* You have the correct application fee
* All required certificates and supporting documentation are provided.
* The premises is ready for a property inspection to be carried out – (irrespective of whether or not the local authority chooses to inspect your premises).

**Further information and links:**

* **Scottish Government Short-Term Lets webpage:** [Short-term lets: regulation information - gov.scot (www.gov.scot)](https://www.gov.scot/publications/short-term-lets/)
* Scottish Government Licensing Guidance for Hosts and Operators: [Short term lets - licensing scheme part 1: guidance for hosts and operators - gov.scot (www.gov.scot)](https://www.gov.scot/publications/short-term-lets-scotland-licensing-scheme-part-1-guidance-hosts-operators-2/)
* Scottish Government Planning Guidance for Hosts and Operators: [2. Guidance for Hosts and Operators - Short term lets: planning guidance for hosts and operators - gov.scot (www.gov.scot)](https://www.gov.scot/publications/short-term-lets-scotland-planning-guidance-hosts-operators/pages/2/)