

## Response ID ANON-FUKT-92VA-V

Submitted to **Short-Term Lets: Consultation**

Submitted on **2019-07-22 09:39:43**

### Questions

**1 Are you aware of any additional data on the impacts of short-term lets (over and above that set out in Annex A – The Short-Term Rental Sector, Housing and Tourism in Scotland and briefly summarised above) which the Scottish Government should take into account when considering proposals for regulation?**

**Are you aware of any additional data on the impacts of short-term lets (over and above that set out in Annex A – The Short-Term Rental Sector, Housing and Tourism in Scotland and briefly summarised above) which the Scottish Government will take into account when considering proposals for regulation?:**

No

**2 Should a regulatory framework distinguish between sharing, swapping and secondary letting?**

Yes

**Please explain your answer.:**

**3 Should the rules be capable of being different depending on the type of accommodation? For example, to distinguish between tenement flats and detached houses.**

No

**Please explain your answer.:**

**4 Do you have any comments on any other aspect of the definition of short term lets?**

**Do you have any comments on any other aspect of the definition of short term lets?:**

No

**5 Do you have any comments on the positive or negative impacts of short-term lets?**

**Do you have any comments on the positive or negative impacts of short-term lets?:**

No

**6 Do you have any examples of other positive or negative impacts of short-term lets?**

**Do you have any examples of other positive or negative impacts of short-term lets?:**

No

**7 Do you have any comments about the impact of short-term lets on the housing market?**

**Do you have any comments about the impact of short-term lets on the housing market?:**

No

**8 Do you have any comments on the restrictions imposed on short-term lets by planning law?**

**Do you have any comments on the restrictions imposed on short-term lets by planning law?:**

RTPI Scotland has major concerns about the resource implications of changes to the regulatory framework governing short-term lets.

Our recently published research has shown significant issues with resourcing in the planning system. Since 2009, planning departments have lost 25% of their staff and had over a 40% of real term cuts. This cut when compared to other departments, was disproportionately larger.

Changing planning law in regards to short term lets should also be seen in the context of many other additional duties likely to result in the new Planning (Scotland) Bill as passed, which are, as of yet unfunded. RTPI Scotland appreciates the discretionary function in the Planning (Scotland) Bill as passed with the amendment related to short-term lets allowing local authorities to designate all or part of its area as a short-term let control area. However this places importance on the statutory register, as the introduction of a short-term control area will need to be evidenced. This could have substantial resource implications with any increase in planning applications will not be covered by the planning application fee, with work from Heads of Planning Scotland showing that 66% of the processing costs of an application are recovered. Furthermore for local authorities to actively implement and enforce these new provisions, significant additional resource will be required. Therefore RTPI Scotland believes that this proposed regulatory framework will contravene Principle 9 of the stated design principles – to be “Cost effective: the approach should be cheap to run and self-financing”.

In Ireland, where new regulations for short-term lets have been recently introduced, the Minister of Housing, Planning and Local Government (Circular Letter PL 4/ 2019), asking local authority planning departments for estimated resource requirements. RTPI Scotland would encourage Scottish Government to follow the example set in Ireland, clearly identifying additional resource requirements from proposals.

**9 Do you have any comments on powers to tackle antisocial behaviour caused by short-term lets?**

**Do you have any comments on powers to tackle antisocial behaviour caused by short-term lets?:**

No

**10 Do you have any comments about complaint systems for short-term lets?**

**Do you have any comments about complaint systems for short-term lets?:**

Complaints regarding the activities of short-term lets are distinct from complaints about the change of use. Management and monitoring requires a joined up approach between housing officers, antisocial behaviour teams, the police, environmental health and planning. However if the remit is shared across too many departments the approach might be inconsistent and piecemeal. This has been the experience at Westminster council, where initially a taskforce was set up in the planning departments enforcement team has subsequently moved to the Public Protection & Licensing team as part of the Housing Standards Taskforce. As discussed in response to Q8 effective enforcement will require significant resources.

**11 Do you have any comments on safety issues related to short-term lets?**

**Do you have any comments on safety issues related to short-term lets?:**

No

**12 Do you have any comments on eligibility for non-domestic rates?**

**Do you have any comments on eligibility for non-domestic rates? :**

No

**13 Do you have any comments on the additional eligibility requirements recommended by the Barclay Review?**

**Do you have any comments on the additional eligibility requirements recommended by the Barclay Review? :**

No

**14 Do you have any comments on the eligibility of self-catering accommodation for the Small Business Bonus Scheme?**

**Do you have any comments on the eligibility of self-catering accommodation for the Small Business Bonus Scheme? :**

No

**15 Do you have any other comments on taxation relating to short-term lets?**

**Do you have any other comments on taxation relating to short-term lets?':**

No

**16 Do you have any additions or amendments to the proposed design principles?**

**Do you have any additions or amendments to the proposed design principles?:**

No

**17 Do you have any comments on the proposed scope of a regulatory framework?**

**Do you have any comments on the proposed scope of a regulatory framework?:**

RTPI Scotland supports a statutory registration in the first instance, this would ensure that the volume and scale of short term lets can be clearly articulated to decision makers across the country. If it was decided that the problem is significant to the locality. RTPI Scotland would support local authorities to, at their discretion, adopt additional measures such as a short- term let control areas or a licensing scheme.

**18 Do you have any comments on the controls or conditions which councils should be able to set through a registration or licensing regime?**

**Do you have any comments on the controls or conditions which councils should be able to set through a registration or licensing regime?:**

No

**19 Do you have any comments on whether a licensing scheme and/or market-based approach, and any associated charges, should apply to all types of short-term lets and whether conditions and/or charges should vary according to the type of property, its location or the number of rooms?**

**Do you have any comments on whether a licensing scheme and/or market-based approach, and any associated charges, should apply to all types of short-term lets and whether conditions and/or charges should vary according to the type of property, its location or the number of rooms?:**

No

**20 Do you have any comments on the effectiveness of a days per year limit in meeting the Scottish Government's objectives?**

**Do you have any comments on the effectiveness of a days per year limit in meeting the Scottish Government's objectives?:**

No

**21 Do you have any comments on how regulations should deal with commercial hosts?**

**Do you have any comments on how regulations should deal with commercial hosts?:**

No

**22 Do you have any comments on who should be subject to enforcement and sanctions?**

**Do you have any comments on who should be subject to enforcement and sanctions?:**

In the first instance, any host who has not joined the statutory register should be liable to enforcement action.

**23 Do you have any other comments on short-term lets not covered in your answers to the above?**

**Do you have any other comments on short-term lets not covered in your answers to the above?:**

No

## **About you (optional)**

**1 Which of the following best describes you. Please choose all that apply:**

Other

**If other, please specify.:**

Professional membership body

**2 How did you hear about the consultation? Please choose all that apply.**

Online at gov.scot or Citizen Space

**If other, please specify.:**

**If you are a host, please answer the following questions.**

**3 Which of the following describes your short-term letting listing(s)? Please choose all that apply.**

**4 Do you list your room/property/properties on more than one platform?**

Not Answered

**5 How many properties did you have available for short-term letting in 2018?**

How many properties did you have available for short-term letting in 2018? :

**6 Approximately how many nights was/were your listing(s) occupied in 2018?**

proximately how many nights was/were your listing(s) occupied in 2018? :

**7 For hosts with more than one property, do you have properties in more than one local authority area in Scotland?**

Not Answered

## **About you**

**What is your name?**

**Name:**

Robbie Calvert, Policy and Practice Officer at RTPI Scotland

**What is your email address?**

**Email:**

Robbie.calvert@rtpi.org.uk

**Are you responding as an individual or an organisation?**

Organisation

**What is your organisation?**

**Organisation:**

RTPI Scotland

**The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:**

Publish response with name

**We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?**

Yes

## **Evaluation**

**Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)**

**Matrix 1 - How satisfied were you with this consultation?:**

Very satisfied

**Please enter comments here.:**

**Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:**

Very satisfied

**Please enter comments here.:**