



***Q) How would you describe your view of the proposed licensing system for short-term lets?***

**PLACE Answer: Support** (however we have significant concerns over the removal of overprovision powers from licensing).

***Q1) Why do you think this? (please tick all that apply)***

**PLACE Answer:**

- It will safeguard the amenity of people living alongside short-term lets.
- It will protect existing communities in areas with high visitor numbers.
- It brings short-term lets into line with other tourism businesses.
- It will ensure short-term lets meet minimum safety and management standards.
- It protects legitimate short-term let businesses

***Q2) Other reason(s) please specify in the box below***

- n/a

***Q3) Thinking about your response above, how do you think the proposed licensing system could be improved? Please set out how you think the system could be improved in the box below:***

**PLACE Answer: Return overprovision powers to licensing as a matter of urgency to protect authorities outside Edinburgh. We present 10 core amendments in total -**

We have already written to the Cabinet Secretary for Social Justice, Housing and Local Government, Shona Robison to raise concerns regarding a serious error in

the Minister's reasoning for the removal of overprovision powers in licensing legislation. We are disappointed that these changes took place outside of the Stakeholders Working Group and were not discussed before being announced.

We believe this shows a fundamental misunderstanding of the scope of the new short-term let control areas in planning legislation. Short-term let control areas are very welcome, however, they are only effective when combined with specific amendments to a Council's Local Development Plan (LDP). Changes to an LDP can only be achieved every 5 years. Only the City of Edinburgh has this process in motion. Expecting local authorities to wait 5 years to protect an area where overprovision already exists, is a recipe for disaster.

If overprovision powers are not granted in licensing, almost all Councils will be unable to deny licenses to short-term lets for reasons of housing shortages for the foreseeable future. Councils will be powerless to address homelessness, poverty and social isolation as we come out of the pandemic.

In June, Airbnb released their White Paper which set out how they wished their ideal "regulation" to look like across the UK. The changes proposed here by the seem to mirror these disappointingly closely: self certification, no checks on overprovision and a weakening of the ability to enforce planning permission standards.

PLACE strongly supports the issues raised by the Cockburn Society regarding the need for effective enforcement. We would be happy to speak to the committee about our network's experience of enforcement and share examples of how unlawful hosts have evaded or avoided enforcement action.

To summarise, PLACE has written to Ms Robinson to request the following 10 additional changes:

1. Robust tools to address overprovision of short term lets in licensing and planning legislation.
2. Platform accountability - Experience shows licensing is only effective if platforms can be fined for advertising short-term lets without a valid license number.
3. Robust checking of home sharing applications for fraud by commercial hosts.
4. Mandatory planning permission for commercial licenses, especially in tenements.
5. Cancel temporary exemptions which incentivise the use of homes as short-term lets.
6. A live short-term letting register with natural names for commercial hosts

7. Guidance for lawful home-sharing and home-letting (particularly in flats)
8. Policy statements on overprovision which must consider the supply of accessible and affordable housing.
9. Removal of the 10 year rule which gives immunity to short-term lets which have been operating unlawfully for 10 years.
10. No more delays - every delay is a win to those who exploit communities for profit.

*Q) Anything else? Is there anything else about the proposed licensing system, or its potential impact, that you would like to mention to the Committee. It would be helpful if you could keep any comments brief and provide evidence to support any claims made. Please set out any further comments in the box below:*

**PLACE Answer:**

We strongly recommend reading the joint briefing note prepared by Community Land Scotland and PLACE to learn more about this issue.