

Self catering body accuses Leith councillor of bias

The Association of Scotland's Self-Caterers, (ASSC) has accused a Leith councillor of bias in his role in deciding some planning applications.

Following a decision issued by Lord Braid in the petition for judicial review of Edinburgh Council's application of the Short Term Lets (STLs) legislation, the body published a letter of complaint about Cllr Chas Booth in which it asks the council to investigate his behaviour during which he should be suspended from his role on the Development Management Committee and required to stop publishing any social media posts about STLs. The letter addressed to the customer's customer care team says that the councillor is a "vocal campaigner against STLs" while he is also involved in planning decisions.

The ASSC said it has concerns over the "compatibility" of the Green councillor's public calls for STL control and his committee work, and claims that his "online activity demonstrates a disproportionate preoccupation with STL matters".

We asked Cllr Booth for comment and he replied: "It would not be appropriate to comment until the council responds first."

Cllr Ben Parker, Co-Convenor of the Green Group on The City of Edinburgh Council, said: "This complaint appears to be a classic example of mud-slinging in a vain hope that something

will stick. Personal attacks such as this are often the last resort of those who have lost the argument. The Green Group of councillors stand shoulder to shoulder in solidarity with Chas following this personal attack on him, and as a group we will continue to put the interests of renters and residents ahead of the interests of private profit.”

Peter Ralph Averbuch, Dickins Edinburgh Limited, Reserve Travel Limited and Edinburgh SC (Self Catering) Limited raised £300,000 in a record crowdfunder for legal costs and the matter was heard in the Outer House only a few weeks ago. The petitioners claimed that the way the council developed their policy over holiday let legislation was “inconsistent and incoherent”.

Lord Braid issued his decision on 8 June 2023, finding that the council policy was unlawful in respect of the rebuttable presumption, (which presumes there will be no ‘secondary letting’ licences granted in respect of tenements), the lack of provision for temporary licences and the requirement to supply floor coverings.

The Labour administration in Edinburgh included a pledge to “use the new planning and licensing powers to control the number of short term lets in the city and put in place effective enforcement” in their 2022 manifesto.

The Edinburgh Greens campaigned on a manifesto which included a commitment to “Crack down on short-term holiday lets by setting the whole city as a short term let control area and setting a new planning policy against the loss of homes to other uses without delay”.

As far back as 2018 the council decided that it had to take action on short term lets which was “having a direct impact on the availability of residential homes in the city”.

The council states repeatedly that there is a shortage of housing in the city. The Scottish Government put legislation

in place to govern short term lets in October 2022, and in March this year the parliament approved an extension to 1 October 2023 to allow property owners to apply for the necessary planning permission. Edinburgh Council decided in September 2022 that the whole city would become a short term lets area.

Council Leader Cammy Day said after the court decision was published: "It's no secret that we face unique housing pressures here in Edinburgh, with a small but densely populated city centre and fast growing population, and it's crucial for us to strike the right balance between promoting our visitor economy while looking after the people that live here all year round.

"Our residents have told us that, in many cases, STLs are hollowing out their communities, reducing housing supply and increasing housing costs. We can't forget that many have endured years of disturbance and anti-social behaviour and we will continue to work hard to get this right.

"The court acknowledged our intention to find a solution to this and agreed that it was legitimate to use both planning and licensing policy. We welcome the clarity he's provided and will now consider our next steps in more detail."


Any complaints about the conduct of a councillor or a council are to be addressed to the [Ethical Standards Commission](#) in the first place, as a council does not investigate itself in these matters.


The letter sent to The City of Edinburgh Council by Davidson Chalmers Stewart on behalf of ASSC is below:



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Meanwhile one of the parties to the petition has wasted no time in celebrating their win. Louise Dickins (otherwise Karin Louise Molyneux Brook) who is a director of Dickins Edinburgh Limited and ASSC published a photo of herself on Instagram enjoying the moment. Dickins has also put a notice in their window as you can see below.

There is a right of appeal to the Inner House of the Court of Session, but the council has not yet made a decision about any appeal public.

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Instagram



dickins_edinburgh



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