

Council firms up plans for enforcement of short term lets

Edinburgh Council has set out how it plans to enforce the new licensing rules in respect of short-term lets. But the council has admitted it has no powers of its own to force people to take their properties off Airbnb and similar booking sites.

The city's licensing system for short-term lets (STLs) came into effect at the weekend after an initial six-month delay – and officials say over 2,100 applications have been made.

The change means anyone continuing to operate a holiday let in their property without having applying for the license will be doing so illegally.

Primarily the council will rely on residents to file complaints about suspected unlicensed STLs which it will then investigate.

In the first instance a letter will be sent to property owners reminding them of the licensing requirement, and then a further warning to apply within 14 days or face further action.

If ignored, a third letter – a 'formal written warning' – will

be sent.

But the council admitted in a report that it has “no powers” to deal with rogue operators who continue to ignore the new laws as it cannot “serve notice to require an unlicensed premises to cease trading”.

Therefore while it believes such cases will be “rare” the authority will have to report persistent non-compliance issues to the Crown Office and Procurator Fiscal Service (COPFS), requiring a further lengthy evidence-collecting and investigation process – which could result in a fine of up to £2,500.

The report stated: “The council will closely monitor the implementation and enforcement outcomes in relation to unlicensed STLs.

“Where issues are identified around any persistent problems or a lack of enforcement powers, the council will seek to bring these to the attention of the Scottish Government’s review of the STL licensing regime in the summer of 2024.

“This will include suggestions regarding where the existing legislation could be strengthened.”

When the matter was discussed at the City Chambers on Monday Regulatory Services Manager Andrew Mitchell said: “Initially issues will be dealt with by engaging with the trade, offering advice and guidance. Typically these will be routed through the licensing service and only escalated to enforcement teams if that is unsuccessful.

“At this point the key focus will be on getting relevant operators to apply for a licence and reaching determinations on those applications.”

Catherine Scanlin, licensing manager, said the departments phone was “ringing all day currently about short-term lets”.

She said: "I have a whole team working on short-term lets on a full-time basis now, and we are giving out as much information as we can.

"We are aware there is a lot of misinformation that isn't coming from the council so I would urge everybody to look at the website."

[The council has information about Short Term Lets here.](#)

by Donald Turvill, Local Democracy Reporter



02/10/2023 PHOTO Alan Simpson Applications for short term let licenses advertised in doorways on the Royal Mile Edinburgh.



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