

# Response ID ANON-RA1J-6KZR-U

Submitted to **Short Term Lets: Consultation on a licensing scheme and planning control areas in Scotland**

Submitted on **2020-10-16 19:44:01**

## Questions

### 1 Please identify any issues with the proposed definition as set out in chapter 4, and how to resolve them.

#### Question 1:

The overarching concern of the Scottish Islands Federation (SIF) is the sustainability of Scotland's island communities and we welcome this opportunity to offer our perspective on the proposed regulation of short-term lets.

Short-term lets feature significantly in the sustainability of island communities, supporting economic growth, services and supply chains through tourism as well as housing the many essential contract and project workers that travel to the islands each year. With a minimum income standard that is significantly higher than the rest of Scotland, the opportunity to diversify into short-term letting to supplement income can also be an important factor in population retention. Equally, SIF is aware of concerns within many island communities of the impact of second homes and certain types of short-term lets on the availability and affordability of housing stock.

SIF believes the planned measures, while welcome in some instances, have the potential to alter the landscape of short-term lets in island communities and we would advocate the need for robust data and community engagement to fully understand the situation.

For example, in terms of the definition, all short-term lets will require a licence whether letting for 3 nights or 360. What impact will this have on the viability and subsequent availability of short-term lets and how will it effect other parts of the island economy. Unconventional dwellings are exempt, could this lead to a shift towards this type of accommodation and if so, what would be the impact?

In line with the Islands (Scotland) Act, SIF would therefore underline the importance of undertaking an Island Communities Impact Assessment (ICIA), if not already done so.

### 2 Please identify any issues with the proposed control area regulations as set out in chapter 5, and how to resolve them.

#### Question 2:

SIF recognises the need for control area regulations and can see the value in having options to manage the number of short-term lets in certain circumstances.

However, many island communities are distant from Local Authority decision-making and SIF would argue the need for assurance that individual islands or communities won't be disadvantaged or negatively impacted by decisions taken remotely without local community consultation or input.

We would strongly support the role of community anchor organisations as legitimate stakeholders in any decision making.

### 3 Please identify any issues with the proposed licensing order as set out in chapter 6, and how to resolve them.

#### Question 3:

SIF welcomes the parity in health and safety regulation and standards for all short-term rental accommodation that the new scheme aims to address. The potential issues we have identified include:

- The level of licence fee has not yet been specified but is a cause for concern for the viability of many small island businesses, already marginal and facing significant strain due to COVID-19.
- A number of items contained within the list of proposed mandatory requirements seem more appropriate for an urban setting and are potentially unworkable in a remote island situation. A review of these and the inclusion of appropriate derogations would be a welcome addition.
- For example, the legislation will encourage a meet and greet approach to checking in and a local authority could make this, as well as curfews on checking in or out and other measures, a license condition. Early ferry departures, working patterns and travel to work, distances to and from the accommodation, could make conditions such as these, impractical for island businesses.
- The capacity of, already overstretched council budgets and resources, to be able to implement the new scheme and fully engage island communities in decision making.
- The level of fines for non-compliance, which seem extreme.

The diversity of island situations is complex and SIF would stress the importance of thoroughly exploring the potential impact of the regulations on island communities in order to avoid undue negative consequences.

An example of where this did not happen in the past, is the Gateway House Model, pioneered by a number of island community trusts in Orkney. Aiming to tackle population decline, a 'Gateway House, enabled people to test out island life for six months or so before taking the leap to invest in more permanent housing. This was seen as a best practice model by many other islands wishing to replicate a similar solution.

However, "The legal change which ended Short-Assured Tenancies for the protection of tenants from unscrupulous landlords had the unintended outcome that we were no longer able to offer Morven House as gateway housing as we had done. Short-Assured Tenancies were for six months, renewable up to a maximum

of 18 months, but tenants could be asked to leave at the end of 6 or 12 months if landlords wanted so it was seen as insecure housing. Papay Coop were affected in the same way with their gateway house at Aalsker (next door to the shop). Both are now let to families as furnished accommodation on a standard tenancy agreement which is fine but no opportunity to attract new folk as we did before. I think the Eday gateway house was affected by the legal change too. We really miss the gateway house model and would likely be able to attract more families or younger folk if we still had it. Our school roll is down to only 3 this year so we have some challenges ahead to get that increased". Papay Development Trust.

As noted in question one, SIF believes there is a need, if not already done so, to conduct an Island Community Impact Assessment to gain a better understanding of the implications for island communities and consider the introduction of flexibility or derogations to avoid a negative impact socially and economically.

## About you

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

Other, please state

**If you answered 'Other', please state:**

Network of island community organisations

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

Online at gov.scot or Citizen Space

**Other (please state):**

**What is your name?**

**Name:**

Camille Dressler

**What is your email address?**

**Email:**

info@scottish-islands-federation.co.uk

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

Organisation

**What is your organisation?**

**Organisation:**

Scottish Islands Federation

**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

**I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.**

I consent

## 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?:**

Neither satisfied nor dissatisfied

**Please enter comments here.:**

We would have liked more time to complete the consultation.

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

Very dissatisfied

Please enter comments here.: