**Application Form – Guidance Notes.**

**Short-term lets licencing.**

**Civic Government (Scotland) Act 1982 (Licencing of Short-term Lets) Order 2022.**

These guidance notes have been provided to help you in completing the application form Before lodging an application for a licence for a Short Term Let (STL) please ensure that you have read the following Guidance.

**Part 1: Introduction**

**Part 2: Application and licence type**

**2.1: Application type:**

Applications will be made for either a new licence, or to renew a licence. Applications to renew a licence must be submitted prior to the expiry of your current licence.

If you are an existing operator, operating the premises which is the subject of this application as a short-term let prior to 1 October 2022, please select ‘New application (existing operator)’. You will be able to continue operating whilst your application is being determined.

**2.2: Short-term let licence type:**

**There are four types of short-term let licence which you can apply for:**

1. ***Home sharing*:** means using all or part of your own home for short-term lets whilst you are there.
2. ***Home letting*:** means using all or part of your own home for short-term lets whilst you are absent, for example whilst you are on holiday**.**
3. ***Home sharing and home letting*:** means you operate short-term lets from your own home while you are living there and also for periods when you are absent.
4. ***Secondary letting*: means a short-term let involving the letting of property where you do not normally live, for example a second home.**

**2.3: Permission from owners**

Where you do not own the property and you intend to operate as a short-term let, you must demonstrate that you have secured the consent of the property owners. Examples of situations where this may be relevant and required include where somebody with a private residential tenancy wishes to let out a spare room.

**Part 3: Applicant Details.**

**3.1 & 3.2: Individual or corporate entity**

Part 3 is split into two sections based on whether you are applying as an individual or corporate entity. Corporate entities include: companies, partnerships, trusts or charities.

**3.3 to 3.5: Agents and joint ownership**

Common to both sections is the requirement to provide details of all those who are behind the application. For individuals this will include any joint owners, day-to-day managers or agents. For corporate entities, this must include names of directors, partners or other persons responsible for the management of your short-term let.

**Part 4: Premises Details**

**Premises address**

Please provide the full address, including postcode of the premises for which you are seeking a licence. If you have multiple premises, you will be required to submit an application for each premises (except in limited circumstances, for example 10 pods within a single field could be considered a single premises with multiple accommodation units).

**Maximum number of occupants per unit / total maximum occupancy**

Please state the maximum number of occupants allowed to reside on the premises.

Where there are multiple accommodation units on the same premises, please include the total maximum occupancy and maximum occupancy per unit. Some illustrative examples are included below:

|  |  |  |
| --- | --- | --- |
| **Premises type** | **Maximum occupancy per unit** | **Total maximum occupancy** |
| **Self-catering detached house (secondary let – entire property)** | 10 | 10 |
| **Home sharing with 2 lettable bedrooms** | 2 bedrooms, with maximum occupancy of 2 per bedroom. | 4 |
| **Field with 10 separately lettable pods** | 5 pods with maximum occupancy of 2;  5 pods with maximum occupancy of 3. | 25 |

Children under ten years old but not under one count as a half.

Children under one year old are not counted.

**Number of bedrooms**

Please state the number of bedrooms on your premises. For those offering home sharing, please state the number of bedrooms available for let.

**Name(s) of joint property owner(s) *(if applicable)***

Please ensure you provide details of all owners of the property which is the subject of this application.

**EPC rating**

If you are applying for a licence for secondary letting, home letting or home sharing & home letting of a dwellinghouse you must confirm the EPC rating of the premises and ensure that it is displayed on any listings for the premises. Please provide a copy of your EPC certificate to allow North Lanarkshire Council to verify compliance. Note – listings need not include the EPC certificate, but only the rating (e.g. EPC – D).

**Type of premises**

Unconventional accommodation is a broad term, used to capture all accommodation that is not a dwellinghouse – such as pods, yurts, static caravans etc.

**Description of short-term let**

This question will help understand the makeup of the short-term let sector in more detail – and relates to short-term let type. B&Bs and guest houses are often forms of home sharing.

**Part 5: Convictions**

Details of any unspent convictions must be provided for everybody that has been named on your application in order for North Lanarkshire Council as licensing authority to consult with Police Scotland (and any other body as appropriate) to determine whether all those named on the application are considered fit and proper persons.

**Part 6: Checklist**

**Application checklist**

The application checklist is designed to assist you with preparation of an application for a licence that is complete first time. If your application is incomplete North Lanarkshire Council will return your application to you and ask you to resubmit a complete application.

The checklist is split into 3 sections to ensure:

* You have enclosed all necessary documentation to support your application
* You understand your obligations and,
* Your premises is suitable (and ready for inspection, if required).

*In certain circumstances, applicants may be required to submit floor plans of their premises to the local authority. This may be requested where certain fire safety aspects of the licensing conditions are not met, or where there are concerns regarding overcrowding or disabled access. Please be mindful that this list is not exhaustive.*

**Part 7: Declaration**

You are required to complete a declaration to confirm you have read and understood the mandatory conditions that apply to all short-term lets in Scotland and any additional standard conditions that are required by your licensing authority.

As noted within the declaration it is an offence to provide false or misleading information on your application form which could lead to prosecution, and you are therefore required to indicate that the information provide on your application form is correct to the best of your knowledge.

**Further information about your short-term let licence.**

**Licence Fees**

£300 for up to 4 guests

£450 for 5 or more guests

Licences are valid for a period of three years.

**Additional Documents:** The Application Pack includes other documentation that you may find useful when completing your application form. There is a fire safety checklist provided by Scottish Fire and Rescue Service, which they require you to complete. SCFRS have provided 3 information links noted at the foot of the fire safety checklist. These links provide valuable information regarding fire safety measures within your premises. The link below describes how you can carry out a Fire Risk Assessment at your premises depending on your knowledge and experience in dealing with fire safety.

[FIRE+SAFETY+RISK+ASSESSMENT+-+September+2021.pdf (www.gov.scot)](https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2014/10/fire-safety-risk-assessment-forms-and-guidance/documents/guide-to-carrying-out-and-recording-a-fire-safety-risk-assessment/guide-to-carrying-out-and-recording-a-fire-safety-risk-assessment/govscot%3Adocument/FIRE%2BSAFETY%2BRISK%2BASSESSMENT%2B-%2BSeptember%2B2021.pdf)

Further to this, the Application Pack also includes a Legionella self-assessment document which will allow you to assess the risks of Legionella within your property should you decide to do so. Short term let operators and Agents can carry out a Legionnaire’s risk assessment themselves if the property is a single dwelling or a flat with its own water supply and they are competent to do so.

**Display of Site Notice**

Applicants have a statutory obligation to advertise display a notice of application stating that an application for a short-term let licence has been made.

A template site notice is provided with the application form. This notice should be completed clearly and legibly. The notice must be displayed suitably protected from the elements on or near to the property in a position where it can be easily read by members of the public for a period of 21 days starting on the date on which your application is lodged with the Council.

You must take reasonable steps to protect the notice and if it is removed, obscured or defaced, within the 21 day period, it should be replaced. At the end of the 21 day period part B at the foot of the notice must be completed and the entire notice must then be returned to *Private Sector Enforcement Manager, Built Environment, Civic Centre, Ground Floor, Windmillhill Street, Motherwell, ML1 1AB*

If the notice has been removed or defaced, then you must provide the Council with written confirmation that you displayed the notice for 21 days as required and took steps to protect and replace the notice if appropriate.

**Note** - Where an applicant believes that compliance with the requirement to display a Site Notice is likely to jeopardise the safety or welfare of any persons, or the security of any premises, they may apply to the local authority to be exempt from this requirement.

**Submitting your application**

Before submitting your application, please ensure the following:

* The checklist at part 1 has been fully completed.
* The correct application fee is attached.
* All required certificates and supporting documentation are attached.
* The premises is ready for a property inspection to be carried out – (irrespective of whether or not the local authority chooses to inspect your premises).

**Further information and links:**

* **Scottish Government Short-Term Lets webpage:** [Short-term lets: regulation information - gov.scot (www.gov.scot)](https://www.gov.scot/publications/short-term-lets/)
* Scottish Government Licensing Guidance for Hosts and Operators: [Short term lets - licensing scheme part 1: guidance for hosts and operators - gov.scot (www.gov.scot)](https://www.gov.scot/publications/short-term-lets-scotland-licensing-scheme-part-1-guidance-hosts-operators-2/)
* Scottish Government Planning Guidance for Hosts and Operators: [2. Guidance for Hosts and Operators - Short term lets: planning guidance for hosts and operators - gov.scot (www.gov.scot)](https://www.gov.scot/publications/short-term-lets-scotland-planning-guidance-hosts-operators/pages/2/)