

LICENSING

Short-Term Lets Frequently Asked Questions (FAQs)

We have collated some frequently asked questions which the Licensing Service has been asked on a regular basis on short term let licensing and provided responses to each one. Please note, the information below is for general information and guidance purposes only and does not constitute legal advice.

Q1. What is a Short Term Let (STL)?

A property where residential accommodation is provided by a host in the course of business where:

- a. The guest does not use the accommodation as their only or principal home; and
- b. The short-term let is entered into for commercial consideration.

You will not need a STL licence if:

- The accommodation is the guest's only or main home
- The guest is an immediate family member of the host
- The principal purpose is for the guest to live there while in education, including attending a school, college, further or higher educational institution
- The guest is an owner or part owner of the accommodation
- The principal purpose of the accommodation is for work or services by the guest for the host or their family
- The accommodation is classed as 'excluded accommodation' – details [here](#)
- The short-term let is classed as an 'excluded tenancy' – details [here](#)

Q2. What type of licence should I apply for?

There are 4 types of STL licence:

- Home sharing
- Home Letting
- Home sharing and home letting; or
- Secondary Letting

Home sharing means using all or part of your own home for short-term lets whilst you are still living in the home.

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 or away for work-purposes but the property remains your home.

Secondary letting means the letting of a property, on a short-term basis, where you do not

normally live. For example, a second home.

A host must decide which licence type reflects how they will run their business and apply to the Council for the relevant STL licence type. Please seek legal advice if unsure which type of let best suits your circumstances.

Q3. When do I need to submit my application for a STL licence?

If you decide you wish to operate as a STL then we would encourage you to apply as quickly as possible. You cannot take bookings or guests on a short-term basis unless your licence has been granted. You must apply to the Local Authority area where your property is located.

Temporary applications can be lodged as early as 6 months prior to the requested licence or exemption start date.

Q4. Do I need planning permission to operate my property as a short-term let?

The whole of the City of Edinburgh Council area has been designated as a Short-Term Let Control Area. The designation came into effect on 5 September 2022. This means that as of that date the change of use of an entire dwelling, that is not someone's principal home, to a short-term let will require planning permission.

As a result, applicants for a new full STL licence for secondary letting must be able to:

- Provide evidence that they have applied for or obtained the relevant planning permission, or;
- Confirm the reasons why planning permission is not required (for example, by providing a certificate of lawfulness)

when submitting their licence application.

If neither of the above is provided, the application will not be considered and will be returned.

For further information you can visit the Planning Team's webpage [here](#) or contact them by email at planning@edinburgh.gov.uk.

Q5. Do we require a STL licence if we operate premises which already have a licence to sell alcohol?

If you currently have a Premises Licence to sell alcohol, under section 17 of the Licensing (Scotland) Act 2005, you do not require a STL licence. You should be aware that the operating plan of your premises should state that you are using the premises to provide accommodation.

Q6. Do guest houses need to apply for a STL licence?

Yes - guest houses require a short-term let licence. Licensing legislation excludes hotels from requiring an STL licence, but the [Scottish Government guidance](#) is clear that the exclusion will only apply if the following two conditions apply:

- 1. Premises operate as a hotel.**
- 2. Premises have planning permission granted for use as a hotel.**

If the premises do not meet both of the above conditions and they are not otherwise excluded by any of the criteria set out in [Schedule 1 of the Licensing Order](#), they will be within scope of the definition of an STL and they will require a licence. If in doubt please seek legal advice.

Guest houses which have an alcohol premises licence which covers the footprint of the STL accommodation and which has accommodation listed within the operating plan (as mentioned above) do not require an STL licence - see question 5 above.

Q7. If I only operate my property as a STL for part of the year, do I still require a licence?

Yes

Q8. Under which circumstances will the Council consider temporary exemption applications?

Temporary exemptions can be issued for a single period or up to 3 separate periods not exceeding 6 weeks in total in any calendar year. The 6 weeks available for exemption can be requested for one block of 6 weeks or can be for lesser periods of time. If you know the dates that you require an exemption for then please submit on one form (which is the most economical way) or if you wish to apply as and when required, then each application will be subject to a fee.

The Council will consider applications for STL temporary exemptions in certain circumstances as set out below:

- a) During the Edinburgh Festival Fringe and Edinburgh International Festival
- b) During Edinburgh's Christmas & Hogmanay Festive Period
- c) For Major Sporting Events
- d) For Major International Events

Temporary exemptions will be issued for all types of STL letting and the Licensing Service will endeavour to determine temporary exemption applications as quickly as possible or within 3 months of the application being received. The application fees for a temporary exemption can be found [here](#).

Q9. How long will it take to process my application?

Legislation allows the Council up to 9 months to determine a new or renewal STL application however we aim to make a decision within 4 months.

It takes less time if all the supporting documentation is included, if there are no complaints or objections from neighbours and if the licence application is submitted as early as possible (as the summer period is the busiest for the licensing service).

As part of the application process, it is a legal requirement that we notify Police Scotland and the Scottish Fire & Rescue Service, and that they are allowed a 28-day statutory consultation period in which to comment on a new or renewal application.

Q10. What happens if an objection is raised in connection with my application?

You will receive a copy of the objection and you will be called to have your application considered by the Licensing Sub-Committee. Under the Council's scheme of delegation, this Committee (which is made up of elected members) has the decision-making authority when there is an objection or representation.

Objections/representations can be submitted by: Police, Fire Service, other bodies or groups, neighbours or members of the public.

Q11. Do I need to get all the safety certification to apply for a Home Sharing/Home Letting licence?

Yes – Scottish Government have included safety certification requirements in the legislation and these requirements apply to all types of let.

Q12. Do I need to get all the safety certification if I am only applying for a temporary licence?

Yes - temporary licences are subject to mandatory conditions set by Scottish legislation, including safety certification requirements.

Q13. Do I need to get all the safety certification if I am only applying for a temporary exemption?

That depends on the type of let - temporary exemptions for secondary letting will have to comply with all mandatory conditions set by Scottish legislation, including safety certification requirements.

As of 31 January 2025, temporary home letting and/or sharing exemptions only need to comply with certain mandatory conditions (listed in Appendix 3 to the [short term lets policy](#)).

Consequently, though it is considered good practice applicants are no longer required to submit copies of EICR or PAT test with their home letting and sharing exemption application or provide details of the property's EPC rating on the application form.

Q14. Where can I find further information on completing my Fire Safety Risk Assessment?

We accept risk assessments which have been completed by property owners and it is not necessary to pay to have an assessment completed (although you may wish to do this). We strongly recommend that all applicants review the available guidance from the Scottish Fire & Rescue Service which is available [here](#). Further links are available here:

- [Fire Safety: guidance for the hospitality industry](#)
- [Fire Safety: Guidance for Existing Properties with Sleeping Accommodation](#)
- [Non-domestic fire safety](#)

The Licensing Service is unable to provide advice on fire risk or fire safety risk assessments.

Q15. Where can I find further information on completing a Legionella Risk Assessment?

The Licensing Service is unable to provide advice on the completion of Legionella Risk assessments. Information on Legionella and the associated risk-assessment from the Health & Safety Executive can be found [here](#).

Q16. Do I need to submit architectural drawing to meet the floor plans requirement in the application pack?

No - hand drawn plans are acceptable as long as they are reasonably to scale and include room sizes or dimensions. The floor plan must include:

- Reference to the sizes of all rooms
- Fire escape routes
- Accommodation intended for guests with mobility impairment (if applicable)

For the Council and Scottish Fire & Rescue Service to undertake an assessment of the maximum number of guests that can be accommodated safely, applicants must provide as part of their application, floor plan(s) for their premises. Every effort should be made to submit clear and accurate floor plans.

Q17. When is a STL licence not required?

The STL legislation, sets out the circumstances where a STL licence will not be required. The list of excluded accommodation can be found [here](#). The list of excluded tenancies can be found [here](#). Further information can be accessed via Scottish Government guidance [here](#).

Q18. How will renewal applications for STL licences be dealt with?

As long as you submit a renewal application prior to your licence expiry date, your STL licence will remain in effect. Your renewal application will be processed the same way as your original application and a decision will be made by Council officers unless an objection/representation is received. If this is the case, then you will be called to the Licensing Sub Committee meeting for a decision.

Q19 – I have a full STL licence. Can I apply to amend the type of let or increase occupancy?

If you currently hold a short-term let licence and are looking to change the type of let or increase occupancy, you will be required to make a new licence application. You will not be able to operate on the basis of the increased capacity or new type of let until the new licence has been granted. It is also important to note that it is not permissible under the

legislation to hold two short-term let licences for the same premises at any one time. We will need you to surrender your current licence before we can make a decision on your pending application.

Q20 - Can I transfer my licence if I sell my property?

An STL licence can be transferred to another person. **It is important to note that a licence granted for your premises cannot be 'moved' to another property.** A short-term let licence holder can apply to the licensing authority to transfer the licence into the name of a third party. This will support hosts/operators who wish to sell by allowing them to market their accommodation as a short-term let (with onward bookings) or if there are other reasons why a licence needs to be transferred. Once we have received a transfer application from the licence holder, the Council is required to consult with the Chief Constable and subject to there being no Police objections, we will be able to grant the transfer application. If your transfer application is connected a property transaction due to take place at a future date, please flag that with the Licensing Service to avoid your licence being transferred prior to the missives concluding.

Q21 - How can I report an unlicensed or problem short-term let?

The licensing scheme became operational on 1 October 2022. Those who operated a short-term let before that date had until 1 October 2023 to apply for a licence.

Anyone intending to offer short-term let accommodation now needs a short term let licence. In order to check if a property is a licensed short term let, [see the STL licence register](#).

It is worth noting that the Council has no powers to regulate the fees charged by private business, including STL operators, for use of their accommodation and/or services.

Complaints of unlicensed STL properties or problems with a licensed STL can be reported by email to PRSEnforcement@edinburgh.gov.uk or via the link below.

<https://www.edinburgh.gov.uk/private-housing/report-problem-short-term-let>