

COMMITTEE:	Licensing Sub-Committee
MEETING DATE:	13 November 2025
BY:	Depute Chief Executive – Resources and Economy
REPORT TITLE:	Short-Term Let Licensing Policy Review 2025
REPORT STATUS:	Public

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1 PURPOSE OF REPORT

- 1.1 For the Licensing Sub-Committee to review analysis of the public consultation responses and determine if further consultation is to be undertaken.

2 RECOMMENDATIONS

Members are recommended to:

- 2.1 Note the outcome of the public consultation held between 1 August 2025 and 12 September 2025.
- 2.2 Instruct officers to undertake further consultation on the viability of introducing Temporary Exemption and Temporary License options.

3 BACKGROUND

- 3.1 East Lothian Council published its Short-Term Let Licensing Policy in June 2022. This policy has been amended twice since, following amendments to the Licensing Order. Local authorities are required to regularly review their policy on temporary exemptions.
- 3.2 A public consultation was published on 1 August 2025, for a period of six weeks. The consultation particularly asked if temporary exemptions and temporary licenses should be offered, in what circumstances they should be offered, and if any particular conditions should be applied to these offerings.

- 3.3 More generally, the consultation asked for opinion on whether other additional conditions were required, whether existing additional conditions should be removed or amended, and any other comments.
- 3.4 Seventy-seven responses were received to the consultation. Definitive responses were as follows:

Should ELC offer Temporary Exemptions	Yes	35 (45.45%)
	No	37 (48.05%)
	Don't know	5 (6.49%)
Should ELC offer Temporary Licenses	Yes	38 (49.35%)
	No	34 (44.16%)
	Don't know	5 (6.49%)
Should further additional conditions be considered	Yes	24 (31.17%)
	No	42 (54.55%)
	Don't know	11 (14.29%)
Should any of the existing additional conditions be removed or amended	Yes	20 (25.97%)
	No	32 (41.56%)
	Don't know	25 32.47%)

- 3.5 Comments (free text) to questions were also well received and these have been compiled and attached as appendices. A number of responses referred to legislation, which cannot be amended by a local authority, and planning matters, which cannot be amended by a licensing authority or cannot be considered when making a licensing decision. These have been highlighted throughout the appendices.
- 3.6 Within Appendix 6, there are many directly opposing views:
- From 'there should not be a short-term lets licensing scheme' to 'short-term lets should be banned';
 - From 'more short term lets will bring more money into the area' to 'visitors...don't add a huge amount to the local economy';
 - From 'the current policy has led to a huge increase in STLs in ...' to 'it means there is a shortage of holiday accommodation'.
- 3.7 A number of respondents have commented on a lack of community due to the excessive number of properties (on certain streets) being used as short-term lets (STLs) and only being occupied for certain times of the year.

- 3.8 Disposal of refuse/waste is a common theme, where respondents are dissatisfied with owners'/hosts' management of the same.

4 POLICY IMPLICATIONS

- 4.1 Whilst this paper does not have any impact on the current policy, should recommendation 2.2 be approved, this may result in the policy being amended to introduce Temporary Exemption and Temporary Licence options.

5 RESOURCE AND OTHER IMPLICATIONS

- 5.1 Finance: None
- 5.2 Human Resources: None
- 5.3 Other (e.g. Legal/IT): None
- 5.4 Risk: None

6 INTEGRATED IMPACT ASSESSMENT

- 6.1 ***Select the statement that is appropriate to your report by placing an 'X' in the relevant box.***

An Integrated Impact Assessment screening process has been undertaken and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the environment and sustainability; the Council's role as a corporate parent; or the storage/collection of personal data.

☒

or

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:

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Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	
Socio-economic disadvantage/poverty	

Subject	Impacts identified (Yes, No or N/A)
Climate change, the environment and sustainability	
Corporate parenting and care-experienced young people	
Storage/collection of personal data	
Other	

7 APPENDICES

- 7.1 Appendix 1 – In what circumstances should Temporary Exemptions be available? (54 responses)
- 7.2 Appendix 2 – What, if any, conditions should be applied to Temporary Exemptions? (51 responses)
- 7.3 Appendix 3 – In what circumstances should Temporary Licenses be available? (50 responses)
- 7.4 Appendix 4 – What additional conditions be considered? (30 responses)
- 7.5 Appendix 5 – Should any of the existing additional conditions be removed or amended? (30 responses)
- 7.6 Appendix 6 – Any further comments (62 responses)
- 7.7 Appendix 7 – GIS mapping of licensed properties
- 7.8 Appendix 8 – Rental costs

8 BACKGROUND PAPERS

- 8.1 Licensing Policy Statement, Short-term Lets, 2022 - https://www.eastlothian.gov.uk/downloads/file/33132/policy_statement

9 AUTHOR AND APPROVAL DETAILS

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Date	27 October 2025

Head of Service Approval

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Designation	Head of Corporate Support
Confirmation that IIA and other relevant checks (e.g. finance/legal) have been completed	Yes
Approval Date	29 October 2025

In what circumstances should Temporary Exemptions be available? (Appendix 1)

Red indicates opposition to Temporary Exemptions being available

Green indicates support to Temporary Exemptions being available

- 1) These should be offered the same way as City of Edinburgh Council - to take account of major events - including the Edinburgh Festival and local big events (golf). Edinburgh struggles to accommodate the vast amount of visitors to the city in August and other times, such as the marathon, stadium concerts and people look to staying outwith Edinburgh and in East Lothian.
- 2) No circumstances
- 3) On it's your own private residence and you let it while you're away.
When there are major local events therefore helping the to add more bed availability in the area.
When you don't generate more than £12,000. k rental income in a tax year
- 4) This would allow additional rentals to be available during peak tourist time (festivals, golf tournaments, etc)
- 5) Holiday periods, festivals and sporting events where demand for accommodation is higher
- 6) When requested by a property owner, for any reason.
- 7) To allow people to temporarily let their property if they are going abroad etc
- 8) In order to have occupancy rather than empty premises.
- 9) Festivals
- 10) When a renovated property is awaiting it's license post receiving its completion certificate
- 11) While awaiting application to process
- 12) None.
- 13) None
- 14) People who already have a licence and not sure if they want to renew (I am in this position because no idea how much the renewal will cost and already have bookings beyond the end of my current licence)
- 15) Should be offered for short periods over eg the summer when Scottish open is on, and demand is high.
- 16) A number of short-term-lets have been lost in North Berwick since the licensing scheme was introduced and there are times of the year when there is a need for additional accomodation eg during Fringe by the Sea. However, the current licence fee is too high and I suspect that many people wouldn't apply for a temporary exemption unless the fee was minimal eg no more than £200.
- 17) All

- 18) Where homes are rented out on very short term let's as we did for only 12 weeks a year when we are on holiday.
- 19) One off , one time only, strictly time limited for people who have an active application under consideration which has not yet been completely processed.
- 20) I don't believe they should.
- 21) I responded No. I don't think that its a level playing field if anyone competing for the same booking can lower their costs because they have saved money by ducking a license fee.
Are they even worth having for a 6 weeks duration in any case. Far too costly to administer also meaning that Council resource that could be focused on other STL related issues. Like inspections.
- 22) None. Temporary exemptions are a nonsense - ELC's administration costs to facilitate these will be a waste of taxpayers money and ELC have no budget, capacity or ability to meaningfully regulate temporary exemptions. Three separate council approvals for a total of six weeks per annum?? Makes no sense.
6 weeks per annum should be unregulated / unlicensed after which a full and properly regulated license should be granted. If ELC cannot process an application in 6 weeks, approval is deemed granted.
- 23) The short term let license regime has been implemented to ensure health and safety of guests and to ensure the health, safety and wellbeing of neighbours. There are no circumstances when ensuring health, safety and wellbeing should be waived.
- 24) None
- 25) None
- 26) None. It has caused grief on Balfour Street.
- 27) During busy seasons such as summer holidays or for local events such as Fringe by the Sea or the golf open, where demand may be high for short term lets
- 28) None
- 29) None.
- 30) During golfing and other events, summer and Christmas holidays when people want to visit EL and the capital city
- 31) To cover the period for submitting an application and, if refused, to cover a reasonable period of a few weeks to clear all bookings.
- 32) When setting up short-let and you need to test the viability of the market before applying for a full license.

33) My concern is that some people might use it instead of applying for a full licence, and I'm not sure how it would be monitored to make sure the time limits aren't exceeded. Perhaps the council could set very clear criteria for when an exemption is allowed, and have a simple system to track expiry dates — maybe even reminding applicants when their exemption is coming to an end. That way, it feels fair for everyone who has gone through the full licensing process.

34) To facilitate short term letting of properties for up to six weeks in any twelve month period.

35) Temporary exemptions should not be made under any circumstances, by doing so the standards upheld by the Scottish Government and East Lothian Council are not being upheld. It risks sub-standard accommodation being utilised as a quick fix during peak tourist periods where owners do not adhere to standards licence holders are held to. If temporary exemptions were in place, even with conditions attached, there is the risk that there are insufficient resources in place to properly monitor and enforce the standards that are required. The need for a temporary exemption is mitigated by the ability of the applicant to apply for a home letting or home sharing licence. This would still enable the property to be utilised as a short term let while remaining as the applicant's principal property. There should not be cases where the property is not be occupied for the rest of the year. For example left empty and underutilised outwith periods of exemption during an affordable housing emergency. Using temporary exemptions may see an increase in under occupied properties. There is also concern that temporary exemptions may lead to unnecessary evictions if the owner wanted to use it as a temporary short term let. There is the potential that tenants are asked to leave so that the property can be used for this purpose. Although tenants do enjoy strong protections in Scotland, some unscrupulous landlords may attempt to skirt legislation.

36) N/A

37) Whenever required (e.g. over the busy summer period or to coincide with major events such as concerts/New Year). A policy to mirror Edinburgh City Council's short-term letting exemptions would be excellent.

38) Similar to the scheme in London where if you let for less than 3 months in the year or to let over the summer / festival period e.g. July/August.

39) To enable people to provide extra accommodation for events such as golf tournaments, festivals etc. There's a lack of affordable accommodation in the area so it would be helpful if ELC lowered the barriers to allow more people to provide it eg by letting their main residence while they are away.

40) Festival, special events and the like.

41) When people's who own properties can achieve a financial gain from them. Such as golf tournaments or fringe events. People should be allowed to use their property as they see fit.

42) All

43) Where there are major events happening in East Lothian or neighbouring counties to help with shortage of accommodation. E.g. the Scottish Open, the Edinburgh Festival. At certain times of the year e.g. summer season, Easter, Christmas and New Year. Where the normal occupants may be away from their home they can rent it out e.g. if they are on a short secondment elsewhere.

44) Long let becomes available and new tenancy is a struggle.
Resident going on holiday wants to rent out their property.
Students in summer wanting to let out their flat (landlord of them).
Anyone wanting to just do short let over the peak season.

45) We should be allowed to let for a reasonable period of time 10 weeks to cover the main events in ELC.
Golf (2 weeks) Fringe/Fringe by the Seas (4 weeks) Regattas (2 weeks) Lammermuir festival (1 week) for example.

THIS IS NOT A REVIEW OF SHORT TERM LICENCE ACTIVITIES IT DOES NOT DEAL WITH THE BEHAVIOUR OF THE COUNCIL IN THE APPLICATION PROCESS AS ADVERTSIED IN THE COURIER

46) To help provide accommodation during major sporting events, festivals or entertainment...BUT it would be difficult to justify when all providers should be licensed. Therefore I believe this would be better dealt with by either issuing temporary licenses (with safety compliance) or better still, a complete review of the whole STL license scheme. It should really be like a registration scheme first, to ensure safety compliance only. Other laws and processes that are already in existence would deal with all the rest.

47) To cover specific periods such as Fringe by the Sea in North Berwick and through Recognised holiday periods like Summer, Easter and Christmas.

48) None

49) It would be used to avoid regulation in the same way that STL operators are avoiding compliance just now. It would erode still further the SGs intention to regulate.

50) None

51) Part time home letting

52) When a person wants to rent a room in their home during busy holiday seasons or for home swap for holidays.

53) Temporary Exemptions should be available in the summer during the high season and at Easter time for example. The money spent by tourists is a massive boost to the entire local economy, supporting jobs and businesses in the hospitality, food and drink, and retail sectors. I can only speak for North Berwick when I say that over the years it has become more and more the go to town for tourists.

54) None

What, if any, conditions should be applied to Temporary Exemptions? (Appendix 2)

1. A six week period that is NOT a continuous six week, but can be used for the marathon at the end of May and then perhaps in August and whenever there maybe local events in East Lothian.
I would be happy to submit safety certificates for gas and electric for a Temporary Exemption.
It should be much cheaper than a full licence.
2. On it's your own private residence and you let it while you're away.
When there are major local events therefore helping the to add more bed availability in the area.
when you don't generate more than £12,000. k rental income in a tax
3. None
4. Compliance with regulations as per short term let, e.g. safety certification
5. Properly should be safe and not used beyond its capacity.
6. Waste, recycling, should be covered.
Consideration for permanent residents defined and able to be challenged.
7. Safety regs as per any rental accommodation
8. None
9. None
10. No exemptions should apply. Landlords should know the rules, and ignorance is just tough luck on their part.
11. None
12. Safety and the need for rental properties for local residents.
13. 6–8-week temporary exemptions.
People paying council tax and resident in area, only.
14. None
15. None
16. None
17. must have current active application underway.
only one temprary exemption ever.
exemption limited to 6 weeks.

18. N/A
19. No license, no STL
20. Health and safety obviously - but I doubt ELC can provide the regulatory inspection and approval service for that so don't bother with conditions.
21. The conditions of operating a short term let are laid out in the license requirements. This mandatory mechanism should not be deliberately undermined by ELC introducing Temporary Exemptions which could extend to six weeks - that is the entire summer holiday period. This pattern could then be repeated annually, thus effectively circumventing Scottish Government legislation on the licensing of short term lets. ELC should be aware that long term lets have been shown to have greater benefit to the local economy in North Berwick than do short term lets (independent report commissioned by North Berwick Environment and Heritage Trust and shared to Planning and all Councillors in July 2024). This pattern is likely to be repeated across the county. The evidence is that there is no economic case for short term lets other than private profit, largely flowing to people outwith East Lothian.
22. N/a
23. None at all.
24. N/A
25. N/A
26. Not applicable given I object to any temporary exemptions.
27. Minimal -
28. You can only do it once.
29. It should be for 12months and can be granted on numerous occasions
30. Big events like Fringe by the Sea or The Open could see many properties rented out for profit without a full licence which isn't fair in people that have gone through the full licence application.
Non-renewable: Limit them to a one-time use so people can't keep reapplying instead of getting a full licence.
Transparency: Exemptions should be recorded publicly so it's clear who has one and when it expires.
Monitoring: The council could check in during the exemption period to make sure conditions are being followed but not really sure how you can physically can be checked.
Consequences: A strong fine or automatic rejection of future applications if the time limit is broken.
31. None

32. Although strongly against temporary exemptions, if they are to be allowed this should only be for short periods of time and should exclude properties in North Berwick and smaller one and two bedroom properties which are in high demand.
33. N/A
34. Time limited period eg 6 weeks p.a.
35. That safety standards are still met e.g. EICR and gas safety.
36. In general where there are no issues with neighbours then conditions should not be necessary. Maybe the council could apply conditions to subsequent temporary exemptions if complaints are received.
37. Same safety provisions as any rental property.
38. None
39. None
40. Care should be taken to minimise impacts on neighbours, so no parties, stag do's or hen parties.
Where parking is limited no more than one car at the property.
If the owners are away there should be a local contact to deal with any issues
Safety – they should meet the safety legislation that permanent short term lets are required to do e.g. smoke alarms etc.
They should have insurance to cover this activity and if they have a mortgage they should have permission to let out.
41. No over crowding.
Must have normal safety certificates in place.
42. THIS IS NOT A REVIEW OF SHORT TERM ACTIVITIES IT DOES NOT DEAL WITH THE BEHAVIOUR OF THE COUNCIL IN THE APPLICATION PROCESS AS ADVERTISED IN THE COURIER.
WE SHOULD BE REVIEWING YOUR POLICY.
43. All safety compliance as per STL licence, otherwise there is no level playing field and the system will be exploited by unscrupulous operators.
44. Should still meet fire and electrical safety criteria.
45. None.
46. There should be no temporary exemptions. If there are ELC MUST set up a monitoring and enforcement process, something that does not exist. At present there are STL owners who avoid any licensing and avoid planning. There are STL owners who lie to gain licenses and there are others who breach the terms and conditions of their licence. ELC ignore all of the problems but that does not mean they do not exist.
47. All of those list as Mandatory or Additional Conditions.

48. Two month maximum letting period.

49. No conditions. There are too many STLS and second homes in North Berwick and they are hollowing out the town.

50. The usual vetting of potential guests should apply as always.

I would expect that landlords/letting agents should, as always make sure that the properties are up to date with safety checks including EIC and Pat tests, gas safety certificates and Fire Risk assessments.

51. None

In what circumstances should Temporary Licenses be available? (Appendix 3)

Red indicates opposition to Temporary Licenses being available

Green indicates support to Temporary Licenses being available

1. **Can't think of any**
2. **For when someone is applying for a full licence - so they can start hosting sooner whilst they wait for their full licence.**
3. **None**
4. **On it's your own private residence and you let it while you're away.
When there are major local events therefore helping the to add more bed availability in the area.
when you don't generate more than £12,000. k rental income in a tax**
5. **For festivals, golf tournaments etc and while waiting for an application to be decided.**
6. **If/when an owner can demonstrate a sound commercial reason - i.e. he/she has bookings in the pipeline. We want to see good businesses thrive**
7. **Upon request by a property owner.**
8. **If owners have been in habit of holiday leasing for a long time prior to changes and neighbours have not been negatively impacted .**
9. **Festivals/special events**
10. **All**
11. **None.**
12. **None**
13. **People who already have a licence and are not sure if they want to renew (cost of renewal not yet available but bookings have already been made for dates beyond end of current licence)**
14. **None. There should not be a need to offer temporary licenses. The mandatory conditions imposed by ELC are too severe and apply to all properties whether they are house share or rental properties. House share licensing should be treated differently and with a light touch. I know of bed and breakfasts that shut up shop because of the mandatory conditions applied by ELC.**
15. **All**
16. **Giving people time to apply for this very unfair licence**

17. must have application for full licence in place.
application for full licence must be at least 4 weeks old.
18. Again, I don't believe they should be.
19. For STL letting of a specific property where a full license must be applied for within say 1-2 months.
or for a previously licensed property, re-entering the STL market.
20. Temporary licenses should not be issued to people who are looking to profiteer from events like the Festival or Hogmanny.
21. Temporary License should be automatic until ELC have finally determined. If ELC have no capacity to determine within 6 weeks, the license should be deemed granted.
22. Following the introduction in 2022 of mandatory licensing there was a case for temporary licenses, while numerous applications were made at the same time. However, that time has passed. Temporary licenses. undermine the legislation around short term lets because no checks are in place and the requirement for notifying neighbours is circumvented, to the detriment of health, safety and well being. There is no economic case to support the need for Temporary Licenses, and in fact short term lets have been shown to be of less benefit to the local economy of North Berwick than long term occupation.
It is clear from the license register that many owners, operators and managers remain unidentified;
It is clear from applications that most properties operate with no waste disposal contract in place;
that properties have been licensed when no planning permission is in place. The evidence is that owners cannot be relied upon to adhere to mandatory conditions without checks made by ELC.
23. To permit legitimate business until the correct permanent permissions are achieved
24. None. People use this as a way to get around the full licence being declined.
25. For short duration only, not an extended period while full license application is being processed.
26. They shouldn't be
27. None.
28. None
29. Events and peak visitor season
30. Provided ELC can process full licenses in acceptable timeframes there should be no need for a temporary license.

31. Temporary licences should allow hosts to operate legally for a limited time, either while awaiting a full licence or for short-term needs. They should be given a temp license pending application for full license; and short term operational needs, for example looking to set up short lets and test the market.

32. Temporary licences should only be issued where the accommodation is required by either essential or seasonal workers working within East Lothian temporarily. If temporary licenses are made available, they should support seasonal tourism without undermining housing supply.

33. N/A

34. If host doesn't want to apply for full licence.

35. Where an application for a full licence has been made.

36. Festivals, special events etc

37. All

38. As in Q5 (major events, seasonal, home letting) but also if they are waiting to hear about the outcome of their full licence.

39. Long let becomes available and new tenancy is a struggle.
Resident going on holiday wants to rent out their property.
Students in summer wanting to let out their flat (landlord of them).
Anyone wanting to just do short let over the peak season.

40. Freely

41. If the applicant has completed all the necessary safety checks etc they should be able to get a temp licence while their application is decided upon. The only danger is if the licence is refused the visitors may have already booked the accommodation and cancellations by hosts would not look very good for East Lothian as a holiday destination.

42. For major sporting, festival or entertainment events that would bring economic benefit to the region, the hosts must still comply with all safety elements of the STL otherwise there is no point in the STL licence regime.

43. Homes available for summer lets.

44. During recognised periods such as Fringe by the Sea in Nirth Berwick and official holiday periods such as Easter and Christmas while waiting a full licence.

45. None

46. They should not be available.

47. Never.

48. They shouldn't. Every effort must be made to balance STLs and second homes with a MAJORITY of the homes being permanently occupied.

49. I don't see why not since the host and operators are still complying with all the mandatory conditions.

50. Temporary licences should only be available in genuine short-term situation, such as covering a one-off event, an emergency, a trial period before applying for a full licence, or if a person or family is moving abroad or working away for a set period.

What additional conditions should be considered? (Appendix 4)

Blue denotes text which applies to Planning matters

Yellow denotes text which refers to Legislative matters

1. None
2. Conditions should include provisions to prevent noise/nuisance to neighbours. Conditions relating to animals might also be considered. As renters, we permit dogs in the cottage but they must not be left in the house or garden alone.
3. Removal of license (or not granting a license) if planning permission for change of use is not granted.
4. Waste management should be as for other residents.
Noise levels considerate
No partying ,hen or lads' groups, or dogs
5. Usual safety regs
6. None.
7. None
8. Requirement on landlords to ensure all rubbish is correctly disposed of/recycled. Keep an additional charge to cover costs. Removal of licence if fail to comply.
Appreciate that it is likely only a small number of tenants that cause issues but Landlords are the only ones who can be held responsible as tenants have long gone when an issue arises
9. Need for rental for local people.
10. Where the property is. Space around the property and neighbours opinions. I read that neighbour objections was one reason a home would not be given a licence however I was unaware the house directly across the road from me was going to become an air BnB and since it has opened less than a month ago, I have encountered a few issues.
11. Too many conditions imposed already; some of which are not applicable to all licence applications.
12. Each application should be considered individually by merit .eg our short term let's as we was managed by a proper house letting agent , we paid them and had to abide by good standards ,
East Lothian Council has put us out of business with excessive payment and regulations.....
for 12 weeks a year !
13. I believe that short term let licenses needs to address the glamping sector urgently.
Glamping sites that are near residential properties and without onsite management, or owners who live there should not be awarded short term let licences in my opinion. A glamping site in a rural area with multiple huts or pods bordering properties and with no onsite oversight would be devastating to the amenity of the surrounding properties.

Without an onsite presence to enforce evening noise curfews it relies on neighbours and local authorities to police them. I believe tourists to East Lothian and rural communities deserve better and licences should promote harmony not conflict.

Whilst I think that glamping pods can be a good offering among the variety of tourist accommodation options, their setting, management and design needs to be appropriate. Where they are sited on a farm or are beside a live-in owner or manager they can be a really positive example of agri-tourism and diversification. These sites are generally well contained within the landscape, minimise environmental harm and ensure active management from on-site owners who live and work there, maintaining accountability and care for the land.

14. Which specific reference to Glamping sites..

- 1) Special attention to fire safety, especially excluding use of outdoor fire pits and naked flames in rural/high risk areas such as glamping sites surrounded by crops or livestock.
- 2) Special attention to dog management in rural environments to prevent sheep/ horse worrying ie. a blanket no dog policy on sites within certain distance of livestock and/ or a licence condition being dogs to remain on lead while on site.
- 3) No glamping licences granted in residential areas or without 24/7 management presence.
- 4) Special attention to noise and anti-social behaviour mitigation in residential areas ie, no sound systems provided in units, no large group bookings, strict occupancy enforcement for units.
- 5) No 365 day operational licences granted in residential areas.

15. Should be subject to a quality inspection.

16. Because East Lothian faces a housing crisis, **ELC should implement a SHORT TERM LET CONTROL AREA throughout the county**. This would require planning permission to be in place to change the use of a property from residential use (ie a home, either owner occupied or rented long term) to business use as a short term let.

There is an ongoing increase in the number of short term let properties in East Lothian, identified by the Office of National Statistics. Together with increasing capital investment in East Lothian properties as second homes, this has contributed to a housing crisis. Short term lets also result in a loss of Council Tax revenue. Moreover, at the moment short term lets pay no business rates - owners of multiple properties (facilitated by ELC) treat each one as a separate small business, despite an average annual income of nearly £50,000 from a 2 bedroom flat in North Berwick. ELC should realise an income from business rates related to short term lets. At the moment ELC picks up the cost of dealing with homelessness while facing falling revenue from the housing stock.

ELC should take the opportunity offered by the licensing process to identify the owner, the operator and the manager of each short term let property, with a view to bringing short term let businesses into line with other businesses in terms of paying business rates. There are far too many gaps in the register that currently make it impossible for the Council to assess the scale of business rates avoidance. These gaps could also make it hard and costly for the Council to pursue any problems relating to a particular property. This information should identify the beneficial owner (ie person not simply a business name). Similarly, the onsite manager should be identified, rather than the internet company that simply advertises the property and/or arranges cleaners from outwith East Lothian to visit the flat. Cleaners typically do not clean or manage communal areas.

17. Short term lets should only be permitted for home-sharing or home-letting, and for purpose-built holiday accommodation.
18. There should be a limit to the number of STLs in a building and in a street so that they are always in a minority. So for example where there are 3 flats in a building only 1 should be a STL. No more than 5% of properties in a street should be STLs.
19. N/a
20. Contact details for owner and/or property manager should be readily available to near neighbours. It should be made easier for neighbours to contact owners.
21. Licensing authorities should additionally take into consideration the potential concentration of short term let's to reduce the number of properties in particular streets that are permitted licenses.
22. none
23. In towns where a reasonable threshold of short-term lets is exceeded relative to the total number of homes then additional conditions should be applied to restrict new licences otherwise our towns will become swamped with short-term lets that force up property prices beyond the reach of locals.
24. In line with the need for housing in East Lothian when responding to planning applications Housing Strategy and Development will not favour applications where:
- Where the property consists of a one bed or two bedrooms; as originally built.
 - Where the property is deemed as adaptable : level access properties; ground floor properties; no internal steps; potential space for wet floor shower adaptation; and/or
 - Where the property is located within the North Berwick Coastal ward; and/or
 - In cases of tenancy eviction, where meeting the Private Housing (Tenancies) (Scotland) Act 2016 has not been demonstrated.
- Additional conditions in line with these would support the supply of housing within East Lothian.
25. Satisfactory arrangements for recycling and waste disposal. Too often STL users put all their waste (including recycling) in street bins or similar.
- A "control zone" covering the central part of North Berwick to limit the number of STLs to ensure they never outnumber the number of permanent residents.
26. As at present.
27. Consideration should be given as to whether an additional Business (different industry) is already being run from the property ie making a seemingly 2 bedroom country home into a small factory and additional approval for short term lets make a large scale parking/employee/transient population in a small neighbourhood unacceptable.
28. THIS IS NOT A REVIEW OF SHORT TERM LICENCE ACTIVITIES IT DOES NOT DEAL WITH THE BEHAVIOUR OF THE COUNCIL IN THE APPLICATION PROCESS FOR CHANGE OF USE AS ADVERTISED IN THE COURIER.
29. Our organisation is very aware of the negative impacts on permanent residents in North Berwick who become the only long-term occupier within their group of flats. These can

include loneliness and a lack of community feeling, having no neighbour with whom to share the inconveniences with being the person having to answer questions from visitors about waste management etc, feeling obliged to bring in the waste of recycling bin when there is nobody else to do it, always being the one who has to deal with the contractor for the shared garden space and my other types of potential contractual arrangements to do with building repair and maintenance which no-resident owners are not in a position to take responsibility for. We are aware of one longstanding issue about the removal of balustrades from the roof of the building, which it is hard to imagine being brought to a conclusion if all the owners had been non-resident.

The licensing scheme should recognise the impacts of STLs on permanent residents and address these concerns by limiting the number of STLs in an area or town and by prioritising the view and needs of permanent residents in the immediate and wider neighbourhood over the views of owners who do not reside in East Lothian. The limit could be one STL in a building and less than 5 percent of dwelling in a street or neighbourhood or town.

A new condition should be introduced regarding waste management. This is to address the problem that current conditions are routinely not met which impacts on neighbours, surrounding properties whose bins are often filled by others' rubbish, street bins, supermarket bins and the recycling centre.

Waste management contracts should be in place before a license is granted.

Contracts can be arranged with ELC and should be for the whole year, regardless of how many weeks the property is rented for – the Council still needs to employ staff for the whole year, not on a seasonal basis.

30. Any and all conditions should be monitored and enforcement. At present they are not. ELC should ensure that all conditions are met. Owners lie and agree to conditions and then do not comply. So the matter of waste and recycling is largely ignored. Holiday makers are told to put their rubbish in public bins by STL operators and management companies.

Should any of the existing additional conditions be removed or amended? (Appendix 5)

Blue denotes text which applies to Planning matters

Yellow denotes text which refers to Legislative matters

1. I think there should be a relaxation on conditions (mostly the licence fee) if someone would like to offer homesharing. I also do not think that a homesharer should have to display the notice for 3 weeks.
2. None
3. Stop refusing licenses to those with shared entrances, if all the neighbours are happy then what's the issue?!
You're creating a massive shortfall in accommodation for holiday makers and people working in the area!
4. Minimum space standards should be more flexible
5. Make it easier to get short term lets
6. None
7. When renting a room/rooms in the house in which licensee is actually resident, less information should be needed - eg EPC and plan of building. This is costly and pointless.
8. House shares should be treated differently to rental properties and large hotels. At the moment, the conditions imposed on house shares are too onerous and the cost of a license is too expensive at over £1,000. Why has the licence fee increased so much since the scheme was introduced (£390)?
I have not checked all conditions but offer 2 examples of conditions that should be removed 1) having to obtain a fire service safety checklist for a house share is too onerous and it should be assumed that the owners of the property will have various safety checks in place as they live there; 2) having to obtain a Legionella Risk Assessment is ludicrous eg we live in a house without a water tank and take our water directly from the water supply, so this is N/A.
9. All
10. Very short term lets should be exempt , send people out to check the conditions but do not lump the good and bad together and penalise everyone .
Hardly enough affordable accommodation around already when golf competitions etc here .
11. N/A
12. condition 5, that the licensee deals with anti-social behaviour by guests that detrimentally affects anyone else in the locality of the short term let. This should be retained, and ELC should take much better full and proper account of views and evidence provided by neighbours and those in the locality of the property. It is rare to have a serious complaint

that involves the police, or involves contacting the council. Managers of short term lets are often not easy for neighbours to contact, and dismiss many concerns and complaints as minor. However, constant disturbance and annoyances have a cumulative effect that should be considered. Each incident is small, but the cumulative effect is very large.

condition 10, "Where a Short-term Let is in a shared building the licence holder must cooperate and participate in the general repair and maintenance of the building and the cleaning of common parts. Where the guests fail to participate in the cleaning of common areas or environmental areas, the licence holder will be expected to carry out the work." In what parallel universe does ELC expect guests, who are paying in the region of £1,500 per week, to clean common stairs? In particular, when there is no onsite management in place, as is the case with most short term lets, neighbours are relied upon to manage communal areas, clearing up sand on the stairs and navigating golf clubs and bikes left in communal areas, and putting out the bins for managers who never take their turn and expect this service to be provided gratis. ELC should require in such a shared space to see a cleaning and management contract where the premises is checked daily and tidied as required.

condition 11 "Adequate and suitable facilities must be provided for the storage and disposal of refuse. Where bins are provided to terraced and tenemental property they must be clearly identified by flat or property address. The licensee must ensure that the guests utilise the bins provided and ensure that refuse or bins are placed out on collection day and that bins are returned to the bin storage area following collection (where applicable)." Most short term lets appear to operate without a waste contract in place and communal domestic waste and recycling regimes are constantly undermined by guests. Many guests are instructed to take their rubbish to the ELC recycling centre, or to put it in public bins in the street, or to take it to bins in the supermarket car park. Other people's private bins are often used. ELC should require a waste management contract to be in place before issuing a license, and should require the property manager to put the bins out. It is simply unrealistic to expect visitors who are present for a few days to manage the rubbish and recycling effectively.

condition 12, "Licence Holders registered for Business Rates must have in place a Waste Management Contract providing for storage and disposal of refuse." This should be extended to all license holders. The license register should include whether or not the licence holder is registered for business rates. This would aid ELC checks.

13. Condition 9 should be strengthened by including a requirement to enhance biodiversity. There are STLs in North Berwick that have despoiled the town by replacing front gardens with tarmac and having no flowers or greenery. Condition 11 refers only to refuse bins. Waste should be discouraged and recycling should be emphasised in the conditions. This section should be altered to stress recycling. In 2022 I spent several nights in an STL where there were no recycling facilities. This should not be allowed.
14. N/a
15. All STL properties should pay business rates and use business waste services. Visitors using permanent residents' bins and not recycling is a running sore. Claiming ignorance should not be a defence.
16. Not applicable as I do not consider any current conditions should be removed.

17. none
18. A requirement for planning permission
19. Please do NOT make it any easier to allow new short-term lets. There is already surplus demand for long-term lets and permanent homes. We do not want to turn towns into 'holiday centres' as has happened in locations like Cornwall.
20. N/A
21. Requirement for planning permission to be removed.
22. Needing planning permission and automatic denying of licence for shared entrance.
ELC should be honest and upfront about conditions rather than taking payment when it is known permission is not going to be granted.
23. Requirement of obtaining planning permission.
24. All.
25. All of them.
26. Everything except the safety compliance as other rules and laws already cover everything else. It should be like the landlord registration scheme.
27. For the property to not have a shared front entrance. This severely limits the number of properties that could be made available during periods of pressure such as Fringe by the Sea or annual regattas or golfing competitions and peak holiday periods.
28. Condition 9 should be strengthened by including a requirement to enhance biodiversity wherever possible. Applicants should be required to explain the steps they will take to contribute to promoting biodiversity. Where this is not practical eg. because there is no outside space applicants should make this clear.
Where STL businesses have covered over gardens with tarmac and removed all plants, the licensing scheme could play a valuable part in ensuring that these areas are 're-greened' when licenses are renewed.

Condition 11 should be amended to prioritise recycling. Whereas it currently refers only to refuse bins, it should stress the Council's commitment to recycling and its expectation that visitors will contribute to reducing waste. STL businesses must provide recycling facilities and ensure that recycling and any residual waste is used and managed effectively.
29. Additional requirements are needed as to waste and recycling so that the burden falls to the owner or operator and not upon the tenant.
30. No conditions should be in place that allow temporary or permanent further STLS and second homes. The emphasis should be on bringing formerly 'affordable housing' back into use to benefit the lower paid workers the town needs.

Please provide any other comments you have about the current policy. (Appendix 6)

Blue denotes text which applies to Planning matters

Yellow denotes text which refers to Legislative matters

1. Too many short term lets in a small town can be very detrimental. Local people can't afford to buy the properties. These houses can be empty all week and even for half the year which makes a town only come to life at the weekend.
Parties can be disruptive to neighbours.
You only have to visit somewhere like Staithes in N Yorkshire, once a busy little town, now just full of gawping tourists, may as well be Disneyland✓
2. I think the licence fees need to be looked and there should be a difference in the fee between homesharing/letting and a full licence - as is the case with the fee model of City of Edinburgh Council.
The licence fee for homesharing/letting in Edinburgh is £120 per person. I moved to East Lothian last Autumn and prior to that had a homesharing licence in Edinburgh, I only let to 1 person so paid £120. Unfortunately the East Lothian Council licence fee, which for me would be £1099, is far too expensive for me to rent my spare room on an ad hoc basis. ELC's fee is £979 more than what I paid in Edinburgh. This is a shame as it's too expensive for me to even see whether I would be able to rent my room here, and I would need to rent it way more than I would like to make the money back. Homesharing is a great way to help with the cost of living crisis and not everyone would like to rent a room out full time, so being able to on an ad hoc basis was perfect for me. I will also add that renting a room in your home is very different to secondary lets taking up housing stock.
I'm not against short term let licencing, I'm just against homesharers having to pay as much as a business does.✓
3. **With respect, ELC closed very many STL properties at Planning after considerable efforts by owners to comply and obtain a licence.** Many running for years with no complaints and operating safely. Licences were issued and then declared useless once Planning was denied, at huge cost and personal anguish. **Blanket bans on properties with shared access were particularly harmful and Planning reviews were poorly judged and led.** ELC has reaped what it sowed unfortunately and finds itself disadvantaged with a lack of affordable self catering properties available whilst becoming a more and more attractive place to visit.
Yes, of course, I am a former STL provider of a secondary let in the North Berwick Ward. Yes, I am still angered by the process and totally dismayed by the attitude of ELC in this regard. The policy was to ensure H&S, not to decimate a hospitality offering that families could afford. Yes, this was totally foreseen by the Self Catering Industry. No, I will not ease the issue for 6 weeks! What a slap in the face.✓
4. It's not flexible enough✓
5. Serviced accommodation is an integral requirement of or tourism provisions. As much as some oversight is required, it would be short sighted to overly stifle the industry✓
6. **I am aware that the majority of properties with a shared entrance are being refused planning based on this feature alone, although nowhere is it stated within the current STL conditions.**
It is my view that properties applying for these licences should be assessed on a case by case basis.✓

7. Proactive action from ELC - monitoring online booking systems to ensure properties are licensed.
Fining operators without a license.
 Revocation of license if disruption causes to permanent residents.✓
8. As a hotel owner in Dunbar which is about to see a huge influx of workers over the next few years to enable the projects which ELC have approved where exactly do you intend these people to stay? Edinburgh/Scottish borders? Because there is for certain not enough rooms now in Dunbar!
 So what that means is that all the money that could have been spent in Dunbar and East Lothian is going outwith?
 Or do you want the hotels to be filled with workers so the tourist's can't stay anywhere and you end up with a repeat of what happened after torness was first built?
 Dunbar does not have enough hotel rooms; there is a demand for short term lets so why stop them?!✓
9. Far too many Short Term lets in North Berwick
 In Westgate in North Berwick, there are very few flats/houses permanently lived in. The Royal Appartments North Berwick in Winter time, there are very few of the appartments occupied.
 It used to be far better years ago when the old fashioned B and B's operated in North Berwick. In winter time the landladies would still be in residence, which meant that they would still do their shopping in North Berwick, which would please the local business's. We need more long term lets so that local people can actually find a property in North Berwick to rent, where no doubt they were born. The youngsters don't stand a chane of buying in North Berwick, as the cheaper properties are snapped up by investors.✓
10. Licences should be granted for 5 years if being renewed and where there have been no issues✓ *Provision for this with LA's to set out circes when this would be used. SA guidance encourages 3 years duration only.*
11. The policy is working well for it's intended purpose of making more home available for local people to live and work here✓
12. More short term lets will bring more money in to the area. They are not just used by holiday makers✓
13. Short-term lets should be banned.✓
14. The cost of renewal of licence should be made available to current licence holders so that they can forward plan.✓ *Fee's are calculated annually following Council agreement of % increases.*
15. Rising cost of living means that some home owners are needing to rent properties they may have left empty before, for example over summer holidays.
 The cost of the license for 3 years is grossly prohibitive for these type of owners who have turned to air bnb to heat their homes and feed their children.✓
16. Don't agree with air bnbs on residential estates. We moved in 7 months ago and would never have bought the house if we knew that 7 months later the neighbours across the road would open an air BnB. Neighbours didn't sign up for increased traffic, difficulty parking, different strangers every day on a residential street.✓

17. There should not be a short-term-lets licensing scheme. This appears to be yet another way ELC is trying to screw money out of businesses in East Lothian. I know of various bed and breakfasts (house shares) which opted not to apply to the scheme, so some accommodation was lost in this way. In other instances, ELC has turned down a number of applications for various types of short-term-let accommodation, reducing availability even more so. It also appears that ELC badly underestimated the cost of introducing the scheme, given that the cost of application has risen from £390 to over £1,000 (and then there may be the additional cost of having to apply for planning permission). Additionally, I have heard from various people that the time period for approval / rejection of an application has taken anything up to a year, which is too long when property owners are reliant on the income produced by their short term let. I have also heard of instances where conditions, other than those stated on the application form, have been imposed on a property. The application form should contain all necessary information for applicants and additional conditions should not be imposed at a later stage eg. if parking for guests is required, this should be stated on the application form and not queried late in the application stage.

There also appears to be inconsistency in the ways in which ELC identifies what is a short-term-let property, with some applicants being turned down for a specific reason, while this reason which is applicable to another property is not considered relevant and a licence is granted eg some properties with shared entrances have seen applications refused, while others have not. If there have not been objections from neighbours, I can see no reason why an application should be refused.

In short, the current scheme appears to have been ill prepared and badly costed, lacking in transparency and inconsistent in its application.✓

18. Putting people out of business is not a good idea and reducing affordable holiday accommodation isn't either .

We done everything right , paying a holiday let company , abiding by the rules and offering good accommodation, it's our home after all !

To get hit by a blanket financial charge the same as long term rentals is beyond me and totally unfair .

People will have to rent out of East Lothian for holiday accommodation as people like us are being forced like us to give up their business ,

Not impressed!!✓

19. Places like The Folly should not be allowed to take advantage of any loopholes. *Classed as a hotel ∴ no STL req'd.*
A whole block of flats should not be allowed to be entirely short term lets.✓

20. It seems to be mainly focused on small short lets and requires wider thought and protection to be put in place for regulating glamping sites and similar which are springing up in quiet rural communities.✓ *Glamping site (unconventional dwellings) require to be licensed.*

21. The STL license is a great way to raise quality for the visitor. No license, no STL. It encourages professional operators and not fly-by-night profiteering by those with vacant property (or worse - where 11 month tenancies ensure August is free for profiteering. Excessive charging just gives Edinburgh a bad reputation and is not good for long-term & sustainable travel and tourism.✓

22. I can only speak to North Berwick. Over the past 50 years almost all of the small hotels and guesthouses have closed because:
- a) they were no longer viable
 - b) residential property values became substantially higher
 - c) ELC facilitated this change of use
- NB has 2 hotels. The Marine is booked out May to Sept by US golfers prepared to pay 350 per night. The Nether Abbey has 12 beds and has remained unsold for months. The town now has only a handful of B&Bs.
- Short-term lets fill the accommodation void and have done so since Victorian times. ELC should be supporting this well-established sector of the local economy not imposing barriers to entry.
- Shared stairwells on the high street have existed since the 19th century and have always accommodated short-term guests - many local families over generations supplemented their income by letting rooms.
- Alternatively, ELC could bring forward a co-ordinated policy to holiday accommodation in NB to include:
1. More of it - and it has to be at scale / affordable
 2. A higher density residential land release that provides for smaller 1-3 bed flats, terraced houses and semi-Ds (think Longniddry Village) that addresses local housing needs rather than the 'CALA' 4-5 bed detached with tiny garden marketed to families decanting from Edinburgh. ✓
23. Short term lets that are home sharing or home letting do not remove a principal dwelling from the housing stock, and they do genuinely benefit the local economy. The demand for short term let tourist accommodation is very seasonal, and well served by home sharing and home letting. Whereas secondary short term lets present a real challenge for housing, for Council Tax income, for business rates, and for the local economy. Secondary letting presents significant problems in terms of managing communal areas, waste and recycling that is not satisfactorily addressed by the current approach to licensing. This is a major annoyance for people in the vicinity of the short term let. Some sort of daily on site management or oversight is required. ✓
24. In general I believe short-term lets should not be permitted in dwellings which could be used as a main residence (except for home-sharing and home-letting). Full-time short-term lets should only be permitted for purpose-built holiday accommodation. ✓
25. I think there should be a Control Area in North Berwick. There is a disproportionate number of STLs in the town and this has a negative impact on people seeking affordable accommodation to rent. ✓
26. North Berwick requires tourists and visitors but great care has to be taken not to harm the amenities or structure that benefit residents. ✓
27. The current policy should not be watered down. Some areas of East Lothian have extremely high numbers of holiday homes and short term lets. North Berwick in particular areas has very high numbers. This means that it is increasingly difficult for local people to buy or rent properties and they have to move out of their home area.
- There is also an impact on community cohesion. I live in an area where my 10 nearest neighbours are holiday home owners and this has had a major impact on community ties. ✓

28. Short term lets have killed the street I live on. The community spirit is all but gone. My daughter is the only child on the entire street
Please think about the people that want to live in North Berwick ALL year round✓
29. Short term lets in tenement properties can be problematic due to the inevitable disruption caused to permanent residents. Many visitors are respectful of neighbours in terms of noise, late hours etc. but others are indifferent to the impact they have and are gone before any effective action can be taken in regard to anti social behavior. Landlords may live at a distance and be unable to intervene promptly to address problems which arise.✓
30. I object to more concessions being given to the owners of STL properties. There are already an inordinate number of holiday homes and short term let properties in North Berwick.
The numbers of STL properties is rising exponentially. The community of North Berwick is suffering. I have no immediate permanent neighbours now.
STL properties are detrimental to community well-being and reduce the number of long term let properties or permanent homes for people wishing to establish themselves in a community.
Please consider the long term effects on the permanent residents of the town.✓
31. The current policy has led to a huge increase in STLs in North Berwick most of which are in the very centre of the old part. The disruption and disturbance caused to permanent residents is an ongoing problem that is very difficult to resolve for permanent residents. While we can object to licensing and planning applications it seems to be a never ending cycle as owners appeal and accuse ELC of mishandling then object to the Reporter's findings. The current practice of refusing licences to shared entry properties is just, reasonable and enforceable and protects EL residents which is what we might expect. The issue of shared back door entrances or drying spaces is another issue however. We suffer regularly because of an STL that shares a back entrance space with us and the visitors or cleaners often dump serious amounts of unsorted waste in our green bins. My neighbour has drilled a hole and padlocked her green bin. Why should we have to put up with anti social behaviour simply because of our address? I've found a stranger practising yoga in the shared passageway! It is alarming to meet strangers in what is essentially a private area for neighbours and can feel unsafe in the evening. Contrary to the often used claim by STL agents, visitors do not add anything to the neighbourhood in terms of neighbourliness or quiet, unassuming behaviour and the number of Tesco/Sainsbury/Waitrose delivery vans is testament to the fact that they don't add a huge amount to the local economy either. I think the policy should remain without any amendment that might weaken it from residents' point of view. Enforce and strengthen current parking regulations to stop camper vans parking in narrow residential streets and on the seafront and make some money that way!!✓
32. No further comments,✓
33. If the aims of the Policy include ensuring "that the licensing scheme is... customised to the licensing authority's local policies and the needs and circumstances of the licensing authority's local area", this suggests that the current system where the processes of licensing and planning permission are dealt with completely separately is artificial and delays the processing of applications, generally to the advantage of the applicants.

"The needs and circumstances of the licensing authority's local area" include the need to ensure adequate provision of long-term letting so that the town centre of North Berwick for example has a high number of properties available to long-term residents. Too many statements on this matter start from the unexamined assumption that short-term letting brings a net economic benefit to the area. The research that has been carried out suggests the opposite. This research should be evaluated by the Council and, if doubt remains, further research should be commissioned and considered by the Council.

The Council need to review how they ensure "that those living in properties adjacent to short-term lets benefit from improved safety, especially risk of fire...[and] that noise, nuisance or anti-social behaviour is tackled effectively." For the last few years, we have had a short-term let property immediately next to our flat on a common stair and another immediately above us. We do not feel that the Council's current procedures have enhanced our safety or reduced our risk of being subject to noise, nuisance or anti-social behaviour.

Owners not locally resident are inevitably limited in their ability to respond effectively to such incidents. They may issue assurances that a local agent is acting on their behalf in such matters but, in our experience, they often do not respond effectively.

"Applicants are required to display a Site Notice clearly at, or near the premises, so that it can be conveniently read by the public". We have experienced on our street one case where the notice was not adequately protected against wind and rain and quickly became illegible. The applicant was not locally based and no action was taken to reinstate the notice. In a separate case, the notice was posted below knee level on the fence between our property and our neighbour's and would have been very difficult to read by anyone who did not wish to contort themselves.

"It is a mandatory condition that hosts and operators ensure that they do not exceed the maximum number of guests for their premises. This includes making the maximum occupancy clear on adverts, listings, as well as in booking terms and conditions...."

The Council will consider the following criteria when determining maximum occupancy:... the maximum number that can be accommodated safely ...the maximum number that can be accommodated within tolerable noise and nuisance standards for neighbours"

For the last few years, our upstairs neighbours were authorised to have six occupants in a two-bedroom flat. In order to achieve that capacity, two of the occupants slept in a boxroom – generally that would mean two children. The consequent noise disturbance in our flat was considerable. Short-term let levels should not be set at levels that would be deemed inappropriate for long-term occupancy✓

34. The current policy = a blanket ban on short term lets in stairs where neighbours can make uncontroverted and vexatious claims whilst there is absolutely no evidence also no weight given to economic benefit of STL. There is also conflation between the policy driven housing crisis and the small and shrinking number in f short term lets in East Lothian. Let licensing do what it is designed to do without planning.✓
35. The current policies should be strengthened NOT relaxed to limit the number of short-term holiday lets. They cause wider social issues in communities especially where towns and villages are considered as popular holiday locations. We need to apply sustainable, place-building principles to our towns and villages that recognise them as mixed communities where people want to live permanently. You only have to go to Cornwall outside of the peak season to see the chronic problems caused by STLs where the needs of holiday makers are prioritised over the right to adequate housing for local residents. This is not only morally wrong, it is entirely unsustainable.✓

36. Short lets over the years have received negative attention - however - at time people do not see the benefits of this sector. They create job opportunities; attract people to an area and provide people with a cheaper option compared to hotels.✓
37. I'm concerned it could be really difficult to keep track of which properties have licences, especially in busier areas where lots of people might want a Temporary Licence. It feels like it could get tricky to manage and also for the longer term let's not to be impacted.✓
38. The current policy is too prescriptive. Temporary exemptions would support the local economy by increasing tourist footfall, without removing housing stock for local residents.✓
39. The current policy does not take into account the shortage of affordable housing within East Lothian. This is especially important in areas with known housing pressure, to ensure licensing decisions do not adversely affect the supply of housing within East Lothian. It would be beneficial to publish quarterly or 6 monthly STL activity reports to enable better data sharing between licensing and housing teams to inform policy and planning.✓
40. I am currently the only permanent resident out of TEN neighbouring properties. This is not unusual in the central part of North Berwick. We already have too many STLs / second homes making it almost impossible for many people to afford to buy a property as their primary residence. I appreciate the benefits of tourism and the need for STLs but a balance must be struck to avoid over-tourism and the negative impact, economic and social, on what is a small town. Many shops and restaurants struggle to recruit staff as they cannot afford to live in or travel to North Berwick. The infrastructure of the town struggles to cope with the enormous influx of visitors (eg parking).
A "control zone" covering the central area of North Berwick (eg all properties in and to the north of the High Street / Westgate) to ensure it is primarily occupied by permanent residents would reduce the pressure on the infrastructure of the town and enhance the community feel of the area.✓
41. There needs to be more supervision of waste managements and bins should not be left in the street all week.✓
42. It means there is a shortage of holiday accommodation – this affects local businesses.✓
43. The current policy demonizes short term let and second home owners being responsible for the housing shortage when in reality the percentage of STLs and second homes is small. The policy is populist and treats those trying to comply with requirements and to be properly licensed as cash cows.
The type of property popular for STLs is often coastal or rural with a price premium for purchase which is driven by overall market factors meaning often these properties are out of reach for those struggling to get onto the housing ladder. The erosion of available social housing and increasing costs/legislation meaning more landlords have exited the rental market are also key factors.
The current license is too expensive, why is ELC charging over £1000 when other authorities are charging in the region of £450. It takes away the ability for people to make an income from their home in a cost of living crisis.
I agree that there needs to be licensing and regulation, but the policy also needs to be balanced. Tourism is a critical industry for East Lothian and this should also be taken into account.✓

59 publish
STL data

44. It seems a bit of a sledgehammer to crack a nut and I'm sure it must put a lot of people off letting accommodation at all. There is a lack of affordable accommodation for people visiting East Lothian for work, seeing family, events etc and ELC could do more to improve the provision.
Not sure whether there is any enforcement of the legislation. Some people probably aren't even aware it exists when they let properties.✓
45. East Lothian's current short-term let policy is incredibly short-sighted. Less than 600 licensed short-term lets across the whole of the region will have long-term implications for the tourism across East Lothian. **Pandering to community councils when deciding on the granting of planning permission is laughable.**✓
46. Any renewals should be issued for 5 years if the operation of the short term let has run smoothly during the initial license period.✓
47. Everyone who applied for a licence should get it. Should only be suspended or revoked if proven complaints have been made.✓
48. Feedback of experience:
Made enquiry to Planning Department if required Planning approval. Told no as not primary residence (living overseas temporarily). Applied and paid for Licence. Planning advised Planning permission required. Applied for Planning Permission. Total cost so far circa £3000 for planning and all mandatory requirements. Licence approved, Planning denied. Licence has not been revoked but cannot operate as Short Term Let. Of the 500+ licences approved, how many have licence but no Planning and therefore cannot operate. Was successful, long-standing, family oriented, indigenous business with no Police, transport etc complaints. In my opinion, being shared entrance accommodation was the overriding decision for planning permission not granted and it very much appears, ELC is 'Blanket banning' these types of accommodation much to the detriment of families and workers and locals needing accommodation who wish to avail of quality, self catering facilities, sometimes for months on end, in an area (Gullane) with very little affordable accommodation offering but situated in the Ward with the highest number of visitors. Many, many visitors of years standing, particularly golfers have expressed their disappointment at not being able to secure accommodation and simply have decided not to return to East Lothian.✓
49. Licensing is ok. **But the planning process is a total joke.** Decisions are pre made and the council just get to make final decision. It's an embarrassment to the council.✓
50. This is not a proper review of the short term letting and is an utter disgrace.
What about the owners who were denied permission on fictitious grounds.
I have sent a document to the CEO recorded delivery and I suggest you read it.
I have responded to this survey but it in no way supported the council's behaviour in STL.✓
51. I think that the licensing situation should be determined by Licensing not Planning. **East Lothian has lost many of its short term lets due to its policy of shared entrances.** This

policy seems to say that all shared entrance properties are not suitable as short term lets and Planning turns down the application. What should be looked at in these cases is how the properties is being managed, have there been any complaints etc. If there are proven complaints then a licence could be taken away rather than one not given because of the shared entrance. This policy has a particularly bad effect on towns like Dunbar where most of the town centre properties (which is where holiday makers want to stay) are flats with Shared entrances. ✓

52. The fee for small operators is vastly out of proportion with the rest of your fee scale and should be at least half of what you have currently. *Full fee review conducted 2022/23.* Temporary exemptions or licenses are likely to generate more black market operators. The existing STL license system has resulted in more black market operators which is vastly unfair and also dangerous. There appears to be little policing of property advertisements, especially with OTA's that do not display a license number, and little policing of non-compliant properties – again encouraging a black market to proliferate, while professional operators are discriminated against. ✓

53. I consider the cost of applying for a STL and requirement for planning permission prohibitive and inflexible. We would consider making our property available for short periods e.g. while we are on holiday ourselves but the cost prevents us from doing so. A self assessment system with requirement to provide safety certificates and evidence appropriate insurance cover would be an option. ✓

54. Sustaining North Berwick is concerned that the rising number of STLs in the town undermines community resilience. For communities to be resilient and sustainable, they need to have strong social networks and mutual support structures, together with high levels of trust and co-operation developed through friendliness, neighbourliness, caring and a shared sense of purpose. There is evidence such as letters to the Courier, that permanent residents in North Berwick feel that STLs have impacted negatively on their experience of community.

Sustaining North Berwick believes that there should be a Control Area in North Berwick and ideally across East Lothian. We understand that two-thirds of all STLs in East Lothian are in North Berwick. With more than four hundred homes being advertised as STLs in the town, they are disproportionate. Their scale not only threatens the conditions needed for sustainability and resilience outlined above but also impacts negatively on those seeking permanent homes to rent. I turn this results in an imbalanced demography, with lower income households being unable to stay in the town. As a result, there are labour shortages in sectors such as care and hospitality. North Berwick needs adequate long-term letting opportunities. There is a presumption that STLs have a net economic benefit for the area. However, research commissioned for the Local Place Plan suggests the opposite. A Control Area would enable the Council to manage the impact of STLs on neighbourhoods and to promote sustainability and resilience, addressing the points raised above. A Control Area would clarify and simplify the process of approving a

secondary letting STL by making clear that planning permission is required as a first step.

Requiring planning approval for all potential STLS would have the side benefit of ensuring that neighbours were consulted by letter, in contrast with the licensing scheme where there is evidence that notices are not always adequately displayed.

Pending a decision on a Control Area, neighbours should be consulted in writing about a licence application.

The licensing application processes should enable the Council to collect data on who owns STLS, which currently often does not appear on the register. This would allow ELC to analyse how ownership affects the local economy. It would be valuable for the local community to know the proportions of STL ownership by domicile of the owner. If a high percentage live within East Lothian, there would be a case to be made for their benefitting the local economy. However, if, as we fear, the majority live out with the area the case is much weaker.

Data should be collected on how many properties are owned by the same individual, as many owners have several flats and this should be treated as one business, so that business rates would be applicable.

An added consideration is that owners who live at a distance are inevitably unable to respond effectively to incidents such as noise nuisance. Neighbours' experience suggest that local management arrangements may not be effective either.

The impact on neighbours of cumulative low level disturbance and annoyance should not be underestimated.

Whilst there is a requirement for communal areas including stairs to be kept clean and for the property management of bins including bringing them in as well as putting them out, there are often problems with this. We recommend that a transparent system to log such complaints be introduced and the data be taken into account at the time of re-application. ✓

55. Short-term holiday lets in residential buildings with shared areas, such as properties with individual flats, results in a higher than comparatively normal flow and turnover of people. The policy should continue to ensure that such properties are refused licenses in such situations.

Such a regular turnover of different occupants changes the nature of the comings and going within the shared entrances and communal areas, which can have a disruptive impact upon permanent residents being harmful to their amenity. It is to be expected that most occupants of a short-term holiday let have personal luggage and possibly leisure equipment (e.g. golf bags/trolleys, bicycles, etc) to take through the shared entrances and communal areas of the building. Such regular and increased activity can lead to a higher level of disturbance and nuisance than might be considered normally acceptable within the long-term occupant use of such a property, thus being harmful to the amenity of permanent residents. The additional movement of luggage and leisure equipment through shared entrances and communal areas can also be considered harmful to the upkeep of the good decorative fabric and general maintenance of such buildings (e.g. doorways, walls, carpeting, lift, etc). This can have monetary implications for flat owners in such properties where they have a collective and equal

financial responsibility for the upkeep of the entire building. Internal disturbance and nuisance concerns also apply to the more frequent unloading and reloading of short-term holiday lets occupants' vehicles in private car parking areas. Along with the frequent comings and goings of guests using holiday lets, there is also the regular servicing/cleaning of such properties which adds further to disturbance and access concerns.

Allowing frequently changing guests to have unfettered access to an otherwise secure building, through the provision of keys to locked shared entrances, also changes the actual and perceived level of security for permanent residents and their properties/belongings. Whilst permanent residents have visitors of their own, those residents remain in control of security to communal areas. Having frequently changing unknown people within these secure areas differs from typical residential circumstances, which again is harmful to the amenity of permanent residents. The use of properties as short-term holiday lets also raises concerns of the potential issue and abuse within and around the property in a manner that is antisocial, impacting upon neighbours.

Objections to short-term lets by neighbours within such residential properties should be a critical factor in refusing any such licenses regarding the Council's ongoing policy. ✓

56. Same narrative as no. 55, from another named respondent. ✓

57. There is a mismatch. People are granted licenses before the planning situation is sorted. That needs to be addressed. Owners lie and even when this is reported ELC fails to investigate. Recycling and waste is a problem for residents. Owners get away with putting rubbish in the public bins, they pay no council tax, they pay no business rates. Many live abroad. The system at present rewards owners financially but not the public purse which is emptied by holiday makers. There is a serious flaw in the legislation AND in how ELC is undertaking implementing it. Many owners live abroad so the income flows there rather than is used locally. ✓

58. Short term lets have no place in any area where permanent accommodation is much needed. STLs should never be allowed where there is shared communal access to a building. They must have their own entrance and exit, and be totally self contained. ✓

59. I think the policy to refuse planning permission for flats in communal staircases is wholly unfair and only reward the better off who can do STL in houses. ✓

60. I am a permanent resident and apart from occasional absences I am here all year round. Of 20 addresses in my street 6 are permanent full time homes for the person or people who live there. The other 14 – 70 percent – are either long term rentals (and vulnerable to change); STLs; second homes; or home to individuals who own or live at at least one other property on a temporary/flexible basis. One resident owns multiple properties in the town – and is an excellent neighbour and runs a very good business. I specifically commend her business which operates all year round and she does a very good job. I shop regularly on the high street and have never see figures presented that justify the argument that STLs “support high street businesses” MORE than permanent residents.

If the STLs were generating the kind of high street spending that is sometimes claimed – why would traders be in despair over parking.

They know their margins are tight – but that's because in my street, within easy walking distance of the shops, 70 percent of the properties are NOT owned by residents whose sole focus is the town.

Second, I live alone but in the last 10 months I have been very happy to have people visiting for the day or staying for several days/night totalling 60 days. Each occasion means that I spend extra on food, wine, flowers and other treats and my guests also spend money on meals out, local produce and items to take home. 60 days is the equivalent of nearly nine weeks occupancy of my house – over and above my own permanent residency. How is the benefit of the additional expenditure by me and my guests factored into your calculations compared with the rental income paid to owners of STLs who, in very very many cases, do not live in NB, or even Scotland, and therefore that income drains away from the Scottish Economy. If the average expenditure related to my guests is, at a very conservative estimate, £180 per day (cleaning, laundry, other preparations, food, drink, entertainment, 'souvenirs', taxis, meals out) that comes to £10,800 generated for the local economy. If each of the 400+ second homes and STLs were generating that as a minimum, every week, year round that's £4.32 million to the local economy directly into NB – not into an off-shore/out of Scotland account. Has ELC ever done the calculation I'm doing here? Has Craig Hoy? Empty holiday homes are a drain on the local economy where occupied homes are not. That lack of equality and fairness should without any doubt be factored into a much much higher council tax for second homes and STLs. The housing market needs to be re-balanced and more homes need to be lived in regularly with more permanent residents able to have more friends and family to visit and stay, employing more local traders and supporting the high street.✓

61. **Material change of use – What constitutes "material change of use"?** I know this has been a serious issue from the get go with the council and planning department. I'm sure that other contributors to this review can articulate their concerns and offer their own experience and expertise better than me.

For this review, I have been trying to find the right words that may be constructive and possibly helpful and it is very easy to stand on a soapbox and give simplified solutions to what appears to be an extremely complex issue and in my experience an over complicated and at times a very distressing process. What I have experience is very upsetting and confusing so to be constructive is nearly impossible. From being granted (if that is the right word) the licence only to be thwarted during the process of the COL applications/denials and eventual enforcement notices. Where does one go from here?

I can only suggest humbly that within the system that exists, would it not make sense and be fairer to give a clear indication what constitutes a "material change of use" (as one example) regarding how many people can stay in holiday lets, say a 1 or 2 bedroom flat, and how many nights minimum is reasonable that would not constitute a material change of use? Why not have this stipulated right from the start? Give operators clear occupancy guidelines especially for flats in a close/communal front door since there is such an issue here! It would save applicants a lot of heart ache, money and time.

I believe there have been suggestions made for a completely different approach that self catering units should be managed by licensing authorities. They would have the power to monitor closely anyone that who fails to meet standards laid out to them and simplify the process and make it fairer for everyone. For new operators, the usual stringent guidelines be met and proof supplied including site inspections if deemed necessary.

I have added my voice to this review because whatever and however it's done, we need to be reminded that the vast majority of operators and would be operators play a vital role in the local landscape and economy.✓

62. I believe that properties that share a communal external door (e.g. in a flat with a shared stairwell) are currently getting blanket refusal for a licence. This seems a broad brush approach and unfair to those who have historically run successful short term lets in these sorts of buildings. I don't see why communal stairways and shared doors should prevent a short term let operating in the building.

Current licensed properties in Dunbar & East Linton ward is 100

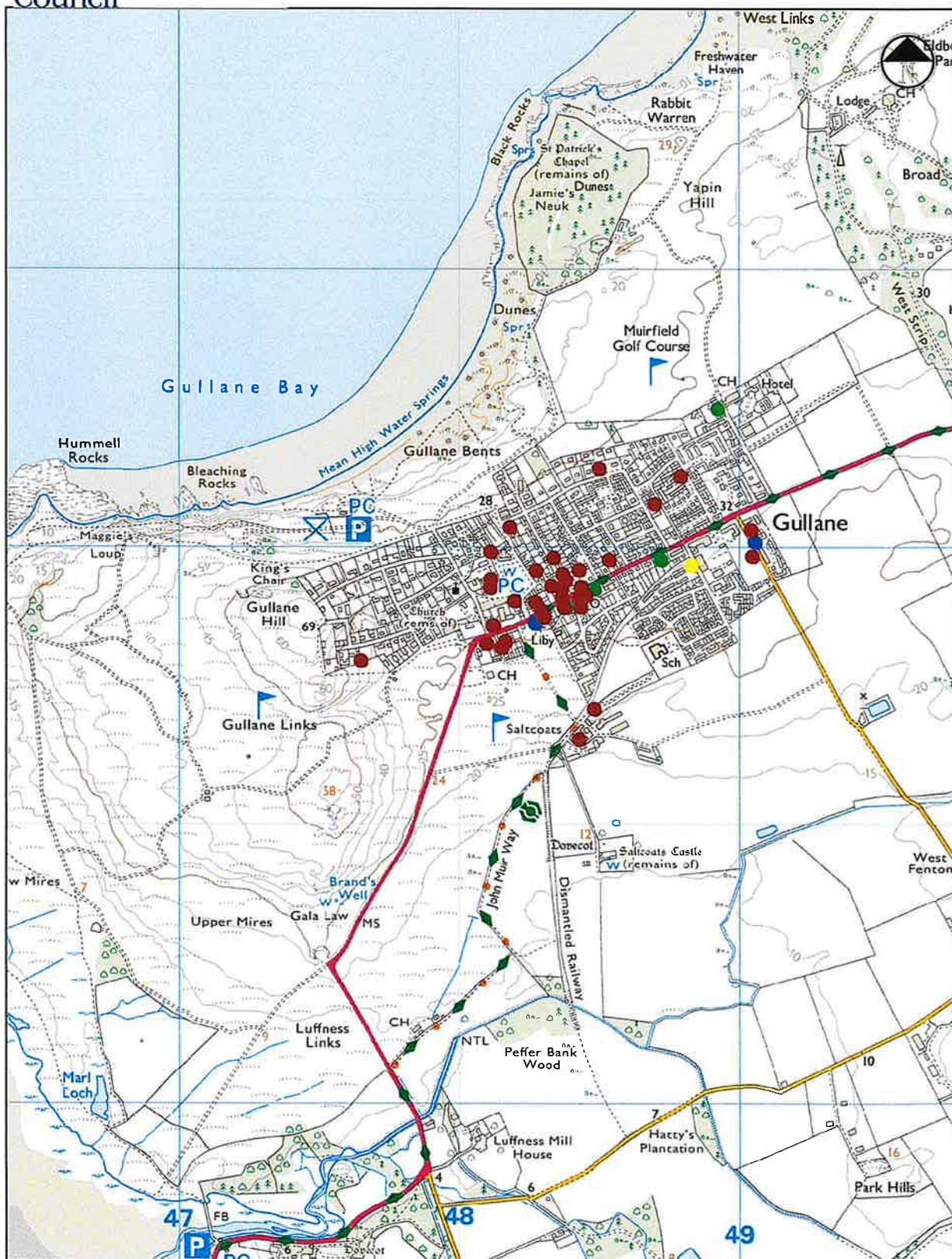
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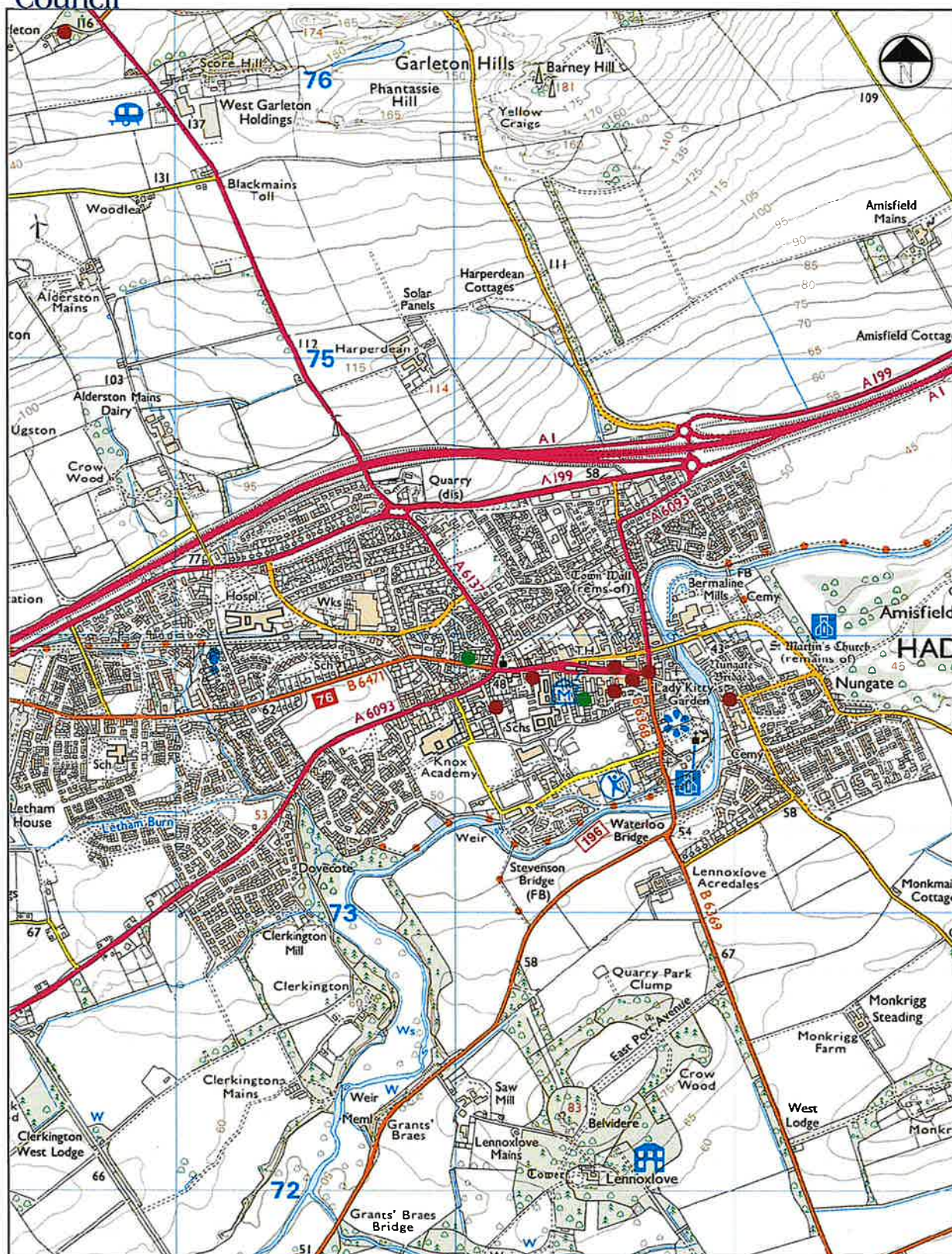


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Current licensed properties in Haddington & Lammermuir ward is 52



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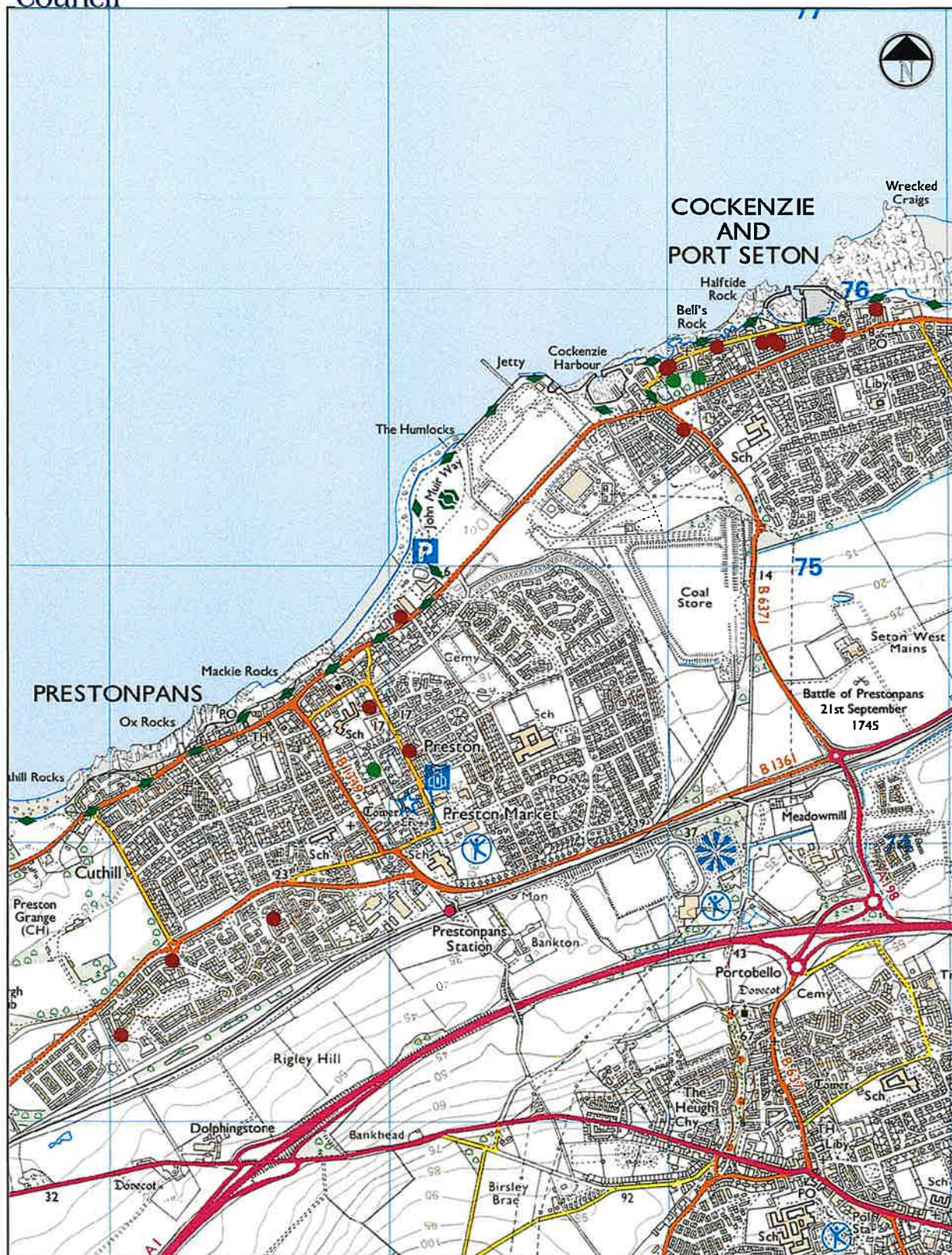


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Current licensed property in Preston, Seton & Gosford ward is 28



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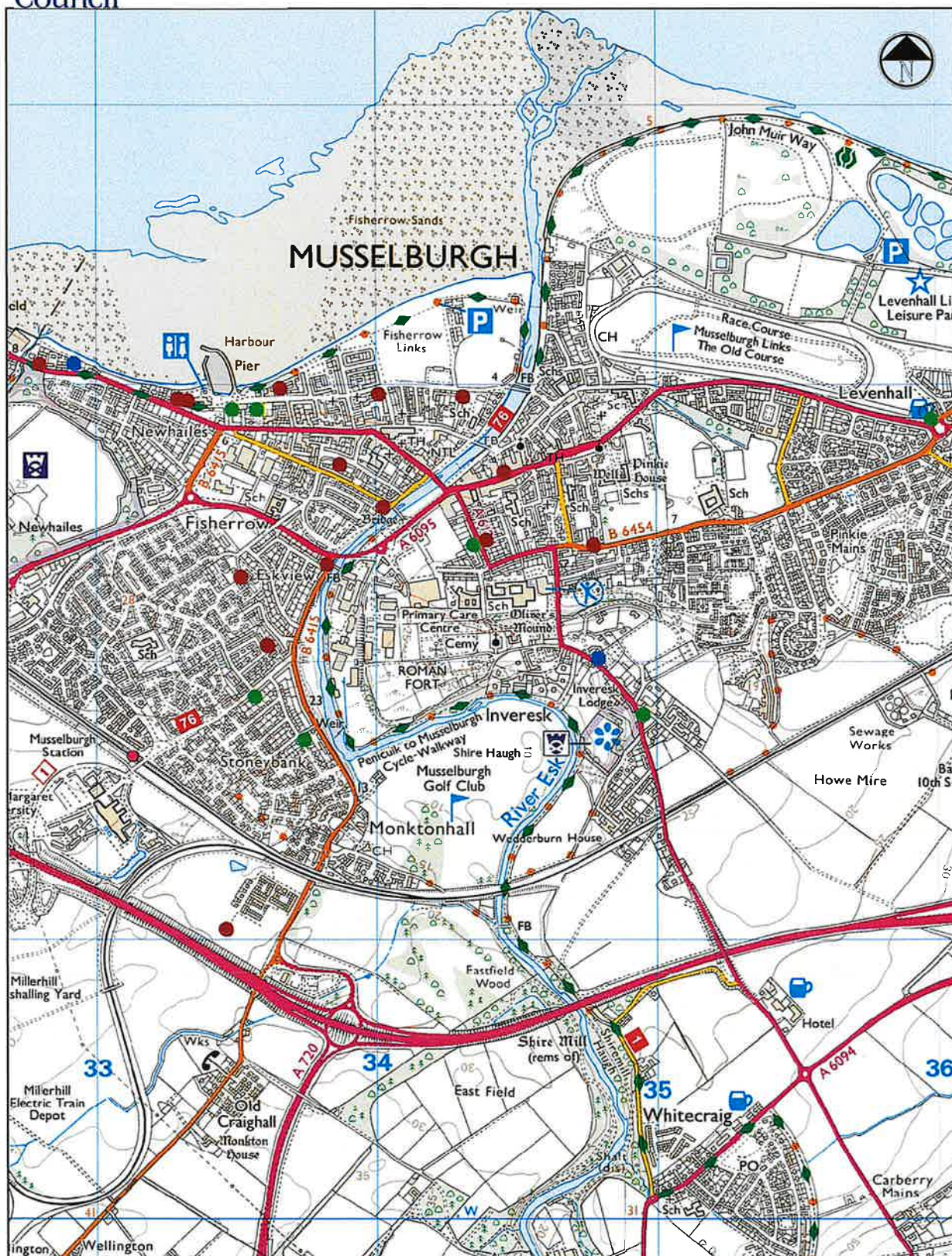


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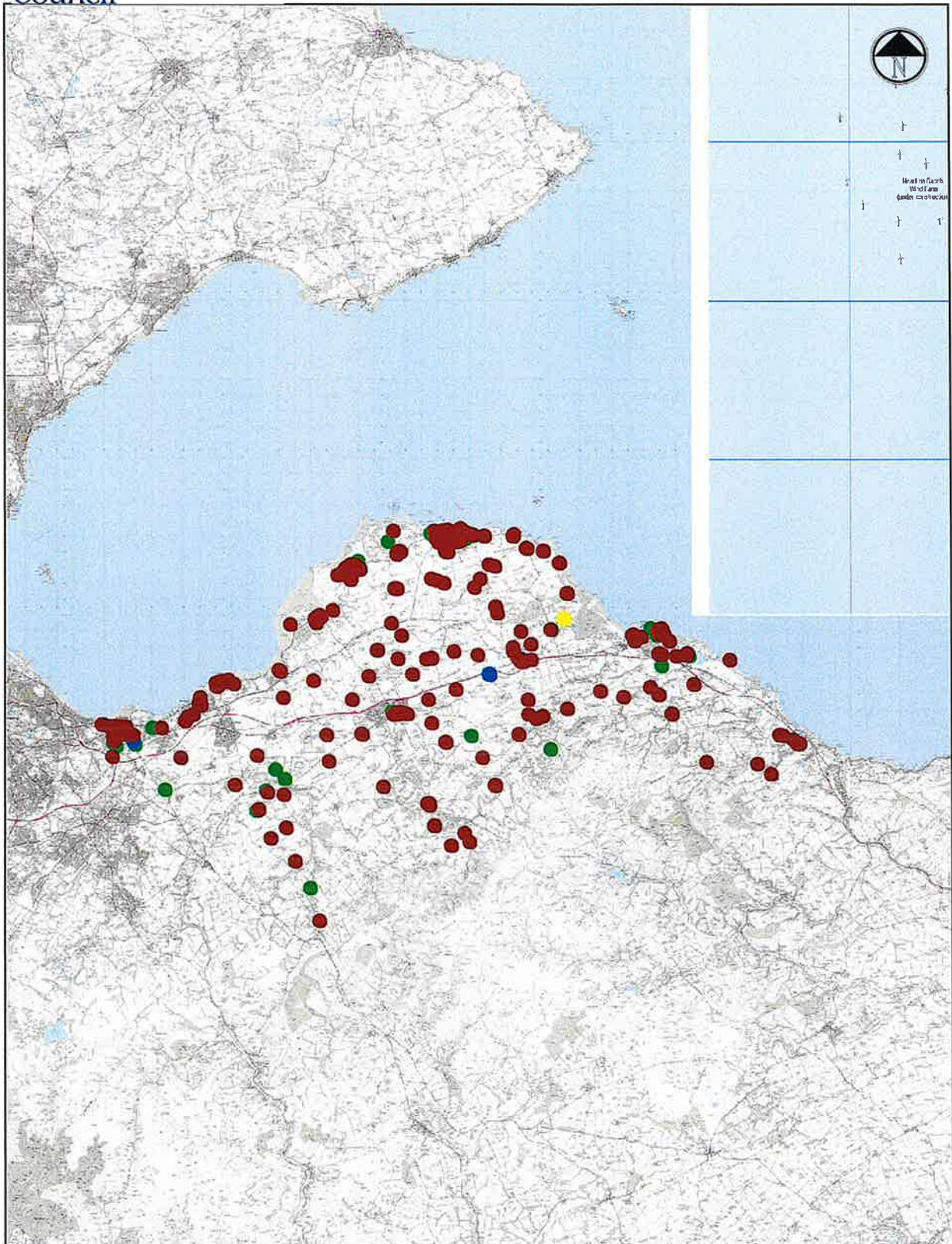
Current licensed properties in Musselburgh ward is 39



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User: Sheila Fitzpatrick



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4 to 11 July 2026 (7 nights)		Airbnb (East Lothian) 20 October 2025)										Average (having removed lowest & highest figures)
Room	£287	£361	£506	£696	£811	£655	£702	£881	£1,006	£755	£3,161	
	£1,079	£536	£590	£1,548	£1,540	£429	£516					£784
Studio	£687	£730	£811	£936								£771
1 bed	£811	£802	£544	£468	£527	£918	£755	£870	£1,053	£1,025	£766	
	£2,500	£3,684	£1,447	£1,352	£1,540	£983	£1,056	£1,106	£1,573	£957	£1,474	
	£1,790	£1,065	£831									£1,119
2 bed	£1,124	£910	£750	£1,638	£2,082	£3,116	£2,217	£2,465	£2,315	£1,128	£2,465	
	£2,581	£1,988	£4,834									£2,002
3 bed	£1,486	£807	£1,679	£1,342	£2,012	£566	£1,342	£1,679	£566	£3,435	£2,790	
	£1,597	£3,034	£1,945	£1,869	£7,910	£2,814	£2,890					£1,955
4 bed	£1,669	£2,197	£2,247	£2,456	£13,536	£4,627	£4,884					£3,282
5 bed	£9,005	£10,892	£11,513									£10,892
6 bed	£9,849											£9,849
Caravan	£974	£1,024	£844	£1,024	£911	£779	£769	£1,056	£672	£729	£1,310	
	£1,521	£2,234	£721	£1,351	£2,390	£2,413	£2,332	£2,041	£729	£2,332	£1,696	
	£1,295	£672	£1,053	£2,103	£1,137	£1,295	£1,129	£1,053	£1,137	£2,776	£1,401	
	£1,310	£1,532	£1,380	£1,620	£1,032	£1,380	£811					£1,277