

**MINUTES OF THE MEETING OF  
LICENSING SUB-COMMITTEE**

**THURSDAY 14 MAY 2026  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON  
& HYBRID MEETING FACILITY**

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**Committee Members Present:**

Councillor J McMillan (Depute Convener)  
Councillor J Findlay  
Councillor C McFarlane  
Councillor L-A Menzies

**Other Councillors Present:**

None

**Council Officials Present:**

Ms T Murray, Principal Solicitor – Commercial  
Ms N Harrison, Licensing Standards Officer  
Ms S Fitzpatrick, Team Leader – Licensing and Landlord Registration  
Ms A O'Reilly, Licensing Officer  
Ms D Murray, Team Manager – Transport (R)  
Ms P Veitch, Team Leader – Community Protection (R)  
Mr G Talac, Senior Roads Officer – Parking and Sustainable Travel (R)  
Mr G Robinson, Service Development and Support Officer  
Ms E Barclay, Democratic Services Assistant  
\*(R) indicates remote participant

**Others Present:**

PC M Upton, Police Scotland

**Clerk:**

Ms B Crichton, Committees Officer

**Apologies:**

Councillor C McGinn  
Councillor T Trotter

**Declarations of Interest:**

None

The clerk advised that the meeting was being held as a hybrid meeting, as provided for in legislation; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the Council was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for five years from the date of the meeting.

The clerk recorded the attendance of Committee members by roll call.

**1. MINUTES FOR APPROVAL**  
**Licensing Sub-Committee, 12 February 2026**

The minutes were approved as an accurate record of the meeting.

**2. SHORT-TERM LET LICENSING POLICY REVIEW**

A report was submitted by the Depute Chief Executive – Resources and Economy to allow the Sub-Committee to review analysis of public consultation responses and determine if local short-term let licensing policy should be amended.

Sheila Fitzpatrick, Team Leader – Licensing and Landlord Registration, presented the report. She explained that the Council was required to publish and review its Short-Term Let Licensing Policy every three years. The current policy had been in place since 2022 and did not licence either temporary exemptions or temporary licences, but she noted that consultation showed some appetite for these types of licences. She highlighted the report's recommendations.

Ms Fitzpatrick responded to questions on the difference between temporary licences and temporary exemptions, and the circumstances of those who were likely to apply for such licences.

In response to Councillor Findlay's question about whether officers would object to changing recommendation 2.4 to allow temporary licences for any six-week period in the year rather than only during the proposed events, Ms Fitzpatrick expected that this would not cause resource issues.

Councillor Menzies formally proposed an amendment to allow temporary licences for any six-week period in the year, and that the additional conditions at report Appendix 5 be added to any licence. Councillor Findlay seconded this proposal.

Councillor McMillan then moved to roll call vote, and Committee members unanimously voted to approve the recommendations as amended.

**Decision**

The Licensing Sub-Committee agreed to:

- i. Note the outcome of the public consultation held between 1 August 2025 and 12 September 2025 (presented 13 November 2025);

- ii. Note the outcome of the public consultation held between 5 January 2026 and 15 February 2026;
- iii. Note that due to the scheduling of meetings, the proposed fee for a temporary licence was presented to Cabinet on 12 May 2026, with Cabinet members being aware that the fee would come into effect subject to policy approval by the Licensing Sub-Committee;
- iv. Introduce temporary licences for a period of up to six weeks at any time of year; and
- v. Require that the additional conditions at report Appendix 5 be added to any licence.

### **3. DELEGATED POWERS – PRIVATE LANDLORD REGISTRATION**

A report was submitted by the Depute Chief Executive – Resources and Economy to seek approval from the Licensing Sub-Committee of the proposed Scheme of Delegated Authority granted to officers to deal with approving, refusing, and revoking Private Landlord Registration applications and registrations.

Ms Fitzpatrick presented the report. She explained that it served to tidy up officers' delegated powers to allow them to deal with straightforward applications. She noted that it also provided that, should the delegated officer consider it inappropriate to determine the application for any other reason, it would be referred to the Licensing Sub-Committee.

Committee members indicated their full support for the paper, and commented on the importance of regulation of this area.

Councillor McMillan moved to roll call vote on the report's recommendation, which was approved unanimously.

#### **Decision**

The Licensing Sub-Committee approved the proposed delegated powers.

### **4. TRADE REQUEST FOR ADDITIONAL TAXI STANCES**

A report was submitted by the Depute Chief Executive – Resources and Economy to advise the Sub-Committee of a request for the creation of additional taxi stances throughout East Lothian.

Ms Fitzpatrick presented the report. She explained that an operator of a local taxi firm had requested that more taxi stances or ranks be introduced. She advised that responses to consultation had indicated that more taxi ranks were required due to the overall expansion of East Lothian, but also that existing taxi ranks were being used by vehicles other than taxis. She advised that East Lothian Council's parking attendants had no power in this area, and so the matter had been raised with Police Scotland. She reported that some consultation responses sought taxi ranks in new build areas, but explained that the Blindwells development had not yet been adopted by the Council. She highlighted the report's appendices, showing current and proposed taxi

ranks. She explained that the process of adding these additional proposed taxi ranks required the Sub-Committee's approval to go out to further consultation, and for final approval to come back to the Sub-Committee.

PC Upton conformed that Police Scotland had no objections to the proposals.

Grant Talac, Senior Roads Officer – Parking and Sustainable Travel, advised that the Parking Team had considered the proposals and agreed with all locations.

Responding to a question about Police Scotland's ability to move vehicles on from a taxi rank, PC Upton pointed out that resources were an issue. He also discussed a contentious taxi rank outside a pharmacy in Tranent, where there were challenges with moving vehicles on when their passengers or drivers may have mobility issues or be unwell.

Committee members commented on: taxis being part of the public transport infrastructure and a lifeline for many people; the need to make it easy for people to use taxis; a wish for the locations to be determined through consultation with residents; a desire to encourage a taxi operators' association; the need for people to respect marked taxi stances; and being keen to hear residents' views following the consultation.

Councillor McMillan moved to a roll call vote on the report's recommendations, and these were approved unanimously.

## **Decision**

The Licensing Sub-Committee agreed to:

- i. Consider the Trade request outlined in the report and proceed as requested;
- ii. Authorise the Service Manager – Governance, and such staff as they may designate, to proceed with the necessary public advertising process relative to the creation of new taxi ranks; and
- iii. Receive a further report from the Service Manager – Governance advising of the outcome of this process and of any objections received, with a view to formally establishing said taxi stances thereafter.

## **5. APPLICATION FOR THE RENEWAL OF A LICENCE TO OPERATE SHORT-TERM LET 9 Rhodes Cottages, North Berwick**

An application had been received from Susan Grant the renewal of a licence to operate a short-term. The application came before the Licensing Sub-Committee on the basis of a public objection, as well as representation from the Antisocial Behaviour Team.

Ms Grant spoke to the application, and provided information on the operation of the property as a short-term let over the previous three years. She discussed her positive relationships with the majority of the neighbours. She explained that the objector had never raised concerns with her, but she had been unable to contact the complainant in the past as she had not known his identity. She discussed the lack of objections

from the closest cottages, and noted that her guests did not have to pass the objector's property. She also discussed the property's situation next to a caravan park and public right of way. She discussed the parking situation, and said that documentation for guests made the need to park considerably very clear. She also noted other sources of noise in the area, but said her guests were not noisy. She discussed access to amenity spaces around the property, which she felt should not impact on privacy. She also advised that bins were clearly labelled.

Pat Veitch, Team Leader – Community Protection, advised that there had been only one complainant in this case. She explained that mediation had been offered following complaints made in February 2024, but it had been accepted that little could be achieved through mediation as parking would always be a problem in the area. She commented that Community Protection Officers had been satisfied that Ms Grant was doing everything within her power to address the situation.

Committee members asked questions regarding: waste management; contact with the objector; how often Ms Grant attended the property and her future plans for the property; and whether a condition could be added to require Ms Grant to provide her contact details to the objector.

It was established that Ms Grant would provide her contact details to the objector now that she was aware of his identity.

Councillor McMillan moved to a roll call vote, and Committee members voted unanimously to grant the application.

### **Decision**

The Licensing Sub-Committee agreed to grant the application.

## **6. APPLICATION FOR THE GRANT OF A LATE HOURS CATERING LICENCE Pepe's, 94 High Street, Musselburgh**

An application had been received for the grant of a late hours catering licence, and came before the Licensing Sub-Committee on the basis of representation from Police Scotland.

Alistair Macdonald, the applicant's agent, was present, and was accompanied by his client, Atif Ali. Mr Macdonald provided background information on Mr Ali's experience as a late hours catering operator across various premises. He advised that Pepe's currently closed at 11pm, and the application sought to operate until midnight Sunday – Thursday, and until 1am on Friday and Saturday nights. Mr Macdonald acknowledged that there were antisocial behaviour issues on Musselburgh High Street, and discussed the premises' response to this, including phoning the police when needed, and always having an experienced manager on shift. Following Police Scotland's representation, an additional three CCTV cameras had been installed, and footage was stored for 30 days. Mr Macdonald said that his clients would prefer to operate without a Security Industry Authority (SIA) steward; they would be willing to hire an SIA steward at weekends if members felt it was absolutely necessary, but they would prefer to avoid this being added as a licence condition. His clients were also willing to agree to licence during of one year to prove that the new hours could work, and to allow any major concerns to be brought forward upon renewal.

PC Upton explained that Police Scotland had made representation after 17 calls had been received in relation to the premises across the last year. These had included thefts, assault on a member of the public outside the store, assault on a member of staff, vandalism, and youths creating a nuisance to staff. He reported that the majority of calls had come from staff members. He reported that engagement from staff had dropped off in providing statements, and the store could be slow to produce CCTV. He felt that the presence of an SIA steward may be beneficial, given the issues that already occurred during the current operating hours. He felt that a 30-day retention period for CCTV was reasonable. He asked that staff be trained in use of the CCTV system, and that staff engage with Police Scotland following any complaints.

Nicola Harrison, Licensing Standards Officer, advised that she had visited the site on 6 March and found it to be fully compliant.

Councillors asked questions about the complaints made to Police Scotland, and PC Upton advised that crime reports had been raised in some cases. He noted that things had often calmed down by the time the police arrived, but he reiterated the importance of continuing to engage with police officers following a complaint; he said that staff should continue to phone the police if the situation became unsafe. He felt that more crime reports should be taken to justify the number of times officers had been called to the store.

Mr Macdonald responded to further questions. He described the demand for late opening, including people who worked late, and also discussed the queue that formed after people left the local bars at closing time. He also noted that there had been no public objections to the application. His clients wanted to see how the late opening went before deciding to employ an SIA steward; he noted the cost and that the steward would have nothing to do most nights. He highlighted that Mr Ali encouraged staff to call Police Scotland where necessary, whereas other operators discouraged this because they felt having a high number of logged calls counted against them. Mr Ali added that difficulty in accessing CCTV had been due to the hard drive being in the office, which was not always accessible; the system was now in a place which could be accessed by police officers. Mr Macdonald added that there had been no further issues since the beginning of March.

Responding to questions from Committee members, PC Upton explained that issues had been caused by youths rather than with people coming out of bars. He imagined that these issues would remain, and he was concerned about people leaving pubs being added to the mix.

Responding to further questions, Mr Ali discussed staff training, and explained that policy required that a skilled manager always be on shift. Mr Macdonald added that Mr Ali ran premises in Edinburgh which benefitted from a late hours catering licence. He said Mr Ali wanted an opportunity to prove it could work, and indicated that Mr Ali would be willing for the licence period to be even shorter than a year, if necessary.

Committee members made comment on: being aware of the issues on Musselburgh High Street; not believing that the late opening of the establishment would be of benefit to the people of Musselburgh; concerns that late opening would mean the same issues with queueing occurring later in the evening when police resources were slimmer; appreciating that while hiring an SIA steward was not cheap, pointing out that police time was also not cheap; fast food outlets attracting the problematic demographic in Musselburgh; being unwilling to back the application, even in the short term; acknowledging Mr Ali's experience of late hours catering in other areas, but

considering these areas to be different to Musselburgh; perhaps giving the proposals greater consideration had there been a longer period with no issues which had to involve Police Scotland; the concerns caused by the cumulative number and types of calls; and although the issues not being attributable to the premises, nevertheless being unwilling to support such an experiment given what was known about situation in the area.

Councillor McMillan moved to roll call vote, and Committee members unanimously voted to refuse the application.

Later in the meeting, Committee members formally agreed the reason for refusal, which had been due to concerns over community safety.

## **Decision**

The Licensing Sub-Committee refused the licence as they considered that public and community safety would be compromised by the extended opening hours.

### **7. APPLICATION FOR THE GRANT OF A SECOND-HAND DEALER LICENCE Andrew Thomson, Inglis Avenue, Port Seton**

An application had been received from Andrew Thomson for the grant of a second-hand dealer licence, and had been brought before the Licensing Sub-Committee after there had been a failure to display the site notice for the required period of 21 days.

Mr Thomson explained that he had always been interested in old cars, and had fixed them up for around a period of 10-12 years. He said he had always parked them near his home, and swapped and cars with friends and occasionally sold a car. He pointed out that his activities had never attracted any interest before now. He reported that he received a call after someone had complained, and he had been informed that he required a second-hand dealer licence.

Nicola Harrison, Licensing Standards Officer (LSO), advised that she had visited the property to perform a site notice check. She had been unable to find it, making the application non-compliant. She had also spoken with Mr Thomson's father, who had indicated that he was not supportive of the application or of the displaying of the site notice.

PC Upton explained that Trading Standards had asked him for assistance with the case. He reported having spoken with Mr Thomson on the phone about his activities, and, having relayed the information back, Trading Standards had determined that Mr Thomson was trading vehicles and thus required a second-hand dealer licence.

Mr Thomson responded to questions from Committee members. He reported that his parents were not keen on the cars being around the property. He said he had displayed the notice in the window of one of the cars, but conceded that the car may not have been in situ when the LSO visited. He advised that the cars were usually from pre-2000, and some of them were old enough that the car tax was free. He confirmed that the cars were in his name, and described using them for a short time before getting rid of them or swapping them. He advised he currently had six or seven cars. He kept one car in a Council-owned garage, and kept some on the road.

Councillor Menzies pointed out to Mr Thomson that he was keeping cars on a public road, which neighbours were also trying to use, and that he would need a business licence and possibly also a business premises to be allowed to do this. She pointed out that it was unlawful to sell cars from a public street, and that the property's driveway was not a formal driveway.

Mr Thomson responded that he felt that matter had been blown out of proportion, and described the operation as swapping cars rather than trading; he pointed out that money was not being made. He said the cars were his hobby and cost him money. He pointed out that very few people visited to buy a car; he estimated perhaps one person per quarter.

Committee members pointed out that a licence was required to be allowed to sell three or more cars in a year, and that Trading Standards had confirmed that the operation was a licensable activity.

Responding to further questions, Mr Thomson explained that he found having a high number of cars a lot to deal with; he intended to fix up the cars he had before looking for another job.

Ms Harrison confirmed that she had checked around the street and at the Council-owned garage, and had been unable to find the site notice. She had not checked whether the notice was displayed in a vehicle.

Responding to further questions, Mr Thomson explained that he did not have a business premises because he did not run the operation as a business, and a premises would incur significant overheads for something he undertook as a hobby. Mr Thomson confirmed that his parents were not supportive of the operation.

In response to questions, Tanya Murray, Legal Adviser and Principal Solicitor – Contracts and Commercial, confirmed that it would be possible for the Sub-Committee to continue the application to allow the site notice to be displayed for a period of 21 days.

Councillor Menzies pointed out there being a lack of business address. She also pointed out that the property's driveway was not a formal driveway, so cars would still be unlawfully sold from a public road.

Councillor McMillan commented that he was unwilling to grant the licence, and felt that the wider issues around trading should be investigated to make sure that the operation was compliant.

Councillor McMillan moved to roll call vote, and Committee members unanimously voted to refuse the application.

Councillor McMillan urged Mr Thomson to take action based on advice from Trading Standards, Licensing, the Police Scotland.

## **Decision**

The Licensing Sub-Committee agreed to refuse the application due to there being a lack of a business address at which the operation could be advertised; under the current setup, cars would be being sold from a public road, which was unlawful.

**Note:** Summary of information

The Licensing Sub-Committee agreed to exclude the public from Item 8 in terms of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority), and from Item 9 in terms of Paragraph 2 (information relating to tenants) of Schedule 7A to the Local Government (Scotland) Act 1973.

**8. APPLICATION FOR EXTENSION OF TAXI OPERATOR LICENCES**

The Licensing Sub-Committee granted the requested extension of the taxi operator licences.

**9. REMOVAL OF REQUIREMENT FOR DISPLAY OF PUBLIC NOTICE FOR HMO APPLICATIONS**

The Licensing Sub-Committee agreed to disapply the requirement for a notice of licence application for two properties.

*The webcast for this meeting will be available at the link below for five years from the date of the meeting:*

[https://eastlothian.public-i.tv/core/portal/webcast\\_interactive/1092070](https://eastlothian.public-i.tv/core/portal/webcast_interactive/1092070)







<b>COMMITTEE:</b>	Licensing Sub-Committee
<b>MEETING DATE:</b>	11 June 2026
<b>BY:</b>	Depute Chief Executive – Resources and Economy
<b>REPORT TITLE:</b>	Civic Government (Scotland) Act 1982, Short-Term Let Licensing Policy Review
<b>REPORT STATUS:</b>	Public

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## **1 PURPOSE OF REPORT**

- 1.1 To consider the above policy and associated appendices in accordance with the requirement to review the same.

## **2 RECOMMENDATIONS**

Members are recommended to:

- 2.1 Consider the amendments made to the policy following public consultations and the introduction of Temporary Licences and approve the updated policy.

## **3 BACKGROUND**

- 3.1 The Short-Term Let Policy Order 2022 requires East Lothian Council to review their Short-Term Let Policy on a regular basis. Following a review 12 months after its introduction, East Lothian Council agreed to further review the policy every three years, thereafter.
- 3.2 A record of amendments can be found at Appendix 9.

## **4 POLICY IMPLICATIONS**

- 4.1 As agreed by the members on 14 May 2026, the Council has introduced a new Temporary Licence option.

**5 RESOURCE AND OTHER IMPLICATIONS**

- 5.1 Finance: Potential variation to income with the introduction of the Temporary licence option.
- 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:

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

## 7 APPENDICES

Appendix 1: Policy Statement

Appendix 2: Definition of short-term let

Appendix 3: Mandatory conditions

Appendix 4: Additional conditions

Appendix 5: Public notice of application

Appendix 6: Compliance notice

Appendix 7: Application form

Appendix 8: Application checklist

Appendix 9: Record of amendments

## 8 BACKGROUND PAPERS

8.1 None

## 9 AUTHOR AND APPROVAL DETAILS

### Report Author(s)

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<b>Date</b>	1 June 2026

### Head of Service Approval

<b>Name</b>	Hayley Barnett
<b>Designation</b>	Head of Corporate Support
<b>Confirmation that IIA and other relevant checks (e.g. finance/legal) have been completed</b>	Yes
<b>Approval Date</b>	2 June 2026



# Licensing Policy Statement

## Short-term Lets

# 2026

Approved	9 June 2022
Amended	12 October 2023
Amended	12 December 2024
Amended	11 June 2026

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## Section 1: Introduction

### 1.1 Links to local plans and strategies:

The Short-term Lets Policy becomes effective from 1 October 2022 and links to:

- East Lothian Plan 2017-2027, Outcome 1.2 – Local businesses are thriving and the business base is expanding
- Economic Development Strategy 2024-2034
- Local Housing Strategy 2024-2029
- Local Development Plan 2018

### 1.2 Policy focus

The Council's Short-term Lets Policy focuses on ensuring that an efficient, effective and proportionate licensing scheme is in place, which is customised to the needs and circumstances of the Council's local area and supports applicants who wish to obtain a Short-term let Licence. The policy outlines how the Council will administer applications, collect fees and monitor short-term lets.

### 1.3 Procedure

Detailed Procedures will guide officers through the processes involved.

## Section 2: Policy Purpose, Aims and Objectives

### 2.1 Purpose of the Policy

The Short-term Lets Policy describes how the Council will manage the licensing of short-term lets, including setting out applicable fees, types of licence, refunds policy and complaints and enforcement procedures.

Copies of the Policy, Licence Conditions and the Council's Procedure, including the Short-term Lets application form and checklist, are available to applicants on the Council's website, [Short-term lets | Short-term Lets licensing | East Lothian Council](#) or can be requested by emailing [stl@eastlothian.gov.uk](mailto:stl@eastlothian.gov.uk) or by calling 01620 827664.

### 2.2. Aims of the Policy

The overall aim of the Policy is to ensure that the licensing scheme is:

- in line with the Scottish Government's overall policy aims for the licensing of short-term lets;
- efficient, effective and proportionate; and
- customised to the licensing authority's local policies and the needs and circumstances of the licensing authority's local area

## 2.3. Objectives of the Policy

The Policy will implement its aims through the following objectives:

- ensuring that the licensing scheme is effective, efficient and proportionate
- offering appropriate guidance and support to applicants using the licensing scheme
- ensuring the Council has a good knowledge and understanding of the local area with regard to short-term lets
- ensuring the safety of short-term lets through accommodation being offered, minimising the risk to guests and their families
- ensuring that those living in properties adjacent to short-term lets benefit from improved safety, especially risk of fire
- ensuring that noise, nuisance or anti-social behavior is tackled effectively
- minimising the risk of crime in the local authority area
- effectively monitoring the Policy and related procedures
- ensuring consistency with other policies and strategies

## Section 3: Legal Framework

### 3.1 The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022

The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (the “2022 Order”) was approved by the Scottish Parliament on 19 January 2022 and came into force on 1 March 2022.

The effect of the Order is that from 1 October 2022, the use of accommodation for a short-term let is an activity for which a licence is required under the Civic Government (Scotland) Act 1982 (the “1982 Act”).

### 3.2 Short-term Lets definition

A short-term let means the use of residential accommodation provided by a host in the course of business to a guest, where:

- the guest does not use the accommodation as their only or principal home,
- the short-term let is entered into for commercial consideration
- the guest is not an immediate family member of the host, an owner or part-owner of the accommodation, or sharing the accommodation as part of an arrangement made, or approved by a school, college, or university
- the accommodation is not provided for the principal purpose of facilitating the provision of work or services by the guest to the host, or to another member of the host’s household
- the accommodation is not excluded accommodation, and
- the short-term let does not constitute an excluded tenancy

### **3.3 Short-term Lets Licensing Policy**

The 2022 Order requires East Lothian Council to have a Short-term Let Licensing Scheme in place by 1 October 2022. Following a review 12 months after its introduction, East Lothian Council agreed to further review the policy every three years thereafter.

In preparing this Policy, East Lothian Council has had due regard to the Supplementary Guidance for Licensing Authorities, Letting Agencies and Platforms issued by the Scottish Government. This is available at [Short term lets - licensing scheme part 2: supplementary guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/plain-text/short-term-lets-licensing-scheme-part-2-supplementary-guidance)

This policy should be read in conjunction with the 2022 Order (and Amendment Order 2024) and all relevant legislation, including but not limited to the 1982 Act, the Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021, the Equality Act 2010, the Data Protection Act 2018 and the Antisocial Behaviour etc. (Scotland) Act 2004.

### **3.4 Consultation on Short-term Lets Policy**

In April 2019, the Scottish Government launched a public consultation and commissioned independent research into the impact of short-term lets on people and communities. The consultation paper outlined possibilities for a regulatory approach, which included the licensing of short-term lets. The paper noted the range of approaches adopted in cities and countries around the world and asked for opinions on the types of short-term lets which should be regulated and the controls which should be applied. In parallel with the consultation, the Planning (Scotland) Act 2019 completed its passage through the Scottish Parliament and includes provision for the establishment of short-term let control areas.

In May 2019, the Scottish Government commissioned research to address gaps in the available evidence on the impact of short-term lets on housing and communities. The research combined both secondary data analysis of information published by Airbnb and surveys of residents and hosts, and in-depth interviews involving residents, hosts, community actors and local businesses.

East Lothian Council undertook public consultation exercises in August 2025 and January 2026 and also consulted with relevant internal departments, when reviewing the 2022 Policy.

## **Section 4: Temporary Exemptions & Temporary Licences**

### **4.1 Temporary exemptions**

Under the 2022 Order and related Guidance, councils may grant temporary exemptions to the requirement to have a Short-term Let Licence.

East Lothian Council does not offer temporary exemptions. This position will be regularly reviewed as part of the review of the policy.

### **4.2 Temporary licences**

As per paragraph 7(1) of Schedule 1 of the 1982 Act, the Council can issue temporary licences for short-term lets, which may be granted for a duration of up to 6 weeks.

Any temporary licence which is issued will be subject to the mandatory conditions as set out in the 1982 Act and the additional conditions set out in this Policy at Appendix 3.

## Section 5: Licence Duration, Renewal and Transfer

### 5.1 Type of licence

There are six types of licence for short-term let accommodation:

- secondary letting;
- home letting;
- home sharing;
- home letting and home sharing; or
- provisional
- temporary

Home sharing and home letting concern the use of the host or operator's only or principal home, whereas secondary letting makes use of a separate premises.

An 'only or principal' home is recognised as being where the host or operator lives and spends most of their time. An 'only or principal' home may be where the host or operator spends less time; however, most of their possessions are there, or their immediate family lives there.

Provisional licences are for new-build short-term lets and can be applied for at the construction stage. This licence will need to be confirmed once the accommodation is complete and the host complies with the mandatory and additional conditions.

### 5.2 Duration

The Council may grant a full licence for a period of up to three years, after which it requires to be renewed. Each licence will have a reference number and will confirm the expiry date. The duration applies from the date on which the licence comes into force.

Temporary licenses can be granted for a single period of up to six weeks. Temporary licences cannot be renewed.

### 5.3 Renewal

Where an application is made to renew a licence (prior to its expiry date), the licence will continue to have effect until such a time as a decision is made on the renewal. The Council intend to grant a renewal of a licence for a period of up to three years unless there are circumstances which justify a different time period.

### 5.4 Transfer

A licence may be transferred to someone else on application by the licence holder. This will support hosts/operators if they intend to sell, by allowing the premises to be marketed as a short-term let (with future bookings) or if a licence holder has died and an executor has been appointed.

## Section 6: Application Process

### 6.1 Application form and checklist

The applicant must complete and return a copy of the short-term let application form along with the appropriate fee and checklist, providing copies of all relevant evidence as well as documents to [stl@eastlothian.gov.uk](mailto:stl@eastlothian.gov.uk). Alternatively, applications can be submitted by post to:

Licensing  
John Muir House  
HADDINGTON  
EH41 3HA

Application forms can be found at: [Short-term lets | Short-term Lets licensing | East Lothian Council](#)

Temporary licence applications do not require relevant documents to be submitted with the application form, checklist and fee.

### 6.2 Notifying residents and neighbours

Applicants are responsible for notifying residents and neighbours of their application for a new Short-term Let Licence, or renewal of an existing Short-term Let Licence. Applicants are required to display a Site Notice clearly at, or near the premises, so that it can be conveniently read by the public, for a period of 21 days, beginning with the date on which the application was submitted to the Council.

A Notice must state:

- that an application has been made for a licence;
- the main facts of the application;
- where the applicant is a natural person:
  - type of licence applied for;
  - name and address;
  - and where applicable, the name and address of anyone carrying on the day-to-day management of the activity
- where the applicant is other than a natural person:
  - type of licence applied for;
  - name and address of the registered or principal office
  - names and addresses of directors, partners or other persons responsible for its management;
  - and where applicable, the name and address of anyone carrying on the day-to-day management of the activity
- the address of the premises from where the activity is to be carried on
- that objections and representations in relation to the application can be made to the Council, and
- how to make objections or representations.

Applicants are required by the 1982 Act to provide a Certificate of Compliance to the Council as soon as possible after the 21 days has expired, confirming that they have displayed the Site Notice.

A template Site Notice and Certificate of Compliance can be found at: [Short-term lets | Short-](#)

Temporary licence applications do not require a Site Notice to be displayed.

### **6.3 Application checks**

The Council must refuse an application for a Short-term Let Licence if not satisfied that the applicant is a fit and proper person. The Council will carry out necessary checks to establish whether the applicant is a fit and proper person. This may include a visit to the premises, where required. The statutory consultees for this licensing scheme are Police Scotland and the Scottish Fire and Rescue Service.

The Council and Scottish Fire and Rescue Service may undertake an assessment of the maximum number of guests that can be accommodated safely.

The Council may also ask for plans to show the location of any steps, stairs, or lifts in the premises, as well as the extent and boundary of the building where relevant.

### **6.4 Timescale**

The Council aims to make a decision within 21 days from the end of the consultation period (28 days).

### **6.5 Public register**

When a licence has been granted, this will be recorded in the public register, which is available upon request.

The public register will include:

- licence number
- licence type
- number of bedrooms in the premises and type of property
- maximum occupancy
- licensed premise address
- contact details for the applicant and/or agent of the premises
- the energy performance rating

The Council will maintain the public register of licensed short-term lets and update as often as possible, with reviews being carried out on a quarterly basis.

### **6.6 Objections**

Anyone can make an objection or representation to the Council, about a full application for a Short-term Let Licence. The objection or representation should be made during the 21-day consideration period following the application being submitted. Late objections may be considered in some circumstances where reasons are provided.

An objection or representation should be submitted in writing to [stl@eastlothian.gov.uk](mailto:stl@eastlothian.gov.uk). Alternatively objections can be sent to:

Licensing  
John Muir House  
HADDINGTON  
EH41 3HA

The objection and representation should set out the objector's name and address, specify the nature of the objection or representation and state the address or reference number of the Short-term Let Licence application.

An objection may be related to, but is not limited to, the following areas:

- whether the applicant is a fit and proper person;
- the location, character, condition or type of accommodation;
- the possibility of undue public nuisance, public order or public safety;
- whether there is a risk of affecting the privacy and security of neighbours; or
- whether there is other good reason for refusing the application.

The objection or representation cannot be treated confidentially. The Council will acknowledge the objection or representation and a copy will be sent to the applicant or their representative.

Once the application has been allocated to a meeting of the Licensing Sub-Committee, the Council will send the objector a letter inviting them to attend the meeting to speak to the objection or representation. At the hearing, the objector will be provided with an opportunity to speak to their objection or representation and the applicant will be provided with an opportunity to respond.

Frivolous or vexatious objections or representations will not be considered.

## **6.7 Fees**

Details of fees can be found at: [Licensing fees booklet | East Lothian Council](#)

## **6.8 Refusal of a licence**

The Council will refuse an application for a Short-term Let Licence where it is not satisfied that the applicant is a fit and proper person. The Council may refuse an application for a Short-term Let Licence if the property is shown to be unsafe, or, there are significant risks to safety and security.

## **6.9 Refunds**

The Council will **not refund** any fees charged for processing the application or renewal if the application is refused or withdrawn.

Where a licence is refused because the host or operator needs to obtain planning permission, the Council will not charge an additional fee in respect of a resubmitted application made within 28 days of planning permission being granted provided that the application for planning permission is submitted without undue delay. Refer to Section 9: Planning Considerations.

## **6.10 Appeals process**

Applicants can appeal against a refusal of their Short-term Let Licence application. The appeal should be made within 28 days of being notified of the refusal and should be made to the Sheriff.

## Section 7: Licence Conditions

### 7.1 Mandatory conditions

The 2022 Order requires all short-term let licenses across Scotland to apply the mandatory licence conditions. A list of the mandatory licence conditions is contained in Appendix 2.

### 7.2 Maximum occupancy condition

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.

Applicants will state in their application how many guests they would like to accommodate. The Council will consider the following criteria when determining maximum occupancy:

- the number requested on the application form
- the maximum number that can be accommodated safely (broken down to the number of adults and the number of children (under 2 years of age))
- the maximum number that can be accommodated within tolerable noise and nuisance standards for neighbours

A legible, accurate and measurable plan of the premises (preferably to a scale of 1:100) is required, indicating the following:

Room sizes, sanitary ware, cooking facilities, power outlets, lighting points and switches, accommodation intended for guests with mobility impairment and number of guests occupying each room.

### 7.3 Additional licence conditions

In addition to the mandatory licensing conditions, the Council will impose additional licence conditions to a Short-term Let Licence. The Council will review its list of additional licence conditions on a regular basis. A list of the additional licence conditions can be found in Appendix 3.

Where the Council opts to impose a supplementary licence condition, it will set out the issue that is being addressed by the supplementary condition, the reasoning for the supplementary condition, the action required of the licence holder and the deadline for this action to be completed by.

The Council will review its list of additional licence conditions on a regular basis. This list is not exhaustive.

## Section 8: Licence Numbers

### 8.1 Licence numbers

Licence numbers will be issued in a consistent format to assist letting agencies and platforms in being able to use the licence number provided by the host or operator in their listings.

The format of the licence number, alongside information contained in the public register, will allow anybody to identify:

- the Council that issued the licence (and therefore the area to which the licence relates);
- the type of short-term let to which the licence relates; and
- the type of licence issued

### 8.2 Licence number specification

The licence number will comprise of 8 characters, three of which are alphabetical (capital letters) and 5 of which are numerical digits (D):

For example: **A<sub>1</sub>A<sub>2</sub>DDDDDA<sub>3</sub>**

The leading two characters (A<sub>1</sub>A<sub>2</sub>) will identify the Council; East Lothian Council will use **EL**. The 5 digits will be issued by each Council.

The final character (A<sub>3</sub>) will denote the type of "licence" to be issued:

- **T** Temporary licence
- **F** First (full) licence
- **R** Renewed licence
- **N** application from new host (prior to determination)
- **P** provisional licence

For example: **EL00001T**

This number relates to a temporary licence (T). The type of short-term let (e.g. home sharing) will be displayed on the public register.

## Section 9: Planning Considerations

### 9.1 Short-term let control area

The Council may refuse to consider an application for a short-term let if the host or operator of a dwelling house within a short-term let control area needs planning permission but does not have it.

The high-level policy purpose behind control areas is as follows:

*“to help manage high concentrations of secondary letting (where it affects the availability of residential housing or the character of a neighbourhood); to restrict or prevent short-term lets in places or types of building where it is not appropriate; and to help local authorities ensure that homes are used to best effect in their areas”.*

It is a mandatory condition that a host or operator has planning permission, or, has made an application for planning permission, where all of the following conditions apply:

- they are using it for secondary letting;
- it is a dwelling house; and
- a control area has been established

In these circumstances, the host or operator must have made an application for planning permission or already have planning permission before they apply for a licence. In most cases, planning applications are determined within two months of being registered. Planning enquiries should be directed to [environment@eastlothian.gov.uk](mailto:environment@eastlothian.gov.uk)

East Lothian Council currently has no control areas designated and this will be regularly reviewed.

## **9.2 Links with control areas**

Where a control area is designated, the Council will publish details of this on their website. This will assist hosts in determining whether, or not, to apply for a licence, in the knowledge that planning permission or a Certificate of Lawful Use or Development (CLUD) will be required.

The Council will give licensed hosts and operators a reasonable opportunity to comply with this mandatory condition by submitting a planning application. The host or operator should do this as soon as possible after the control area is designated.

The Council will ensure that licensed hosts or operators who may be affected by the designation of a control area are alerted as part of the planning authority's consultation process.

## **9.3 Where planning permission is refused**

Where the Council refuses planning permission for short-term lets, the applicant may leave themselves open to Planning Enforcement Action if they continue to operate the business.

It will not always be necessary for an application to be refused, or licence to be revoked. For example, a host or operator may have a licence to let out one bedroom in their own home but have submitted an application to vary the licence, and an accompanying planning application, in order to let out three bedrooms. In this case, the applications might be declined but the existing licenced activity can continue.

## Section 10: Compliance and Enforcement Action

### 10.1 Complaints

Anyone may make a complaint to the Council about the way a host or operator is operating their short-term let.

Complaints regarding a short-term let should be sent to [stl@eastlothian.gov.uk](mailto:stl@eastlothian.gov.uk) for investigation. Alternatively, complaints can be sent by post to:

Licensing  
East Lothian Council  
John Muir House  
HADDINGTON  
EH41 3HA

The Council will seek to try to resolve a complaint through engagement with the host or operator in the first instance.

Complaints will be acknowledged within ten working days and complainants will be appropriately kept up to date with the progress of their complaint. The Council will aim to respond to complaints within 20 working days. The Council will keep a record of all complaints made under this Policy.

Some complaints may require enforcement action from the Council, see section 10.4 of this Policy. A complaint against a short-term let licensed property may result in the Council undertaking an inspection visit to assess compliance. The Council reserves the right to charge the host or operator for any costs relating to an inspection visit.

The Council may need to direct some complaints to planning authorities, letting agencies, platforms, VisitScotland, Police Scotland or other bodies for further investigation.

Complaints regarding the Council's operation of its Short-term Lets Licensing Policy or Procedures will be investigated in accordance with the Council's formal Complaints Procedure.

### 10.2 Grounds for complaints

A complaint may be related to the following areas:

- whether the host or operator is a fit and proper person;
- the condition of accommodation;
- undue public nuisance, public order or public safety;
- privacy and security of neighbours; or
- any other good reason.

Frivolous or vexatious complaints will not be considered.

### 10.3 Identifying unlicensed short-term lets

Complaints about suspected unlicensed operators should be directed to Police Scotland as well as the Council.

The Council, letting agencies and platforms all have a role to play in identifying and eliminating unlicensed short-term lets. The Council will use a number of methods to check

and monitor whether there are hosts or operators in the East Lothian area, that are trading without a valid short-term lets licence.

#### **10.4 Enforcement action**

The options for enforcement action for the Council provided through the 2022 Order and 1982 Act are:

- additional licence conditions on application (or through variation)
- enforcement notices
- variation, suspension or revocation of the licence
- pursuance of prosecution in respect of offences under the 1982 Act

#### **10.5 Enforcement Notices**

The Council has the power to serve Enforcement Notices. Where complaints, visits to premises, or other information confirm that any licence condition has been breached, the Council will require the licence holder to take action to resolve the situation within a reasonable period.

If informal measures do not result in resolution, the Council will serve an Enforcement Notice ("non-compliance" or "improvement" notice). The notices will set out the matters constituting a breach or a likely breach, the action required to rectify or prevent the breach and the date by which the action must be taken.

Enforcement Notices will also be served if a future breach of a licence condition is anticipated, for example, a host or operator is advertising property with a maximum capacity of ten guests, in breach of a licence condition specifying no more than eight. This would be evidenced in a listing or advertisement.

#### **10.6 Variation, suspension and revocation**

The Council may vary, suspend or revoke a licence in certain circumstances. The Council may do this without serving an Enforcement Notice if the seriousness of the breach justifies urgent action.

#### **10.7 Variation**

The Council may vary the terms of a licence on any grounds it thinks fit. The Council can do this at any time, including following an application made to it by the licence holder or of its own initiative.

#### **10.8 Suspension or revocation**

The Council may order the suspension or revocation of a licence if, in its opinion:

- the licence holder is no longer a fit and proper person to hold the licence;
- the licence holder is managing the property on behalf of someone who would have been refused the grant or renewal of the licence;
- the short-term let is causing or is likely to cause undue public nuisance, or a threat to public order or public safety; or
- a condition of the licence has been contravened.

Where the Council revokes a licence, no further application can be made by that host or operator, in respect of that premises, within one year of the date of revocation.

## **10.9 Appeals**

Applicants can appeal against a refusal of their Short-Term Let Licence application.

Hosts and operators can appeal against the decision to vary, suspend or revoke a licence. The appeal should be made within 28 days of being notified of the refusal and should be made to the Sheriff.

Hosts and operators can take bookings and provide accommodation whilst they appeal a revocation or suspension and they have 28 days in which to lodge an appeal.

## Section 11: Policy Monitoring and Review

### **11.1 Monitoring timescale**

The Team Leader – Licensing and Landlord Registration, will monitor the number of applications to the Short-Term Lets Licensing Scheme on a six-monthly basis.

### **11.2 Review timescale**

The Council will review the Policy every 3 years.

## Section 12: Appendices

### **12.1 Policy Appendices**

**Appendix 1 – [What is a short-term let?](#)**

**Appendix 2 - [Mandatory Licence Conditions](#)**

**Appendix 3 – [Additional Licence Conditions](#)**

**Appendix 4 – [Public Notice of application for Short-term Lets Licence](#)**

**Appendix 5 – [Certificate of compliance](#)**

**Appendix 6 – [Application for Short-term Let Licence](#)**

**Appendix 7 – Application checklist**

**This document can be provided in large print, Braille or in an electronic format and can be translated into other community languages. Please contact the Council's Communications Team at East Lothian Council, John Muir House, HADDINGTON, EH41 3HA, 01620 827827.**

## APPENDIX 2

### Definition of Short-term Let

Short-term let means the use of residential accommodation provided by a host in the course of business to a guest, where all of the following criteria are met:

- 1) The guest does not use the accommodation as their only or principal home;
- 2) The short-term let is entered into for commercial consideration;
- 3) The guest is not:
  - i. An immediate family member of the host
  - ii. Sharing the accommodation with the host for the principal purpose of advancing the guest's education as part of an arrangement made or approved by a school, college or further or higher educational institution, or
  - iii. An owner or part-owner of the accommodation
- 4) The accommodation is not provided for the principal purpose of facilitating the provision of work or services by the guest to the host or to another member of the host's household;
- 5) The accommodation is not excluded accommodation;
- 6) The short-term let does not constitute an excluded tenancy; and
- 7) The accommodation is not provided for foster arrangements.

### Excluded accommodation

Excluded accommodation means accommodation which is, or is part of:

- a) An aparthotel;
- b) Premises in respect of which a Premises Licence within the meaning of section 17 of the Licensing (Scotland) Act 2005(6) has effect and where the provision of accommodation is an activity listed in the operating plan as defined in section 20(4) of that Act;
- c) A hotel which has planning permission granted for use as a hotel;
- d) A hostel;
- e) Residential accommodation where personal care is provided to residents;
- f) Guest rooms in specific types of residential accommodation where personal care is provided;
- g) A hospital or nursing home;
- h) A residential school, college or training centre;
- i) Secure residential accommodation (including a prison, young offenders institution, detention centre, secure training centre, custody centre, short-term holding centre, secure hospital, secure local authority accommodation, or accommodation used as military barracks);
- j) A refuge;
- k) Student accommodation;
- l) Accommodation which otherwise requires a licence for use for hire for overnights stays;
- m) Accommodation which is provided by the guest;
- n) Accommodation which is capable, without modifications, of transporting guests to another location;
- o) A bothy; or
- p) Accommodation owned by an employer and provided to an employee in terms of a contract of employment or for the better performance of the employee's duties.

## **Excluded tenancies**

An excluded tenancy means a tenancy which falls within any of the following definitions:

- a) A protected tenancy (within the meaning of Section 1 of the Rent (Scotland) Act 1984);
- b) An assured tenancy (within the meaning of Section 12 of the Housing (Scotland) Act 1988);
- c) A short assured tenancy (within the meaning of Section 32 of the Housing (Scotland) Act 1988)
- d) A tenancy of a croft (within the meaning of Section 3 of the Crofters (Scotland) Act 1993);
- e) A tenancy of a holding situated outwith the crofting counties (within the meaning of Section 61 of the 1993 Act) to which any provisions of the Small Landholders (Scotland) Act 1886 to 1931 applies;
- f) A Scottish secure tenancy (within the meaning of Section 11 of the Housing (Scotland) Act 2001);
- g) A short Scottish secure tenancy (within the meaning of Section 34 of the Housing (Scotland) Act 2001);
- h) A 1991 Act tenancy (within the meaning of Section 1 of the Agricultural Holdings (Scotland) Act 2003);
- i) A limited duration tenancy (within the meaning of Section 93 of the Agricultural Holdings (Scotland) Act 2003);
- j) A modern limited duration tenancy (within the meaning of Section 5A of the Agricultural Holdings (Scotland) Act 2003);
- k) A short limited duration tenancy (within the meaning of Section 4 of the Agricultural Holdings (Scotland) Act 2003);
- l) A tenancy under a lease under which agricultural land is let for the purpose of its being used only for grazing or mowing during some specified period of the year (within the meaning of Section 3 of the Agricultural Holdings (Scotland) Act 2003);
- m) A private residential tenancy (within the meaning of Section 1 of the Housing (Scotland) Act 2016);
- n) A student residential tenancy

### Short-term Lets Mandatory licence conditions

#### Agents

1. Only those named as a holder of the licence can carry out the day to day management of the short-term let of the premises.

#### Type of licence

2. The holder of the licence may only offer the type of short-term let for which the licence has been granted.

#### Fire safety

3. The holder of the licence must ensure the premises has satisfactory equipment installed for detecting, and for giving warning of—

(a) fire or suspected fire, and

(b) the presence of carbon monoxide in a concentration that is hazardous to health.

4. The holder of the licence must keep records showing that all upholstered furnishings and mattresses within the parts of the premises which are for guest use, or to which the guests are otherwise permitted to have access, comply with the Furniture and Furnishings (Fire Safety) Regulations 1988(a).

#### Gas safety

5. Where the premises has a gas supply—

(a) the holder of the licence must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises,

(b) if, after an annual inspection, any appliance does not meet the required safety standard, the holder of the licence must not allow a short-term let of the premises until the works necessary to bring the appliance to the required safety standard have been carried out.

#### Electrical safety

6. Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which the guests are permitted to have access, the holder of the licence must—

(a) ensure that any electrical fittings and items are in—

(i) a reasonable state of repair, and

(ii) proper and safe working order,

(b) arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person,

(c) ensure that, following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,

(d) arrange for a competent person to—

(i) produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and

(ii) date label and sign all moveable appliances which have been inspected.

7. In determining who is competent, the holder of the licence must have regard to guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006(a).

#### Water safety: private water supplies

8. Where the premises are served by a private water supply, the licence holder must comply with the requirements on the owners of private dwellings set out in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017(b).

### **Water safety: legionella**

**9.** The holder of the licence must assess the risk from exposure to legionella within the premises, whether or not the premises are served by a private water supply.

### **Safety & repair standards**

**10.**

(1) The holder of the licence must take all reasonable steps to ensure the premises are safe for residential use.

(2) Where the premises are subject to the requirements of Chapter 4 of Part 1 of the Housing (Scotland) Act 2006, the holder of the licence must ensure that the premises meet the repairing standard.

### **Maximum Occupancy**

**11.** The licence holder must ensure that the number of guests residing on the premises does not exceed the number specified in the licence.

### **Information to be displayed**

**12.** The holder of the licence must make the following information available within the premises in a place where it is accessible to all guests—

- (a) a certified copy of the licence and the licence conditions,
- (b) fire, gas and electrical safety information,
- (c) details of how to summon the assistance of emergency services,
- (d) a copy of the gas safety report,
- (e) a copy of the Electrical Installation Condition Report, and
- (f) a copy of the Portable Appliance Testing Report.
- (g) instructions on what to do if the carbon monoxide alarms sound
- (h) safety instruction for operating and moving any mobile gas cabinet heaters provided

### **Planning Permission**

**13.** Where the premises is in a short-term let control area for the purposes of section 26B of the Town and Country Planning (Scotland) Act 1997(c) (“the 1997 Act”), the holder of the licence must, where the use of the premises for a short-term let requires planning permission under the 1997 Act, ensure that either—

- (a) an application has been made for planning permission under the 1997 Act and has not yet been determined, or
- (b) planning permission under the 1997 Act is in force.

### **Listings**

**14.**

(1) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises includes—

- (a) the licence number, and
- (b) a valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008(a).

(2) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises is consistent with the terms of the short-term let licence.

### **Insurance**

**15.** The holder of the licence must ensure that there is in place for the premises—

- (a) valid buildings insurance for the duration of the licence, and
- (b) valid public liability insurance for the duration of each short-term let agreement.

### **Payment of fees**

**16.** The holder of the licence must pay any fees due to the licensing authority in respect of the licence on demand.

### **False or misleading information**

**17.** The holder of the licence must not provide any false or misleading information to the licensing authority.

### **Interpretation**

**18.** In this schedule—

*“Electrical Installation Condition Report”* means a report containing the following information—

- (a) the date on which the inspection was carried out,
- (b) the address of the premises inspected,
- (c) the name, address and relevant qualifications of the person who carried out the inspection,
- (d) a description, and the location, of each installation, fixture, fitting and appliance inspected,
- (e) any defect identified,
- (f) any action taken to remedy a defect,

*“Energy Performance Certificate”* means a certificate which complies with regulation 6 of the Energy Performance of Buildings (Scotland) Regulations 2008**(b)**,

*“Gas safety report”* means a report containing the following information—

- (a) the date on which the appliance or flue was checked,
- (b) the address of the premises at which the appliance or flue is installed,
- (c) a description of and the location of each appliance or flue checked,
- (d) any safety defect identified,
- (e) any remedial action taken,
- (f) confirmation that the check undertaken complies with the requirements of an examination of—
  - (i) the effectiveness of any flue,
  - (ii) the supply of combustion air,
  - (iii) subject to head (iv), its operating pressure or heat input or, where necessary, both,
  - (iv) if it is not reasonably practicable to examine its operating pressure or heat input (or, where necessary, both), its combustion performance,
  - (v) its operation so as to ensure its safe functioning,
- (g) the name and signature of the individual carrying out the check, and
- (h) the registration number with which that individual, or that individual’s employer, is registered with a body approved by the Health and Safety Executive for the purposes of regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998**(a)**,

*“holder of the licence”* means any person to whom a short-term let licence has been granted or jointly granted,

*“home letting”* means a short-term let consisting of the entering into of an agreement for the use, while the host is absent, of accommodation which is, or is part of, the host’s only or principal home,

*“home sharing”* means a short-term let consisting of the entering into of an agreement for the use, while the host is present, of accommodation which is, or is part of, the host’s only or principal home,

*“premises”* means the accommodation which is the subject of an application for a short-term licence or the subject of a short-term licence,

*“repairing standard”* means the steps which the holder of the licence is required to take to comply with the obligations placed on the holder by Chapter 4 of Part 1 of the Housing (Scotland) Act 2006**(b)**,

*“secondary letting”* means a short-term let consisting of the entering into of an agreement for the use of accommodation which is not, or is not part of, the licence holder’s only or principal home,

*“short-term let”* has the same meaning as in article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022,

*“short-term let licence”* means a licence for a short-term let, and

*“type of short-term let”* means one of the following purposes—

- (a) secondary letting,
- (b) home letting,
- (c) home sharing, or
- (d) home letting and home sharing.

### Short-term Lets Additional licence conditions

1. If there is a material change of circumstance affecting the Licensee or the operation of the Short-term Let, the Licensee must inform the licensing authority as soon as possible. No alteration must be made to the property without the prior written consent of the authority.
2. The licence holder must take steps to ensure that the property, fittings and furniture, including fire precautions, plumbing, gas and electrical installations, are maintained throughout the period of the licence to the standard required. The licence holder should hold all necessary certificates.
3. To ensure an adequate electricity supply is maintained to the installed Fire Detection system, where credit card meters are in use, the Licensee will be responsible for ensuring that the meters remain in credit when the premises are unoccupied for any period exceeding 48 consecutive hours.
4. The Licensee shall allow access to the premises at any reasonable time to the following officials for licensing purposes:
  - Any officer of East Lothian Council
  - Any officer of the Scottish Fire & Rescue Service
  - Any officer of Police Scotland
5. The Licensee will be responsible for the day to day running of the premises, and for ensuring that guests comply with the terms of their Lease and in particular to deal effectively with any anti-social behaviour by guests to anyone else in the locality of the Short-term Let.
6. The licence holder shall not permit the use or storage, on the premises, of LPG room-heaters or, unless in an external store designed and approved for such storage, the storage of any liquefied petroleum gas (LPG) or any highly inflammable liquid, gas, or substance. This condition shall not apply to small amounts of liquids or gas sold in small non- refillable retail packs (e.g., lighter fuel or cosmetic appliance cartridges) kept by guests for their own use. Nor shall it apply to the external storage of LPG in cylinders or tanks which are provided by the licence holder for the provision of gas for cooking or for water or space heating or other domestic use, provided the storage complies fully with LPGA Codes of Practice and Building Regulation Technical Standards and that any installation connected to such cylinders or tanks complies with The Gas Safety (Installation and Use) Regulations 1998 or any amendment thereto.
7. The licence holder shall comply with the current regulations regarding maximum re-sale prices of gas and electricity supplied, as appropriate.
8. The licence holder should ensure that external and communal doors are fitted with a lever latch and secured with a suitable lock and thumb turn mechanism or other appropriate locking mechanism.
9. The building should be maintained in a reasonable state of repair, having regard to its age, type and location. Garden and environmental areas should also be adequately maintained.

10. Where a Short-term Let is in a shared building the licence holder must co-operate 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.
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).
12. Licence Holders registered for Business Rates must have in place a Waste Management Contract providing for the storage and disposal of refuse.

The Civic Government (Scotland) Act 1982  
(Licensing of Short-term Lets) Order 2022

# PUBLIC NOTICE OF APPLICATION FOR SHORT-TERM LETS LICENCE

**New application**

**Renewal**

Applicant name \_\_\_\_\_

Applicant's address \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

Has applied to East Lothian Council for a Short-term lets licence.

Short term let premises address (if different from applicant's address)

\_\_\_\_\_ Postcode \_\_\_\_\_

## Type of license applied for

Home sharing

Home letting

Home sharing and home letting

Secondary letting

Day-to-day manager / agent details (if different from applicant)

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

## Representations

Representations about the application may be made by any member of the public.

Representations **must**:

- be in writing;
- specify the grounds of the objection or, as the case may be, the nature of the representation;
- set out the name and address of the person making it;
- must be signed by the person, or on their behalf; and
- be made within 28 days of public notice of the application being given.

Copies of any representations will be given to the applicant. If a representation is made to the Licencing Authority after this date but before a final decision is taken on the application, then the Licensing Authority may consider the late representation if it is satisfied that it was reasonable for the representation to have been made after the deadline.

**Representations should be sent to:  
Licensing, John Muir House, HADDINGTON, EH41 3HA or  
licensing@eastlothian.gov.uk**

Date application lodged / public notice given \_\_\_\_\_

Last date for representation \_\_\_\_\_

- This notice must be displayed on or near the short-term let property in a position where it can be easily read by the public.
- This notice must be displayed for a period of 21 days from the date the application was lodged with the Licensing Authority.
- After the notice has been displayed for 21 days, a certificate of compliance must be completed and the whole notice returned to the Licensing Authority at the address above.

**APPENDIX 6**



**CERTIFICATE OF COMPLIANCE**

**SHORT-TERM LETS LICENCE – CONFIRMATION OF DISPLAY OF PUBLIC NOTICE**

**The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022**

**CONFIRMATION OF DISPLAY OF NOTICE**

**This section must be completed by the applicant and the whole notice returned to the East Lothian Council, Licensing, John Muir House, HADDINGTON, EH41 3HA or [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk) at the end of the 21-day display period.**

I (Full name of applicant)

Certify that the notice of application has been displayed as prescribed above for a period of not less than 21 days from \_\_\_\_\_ ending on \_\_\_\_\_

Applicant's signature

Date



**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

**APPLICATION FOR GRANT / RENEWAL OF  
SHORT-TERM LET LICENCE**

**PART 1: APPLICATION AND LICENCE TYPE**

1. Please select the application type:

- First application (existing operator\*)
- First application (new operator)
- New application (where property has been used as licensed STL previously)
- Renewal  Change to existing licence

*\*This option is only available for applications made on or before 1 April 2023 by existing operators (ie those operating the premises in which a licence is being applied for as a short-term let on or before 1 October 2022).*

*If you are applying to renew or alter your licence, please complete the following fields. If submitting a new application where the property has never been used as a licensed short-term let before, please proceed to question 2:*

Existing licence number

Existing licence expiry date

*If you are submitting a new application where the property has been used as a licensed short-term let before, please complete the following fields.*

Previous licence number

Previous licence expiry date

2. Please select the type of short-term let licence you require:

Home sharing  Home letting

Home sharing & home letting  Secondary letting

3. If you do not own the property which is the subject of this licence application, do you have proof of permission from the owner(s):

Yes  No  N/A

**If you are applying for a change to your existing licence, please indicate the reason for your request (e.g. a change of agent, changes to the property – e.g. an extension to increase maximum occupancy).**

**PART 2: PREMISES DETAILS**

Premises Address ( <i>incl. postcode</i> )	
Unique Property Reference Number ( <i>if known</i> )	
Maximum number of occupants	
Number of bedrooms	
EPC rating ( <i>if applicable – not required for home sharing or unconventional accommodation</i> )	

4. Please select the type of premises:

- Detached House       Semi-detached house   
Terraced House       Flat   
Unconventional accommodation

5. From the following options, please select the description that best describes your short-term let:

- Self-catering       B&B   
Guest house       Other form of home sharing   
Home letting

**PART 3: ABOUT YOU**

6. Are you applying as an individual or corporate entity?

Individual  Corporate Entity

**Fill in if you are applying as an individual:**

First name(s)	
Surname	
Date of Birth	
Place of Birth	
Address ( <i>if different from premises address</i> )	
Email address	
Telephone number	
Current home address ( <i>if different from premises address</i> )	

Please provide your home address history for the last 5 years with no gaps or overlaps, starting with the most recent. Please confirm the dates you resided at these properties:

Address (history for last 5 years)	Postcode	Date from (month/year)	Date to (month/year)

7. Do you have or intend to appoint an agent or day-to day manager?

Yes  No

**If you answered yes to question 7, please provide details for your agent(s) or day to day manager(s).**

**Agent(s) & Day to Day Manager(s)**

<b>Full name</b>	<b>5 year address history</b>	<b>Date of birth</b>	<b>Email address</b>	<b>Telephone number</b>

8. Is your property jointly owned?

Yes

No

If you answered yes to question 8, please provide details for all joint owners.

**Joint owner(s):**

<b>Full name</b>	<b>5 year address history</b>	<b>Date of birth</b>	<b>Email address</b>	<b>Telephone number</b>

***Individuals, please go to Part 4.***

**Corporate entities, please complete the relevant sections on the following pages.**

**Fill in if you are applying as a corporate entity (e.g. company, partnership, trust or charity)**

Corporate entity name	
Limited company number ( <i>if applicable</i> )	
Your first name(s)	
Your surname	
Registered or principal office address	

Names and private addresses and dates and places of birth of its directors, partners or other persons responsible for its management, including trustees in the case of charities.

Full name	Personal address	Place of birth	Date of birth

Please complete for all other named persons on the licence (e.g. any agent or day-to-day manager):

Full name	5 year address history	DOB	Email address	Telephone number


**PART 4: CONVICTIONS**

9. Has anybody named on the application been convicted of any offence? Please include details of any unspent convictions in the table below:

<b>Name</b>	<b>Date</b>	<b>Court</b>	<b>Offence</b>	<b>Sentence</b>

**PART 6: DECLARATION**

East Lothian Council, as licensing authority, will use information it holds about you to determine whether you are a fit and proper person to operate a short-term let. In addition, licensing authorities to which you apply may share relevant information they hold about you with one another to help those authorities determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. They may also share and seek relevant information with Police Scotland and, if appropriate, other relevant authorities.

Anyone who gives false information on this form, or fails to provide the information required by this form, is committing an offence which could lead to prosecution.

I declare that I have read and understood the mandatory conditions that apply to short-term let licences and East Lothian Council's additional conditions

I will comply with the requirement to display a site notice in accordance with  paragraph 2 of Schedule 1 of the Civic Government (Scotland) Act 1982

I declare that the information given in this application is correct to the best of my knowledge

Signed

Print name

Date

## **DATA PROTECTION ACT 2018**

**Please note that the information given on this form may be stored electronically by this Authority for the purpose of licensing.**

The Identity of the Data Controller under the Data Protection Act 2018 (“the Act”).

East Lothian Council, John Muir House, Haddington, East Lothian EH41 3HA (“the Council”)

The purpose or purposes for which the data are intended to be processed.

The Data will be processed in order for East Lothian Council to fulfil its statutory duty under the Civic Government (Scotland) Act 1982 in receiving, registering, determining and granting applications for licenses under the said Act. The Data will be shared with public bodies who require to be consulted about the application, such as the Police. It will also be shared with internal East Lothian Council services, particularly within the Environment Department who give advice to the Council as Licensing Authority, in respect of the application.

East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Further information can be obtained from:

East Lothian Council’s Data Protection Officer can be contacted at:

Data Protection Officer

Licensing, Administration and Democratic Services

John Muir House

Haddington

[dpo@eastlothian.gov](mailto:dpo@eastlothian.gov).

## APPENDIX 8

### APPLICATION CHECKLIST

**Note - this check list must be fully completed in order to submit your application**

<b>I have enclosed the following – please tick to confirm (or enter N/A)</b>		
Completed application form	<input type="checkbox"/>	
Correct application fee	<input type="checkbox"/>	See East Lothian Council website – Civic Licence Fees
Completed Fire Risk Assessment	<input type="checkbox"/>	
Annual gas certificate ( <i>for premises with a gas supply</i> )	<input type="checkbox"/>	Valid to:
Electrical Installation Condition Report	<input type="checkbox"/>	Valid to:
Portable Appliance Testing Report	<input type="checkbox"/>	Valid to:
Legionella Risk Assessment	<input type="checkbox"/>	
Planning permission ( <i>for premises within a control area or where requested by the licensing authority</i> )	<input type="checkbox"/>	Planning application reference number:
Floor plan	<input type="checkbox"/>	See guidance notes
EPC Certificate ( <i>for premises which are dwellinghouses</i> )	<input type="checkbox"/>	Valid to:
Buildings Insurance	<input type="checkbox"/>	Valid to:
Public Liability Insurance	<input type="checkbox"/>	Valid to:
Proof of consent from owner (if applicable)	<input type="checkbox"/>	
Evidence of operation as a short-term let on or before 1 October 2022 ( <i>for existing hosts applying during transitional period</i> )	<input type="checkbox"/>	

<b>I have: – please tick to confirm (or enter N/A)</b>	
Identified the owners and those involved in the day-to-day management of my premises	<input type="checkbox"/>
Ensured that to the best of my knowledge all those named on my application are fit and proper persons	<input type="checkbox"/>
Prepared information that will be available to guests at the premises including: (a) a certified copy of the licence and the licence conditions, (b) fire, gas and electrical safety information, (c) details of how to summon the assistance of emergency services, (d) a copy of the gas safety report, (e) a copy of the Electrical Installation Condition Report, and (f) a copy of the Portable Appliance Testing Report.	<input type="checkbox"/>
Applied for planning permission (if required).	<input type="checkbox"/>
Noted the requirement to display my licence number and EPC rating on listings for my premises	<input type="checkbox"/>
Proof that furniture and furnishings/the furniture and furnishings guests have access to, comply with fire safety regulations	<input type="checkbox"/>
Read and understood the mandatory conditions that will apply to my licence	<input type="checkbox"/>
Read and understood the additional conditions that will apply to my licence	<input type="checkbox"/>

<b>My premises:</b> – please tick to confirm (or enter N/A)	
Meets current statutory guidance for provision of fire, smoke and heat detection	<input type="checkbox"/>
Meets statutory guidance for carbon monoxide alarms	<input type="checkbox"/>
Meets the required regulations for private water supplies ( <i>for premises with a private water supply i.e not provided by Scottish Water</i> )	<input type="checkbox"/>
Meets obligations with regard to the Tolerable and Repairing standard ( <i>applicable to dwellinghouses</i> )	<input type="checkbox"/>

## APPENDIX 9

### Record of amendments to Short-term let policy (June 2026)

Section	2022 policy	Action	2026 policy	Action
3.4, paragraph 3 – Consultation on Short-term Lets policy	In addition, East Lothian Council has consulted with relevant internal departments on the draft policy and conditions documents.	Replaced with:	East Lothian Council undertook public consultation exercises in August 2025 and January 2026 and also consulted with relevant internal departments, when reviewing the 2022 Policy.	
4.1, paragraph 2 – Temporary Exemptions	East Lothian Council does not intend to have a policy on temporary exemptions and would not be supportive of such applications.	Replaced with:	East Lothian Council does not offer temporary exemptions. This position will be regularly reviewed as part of the review of the policy.	
4.2 – Temporary Licences	Under the 2022 Order and related Guidance, Councils may decide to grant temporary licences.  It is not East Lothian Council's intention to consider any applications for a temporary licence.	Replaced with:	As per paragraph 7(1) of Schedule 1 of the 1982 Act, the Council can issue temporary licences for short-term lets, which may be granted for a duration of up to 6 weeks.  Any temporary licence which is issued will be subject to the mandatory conditions as set out in the 1982 Act and the additional conditions set out in this Policy at Appendix 3.	
5.1 – Type of Licence			Temporary	Added

5.2 – Licence duration			Temporary licenses can be granted for a single period of up to six weeks. Temporary licences cannot be renewed.	Added
6.1 – Application form and checklist			Temporary licence applications do not require relevant documents to be submitted with the application form, checklist and fee.	Added
6.2 – Notifying residents and neighbours			Temporary licence applications do not require a Site Notice to be displayed.	Added
9.2, paragraph 1 – Links with control areas	Where a control area is designated, the Council will publish details of this on their website. This will assist hosts in determining whether, or not, to apply for a licence, in the knowledge that planning permission or a CLUD will be required.	Replaced with:	Where a control area is designated, the Council will publish details of this on their website. This will assist hosts in determining whether, or not, to apply for a licence, in the knowledge that planning permission or a Certificate of Lawful Use or Development (CLUD) will be required.	
10.1, paragraph 4 – Complaints	Complaints will be acknowledged within ten working days and complainants will be appropriately kept up to date with the progress of their complaint. The Council will aim to respond to complaints within 21 working days. The Council will keep a record of all complaints made under this Policy.	Replaced with:	Complaints will be acknowledged within ten working days and complainants will be appropriately kept up to date with the progress of their complaint. The Council will aim to respond to complaints within 20 working days. The Council will keep a record of all complaints made under this Policy.	
11.1 – Monitoring timescale	The Team Leader – Licensing and Landlord Registration, will monitor the number of applications to the Short-Term Lets licensing scheme on a quarterly and annual basis.	Replaced with:	The Team Leader – Licensing and Landlord Registration, will monitor the number of applications to the Short-Term Lets Licensing Scheme on a six-monthly basis.	

11.2 – Review timescale	The Short-Term Lets Policy will be reviewed after the first 12 months of the licensing scheme's implementation. The Council will review the Policy every 3 years thereafter.	Replaced with:	The Council will review the Policy every 3 years.	
12.1 – Policy appendices			Appendix 4 – Sample of Short-term Let licence	Removed

~~TRUST~~  
78752

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

# APPLICATION FOR GRANT / RENEWAL OF SHORT-TERM LET LICENCE

3

## PART 1: ABOUT YOU

East Lothian Council  
Licensing

Are you applying as an individual or corporate entity?

30 APR 2026

Individual

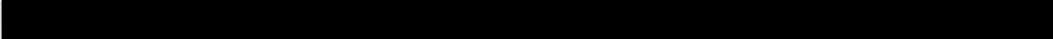
Corporate Entity

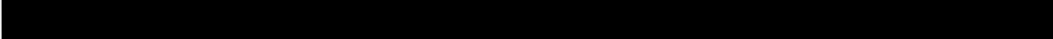
Received

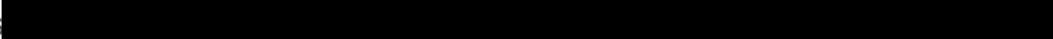
Fill in if you are applying as an individual:

Title Miss

Your full name Victoria Smith

Date of birth 

Place of birth 

Home Address 

\_\_\_\_\_

Postcode 

Tel. No. 

Email address 

\_\_\_\_\_

Please provide your home address history for the last 5 years with no gaps or overlaps, starting with the most recent. Please confirm the dates you resided at these properties (continue on a separate sheet if necessary):

Addresses (last 5 years)	Postcode	Date from (mm/yy)	Date to (mm/yy)
[REDACTED]			

**Agent(s) & Day to Day Manager(s)**

Do you have or intend to appoint an agent or day-to day manager?

Yes  No

If you answered yes, please provide details for your agent(s) or day to day manager(s).

Trading Name and Nominated Individual \_\_\_\_\_

Alan Smith

Address

[REDACTED]

Postcode

[REDACTED]

Date of birth

[REDACTED]

Tel. No

[REDACTED]

Email address

[REDACTED]

Addresses (last 5 years)	Postcode	Date from (mm/yy)	Date to (mm/yy)
[REDACTED]			

## Joint Ownership

Is your property jointly owned? Yes  No

If you answered yes, please provide details for all joint owners.

Joint owner(s) (continue on a separate sheet if necessary):

Full name	Date of birth	Addresses (last 5 years)	Email	Tel. No.

## Individuals, please go to Part 2.

### Corporate entities

Corporate entities, please complete the relevant sections on the following pages.  
Fill in if you are applying as a corporate entity (e.g. company, partnership, trust or charity)

Corporate entity name \_\_\_\_\_

Limited company number (if applicable) \_\_\_\_\_

First name and surname \_\_\_\_\_

Registered or principal office address \_\_\_\_\_

Tel. No. \_\_\_\_\_ Email address \_\_\_\_\_

Names and private addresses and dates and places of birth of its directors, partners or other persons responsible for its management, including trustees in the case of charities (continue on a separate sheet if necessary).

Full name	Personal address	Place of birth	Date of birth

If you do not own the property which is the subject of this licence application, do you have proof of permission from the owner(s):

Yes  No  N/A

## PART 2: PREMISES DETAILS

Where you have a single premises with multiple accommodation units, please complete the Premises Details Supplementary form.

Premises Address 9 Bramerton House, 29 Dirleton Avenue, North Berwick

Postcode EH39 4BE

Unique Property Reference Number (if known) \_\_\_\_\_

EPC Rating\* Band E

*\* (if applicable – not required for home sharing or unconventional accommodation)*

Please select the type of premises:

Detached House  Semi-detached house   
 Terraced House  Flat   
 Unconventional accommodation

From the following options, please select the description that best describes your short-term let:

- |               |                                     |                            |                          |
|---------------|-------------------------------------|----------------------------|--------------------------|
| Self-catering | <input checked="" type="checkbox"/> | B&B                        | <input type="checkbox"/> |
| Guest house   | <input type="checkbox"/>            | Other form of home sharing | <input type="checkbox"/> |
| Home letting  | <input type="checkbox"/>            |                            |                          |

Specify the number of rooms within the premises used as:

Bedrooms 1 Bed/Sitting rooms 0

Bathrooms 1 Kitchens 1

Lounges 1

Other (please specify) \_\_\_\_\_

Specify the maximum number of guests 2  
(excluding children under 2 years of age)

Specify the number of off-street car parking spaces available 0

**PART 3: APPLICATION AND LICENCE TYPE**  
**(to be completed by all applicants)**

Please select the application type:

- |   |                                     |
|---|-------------------------------------|
| First application (new operator)  | <input checked="" type="checkbox"/> |
| New application (where property has been used as licensed STL previously) | <input type="checkbox"/>            |
| Provisional application (where the property is under construction)        | <input type="checkbox"/>            |
| Renewal   | <input type="checkbox"/>            |
| Change to existing licence  | <input type="checkbox"/>            |

If you are applying to renew or alter your licence, please complete the following fields. If submitting a new application where the property has never been used as a licensed short-term let before, please proceed to 'The Type of Short Term Licence you require' (below).

Existing licence number \_\_\_\_\_

Existing licence expiry date \_\_\_\_\_

If you are submitting a new application where the property has been used as a licensed short-term let before, please complete the following fields.

Previous licence number \_\_\_\_\_

Previous licence expiry date \_\_\_\_\_

If you are applying for a change to your existing licence, please indicate the reason for your request (e.g. a change of agent, changes to the property – e.g. an extension to increase occupancy).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please select the type of short-term let licence you require:

Home sharing

Home letting

Home sharing & home letting

Secondary letting

## **PART 4: CONVICTIONS**

Has anybody named on the application been convicted of any offence? Please include details of any unspent convictions in the table below:

<b>NAME</b>	<b>DATE</b>	<b>COURT</b>	<b>OFFENCE</b>	<b>SENTENCE</b>

## PART 5: APPLICATION CHECKLIST

Note - this check list must be fully completed in order to submit your application

<b>I have enclosed the following</b> (please tick to confirm (or enter N/A))	
Correct application fee	£1,154
Annual gas certificate (for premises with a gas supply)	Valid to: ___ N/A ___ / ___
Electrical Installation Condition Report	Valid to: 29 / 04 / 2031
Portable Appliance Testing Report	Valid to: 29 / 04 / 2032
Fire Risk Assessment	YES
Fire Service Safety Checklist	YES
Legionella Risk Assessment	YES
Planning permission (for premises within a control area or where requested by the licensing authority)	Planning application reference number: N/A
Floor plan	YES
EPC Certificate (for premises which are dwellinghouses)	Valid to: 15 / 12 / 2035
Public Liability Insurance	Valid to: 29 / 04 / 2027
Proof of consent from owner (if applicable)	N/A
Waste Management contract (when registered for Business Rates)	Valid to: ___ / N/A / ___
Evidence licence reference being displayed on listings/ advertising (Renewal applications only)	N/A

<b>I have:</b> (please tick to confirm (or enter N/A))	
Identified the owners and those involved in the day-to-day management of my premises	YES
Ensured that to the best of my knowledge all those named on my application are fit and proper persons	YES
Prepared information that will be available to guests at the premises including: (a) a certified copy of the licence and the licence conditions, (b) fire, gas and electrical safety information, (c) details of how to summon the assistance of emergency services, (d) a copy of the gas safety report, (e) a copy of the Electrical Installation Condition Report, and (f) a copy of the Portable Appliance Testing Report. (g) instructions on action required in the event that the carbon monoxide alarm(s) sound (h) safety instructions as to the operation and movement of mobile gas cabinet heaters (where relevant)	YES
Applied for planning permission (if required).	N/A
Noted the requirement to display my licence number and EPC rating on listings for my premises	YES
Proof that furniture and furnishings/the furniture and furnishings guests have access to, comply with fire safety regulations	YES
Read and understood the mandatory conditions that will apply to my licence	YES
Read and understood the additional conditions that will apply to my licence	YES

<b>My premises</b> (please tick to confirm (or enter N/A))	
Meets current statutory guidance for provision of fire, smoke and heat detection	YES
Meets statutory guidance for carbon monoxide alarms	YES
Meets the required regulations for private water supplies (for premises with a private water supply i.e not provided by Scottish Water)	N/A
Meets obligations with regard to the Tolerable and Repairing standard (applicable to dwellinghouses)	YES

## **PART 6: DECLARATION**

East Lothian Council, as licensing authority, will use information it holds about you to determine whether you are a fit and proper person to operate a short-term let. In addition, licensing authorities to which you apply may share relevant information they hold about you with one another to help those authorities determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. They may also share and seek relevant information with Police Scotland and, if appropriate, other relevant authorities.

Anyone who gives false information on this form, or fails to provide the information required by this form, is committing an offence which could lead to prosecution.

I declare that I have read and understood the mandatory conditions that apply to short-term let licences and East Lothian Council's additional conditions

I will comply with the requirement to display a site notice in accordance with paragraph 2 of Schedule 1 of the Civic Government (Scotland) Act 1982

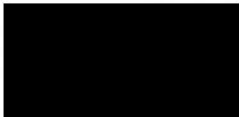
I declare that the information given in this application is correct to the best of my knowledge

Signed



Print name Victoria Smith

Date



## **DATA PROTECTION ACT 2018**

Please note that the information given on this form may be stored electronically by this Authority for the purpose of licensing.

The Identity of the Data Controller under the Data Protection Act 2018 (“the Act”).

East Lothian Council, John Muir House, Haddington, East Lothian EH41 3HA (“the Council”)

The purpose or purposes for which the data are intended to be processed.

The Data will be processed in order for East Lothian Council to fulfil its statutory duty under the Civic Government (Scotland) Act 1982 in receiving, registering, determining and granting applications for licenses under the said Act. The Data will be shared with public bodies who require to be consulted about the application, such as the Police. It will also be shared with internal East Lothian Council services, particularly within the Environment Department who give advice to the Council as Licensing Authority, in respect of the application.

East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

**Further information can be obtained from:**

Data Protection Officer  
Licensing, Administration and Democratic Services  
John Muir House  
Haddington  
dpo@eastlothian.gov.uk

The Civic Government (Scotland) Act 1982  
(Licensing of Short-term Lets) Order 2022

## PUBLIC NOTICE OF APPLICATION FOR SHORT-TERM LETS LICENCE

**New application**  yes

**Renewal**

Applicant name Victoria Smith

Applicant's address

[REDACTED]

Postcode

[REDACTED]

Has applied to East Lothian Council for a Short-term lets licence.

Short term let premises address (if different from applicant's address)

Postcode

### Type of license applied for

Home sharing

Home letting  Yes

Home sharing and home letting

Secondary letting

Day-to-day manager / agent details (if different from applicant)

Name Alan Smith

Address

[REDACTED]

Postcode

[REDACTED]

## Representations

Representations about the application may be made by any member of the public.

Representations **must**:

- be in writing;
- specify the grounds of the objection or, as the case may be, the nature of the representation;
- set out the name and address of the person making it;
- must be signed by the person, or on their behalf; and
- be made within 28 days of public notice of the application being given.

Copies of any representations will be given to the applicant. If a representation is made to the Licencing Authority after this date but before a final decision is taken on the application, then the Licensing Authority may consider the late representation if it is satisfied that it was reasonable for the representation to have been made after the deadline.

Representations should be sent to:  
Licensing, John Muir House, HADDINGTON, EH41 3HA or  
licensing@eastlothian.gov.uk

Date application lodged / public notice given      30/04/2026

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Last date for representation      28/05/2026

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- This notice must be displayed on or near the short-term let property in a position where it can be easily read by the public.
- This notice must be displayed for a period of 21 days from the date the application was lodged with the Licensing Authority.
- After the notice has been displayed for 21 days, a certificate of compliance must be completed and the whole notice returned to the Licensing Authority at the address above.

The Civic Government (Scotland) Act 1982  
(Licensing of Short-term Lets) Order 2022

# CERTIFICATE OF COMPLIANCE

## SHORT-TERM LETS LICENCE – CONFIRMATION OF DISPLAY OF PUBLIC NOTICE

### Confirmation Of Display Of Notice

This section must be completed by the applicant and the whole notice returned to the East Lothian Council, Licensing, John Muir House, HADDINGTON, EH41 3HA or [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk) at the end of the 21-day display period.

I (Full name of applicant) Victoria Smith

Certify that the notice of application has been displayed as prescribed above for a period of not less than 21 days

From 04/05/2025 ending on 25/05/2026

Applicant's signature 

Date 25/05/2026

## Aitken, Christine (Licensing)

---

**From:** Michael Upton <Michael.Upton@scotland.police.uk>  
**Sent:** 26 May 2026 15:58  
**To:** Licensing  
**Subject:** EL00588N - STL APP - 9 BRAMERTON HOUSE  
**Attachments:** STL APPLICATION FORM.PDF

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon,

No police objections.

Mikey

## O'Reilly, Arlene

---

**From:** Slight, Lynn  
**Sent:** 11 May 2026 11:48  
**To:** Short Term Lets  
**Subject:** Fw: STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE 26/01610/STL  
**Attachments:** STL Application Form.pdf; EPC Full b.pdf; EICR\_Ref47764912.pdf; Floorplan.pdf; Legionnaire Form.pdf; PAT\_Test\_Certificate\_Ref\_PT2459091.pdf

Good morning

Premises was inspected today and there are not objections to this application

Kind regards

Lynn

Sent from [Outlook for iOS](#)

---

**From:** Slight, Lynn <[lsight@eastlothian.gov.uk](mailto:lsight@eastlothian.gov.uk)>  
**Sent:** Monday, May 11, 2026 9:59:46 AM  
**To:** Slight, Lynn <[lsight@eastlothian.gov.uk](mailto:lsight@eastlothian.gov.uk)>  
**Subject:** FW: STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE 26/01610/STL

---

**From:** Environmental Protection <[envprot@eastlothian.gov.uk](mailto:envprot@eastlothian.gov.uk)>  
**Sent:** 05 May 2026 10:08  
**To:** Slight, Lynn <[lsight@eastlothian.gov.uk](mailto:lsight@eastlothian.gov.uk)>  
**Subject:** FW: STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE 26/01610/STL

26/01610/STL

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**From:** Short Term Lets <[stl@eastlothian.gov.uk](mailto:stl@eastlothian.gov.uk)>  
**Sent:** 04 May 2026 16:13  
**To:** Environmental Protection <[envprot@eastlothian.gov.uk](mailto:envprot@eastlothian.gov.uk)>  
**Subject:** FW: STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

Good Afternoon, Please provide observations/comments regarding the application for a Short Term Let Licence for the above address. All responses should be returned within the 21 day consultation period.

Regards

Arlene

**Arlene O'Reilly** | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)

## O'Reilly, Arlene

---

**From:** Allan, James  
**Sent:** 15 May 2026 11:40  
**To:** Short Term Lets  
**Subject:** RE: STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

Good morning

I can confirm that planning permission would not be required for the use of the house of 9 Bramerton House, 29 Dirleton Avenue, North Berwick as short-term holiday let accommodation, as detailed in the submitted application form.

Kind regards

James Allan

---

**From:** Short Term Lets <stl@eastlothian.gov.uk>  
**Sent:** 04 May 2026 16:11  
**To:** Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Parking <parking@eastlothian.gov.uk>; Building Standards <buildingstandards@eastlothian.gov.uk>; Business Support CPT <businesssupportcpt@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>  
**Subject:** STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

Good Afternoon, Please provide observations/comments regarding the application for a Short Term Let Licence for the above address. All responses should be returned within the 21 day consultation period.

Regards

Arlene

---

**Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)**

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## Rafferty, Alison (Licensing)

---

**From:** Business Support CPT  
**Sent:** 04 May 2026 16:13  
**To:** Short Term Lets  
**Subject:** RE: STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

Hi Arlene

We don't have any records of any ASB complaints re this address.

Thanks  
Claire

Claire Aitchison  
Business Support Administrator, Council Resources  
Resources & People Services – Council Support  
East Lothian Council | John Muir House | Haddington | EH41 3HA

Tel: 01620 827 294  
Email: [caitchison@eastlothian.gov.uk](mailto:caitchison@eastlothian.gov.uk)  
Website: [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

---

**From:** Short Term Lets <stl@eastlothian.gov.uk>  
**Sent:** 04 May 2026 16:11  
**To:** Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Parking <parking@eastlothian.gov.uk>; Building Standards <buildingstandards@eastlothian.gov.uk>; Business Support CPT <businesssupportcpt@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>  
**Subject:** STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

Good Afternoon, Please provide observations/comments regarding the application for a Short Term Let Licence for the above address. All responses should be returned within the 21 day consultation period.

Regards

Arlene

**Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)**

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## Rafferty, Alison (Licensing)

---

**From:** Parking  
**Sent:** 05 May 2026 07:42  
**To:** Short Term Lets  
**Subject:** RE: STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

Hi,  
I have no objection to this application.

Kind Regards

**Grant Talac**  
**The Parking Team**  
**East Lothian Council**

---

**From:** Short Term Lets <stl@eastlothian.gov.uk>  
**Sent:** 04 May 2026 16:11  
**To:** Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Parking <parking@eastlothian.gov.uk>; Building Standards <buildingstandards@eastlothian.gov.uk>; Business Support CPT <businesssupportcpt@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>  
**Subject:** STL EL00588N 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

Good Afternoon, Please provide observations/comments regarding the application for a Short Term Let Licence for the above address. All responses should be returned within the 21 day consultation period.

Regards

Arlene

**Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)**

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**O'Reilly, Arlene**

---

**From:** Licensing  
**Sent:** 27 May 2026 14:09  
**To:** Short Term Lets  
**Subject:** FW: Objection planned Airbnb

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**From:** Joanne McLare [REDACTED]  
**Sent:** 27 May 2026 14:03  
**To:** Licensing <licensing@eastlothian.gov.uk>  
**Subject:** Objection planned Airbnb

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Dear Sir/Madam

I am writing to formally object to the application for a short-term let licence relating to 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE.

My objection is based on the likely adverse impact of the proposed use on neighbouring residents and the wider residential character of this small and close-knit development.

First, the proposed short-term let would result in a significant loss of privacy for existing residents. Bramerton House is not an anonymous or transient development; it is a small residential community with shared spaces and long established neighbourly relationships built on mutual trust and consideration. Residents routinely assist one another with matters such as accepting deliveries and overseeing communal areas. The introduction of a property operating as a short-term holiday let would fundamentally alter the nature of this environment, with a potentially rapid turnover of unknown occupants creating disruption and undermining the sense of security and privacy currently enjoyed by residents.

Second, there are serious concerns regarding increased activity and noise. Several adjoining households include very young children, including children under the age of three. The operation of a short-term let inherently carries a risk of late-night arrivals, departures, social gatherings and general disturbance associated with transient occupancy. Unlike permanent residents, short-term guests have limited connection to the community and reduced accountability to neighbours. This creates a material risk of noise nuisance and disturbance at unsociable hours in what is presently a quiet residential setting.

Third, there are unresolved concerns regarding traffic generation, parking pressure, and road safety. The communal nature of the development means that additional vehicle movements associated with guest turnover could have a disproportionate impact on residents. There is already uncertainty surrounding revised parking arrangements and restrictions in the nearby Ware Road area. Additional guest vehicles, unfamiliar drivers maneuvering within shared spaces, and increased loading and unloading activity could contribute to congestion and create safety risks, particularly for young children using communal areas.

**Aitken, Christine (Licensing)**

---

**From:** Licensing  
**Sent:** 26 May 2026 07:11  
**To:** Short Term Lets  
**Subject:** FW: Objection to Short-Term Let Licence Application – 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

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**From:** Louise Crain [REDACTED]  
**Sent:** 25 May 2026 21:49  
**To:** Licensing <licensing@eastlothian.gov.uk>  
**Cc:** Jason Crain [REDACTED]  
**Subject:** Fwd: Objection to Short-Term Let Licence Application – 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

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Louise Crain

[REDACTED]  
25 May 2026

Licensing  
John Muir House  
Haddington  
EH41 3HA

Re: Objection to Short-Term Let Licence Application – 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE

Dear Sir/Madam,

I am writing to formally object to the application for a short-term let licence relating to 9 Bramerton House, 29 Dirleton Avenue, North Berwick EH39 4BE.

My objection is based on the likely adverse impact of the proposed use on neighbouring residents and the wider residential character of this small and close-knit development.

First, the proposed short-term let would result in a significant loss of privacy for existing residents. Bramerton House is not an anonymous or

transient development; it is a small residential community with shared spaces and long-established neighbourly relationships built on mutual trust and consideration. Residents routinely assist one another with matters such as accepting deliveries and overseeing communal areas. The introduction of a property operating as a short-term holiday let would fundamentally alter the nature of this environment, with a potentially rapid turnover of unknown occupants creating disruption and undermining the sense of security and privacy currently enjoyed by residents.

Second, there are serious concerns regarding increased activity and noise. Several adjoining households include very young children, including children under the age of three. The operation of a short-term let inherently carries a risk of late-night arrivals, departures, social gatherings, and general disturbance associated with transient occupancy. Unlike permanent residents, short-term guests have limited connection to the community and reduced accountability to neighbours. This creates a material risk of noise nuisance and disturbance at unsociable hours in what is presently a quiet residential setting.

Third, there are unresolved concerns regarding traffic generation, parking pressure, and road safety. The communal nature of the development means that additional vehicle movements associated with guest turnover could have a disproportionate impact on residents. There is already uncertainty surrounding revised parking arrangements and restrictions in the nearby Ware Road area. Additional guest vehicles, unfamiliar drivers manoeuvring within shared spaces, and increased loading and unloading activity could contribute to congestion and create safety risks, particularly for young children using communal areas.

Taken together, these issues represent a substantial and harmful change to the character and amenity of this residential community. The proposed use is not compatible with the established nature of the development and would adversely affect the quiet enjoyment, privacy, and safety of neighbouring residents.

I respectfully request that these concerns be given full consideration and that the application be refused

Yours Sincerely

Louise Crain