

**GUIDANCE NOTES**

**FOR AN APPLICATION TO**

**CONFIRM A PROVISONAL SHORT-TERM LET LICENCE**

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

**Disclaimer**

**These notes have been prepared as an outline of the licensing provisions in connection with short-term lets introduced by The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 as amended. While every effort has been made to ensure accuracy, these notes are for general guidance only and do not constitute legal advice. It is the responsibility of the applicant to ensure that they comply with the provisions of the Act, any statutory instruments made thereunder, the conditions outlined in the schedule attached to your licence and any policy/guidance notes issued by Moray Council (“the Council”).**

**Under no circumstances does the Council or their employees or agents offer legal advice or accept liability of any description, including liability for negligence for any damages or losses (including without limitation, loss of business, revenue, profits, or consequential loss) whatsoever resulting howsoever including but not limited to the use of or inability to use this information. The Council accepts no responsibility for keeping the information in these pages up to date or liability for any failure to do so. If you are in any doubt you must seek advice from a solicitor.**

**Applicants should note that the Scottish Government has produced guidance for hosts and operators regarding licensing provisions in connection with short-term lets.**

**INTRODUCTION**

The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 as amended (“the Order”) requires all short-term let premises in Scotland to be licensed by the licensing authority in whose area the premises are situated. This guidance provides information to applicants about how to apply to confirm a provisional short-term let licence.

**DEFINITIONS**

**“provisional short-term let licence” –** means a provisional short-term let licence issued by Moray Council.

**“premises” –** means the accommodation which is the subject of a provisional short-term let licence issued by Moray Council.

**HOW DO I APPLY TO CONFIRM A PROVISIONAL SHORT-TERM LET LICENCE?**

Licences are issued by the Licensing and Regulatory Team within the Council’s Governance, Strategy and Performance Service. You will need to complete the confirmation of a provisional short-term let licence application form and submit this together with supporting documentation and the application fee to the Council.

You can complete the application form electronically and email it to [licensing@moray.gov.uk](mailto:licensing@moray.gov.uk). Alternatively, you can complete a paper copy and send it to Moray Council Licensing Team, Council Offices, High Street, Elgin, IV30 1BX.

The Council will assess whether the premises has been built to the specification stated and complies with all relevant regulations including planning and building standards etc and is therefore now suitable for the proposed use. The Council will also assess compliance with the mandatory licence conditions applicable across Scotland.

**TIMESCALE FOR APPLYING**

A provisional short-term let licence is of no effect until it is confirmed. If it is not confirmed within 3 years after the date it was issued by the Council it will be treated as revoked. You must therefore apply to confirm your provisional short-term let licence within 3 years from the date your licence was issued.

You cannot use your premises for short-term letting until your provisional short-term let licence has been confirmed by the Council.

**FEE**

You should pay the application fee online, by telephone, or by cheque made payable to the Moray Council. Full payment of the application fee should be made at the same time the completed application is submitted to the Council. A Schedule setting out all Council fees relevant to the short-term let licence scheme can be found on the Council’s website [here](http://www.moray.gov.uk/moray_standard/page_39926.html).

The fee for an application to confirm your provisional short-term let licence is calculated on a cost recovery basis only. This means that, as far as possible, the fee represents the actual cost to the Council of processing the application. Once the application has been processed, those costs have been incurred. If your application is refused, the fee will not be refunded or reduced.

**THE APPLICATION FORM**

The application form is split into the following seven sections;

A. Provisional Short-term Let Licence Details

B. Applicant Information

C. Planning Certificate

D. Building Standards Certificate

E. Premises

F. Insurance

G. Declaration

**General Points on Completion**

* You must answer all questions as fully as you can as failure to do so may result in your application being returned to you. Your application will not be processed until you have provided all the necessary information. **Unless and until a valid application is received the application will not be considered to have been made at all.**
* Check what information and supporting documentation you will need and ensure you have this before submitting your application to the Council.
* The application should be completed in typescript, or where, by hand, in block capitals in black ink.
* Where the question requires a “Yes” or “No” answer please strikethrough the answer which does not apply to you.
* Where the question asks you to tick one box only, please tick the box which indicates your answer.
* If you have other information relevant to your application that you wish to include or need additional space for your answers, use the “Additional Information Sheet” provided.

**Section A – Provisional Short-term Let Licence Details**

You must provide the details of your provisional short-term let licence and enclose a copy of the licence with your application. If you cannot find your licence or it has been lost or stolen you need to report this to the Police. You will also need to apply for a copy licence and pay the relevant fee.

**Section B – Applicant Information**

Only the provisional licence holder(s) or person authorised to act on behalf of the licence holder(s) can apply to confirm a provisional short-term let licence.

Your application will be assessed on the basis of the information you provided in connection with your provisional short-term let licence. If any details have changed since the date your provisional short-term let licence was issued to you please provide full details of all changes.

**Section C – Planning Certificate**

**You must enclose a planning certificate with your application.** If you provided a provisional planning certificate in connection with your provisional short-term let licence which consisted of outline planning permission or planning permission in principle you must still provide a planning certificate with your application. A provisional planning certificate with outline planning permission or planning permission is NOT the same as full planning permission. This is a second certificate and NOT just another copy of the provisional planning certificate unless the provisional certificate was for full planning permission as described below.

A “Planning Certificate” is a certificate signed on behalf of Moray Council’s Planning Service stating that -

(a) planning permission under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the premises in connection with their proposed use as a short-term let has been obtained, or

(b) no such planning permission is required.

Details about how to contact the Council’s Planning Service directly can be found on the Council’s website [here](http://www.moray.gov.uk/moray_standard/page_41734.html).

**Section D – Building Standards Certificate**

**You must enclose a building standards certificate with your application.** A “building standards certificate” is a certificate signed by the Council’s Building Standards Service stating that –

(a) that a completion certificate has been accepted under section 18 of the Building (Scotland) Act 2003 in respect of any construction of the premises in connection with their proposed use as a short-term let,

(b) that permission for the temporary occupation or use of the premises has been granted under section 21(3) of the Building (Scotland) Act 2003, or

(c)that no such completion certificate or permission is required.

Details about how to contact the Council’s Building Standards Service directly can be found on the Council’s website [here](http://www.moray.gov.uk/moray_standard/page_79069.html).

**Section E – Premises**

You must confirm whether or not the premises were built to the specification provided in connection with your provisional short-term let licence. If they were not, provide full details of all changes where indicated on the application form.

If there have been any more than very minor changes then you may be required to lodge a variation application before confirmation and before a final licence can be issued.

**E.1 – General Safety and Standards**

**E.1.1 – Fire Safety**

The law sets out conditions around fire safety which the Council will check you are compliant with when considering your application.

You are required to ensure that the premises has satisfactory equipment installed for detecting, and for giving warning of;

1. fire or suspected fire, and
2. carbon monoxide present in a concentration that is hazardous to health.

You must make sure you have taken adequate steps to ensure fire prevention, including fitting and maintaining working smoke and carbon monoxide alarms. Further details about this can be found in the Scottish Government Guidance, “[Tolerable Standard Guidance: Satisfactory Fire Detection and Satisfactory Carbon Monoxide Detection](https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2019/02/fire-and-smoke-alarms-tolerable-standard-guidance/documents/tolerable-standard-guidance-satisfactory-fire-and-carbon-monoxide-detection/tolerable-standard-guidance-satisfactory-fire-and-carbon-monoxide-detection/govscot%3Adocument/Fire%2Band%2BSmoke%2BAlarms%2B-%2BTolerable%2BStandard%2B-%2BGuidance%2B-%2BNovember%2B2018%2B%2528002%2529.pdf)”.

Any upholstered furnishings and mattresses within the parts of the premises intended for guest use, or to which the guests are allowed access to, must comply with the Furniture and Furnishings (Fire Safety) Regulations 1988 and you need to keep records to evidence your compliance. Ways to comply with this condition could be by keeping photographic evidence, removing and retaining the labels themselves or by keeping receipts which confirm compliance (e.g. by providing a reference number or accurate description of the product). You would then be able to provide these if requested. If you are home sharing (i.e. letting out a room in your home), the requirement does not apply to areas of your accommodation to which your guest does not have access e.g. your bedroom.

In addition to the conditions within the licensing law, you must comply with the requirements of the Fire (Scotland) Act 2005, which the Scottish Fire and Rescue Service are responsible for enforcing. The 2005 Act requires the person who has control of the premises to provide fire safety measures, including risk reduction measure, means of fire warning, fire-fighting, escape, staff training and instruction, as well as emergency procedures and maintaining of good records. It sets out fire safety responsibilities and seeks to ensure people are safe from harm. You can find out more in the Scottish Government Publication, “[Fire Safety – existing premises with sleeping accommodation: practical guidance](https://www.gov.scot/publications/practical-fire-safety-guidance-existing-premises-sleeping-accommodation-2/)”.

You can find out more information about how to conduct a fire risk assessment directly from the Scottish Fire and Rescue Service including information about registered and accredited fire risk assessors.

Scottish Fire and Rescue Service has designed their own checklist for all applicants. A copy of the checklist is provided [here](http://www.moray.gov.uk/downloads/file146779.docx). The checklist is split into two sections, the first being the premises profile and the second asking for information to ensure that a fire risk assessment is suitable and sufficient. Please note, where Scottish Fire and Rescue Service mention “children” in the checklist, they are referring to ALL children of ALL ages.

**You must complete the Scottish Fire and Rescue Service’s checklist and send a copy of your completed checklist to the Council with your application.**

**E.1.2 Gas Safety**

If the premises has a gas supply you must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises. If, after an annual inspection, any appliance does not meet the required safety standard, you 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.

If the premises does have a gas supply, you must provide a copy of the most recent Gas Safety Certificate for the premises with your application to the Council. The Council will check that a currently valid, annual gas safety check has been carried out on all gas appliances by a Gas Safe registered engineer. It is your responsibility to ensure that a gas safety inspection is completed each year even if your licence lasts for more than one year.

**E.1.3 Electrical Safety**

Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which the guests are allowed access to, you must:-

1. ensure that any electrical fittings and items are in a reasonable state or repair and proper and safe working order,
2. 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,
3. ensure that, following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,
4. 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.

The law sets out that when deciding who is a competent person, you must have regard to the guidance issued by the Scottish Ministers under 19B(4) of the Housing (Scotland) Act 2006.

The Scottish Government has produced statutory guidance on electrical installations and appliances in private rented property which you can find [here](https://housingandpropertychamber.scot/sites/default/files/hpc/SCOTTISH%20GOVERNMENT%20GUIDANCE%20ON%20ELECTRICAL%20INSTALLATIONS%20ND%20APPLIANCES%20IN%20PRIVATE%20RENTED%20PROPERTY%20-%20REVISED%20NOV%202016_0.pdf). Annex A of that guidance sets out who is competent to conduct an Electrical Installation Condition Report. You may find this helpful as the standards that apply to private residential tenancies also apply to short-term lets.

A competent person must produce both the Electrical Installation Condition Report and the Portable Appliance Testing Report but it need not be the same person.

Electrical Installation Condition Report means a report containing the following information:-

1. the date on which the inspection was carried out,
2. the address of the premises inspected,
3. the name, address and relevant qualification of the person who carried out the inspection,
4. a description, and the location, of each installation, fixture, fitting and appliance inspected,
5. any defect identified,
6. any action taken to remedy a defect.

If there are electrical fittings or items within the premises intended for guest use or which the guests are allowed access to, you must provide a copy of the most recent Electrical Installation Condition Report on fixed installations to Moray Council with your licence application.

If guests have access to, or are permitted to have access to moveable electrical appliances within the premises you must also provide a copy of the most recent Portable Appliance Testing Report on moveable appliances with your application.

A moveable electrical appliance generally means any item that can be moved, either connected or disconnected from an electrical supply.

**E.1.4 Water Safety**

If the premises has a water supply that is not supplied by Scottish Water (i.e. a private water supply) then you need to comply with the requirements on the owners of private dwellings set out in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. You can find more information and guidance from Moray Council’s Environmental Health Service [here](http://www.moray.gov.uk/moray_standard/page_55031.html).

You can also find guidance and information from the Drinking Water Quality Regulator for Scotland:[Guidance on the Water Intended for Human Consumption (Private Supplies)(Scotland) Regulations 2017](https://dwqr.scot/private-water-supplies/regulatory-guidance-and-information/guidance-on-the-water-intended-for-human-consumption-private-supplies-scotland-regulations-2017/).

**You must check your responsibilities and any action you may need to take under the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 before you submit your application.** The Council’s licensing service will be notified by the Council’s Environmental Health Service if the requirements of the 2017 Regulations have not been met by you.

Whether or not your premises are served by a private water supply or Scottish Water, you must assess the risk from exposure to legionella within the premises. This means you should complete a legionella risk assessment. The risk assessment does not need to be carried out by a professional; you can do it yourself. You must keep a record of what assessment you have carried out and provide a copy of the risk assessment you have carried out in respect of legionella to the Council with your application. You can find out more on the Health and Safety Executive webpage on legionella and landlords’ responsibilities [here](https://www.hse.gov.uk/legionnaires/legionella-landlords-responsibilities.htm).

A style legionella risk assessment form together with a guidance sheet is provided [here](http://www.moray.gov.uk/downloads/file144254.docx).

**E.1.5 Safety and Repair Standards**

You must take all reasonable steps to ensure the premises is safe for residential use. The Law and these guidance notes cannot anticipate every circumstance.

**Repairing Standard**

If the premises is a dwellinghouse, you must ensure that the premises meet the repairing standard. “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.

The repairing standard requires;

* the premises must meet the statutory tolerable standard.
* the premises are wind and water tight and in all other respects reasonably fit for people to live in;
* the structure and exterior (including drains, gutters and external pipes) must be in a reasonable state of repair and in proper working order;
* installations for supplying water, gas and electricity (including residual current devices) and any other type of fuel and for sanitation, space heating by a fixed heating system and heating water must be in a reasonable state of repair and in proper working order;
* any fixtures, fittings and appliances that you provide for guests must be in a reasonable state of repair and in proper working order;
* any furnishings that you provide for guests must be capable of being used safely for the purpose for which they are designed;
* the premises must have satisfactory provision for, and safe access to a food storage area and a food preparation space;
* the common parts pertaining to the premises must be able to be safely used and accessed;
* where the premises are in a tenement, common door must be secure and fitted with satisfactory emergency exit locks.
* the premises must have a satisfactory way of detecting fires and for giving warning in the event of a fire or suspected fire;
* the premises must have satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health;

**Tolerable Standard**

The tolerable standard is the minimum standard for all housing and premises which fall below this standard is considered to be unfit for human habitation. The repairing standard is higher and all housing which meets the repairing standard must meet the tolerable standard. Private residential tenancies and Houses in Multiple Occupation (HMOs) are also required to meet the requirements of the repairing standard.

You can find more information about both the repairing and tolerable standards by clicking the following links;

<https://www.gov.scot/publications/repairing-standard-statutory-guidance-private-landlords/>

<https://www.mygov.scot/landlord-repairs/tolerable-standard>

**E.1.6 Energy Performance Certificate**

Energy Performance Certificate (EPC) means a certificate which complies with regulation 6 of the Energy Performance of Buildings (Scotland) Regulations 2008. If you are using a dwellinghouse for secondary letting, you must have a valid EPC Certificate issued within the last 10 years. Scottish Government Guidance on EPC requirements for holiday lets can be found here: <https://www.gov.scot/publications/energy-performance-certificates-for-holiday-lets-guidance/>.

If you have an EPC for the premises, please tick the relevant EPC Rating (options are A to G) box which applies to your premises. If you have an EPC for the premises, you must enclose a copy with your application.

**F. Insurance**

Under this section you are asked to provide details of both your buildings insurance and public liability insurance policies. The licence holder must ensure that there is valid buildings insurance for the duration of the licence in place for the premises. The licence holder must also ensure that there is valid public liability insurance for not less than £5 million in place for the premises for the duration of each short-term let agreement. You must enclose a copy of the relevant insurance certificates with your application.

**G. Declaration**

You and any/all joint applicants (or an agent acting on behalf of the applicant(s)) are required to sign and date the form declaring (1) that you have met the mandatory licence conditions set out in the law and (2) that all information provided on the application form is true. If you are submitting your form electronically, you can use an electronic signature.

Please note, it is an offence for any person to make a statement which they know to be false on the application or in connection with the making of the application.

**CONSULTATIONS**

If any of the information about the licence holder or those involved in the day-to-day management of the premises provided in connection with your provisional short-term let licence has changed, it will be necessary for the Council to assess the fitness of any applicant/agent/day-to-day managers.

The Council will assess whether or not you have evidenced compliance with the statutory mandatory conditions applicable to all short-term let licences across Scotland. In doing so, the Council will consult with the following;

* Scottish Fire and Rescue Service
* Moray Council Environmental Health Service

**TIMESCALE FOR DETERMINATION**

The Council has the period of 9 months from the date a valid confirmation application is made to consider and determine the application,

If the Council fails to determine the application within the timescale set out above, the confirmation will be deemed to have been granted unless the Council is given an extension by the Court. If a licence is deemed to have been granted it is valid for the period of one year. The mandatory licence conditions that apply to all short-term lets would also apply to the deemed grant of a licence.

**PUBLIC REGISTER**

The Council is required to maintain a public register of short-term lets. The register is available to the public electronically. You can view the latest public register on the Council’s website [here](http://www.moray.gov.uk/downloads/file156444.xlsx).

**COMPLIANCE WITH LICENCE CONDITIONS**

You must ensure that you comply with all the mandatory and any other conditions on your licence. It is a criminal offence for a licence holder to fail to comply with a licence condition.

You must notify the Council of any material change to your circumstances during the period of the licence. It is a criminal offence to fail to notify the Council of a material change in circumstances.

**MANDATORY LICENCE CONDITIONS**

The mandatory licence conditions are set out in law and every licence holder must meet and adhere to the statutory mandatory conditions which are:-

1. **Agents**

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.

1. **Type of Licence**

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

1. **Fire Safety**

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

1. fire or suspected fire, and
2. the presence of carbon monoxide in a concentration that is hazardous to health.
3. 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.
4. **Gas Safety**

Where the premises has a gas supply –

1. the holder of the licence must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises,
2. 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.
3. **Electrical Safety**

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.

1. 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.
2. **Water safety: private water supplies**

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.

1. **Water safety: legionella**

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.

1. **Safety & repair standards**
2. The holder of the licence must take all reasonable steps to ensure the premises are safe for residential use.
3. 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.
4. **Maximum Occupancy**

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

1. **Information to be displayed**

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

1. a certified copy of the licence and the licence conditions,
2. fire, gas and electrical safety information,
3. details of how to summon the assistance of emergency services,
4. a copy of the gas safety report,
5. a copy of the Electrical Installation Condition Report,
6. a copy of the Portable Appliance Testing Report,
7. instructions as to what guests should do in the event that the carbon monoxide alarm sounds, and
8. if there is a mobile gas cabinet heater in the premises, safety instructions as to the operation and movement of that mobile heater.
9. **Planning Permission**

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 (“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 –

1. an application has been made for planning permission under the 1997 Act and has not yet been determined, or
2. planning permission under the 1997 Act is in force.
3. **Listings**
4. 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 –
5. the licence number, and
6. 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.
7. 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.
8. **Insurance**

The holder of the licence must ensure that there is in place for the premises –

1. valid buildings insurance for the duration of the licence, and
2. valid public liability insurance for the duration of each short-term let agreement.
3. **Payment of fees**

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

1. **False or misleading information**

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

1. **Interpretation**

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,

“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,

“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,

“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.