



COMHAIRLE NAN EILEAN SIAR

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

APPLICATION FOR SHORT-TERM LET LICENCE GUIDANCE NOTES

Background

Operators with certain short-term lets required to be licensed from 1 October 2023 (new) /1 April 2023 (existing). A separate licence is required for each let.

Licences will normally last for 3 years and a renewal application must be made before an existing licence expires.

Although paper applications are accepted it is preferred that hosts/operators apply online at : www.cne-siar.gov.uk/stl.

Whether you are applying for the first time or renewing an existing licence please read these notes before you begin.

Exemptions There are exemptions from the requirement to be licensed. If you are doing short-term lets but think you may be exempt, then please contact us for advice.

Before you begin The licence application form will ask for your personal details and information about your let property.

The form will also ask you to confirm that you comply with various licence conditions and may ask for supporting evidence. If you need further information on what these conditions mean, please contact us or visit our website.

Keeping your licence up to date As a licence holder you are required to keep your details up to date. This includes any personnel and email addresses.

GUIDE TO COMPLETION - Sections

S1 Type of application

Please confirm whether the application is a new application, a renewal of an existing licence or an application for a variation or change in circumstances (please make it clear why you are requesting a variation/change).

If you are applying to renew your licence, please include the reference number of your previous licence (this is set out at the foot of your existing licence). Please note that a renewal application can only be lodged while an existing, valid licence is in place (this allows the existing licence to cover the activity until the renewal application is determined). If your previous licence has expired, then a new application is required and if you continue to operate then you are operating without a licence. Please be advised that the statutory application process is the same for both new and renewal applications and therefore there is no mechanism for 'fast-tracking' renewal applications.

Initial and Temporary licences allow the option of competent applications being determined within 28 days, subject to getting satisfactory responses from statutory consultees. By applying for an initial and temporary licence, there is no guarantee that it will be determined within 28 days. Due to the added administrative cost of processing a temporary and initial licence application there will be an added variation licence fee added to the licence application cost.

PLEASE INDICATE IF YOU ARE APPLYING AS AN INDIVIDUAL OR AS A COMPANY.

S2 If you are an individual

This section should only be completed by an individual applicant. If you are completing on behalf of a partnership, charity or company, please only complete Section 3

Please fill in all sections for the applicant and for all any agents or day-to-day managers.

Please remember to include the address history covering 5 years for the applicant and agents or day-to-day managers.

You will also need written/emailed consent from all owners of the property that they have consented to this application. A template consent form is included at the end of this form.

S3 If you are applying on behalf of an organisation

Please tell us the organisation name, your name and your position in the organisation, along with the organisation's Company Registration Number, if it has one. If the organisation is a registered Scottish Charity, please tell us the registration number. If you are applying on behalf of a Trust, please contact us for further advice.

Your organisation must have at least one employee/agent who is named to carry out the day-to-day management of the business.

S4 Convictions

Subject to the Rehabilitation of Offenders Act 1974 if the applicant, manager or anyone named on the application form has been convicted of any crimes or offences these must be detailed in this part of the form.

S5 Previous licence applications

Detail if anyone named in the form has previously had a licence or been refused a licence.

S6 Compliance with Licence Conditions

You must comply with the following conditions as part of your licence. Prior to approving your licence, you will be asked to declare your compliance and provide evidence where necessary.

S6a Fire/Smoke & Carbon Monoxide (CO) Detection

Licensees must ensure the premises has satisfactory equipment installed for detecting and for giving warning of fire or suspected fire (and carbon monoxide where there is a fixed combustion appliance (excluding an appliance used solely for cooking) or a fixed combustion appliance in an inter-connected space, for example, an integral garage). The [Scottish Government Benchmarks](#) for small B&B and Self-catering Property advises that where a property has more than three bedrooms, smoke alarms should also be installed in each bedroom. (In such case, the smoke alarm(s) installed in the hall or corridor need not meet the 3 m requirement). Further guidance is available on our [website](#).

S6b Furnishings & Furniture

Licensees 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](#).

S6c Gas Safe certificate

Where a let property uses a gas supply it must be covered by an annual Gas Safe certificate. This certificate is issued by a registered Gas Safe engineer. All gas equipment supplied as part of the let (including gas BBQs) should be checked.

S6d Solid fuel and oil boilers

Solid or liquid fuel fires and boilers must be maintained annually. Any chimney/ flue used for solid fuel appliances should be cleaned regularly.

S6e Electrical Safety

All let properties must have a current Electrical Installation Condition Report (EICR) or a current Electrical Installation Certificate (EIC) at the time of let. An EIC certificate is appropriate if the electrical installation is less than 5 years old, an EICR certificate must be renewed every 5 years. EICR and EIC

certificates can be issued by a suitably qualified electrician. Please submit all pages of the report/certificate.

Electrical appliance testing

In any let property where you supply electrical appliances portable appliance testing (PAT) must be carried out at least every 5 years by a competent person.

S6f Private water supply (PWS)

All STLs with private water supplies (not supplied by Scottish Water) must be regularly maintained and will be tested by the Comhairle annually. There is a separate charge for this.

S6g Legionella

Legionnaires' disease is a potentially fatal form of pneumonia caused by the inhalation of small droplets of contaminated water containing Legionella. All water systems can provide an environment where Legionella may grow.

The licensee has a duty to ensure the legionella risk is managed. More information on Legionella is available from the [Health and Safety Executive \(HSE\)](#). A basic template assessment is available at: cne-siar.gov.uk/media/14423/cnes-legionnaires-risk-assessment.pdf

S6h Safety & Repairing Standard

The holder of the licence must take all reasonable steps to ensure the premises are safe for residential use (including any equipment provided as part of the let whether for on or off premises use). Houses & flats are must also meet the repairing standard.

S6i Information to be displayed

Licensees must have the following information available in their premises for guests.

- a certified copy of the licence and the licence conditions,
- fire, gas and electrical safety information,
- details of how to summon the assistance of emergency services,
- a copy of the gas safety report (if applicable),
- a copy of the Electrical Installation Condition Report, and
- a copy of the Portable Appliance Testing Report.

S6j Energy performance

Premises that require Energy Performance Certificates (EPCs), including houses and flats, must provide proof of their EPC and display it in any adverts.

S6k Insurance

Licensees must ensure that they have the following:

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

S6l Plans

Applicants are expected to submit a floor/layout plan of the premises of a standard that reflects the complexity of the premises, the number of floors and number of requested guests. Drawings/plans should at least have details of:

- room sizes,
- any steps, stairs, elevators or lifts,
- sanitary and cooking facilities,
- any beds, including type (i.e. double, bunk beds). Where rollaway/folding/sofa beds are used their location and footprint should be clearly detailed in the floor plan,
- location of any heat/smoke/ CO detectors or other fire systems,
- any fires/wood burners/stoves & oil/gas boilers.

Simple drawings/sketches are acceptable for simple short-term lets but the Comhairle may ask for more detailed drawings, particularly for larger properties and those with guests on multiple floors or with a high guest to floor area ratio. It is expected that a single sized bed sleeps one person and a small double bed (or bigger) sleeps 2.

S6m Equipment

The licence holder must ensure any equipment provided is fit for purpose and safe to use at all times for guests.

S6n SFRS Fire Safety Checklist

The responsible person (duty holder) for the above premises is required under the Fire (Scotland) Act 2005 to undertake a Fire Safety Risk Assessment and produce an emergency evacuation strategy. The process of Fire Safety Risk Assessment should be ongoing and the duty holder is required to ensure that the premises are fit for purpose for the proposed use. You are required to complete and return the SFRS Fire Safety Checklist. This will be forwarded to the Scottish Fire and Rescue Service, who may get in touch directly.

S7 Public Notice

You must display a **public notice** at the proposed premises as soon as this application has been lodged with this office. This display notice must be displayed for a period of 21 days. At the end of the 21 day period you must sign and return a **certificate of compliance** to confirm that you have complied with this requirement. Templates are included as part of the application pack.

S8 Relationship to Councillor

Applicants related to a senior Comhairle Officer or Councillor should complete this section. This will not affect any decisions but may affect how the application is processed by the Comhairle.

S9 Declaration

Applicants are required to complete and sign the declaration.

Additional Information

Publicity

Short-term let licences will be displayed on a public register. The Comhairle may also display all applications for short-term lets. Information will be at www.cne-siar.gov.uk/stl.

Competent Application

If you have ticked "No" or "to be carried out" for any part of Section 6 of the form, then the application will not be considered competent. You can still submit the form to begin processing but your application will only be considered competent if fully completed and all the required documentation has been submitted with the application, along with the correct fee.

Fees

The appropriate fee must accompany all applications. The fee will not be reduced or refunded if the application is withdrawn, refused, or the licence is granted for a shorter period than 3 years or for a lower maximum occupancy than in the application.

Renewal Reminders

Renewal reminders will typically be issued by email, where an email address is held or otherwise by letter, however it is the responsibility of the Licence holder to renew their licence, irrespective of whether a reminder is issued.

Contact Us

Consumer & Environmental Services, Communities Department, Comhairle Nan Eilean Siar, Sandwick Road, Stornoway, Isle of Lewis, HS1 2BW, Tel: 01851 822694, email: stl@cne-siar.gov.uk web: www.cne-siar.gov.uk/stl.



COMHAIRLE NAN EILEAN SIAR

THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF SHORT-TERM LETS) ORDER 2022

APPLICATION FOR A SHORT-TERM LET LICENCE (STL)

For application fee please refer to the application fees leaflet (all fees are non-refundable)

This is the application form for Short-term Lets, including self-catering units & B&Bs. If you are renting more than one property you need a separate licence for each property unless they are considered to be on the same premises. Please refer to the relevant guidance notes prior to completing this form.

Please Answer every Question in Typescript or black ink and capital letters

1	Type of Licence Application: Initial: <input type="checkbox"/> Initial & Temporary: <input type="checkbox"/> Renewal: <input type="checkbox"/> Variation: <input type="checkbox"/>			
	Change in Circumstances/Other: <input type="checkbox"/> _____		Current Licence No: _____	
	Type of Letting(s) being carried out:			
	<input type="checkbox"/> Secondary Letting (means the letting of property where you do not normally live, e.g. self catering unit)			
	<input type="checkbox"/> Home Letting (means using all or part of your own home for short-term lets whilst you are absent, e.g. whilst you are on holiday)			
	<input type="checkbox"/> Home Sharing (means using all or part of your own home for short-term lets whilst you are there e.g. B&B, Guest House, letting out rooms only for short-term lets)			
	<input type="checkbox"/> Home Letting & Home Sharing (means a combination of Home Letting & Home Sharing)			
	From the following options, please select the description that best describes your short-term let:			
	Self-catering <input 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"/>			
	Please select the type of premises:			
Detached House <input type="checkbox"/>		Semi-detached House <input type="checkbox"/>		
Mid Terraced House <input type="checkbox"/>		End Terraced House <input type="checkbox"/>		
Flat with own entrance <input type="checkbox"/>		Flat with shared entrance <input type="checkbox"/>		
Unconventional accommodation <input type="checkbox"/>				
Full address of premises in respect of which the licence is applied including postcode (& description if Unconventional accommodation):				
Max. No of occupants in premises (inc. guests):		Max. No of let bedrooms:	Max. No of Guests:	
Legally it can take up to 12 months from receipt of a competent application; however, the Comhairle will aim to process your application within 4-6 weeks from receipt of a competent application (if there have been no representations).				
Main Contact phone number for premises(optional):				
Premises Email (optional):		Premises Website (optional):		

To be completed if the Applicant is an individual natural person (Do not complete if filling in Section 3)

2 a	Full Name (include all names & title):				
	Date of Birth:		Place of Birth:		
	Phone Number(s):		Email:		
	Please provide 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 (dd/mm/yy)
			Date to (dd/mm/yy)		

b	Do you have or intend to appoint any agents or day-to-day managers?:		No <input type="checkbox"/> Go to Section 2c	Yes <input type="checkbox"/> provide details below & continue on separate sheet if necessary			
	Full Name (include all names & Title):						
	Date of Birth:	Place of Birth:		Role:			
	Phone Number(s):		Email:				
	5 year address history:	Address (history for last 5 years)			Postcode	Date from (dd/mm/yy)	Date to (dd/mm/yy)
c	Are you the sole owner of the premises/property?		Yes <input type="checkbox"/> Got to Section 4	No <input type="checkbox"/> Detail all owners below & continue on separate sheet if necessary. Please provide a declaration that they consent to this application			
	Full name		Address	Email address		Phone	Consent Attached
							Yes <input type="checkbox"/>
							Yes <input type="checkbox"/>

To be completed if owner is not an individual natural person (e.g. A company or partnership)
(Do not complete if filling in Section 2)

3 a	Full Company Name:			Company No:	
	Company address and postcode:				
	Principle office address & postcode (if different):				
	Name of Person Completing Form:				
	Phone Numbers:		Email:		
b	Provide the Personal Details of any Directors, Partners or other persons responsible for the management of the business or organisation, including trustees in the case of charities. continue on separate sheet if necessary. <i>(This cannot be blank)</i>				
	Full name	Personal address		Date of birth	Place of birth

c Please complete for all employees or agents who are to carry out the day to day management of the activity being applied for. You must name at least one person (even if already named above)				
Full name	Personal address	Role	Date of birth	Place of birth

Convictions

4	Subject to the provisions of the Rehabilitation of Offenders Act 1974, has any party named in Section 2 (a&b only), or Section 3 ever been convicted of any crime or offence (this includes contravention's of bye-laws, environmental health/food hygiene regulations and road traffic offences and any other conviction of any kind)? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please details below (Please note all unspent crimes & offences must be declared):			
	Name	Date	Court	Offence
				Sentence

Previous Licences

5	Has any person named in Section 2 or Section 3 previously held or do they currently hold this type of licence?	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, Date Licence Granted _____ by which Local Authority _____	Expiry Date: _____
	Has any person named in Section 2 or Section 3 ever applied for and been refused this type of licence?	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, Date Licence refused _____ by which Local Authority: _____	

Compliance with Licence Conditions

6	Please declare your compliance status regarding the licence conditions that will be applied if your licence is granted. Your application will not be considered competent until all documents/certificates requested have been submitted or declarations answered Yes).	
a	Fire/Smoke & Carbon Monoxide (CO) Detection The premises have interlinked smoke and /or heat alarms (replaced at least every 10 years) : Yes <input type="checkbox"/> To be installed <input type="checkbox"/> The premises have CO detectors (replaced at least every 10 years) fitted in all rooms with a fixed combustion appliance (excl. appliances used solely for cooking) or a flue: Not required <input type="checkbox"/> Yes <input type="checkbox"/> To be installed <input type="checkbox"/>	
b	Furniture & Furnishings The 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: No <input type="checkbox"/> Yes <input type="checkbox"/> If Yes, there are records showing that all furniture & furnishings comply Yes <input type="checkbox"/> No <input type="checkbox"/>	
c	Gas Safety (Gas Safe certificate required annually) The premises have a current Gas Safe certificate covering all gas equipment in your premises (including BBQs): Yes & certificate attached <input type="checkbox"/> To be carried out <input type="checkbox"/> No Mains Gas / LPG gas at the premises <input type="checkbox"/>	
d	Solid fuel and oil boilers All solid /liquid fuel fires and boilers in the premises are regularly maintained and inspected and checked annually by a competent person. Any chimney/flue used for solid fuel appliances is cleaned at least annually by a competent person Yes <input type="checkbox"/> To be carried out <input type="checkbox"/> There are no solid or liquid fuel appliances at the premises <input type="checkbox"/>	
e	Electrical Safety (initial Electrical Installation Certificate (EIC) or Electrical Installation Condition Report (EICR) (at least every 5 years). Please submit all pages that come with the report/certificate. The premises have a current EIC/EICR covering all the electrics on the premises: Yes & certificate attached <input type="checkbox"/> To be carried out <input type="checkbox"/> No electricity <input type="checkbox"/> The premises have current Portable Appliance Tests (PAT) for all supplied electrical appliances (records at least 5 yearly): Yes, all items dated, labelled & signed & report attached <input type="checkbox"/> To be carried out <input type="checkbox"/> None supplied <input type="checkbox"/>	
f	Water Supply to Premises All the water supplied to the premises is supplied from Scottish Water <input type="checkbox"/> Private water supply <input type="checkbox"/> give details of any treatment and date of last service) _____	

g	<p>Legionella A Legionella risk assessment been carried out on all parts of the property, (including spas & hot tubs) Yes & Risk assessment attached <input type="checkbox"/> To be carried out <input type="checkbox"/></p>
h	<p>Safety & Repairing Standards All reasonable steps have been taken to ensure the premises are safe for residential use (including any equipment provided as part of the let whether for on or off premises use): Yes <input type="checkbox"/> To be carried out <input type="checkbox"/></p> <p>The premises meet the repairing standard Yes <input type="checkbox"/> To be carried out <input type="checkbox"/></p> <p>Not required as not a dwelling house therefore the repairing standard does not apply <input type="checkbox"/></p>
i	<p>Information to be displayed The information detailed below is displayed in the premises where it is accessible to all guests: Yes <input type="checkbox"/> To be carried out <input type="checkbox"/> Location of information (room) _____</p> <p>Fire, gas and electrical safety information; details of how to summon the assistance of emergency services; a copy of the gas safety report (if applicable); a copy of the EICR (if applicable); a copy of the PAT Report (if applicable); and once issued a certified copy of the licence.</p>
j	<p>Energy Performance Certificate (EPC) The premises have a current EPC Certificate (required every 10 years): Yes <input type="checkbox"/> Detail Rating _____ To be carried out <input type="checkbox"/> Not required as not a dwelling house <input type="checkbox"/> Not required as <u>home sharing/B&B etc.</u> <input type="checkbox"/></p>
k	<p>Insurance The premises have valid building insurance that covers short-term letting. Yes & evidence attached <input type="checkbox"/> To be obtained <input type="checkbox"/></p> <p>The premises have valid public liability insurance for the duration of each short-term let agreement Yes & evidence attached <input type="checkbox"/> To be obtained <input type="checkbox"/></p>
l	<p>Plans/Drawings A scaled/sized floor plan of the property is attached (as detailed below). Yes <input type="checkbox"/> To be carried out <input type="checkbox"/></p> <p>The plan should show the number of floors the location and size of rooms, beds (ie double), sanitary and cooking facilities, stoves & fires & oil/gas boilers; and smoke & heat detection. The proposed occupancy rate of each room should also be shown if not clear from the number of beds.</p>
m	<p>Equipment Provided Please detail if you provide any of the following equipment as part of your short-term let:</p> <p>Hot tub/Spa <input type="checkbox"/> Swimming pool <input type="checkbox"/> Sauna <input type="checkbox"/> Bicycles <input type="checkbox"/> Electric bicycles/scooters <input type="checkbox"/> Water sports equipment <input type="checkbox"/></p> <p>Barbeque hut <input type="checkbox"/></p> <p>Outdoor play equipment <input type="checkbox"/></p> <p>All equipment provided is fit for purpose; in a reasonable state of repair; In proper and safe working order; and is provided with appropriate instructions to allow the equipment's safe use. <input type="checkbox"/> Not applicable <input type="checkbox"/></p>
n	<p>Scottish Fire and Rescue Service (SFRS) Fire Safety Checklist A copy of the SFRS Fire Safety Checklist is attached Yes <input type="checkbox"/> To be forwarded <input type="checkbox"/></p>
o	<p>Provision of Food Do you regularly provide any food at all as part of your short-term let?</p> <p>No food provided <input type="checkbox"/> Yes <input type="checkbox"/> If you regularly supply food as any part of your business then you need to register as a food business. If you have ticked Yes and are not already registered, then we will use this information to register you. You do NOT need to register separately.</p> <p>If offering food please detail the type(s) provided (please tick all that apply):</p> <p>Pre-packed ambient food (e.g. tea/coffee/ biscuits as part of welcome pack) <input type="checkbox"/> Pre-packed chilled/frozen food <input type="checkbox"/></p> <p>Home baking (not pre-packed) <input type="checkbox"/> Continental breakfasts <input type="checkbox"/> Cooked breakfasts <input type="checkbox"/> Evening meals <input type="checkbox"/></p> <p><i>If you are only providing prepacked foods then we will likely just note your registration but we may be in touch if you are doing any home baking etc or meals. Further information on Food Premises Registration is available on our website.</i></p>

+ Public Notice
<p>7 I will display a Public Notice for 21 days providing all the required information at or near the Premises so that it can be conveniently read by the public and I will take reasonable steps to replace the Public Notice should it be removed or defaced. <input type="checkbox"/></p> <p>You must submit a certificate to the Comhairle saying that the notice has been displayed as above (after the 21 days)</p> <p>I am unable to display a Public Notice at the Premises <input type="checkbox"/> Detail Reasons _____</p>

Additional Information	
RELATIONSHIP TO COUNCILLOR OR COMHAIRLE OFFICER	
8	Are any of the applicants a relative or partner of a Councillor or Comhairle Officer? Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please state the name of the applicant & relation, the position held in the Comhairle, and explain the relationship	
Please note: A "relation" for the purposes of this document is a spouse, partner, child, sister, brother, parent, or parent-in-law of a Member or Officer. In this context 'Officer' shall mean an Officer who is salaried at Assistant Director level or above or any officer directly involved in the decision-making process.	

Declaration

9	I hereby make my application to Comhairle Nan Eilean Siar and confirm that (a) the particulars given by me on this form are true to the best of my knowledge and belief; (b) I have read the attached guidance and notes; and (c) the appropriate fee is enclosed. Yes <input type="checkbox"/>		
	I confirm that that in submitting this application I consent to the information supplied by me in making this application (data) being held and processed by Comhairle Nan Eilean Siar for its purposes as licensing authority. I understand that data will be disclosed to the police and other public bodies involved with licensing processing and enforcement. I understand that I may check or amend data held or request deletion of data by contacting the Comhairle at the address at the bottom of this form. Yes <input type="checkbox"/>		
	I declare that the particulars given by me on this form are correct to the best of my knowledge and belief.		
	Signature of Owner/ Company Representative:	Print Name:	
	Position of applicant in company / partnership, if not otherwise stated:	Date:	

NOTE: Any person who, in connection with the making of this application, makes any statement which he knows to be false or recklessly makes any statement which is false shall be guilty of an offence and liable on summary conviction, to a fine not exceeding level 4 on the standard scale.

Completed Applications should be returned along with the correct fee to any Comhairle office **or** posted to Consumer & Environmental Services, Communities Department ,Comhairle Nan Eilean Siar ,Stornoway Isle of Lewis HS1 2BW
If you have any queries regarding this licence please phone: 01851 822694 or email to stl@cne-siar.gov.uk

DATA PROTECTION

Comhairle nan Eilean Siar is the (the Data Controller) for purposes under the General Data Protection regulations (GDPR) and the Data Protection Act 2018. Details on how we use your data and your rights under data protection law are available on the [Comhairle website](#).