

# SCOTTISH BORDERS COUNCIL CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTES of Meeting of the CIVIC  
GOVERNMENT LICENSING COMMITTEE  
held in Microsoft Teams on Friday, 26 August  
2022 at 11.00 am

Present:- Councillors M. Douglas (Convener), J. Cox, D. Parker, J. Paton Day, N. Richards, E. Small, F. Sinclair, T. Weatherston,

Apologies:- Councillor P. Brown.

In Attendance:- Managing Solicitor (R. Kirk), Licensing Standards and Enforcement Officer (M. Wynne), Democratic Services Officer (W. Mohieddeen).

## 1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 22 April 2022.

### **DECISION**

**AGREED to approve the Minute for signature by the Chairman.**

## 2. **LICENCES ISSUED UNDER DELEGATED POWERS**

For Members' information there had been circulated copies of lists of licences dealt with under delegated powers for the period 9 March 2022 – 12 April 2022.

### **DECISION**

**NOTED.**

## 3. **LICENSING OF SHORT TERM LETS**

There had been circulated copies of a report by the Clerk, Scottish Borders Civic Government Licensing Committee that provided Members with information on the new powers which had been given to local authorities to regulate short term lets in the form of a licensing regime. The report detailed what powers were available to the Council in relation to mandatory and discretionary controls under the legislation. It also set out the time line for the implementation of these powers following a period of public consultation and final Council decision. The Managing Solicitor advised that licensing authorities were required to charge fees in respect of processing and determining applications. A fee structure was likely to take consideration of the capacity of premises, the number of rooms available, the number of guests that could be accommodated and whether the premises was a secondary let, home-letting or a home-sharing category of let. Mr Kirk advised the drafted fee structure was for categories of let with capacity of 5 guests or more and 4 guests or less. This may be subject to change to include further categories. It was advised that a consultation period of three weeks would begin subject to Council approval. The consultation would be based on views on the draft policy detailed on appendix one of the report. In response to questions from Members, Mr Kirk advised that license costs would be for a three year period and that rules would allow for lower fees for renewals.

### **DECISION**

**(a) NOTED**

(i) the commencement of the Civic Government (Scotland) Act 1982 (Licensing of Short Term Lets) Order 2022;

(ii) that as a result of the provisions of the legislation, local authorities must open a licensing scheme for short term lets by 1 October 2022; (c) agree to recommend to Council that a public consultation be carried out on the draft policy as detailed in Appendix 1.

\* (b) **AGREED** to recommend to Council that a public consultation be carried out on the draft policy as detailed in Appendix 1.

#### **PRIVATE BUSINESS**

##### **DECISION**

**AGREED** under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part I of Schedule 7A to the Act.

#### **SUMMARY OF PRIVATE BUSINESS**

#### 4. **MINUTE**

There had been circulated copies of the Private Section of the Minute of the Meeting held on 22 April 2022.

##### **DECISION**

**AGREED** to approve the Minute for signature by the Chairman.

*The meeting concluded at 11.10 a.m.*