

Consultation on council tax for second and empty homes, and thresholds for non-domestic rates

April 2023

Consultation Foreword

The Scottish Government and COSLA (on behalf of Local Government) are pleased to invite you to respond to this consultation on council tax on second and empty homes. The availability of affordable housing, and its interaction with levels of second and empty homes and short-term lets is a much debated topic in Scotland, and one which affects different communities in different ways.

Our aim that everyone should have a safe, high-quality home that is affordable and meets their needs in the place they want to be is core to the Scottish Government's Housing to 2040 strategy – and this consultation seeks to explore the role of more inclusive and fiscally sustainable local taxation, in the form of council tax and non-domestic rates, as part of this commitment.

We recognise that second homes and short-term lets bring benefits to those who own them and the tourism businesses and local economy that they support. We also recognise that the reasons that homes may be left empty for long periods can be complex. It is also important that where these kinds of ownership patterns impact on the availability of homes to meet local needs and on community sustainability, that we take action to pursue a fair balance.

We are pleased to be taking forward this work in partnership, as we work to explore greater fiscal empowerment for councils in council tax, with the shared aim of creating the right incentives to increase the availability of housing.

We would like to ask for your views on potential changes to the council tax system and non-domestic rates thresholds for self-catering accommodation in order to take forward our commitments to a fairer housing and taxation system, and would encourage perspectives from the widest possible array of stakeholders from across the country.



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Introduction

In March 2021 we published [Scotland's first national population strategy](#). Its vision for a future Scotland focused on taking a [place-based whole-system approach](#) to drive local needs around the economy, infrastructure, public services and housing.

At the same time the Scottish Government published its [Housing to 2040 Strategy](#). Its bold vision and principles included prioritising homes for living in, and not for accumulating wealth.

In order to deliver this vision, we are taking action to address population needs, including delivering a large affordable housing programme, and taking policy action across a range of areas. We have delivered 118,124 affordable homes since 2007, over 83,000 (83,291) of which were for social rent, including 21,313 council homes. We are committed to delivering a further 110,000 affordable homes by 2032. A total of 7,493 homes have now been delivered, of which 6,172 (82%) are homes for social rent.

Meanwhile over the past decade the growth of online platforms has fuelled the trend for residential homes, particularly in tourist hotspots, to be changed from primary homes to be used for short-term lets or second homes. This can cause problems for neighbours and make it harder for local people, particularly young people or those with fewer resources, to find homes to live in. We also remain concerned about the number of empty homes in Scotland, which could potentially be brought back into use for people to live in.

We recognise that geography can often be an important factor, with concentrations of second and/or empty homes in specific areas across Scotland such as cities like Edinburgh or in rural locations. We will shortly publish a [Remote, Rural and Islands Housing Action Plan](#) that has a range of work strands to support councils and other partners to help deliver against our population and housing agenda.

An important aspect of this Plan, and indeed for all of Scotland, is the focus on ensuring local areas can make the best use of their existing housing stock. Our Housing to 2040 Strategy, and our [Shared Policy Programme with the Green Party](#), commits us to providing councils with tools and powers to support them to do so. This includes managing the number of long-term empty homes, short-term lets and second homes.

This consultation specifically seeks views on how local taxation can help achieve this. The proposal is whether to provide additional powers to councils allowing them discretion to:

- charge up to 100% premium (double the full rate) on council tax for second homes
- charge more than 100% premium on council tax for second homes and long-term empty homes

This is not about a one size fits all solution. Nationally the aim is to encourage more residential accommodation to be used as homes for living in and for these to be occupied for more of the time. Local areas need to decide how to achieve the right

balance in the use of housing to meet local needs and to support thriving communities. That is why we are also asking for views on whether the current non-domestic rates thresholds for self-catering accommodation should change, and/or if councils should have discretion to set them.

We are also keen to hear your views about the current definitions of second and empty homes, the factors councils should take into account when deciding whether to apply council tax premiums and what types of accommodation/ circumstances should be exempt.

Definitions

Second homes and empty homes (unoccupied dwellings) are currently defined in the Council Tax (Variation for Unoccupied Dwellings) (Scotland) Regulations 2013 as follows:

- a “second home” is a dwelling which is no one’s sole or main residence but which is furnished and lived in for at least 25 days during the chargeable 12 month period
- an “unoccupied dwelling” is a dwelling, which is no one’s sole or main residence but which is not used as a second home.

In this consultation paper, short-term lets is a wide term used to refer to the whole or part of accommodation provided to one or more guests on a commercial basis that does not become the main residence of the guest/s¹. There are different types of short-term lets such as self-catering accommodation, B&Bs, guest houses, home letting and home sharing. What local taxation short-term lets are liable for will vary depending on the type of short-term let and applicable taxation rules.

For example, if a second home is used as self-catering accommodation it will be liable for non-domestic rates if the premises is:

- a) not the sole or main residence of any person; and
- b) being made available for letting, on a commercial basis and with a view to the making of profit, for 140 days or more in the financial year, and have in practice been let in the financial year for a total of 70 days²

If the self-catering accommodation does not meet the above criteria and thresholds it is liable for council tax instead.

B&Bs and guest houses may be liable for non-domestic rates if their operation has capacity to cater for more than 6 people at any one time, regardless of how many days the premises or rooms are available or actually let.

¹ As defined in the Civic Government (Scotland) Act (Licensing of Short-term Lets) Order 2022

² As defined in the Council Tax (Dwellings and Part Residential Subjects) (Scotland) Regulations 1992, as amended by the Council Tax (Dwellings and Part Residential Subjects) (Scotland) Amendment Regulations 2021

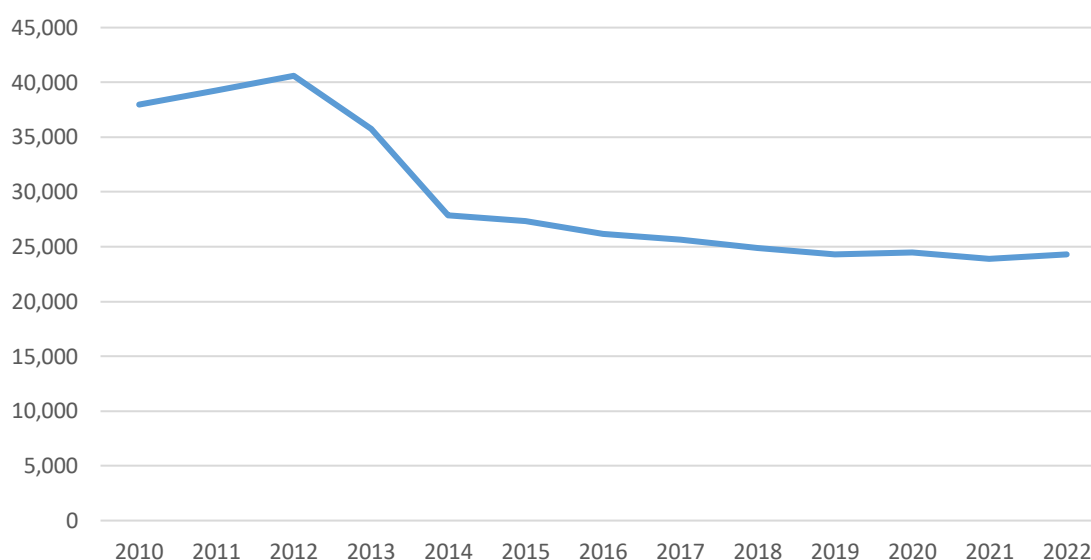
Second Homes

The current position

As at September 2022 there were 24,287³ second homes (classified for council tax purposes), equating to around 1%⁴ of all residential accommodation in Scotland.

While the overall number of second homes in Scotland has declined by 16,312 in the last decade (see Figure 1), this should be considered in the context of legislative changes made in 2013 and a focus by councils to improve data quality. Both of these factors likely led to the re-classification, for council tax purposes, of a number of homes, resulting in increased numbers of empty homes and a reduction in the number of second homes.

Figure 1. The number of second homes in Scotland.



Since 2012, second homes have increased in six of Scotland's 32 council areas. The number of second homes varies considerably between, and within, individual councils, with the peak numbers found mainly in tourist hotspots, rural and island areas. Table 1 shows the proportions of second homes above the national average level of 1%. Further context is set out in the partial Business and Regulatory Impact Assessment published alongside this consultation⁵

³ [Scottish Government Housing Statistics](#)

⁴ The share of second homes is calculated relative to the total number of dwellings as at September 2022. The total number of dwellings includes chargeable dwellings and dwellings that hold exemptions but excludes free-standing lock-ups and garages.

⁵ <http://www.gov.scot/ISBN/9781805257103>

Table 1: Second homes as a percentage of adjusted chargeable dwellings by councils over national average of 1% (2022)⁶

Council Area	Share of second homes
Argyll & Bute	6.2%
Na h-Eileanan Siar	5.9%
Orkney Islands	4.8%
Highland	3.0%
North Ayrshire	2.2%
Dumfries & Galloway	1.8%
Moray	1.7%
Scottish Borders	1.7%
Perth & Kinross	1.6%
Shetland Islands	1.5%
Fife	1.3%
Average	0.9%

Source: Scottish Government ([Housing statistics: Empty properties and second homes - gov.scot \(www.gov.scot\)](https://www.gov.scot/housing-statistics/empty-properties-and-second-homes)) and CTAXBASE 2022)

We have produced a partial Business Regulatory Impact Assessment to accompany this consultation that provides more in depth analysis about the location of second homes across Scotland.

Second Homes - the legislative framework

The Council Tax (Variation for Unoccupied Dwellings) (Scotland) Regulations 2013 (as amended in 2016) (“the 2013 Regulations”) set a 50% council tax discount as the default charge for accommodation that is not someone’s sole or main residence, and give councils the power to change that discount.

In practice for second homes this means councils can:

- alter the level of discount, to provide a discount of between 50% and 10%
- offer no discount

For second homes, this means a council could decide to charge different amounts of council tax in different parts of their local area.

Schedule 1 of the 2013 Regulations sets out certain categories of second homes that must be given a 50% discount; these are ‘purpose-built holiday accommodation’ and ‘job-related dwellings’. For these, there is no choice but to give a discount of 50%.

⁶ The share of second homes is calculated relative to the total number of dwellings as at September 2022. The total number of dwellings includes chargeable dwellings and dwellings that hold exemptions but excludes free-standing lock-ups and garages

- Purpose built holiday accommodation is defined as a dwelling that is used for holiday purposes and has a licence or planning permission limiting its use for human habitation throughout the whole year. An example might be chalets or other types of holiday accommodation that are either unsuitable to be occupied all year round (their construction may mean they are only suitable to be lived in during the warmer months) or are not allowed to be lived in all year due to planning, licensing or other restrictions.
- Job-related dwellings are defined as homes owned by someone who has to live elsewhere for most or all of the time as part of their job, or the home the person occupies to undertake their job if the person has another home that is their main residence.

The case for change

Our aim is for everyone in Scotland to live in safe, secure and warm homes. We need to do more to prioritise housing for permanent accommodation, whether this is in the rented sector or home ownership.

Demand for second homes, especially when concentrated in a particular area, may result in a significant increase in house prices in that area. This can reduce access to affordable residential housing to meet local needs. For example, this can make it harder for local people, particularly young people or those with fewer resources, to find homes to live in and cause outward migration. Low occupancy of second homes, even if used partially as short-term lets, may also minimise the economic contribution to local communities that is important to sustain local public services. Services can also be affected if it is difficult to recruit and retain key workers because there is a lack of affordable housing close to where they work.

The proposals set out in this consultation aim to encourage second home owners to use their accommodation differently, for the benefit of local communities. If an owner were to change how they use their second home from personal use to a private rental tenancy, this could help increase supply in the private rented sector.

Some homes in certain areas, however, may not be suitable or desirable for year-round occupation. This may be because of their construction/ location or because of seasonal demand/ insufficient infrastructure. In these instances, residential accommodation used as short-term lets or second homes can contribute positively, in many cases preventing homes being left empty.

Where communities are reliant on the seasonal tourist economy, there is a balance that needs to be found between local housing needs for residents, housing for seasonal workers and accommodation for tourists. This was evident during 2022 when businesses and public services in tourist hotspots, such as Aviemore and Skye, cited the lack of available accommodation as one of the contributory factors for staff shortages. This points to an imbalance in the availability of accommodation for primary residences and the knock on effect it can have on local economies, as reported by [a UK Hospitality report](#).

Taxation is one measure that can support local areas to reach the right balance for their local circumstances, as a means to influence ownership patterns and the detrimental impact they can have on the availability of homes to meet local needs. Enabling councils to apply a premium on council tax on second homes could also generate additional revenue that could be used to benefit the local community and contribute to affordable housing schemes.

The majority of councils already choose to charge second home owners the full rate of council tax, which is the maximum they are able to apply within the current legal framework⁷. The remaining seven councils apply a 10% discount for second homes, although in Orkney this only applies for 12 months.

Second Homes proposals for consultation

We recognise there may be benefits for councils to have the same discretionary powers for second homes and long-term empty homes.

This consultation is seeking views on granting councils more discretion over the rate of council tax on second homes by:

- introducing additional powers that enable a premium of up to 100%
- introducing additional powers that enable a premium of greater than 100% to be applied to both second (and long-term empty) homes

The discretionary nature of these additional powers would mean that councils could still decide whether and how to utilise them based on local circumstances, including balancing the needs and concerns of their communities with wider economic and tourism interests.

We recognise that individuals have the right to own more than one property. In considering changes to the council tax treatment of second homes we therefore wish to ensure there is a fair balance between the general interest and the rights of those affected. The intention is that second home owners be encouraged to make a contribution to the local area in which their accommodation is located. This could happen, for example, by making it available for let as a private rental tenancy or otherwise being liable to pay higher council tax.

In setting out the proposal for councils to have powers to charge a premium on second homes, this consultation asks for your views about the factors that should be considered locally before reaching a decision to charge more.

Factors that could be taken into account for premiums on second homes

Councils could consider a range of factors when deciding whether to introduce a premium.

⁷ 25 of 32 councils apply the maximum council tax charge for second homes. [Scottish Government Housing Statistics](#)

A non-exhaustive list of potential factors is set out below:

- numbers and percentages of second homes in the local area
- distribution of second homes and other housing throughout the council area and an assessment of their impact on residential accommodation values in particular areas
- potential impact on local economies and the tourism industry
- patterns of demand for, and availability of, affordable homes
- potential impact on local public services and the local community
- other existing measures or policies that are aimed at increasing housing supply and the availability of affordable housing

Councils may also decide not to use the powers or to disapply a premium for a specific period of time.

A non-exhaustive list of examples of where a council might consider doing this include:

- where there are reasons why the home could not be lived in as a permanent residence
- where there are reasons why a home could not be sold or let
- where the owner's use of their accommodation is restricted by circumstances not covered by an exception from the premium
- where charging a premium might cause hardship

Notification period

Councils are independent bodies, democratically elected and accountable to their local electorate. Deciding whether to increase council tax is a matter for them as part of their own internal governance. This includes any consideration as to how, and when, best to notify their own local electorate of any forthcoming changes to local taxation.

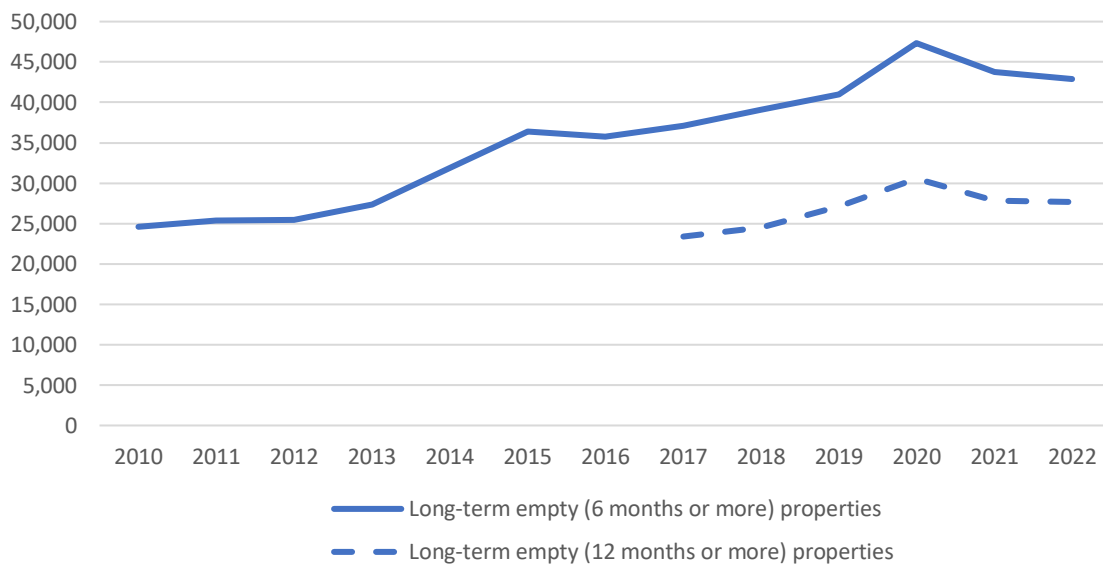
Long-term empty homes

The current position

As at September 2022 there were 42,900⁸ long-term empty (6 months or more) homes (classified for council tax purposes), equating to around 2%⁹ of all residential accommodation in Scotland.

Figure 2 shows the number of long-term empty homes has risen in the past decade. Some of the increase may be explained in part by the reclassification between second and empty homes in recent years. The number of councils employing Empty Homes Officers rose by almost a quarter between 2014 and 2022. This may have led to improvements in data quality and reporting resulting in further increases.

Figure 2. Scotland long-term empty properties.



Long-Term Empty Homes – the legislative framework

An empty home is not someone's sole or main residence. It may be either furnished or unfurnished but is either not lived in at all or is lived in for less than 25 days in the council tax charging period.

The Council Tax (Variation for Unoccupied Dwellings) (Scotland) Regulations 2013 (as amended in 2016) ("the 2013 Regulations") set a 50% council tax discount as the default charge for empty homes and give councils the power to change that discount.

For empty homes this means councils can currently:

- alter the level of discount, to provide a discount of between 50% and 10% subject to certain restrictions (as set out in schedule 1 of the 2013 Regulations)

⁸ [Scottish Government Housing Statistics](#)

⁹ The share of long-term empty (6 months or more) homes is calculated relative to the total number of dwellings as at September 2022. The total number of dwellings includes chargeable dwellings and dwellings that hold exemptions but excludes free-standing lock-ups and garages

For homes that have been empty for 1 year or more councils can also:

- offer no discount
- charge a council tax increase for certain empty homes, subject to certain restrictions

Councils must ringfence some of the revenue generated from council tax on second and long-term empty homes for the purposes of affordable housing and are encouraged to do the same for revenue generated from any premium applied to long-term empty homes.

The current legislation provides a framework setting out what may be charged and when, allowing councils to take circumstances into account that could bring the home back into use.

Table 2: Current discretionary powers for councils to change council tax liable for empty homes from the standard 50% discount

Status of empty home	Up to 6 months	6-12 months	12 months +	2 years +
No work underway and not for sale or let	Owner may apply for an unoccupied and unfurnished exemption	Discount can be varied between 50 and 10%	Discount can be varied between 50 and 10% or discount can be removed or premium of up to 100% can be applied	Discount can be varied between 50 and 10% or discount can be removed or premium of up to 100% can be applied
If undergoing repair work to make them habitable	50% discount cannot be changed	Owner may apply for a major repairs or structural alterations exemption. Discount can be varied between 50 and 10%.	Discount can be varied between 50 and 10% or discount can be removed or premium of up to 100% can be applied.	Discount can be varied between 50 and 10% or discount can be removed or premium of up to 100% can be applied.
If being actively marketed for sale or let	50% discount cannot be changed	50% discount cannot be changed	50% discount cannot be changed	a premium of up to 100% can be charged

In certain cases empty homes are exempt from council tax. These include, for example, properties where the owner is in long term residential care, in hospital or in prison. A full list of the other exemptions can be found within schedule 1 of [The Council Tax \(Exempt Dwellings\) \(Scotland\) Order 1997 \(legislation.gov.uk\)](#). This consultation is not proposing any changes to these.

The case for change

Even allowing for data improvements, reclassifications and the impact of the Covid-19 pandemic, there is still clearly an upward trend in the numbers of long-term empty homes.

The process to bring long-term empty homes back into use is typically complex, takes time and is often reliant on there being sufficient funds for refurbishment/renovation. The [Scottish Empty Homes Partnership Annual Report 2020-21](#) sets out the range of reasons homes become and remain empty.

Our Housing to 2040 Strategy commits us to take forward a number of actions on empty homes. One action is to continue to support the [Scottish Empty Homes Partnership](#) approach, which we have funded since 2010. In this time, the Partnership has worked with councils and empty home owners to help bring over 8,000 homes back into use. We are also currently undertaking another action to research the effectiveness of different ways to bring homes back into use and the findings will be used, alongside the responses from this consultation, to inform future policy decisions.

Around two thirds of empty homes are empty for longer than 12 months. This proportion has remained consistent since 2017. Taxation is one way that councils can tackle empty homes. Where used appropriately, charging a premium on long-term empty homes can be a useful tool as a disincentive for homes to be left unoccupied indefinitely. However, under the current arrangements this premium is limited to 100% (double the full rate of council tax).

Long-term empty homes proposal for consultation

Our commitment in Housing to 2040 is to provide councils with tools and powers to support them to make the best use of existing housing stock, including empty homes. This could mean providing councils with additional discretionary powers to charge more the longer homes are empty.

This consultation is seeking views on whether the current premium should remain capped at 100% or if councils should have discretion to increase this beyond 100%.

We are keen to hear views about whether, and if so how, the current discretionary powers are helping bring privately owned empty homes back into use.

As with second homes, we are interested to know what factors people think councils should consider when deciding whether to impose a premium, whether that be less than 100% or, if provision is to be made for this, more than 100%.

A non-exhaustive list of potential factors might be:

- numbers, percentages and distribution of long-term empty homes throughout a local area
- potential impact on local economies and the community
- patterns of demand for, and availability of, affordable homes
- potential impact on local public services
- impact on neighbours and local residents

Councils may also decide not to use the powers or to disapply a premium for a specific period of time.

A non-exhaustive list of examples of where a council might do this include:

- where there are reasons why a home could not be sold or let
- where an offer has been accepted on a home but the sale has not yet been completed and the exception period has run out
- if the home has been empty for longer than 12 months but has been recently purchased by a new owner that is actively taking steps to bring the home back into use
- if an owner has submitted a timely planning application or is undergoing a planning appeal that is under consideration by the council or Scottish Government. This means they cannot undertake work to bring the home back into use until that process is concluded
- where charging a premium might cause hardship or act as a disincentive to bringing the home back into use e.g. where extensive repairs are actively being carried out

Non-Domestic Rates – Self Catering Accommodation Thresholds

The current position

In October 2022 there were 18,290 self-catering accommodation units on the valuation roll for non-domestic rates across Scotland. This represents an upward trend in numbers of more than 20% over the past five years. Self-catering accommodation accounts for 7% of all properties in Scotland liable for non-domestic rates.

The numbers of units per council area vary considerably, with the highest numbers located in tourist hotspots such as Highland (5,050), Argyll and Bute (2,290), the City of Edinburgh (1,410), Dumfries and Galloway (1,400) and Perth and Kinross (1,100).

The owners, tenants or occupiers of self-catering accommodation (who may be businesses, the public or the third sector) may be liable for either council tax or non-domestic rates. This includes owners of second homes who use them for self-catering accommodation.

Which tax is paid is determined by the amount of time the accommodation is used and available for use for self-catering accommodation purposes.

Where a dwelling is available for let for 140 days and actually let for 70 days or more in the financial year, it is classed as 'self-catering holiday accommodation', exempt from council tax and becomes instead liable for non-domestic rates. If these thresholds are not reached, the accommodation will be treated as domestic and liable for council tax instead. Wales and England also have a minimum 70-day let/140-day available for let rule, but from 1 April 2023 in Wales, the minimum number of days a property is required to be made available to let in a 12-month period will increase to 252 days and the minimum number of days it is required to be actually let will increase to 182 days.

The thresholds which currently apply to self-catering accommodation for non-domestic rates have been in effect since 1 April 2022 and were introduced following a recommendation by the 2017 independent Barclay Review of non-domestic rates. The previous threshold only required self-catering accommodation to be available to let for 140 days. The Barclay Review noted there was no requirement to provide evidence of this availability to let. This arrangement was therefore open to abuse, with the potential for the owners of second or empty homes to seek their accommodation to be classed as non-domestic in order to avoid council tax.

Non-domestic rates are based on the rateable value of premises, which is calculated by independent Scottish Assessors based on the annual rental value that a property would attract in an open market. Where the rateable value is low enough, the premises may be eligible for the Small Business Bonus Scheme (SBBS) and receive up to 100% non-domestic rates relief.

Under the current arrangements, Scottish Assessors determine whether self-catering accommodation has met the thresholds in each financial year and may request evidence of actual letting, availability to let or both. Where a property is not determined to be self-catering accommodation, it will be removed from the valuation roll and liability to pay council tax will arise.

Councils, who administer and collect the tax, have discretionary powers that enable them to treat properties as self-catering accommodation in exceptional circumstances. This is in situations when the accommodation has failed to meet the 70 days actual letting threshold. Examples of exceptional circumstances might include a pandemic, or environmental or seasonal conditions e.g. where travel to and from an island is limited to ferries that can be restricted due to the weather, or any other physical impediment that would hinder access to the property (landslides, floods and fire).

Small Business Bonus Scheme (SBBS)

The Small Business Bonus Scheme (SBBS) offers up to 100% Non-Domestic Rates relief to non-domestic premises in Scotland with rateable values below a certain level.

From 1 April 2023, SBBS will offer 100% relief for individual premises with a rateable value of up to £12,000. The upper rateable value for individual premises to qualify for SBBS relief will be extended to £20,000 and relief will taper where the rateable value is between £12,001 and £20,000. The cumulative rateable value of all non-domestic premises held by a single ratepayer will remain the same and must be no more than £35,000.

As at 1 July 2022, 88% (16,130) of self-catering accommodation units on the valuation roll were in receipt of SBBS relief at a cost of over £21 million. The majority of these (96%) benefited from 100% relief and therefore paid no local tax.

The legislative framework

The Scottish Government is responsible for the policy and legislative framework for non-domestic rates, including setting the tax rates and reliefs that it funds. Scottish councils administer and collect the tax.

The Council Tax (Dwellings and Part Residential Subjects) (Scotland) Regulations 1992, as amended by the Council Tax (Dwellings and Part Residential Subjects) (Scotland) Amendment Regulations 2021 set out the current thresholds for self-catering accommodation.

The Council Tax (Dwellings and Part Residential Subjects) (Scotland) Regulations 1992, as amended, provide councils with the discretion, in exceptional circumstances, to treat self-catering accommodation as if it has met the threshold of being actually let for 70 days.

Self-catering accommodation thresholds - in-year assessment

The 70 day letting threshold must be met 'in-year', that is within each financial year (from 1 April to 31 March). This means that accommodation will not temporarily move from non-domestic to domestic at different points in the financial year. By comparison, in England, the 70-day letting requirement is 'per year', but from 1 April 2023, this will become 70 days 'in the last 12 months'. The [Welsh Government has published guidance](#) outlining that in Wales a 12-month rolling period is already in place.

In Scotland, if accommodation is not let or available to let for the required thresholds, it will become liable for council tax. The date council tax will be payable will depend on which of the thresholds first fails to be met (paragraph 2 of schedule 2 of the Council Tax (Dwellings and Part Residential Subjects) (Scotland) Regulations 1992):

- from the date it is used as the sole or main residence of any person
- from the date it is not intended to be let (where the 140 day available to let threshold is not met)
- from 1 April in the same financial year (where the 70 day actual let threshold is not met)

The case for change

In this consultation paper we have proposed the use of council tax increases for second and long-term empty homes, as a tool that councils may decide to use to encourage homes to be used with a higher occupancy. As some second home owners may choose to let their home out as self-catering accommodation for part of the year, it is appropriate to consider at the same time whether the thresholds in order to be classed as non-domestic accommodation are set at the right level.

Proposals for Consultation

We want to ensure that people owning accommodation within communities are making fair financial contributions to local public services and the economy. This recognises that self-catering accommodation can play an important role in particular areas through its contribution to tourism and related industries/businesses. We are therefore seeking views on whether self-catering accommodation thresholds, for the purposes of non-domestic rates, are appropriate or should be amended. No specific alternative thresholds are being proposed at this point in time and further analysis would be undertaken if this type of reform were considered following the consultation.

We are interested to also know whether, given the variation in second homes and self-catering accommodation numbers across council areas, councils should have discretion to change the threshold locally to reflect local circumstances. In particular, we would welcome views on whether they should they have power to increase or decrease the number of days of actual letting required for a property to be classed as self-catering holiday accommodation.

Finally, we invite views on the non-domestic rates system more generally in respect of self-catering accommodation.

Responding to this consultation

We are inviting responses to this consultation by 11 July 2023.

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space, at <http://consult.gov.scot>

You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 11 July 2023.

If you are unable to respond using our consultation hub, please complete the Respondent Information Form and send to:

Second Homes/ Empty Homes/ NDR Consultation
Scottish Government
More Homes Division
Bothwell House
Hamilton Business Park
Caird Park
Hamilton
ML3 0QA

Responses may also be sent to secondandemptyhomes@gov.scot

Handling your response

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document.

To find out how we handle your personal data, please see our privacy policy: <https://www.gov.scot/privacy/>

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.gov.scot>

If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Feedback

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or to secondandemptyhomes@gov.scot.

Scottish Government Consultation Process

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.gov.scot>
Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.



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