

## SCHEDULE 1

### Excluded accommodation and tenancies

#### **Excluded accommodation**

1. Excluded accommodation means accommodation which is, or is part of—
  - (a) an aparthotel,
  - (b) premises in respect of which a premises licence within the meaning of section 17 of the Licensing (Scotland) Act 2005(1) has effect and where the provision of accommodation is an activity listed in the operating plan as defined in section 20(4) of that Act,
  - (c) a hotel which has planning permission granted for use as a hotel,
  - (d) a hostel,
  - (e) residential accommodation where personal care is provided to residents,
  - (f) a hospital or nursing home,
  - (g) a residential school, college or training centre,
  - (h) secure residential accommodation (including a prison, young offenders institution, detention centre, secure training centre, custody centre, short-term holding centre, secure hospital, secure local authority accommodation, or accommodation used as military barracks),
  - (i) a refuge,
  - (j) student accommodation,
  - (k) accommodation which otherwise requires a licence for use for hire for overnight stays,
  - (l) accommodation which is provided by the guest,
  - (m) accommodation which is capable, without modification, of transporting guests to another location,
  - (n) a bothy, or
  - (o) accommodation owned by an employer and provided to an employee in terms of a contract of employment or for the better performance of the employee's duties.