

SCHEDULE 2

PART 2

Modification of Schedule 1 of the 1982 Act

Enforcement

11. After paragraph 10 (variation of licences), insert—

“Power to require rectification of breach of licence

10A.—(1) This paragraph applies where a licensing authority considers that any condition included in a short-term let licence has been, or is likely to be, breached (regardless of whether the licensing authority has taken any other action, or of whether criminal proceedings have been commenced, in respect of that breach).

(2) Where this paragraph applies, a licensing authority may serve notice (an “enforcement notice”) on a holder of a licence.

(3) An enforcement notice must specify—

- (a) the matters constituting the breach or likely breach,
- (b) the action to be taken by the licence holder which the licensing authority considers necessary for the purposes of rectifying or, as the case may be, preventing the breach,
- (c) the date by which the action must be taken.

(4) A condition of an enforcement notice is deemed to be a condition of a licence.

(5) A licensing authority may serve an enforcement notice on a licence holder requiring the rectification or prevention of any breach of a condition of a licence other than the breach of a condition of an enforcement notice.”.

Commencement Information

11 Sch. 2 para. 11 in force at 1.3.2022, see art. 1

Changes to legislation:

There are currently no known outstanding effects for the The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, Paragraph 11.