

WEST DUNBARTONSHIRE COUNCIL
Report by Chief Officer – Regulatory & Regeneration
Licensing Committee – 21 February 2024

Subject: Application for grant of a Short Term Let Licence

1. Purpose

- 1.1** To consider an application for grant of a Short Term Let Licence submitted by Mrs. Fiona Craig, The Old Smiddy, Haldane Terrace, Balloch G83 8ER.

2. Recommendations

- 2.1** It is recommended that the application be considered and determined by the Committee.

3. Background

- 3.1** Mrs. Craig submitted an application for grant of a Short Term Let Licence to the Council on 25 May 2023 to operate on a home sharing and home letting basis from the premises at The Old Smiddy, Haldane Terrace, Balloch G83 8ER.
- 3.2** No objection or representation has been submitted by the Police in connection with the application.

4. Main Issues

- 4.1** For the purpose of the discharge of their functions under the Civic Government (Scotland) Act 1982, the Committee must ordinarily reach a final decision on each application within the period of 9 months from the date the application was submitted. For applications for a Short Term Let Licence submitted prior to 1 October 2023, the transitional arrangements allows 12 months from the date the application was submitted for a final decision to be made.
- 4.2** The application submitted by Mrs. Craig was submitted on 25 May 2023 therefore a final decision on the application must be made no later than 24 May 2024.
- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland, Fire Scotland and Loch Lomond & the Trossachs National Park - Planning for comment. The application form is also sent internally to Building Control and Environmental Health for their comments.
- 4.4** A response was received from Police Scotland on 26 June 2023 marked 'no police objection' and a 'no comments' response was received from Fire Scotland

on 21 July 2023.

- 4.5** On 4 July 2023 a response was received from Loch Lomond & the Trossachs National Park - Planning advising that they had no adverse comment to make in relation to the application.
- 4.6** No public objections or representations have been received further to a site notice being displayed.
- 4.7** On 30 June 2023 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.8** On 23 July 2023 a response was received from Building Standards detailing reasons why they could not support the granting of the application at that point in time. The applicant was advised of these reasons and it is the Licensing Section's understanding that the applicant has instructed an architect to assist with regularising matters.
- 4.9** Both the applicant and Building Standards have been invited to address the Committee to provide an update on the current position regarding the premises. The Committee having heard from all parties is required to determine the application in accordance with Schedule 1 to the 1982 Act.

5. People Implications

- 5.1** There are no personnel issues.

6. Financial Implications

- 6.1** There are no financial implications

7. Risk Analysis

- 7.1** There is no increased risk to the Council associated with the contents of this report.

8. Equalities Impact Assessment (EIA)

- 8.1** No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

9. Consultation

- 9.1** Police Scotland, Fire Scotland, Loch Lomond & the Trossachs National Park – Planning, Building Standards, Environmental Health and Councillors representing the Lomond Ward were consulted in relation to the application. A site notice was displayed at the premises by the applicant for a period of 21 days allowing members of the public an opportunity to object.

10. Strategic Assessment

- 10.1** In terms of the Council's Strategic Priorities, the purpose of licensing is to ensure our Communities are Resilient and Thriving.

Chief Officer – Regulatory & Regeneration

Date 5 February 2023

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Appendices: N/A.

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Mrs. Fiona Craig, The Old Smiddy, Haldane Terrace, Balloch G83 8ER.
2. Letter to Mrs Craig dated 6 February 2024.

Wards Affected: Lomond