



Agenda

Meeting of the Licensing Committee

Date: Wednesday, 7 August 2024

Time: 14:00

Venue: Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank
G81 2NR

Contact: Lynn Straker, Committee Officer
Email: lynn.straker@west-dunbarton.gov.uk
committee.admin@west-dunbarton.gov.uk

Dear Member

Please attend a **Meeting of the Licensing Committee** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSETT

Chief Executive

Distribution:

Councillor Ian Dickson
Councillor Gurpreet Singh Johal
Councillor Jonathan McColl
Councillor June McKay
Councillor John Millar
Councillor Lawrence O'Neill (Chair)
Councillor Chris Pollock
Councillor Hazel Sorrell

All other Councillors for information.
Chief Officer – Regulatory and Regeneration

Date Issued: 23 July 2024

MEETING OF LICENSING COMMITTEE

WEDNESDAY, 7 AUGUST 2024

AGENDA

1 STATEMENT BY THE CHAIR

2 APOLOGIES

3 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the undernoted items of business on this agenda and, if so, state the reasons for such declarations.

4 MINUTES OF PREVIOUS MEETING 7 - 10

Submit for approval, as a correct record, the Minutes of meeting of the Licensing Committee held on 5 June 2024.

5 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

6 EXCLUSION OF PRESS AND PUBLIC 11

The Committee is asked to consider passing the following resolution prior to consideration of Item 7 and Item 8 of this Document Pack only:-

“That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

7/

- | | | |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 7 | APPLICATION FOR GRANT OF A TAXI/PRIVATE HIRE
CAR DRIVER'S LICENCE | N/A |
| | Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. David Butchart. | |
| 8 | APPLICATION FOR RENEWAL OF A TAXI/PRIVATE
HIRE CAR DRIVER'S LICENCE | N/A |
| | Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for the renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. James McCallum. | |
| 9 | APPLICATION FOR RENEWAL OF A TAXI/PRIVATE HIRE
CAR DRIVER'S LICENCE | 13 - 15 |
| | Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for the renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Martin Mullen. | |
| 10 | APPLICATION FOR GRANT OF A SHORT TERM LET
LICENCE | 17 - 37 |
| | Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Mr. Martyn Taylor in respect of premises at Flat 2/1 13 Carrochan Gardens, Balloch, Alexandria G83 8FF. | |
| 11 | APPLICATION FOR GRANT OF A SHORT TERM LET
LICENCE | 39 -43 |
| | Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Mr. Allan Argue in respect of premises at Flat G/1 Mossview, Dalvait, Balloch G83 8LB. | |
| 12 | APPLICATION FOR GRANT OF A SHORT TERM LET
LICENCE | 45 - 49 |
| | Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Ms. Kelly Maxwell-Brown in respect of premises at 62 Middleton Street, Alexandria G83 0DG. | |

13 APPLICATION FOR GRANT OF A SHORT TERM LET 51 - 57
LICENCE

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Ms. Laura Clark in respect of premises at Milton House, Milton Brae, Milton G82 2TU.

14 APPLICATION FOR GRANT OF A SHORT TERM LET 59 - 63
LICENCE

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Easter Auchencarroch Farm Ltd. in respect of premises at Easter Auchencarroch, Auchencarroch Road, Jamestown, Alexandria G83 9LU.

15 APPLICATION FOR GRANT OF A SHORT TERM LET 65 - 69
LICENCE

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Mr. Edward McVey, Waterman's Cottage, Blairlinnis, Blairlinnis House, Gartocharn, Alexandria G83 8ND.

16 APPLICATION FOR GRANT OF A SHORT TERM LET 71 - 75
LICENCE

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by De Vere Capital Ltd. in respect of premises at High Wards, Wards Estate, Gartocharn, Alexandria G83 8SB.

17 APPLICATION FOR GRANT OF A SHORT TERM LET 77 - 81
LICENCE

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Mr. Jonathan Rankin and Mr. Scott Piatkowski in respect of premises at South Lodge, Old Luss Road, Balloch G83 8QP.

18 APPLICATION FOR GRANT OF A SHORT TERM LET 83 - 85
LICENCE

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Ms. Gillian Brown, Upper Stonymollan Cottage, Upper Stonymollan Road, Balloch G83 8QU.

19 APPLICATION FOR GRANT OF A SHORT TERM LET 87 - 91
LICENCE

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Ms. Leslie McLellan, Sheildaig Farm, Upper Stonymollan Road, Alexandria G83 8QY.

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 5 June 2024 at 2.02 p.m.

Present: Councillors Gurpreet Singh Johal, Ian Dickson, June McKay, John Millar, Lawrence O'Neill, Chris Pollock and Hazel Sorrell.

Attending: Michael McDougall, Manager of Legal Services; Robert Mackie, Senior Licensing Officer; Peter Clyde, Licensing Standards Officer and Lynn Straker, Committee Officer.

Also Attending: Sergeant David Holmes, Police Scotland; Mr Andrew Scott; Mr Sarbaz Sardar Maulood and Ms Julie McTaggart.

Apologies: An apology for absence was intimated on behalf of Councillor Jonathan McColl.

Councillor Lawrence O'Neill in Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETINGS

The Minutes of Meetings of the Licensing Committee held on 17 April 2024 (Ordinary) and 8 May 2024 (Special) were submitted and approved as correct records.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

**APPLICATION FOR GRANT OF A SHORT TERM LET LICENCE
– FLAT 1-1, 57 ALBERT ROAD, CLYDEBANK G81 3BQ**

A report was submitted by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Mr. Andrew Scott, 23 Benny Drive, Denny FK6 5FF.

Members first heard from the Manager of Legal Services who noted this was a continuation and the objector to the application was not in attendance at the meeting. After discussion and having heard from Mr Scott in support of the application and in answer to Members' questions, the Committee agreed to grant the application.

DECIDED:-

The Committee agreed to grant the application.

APPLICATION FOR GRANT OF A PUBLIC ENTERTAINMENT LICENCE

A report was submitted by the Chief Officer – Regulatory and Regeneration requesting the Committee consider an application for the grant of a Public Entertainment Licence submitted by Mr Sarbaz Sardar Maulood, Flat 1/1,171 Springfield Road, Glasgow G40 3JB.

Members first heard from the Manager of Legal Services providing detail of the application and then from an Environment Health Officer advising of a recent visit to the premises which found various matters outstanding. After hearing Mr Maulood in further discussion and in answer to Members' questions, the Committee agreed to grant the application subject to the licence being retained by the Chief Officer: Regulatory and Regeneration and not taking effect until all arrangements were to the satisfaction of Environmental Health.

DECIDED:-

The Committee agreed to grant the application subject to the licence being retained by the Chief Officer: Regulatory and Regeneration and not taking effect until all arrangements were to the satisfaction of Environmental Health.

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982 PART V – PUBLIC
PROCESSIONS POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE
(SCOTLAND) ACT 2006 NOTICE OF PROPOSAL TO HOLD A PUBLIC
PROCESSION: DUMBARTON ORANGE & PURPLE DISTRICT NO. 27**

The Manager of Legal Services noted the notification had been withdrawn.

EXCLUSION OF PRESS AND PUBLIC

The Committee agreed to approve the following resolution to exclude the press and public from the meeting to allow the following item to be heard:-

“That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A TAXI DRIVER'S/PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by the Chief Officer – Regulatory and Regeneration asking the Committee to consider a request from the Chief Constable of Police Scotland for the suspension of a Taxi Driver's/Private Hire Car Driver's Licence. Members were advised they also had the option to revoke the licence.

Members first heard from the Manager of Legal Services who noted the Licence holder was not in attendance at the meeting. Members then heard from Sergeant David Holmes, Police Scotland and after further discussion, decided to suspend the Licence with immediate effect for the outstanding duration of the licence.

DECIDED:-

Members decided to suspend the Licence with immediate effect for the outstanding duration of the licence.

APPLICATION FOR RENEWAL OF A TAXI DRIVER'S / PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by the Chief Officer – Regulatory and Regeneration asking the Committee to consider an application for the renewal of a Taxi/Private Hire Car Driver's Licence.

After discussion and having heard the Manager of Legal Services in further explanation and in answer to Members' questions, Members agreed to continue the matter.

DECIDED:-

Members agreed to continue the matter.

APPLICATION FOR RENEWAL OF A TAXI DRIVER'S/PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by the Chief Officer – Regulatory and Regeneration asking the Committee to consider an application for the renewal of a Taxi/Private Hire Car Driver's Licence.

Members first heard from the Manager of Legal Services in the detail of the report and then heard from Sergeant David Holmes, Police Scotland. After further discussion, Members agreed to a continuation of the hearing to a future meeting of the Licensing Committee.

DECIDED:-

Members agreed to a continuation of the hearing to a future meeting of the Licensing Committee.

The meeting closed at 2.40 p.m.



NOT FOR PUBLICATION

**by virtue of Paragraph 14 of Part 1 of Schedule 7A of
the Local Government (Scotland) Act, 1973**

**ANY ACTION TAKEN OR TO BE TAKEN IN
CONNECTION WITH THE PREVENTION,
INVESTIGATION OR PROSECUTION OF CRIME**

**PLEASE NOTE THAT CONFIDENTIAL INFORMATION
AND PAGES HAVE BEEN REMOVED**

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 7 August 2024

Subject: Application for renewal of a Taxi/Private Hire Car Driver's Licence

1. Purpose

- 1.1** To consider an application for the renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Martin Mullen, 11 Morrison Street, Duntocher, Clydebank G81 6JQ.

2. Recommendations

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

3. Background

- 3.1** Mr. Mullen submitted an application for renewal of a Taxi/Private Hire Car Driver's Licence to the Council on 13 June 2024.
- 3.2** A letter was received from the Chief Constable of Police Scotland on 1 July 2024 submitting an objection in connection with the application.

4. Main Issues

- 4.1** Mr. Mullen's current Taxi Driver's/Private Hire Car Driver's Licence has an expiry date of 17 May 2024.
- 4.2** Mr. Mullen has held his current Taxi/Private Hire Car Driver's Licence since 18 May 2023 having previously held a licence between 2017 until 2019.
- 4.3** In view of the submission received from the Police, the applicant and a representative of Police Scotland has been invited to attend the meeting of the Committee to be held on 7 August 2024.

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 were consulted in relation to the application.

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 9 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: N/A.

Background Papers:

- 1.** Application for renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Martin Mullen, 11 Morrison Street, Duntocher, Clydebank G81 6JQ.
- 2.** Letter dated 1 July 2024 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
- 3.** Letter to Mr. Mullen dated 17 July 2024.

Wards Affected: N/A.

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 Mr. Martyn Taylor, 3 Ardenvohr, Cardross G82 5LE.

2. Recommendations

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

3. Background

- 3.1** Mr. Taylor submitted an application for grant of a Short Term Let Licence to the Council on 2 May 2024 to operate on a secondary letting basis from the premises at Flat 2/1 13 Carrochan Gardens, Balloch, Alexandria G83 8FF.
- 3.2** No objection or representation has been submitted by the Police in connection with the application.
- 3.3** In terms of the relevant legislation, an objection with respect to an application which is wholly or mainly carried on in a premises should be submitted within 28 days of the display of the site notice. As Mr. Taylor's application was received on 2 May 2024 and the site notice was posted on 6 May 2024, any objection should have been submitted by 3 June 2024. There is, however, provision in the legislation for the Licensing Authority to entertain a late objection which has been received before a final decision has been made. The Licensing Authority must be satisfied that there is sufficient reason why any such objection had not been submitted in the time required having heard from the applicant and the objector.

4. Main Issues

- 4.1** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Scottish Fire and Rescue Service for comment. The application form is also sent internally to Building Control and Environmental Health for their comments. When the premises is located in an area within the National Park boundary the application is sent to Lomond and Trossachs National Park Planning.
- 4.4** A response was received from Police Scotland on 7 May 2024 marked 'no

police objection' and a 'no comments' response was received from Scottish Fire and Rescue Service on 5 June 2024.

- 4.5** On 17 May 2024 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.6** On 21 May 2024 a response was received from Lomond and Trossachs National Park Planning advising that they had no adverse comment to make in relation to the application.
- 4.7** On 24 May 2024 a response was received from Building Standards advising that they had no adverse comment to make in relation to the application.
- 4.8** Between 10 May 2024 until 3 June 2024 12 objections were received from members of the public. An additional 3 objections were received between 4 June 2024 and 6 June 2024.
- 4.9** A copy of the 12 objections are included at Appendix 1. A copy of the 3 late objections will be made available if Members decide that they should be considered.
- 4.10** Mr. Taylor, along with the 15 objectors, have been invited to the Committee in relation to their objections.

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, Scottish Fire and Rescue Services, 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 12 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1.Redacted objections

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Mr. Martyn Taylor, 3 Ardenvohr, Cardross G82 5LE
2. Letter to Mr. Taylor dated 17 July 2024.
3. Letter to all Objectors dated 17 July 2024.

Wards Affected: Lomond

From: [REDACTED]
To: [Licensing](#)
Subject: Application for Short-Term Lets Licence at 2/1 13 Carrochan Gardens
Date: 03 June 2024 14:12:33

Dear WDC licensing team,

Having reviewed the notice placed on 13 Carrochan Gardens for the intended short-term let of flat 2/1, as the resident of Flat 2/2 14 Carrochan Gardens I'm writing to formally object to the relevant application. Initial grounds for objection relate to the dedicated Burdens section within the title deeds; relevant extracts as below.

- "4.1 Each plot shall be used solely for the purposes of erection of a residential dwellinghouse (which shall include flatted dwellinghouses) and each dwellinghouse shall be used and occupied solely as a private dwellinghouse"
- "4.3 Each Owner shall be bound not to do anything which causes nuisance to any other Owner"

The award of an STL licence in a quiet, small private residential development such as Carrochan Gardens would bring with it difficulties, unwanted nuisance, and risk of disturbance that will affect the quality of life of all the neighbouring residents, particularly those immediately above and below 2/1.

The residents believe that the application should also be rejected on the basis that there is currently significant over provision of short term holiday accommodation in the area, noting many traditional B&B establishments have ceased to operate as a result of the proliferation of holiday lets as intended for 2/1 Carrochan Gardens. With local authorities in tourist hotspots such as North Wales and Cornwall frequently coming under heavy criticism for allowing far too many properties to be swept up by profiteers, this is not a route we want to go down in the Loch Lomond area for the foreseeable.

Regards,

Andrew

From: [REDACTED]
To: [Licensing](#)
Subject: Representation - Notice of Objection
Date: 03 June 2024 16:57:13
Attachments: [drawing 2.png](#)

Application for Short-Term Lets Licence at 2/1 13 Carrochan Gardens, Balloch, G83 8FF

Dear West Dunbartonshire Council Licensing Team,

I am writing to formally object to the recent application for a short-term let at 2/1 13 Carrochan Gardens, Balloch, G83 8FF. As a resident of 9 Carrochan Gardens, Balloch, G83 8FF, I believe that approving this application would violate the terms outlined in our property deeds and negatively impact the development and its community.

Basis for Objection:

1. Violation of Burdens Restrictions:

The title on the properties within Carrochan Gardens explicitly details, within the Burdens section, that:

*“4.1 Each plot shall be used solely for the purposes of erection of a residential dwellinghouse (which shall include flatted dwellinghouses) and **each dwellinghouse shall be used and occupied solely as a private dwellinghouse**...”*; and

*“4.3 Each Owner shall be bound not to do anything which causes **nuisance** to any other Owner”*

Allowing the property (2/1 13 Carrochan Gardens, Balloch, G83 8FF) to be used as a short-term let directly contravenes these stipulations. These restrictions are in place to ensure that the properties maintain their character as private residences and that the rights and expectations of all homeowners are upheld.

2. Potential for Increased Noise and Disturbance:

Short-term lets often result in a higher turnover of occupants, which can lead to increased noise and disturbance. This is particularly concerning in a residential area where homeowners expect a peaceful and stable living environment. The transient nature of short-term lets means that new guests may not have the same level of consideration for permanent residents, leading to potential issues with noise, parking, and general disruption.

3. Community Cohesion and Security:

Our community's cohesion and security rely on knowing our neighbours and having a stable residential population. Introducing a short-term let undermines this stability and can lead to concerns about security, as a constant flow of new, unknown individuals would be accessing the property. The flats (which the property making this application is a part of) are directly behind my property. I would have countless individuals overlooking my back garden and 2 of my 3 children's bedrooms. This, as a parent of young children, makes me extremely uncomfortable.

4. Impact on Property Values:

The use of properties as short-term lets can affect the value of surrounding properties. Potential buyers may be deterred by the presence of short-term rentals, leading to a decline in property values and desirability of the area.

Conclusion:

For the reasons outlined above, I respectfully request that the council reject the application for a short-term let at 2/1 13 Carrochan Gardens, Balloch, G83 8FF. Upholding the terms of our deeds and preserving the integrity and tranquility of our community is of utmost importance.

Thank you for considering my objection. I trust that the council will take these concerns into account when making its decision.

Yours sincerely,

Mr Christopher Scott
9 Carrochan Gardens, Balloch, G83 8FF



Mrs Elizabeth Matthews

Flat 0/2, 14 Carrochan Garden
Balloch, Alexandria
G83 8FF

West Dunbartonshire Council
Licensing Team
Regulatory and Regeneration Services
Municipal Buildings
College Street
Dumbarton, G82 1NR

11th May 2024

Subject: Application for Short-Term Lets Licence at Flat 2/1, 13 Carrochan Gardens, Balloch

I the undersigned hereby submit formal objection to the above application. Initial grounds for objection relate to the title on our property which, in the Burdens section, state,

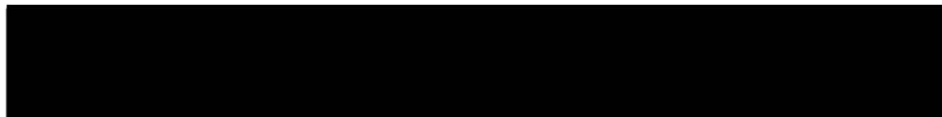
"4.1 Each plot shall be used solely for the purposes of erection of a residential dwellinghouse (which shall include flatted dwellings) and each dwellinghouse shall be used and occupied solely as private dwellinghouse....."; and

"4.3 Each Owner shall be bound not to do anything which causes nuisance to any other Owner"

I fully anticipate that the award of an STL licence in a wholly private residential development such as ours would bring with it difficulties and indeed nuisance that will affect the quality of life of all the neighbouring residents.

I believe that the application should also be rejected on the basis that there exists currently significant over provision of short term holiday accommodation in the area. Many traditional B&B establishments have ceased to operate as a result of the proliferation of short term holiday lets such as Air B&B's

Warm Regards,



Elizabeth A Matthews (Mrs)

From: [REDACTED]
To: [Licensing](#)
Subject: SLT Licence Application- Carrochan Gardens, Balloch
Date: 31 May 2024 14:43:00

FAO Regulatory and Regeneration Services
SLT Licence application at Flat 2/1, 13 Carrochan Gardens, Balloch

Good afternoon,

With reference to the above, I would like to submit a formal objection to the above application.

My reasons for this objection are as follows;

1. The Deed of Conditions for Carrochan Gardens clearly states that each property can only be used as a residential dwelling house. The application for SLT would clearly make this a commercial interest for the applicant.

The Deed of Conditions also explicitly state that each owner shall be bound not to do anything which causes a nuisance to any other owner.

I can provide a copy of the Deed of Conditions if required.

2. The health and well-being of other residents in this small development would be adversely affected by an acts of antisocial behaviour or criminality which is often commonplace with SLTs and create stress and worry for the people whose main residence is here. Those who use SLTs often do so for holidays and occasions where they do not appreciate or show any consideration towards residents who are living and working in this semi-rural area where they choose to reside for the relative peace and tranquillity offered - and who have daily routines and work commitments which are incompatible with keeping antisocial hours.

3. This residential area is within the Loch Lomond and the Trossachs National Park. As per The Statutory Development Plan for the National Park Planning Authority Area, they outline that short-term use may be deemed to have resulted in a "material change of use"...this may be, for example where there are significant amenity impacts on neighbours from the comings and goings, or the nature of the use of- for example where large groups or parties are a frequent occurrence. The National Park would reserve the right to request a planning application in those circumstances to assess whether a material change had occurred. Again this would be down to the people who live here to have the stress and worry associated with not only any potential ongoing issues but to thereafter further challenge unacceptable behaviours and conduct which the applicant themselves would potentially be unaware of and/or disinterested.

4. There is already a plentiful supply of hotels, caravan park, self catering and B&B accommodation within not only Balloch itself but the Loch Lomondside area in general. Not to mention the proposal for the 'Flamingo Land' development which is still ongoing.

[REDACTED]

[REDACTED]
11 Carrochan Gardens
Balloch
Alexandria
G83 8FF

LEGAL & ADMIN

14 MAY 2024

RECEIVED

Fiona Heggie

Flat 112

13 Carrachan Gardens

Ballach

G83 8FF

13 May 2024

Re: Application for Short-Term Lets Licence
at Flat 11, 13 Carrachan Gardens.

I, the undersigned hereby submit formal objection to the above application. Initial grounds for objection relate to the title on our property which, in the Burdens Section, states,

4.1 Each plot shall be used solely for the purposes of erection of a residential dwellinghouse (which shall include ~~plotted~~ dwellinghouses) and each dwellinghouse shall be used and occupied solely as a private dwellinghouse, and

4.3 Each Owner shall be bound not to do anything which causes nuisance to any other Owner.

I fully anticipate that the award of an STI licence in a wholly private residential development such as ours would bring with it difficulties and indeed nuisance that will affect the quality of life of all the neighbouring residents.

I believe that the application should also be rejected on the basis that there exists currently significant over provision of short-term holiday accommodation in the area. Many traditional B & Bs have ceased to operate as a result of the proliferation of short-term holiday lets such as Air B & Bs.



Appendix 6
T M GILLILAN
6 CARROCH GARDENS
BALLOCH

WEST DUNBARTONSHIRE COUNCIL

583 8FF

LICENSING TEAM

REGULATORY & REGENERATION SERVICES

31 MARCH 2024

MUNICIPAL BUILDINGS

COLLEGE STREET

DUMBARTON G87 1NR

SUBJECT: APPLICATION FOR SHORT TERM LETS

LICENCE AT 21 CARROCH GARDENS

We the undersigned hereby submit formal
objection to the above application.

Initial grounds for objection relate to the
title on our property which, in the Burdass section,
states,

" 4.1 Each plot shall be used solely for the
purposes of erection of a residential dwelling house
(which shall include flat dwelling houses) and
each dwelling house shall be used and occupied
solely as a private dwelling house" and

" 4.3 Each owner shall be bound not to do
anything which causes nuisance to
neighbouring owners"

We fully anticipate that the award of an
(to a commercial enterprise)
STL licence, in a wholly private residential
development such as ours would bring with it
difficulties and indeed nuisance that will
affect the quality of life of all the
neighbouring residents, and also reduce
property values.

SIGNED

IAN GILFILCAN



MAVIS GILFILCAN



From: [Licensing](#)
To: [Carolann Anderson](#)
Subject: FW: Short term lets licence application for 13 2/1 carrochan gardens g838ff
Date: 10 May 2024 13:39:34

-----Original Message-----

From: [REDACTED]
Sent: 10 May 2024 13:31
To: Licensing <Licensing@west-dunbarton.gov.uk>
Cc: [REDACTED]
Subject: Short term lets licence application for 13 2/1 carrochan gardens g838ff

James John walker
13 2/2 carrochan gardens
G838ff
10/5/2024

I James John walker the undersigned hereby submit formal objection to the above application. Initial grounds for objection relate to the title on my property which, in the burdens section states,

“4.1 Each plot shall be used solely for the purpose of erection of residential dwellinghouse (which shall include flatted dwellinghouses) and each dwelling house shall be used and occupied solely as a private dwellinghouse...” and

“4.3 Each Owner shall be bound not to do anything which causes nuisance to any other Owner”

I James John walker fully anticipate that the award of an still licence in a wholly private residential development such as ours would bring with it difficulties and indeed nuisance that will affect quality of life of all neighbouring residents.

I James John walker believe that the application should also be rejected on the basis that there exists currently significant over provision of short term holiday accommodation in the area. Many traditional B&B establishments have eased to operate as a result of the proliferation of short term holiday let's such as Air B&Bs.

Could you please acknowledge your objection please.

[REDACTED]
James John walker
13 2/2 carrochan gardens
G838ff

Sent from my iPad

From: [REDACTED]
To: [Carolann Anderson](#)
Subject: Re: 13 2/1 Carrochan gardens g83 8ff
Date: 10 May 2024 16:32:05
Attachments: [shield-advisory.png](#)
[chevron-light.png](#)

☐ External email ☐

From: Licensing <Licensing@west-dunbarton.gov.uk>
Sent: 07 May 2024 4:05 PM
To: Michael McDougall <Michael.McDougall@west-dunbarton.gov.uk>; Carolann Anderson <CarolAnn.Anderson2@west-dunbarton.gov.uk>
Subject: FW: 13 2/1 Carrochan gardens g83 8ff

-----Original Message-----

From: Jamie Walker <[REDACTED]>
Sent: 07 May 2024 15:18
To: Licensing <Licensing@west-dunbarton.gov.uk>
Subject: 13 2/1 Carrochan gardens g83 8ff

This email is in relation to above property address, my name is James walker 2/2 Carrochan gardens g838ff I will be writing an official letter as will most of my neighbours but I will be objecting to this application as these houses/flats are newly built and I did not pay 260k for a flat for my neighbour to rent his out as an air bnb the fact that it is in the deeds that these houses/flats are only to be used as dwelling homes that are to be lived in and not used as some sort of party flat, I am livid to say the least, I suffer from multiple sclerosis and the stress of this is not doing my health any good, I will follow up this email by sending an official letter.

James walker
2/2 Carrochan gardens
G838ff

Sent from my iPhone

Flat 1/1

13 Carrochan Gardens

Balloch

G83 8FF

16/05/24

Letter of Objection: Short Term Lets License at 2/1 13 Carrochan Gardens Balloch.

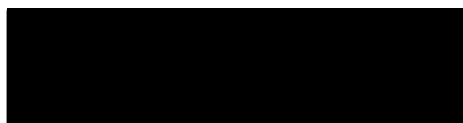
My Wife and myself have stayed in the area for over 40 years, we live in the farm property Paircview, Badshalloch Farm, Gartocharn and our boy, girl and siblings do not intend in keeping this interest going. We are now approaching 80 years of age we looked around the area for a property that would suit our needs and Carrochan Gardens is ideal. We purchased the property 3 years ago and paid over the asking price covering the second home tax.

I suffer from an eye condition (Glaucoma) and my driving license is due for renewal next year in fact 12.04.46 is my date of birth. I attend the RAH in Paisley every 3 months and next June I will require to pass the eye sight test to keep my license for a further 3 years.

Carrochan Gardens is ideal for shopping, bus station, train station and park etc. there is not enough of this type of property in the Balloch area to suit senior citizens, in fact in this development there are 2 blocks of 6 = 12 flats and I think 80% are occupied by locals who have downsized and intent to stay in the area.

The applicants property is directly above us we are 1/2 Carrochan Gardens. We have discussed the proposal with our neighbours and confirm our support of the objections tabled – this property does not lend itself to short term letting there are plenty of accommodation already in this area for this purpose.

Jim Caldwell



Letter of objection template

Your Name *JIM ANDREW*
Your Address *F11 1/1*
13 CARROCHAN GARDENS
Date *BURROCK*
G83 8FF
16/5/24

To: West Dunbartonshire Council, Licensing Team, Regulatory and Regeneration Services, Municipal Buildings, College St., Dumbarton G82 1NR

Subject: Application for Short-Term Lets Licence at 2/1 13 Carrochan Gardens

[I/We], the undersigned hereby submit formal objection to the above application. Initial grounds for objection relate to the title on our property which, in the Burdens section, states,

"4.1 Each plot shall be used solely for the purposes of erection of a residential dwellinghouse (which shall include flatted dwellinghouses) and each dwellinghouse shall be used and occupied solely as a private dwellinghouse..."; and

"4.3 Each Owner shall be bound not to do anything which causes nuisance to any other Owner"

[I/We] fully anticipate that the award of an STL licence in a wholly private residential development such as ours would bring with it difficulties and indeed nuisance that will affect the quality of life of all the neighbouring residents.

[I/We] believe that the application should also be rejected on the basis that there exists currently significant over provision of short term holiday accommodation in the area. Many traditional B&B establishments have ceased to operate as a result of the proliferation of short term holiday lets such as Air B&Bs.

Signed



To neighbours - You may wish to add supplementary information of your own. If you do, I would be grateful to receive a note of what that is.

Also, please remember to sign your letter

John & Clare Corcoran
Flat 0/1
13 Carrochan Gardens
Balloch G83 8FF
10th May 2024

To: West Dunbartonshire Council, Licensing Team, Regulatory and Regeneration Services, Municipal Buildings, College St., Dumbarton G82 1NR

Subject: Application for Short-Term Lets Licence at 2/1 13 Carrochan Gardens

We, the undersigned hereby submit formal objection to the above application. Initial grounds for objection relate to the title on our property (DMB98234) which, in the Burdens section, states,

*"4.1 Each plot shall be used solely for the purposes of erection of a residential dwellinghouse (which shall include flatted dwellinghouses) and each dwellinghouse shall be used and occupied **solely** as a private dwellinghouse..."; and*

"4.3 Each Owner shall be bound not to do anything which causes nuisance to any other Owner."

Furthermore, more than 60% of the residents of 13 & 14 Carrochan Gardens are retired, including ourselves. This will be our final home and it was purchased for that reason as it provides us with security and comfort in peaceful surroundings free from any potential nuisance or disruption. Since purchasing the property we have enjoyed living here nuisance and disruption free. Many of the residents have purchased on the same premise. We are a close-knit community who look out for each other.

My wife and I have experienced living next to a short-term lease property in the recent past and I have to say that nuisance is inevitable. Despite assurances from the agent to the contrary we had to endure disruption in the form of rubbish left in common areas, noise at all times of the day and night, comings and goings at all times of the day and night, animals defecating in common areas, partying and even direct abuse when complaints were made. At this juncture in our lives this is something we do not wish to endure again. We have no doubt that all sorts of assurances will follow up this application. I could write them myself, however assurances are only words and the reality usually ends up being something else to the detriment of the quality of life of the neighbouring residents.

We fully anticipate that the award of an STL licence in a wholly private residential development such as ours would bring with it difficulties and indeed nuisance that will affect the quality of life of all the neighbouring residents.

We believe that the application should also be rejected on the basis that there exists currently, significant over provision of short-term holiday accommodation in the area. Many traditional B&B establishments have ceased to operate as a result of the proliferation of short-term holiday lets such as Air B&Bs.

We have also alerted our factor, Hacking and Paterson, as they provide the administration of the common buildings insurance which may be impacted should such a licence be awarded.

Signed



John Corcoran



Clare Eileen Corcoran

0/1 14 Carrochan Gardens
Balloch
G82 8FF

19th May 2024

To: West Dunbartonshire Council, Licensing Team, Regulatory and Regeneration Services, Municipal Buildings, College St., Dumbarton, G82 1NR

Subject: Application for Short-Term Lets Licence at 2/1 13 Carrochan Gardens, Balloch, G82 8FF

We, the undersigned hereby submit formal objection to the above application. Initial grounds for objection relate to the title on our property which, in the Burdens section, states:

“4.1 Each plot shall be used solely for the purposes of erection oof a residential dwellinghouse (which shall include flatted dwellinghouses) and each dwellinghouse shall be used and occupied solely as a private dwellinghouse...”; and

“4.3 Each Owner shall be bound not to do anything which causes nuisance to any other Owner”

We fully anticipate that the award of an STL licence in a wholly private residential development such as ours would bring with it difficulties and indeed nuisance that will affect the quality of life of all the neighbouring residents. We are particularly concerned about security, noise disturbance (especially late at night), littering, car parking issues and general disregard for the property, surrounding area and residents.

We believe that the application should also be rejected on the basis that there exists currently significantly over provision of short term holiday accommodation in the area. Many traditional B&B establishments have ceased to operate as a result of the proliferation of short term holiday lets such as airbnbs.

Your sincerely,

Mr & Mrs Connor



Robert and Linda Hopkins

13 May 2024

Flat 1 / 2, 14 Carrochan Gardens,

Balloch G83 8FF.

LEGAL & ADMIN

14 MAY 2024

RECEIVED

West Dunbartonshire Council,

Licensing Team, Regulatory and Regeneration Services,

Municipal Buildings,

College Street,

Dumbarton G82 1NR.

SUBJECT: APPLICATION FOR SHORT-TERM LETS LICENCE AT 2/1, 13 CARROCHAN GARDENS

Dear Sirs,

We, the undersigned, hereby submit formal objection to the above application. Initial grounds for objection relate to the title on our property which, in the Burdens section, states:

"4.1 each plot shall be used solely for the purposes of erection of a residential dwellinghouse (which shall include flatted dwellinghouses) and each dwellinghouse shall be used and occupied solely as a private dwellinghouse....."; and

"4.3 Each Owner shall be bound not to do anything which causes nuisance to any other Owner".

We fully anticipate that the award of an STL licence in a wholly private residential development such as ours would bring with it difficulties and indeed nuisance that will affect the quality of life of all the neighbouring residents.

We believe that the application should also be rejected on the basis that there exists currently significant over-provision of short-term holiday accommodation in the area. Many traditional B&B establishments have ceased to operate as a result of the proliferation of short-term holiday lets such as Air B&Bs.

Yours faithfully,

Robert Hopkins

Linda Hopkins

Mrs Teresa Burman
0/2 13 Carrochan Gardens
Balloch
G83 8FF
14 May 2024

LEGAL & ADMIN

16 MAY 2021

RECEIVED

West Dunbartonshire Council
Licensing Team
Regulatory and Regeneration Services
Municipal Buildings
College St
Dumbarton
G82 1NR

APPLICATION for SHORT TERM LETS LICENCE at 2/1 13 CARROCHAN GARDENS, BALLOCH

I the undersigned hereby submit formal objection to the above application. Initial grounds for objection relate to the title on my property which, in the Burdens section, states,

4.1 Each plot shall be used solely for the purposes of erection of a residential dwelling house (which shall include flatted dwelling houses) and each dwelling house shall be used and occupied solely as a private dwelling house. Furthermore it states,

4.3 Each owner shall be bound not to do anything which causes nuisance to any other owner.

I anticipate that the award of an STL licence in a wholly private residential development such as mine would bring with it difficulties and indeed nuisance that will effect the life of all neighbouring residents. e.g. compromising security to gain access to the property.

I believe that the application should also be rejected on the basis that there currently exists significant over provision of short term holiday accommodation in the area. Many traditional B&B establishments have ceased to operate as a result of the proliferation of short term holiday lets such as Air B&Bs.

Signed



Teresa Burman, Mrs

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 Mr. Allan Argue, 28 South Biggar Road, Airdrie ML6 9LZ.

2. Recommendations

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

3. Background

- 3.1** Mr. Allan Argue submitted an application for grant of a Short Term Let Licence to the Council on 16 November 2023 to operate on a secondary letting from the premises at Flat G/1 Mossview, Dalvair, Balloch G83 8LB.

- 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.
- 4.2** The application submitted by Mr. Allan Argue was submitted on 16 November 2023 therefore a final decision on the application must be made no later than 15 August 2024.
- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Scottish Fire and Rescue for comment. The application form is also sent to Building Control and Environmental Health for their comments. When the premises is located in an area within the National Park boundary the application is sent to Lomond and Trossachs National Park Planning.
- 4.4** A response was received from Police Scotland on 28 November 2023 marked 'no police objection' and a 'no comments' response was received from Scottish Fire and Rescue on 27 November 2023.

- 4.5** On 17 January 2024 a response was received from Lomond and Trossachs Planning advising that they had no adverse comment to make in relation to the application.
- 4.6** On 21 March 2024 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.7** Having consulted Building Standards there are outstanding matters which have still to be addressed by the applicant. The outstanding matters are detailed at Appendix 1. An officer from Building Standards has been invited to the Committee to provide an update.
- 4.9** No objections or representations were received from members of the public.
- 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, Scottish Fire and Rescue, Lomond & 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 16 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1. Consultation response from Building Standards

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Mr. Allan Argue, 28 South Biggar Road, Airdrie ML6 9LZ.
2. Letter to Mr. Argue, dated 17 July 2024.
3. Email to Building Standards dated 17 July 2024.

Wards Affected: Lomond

Allan Argue
Flat G/1
Mossvie
Dalvair Road
Balloch
G83 8LB



Date: 15th February 2024

Dear Sir/Madam

LICENSING CONSULTATION

Reference Number: LIC/23/0180
Description: FW: WD-00105-F - STL Application Flat G/1 Mossvie, Dalvair Road, Balloch G83 8LB
Location: Flat G/1 Mossvie Dalvair Road Balloch G83 8LB

Building Standards has the following comments on this consultation:

1. Provide evidence of a Building Warrant and Completion Certificate for the works carried out to the Dwelling Flat to relocate the kitchen and form additional bedroom.

Yours faithfully

Jason Smith

Building Standards Surveyor

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 Ms. Kelly Maxwell-Brown, 62 Middleton Street, Alexandria G83 0DG.

2. Recommendations

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

3. Background

- 3.1** Ms. Kelly Maxwell-Brown submitted an application for grant of a Short Term Let Licence to the Council on 30 September 2023 to operate on a home sharing from the premises at 62 Middleton Street, Alexandria G83 0DG.

- 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, as set out in The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, allows 12 months from the date the application was submitted for a final decision to be made.

- 4.2** The application submitted by Ms Kelly Maxwell-Brown was submitted on 30 September 2023 therefore a final decision on the application must be made no later than 29 September 2024.

- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Scottish Fire and Rescue Service for comment. The application form is also sent internally to Planning, Building Control and Environmental Health for their comments.

- 4.4** A response was received from Police Scotland on 24 October 2023 marked

‘no police objection’ and a ‘no comments’ response was received from Scottish Fire and Rescue on 23 October 2023.

- 4.5 On 1 December 2023 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.6 On 12 December 2023 a response was received from Planning advising that they had no adverse comment to make in relation to the application.
- 4.7 Having consulted Building Standards there are outstanding matters which have still to be addressed by the applicant. The outstanding matters are detailed at Appendix 1. An officer from Building Standards has been invited to the Committee to provide an update.
- 4.8 No objections or representations were received from members of the public.

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, Scottish Fire and Rescue, Planning, Building Standards, Environmental Health and Councillors representing the Leven 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 18 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1. Consultation response from Building Standards

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Ms. Kelly Maxwell-Brown, 62 Middleton Street, Alexandria G83 0DG.
2. Letter to Ms Maxwell-Brown, dated 22 July 2024.
3. Email to Building Standards dated 22 July 2024.

Wards Affected: Leven

Kelly Maxwell-Brown
62 Middleton Street
Alexandria
G83 0DG



Date: 24th October 2023

Dear Sir/Madam,

LICENSING CONSULTATION

Reference Number: LIC/23/0124
Description: WD-00085-P - STL Application, 62 Middleton Street, Alexandria G83 0DG
Location: 62 Middleton Street Alexandria G83 0DG

Building Standards has the following comments on the above consultation.

- 1) Provide 1st floor layout indicating room for let and highlight smoke detector
- 2) A building warrant has been approved for this property but no completion applied for confirm works are complete and apply for completion.

Yours faithfully

Lorraine Charles

Building Standards Surveyor

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 Ms. Laura Clark, Milton House, Milton Brae, Milton G82 2TU.

2. Recommendations

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

3. Background

- 3.1** Ms. Clark submitted an application for grant of a Short Term Let Licence to the Council on 29 September 2023 to operate on a secondary letting basis from the premises at Milton House, Milton Brae, Milton G82 2TU.

- 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, as set out in The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, allows 12 months from the date the application was submitted for a final decision to be made.

- 4.2** The application submitted by Ms. Clark was submitted on 29 September 2023 therefore a final decision on the application must be made no later than 28 September 2024.

- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Scottish Fire and Rescue for comment. The application form is also sent internally to Planning, Building Control and Environmental Health for their comments.

- 4.4** A response was received from Police Scotland on 19 January 2024 marked

‘no police objection’ and a ‘no comments’ response was received from Scottish Fire and Rescue on 10 January 2024.

4.5 On 15 January 2024 a response was received from Planning advising that they had no adverse comment to make in relation to the application.

4.6 Having consulted Building Standards there are outstanding matters which have still to be addressed by the applicant. The outstanding matters are detailed at Appendix 1. An officer from Building Standards has been invited to the Committee to provide an update.

4.7 Having consulted Environmental Health there are outstanding matters which have still to be addressed by the applicant. The outstanding matters are detailed at Appendix 2. An officer from Environmental Health has been invited to the Committee to provide an update.

4.8 No objections or representations were received from members of the public.

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, Scottish Fire and Rescue, Planning, Building Standards, Environmental Health and Councillors representing the Dumbarton 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 15 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices:

1. Consultation response from Building Standards
2. Email correspondence from Environmental Health

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Ms. Laura Clark, Milton House, Milton Brae, Milton G82 2TU.
2. Letter to Ms. Clark dated 17 July 2024.
3. Email to Building Standards dated 17 July 2024.
4. Email to Environmental Health dated 17 July 2024.

Wards Affected: Dumbarton

From:
Sent:
To:
Cc:
Subject: FW: Short Term Let - Laura Clark - Milton House

From: Robert MacKie
Sent: 12 July 2024 17:13
To: [REDACTED]
Subject: Short Term Let - Laura Clark - Milton House

Laura,

Environmental Health have asked the following question:-

The applicant has still not addressed the question on lpg:

The application states no gas supply at the property however, I saw a reference to LPG in the electrical report. Can the applicant clarify if there is LPG or any form of gas supply at the property?

Can you advise as soon as possible.

Regards,

Bob.

Regulatory Services

Robert Mackie
Senior Officer (Licensing Services)
Licensing Team
Municipal Buildings
College Street
Dumbarton
G82 1NA

Email :- robert.mackie@west-dunbarton.gov.uk
Tel :- 01389 738742
Mob :- 07721 466336

Laura Clark
Milton House
Milton Brae
Dumbarton
G82 2TU



Date: 19th January 2024

Dear Sir/Madam

LICENSING CONSULTATION

Reference Number: LIC/24/0005
Description: FW: WD-00055-P - STL Application for Milton House, Milton Brae, Dumbarton G82 2TU - consultation
Location: Milton House Milton Brae Dumbarton G82 2TU

Building Standards has the following comments on this consultation:

BS Comments

1. Outstanding Building Warrant Ref BW/17/009 - Internal alterations expired 25/04/20 please advise if works have been carried out and if completed an extension to the validity of the warrant is required before a completion inspection can be sought.
2. Confirm and indicate hard wired interlinked fire detection to property

Yours faithfully

Lorraine Charles

Building Standards Surveyor

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 Easter Auchencarroch Farm Ltd., Braeburn Cottage, Auchencarroch Road, Jamestown, Alexandria G83 9LU.

2. Recommendations

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

3. Background

- 3.1** Easter Auchencarroch Farm Ltd. submitted an application for grant of a Short Term Let Licence to the Council on 30 September 2023 to operate on a secondary letting basis from the premises at Easter Auchencarroch, Auchencarroch Road, Jamestown, Alexandria G83 9LU.
- 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, as set out in The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, allows 12 months from the date the application was submitted for a final decision to be made.
- 4.2** The application submitted by Easter Auchencarroch Farm Ltd. was submitted on 30 September 2023 therefore a final decision on the application must be made no later than 29 September 2024.
- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Fire and Rescue Scotland for comment. The application form is also sent internally to Planning, Building Control and Environmental Health for their comments.

- 4.4** A response was received from Police Scotland on 3 November 2023 marked 'no police objection' and a 'no comments' response was received from Fire Scotland on 8 July 2024.
- 4.5** On 27 October 2023 a response was received from Planning advising that they had no adverse comment to make in relation to the application.
- 4.6** On 6 November 2023 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.7** Having consulted Building Standards there are outstanding matters which have still to be addressed by the applicant. The outstanding matters are detailed in the email response from Building Standards at Appendix 1. An officer from Building Standards has been invited to the Committee to provide an update.
- 4.8** No objections or representations were received from members of the public.
- 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 and Rescue Scotland, Planning, Building Standards, Environmental Health and Councillors representing the Leven 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 15 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1. Consultation response from Building Standards

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Easter Auchencarroch Farm Ltd., Braeburn Cottage, Auchencarroch Road, Jamestown, Alexandria G83 9LU
2. Letter to Easter Auchencarroch Farm Ltd., dated 19 July 2024.
3. Email to Building Standards dated 19 July 2024.

Wards Affected: Leven

Ian MacQueen
Braeburn Cottage
Auchincarroch Road
Jamestown
Alexandria
G83 9LU



Date: 9th November 2023

Dear Sir/Madam,

LICENSING CONSULTATION

Reference Number: LIC/23/0141
Description: FW: WD-00086-F - STL Application Easter Auchencarroch, Auchincarroch Road, Jamestown, Alexandria G83 9LU
Location: Easter Auchencarroch Auchincarroch Road Jamestown Alexandria G83 9LU

Building Standards has the following comments on the above consultation.

It appears that internal and external works have been carried out that would have required a building warrant. Either provide building warrant details of works carried out or contact an architect or suitable qualified building surveyor for advice and assistance.

Yours faithfully

Lorraine Charles

Building Standards Surveyor

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 Mr. Edward McVey, Waterman's Cottage, Blairlinnis, Blairlinnis House, Gartocharn, Alexandria G83 8ND.

2. Recommendations

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

3. Background

- 3.1** Mr. McVey submitted an application for grant of a Short Term Let Licence to the Council on 14 September 2023 to operate on a secondary letting basis from the premises at Waterman's Cottage, Blairlinnis, Blairlinnis House, Gartocharn, Alexandria G83 8ND.
- 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, as set out in The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, allows 12 months from the date the application was submitted for a final decision to be made.
- 4.2** The application submitted by Mr. McVey was submitted on 14 September 2023 therefore a final decision on the application must be made no later than 13 September 2024.
- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Scottish Fire and Rescue Services for comment. The application form is also sent internally to Building Control and Environmental Health for their comments. When the premises is

located in an area within the National Park boundary the application is sent to Lomond and Trossachs National Park Planning.

- 4.4 A response was received from Police Scotland on 29 September 2023 marked 'no police objection' and a 'no comments' response was received from Fire Scotland on 28 January 2024.
- 4.5 On 2 November 2023 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.6 On 21 November 2023 a response was received from Lomond and Trossachs National Park Planning advising that they had no adverse comment to make in relation to the application.
- 4.7 Having consulted Building Standards there are outstanding matters which have still to be addressed by the applicant. The outstanding matters are detailed at Appendix 1. An officer from Building Standards has been invited to the Committee to provide an update.
- 4.8 No objections or representations were received from members of the public.

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, Scottish Fire and Rescue, 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 16 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1. Consultation response from Building Standards

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Mr Edward McVey, Waterman's Cottage, Blairlinnis, Blairlinnis House, Gartocharn, Alexandria G83 8ND.
2. Letter to Mr. McVey dated 19 July 2024.
3. Email to Building Standards dated 19 July 2024.

Wards Affected: Lomond

Our Ref: LIC/23/0113

Date: 24th October 2023

Dear Sir/Madam,

LICENSING CONSULTATION

Description:

FW: WD-00050-P - STL Application - Waterman's Cottage

Location:

Waterman's Cottage Blairlinnans Gartocharn Alexandria G83 8ND

Building Standards has the following comments on this consultation:

- 1) Confirm and provide building warrant details for garage conversion to form 2 holiday lets
- 2) Confirm and indicate all smoke, heat detectors and indicate fire escape routes and exits

Yours faithfully

Lorraine Charles
Building Standards Surveyor

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 De Vere Capital Ltd., Wards Cottage, Wards Estate, Gartocharn, Alexandria G83 8SB.

2. Recommendations

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

3. Background

- 3.1** De Vere Capital Ltd. submitted an application for grant of a Short Term Let Licence to the Council on 28 September 2023 to operate on a secondary letting basis from the premises at High Wards, Wards Estate, Gartocharn, Alexandria G83 8SB.

- 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, as set out in The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, allows 12 months from the date the application was submitted for a final decision to be made.
- 4.2** The application submitted by De Vere Capital Ltd. was submitted on 28 September 2023 therefore a final decision on the application must be made no later than 27 September 2024.
- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Scottish Fire and Rescue Services for comment. The application form is also sent internally to Building Control and Environmental Health for their comments. When the premises is

located in an area within the National Park boundary the application is sent to Lomond and Trossachs National Park Planning.

- 4.4 A response was received from Police Scotland on 3 November 2023 marked 'no police objection' and a 'no comments' response was received from Scottish Fire and Rescue Services on 4 April 2024.
- 4.5 On 27 October 2023 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.6 On 9 November 2023 a response was received from Lomond and Trossachs National Park Planning advising that they had no adverse comment to make in relation to the application.
- 4.7 Having consulted Building Standards there are outstanding matters which have still to be addressed by the applicant. The outstanding matters are detailed at Appendix 1. An officer from Building Standards has been invited to the Committee to provide an update.
- 4.8 No objections or representations were received from members of the public.

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, Scottish Fire and Rescue, 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 12 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1. Consultation response from Building Standards to Licensing

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by De Vere Capital Ltd., Wards Cottage, Wards Estate, Gartocharn, Alexandria G83 8SB.
2. Letter to De Vere Capital Ltd. dated 17 July 2024.
3. Email to Building Standards dated 17 July 2024.

Wards Affected: Lomond

Emily Morrison
High Wards Farm
Track From A811 Stirling Road To Woods
Farm
Gartocharn
G83 8SB



Date: 8th November 2023

Dear Sir/Madam,

LICENSING CONSULTATION

Reference Number: LIC/23/0143
Description: FW: WD-00059-P - STL Application High Wards, Wards Estate,
Gartocharn G83 8SB
Location: High Wards Farm Track From A811 Stirling Road To Woods Farm
Gartocharn G83 8SB

Building Standards have the following comment/s on the above consultation.

A completion certificate for BW/16/338 - Demolition of existing extension and erection of single storey extension has not been applied for. Please contact building standards to rectify.

Yours faithfully

Lorraine Charles

Building Standards Surveyor

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 Mr. Jonathan Rankin, 32 Shandon Place, Polworth, Edinburgh EH11 1QJ and Mr. Scott Piatkowski, Hollylee, 10 The Wellheads, Limekilns Dunfermline KY11 3JG.

2. Recommendations

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

3. Background

- 3.1** Mr. Rankin and Mr. Piatkowski submitted an application for grant of a Short Term Let Licence to the Council on 30 September 2023 to operate on a home sharing basis from the premises at South Lodge, Old Luss Road, Balloch G83 8QP.
- 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, as set out in The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, allows 12 months from the date the application was submitted for a final decision to be made.
- 4.2** The application submitted by Mr Rankin and Mr. Piatkowski was submitted on 30 September 2023 therefore a final decision on the application must be made no later than 29 September 2024.
- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Scottish Fire and Rescue Services for comment. The application form is also sent internally to

- Planning, Building Control and Environmental Health for their comments.
- 4.4** A response was received from Police Scotland on 23 November 2023 marked 'no police objection' and a 'no comments' response was received from Scottish Fire and Rescue Service on 19 July 2024.
- 4.5** On 21 November 2023 a response was received from Planning advising that they had no adverse comment to make in relation to the application.
- 4.6** On 10 May 2024 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.7** Having consulted Building Standards there are outstanding matters which have still to be addressed by the applicant. The outstanding matters are detailed at Appendix 1. An officer from Building Standards has been invited to the Committee to provide an update.
- 4.8** No objections or representations were received from members of the public.
- 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, Scottish Fire and Rescue, 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 17 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1. Email correspondence from Building Standards

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Mr. Jonathan Rankin, 32 Shandon Place, Polworth, Edinburgh EH11 1QJ and Mr. Scott Piatkowski, Hollylee, 10 The Wellheads, Limekilns Dunfermline KY11 3JG.
2. Letter to Mr. Jonathan Rankin and Mr. Scott Piatkowski dated 19 July 2024.
3. Email to Building Standards dated 19 July 2024.

Wards Affected: Lomond

Jonathan Rankin
South Lodge
Cameron House Estate Track
Alexandria
G83 8QZ

Date: 10th January 2024

Dear Sir/Madam

LICENSING CONSULTATION

Reference Number: LIC/23/0172
Description: FW: WD-00093-P - STL Application South Lodge, Old Luss Road, Balloch
G83 8QP - consultation
Location: South Lodge Cameron House Estate Track Alexandria G83 8QZ

Building Standards has the following comments on this consultation:

No Completion has been obtained for BW/15/121 Single storey side extension.
The Building Warrant expired on 9/6/18. An extension to the validity of the building warrant is required before the completion application can be submitted.
Provide current layout of property indicating fire detection, escape routes and mechanical extract fans.

Yours faithfully

Lorraine Charles

Building Standards Surveyor

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 Ms. Gillian Brown, Upper Stonymollan Cottage, Upper Stonymollan Road, Balloch G83 8QU.

2. Recommendations

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

3. Background

- 3.1** Ms. Gillian Brown submitted an application for grant of a Short Term Let Licence to the Council on 30 September 2023 to operate on a secondary letting basis from the premises at Upper Stonymollan Cottage, Upper Stonymollan Road, Balloch G83 8QU.

- 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, as set out in The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, allows 12 months from the date the application was submitted for a final decision to be made.

- 4.2** The application submitted by Ms Annemarie Tomlin was submitted on 30 September 2023 therefore a final decision on the application must be made no later than 29 September 2024.

- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Scottish Fire and Rescue Service for comment. The application form is also sent internally to Building Control and Environmental Health for their comments. When the premises is

located in an area within the National Park boundary the application is sent to Lomond and Trossachs National Park Planning.

- 4.4 A response was received from Police Scotland on 6 February 2024 marked 'no police objection' and a 'no comments' response was received from Scottish Fire and Rescue Service on 1 February 2024.
- 4.5 On 16 February 2024 a response was received from Building Standards advising that they had no adverse comment to make in relation to the application.
- 4.6 On 20 February 2024 a response was received from Lomond and Trossachs National Park Planning advising that they had no adverse comment to make in relation to the application.
- 4.7 Having consulted Environmental Health, the gas safety certificate and portable appliance test certificate have still to be submitted by the applicant. An officer from Environmental Health has been invited to the Committee to provide an update.
- 4.8 No objections or representations were received from members of the public.

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, Scottish Fire and Rescue, Lomond and 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 17 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: N/A

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Ms. Gillian Brown, Upper Stoney-mollan Cottage, Upper Stoney-mollan Road, Balloch G83 8QU
2. Letter to Ms. Brown, dated 22 July 2024.

Wards Affected: Lomond

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 August 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 Ms. Leslie McLellan, Sheildaig Farm, Upper Stoney-mollan Road, Alexandria G83 8QY.

2. Recommendations

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

3. Background

- 3.1** Ms. Leslie McLellan submitted an application for grant of a Short Term Let Licence to the Council on 30 September 2023 to operate on a home sharing basis from the premises at Sheildaig Farm, Upper Stoney-mollan Road, Alexandria G83 8QY.
- 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 Ms. Leslie McLellan was submitted on 30 September 2023 therefore a final decision on the application must be made no later than 29 September 2024.
- 4.3** When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and Scottish Fire and Rescue Services for comment. The application form is also sent internally to Planning, Building Control and Environmental Health for their comments.
- 4.4** A response was received from Police Scotland on 27 November 2023

marked 'no police objection' and a 'no comments' response was received from Fire Scotland on 20 March 2024.

- 4.5 On 27 November 2023 a response was received from Planning advising that they had no adverse comment to make in relation to the application.
- 4.6 Having consulted Environmental Health there was a missing page from the Legionella Risk Assessment which had still to be submitted. An officer from Environmental Health has been invited to the Committee to provide an update.
- 4.7 Having consulted Building Standards there are outstanding matters which have still to be addressed by the applicant. The outstanding matters are detailed at Appendix 1. An officer from Building Standards has been invited to the Committee to provide an update.

- 4.8 No objections or representations were received from members of the public.

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, Scottish Fire and Rescue, 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 15 July 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1. Consultation response from Building Standards

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Ms. Leslie McLellan, Upper Stoney-mollan Road, Alexandria G83 8QY.
2. Letter to Ms. Leslie McLellan dated 19 July 2024.
3. Email to Building Standards dated 19 July 2024.
4. Email to Environmental Health dated 19 July 2024.

Wards Affected: Lomond

Lesley McLellan
Sheildaig Farm
Stoneymollan Road
Balloch
G83 8QY



Date: 22nd December 2023

Dear Sir/Madam

LICENSING CONSULTATION

Reference Number: LIC/23/0177
Description: FW: WD-00084-P - STL Application Sheildaig Farm, Upper Stoneymollan Road, Alexandria G83 8QY
Location: Sheildaig Farm Stoneymollan Road Balloch G83 8QY

Building Standards has the following comments on this consultation:

Provide a plan that clearly indicates what public rooms and bedrooms and sanitary facilities are being used for short term letting i.e., red outline.

The plan appears to show outbuildings that have been converted to bedrooms / ensembles, provide evidence of a Building Warrant and completion certificate for these works.

Provide plan highlighting locations of all smoke, heat and carbon monoxide detectors.

Provide photos of all rooms or provide an online link to the booking advertisement.

Yours faithfully

Jason Smith

Building Standards Surveyor