

REPORT TO: Licensing Sub-Committee

MEETING DATE: 14 September 2023

BY: Head of Corporate Support

SUBJECT: Civic Government (Scotland) Act 1982 (the 1982 Act)
(Licensing of Short-Term Lets) Order 2023
Application for Grant/Renewal of a Licence to operate a
Short-term Let (STL) at 1 Ivory Court, Langriggs,
HADDINGTON, EH41 4BY

3C

1 PURPOSE

- 1.1 A licence application (Appendix 1) for the grant of an STL licence has been received from Elizabeth Doig, to allow them to operate the property at 1 Ivory Court, Langriggs, Haddington, EH41 4BY as a Short-Term Let (STL).
- 1.2 Nine objections from neighbours have been received on between 8 and 19 June 2023 regarding various issues. Relevant representations and objections require to be considered prior to the council taking a decision on the licence application, and it is therefore a requirement that this application is determined by the Licensing Sub-Committee and not through delegated powers.
- 1.3 The sub-committee is required to focus on the suitability of the property as an STL and to establish that the applicant is a fit and proper person to hold an STL licence (Schedule 1, Paragraph 5(3)(a)(ii)).

2 RECOMMENDATIONS

- 2.1 The Licensing Sub-Committee is asked to consider the application and all objections, and to determine whether the STL licence application for Ms Doig is to be granted; granted subject to conditions; or refused.
- 2.2 If the STL licence is granted, the sub-committee is asked to decide the period of the licence; the duration of the licence will be 3 years unless determined otherwise by the sub-committee.

2.3 If the STL licence is granted, the sub-committee is asked to agree that this be granted subject to the conditions and standards outlined in Appendices 2 and 3.

3 BACKGROUND

3.1 The Licensing of Short-Term Lets Order 2023 requires that where residential accommodation is provided by a host in the course of business to a guest, the accommodation is required to be licensed.

3.2 The STL application was received on 26 May 2023, and was dated 25 May 2023. Notices, under Paragraph 2 of Schedule 1 to the 1982 Act, were displayed at and around the property on 26 May 2023, and remained in place for the statutory minimum 21 days. These notices inform local residents of the licence application and give information regarding their right to submit objections and/or make representations in relation to the application.

Representations/objections received

3.3 The council has received nine objections from neighbours (Appendices 4 to 12). The objections concern:

- Excessive noise / antisocial behaviour
- Security
- Parking
- Accessibility

3.4 No objections have been received from consultees.

Matters to be considered by the sub-committee

3.5 In determining the application, the sub-committee must restrict itself to grounds of refusal specified in the 1982 Act. This states that an application shall be refused if:

- The applicant and/or any agent specified by the applicant are, in the opinion of the sub-committee, not fit and proper to be authorised to permit persons to occupy any living accommodation as an STL (Schedule 1, (3))
- The applicant and/or any agent specified by the applicant are disqualified by an order of a Court from holding an STL Licence. (Schedule 1, (5), (3))
- The Sub-committee determines that the property is not suitable for occupation as an STL, or cannot be made suitable by including conditions on the STL Licence (Schedule 1, (5), (3)(c))
- In determining whether any property is, or can be made to be, suitable for occupation as an STL the sub-committee must consider:

- The location, character or condition of the premises or the character or condition of the vehicle or vessel;
- The nature and extent of the proposed activity;
- The kind of persons likely to be in the premises, vehicle or vessel;
- The possibility of undue public nuisance;
- Public order or public safety; or
- Any other good reason for refusing the application

Terms of an STL Licence

3.6 An STL licence may include such conditions as the sub-committee thinks fit.

3.7 Any condition included in a STL licence may specify a date from which that condition is to have effect.

Grant of Licence and Conditions

3.8 The duration of the licence will be 3 years (maximum) unless determined otherwise by the sub-committee.

4 POLICY IMPLICATIONS

4.1 Licensing of Short-Term Lets is a statutory obligation for East Lothian Council. This report is based upon Legislation and Scottish Government guidance for licensing STLs.

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

6.1 Financial – none.

6.2 Personnel – none.

6.3 Other – none.

7 BACKGROUND PAPERS

7.1 Scottish Government Guidance published in March 2022 – Short Term Lets in Scotland Licensing Scheme, Part 2 Supplementary Guidance for Licensing Authorities, Letting Agencies and Platforms.

Appendix 1 Application Form

Appendix 2 Mandatory conditions

- Appendix 3 Additional conditions
- Appendix 4 Objection (Chapman)
- Appendix 5 Objection (Craig)
- Appendix 6 Objection (Gemblés)
- Appendix 7 Objection (Lothian)
- Appendix 8 Objection (Oliver)
- Appendix 9 Objection (Ramage)
- Appendix 10 Objection (Richardson)
- Appendix 11 Objection (Will)
- Appendix 12 Objection (Woodhead)

AUTHOR'S NAME	Sheila Fitzpatrick
DESIGNATION	Team Leader – Licensing and Landlord Registration
CONTACT INFO	01620 820623
DATE	2 August 2023



CIVIC GOVERNMENT (SCOTLAND) ACT 1982

APPLICATION FOR GRANT / RENEWAL OF SHORT-TERM LET LICENCE

East Lothian Council
Licensing

26 MAY 2023

Received

PART 1: ABOUT YOU

Are you applying as an individual or corporate entity?

Individual

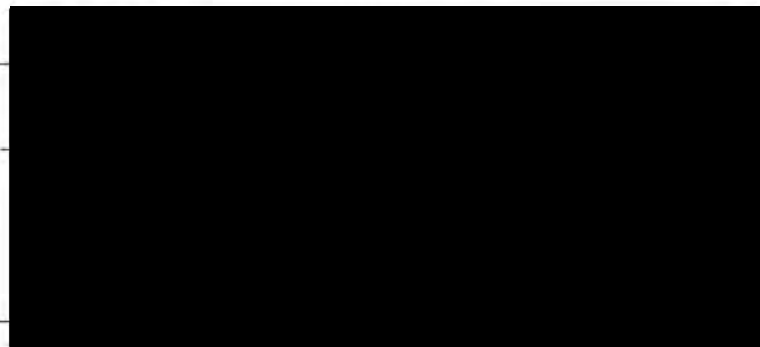
Corporate Entity

Fill in if you are applying as an individual:

Your full name

Elizabeth Maria Caroline Doig

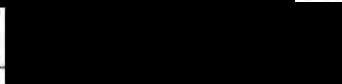
Date of birth



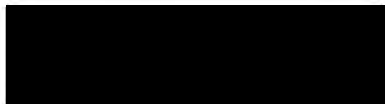
Place of birth

Home Address

Postcode



Tel. No.



Email address



Please provide your **home address history for the last 5 years** with no gaps or overlaps, starting with the most recent. Please confirm the dates you resided at these properties (continue on a separate sheet if necessary):

Addresses (last 5 years)	Postcode	Date from (mm/yy)	Date to (mm/yy)

Agent(s) & Day to Day Manager(s)

Do you have or intend to appoint an agent or day-to day manager?

Yes

No

If you answered yes, please provide details for your agent(s) or day to day manager(s).

Full name _____

Date of birth _____

Tel. No. _____ Email address _____

Addresses (last 5 years)	Postcode	Date from (mm/yy)	Date to (mm/yy)

Joint Ownership

Is your property jointly owned? Yes No

If you answered yes, please provide details for all joint owners.

Joint owner(s) (continue on a separate sheet if necessary):

Full name	Date of birth	Addresses (last 5 years)	Email	Tel. No.

Individuals, please go to Part 2.

Corporate entities

Corporate entities, please complete the relevant sections on the following pages.
Fill in if you are applying as a corporate entity (e.g. company, partnership, trust or charity)

Corporate entity name _____

Limited company number (if applicable) _____

First name and surname _____

Registered or principal office address _____

Tel. No. _____ Email address _____

Names and private addresses and dates and places of birth of its directors, partners or other persons responsible for its management, including trustees in the case of charities (continue on a separate sheet if necessary).

Full name	Personal address	Place of birth	Date of birth

Please complete for all other named persons on the licence (e.g. any agent or day-to-day manager) (continue on a separate sheet if necessary):

Full name	Date of birth	Addresses (last 5 years)	Email	Tel. No.

PART 2: APPLICATION AND LICENCE TYPE

(to be completed by all applicants)

Please select the application type:

- First application (existing operator*)
- First application (new operator)
- New application (where property has been used as licensed STL previously)
- Renewal
- Change to existing licence

**This option is only available for applications made on or before 1 April 2023 by existing operators (ie those operating the premises in which a licence is being applied for as a short-term let on or before 1 October 2022).*

If you are applying to renew or alter your licence, please complete the following fields. If submitting a new application where the property has never been used as a licensed short-term let before, please proceed to '**The Type of Short Term Licence you require**' (below).

Existing licence number _____

Existing licence expiry date _____

If you are submitting a new application where the property has been used as a licensed short-term let before, please complete the following fields.

Previous licence number _____

Previous licence expiry date _____

Please select the type of short-term let licence you require:

- Home sharing
- Home letting
- Home sharing & home letting
- Secondary letting

If you do not own the property which is the subject of this licence application, do you have proof of permission from the owner(s):

Yes No N/A

If you are applying for a change to your existing licence, please indicate the reason for your request (e.g. a change of agent, changes to the property – e.g. an extension to increase maximum occupancy).

PART 3: PREMISES DETAILS

Premises Address 1 Ivory Court, Langriggs, Haddington
Postcode EH14 4BY

Unique Property Reference Number (if known) _____

EPC Rating* _____

** (if applicable – not required for home sharing or unconventional accommodation)*

Please select the type of premises:

Detached House	<input type="checkbox"/>	Semi-detached house	<input checked="" type="checkbox"/>
Terraced House	<input type="checkbox"/>	Flat	<input type="checkbox"/>
Unconventional accommodation	<input type="checkbox"/>		

From the following options, please select the description that best describes your short-term let:

Self-catering	<input type="checkbox"/>	B&B	<input type="checkbox"/>
Guest house	<input type="checkbox"/>	Other form of home sharing	<input type="checkbox"/>
Home letting	<input checked="" type="checkbox"/>		

Specify the number of rooms within the premises used as:

Bedrooms 4 Bed/Sitting rooms 3

Bathrooms 2 Kitchens 1

Lounges 1

Other (please specify) _____

Specify the maximum number of guests 7
(excluding children under 2 years of age)

Advise if you operated this premise as a short-term let prior to 1 October 2022

Yes

No

PART 4: CONVICTIONS

Has anybody named on the application been convicted of any offence? Please include details of any unspent convictions in the table below:

NAME	DATE	COURT	OFFENCE	SENTENCE

PART 5: APPLICATION CHECKLIST

Note – this check list must be fully completed in order to submit your application

I have enclosed the following (please tick to confirm (or enter N/A))	
Correct application fee	See East Lothian Council website – Civic Licence Fees
Annual gas certificate (for premises with a gas supply)	Valid to: 10/5/24
Electrical Installation Condition Report	Valid to: 23/5/28
Portable Appliance Testing Report	Valid to: 10/5/24
Fire Risk Assessment	✓
Fire Service Safety Checklist	✓
Legionella Risk Assessment	10/5/24
Planning permission (for premises within a control area or where requested by the licensing authority)	Planning application reference number:
Floor plan	Attached
EPC Certificate (for premises which are dwellinghouses)	Valid to: 1/9/2032
Public Liability Insurance	Valid to: 4/6/2024
Proof of consent from owner (if applicable)	n/a
Evidence of operation as a short-term let on or before 1 October 2022 (for existing hosts applying during transitional period)	n/a.

I have: (please tick to confirm (or enter N/A))	
Identified the owners and those involved in the day-to-day management of my premises	n/a.
Ensured that to the best of my knowledge all those named on my application are fit and proper persons	
Prepared information that will be available to guests at the premises including: (a) a certified copy of the licence and the licence conditions, (b) fire, gas and electrical safety information, (c) details of how to summon the assistance of emergency services, (d) a copy of the gas safety report, (e) a copy of the Electrical Installation Condition Report, and (f) a copy of the Portable Appliance Testing Report.	✓
Applied for planning permission (if required).	n/a.
Noted the requirement to display my licence number and EPC rating on listings for my premises	✓
Proof that furniture and furnishings/the furniture and furnishings guests have access to, comply with fire safety regulations	✓
Read and understood the mandatory conditions that will apply to my licence	✓
Read and understood the additional conditions that will apply to my licence	✓

My premises (please tick to confirm (or enter N/A))	
Meets current statutory guidance for provision of fire, smoke and heat detection	✓
Meets statutory guidance for carbon monoxide alarms	✓
Meets the required regulations for private water supplies (for premises with a private water supply i.e not provided by Scottish Water)	✓
Meets obligations with regard to the Tolerable and Repairing standard (applicable to dwellinghouses)	✓

PART 6: DECLARATION

East Lothian Council, as licensing authority, will use information it holds about you to determine whether you are a fit and proper person to operate a short-term let. In addition, licensing authorities to which you apply may share relevant information they hold about you with one another to help those authorities determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. They may also share and seek relevant information with Police Scotland and, if appropriate, other relevant authorities.

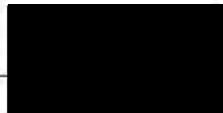
Anyone who gives false information on this form, or fails to provide the information required by this form, is committing an offence which could lead to prosecution.

I declare that I have read and understood the mandatory conditions that apply to short-term let licences and East Lothian Council's additional conditions

I will comply with the requirement to display a site notice in accordance with paragraph 2 of Schedule 1 of the Civic Government (Scotland) Act 1982

I declare that the information given in this application is correct to the best of my knowledge

Signed _____



Print name _____

E. DOIG

Date _____

15/5/23

DATA PROTECTION ACT 2018

Please note that the information given on this form may be stored electronically by this Authority for the purpose of licensing.

The Identity of the Data Controller under the Data Protection Act 2018 ("the Act").

East Lothian Council, John Muir House, Haddington, East Lothian EH41 3HA ("the Council")

The purpose or purposes for which the data are intended to be processed.

The Data will be processed in order for East Lothian Council to fulfil its statutory duty under the Civic Government (Scotland) Act 1982 in receiving, registering, determining and granting applications for licenses under the said Act. The Data will be shared with public bodies who require to be consulted about the application, such as the Police. It will also be shared with internal East Lothian Council services, particularly within the Environment Department who give advice to the Council as Licensing Authority, in respect of the application.

East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Further information can be obtained from:

Data Protection Officer
Licensing, Administration and Democratic Services
John Muir House
Haddington
dpo@eastlothian.gov.uk

SHORT-TERM LETS

MANDATORY LICENCE CONDITIONS

Agents

1. Only those named as a holder of the licence can carry out the day to day management of the short-term let of the premises.

Type of licence

2. The holder of the licence may only offer the type of short-term let for which the licence has been granted.

Fire safety

3. The holder of the licence must ensure the premises has satisfactory equipment installed for detecting, and for giving warning of—
 - (a) fire or suspected fire, and
 - (b) the presence of carbon monoxide in a concentration that is hazardous to health.
4. The holder of the licence must keep records showing that all upholstered furnishings and mattresses within the parts of the premises which are for guest use, or to which the guests are otherwise permitted to have access, comply with the Furniture and Furnishings (Fire Safety) Regulations 1988(a).

Gas safety

5. Where the premises has a gas supply—
 - (a) the holder of the licence must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises,
 - (b) if, after an annual inspection, any appliance does not meet the required safety standard, the holder of the licence must not allow a short-term let of the premises until the works necessary to bring the appliance to the required safety standard have been carried out.

Electrical safety

6. Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which the guests are permitted to have access, the holder of the licence must—
 - (a) ensure that any electrical fittings and items are in—
 - (i) a reasonable state of repair, and
 - (ii) proper and safe working order,
 - (b) arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person,
 - (c) ensure that, following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,
 - (d) arrange for a competent person to—
 - (i) produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and
 - (ii) date label and sign all moveable appliances which have been inspected.
7. In determining who is competent, the holder of the licence must have regard to guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006(a).

Water safety: private water supplies

8. Where the premises are served by a private water supply, the licence holder must comply with the requirements on the owners of private dwellings set out in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017(b).

Water safety: legionella

9. The holder of the licence must assess the risk from exposure to legionella within the premises, whether or not the premises are served by a private water supply.

Safety & repair standards

- 10.** (1) The holder of the licence must take all reasonable steps to ensure the premises are safe for residential use.
- (2) Where the premises are subject to the requirements of Chapter 4 of Part 1 of the Housing (Scotland) Act 2006, the holder of the licence must ensure that the premises meet the repairing standard.

Maximum Occupancy

- 11.** The licence holder must ensure that the number of guests residing on the premises does not exceed the number specified in the licence.

Information to be displayed

- 12.** The holder of the licence must make the following information available within the premises in a place where it is accessible to all guests—
- (a) a certified copy of the licence and the licence conditions,
 - (b) fire, gas and electrical safety information,
 - (c) details of how to summon the assistance of emergency services,
 - (d) a copy of the gas safety report,
 - (e) a copy of the Electrical Installation Condition Report, and
 - (f) a copy of the Portable Appliance Testing Report.

Planning Permission

- 13.** Where the premises is in a short-term let control area for the purposes of section 26B of the Town and Country Planning (Scotland) Act 1997(c) (“the 1997 Act”), the holder of the licence must, where the use of the premises for a short-term let requires planning permission under the 1997 Act, ensure that either—
- (a) an application has been made for planning permission under the 1997 Act and has not yet been determined, or
 - (b) planning permission under the 1997 Act is in force.

Listings

- 14.** (1) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises includes—
- (a) the licence number, and
 - (b) a valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008(a).
- (2) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises is consistent with the terms of the short-term let licence.

Insurance

- 15.** The holder of the licence must ensure that there is in place for the premises—
- (a) valid buildings insurance for the duration of the licence, and
 - (b) valid public liability insurance for the duration of each short-term let agreement.

Payment of fees

- 16.** The holder of the licence must pay any fees due to the licensing authority in respect of the licence on demand.

False or misleading information

- 17.** The holder of the licence must not provide any false or misleading information to the licensing authority.

Interpretation

- 18.** In this schedule—

“Electrical Installation Condition Report”
means a report containing the following information—

- (a) the date on which the inspection was carried out,
- (b) the address of the premises inspected,
- (c) the name, address and relevant qualifications of the person who carried out the inspection,

- (d) a description, and the location, of each installation, fixture, fitting and appliance inspected,
- (e) any defect identified,
- (f) any action taken to remedy a defect,

"Energy Performance Certificate"

means a certificate which complies with regulation 6 of the Energy Performance of Buildings (Scotland) Regulations 2008(b),

"Gas safety report"

means a report containing the following information—

- (a) the date on which the appliance or flue was checked,
- (b) the address of the premises at which the appliance or flue is installed,
- (c) a description of and the location of each appliance or flue checked,
- (d) any safety defect identified,
- (e) any remedial action taken,
- (f) confirmation that the check undertaken complies with the requirements of an examination of—
 - (i) the effectiveness of any flue,
 - (ii) the supply of combustion air,
 - (iii) subject to head (iv), its operating pressure or heat input or, where necessary, both,
 - (iv) if it is not reasonably practicable to examine its operating pressure or heat input (or, where necessary, both), its combustion performance,
 - (v) its operation so as to ensure its safe functioning,
- (g) the name and signature of the individual carrying out the check, and
- (h) the registration number with which that individual, or that individual's employer, is registered with a body approved by the Health and Safety Executive for the purposes of regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998(a),

"holder of the licence"

means any person to whom a short-term let licence has been granted or jointly granted,

"home letting"

means a short-term let consisting of the entering into of an agreement for the use, while the host is absent, of accommodation which is, or is part of, the host's only or principal home,

"home sharing"

means a short-term let consisting of the entering into of an agreement for the use, while the host is present, of accommodation which is, or is part of, the host's only or principal home,

"premises"

means the accommodation which is the subject of an application for a short-term licence or the subject of a short-term licence,

"repairing standard"

means the steps which the holder of the licence is required to take to comply with the obligations placed on the holder by Chapter 4 of Part 1 of the Housing (Scotland) Act 2006(b),

"secondary letting"

means a short-term let consisting of the entering into of an agreement for the use of accommodation which is not, or is not part of, the licence holder's only or principal home,

"short-term let"

has the same meaning as in article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022,

"short-term let licence"

means a licence for a short-term let, and

"type of short-term let"

means one of the following purposes—

- (a) secondary letting,
- (b) home letting,
- (c) home sharing, or
- (d) home letting and home sharing.

SHORT-TERM LETS

ADDITIONAL LICENCE CONDITIONS

- 1.** If there is a material change of circumstance affecting the Licensee or the operation of the Short-term Let, the Licensee must inform the licensing authority as soon as possible. No alteration must be made to the property without the prior written consent of the authority.
- 2.** The licence holder must take steps to ensure that the property, fittings and furniture, including fire precautions, plumbing, gas and electrical installations, are maintained throughout the period of the licence to the standard required. The licence holder should hold all necessary certificates.
- 3.** To ensure an adequate electricity supply is maintained to the installed Fire Detection system, where credit card meters are in use, the Licensee will be responsible for ensuring that the meters remain in credit when the premises are unoccupied for any period exceeding 48 consecutive hours.
- 4.** The Licensee shall allow access to the premises at any reasonable time to the following officials for licensing purposes:
 - Any officer of East Lothian Council
 - Any officer of the Scottish Fire & Rescue Service
 - Any officer of Police Scotland
- 5.** The Licensee will be responsible for the day to day running of the premises, and for ensuring that guests comply with the terms of their Lease and in particular to deal effectively with any anti-social behaviour by guests to anyone else in the locality of the Short-term Let.
- 6.** Liquefied Petroleum Gas (LPG) shall not be used or stored on the premises.
- 7.** The licence holder shall comply with the current regulations regarding maximum re-sale prices of gas and electricity supplied, as appropriate.
- 8.** The licence holder should ensure that let rooms are fitted with a lever latch and secured with a suitable lock and thumb turn mechanism or other appropriate locking mechanism.

- 9.** The building should be maintained in a reasonable state of repair, having regard to its age, type and location. Garden and environmental areas should also be adequately maintained.
- 10.** Where a Short-term Let is in a shared building the licence holder must co-operate and participate in the general repair and maintenance of the building and the cleaning of common parts. Where the guests fail to participate in the cleaning of common areas or environmental areas, the licence holder will be expected to carry out the work.
- 11.** Adequate and suitable facilities must be provided for the storage and disposal of refuse. Where bins are provided to terraced and tenemental property they must be clearly identified by flat or property address. The licensee must ensure that the guests utilise the bins provided and ensure that refuse or bins are placed out on collection day and that bins are returned to the bin storage area following collection (where applicable).

East Lothian Council
Licensing
19 JUN 2023
Received

Dear Sir,

It has come to our notice that the owner of 1, IVORY COURT, LANGRIGGS EH414BY has applied for a short term let's license.

We are concerned about this for two reasons.

(1) Our garden and drive are adjacent to IVORY COURT and we are worried that owing to ~~the~~ the lack of parking space the entrance to our drive may be blocked.

(2) Since the house in question overlooks our garden we are concerned that, if

parties are held there, there may be excessive noise.

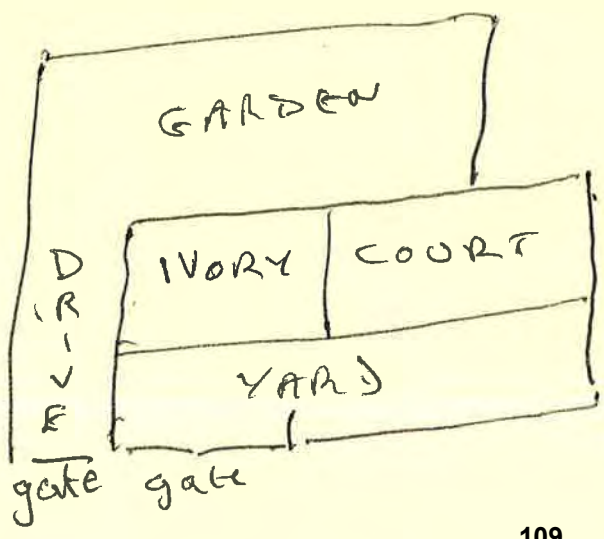
Yours Sincerely.



GRAHAM CHAPMAN



KAREN CHAPMAN



Licensing

From: barbara craig [REDACTED]
Sent: 16 June 2023 11:10
To: Licensing
Subject: Objection to short term lets licence 1, Ivory Court, Haddington

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CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

I wish to submit my objection to the application for home sharing/short term let application for 1, Ivory Court, Haddington, EH41 4BY.

I am a resident of Haddington and I am aware of the setting of this property. I feel that it would be grossly unfair to allow a short term licence for this property due, to the fact that it is placed within a private gated area with one other house alongside. The disturbance for this other property could be huge with many people entering the private gates and courtyard and having to pass the other house to get access to number 1.

The noise level also within the garden area could also potentially be problematic for all residents living nearby, notably the older people's flats directly to the back of this property's garden at Carlyle Court.

I feel that this type of let would have a detrimental effect on the area and would set a precedent for future applications. The setting is especially important due to the fact that the house concerned is in a small, very compact area, with one other family home, sharing driveway and pathway. As short term lets are being denied to shared access properties, this application should also fall under this criteria.

Yours faithfully

Barbara Craig
[REDACTED]

Licensing

From: Helen Gembles [REDACTED]
Sent: 13 June 2023 13:00
To: Licensing
Subject: Short Term Home Sharing and Home Letting Licence

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Dear Sirs

1 Ivory Court Langriggs Haddington EH41 4BY

I refer to the above property and have been advised that the owners have applied for a licence to let the property on a short term basis.

I live at [REDACTED] directly behind the property in a residential estate primarily for older residents.

I wish to object in the strongest terms to approval of a letting licence for this property as it will have an adverse effect on the quality of life for the residents on my estate. My upper flat is very close to the garden at the rear of the property and I will certainly be disturbed by any activities in the garden in the evening.

This property at Ivory Court is on a residential estate and should be for families and residents as a home not a business.

I very much hope that the Licensing Board will see common sense and refuse this licence.

Yours faithfully

Helen Gembles

Licensing

From: Wanda [REDACTED]
Sent: 16 June 2023 11:01
To: Licensing
Subject: Application for short term home letting at 1 Ivory Court court Haddington

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

The above application for home letting was brought to my attention recently. I am sorry but I completely oppose this venture.

I have resided at [REDACTED] for over 13 years and I moved here because of health reasons. My personal objection is that my bedroom is only a stone throw away in fact just 2 metres from Ivory court which is divided by a boundary wall. I use my bedroom several times a day for resting. Most of the residents in the court are age between 70 and 97 and a good majority are frail and also are struggling with health issues.

If this venture is approved the noise levels are bound to increase and the peace and tranquility we have enjoyed will end and residents health in this court will suffer.

Please consider the residents of Carlyle Court before making a final decision.

Yours Sincerely,

Wanda Lothian (mrs)

Licensing

From: Trish Oliver [REDACTED]
Sent: 13 June 2023 17:01
To: Licensing
Subject: Application for short term and home letting at 1 Ivory Court, Haddington

You don't often get email from [REDACTED] [Learn why this is important](#)

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Dear Sir/Madam,

I am a resident and owner of [REDACTED] and the above planning application has been brought to my attention by my fellow residents in [REDACTED]

I am very worried about the prospect of having a number of temporary residents 'coming and going' at 1 Ivory Court which is very close indeed to my bedroom and those of my neighbours in this community. Carlyle Court was built with the elderly in mind and the current age range is 70 to mid 90s. During my stay here of 51/2 years here, 5 residents have passed away following a period of 'end of life care' in their own homes during which time we, as neighbours, were aware and very mindful of the need for quiet ; any noise such use of the garden for weekend guests having barbecues etc has the potential to cause distress in such circumstances.

Along with my neighbours, I am also concerned about the security of our properties, which has the potential to be compromised as a greater number of people become more aware of the existence of our community.

I look forward to your reply, and I would be happy to further discuss this.

Yours sincerely,

Patricia Oliver

Licensing

From: Marina [REDACTED]
Sent: 13 June 2023 14:31
To: Licensing
Subject: Application for short term and home letting at 1 Ivory Court, Haddington

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Dear Sir/Madam

As a resident owner of [REDACTED] it has come to my and other residents owners attention that application has been submitted to you for the above proposed letting.

We are extremely upset and concerned about this as most of our residents are elderly (age range 70 to mid 90's) and the court was mainly built with the elderly population in mind. Indeed, the planning consent for the development contains relevant age restrictions.

The main reasons for our concern is the close proximity to the back of our property where most of our bedrooms are situated. The distance from the common boundary wall to our bedrooms is less than 2 meters. Obviously the noise level could be both very disturbing and disruptive, particularly to the many who are very elderly and very frail and use their rest area a great deal. Increased noise and disruption could have a negative impact on their health.

There is also a concern about the continued security of our properties, given a potentially high turnover of users. While we can't pre- judge the users, there is undoubtedly a greater number of people who could be made aware of the existence of our community, and the vulnerability of its residents. This is a risk we would rather avoid.

I would be happy to discuss this would you and look forward to your reply.

Yours sincerely
Marina Ramage

Sent from my iPad

OBJECTION TO LICENCE FOR SHORT TERM LETS and/or SHARING

Applicant:- Elizabeth Doig

Location of Premises:- 1 Ivory Court, Langriggs, Haddington EH41 4BY

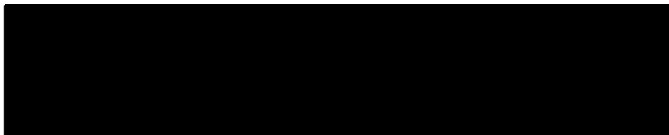
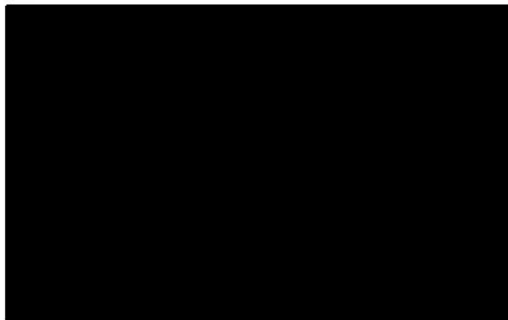
Reasons for objection

1. There is an extreme shortage of parking in Langriggs
(The entire length of Langriggs has "double yellow lines" but short term visitors will risk that.)
2. My neighbours on the south of my garden are the Sheltered Housing of the Beild with a huge need for carers who frequently have to park alongside my garden wall because of lack space on their road.
3. Residents in Langriggs were told that yellow lines had to be installed because of the possible call for emergency vehicles 24hours so we could not risk any more cars parked in the street.
4. Night access to Langriggs is restricted to longterm residents there, and is controlled by fobs. We would not be happy if there was widespread casual distribution of fobs to short-stay visitors.

This is not a suitable property for short-term casual visitors whose use of the area will cause problems for existing residents.

Objector:

MRS S.M. RICHARD SON



6th June 2023

East Lothian Council
Licensing

08 JUN 2023

Received

Short Term Lets

From: Licensing
Sent: 08 June 2023 15:02
To: Short Term Lets
Subject: FW: Short term lets license ,1 Ivory Court Langriggs Haddington EH41 4BY

From: Lorna Will [REDACTED]
Sent: 08 June 2023 15:01
To: Licensing <licensing@eastlothian.gov.uk>
Subject: Short term lets license ,1 Ivory Court Langriggs Haddington EH41 4BY

You don't often get email from [REDACTED] [Learn why this is important](#)

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My name is Lorna Will
 I live diagonally opposite the above property at [REDACTED]

I have sadly had experience of short term lets as neighbours when I lived in the centre of Edinburgh. Rowdy drunken stag parties, loud music, more cars and eventually a couple of prostitutes took it on as a lucrative base for their business.

All this in Cornwall Street directly behind the Usher Hall in a listed building.

If Ms Doig is planning to be living there and renting rooms long term in her permanent home ,there would hopefully not be any of the above , but there very probably would be extra vehicles around in an area where there is already great difficulty for residents to park and I envisage a great deal of conflict in this area.

Ivory Court is a very secluded private area and the thought of strangers coming and going after all the horrendous ASB problems I have had living in Langriggs, is very disturbing.

I really don't like this idea, perhaps she should sell , get a flat and free up her money that way, this plan could upset the local community, we've been through enough , drug dealers, domestic violence ,child abuse, general anti social behaviour. It's quieter now thank goodness, we don't need any more stress.

Regards

Lorna Will

NHS Coronavirus Information

**Keep using
 Covid sense**



@nhs/covidcoronavirus



2 Ivory Court
Langriggs
Haddington
East Lothian
EH41 4BY

To the attention of:

The Licensing Department
East Lothian Council
Brewery Park
Haddington
EH41 3HA

East Lothian Council
Licensing
14 JUN 2023
Received

14th June 2023

Dear Sir/Madam,

In reference to the application for short-term Home Sharing and Home Letting by the new owner of No.1 Ivory Court, Langriggs, Haddington, EH41 4BY, we write to oppose this application as it is not an appropriate proposal on the following grounds: **Location, Shared Access, Parking, Safety/Security, Disturbance/Noise, Unloading/Loading and Rubbish/Recycling.**

Location

The two attached houses No. 1 and No. 2 Ivory Court are a 2 House Development within a private shared yard in the residential area of Langriggs, Haddington see **Document No. 1.** Carlyle Court sheltered housing for the elderly and infirm is adjacent to the rear living area and garden of No. 1 Ivory Court. Transient neighbours and travellers arriving all hours, anytime of day in relation to disturbance and late nights is not appropriate for this kind of house within this residential location. Sheltered gardens and homes surrounding the property would be at risk of noise, disturbance and parking issues.

Shared Access and Layout of Ivory Court

For an overview of the layout please see **Document No.1 our Title Deed Boundary Map.** Our property [REDACTED] Ivory Court is highlighted in pink on the Deeds sheet and the shared access yard highlighted in blue. We have a Home Office/Storeroom at the southern boundary of the yard, and our house at the far northern end. In order to access our house we have to enter the shared private communal space through double brown gates from Langriggs see **Document No. 2.** This is the only entry and exit points to both properties of No.1 and No.2 Ivory Court.

Document No.3 shows the view as you enter the communally shared yard. To Access our property at [REDACTED] we have to walk past the garage and full front house dimensions of No.1 Ivory Court, a distance of approximately 14.65 metres. The dimensions of the yard at the southern widest point is 5.5m, and the width across the narrow point across from the front door of No.1 is 4.18m, please see **Document No.4.** The shared communal yard narrows to 2m. Once the entrance gates are closed, the yard is and private and secluded. Please see **Documents No.5 and Document No.6.** Our children [REDACTED] [REDACTED] play in the yard with friends from Primary and Secondary school ages.

SemiChem Fire Exit

The Fire Exit for SemiChem is at the rear of the shared communal yard of the two properties, and they have a Right of Way through our yard for emergency and delivery purposes **Documents No. 3, 4 and 5**. Show this emergency exit and its location. We quote from the second Paragraph of Burden 1 on our Title Deeds: -

'There shall be reserved, to the Proprietors of the shop premises at 39 High Street, a right of access to and over the area of ground tinted green on the Title Plan, but said right of access shall be limited to the purposes of delivering goods to said shop premises and as an escape route in the event of fire or other emergency;'

The Store Manager has expressed her concern that any obstruction to this right of way at Ivory Court would affect employees fire escape route. The yard is kept free of obstruction but blocking this pathway by vehicle, bicycles, unloading luggage, sports equipment from short-term Home Sharing/Home Letting visitors who have no knowledge of how the logistics of the yard work, must be prevented. During an on-site meeting with Thomas Elliott of SemiChem's Property Department on the 13th June, we discussed the obstruction element to parking in the yard. He was of the opinion that one vehicle could allow space to exit should there be an emergency situation, however the space would need policing, something that cannot be assured. We address the complexities of parking at Ivory Court below.

Parking

Due to the complexities of the parking arrangements and layout of the two houses at Ivory Court, we have to closely co-exist. Communication between our two attached properties to facilitate parking in front of our gates is vital because we have to have access to our van and car for work on a daily basis. We have to park our van outside the home office/storeroom, which means that we park the family car in the position in front of our access gate as shown in **Documents No.7 and No.8**. Parking within the shared yard is logistically unworkable and will also obstruct SemiChem's Right of Access. Parking at Ivory Court is a very complex situation. No.1 Ivory Court has been changed to work as 4-bedroom property; this means multiple vehicles arriving.

Parking on Langriggs is severely restricted within the residential area and is a huge problem for residents. Any further pressure on this will intensify the problem and spill out further onto Langriggs and the Butts where access for Emergency vehicles is paramount. We detail the parking bays that are available to both Langriggs residents and visitors, as well as shoppers on the High Street see **Document No. 9**. 90 minutes parking restrictions Mon- Sat are in place. Lack of available parking means people are using the double yellow lines **Document No.10**. and parking bays are in high demand see **Document No.11**.

Loading/Unloading

The area outside of our gates at Ivory Court is surrounded by Double Yellow Lines onto Langriggs. Boots delivery yard is adjacent to our gates and they require constant access for their deliveries, which are often articulated Lorries struggling to turn and manoeuvre. The store manager at Boots has expressed his strong concerns. Arrival, leaving and unloading in front of our gates will cause extra disruption with unloading and loading of equipment for example bikes, surf boards, shopping and suitcases. The nature of our work means we are moving large framed glazed paintings into and out of our vehicles on a regular basis, so it is imperative that the yard and gates are kept clear to enable us to operate.

Safety and Security

On a site visit by Thomas Elliott from The Property Department of SemiChem on the morning of the 13th of June, he pointed out a restriction of Emergency vehicles access should there be obstruction within the yard by those not familiar or caring about the building. From a residential safety point of view and considering that the shared yard is our only fire exit point, we are extremely concerned as to how the emergency services would access our property in such a circumstance. The nearest Fire Hydrant is approximately 45metres away from our entrance/exit gate.

We as a family will feel extremely insecure with strangers of short-term Home Share and Home Let coming and going and staying next door within our enclosed shared yard as we will never know who is occupying the neighbouring house. This will leave our family in an uncertain set up.

We would find it difficult to go to work knowing we leave our children to come home after school. Our children and their friends play in the enclosed yard unsupervised but when we are away from our house working, there will be no one to monitor what is going on behind the private gates. The yard continues and passes our house to the end of our property without a boundary. When we are absent from home we are very concerned for the security of our property as there is no clear denomination between the two properties. The two attached houses are often mistaken as one house by post man/women, couriers and visitors.

Rubbish and Recycling

Within our small shared contained yard regular attention to the dealing and build-up of rubbish and recycling is essential. We have strong concern that this will break down because of changeover of occupants and will be hard to maintain should a Short-Term Let license be granted. We have a history of rats.

Display of short-term letting application

We are disappointed that the owner of 1 Ivory Court had not correctly displayed her application correctly from the 26th of May until 6th of June to the public as stated in your notice, we quote: *'This notice must be displayed on or near the short-term let property in a position where it can be easily read by the public.'* The application had been taped in a plastic sheet whereby the 2nd sheet that holds all the important information such as dates and contact details for the council was hidden. It was displayed on a lamppost where only us and No.1 pass. We had several neighbours asking where to write to.

To elaborate on a personal note.

The mentioned application has really shaken us and is jeopardising our feeling of a secure home and community here at Ivory Court. We would like to stress the following issues for you to kindly also consider:

- **Wellbeing and family life:** The licencing for short-term Home Sharing and Home Letting will have a huge detrimental impact on our wellbeing and daily family life and to our profession as artists living here. Our homelife has been happy and secure for the last 13 and a half years something that is of utmost importance for us as creative people.
- As self-employed artists we work often from home using also our home office within the shared yard. On a regular basis, we are regularly going between our house and home office.
- **Security and Safety:** We will never know who is occupying the neighbouring house with its multi occupancy use. The privacy and seclusion of the enclosed gate access is what attracted us to purchase No.2 Ivory Court in December 2010. The implications for the Emergency services accessing our property at all hours of the day and night is crucial.

- **Noise, disruption and disturbance** Our kitchen, conservatory, living room and garden patio are attached/next to the rear of No.1 Ivory Court. Two of our bedrooms face out the back where the garden patio and living are of No.1 is. One of the bedrooms which our youngest and middle son share, face the shared yard. The disruption of transient neighbours and travellers arriving and leaving all hours in such an enclosed setting is not appropriate. Our middle son is studying for his National five exams and our eldest his Advanced Highers next year.
- **Our Home:** We have sought advice from an Estate agent who confirmed that the saleability of our house will be negatively affected should the short-term licence for No. 1 Ivory Court be approved.

To summarise

There are of course places where short-term Home Sharing and Home letting are perfectly appropriate but we feel strongly that No. 1 Ivory Court is not the right house nor the right location on the grounds of **Location, Shared Access, Parking, Safety/Security, Disturbance/Noise, Unloading/Loading and Rubbish/Recycling.**

We are disappointed and extremely concerned that despite asking the owner, this application has been made without consideration for ourselves a [REDACTED] and the Langriggs community as a whole. Given the location and complexities of the situation we respectfully suggest that members of the Committee and Licencing should visit Ivory Court.

We have enclosed photographs and diagrams of our location to support our objection as well as a list of names and signatures of members of both the Langriggs and Carlyse Court community who oppose this application see **Document No. 12.**

Yours faithfully,

[REDACTED]

[REDACTED]

Mr and Mrs D Woodhead

Our Title Deed map of our property. Our buildings of [redacted] are highlighted here in pink, and the shared private communal yard highlighted blue.

DOCUMENT No. 1



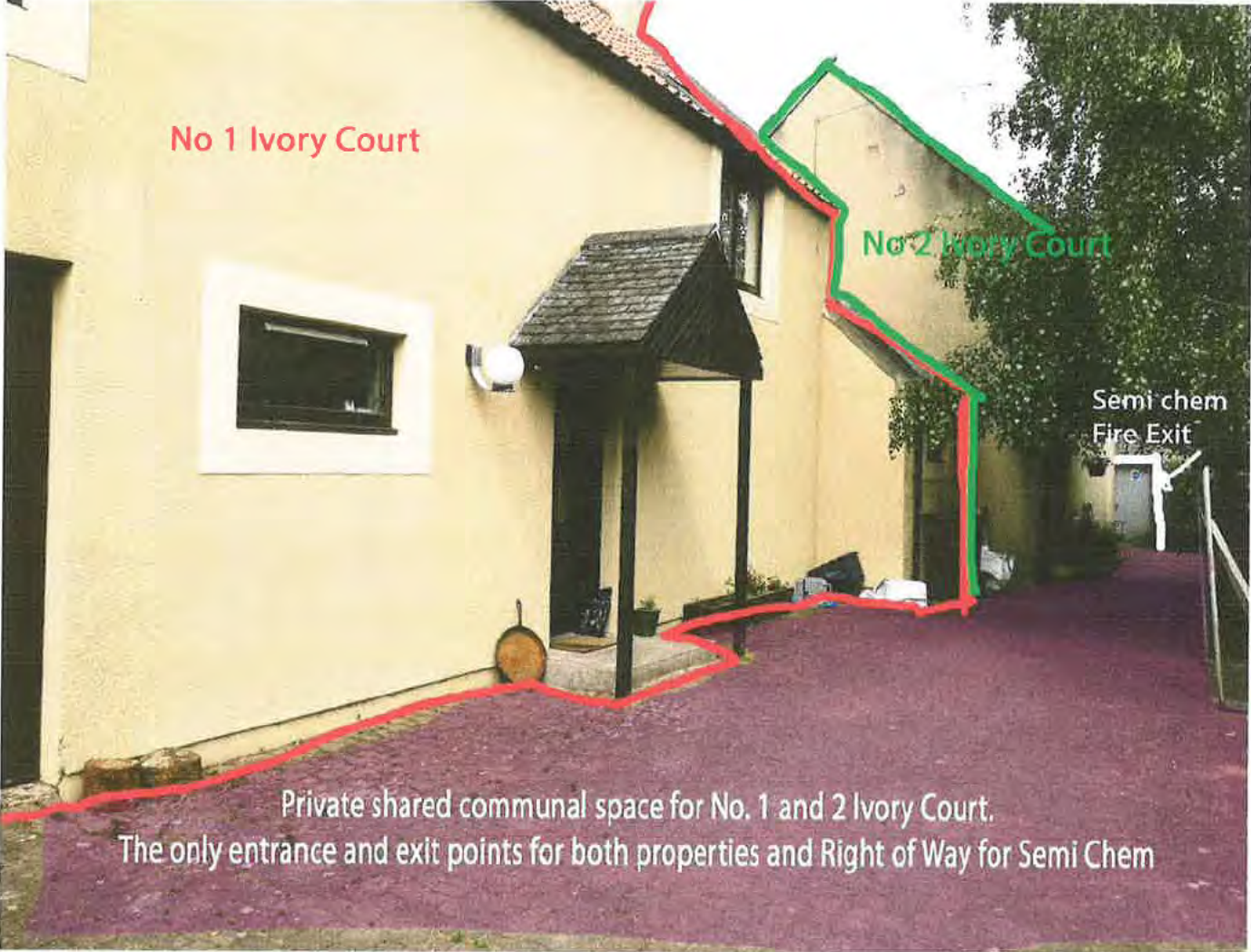
Document No. 2

The only entrance and exit gates of No.1 and No.2 Ivory Court, Langriggs, Haddington, EH41 4BY.



Document No. 3

The view looking into the private shared yard after entering the double brown gates from Langriggs, showing the full frontage view of No.1 Ivory Court, the full length of 14.65m that we have to walk past in order to enter and exit our property of [REDACTED]



Private shared communal space for No. 1 and 2 Ivory Court.
The only entrance and exit points for both properties and Right of Way for Semi Chem

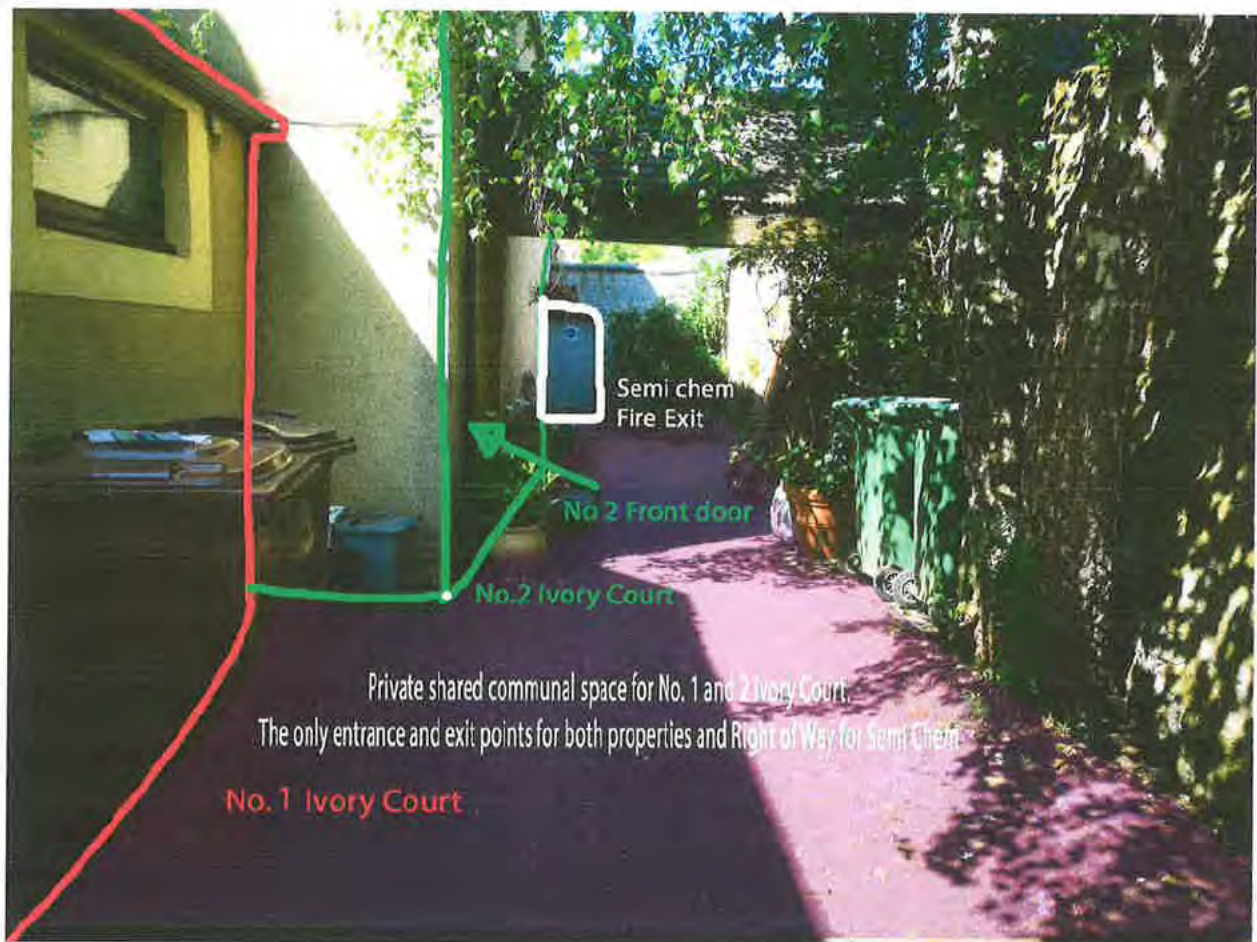
Document No. 4

Diagram showing the plan of both Ivory Court properties, with measurements of the shared private communal yard labelled.

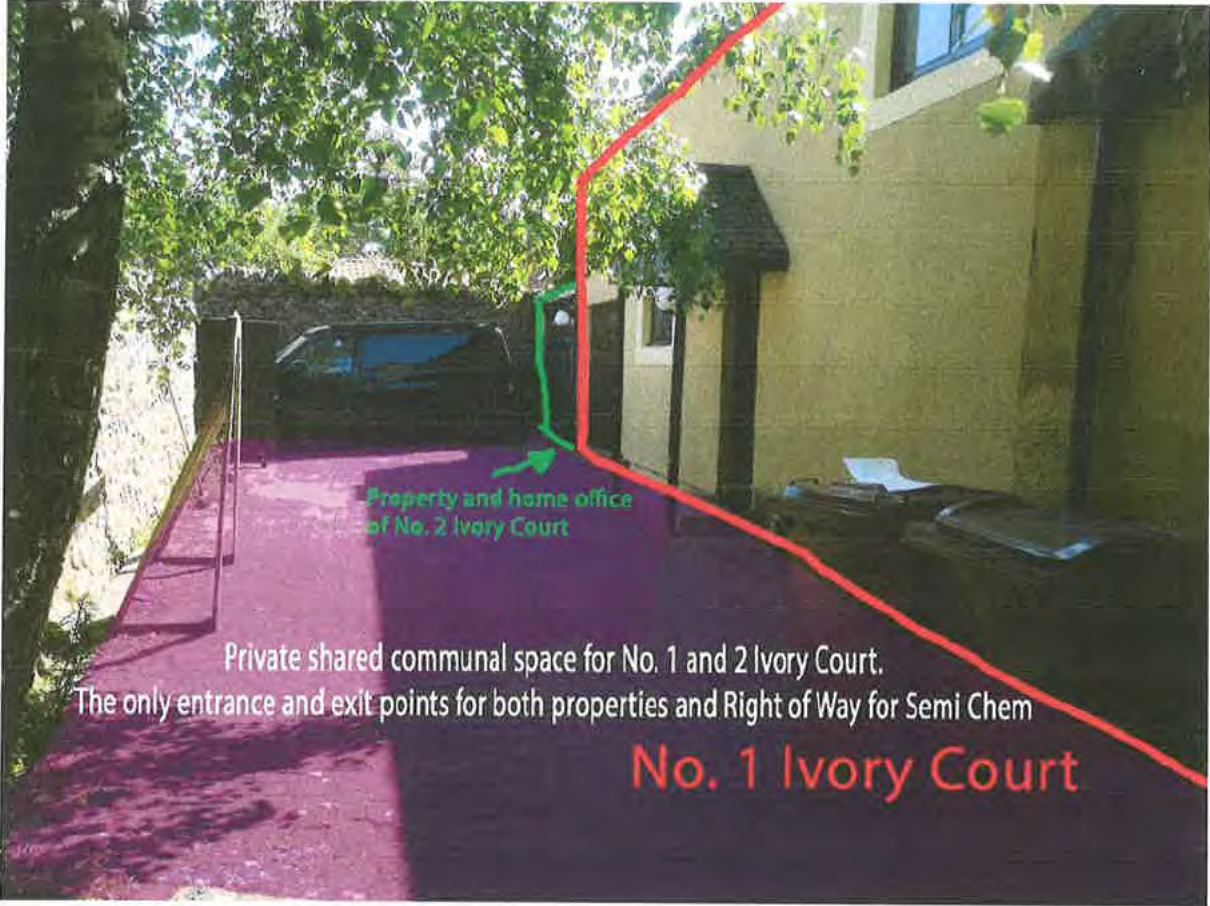


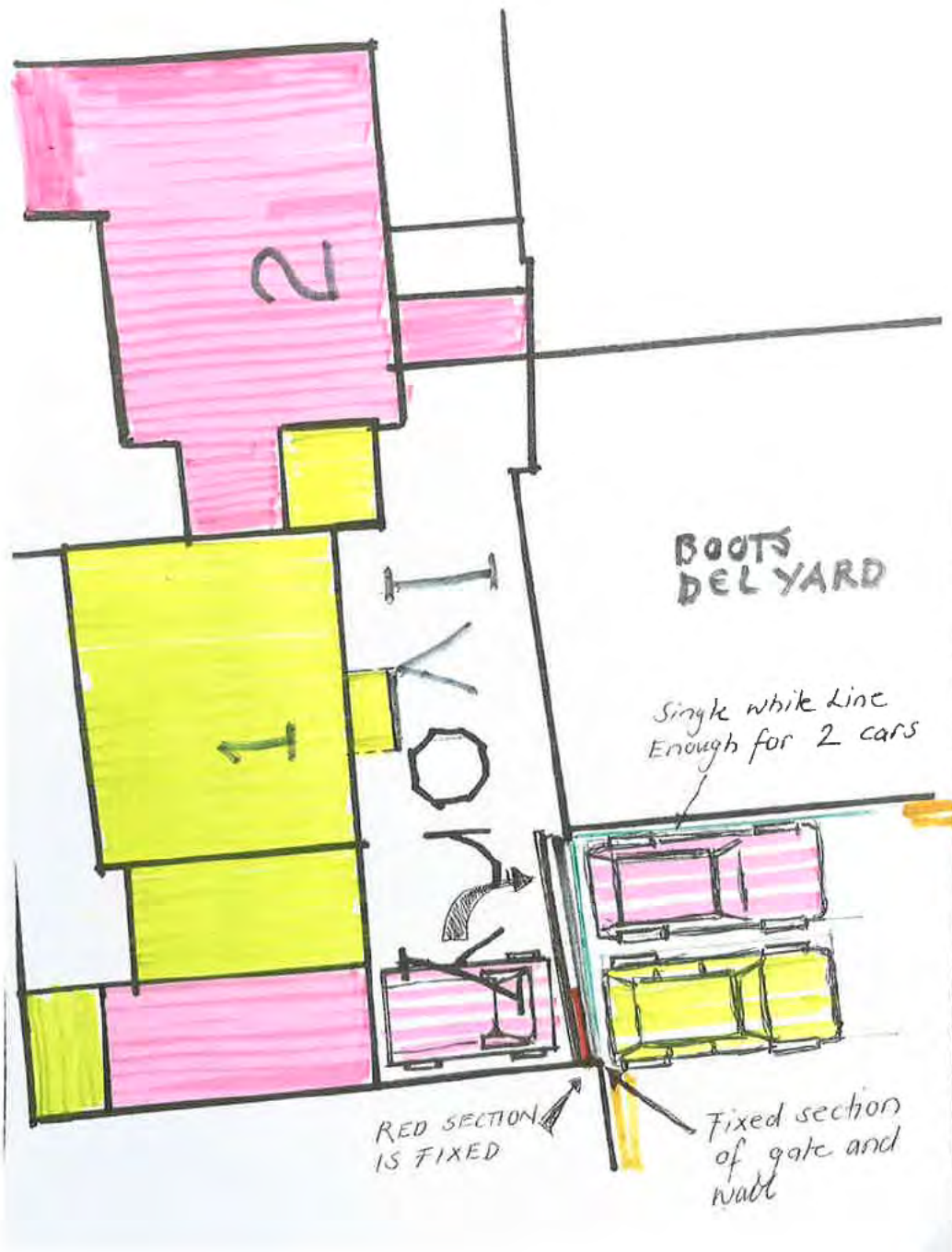
Document No. 5

View along the communal shared yard showing the end of the property of No.1 Ivory Court, the doorstep of our property of [REDACTED] and the location of the Emergency Fire Exit and delivery door of SemiChem. Please note the small window visible above the brown bins is the 4th bedroom of No.1 Ivory Court.



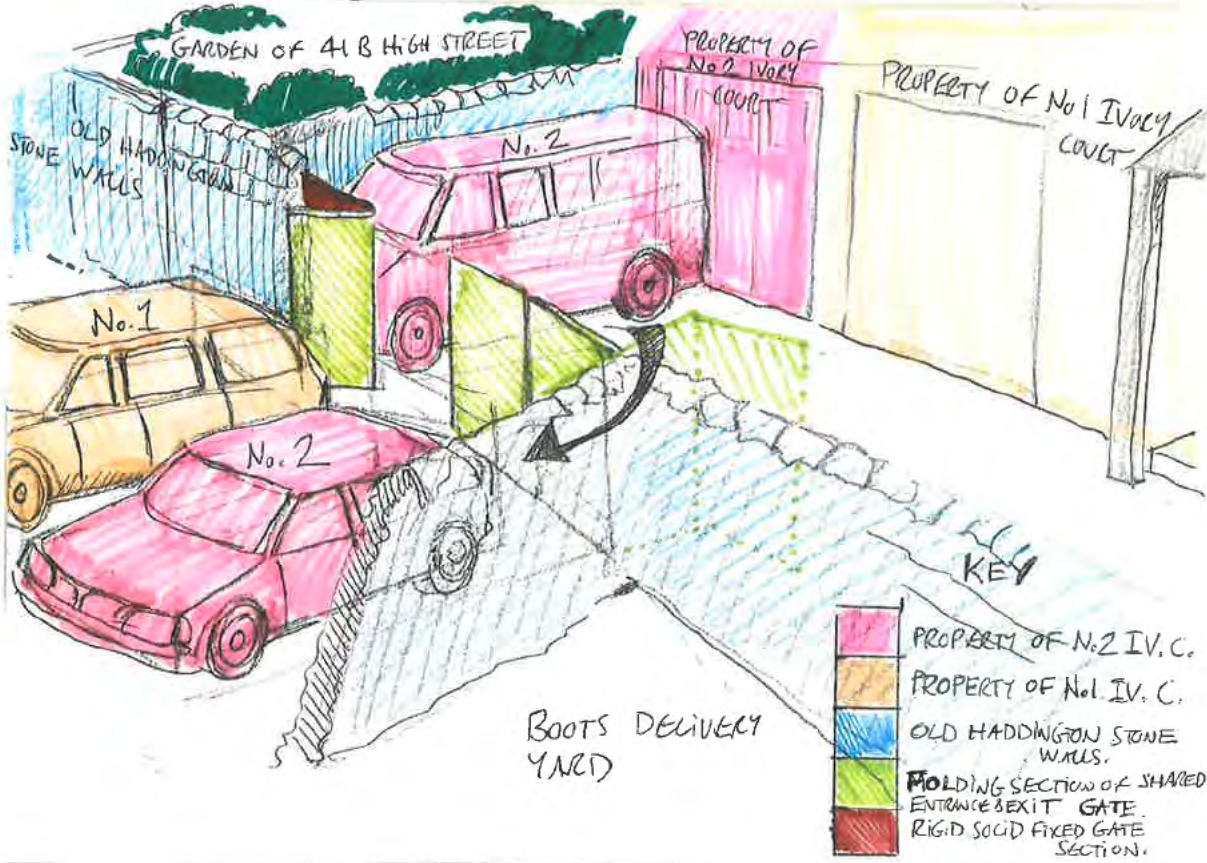
View Southwards through our shared communal private space showing the location of our Home Office and Storeroom in relation to the yard and No.1 Ivory Court.





Document No. 8

Drawing showing No.1 and No.2 Ivory Court and parking.



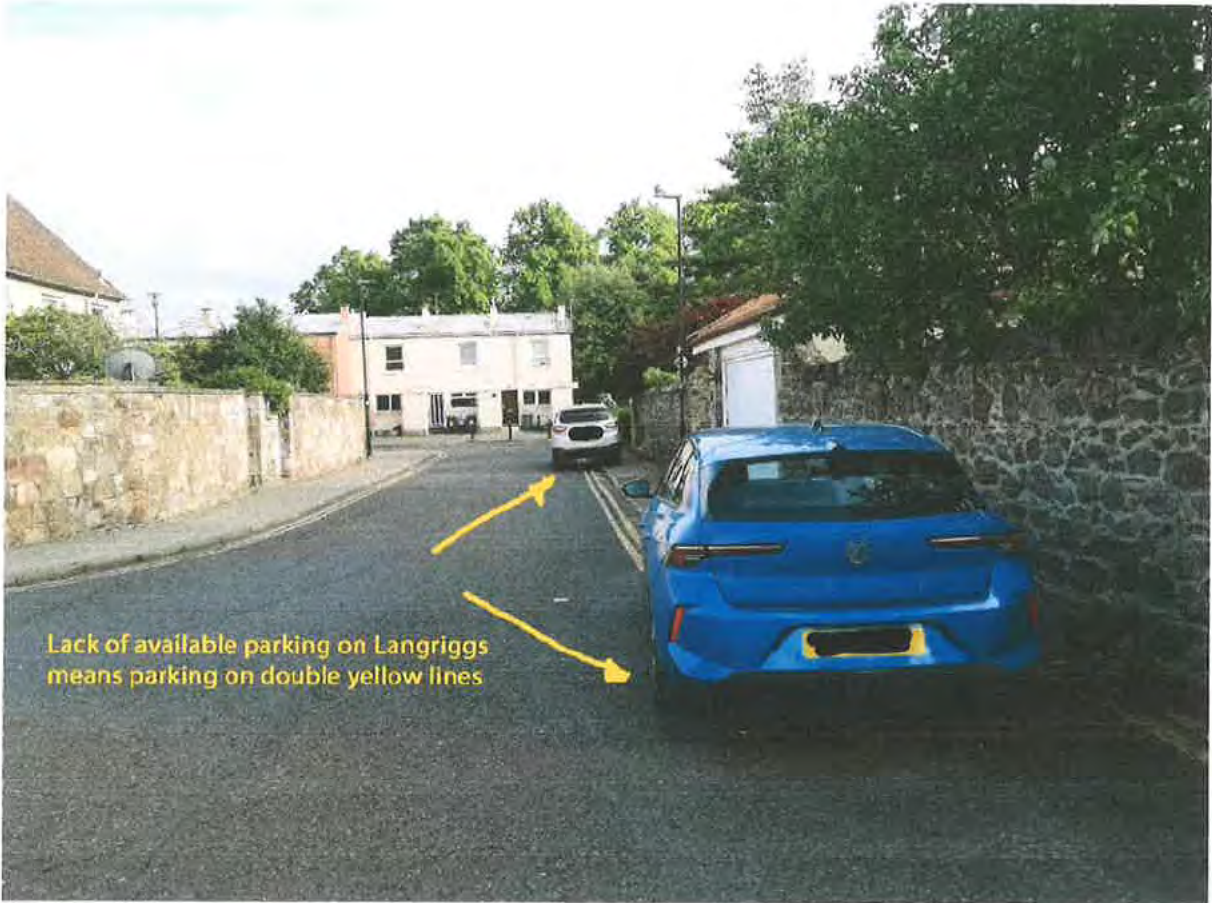
Map showing a brief view of the available parking bays, double yellow line restrictions and location of No.1 and No.2 Ivory Court, Langriggs.



Here we show the current parking bays situated along Langriggs and the positioning of Double Yellow lines, as well detail the numbers of spaces available which can be used by both Langriggs Residents as well as visitors and shoppers to the High Street. We have marked out in yellow the double lines along Langriggs, marked and numbered the parking bays available to residents in red, purple shows the private spaces for The Butts.

- Parking area No.1 has 8 Spaces.
- Parking area No.2 17 spaces plus 1 Disabled Space
- Parking area No.3 10 spaces
- Parking area No.4 3 spaces plus 1 Disabled Space
- Parking area no.5 1 space plus 1 Disabled space.

A Total of 39 parking spaces and 3 disabled spaces available on Langriggs



Lack of available parking on Langriggs means parking on double yellow lines



Signatures of surrounding residents who object to the License proposal for a short-term Licence for home sharing and home letting for the property of 1 Ivory Court, Langriggs, Haddington, EH41 4BY due to the following 1. Access 2. Location 3. Parking 4. Disturbance/Noise 5. Unloading/Loading

Name	Address	Signature	Date	1	2	3	4	5
S. MARTIN	[REDACTED]	[REDACTED]	10/6	✓	✓	✓	✓	✓
MEL CAMPBELL LORNA WILL	[REDACTED]	[REDACTED]	10/6		✓	✓	✓	✓
Ross Allan	[REDACTED]	[REDACTED]	10/6		✓	✓	✓	
M. Robertson	[REDACTED]	[REDACTED]	10/6		✓	✓		
Neil Brown	[REDACTED]	[REDACTED]	10/6		✓	✓		
John Street	[REDACTED]	[REDACTED]	10/6		✓	✓	✓	✓
Neville M. Christie	[REDACTED]	[REDACTED]	10/6		✓	✓	✓	✓
Patricia Oliver	[REDACTED]	[REDACTED]	10/6		✓	✓	✓	
MARINA RAMAS	[REDACTED]	[REDACTED]	10/6		✓		✓	
Steve Craig	[REDACTED]	[REDACTED]	10/6		✓		✓	
Ann Hughes	[REDACTED]	[REDACTED]	10/6		✓		✓	
S.	[REDACTED]	[REDACTED]						
ELIX WATSON	[REDACTED]	[REDACTED]	10/6	✓	✓	✓	✓	✓
Helen C.	[REDACTED]	[REDACTED]	10/6		✓		✓	
Sylvie Tull	[REDACTED]	[REDACTED]			✓		✓	
Diana Lott	[REDACTED]	[REDACTED]	11/6/23		✓		✓	
JEAN BARRETT	[REDACTED]	[REDACTED]				✓	✓	✓
MARIS SUGNEY	[REDACTED]	[REDACTED]	11/6/23		✓	✓		
S. Gordon	[REDACTED]	[REDACTED]	12/6/23	✓	✓	✓		✓
A. Hunter	[REDACTED]	[REDACTED]			✓	✓	✓	

From: [Short Term Lets](#)
To: [Aitken, Christine \(Licensing\)](#)
Subject: FW: Applicant from 1 Ivory Court
Date: 19 September 2023 11:11:52

From: Liz Doig [REDACTED]
Sent: 15 September 2023 08:04
To: Short Term Lets <stl@eastlothian.gov.uk>
Subject: Applicant from 1 Ivory Court

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

I am disappointed with the decision to defer my application for the short term let of 1 Ivory Court. It has been nearly four months since my application was first received by the council. During this time I would have expected those involved to have done their research including a site visit. This has resulted in my loss of income during this time.

I have also taken out the additional insurance on public liability for my property which has a fourteen day cooling off period. I was advised by your office this was necessary prior to the meeting and that should it not go in my favour I could cancel within the fourteen day cooling off period. It seems a disjointed system to take out insurance that you might not need.

In order to address some of the concerns raised I feel noise disturbance to the residence of Carlisle Court is not going to be an issue as they are at least 8m away from the rear of my property which is surrounded by an 8ft wall.

The shared space in front of the property is no different from any other semi detached property. Guests would only be using it for access. My neighbours run their business from their garage and regularly have people come to view their paintings and move their paintings in and out of their car in this area so it is no different.

The parking in the area is restricted and marked which guests would be made aware of in my property listing. Guests that wish to park will have access to my parking space. My neighbours somehow manage to monopolise the parking for the property and have two spaces for their vehicles which since moving into the property I have never contested. Guests will most likely choose to access the property by Haddingtons good transport links which will be detailed in my listing.

I value my relationship with my neighbours and those in the local area and will be respectful of the needs for guests to understand this and to be mindful of noise and disturbance.

[REDACTED]
[REDACTED]
[REDACTED] Can you let me know when the licensing committee

meeting will be? As I am sure you will understand, it is difficult for me to take time off work and lose further income.

KInd Regards,

Liz

From: [REDACTED]
To: [Crichton, Rebecca](#)
Cc: [McGinn, Colin](#)
Subject: Follow up to objection for short term let application of 1 Ivory Court, Langriggs, Haddington
Date: 19 September 2023 11:02:23
Importance: High

Some people who received this message don't often get email from info@pascalereentsch.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Becky,

I have been just told by Christine Aitken at the Licensing department that we are not able to be part of the on-site visit as it is between the applicant and the Committee.

As this is a joint 50/50 shared access to both properties and we are joint owners of the land we would like to request that we are able to attend the meeting.

We also would like to correct and clarify misleading information that Mrs Doig gave during the Short Term Let online meeting on the 14th September.

- 1. Mrs Doig does have 3 children but only 2 have ever lived at her property. So there will be a significant increase in footfall across our shared entry and exit yard and in front of our home office. Her property will accommodate up to 7 people not including under 2's more than double if not triple her current footfall. Mrs Doig has 1 parking spot outside the property.*
- 2. Mrs Doig stated that we are running our business from home. To clarify: our home is not our business premises. We are both professional Artists and we work purely outdoors in the field, away on location. We sell our work through galleries and online. In our home and home office we organise for exhibitions in galleries, prepare for talks, teaching, workshops and store our portfolios, paintings, frames and art materials.*

Could you please acknowledge that this email will be sent to all members of the License committee.

Yours faithfully,
Pascale and Darren Woodhead,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]