

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

APPLICATION FOR GRANT / RENEWAL OF SHORT-TERM LET LICENCE

PART 1: ABOUT YOU

Are you applying as an individual or corporate entity?

Individual

Corporate Entity

2a

Fill in if you are applying as an individual:

Title Mrs

Your full name Sophie Gillies

Date of birth [REDACTED]

Place of birth [REDACTED]

Home Address [REDACTED]

[REDACTED] Postcode [REDACTED]

Tel. No. [REDACTED] Email address [REDACTED]

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)
[REDACTED]	[REDACTED]	03/2018	31/23
[REDACTED]	[REDACTED]	06/2017	03/2018

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).

Trading Name and Nominated Individual _____

Address _____

_____ Postcode _____

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.
Donald Gillies	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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

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

PART 2: PREMISES DETAILS

Where you have a single premises with multiple accommodation units, please complete the Premises Details Supplementary form.

Premises Address East Wing, Tynninghame House, Tynninghame, Dunbar

Postcode EH42 1XW

Unique Property Reference Number (if known) _____

EPC Rating* D

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

Please select the type of premises:

Detached House Semi-detached house
 Terraced House Flat
 Unconventional accommodation

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

- Self-catering B&B
Guest house Other form of home sharing
Home letting

Specify the number of rooms within the premises used as:

Bedrooms 5 Bed/Sitting rooms 1

Bathrooms 5 Kitchens 2

Lounges 0

Other (please specify) _____

Specify the maximum number of guests 10
(excluding children under 2 years of age)

Specify the number of off-street car parking spaces available 4

PART 3: APPLICATION AND LICENCE TYPE

(to be completed by all applicants)

Please select the application type:

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

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 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 occupancy).

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: N/A / N/A / N/A
Electrical Installation Condition Report	Valid to: 04 / 08 / 2033
Portable Appliance Testing Report	Valid to: 14 / 02 / 2029
Fire Risk Assessment	✓
Fire Service Safety Checklist	✓
Legionella Risk Assessment	✓
Planning permission (for premises within a control area or where requested by the licensing authority)	Planning application reference number: N/A East Lothian Council confirmed Planning Permission is not required
Floor plan	✓
EPC Certificate (for premises which are dwellinghouses)	Valid to: 08 / 02 / 2034
Public Liability Insurance	Valid to: 31 / 01 / 2025
Proof of consent from owner (if applicable)	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	✓
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.	✓ ✓ ✓ N/A ✓ ✓
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.

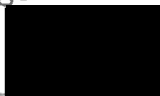
Anyone who gives false information on this form, or fails to provide the information required by this form, is committing an offence which could lead to prosecution.

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 Sophie Gillies

Date 17 February 2024

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

The Civic Government (Scotland) Act 1982
(Licensing of Short-term Lets) Order 2022

CERTIFICATE OF COMPLIANCE

SHORT-TERM LETS LICENCE – CONFIRMATION OF
DISPLAY OF PUBLIC NOTICE

Confirmation Of Display Of Notice

This section must be completed by the applicant and the whole notice returned to the East Lothian Council, Licensing, John Muir House, HADDINGTON, EH41 3HA or licensing@eastlothian.gov.uk at the end of the 21-day display period.

I (Full name of applicant) Sophie Gillies

Certify that the notice of application has been displayed as prescribed above for a period of not less than 21 days

From 14 February 2024 ending on 9 March 2024

Applicant's signature 

Date 9 March 2024

Licensing

From: Donald Gillies [REDACTED]
Sent: 26 February 2024 15:00
To: Licensing; Short Term Lets
Cc: [REDACTED]
Subject: East Wing - STL76010

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

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Hi STL & Licensing Team,

My wife Sophie Gillies (cc'd) and I understand that our neighbours have been in touch with you regarding our application for a short term let home letting license for our property, the East Wing at Tynninghame House.

We have received notice from the neighbours that East Lothian Council are to be in touch with us in order to tell us to re site the public notice. That is obviously unnecessary as we have put it in a place accessible to the public and near the property. This is reaffirmed by the fact all of our neighbours are aware of the notice and have been in contact with you.

You should be aware that our neighbours have a history of making vexatious claims against us and our property in relation to East Lothian Council and if they tell you that applying for a short term let or home letting license is against our title deeds you should know that is completely untrue. Granting of the licence will not breach our title deeds or any other restrictions on the property. It is also not something that should affect how the council treats our application.

We sited the notice on the 17th of February and believe that the requisite notice period remains ongoing.

We are not physically home as we are visiting family overseas so please direct any correspondence with us on email.

Thank you,

Donald and Sophie Gillies

Consultation responses

Antisocial Behaviour team – No objection (29 February 2024)

Parking team – No objection (29 February 2024)

Planning Authority – Planning permission not required (02 April 2024)

Environmental Services – No response

Police Scotland – No response

SFRS – No response

Licensing

From: Deanna McHugh [REDACTED]
Sent: 04 March 2024 08:28
To: Licensing
Subject: Re: Wrongful licence to let application

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

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Dear East Lothian Licensing;

Since my previous email to you, I have searched online for any application by the owners of the East Wing of Tynninghame House for the appropriate planning permissions (CLUD, etc.), in order to have their application for short term letting of the East Wing considered. The permissions have not been granted, nor have applications for such permission been submitted..

The application for short-term let which has been submitted is problematic on several grounds.

- 1) The owners of the East Wing have sought to circumvent neighbour or public comment on their application by their improper placement of the notice.
- 2) The owners of the East Wing have failed to obtain any sort of planning consent for their proposed letting of the East Wing of "A" listed Tynninghame House.
- 3) The proposed letting of the East Wing is specifically forbidden within the Title Deeds signed by the owners of the house at the time they purchased the property and would be legally actionable by Tynninghame Gardens Ltd as a breach of covenant. All of the householders at "A" listed Tynninghame House have signed contracts stipulating that the house would not be rented out or used for commercial purposes. Privacy and security contribute to the overall value of the properties owned at Tynninghame House and would be severely compromised by commercial activity. The owners of the East Wing are wrongfully requesting the Council to approve an illicit activity in breach of covenant.

In sum, the Gillies' application for short-term letting is an affront to common sense, as well as disrespectful of the protected house and gardens, the other property owners at Tynninghame House, and East Lothian Council's policies for short-term letting.

According to East Lothian's policy for short term lets licensing, the application submitted by the owners of the East Wing should not even be considered by the Council:

"If you apply for a STL licence and you do not have the required Planning Permissions or CLUD (Certificate of Lawful Use or Development), East Lothian Council will refuse to consider your application."

On these grounds and any others which apply, please refuse the application submitted under the name Sophie Gillies for short-term letting of the East Wing of Tynninghame House.

Thank you.

Best regards,

Deanna McHugh



On 27 Feb 2024, at 10:00, Deanna McHugh <[redacted]> wrote:

Dear Sir or Madam;

The following notice of application for a licence for short term letting of the East Wing was found affixed to an inoperable wooden gate along Lime Tree Walk, a substantial distance from Tynninghame House, which is barely visible across acres of grazing fields from this point. (Screenshots from Google maps below)

Because of the out-of-the-way posting of the notice, neighbours at Tynninghame House and members of the public would not normally see this notice, concern themselves with it, or connect it to the house in any way. This would have effectively blocked any comment on the application occurring within the 3 week window of opportunity for comments, except that local residents along the lane called it to the attention of Tynninghame Gardens Ltd, the homeowners association of Tynninghame House and its gardens, which should have been consulted prior to submission of the application.

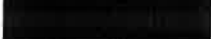
Not only does the positioning of the notice intentionally circumvent the Council's guidelines for such applications, the Title Deeds for the East Wing (and other properties within Tynninghame House) specifically prohibit renting out — or any commercial use — of the properties within the house.

Please reject this application.

Thank you for your attention to this matter.

Best regards,

Deanna McHugh



<image0000001.jpeg>

Ref Application for short-term lets licence
East Wing, Tynninghame House
Dunbar, East Lothian, EH22 1XW
Sophie Gillies

28th February 2024

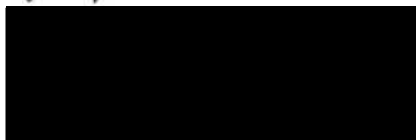
Dear Sirs, I object to the above application,
due to the following main reasons:-

- 1/ It is expressly forbidden in the title deeds of the properties in the Tynninghame Development.
- 2/ Access to the property is via a small internal courtyard shared with four other properties. It would therefore have a major impact on the privacy and enjoyment of the four immediate neighbours, used as private occupied dwellings.
- 3/ Consent for a short term let would affect the fourteen other owners of the "Tynninghame House development", who share private communal gardens, resulting in different people occupying the private gardens, and destroying the privacy and amenity

of the guidelines for the above regulation. The property under application is not a stand alone property, but forms an integral part of the development, and cannot be treated as self contained.

I therefore request that the application be declined.

Yours faithfully



Licensing

From: John McNeill [REDACTED]
Sent: 08 March 2024 16:59
To: Licensing
Cc: joanne McNeill
Subject: Application for short term rental licence in the name of Sophie Gillies, East Wing, Tynninghame House, EH42 1XW

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

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Dear Sir/Madam,

We are residents at the [REDACTED]

We have multiple objections to this application:

1. The application was posted 2.3 miles (driving from Tynninghame House on public roads) to a broken fence on Limetree Walk, Tynninghame, behind a muddy verge. It is surprising that anyone ever saw it.
2. Tynninghame House consists of communal grounds (for all residents) and private gardens (surrounding individual properties, a much smaller number). The intention of the original design is that there would be a harmonious community, that would have privacy when they wanted it, and company when they desired it.

To the south of the property there is a bay walk, connecting the East and West Wings (all private property, not part of the communal gardens). Our property at the [REDACTED] represents the vast majority of the bay walk. The bay walk leads into the most important part of the private gardens surrounding Tynninghame House, the rose garden/parterre. This is shared between The West Wing and our neighbour in the Library Wing exclusively. The private gardens shared between the West Wing and Library Wing are of historic significance, including an important Sundial and garden ornaments of great age.

3. There is no visible division between the East Wing and the West Wing, as the intention of everyone who has ever lived here is that it should look like a continuum. Short-term renters would not know the demarcation and would naturally be interested in surveying the very much more important gardens beyond the East Wing. This would be a gross intrusion of our privacy.
4. Living in such a tranquil and peaceful place, until recently, has had powerful health and restorative benefits to my wife [REDACTED]. It is very important to me that this is not disturbed.
5. Building work: It is in the nature of historic houses that they need frequent maintenance. The West Wing has had scaffolding from floor to roof in the past few months after storm damage. Our neighbour at the Library Wing will need scaffolding soon to deal with similar issues. This is always a time of anxiety from a security point of view and we do not want unknown people wandering around in this context.
6. Livestock: The land adjacent to Tynninghame House, Haddington estate land, is grazed by sheep and cattle. Short-term renters may have animals. The scope for mishaps is obvious.

In short, I cannot conceive of a property less suited to a short-term rental licence.

Yours faithfully,

Licensing

From: Judy Riley [REDACTED]
Sent: 06 March 2024 18:01
To: Licensing
Subject: Short term let License East Wing Tynninghame House

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Dear Sir/Madam

Application for Short term let from Sophie Gillies for The East Wing Tynninghame House

I wish to object to the Application for several reasons.

Background

Tynninghame House is a Grade A Listed Building which is divided into nine apartments. There are a further six dwellings in the grounds, making a total of fifteen proprietors. The houses in the grounds have their own separate, private gardens. Some apartments in the House also have private areas of their own. There are no boundaries visible, as this would make a mockery of the design – The House is meant to look as if it has one owner. There are 38 acres of common ground which is divided between lawns, woodland and the Secret Garden. The common garden areas and drive are managed by Tynninghame Gardens Ltd.(TGL), a limited company owned by the residents.

I think it would be desirable if you visited Mrs Gillies at the East Wing so that you can see our situation for yourselves. It is a very unconventional one. The Scottish Government advises site visits in unconventional premises.

It is unclear to me whether this Application represents a a change of use, as the East Wing is a dwelling house. In such a case I believe Planning Permission must also be granted by the Planning Department.

Objections:

1.The first objection is that the proposal would be unlawful; it is not permitted in our title deeds. It is clearly stated in the title deeds that 'except with the written consent of the Superior, the Feuar(proprietor) is prohibited from using any part of the feu for the purpose of any trade, business or manufacture or for any purpose other than as a private dwelling house with appropriate domestic offices for the occupation of one family; (D14 Burdens 4.One) Sophie Gillies knows this

2. Secondly, 'the Feuar is not entitled to carry on or conduct on the feu any activity which may be deemed by the Superior to be a nuisance or prejudicial to the amenity of the owners of other

residential units in the Tynninghame House Development of which the subjects in this title form part;' (D14,15 Burdens 4.Two) Again, Sophie Gillies knows this.

Taken together, both Burdens from the title deeds suggest that short term letting, without the permission of TGL members, is unlawful. Neither the neighbouring residents nor TGL have been consulted.

3. Nuisance: Because of the shared nature of the gardens it would be totally inappropriate to have strangers regularly wandering about.

4. Danger to children: There are many families who have younger members who visit and enjoy playing safely in the gardens and wandering about the woodland on their own. Because it is private and we all know one another, they are not in any danger. That would change if strangers were constantly visiting.

5. Safety of Garden machinery and tool:. We employ two gardeners who keep the machinery and tools in sheds which are not locked during the daytime, while they are working here. We have had one burglary when chain saws and other equipment were stolen. To have ever changing (and unknown to us) guests here would pose a threat to the safety of our machinery and a possible danger. Our gardeners have all the necessary certification but it would be impracticable to have all machinery locked at all times.

6. Large groups: The East Wing is a large apartment with several bedrooms and would attract large groups. Inevitably there would be noise, disturbance and an accumulation of rubbish strewn about the common areas.

I note that the Public Notice of Application for Short-Term Lets Licence was posted a mile from the house, on a gate on the road to Tynninghame Links, far from the visibility of residents. Indeed the boundary wall on which it was posted belongs to Haddington Estates, and not to Tynninghame Gardens Ltd. All other notices of Planning Applications have been posted by E.L. Council on one or other of the entrances to the estate on the A198, thus clearly visible to all residents.

Finally, the applicants have just put the property to which their Application relates, the East Wing, up for sale. Taking this and the foregoing points into consideration, it is difficult to escape the conclusion that the Application is at best frivolous or at worst mischievous.

Yours faithfully

Judy Riley

Lindsay, Arlene (Licensing)

From: Licensing
Sent: 01 March 2024 14:22
To: Short Term Lets
Subject: FW: East Wing, Tynningame House. Short term letting Licence

From: [REDACTED]
Sent: Friday, March 1, 2024 1:25 PM
To: Licensing <licensing@eastlothian.gov.uk>
Subject: East Wing, Tynningame House. Short term letting Licence

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I am writing to object to the application for a Short-term letting licence for the East Wing, Tynningame House.

Tynningame House is a property comprising 15 freehold dwellings with a shared garden. There are some private areas of the garden, but the main areas are shared and jointly maintained. It is written into our Title Deeds that no dwelling is allowed to be used for commercial gain – to quote: “prohibited from using any part of the feu for the purpose of any trade, business or manufacture or for any purpose other than as a private dwellinghouse with appropriate domestic offices for the occupation of one family.”not entitled to carry on or conduct on the feu any activity which may be deemed by the Superior to be a nuisance or prejudicial to the amenity of owners and occupiers for the time being of other residential units in the said development’

On this basis alone I would object to the licence for short-term lets. It would be inappropriate given the proximity of neighbours and shared grounds.

Regards
Priscilla Parry





Verbal abuse and threatening behaviour is never acceptable. #zerotolerance

We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.



BE NICE
RESPECT US AS WE RESPECT YOU



30:02:2024

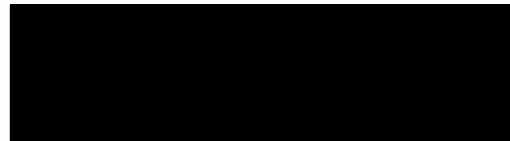
Dear Sir/Madam,

I am writing in relation to the application for a Short-Term Lets Licence for the property at East Wing, Tynninghame House, Tynninghame, Dunbar. EH42 1XW.

I fully support this application as I feel that such high quality accommodation in an idyllic situation is greatly needed in East Lothian. The property has its own parking spaces, entrance and garden as well as access to the shared grounds surrounding Tynninghame House. The house location is ideally suited for access to East Lothian's fantastic beaches and the nearby John Muir Country Park. It is in a great position for the occupants to make use of the many golf courses in the county as well as taking part in other outdoor activities.

With access to train stations at East Linton, Dunbar and North Berwick the country's capital is within fast and easy reach, allowing visitors to visit and enjoy the huge number of attractions there.

Yours sincerely,



James Leslie

East Lothian Council
Licensing

- 5 MAR 2024

Received

