



East Lothian
Council

**MINUTES OF THE MEETING OF
LICENSING SUB-COMMITTEE**

**THURSDAY 14 NOVEMBER 2024
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON
& HYBRID MEETING FACILITY**

1

Committee Members Present:

Councillor C McGinn
Councillor C Cassini
Councillor J Findlay
Councillor C McFarlane
Councillor T Trotter

Other Councillors Present:

None

Council Officials Present:

Mr I Forrest, Senior Solicitor
Ms S Fitzpatrick, Team Leader – Licensing and Landlord Registration
Ms A O'Reilly, Licensing Officer
Ms E Barclay, Democratic Services Assistant

Others Present:

PC I Anderson, Police Scotland

Clerk:

Ms B Crichton, Committees Officer

Apologies:

Councillor J McMillan

Declarations of Interest:

None

The clerk advised that the meeting was being held as a hybrid meeting, as provided for in legislation; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the Council was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for six months from the date of the meeting.

The clerk recorded the attendance of Members by roll call.

1. MINUTES FOR APPROVAL
a. Licensing Sub-Committee, 10 October 2024

The minutes were approved as an accurate record of the meeting.

2. APPLICATION FOR GRANT OF A LICENCE TO OPERATE A SHORT-TERM LET
7 Edenhall Road, Musselburgh

An application had been received from Helen Cormack for a licence to operate 7 Edenhall Road, Musselburgh, as a short-term let (STL). The application would be heard by the Licensing Sub-Committee on the basis that a public objection had been received. The Sub-Committee was required to focus on the suitability of the property to operate as an STL, and on the applicant to hold an STL licence.

Ian Forrest, Senior Solicitor, highlighted the terms of the public objection. He also confirmed that no objections had been received from any of the statutory consultees. He advised of the impact of a court decision in Edinburgh which, in summary, said that in determining an STL licence application, the Sub-Committee should not look at matters already addressed as part of the planning process. He advised that the Planning Authority had confirmed that planning consent had been granted. He also highlighted the written response to the objection from the applicant, and the inclusion of character references.

James and Helen Cormack spoke to their application. Mr Cormack felt that the submitted objection had been very personal. He advised that his wife had run the small flat as an Airbnb for eight years, accommodating guests from all over the world, and had received no complaints in this time. He had felt that the submitted objection had raised matters which were not relevant, other than noting a conversation which had occurred at 8am with guests who had been leaving the property.

Mrs Cormack pointed out that the Cormack's house was not connected to the objector's house, and also pointed out that no other properties had use of her path. She reported that conversations with guests had been conducted at a reasonable volume, and there had been no shouting, parties, or guests acting in a drunken manner. She noted that it was not mandatory for the hosts to be present, and they could contact guests on the phone and over the CCTV system when they were away. She advised that the small flat was only 20ft from her back door. She reported that there was very little household waste because guests usually ate out. She advised that there was room in the driveway for a car, although guests usually arrived by bus. She said there was ample on-street parking other than at the start and end of the school day, which she advised guests to avoid. She apologised if guests had accidentally gone into her neighbour's garden; she said she posted clear details of how to access the flat online, and also welcomed guests when she was home. She added that there was a 6ft fence between her property and the neighbour's property.

Responding to questions from Councillor Trotter, Mr Cormack advised that the building had been erected 30 years ago for storage, and had been extended in 2012 for Mrs Cormack's mother to live in. He had always known that retrospective planning permission would have to be sought. It was established that the Cormacks had been correct in describing themselves as new operators from a licensing perspective on the application form.

The Convener asked questions about the timeline for applying for planning permission and the STL licence. Mr Cormack advised that he had sought planning permission in the first instance because they had considered moving house. He explained that other matters had taken over, but they had not intended to avoid seeking planning permission for the building. He advised that the planning permission application had asked several questions relevant to the Airbnb, such as parking and waste; he had thought that this planning permission was the licence to operate the STL. He advised that, following the grant of planning permission, nine bookings had been made in quick succession after opening the Airbnb back up for bookings. The Cormacks had explained to Police Scotland that although they now understood they should not have opened the property up for bookings, there had been a number of bookings made; Police Scotland had allowed the Cormacks to host the remaining bookings, but had stipulated they could not take further bookings before securing the relevant licence.

The Convener asked further questions on the basis of a comment from Mr Cormack that he had not wanted to pay for a licence until planning permission was in place; the Convener was concerned that this appeared to contradict Mr and Mrs Cormack's earlier statements that they had previously thought that the planning permission was the licence they required to operate.

Fraser McLeod spoke against the application. He highlighted that the Cormacks had continued to trade, despite not having complied with the cut off requiring existing operators to apply for a licence prior to 1 October 2023 to be allowed to continue taking bookings. He highlighted that future bookings had been visible online, and drew attention to guest reviews from when the STL should not have been in operation. He expressed that these rules must be adhered to and there should be no exceptions. He also noted that the Cormacks had only applied for retrospective planning permission. He reported that Police Constable (PC) Wilson had served Mr and Mrs Cormack with an order to cease trading illegally. He also reported that the site notice had not been displayed in an appropriate place, and had been later moved by PC Wilson. Mr McLeod also raised concerns about fire risks associated with the building, due to materials on the roof, and reported that there was no access route to maintain the fabric of the building. Mr McLeod felt that the Cormacks had misrepresented the parking situation; he described the street as a congested hotspot, and explained that the Cormacks used their driveway to park vans and a motorhome. He also objected to business waste being placed in domestic bins, even in small quantities. He pointed out that his property had been empty for up to three years while renovations were underway, and suggested that this was why no complaints had been made about the business. He felt that the applicants had not shown themselves to be trustworthy, and expressed that the breaking of rules should not be rewarded with a licence. He also requested that Members undertake a site visit to appreciate his fire safety concerns.

Having looked at the area online, Councillor McGinn had concerns about the proximity of the flat to other properties, and felt the area looked congested. He would have considered a planning application for a home in this garden to constitute an overdevelopment. He acknowledged that statutory consultees had not objected to the application, but he still held concerns over whether the building was environmentally sound; he currently felt unable to make a decision on the application.

Councillor Findlay thought that the fact that planning permission had been granted meant that the Planning Authority had considered the building to be safe; he was unhappy with the suggestion that the structure was not environmentally sound.

Councillor Trotter also felt unable to make a decision, and would second a proposal to undertake a site visit.

Sheila Fitzpatrick, Team Leader – Licensing and Landlord Registration, advised that the Planning Authority had indicated that the building had been granted a part change of use to form a short-term let, however, Ms Fitzpatrick was not sure whether this had been granted because the building had been in use for over ten years; she could not say whether a Certificate of Lawfulness of Use or Development (CLUD) was subject to the same scrutiny as a new application for planning permission.

The Convener felt that a site visit with an Environmental Health Officer should be organised to clarify that the structure was safe. He formally proposed that a decision on the application be deferred to enable a site visit to take place. This proposal was seconded by Councillor Trotter.

Councillor Findlay enquired about timescales, and Ms Fitzpatrick said she would contact Environmental Health right away to arrange dates within the following weeks.

The Convener then moved to a roll call vote on his proposal to continue the application to enable a site visit to take place, and votes were cast as follows:

Support:	4	(Councillors McGinn, Cassini, McFarlane, and Trotter)
Against:	1	(Councillor Findlay)
Abstentions:	0	

Decision

The Licensing Sub-Committee agreed to continue the application to enable a site visit to take place.

3. CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960, SETON SANDS HOLIDAY VILLAGE, SITE LICENCE NO. 14B

A report had been submitted by the Executive Director for Council Resources to ask the Licensing Sub-Committee to review existing licence conditions for Site Licence No. 14B, Seton Sands Holiday Village, and agree an alteration to remove permission to site residential caravans. It also asked Sub-Committee members to agree that the holders of the licence had allowed the land to be used as a relevant permanent site without applying for the required licence.

Mr Forrest presented the report, and provided background information to the request. He advised that the current licence, issued in 2000, had no expiry date, so had been granted until such time as it was changed or ended. This licence covered 686 static holiday caravans, 60 touring caravans, and 20 residential caravans, reducing to 13 residential caravans as the site had been developed. He advised that planning permissions had changed in the interim, and the current request was for 853 static caravans, but the application to vary the current licence had not progressed to completion. In the interim, new legislation had come in relating to residential caravans, which covered holiday-type caravans; the site therefore required a new and different licence. He highlighted correspondence within the papers and the ongoing attempts to compel the licence holders to provide a new licence application for the residential units; this had not been received. He highlighted other relevant sections of the correspondence with Haven, the operator, and Lichfields, Haven's agent, and reiterated that the new licence must be applied for because residential units were now covered under new legislation.

Ms Fitzpatrick advised that Lichfields had been in touch immediately following receipt of the meeting invitation. At this time, Lichfields had indicated that an application would be submitted, but Ms Fitzpatrick reported that an application for the permanent site, or to vary the existing licence, had not been forthcoming in the intervening ten days.

Councillor Trotter asked why the process had taken so long. Helen Ashby-Ridgway, of Lichfields, advised that Haven had wanted to satisfy itself that planning permission was in place for residential use; she noted that planning history could be complicated in caravan parks. She advised that Haven had received advice that planning permission was in place for the residential unit, of which there was only one left at Seton Sands; Lichfields would be able to respond to the Council quickly on this matter.

Ms Fitzpatrick highlighted a response from the Planning Authority from 29 August 2024, which indicated that there was no permission for Seton Sands Holiday Village to site residential caravans; permissions previously granted had been to ensure that the holiday caravans were not used as permanent residential accommodation. Ms Ashby-Ridgway responded that Lichfields were keen to continue the conversation with the Licensing Authority on this matter. She advised that the correspondence and advice had progressed quickly since receiving the invitation to this meeting. She indicated that Lichfields would welcome a discussion as to why the Council and Haven's planning consultants held differing views on the matter of residential planning permission.

Councillor Trotter commented that Haven would have been aggrieved had the Council taken as long to process an application as they had taken to get their site licence in order; he felt uncomfortable making decisions until paperwork was fully in place. The Convener agreed that this licensing issue must be progressed, and was keen to establish a timeframe for Haven's response.

Mr Forrest responded that the recommendation asked Members to alter the current licence. He pointed out that if Committee members wanted to defer making a decision until other paperwork was in order, they would have no control over how quickly Haven would respond.

Ms Fitzpatrick added that discussions had been ongoing since the original application to vary the licence had been made. She advised that Haven and Lichfields had known since July 2023 that the Licensing Authority required them to apply to site residential caravans. She suggested that Lichfields forwarded their planning information to the Council as soon as possible.

The Convener asked about repercussions if Haven should fail to resolve this licensing matter. Ms Fitzpatrick would check the legislation for this information, as enforcement may fall to other agencies, such as Police Scotland.

Responding to a point made by Mr Forrest, Councillor Findlay commented that he would trust the Planning Authority to know whether planning permission was in place to site residential caravans; he felt that the report recommendations should be dealt with now.

The Convener acknowledged that it was not possible for the Licensing Sub-Committee to put a timeframe on the resolution of this matter, but wanted to emphasise the need for swift action and communication; he expected this to have been actioned by Haven within two weeks of the meeting. Mr Forrest advised that if

the matter was not resolved, it would fall to the enforcement side rather than to the Licensing Sub-Committee.

Simon Combs, of Haven, suggested that applications for both holiday and residential licences would be made within a few weeks. He advised that it had taken a long time to bring the relevant information together, but he had confirmation that planning permission was in place for the residential caravan; he would share this information with the Licensing and Planning Authorities.

Responding to an earlier comment about residential consent never having been granted, Ms Ashby-Ridgway pointed out that the whole of the Seton Sands site used to be residential caravans, but gradually the holiday use had taken over. She would seek to arrange a meeting urgently with the Planning Authority.

Ms Fitzpatrick added that the information on planning permission should be forwarded to the Council right away. She noted that the site had over 800 static caravans, but the licence currently stood at around 600 caravans; this requirement for a variation, along with the residential licence, meant there were two licence applications outstanding.

The Convener said he expected Haven to submit competent applications to site 853 caravans, and to site the residential caravan, within two weeks of this meeting. He then moved a roll call vote on the report recommendations, which were unanimously supported.

Decision

The Licensing Sub-Committee:

Reviewed the existing licence conditions 1.1 and 1.2 and agreed the following alteration:

- The permission to site residential caravans to be removed from the licence; and

Agreed that the holders of the licence had allowed the land to be used as a relevant permanent site without applying for the required licence.

Signed

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Councillor C McGinn
Convener of the Licensing Sub-Committee

REPORT TO: Licensing Sub-Committee
MEETING DATE: 12 December 2024
BY: Executive Director for Council Resources
SUBJECT: Civic Government (Scotland) Act 1982 and
Review of Short-Term Let Policy

2

1 PURPOSE

1.1 To review the above policy and associated appendices, originally approved 9 June 2022.

2 RECOMMENDATIONS

2.1 The Licensing Sub-Committee considers the amendments made to the policy in light of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) (Amendment) Order 2024, various challenges to the policies of other local authorities, and a local review.

2.2 The updated policy is approved and implemented with immediate effect.

2.3 Amended Appendices 3 and 4 (of this report) are approved and implemented with immediate effect.

3 BACKGROUND

3.1 The Amendment Order 2024 was introduced August 2024 and an explanatory note relating to the changes is provided at Appendix 1.

3.2 Planning considerations, specifically licence refusals, have been reviewed and amended following East Lothian Council's legal department's considerations of challenges to the policies of other local authorities.

3.3 In accordance with the original policy, a review will be carried out on a regular basis. The licensing regime was introduced October 2022.

3.4 The updated policy is attached at Appendix 2. The suggested amendments include:

- 3.4.1 In the absence of a Scottish Government definition of ‘only or principal’ home, a local definition has been introduced.
- 3.4.2 The nature of relevant objections and complaints has been reviewed and amended.
- 3.4.3 Following Cabinet’s approval of reviewed licensing fees, the ‘flat rate fee’ has been removed.
- 3.4.4 In accordance with the Amendment Order 2024, the definition of short-term lets has been amended (Appendix 3).
- 3.4.5 Following the local review, the additional conditions have been amended (Appendix 4).

4 POLICY IMPLICATIONS

- 4.1 Licensing of short-term lets will soon become a statutory obligation for East Lothian Council. This report is based upon legislation and Scottish Government guidance for licensing short-term lets.

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 IMPLICATION

- 6.1 There are no additional resource implications.

7 BACKGROUND PAPERS

- 7.1 None

APPENDICES

- Appendix 1 Amendment Order 2024 Explanatory Note
- Appendix 2 Amended East Lothian Council policy
- Appendix 3 Amended Definition of Short-Term Lets
- Appendix 4 Amended Additional Conditions

AUTHOR'S NAME	Hayley Barnett
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DATE	26 November 2024

EXPLANATORY NOTE

(This note is not part of the Order)

The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (“the 2022 Order”) introduced a licensing regime for the short-term let of residential accommodation. This Order amends the 2022 Order which in turn modifies the Civic Government (Scotland) Act 1982. This ensures that the short-term let licensing regime is contained wholly within the 2022 Order.

Article 2(2)(a) amends the definition of commercial consideration to remove the provision of a service as a form of commercial consideration.

Article 2(2)(b) amends the definition of “excluded tenancy” at sub-paragraph (1) to provide that a person’s foster child is treated as the person’s child. A foster child is therefore classed as an immediate family member of the host for the purposes of the definition of “short-term let” in article 3 of the 2022 Order and not a guest in a short-term let.

Article 2(3) amends article 4 of the 2022 Order to give a licensing authority a discretion, where a short-term let licence application is made in respect of multiple accommodation situated on a single premises, to grant the licence in respect of some or all of that accommodation.

Article 2(4) amends paragraph 1 of schedule 1 of the 2022 Order to ensure that guest rooms provided in residential accommodation where personal care is provided, guest rooms in hospitals, guest rooms in nursing homes and guest rooms in sheltered housing are all classed as excluded accommodation for the purposes of the short-term let licensing regime.

Article 2(5) provides definitions of sheltered housing and vulnerable adult for the purposes of the amendments made in article 2(4).

Article 2(6) amends paragraph 6 of schedule 2 of the 2022 Order (which in turn modifies schedule 1 of the 1982 Act) to clarify that a temporary exemption from the need to obtain a short-term let licence may be granted for no more than three separate periods which amount in total to no more than 6 weeks in one calendar year.

Article 2(7) inserts new provision after paragraph 9 of schedule 2 of the 2022 Order (and in turn inserts paragraphs 7A and 7B into schedule 1 of the 1982 Act). New paragraph 7A introduces a procedure whereby an application can be made to a licensing authority for a provisional short-term let licence in relation to premises which have yet to be, or are in the course of being, constructed. The provisional short-term let licence application is processed in the same manner as a short-term let licence application but where a provisional licence is granted, it is of no effect until it has been confirmed by the licensing authority. A provisional short-term let licence is revoked if it is not confirmed within 3 years of being granted, unless that period is extended by the licensing authority.

Article 2(8) inserts new provision after paragraph 10 of schedule 2 of the 2022 Order (and in turn inserts paragraph 9A into schedule 1 of the 1982 Act). New paragraph 9A introduces a procedure whereby a short-

term let licence holder can apply to the licensing authority to transfer the licence into the name of a third party (the transferee).

Article 2(9) amends paragraph 12 of schedule 3 of the 2022 Order. Schedule 3 of the 2022 Order specifies mandatory conditions for short-term let licences and paragraph 12 of schedule 13 specifies information which must be displayed in the premises. Article 2(9) provides that information about action to be taken when the carbon monoxide alarm sounds and information about the operation and movement of mobile gas cabinet heaters must be displayed in the premises.

Article 3 amends section 12(1) of the Housing (Scotland) Act 2006 to make it clearer that the repairing standard in Part 1 of that Act applies to short-term lets. The repairing standard applies to any tenancy of a house let for human habitation and a short-term let is defined as a tenancy under section 12(3) (as inserted by the 2022 Order).

Article 4 makes transitional provision in relation to article 2(3) and (6). Article 4(1) provides that the licensing authority's power to grant one licence for multiple accommodation on a single premises applies only to an application made on or after the day on which this Order comes into force. Article 4(2) provides that the new rule on temporary exemption applies only to an application for a temporary exemption made on or after the day on which this Order comes into force. Article 4(3) provides that periods of temporary exemption prior to the day on which this Order comes into force are not to be taken into account for the purposes of determining whether the temporary exemption applied for would breach the rules that there must be no more than three separate periods of exemption within one calendar year and there must be no more than 6 weeks of temporary exemption within one calendar year.



Licensing Policy Statement

Short-term Lets

2022

Approved	9 June 2022
Amended	12 October 2023
Amended	12 December 2024

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Section 1: Introduction

1.1 Links to local Plans and Strategies:

The Short-Term Lets Policy becomes effective from 1 October 2022 and links to:

- East Lothian Plan 2017-2027, Outcome 1.2 – Local businesses are thriving and the business base is expanding
- Economic Development Strategy, 2017-2022, Tourism
- Local Housing Strategy 2024-2029
- Local Development Plan

1.2 Policy focus

The Council's Short-Term Lets Policy focuses on ensuring that an efficient, effective and proportionate licensing scheme is in place, which is customised to the needs and circumstances of the Council's local area and supports applicants who wish to obtain a short-term let licence. The policy outlines how the Council will administer applications, collect fees and monitor short term lets.

1.3 Procedure

Detailed Procedures will guide officers through the processes involved.

Section 2: Policy Purpose, Aims and Objectives

2.1 Purpose of the Policy

The Short-Term Lets Policy describes how the Council will manage the licensing of Short-term Lets, including setting out applicable fees, types of licence, refunds policy and complaints and enforcement procedures.

Copies of the Policy, Licence Conditions and the Council's Procedures including the Short-Term Lets Application form and Checklist are available to applicants on the Council's website, [Short-term lets | Short-term Lets licensing | East Lothian Council](#), or, can be requested by emailing stl@eastlothian.gov.uk or by calling 01620 827664.

2.2. Aims of the Policy

The overall aim of the Policy is to ensure that the licensing scheme is:

- in line with the Scottish Government's overall policy aims for the licensing of Short-term Lets;
- efficient, effective and proportionate; and
- customised to the licensing authority's local policies and the needs and circumstances of the licensing authority's local area

2.3. Objectives of the Policy

The Policy will implement its aims through the following objectives:

- ensuring that the licensing scheme is effective, efficient and proportionate
- offering appropriate guidance and support to applicants using the licensing scheme
- ensuring the Council has a good knowledge and understanding of the local area with regards to short-term lets
- ensuring the safety of short-term lets through accommodation being offered, minimising the risk to guests and their families
- ensuring that those living in properties adjacent to short-term lets benefit from improved safety, especially risk of fire
- ensuring that noise, nuisance or anti-social behavior is tackled effectively
- minimising the risk of crime in the local authority area
- effectively monitoring the Policy and related procedures
- ensuring consistency with other policies and strategies

Section 3: Legal Framework

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

The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (the “2022 Order”) was approved by the Scottish Parliament on 19 January 2022 and came into force on 1 March 2022.

The effect of the Order is that from 1 October 2022, the use of accommodation for a Short-term Let is an activity for which a licence is required under the Civic Government (Scotland) Act 1982 (the “1982 Act”).

3.2 Short-term Lets definition

A Short-term Let means the use of residential accommodation provided by a host in the course of business to a guest, where:

- the guest does not use the accommodation as their only or principal home,
- the short-term let is entered into for commercial consideration
- the guest is not an immediate family member of the host, an owner or part-owner of the accommodation, or sharing the accommodation as part of an arrangement made, or approved by a school, college, or university
- the accommodation is not provided for the principal purpose of facilitating the provision of work or services by the guest to the host, or to another member of the host’s household
- the accommodation is not excluded accommodation and
- the short-term let does not constitute an excluded tenancy

3.3 Short-term Lets Policy

The 2022 Order requires East Lothian Council to have a Short-term Let licensing scheme in place by 1 October 2022.

In preparing this policy, East Lothian Council has had due regard to the Supplementary Guidance for Licensing Authorities, Letting Agencies and Platforms issued by the Scottish Government. This is available at [Short term lets - licensing scheme part 2: supplementary guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/publications/2022/02/short-term-lets-licensing-scheme-part-2-supplementary-guidance)

This policy should be read in conjunction with the 2022 Order (and Amendment Order 2024) and all relevant legislation, including but not limited to the 1982 Act, the Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021, the Equality Act 2010, the Data Protection Act 2018 and the Antisocial Behaviour etc. (Scotland) Act 2004.

3.4 Consultation on Short-term Lets policy

In April 2019, the Scottish Government launched a public consultation and commissioned independent research into the impact of short-term lets on people and communities. The consultation paper outlined possibilities for a regulatory approach, which included the licensing of short-term lets. The paper noted the range of approaches adopted in cities and countries around the world and asked for opinions on the types of short-term lets which should be regulated and the controls which should be applied. In parallel with the consultation, the Planning (Scotland) Act 2019 completed its passage through the Scottish Parliament and includes provision for the establishment of short-term let control areas.

In May 2019, the Scottish Government commissioned research to address gaps in the available evidence on the impact of short-term lets on housing and communities. The research combined both secondary data analysis of information published by Airbnb and surveys of residents and hosts, and in-depth interviews involving residents, hosts, community actors and local businesses.

In addition, East Lothian Council has consulted with relevant internal departments on the draft policy and conditions documents.

Section 4: Temporary Exemptions & Temporary Licences

4.1 Temporary Exemptions

Under the 2022 Order and related Guidance, Councils may grant temporary exemptions to the requirement to have a short-term let licence.

East Lothian Council does not intend to have a policy on temporary exemptions and would not be supportive of such applications.

4.2 Temporary Licences

Under the 2022 Order and related Guidance, Councils may decide to grant temporary licences.

It is not East Lothian Council's intention to consider any applications for a temporary licence.

Section 5: Licence Duration, Renewal and Transfer

5.1 Type of Licence

There are five types of licence for short term let accommodation:

- secondary letting;
- home letting;
- home sharing; or
- home letting and home sharing
- provisional

Home sharing and home letting concern the use of the Host or Operator's only or principal home, whereas secondary letting makes use of a separate premise.

An 'only or principal' home is recognised as being where the host or operator lives and spends most of their time. An 'only or principal' home may be where the host or operator spends less time, however, most of their possessions are there, or their immediate family lives there.

Provisional licenses are for new build short-term lets and can be applied for at the construction stage. This licence will need to be confirmed once the accommodation is complete and the host complies with the mandatory and additional conditions.

5.2 Duration

The Council may grant a licence for a period of up to three years, after which it requires to be renewed. Each licence will have a reference number and will confirm the expiry date. The duration applies from the date on which the licence comes into force.

5.3 Renewal

Where an application is made to renew a licence, the licence will continue to have effect until such a time as a decision is made on the renewal. The Council intend to grant a renewal of a licence for a period of up to three years unless there are circumstances which justify a different time period.

5.4 Transfer

A licence may be transferred to someone else on application by the licence holder. This will support hosts/operators if they intend to sell, by allowing the premises to be marketed as a short-term let (with future bookings) or if a licence holder has died and an executor has been appointed.

Section 6: Application Process

6.1 Application Form and Checklist

The applicant must complete and return a copy of the Short-term Let application form along with the appropriate fee and checklist, providing copies of all relevant evidence as well as documents to stl@eastlothian.gov.uk. Alternatively, applications can be submitted by post to:

Licensing
John Muir House
HADDINGTON
EH41 3HA

Application forms can be found [Short-term lets | Short-term Lets licensing | East Lothian Council](#)

6.2 Notifying residents and neighbours

Applicants are responsible for notifying residents and neighbours of their application for a new Short-term Lets Licence, or renewal of an existing Short-Term Lets licence. Applicants are required to display a Site Notice clearly at, or near the premises, so that it can be conveniently read by the public, for a period of 21 days, beginning with the date on which the application was submitted to the Council.

A Notice must state:

- that an application has been made for a licence
- the main facts of the application:
 - Where the applicant is a natural person:
 - type of licence applied for;
 - name and address;
 - and where applicable, the name and address of anyone carrying on the day-to-day management of the activity
 - Where the applicant is other than a natural person:
 - Name and address of the registered or principal office
 - Names and addresses of directors, partners or other persons responsible for its management;
 - and where applicable, the name and address of anyone carrying on the day-to-day management of the activity
- the address of the premises from where the activity is to be carried on
- that objections and representations in relation to the application can be made to the Council, and
- how to make objections or representations.

Applicants are required by the 1982 Act to provide a Certificate of Compliance to the Council as soon as possible after the 21 days has expired, confirming that they have displayed the Site Notice.

A template Site Notice and Certificate of Compliance can be found [Short-term lets | Short-term Lets licensing | East Lothian Council](#)

6.3 Application Checks

The Council must refuse an application for a Short-term Let licence if not satisfied that the applicant is a fit and proper person. The Council will carry out necessary checks to establish whether the applicant is a fit and proper person. This may include a visit to the premises, where required. The statutory consultees for this licensing scheme are Police Scotland and the Scottish Fire and Rescue Service.

The Council and Scottish Fire and Rescue Service may undertake an assessment of the maximum number of guests that can be accommodated safely.

The Council may also ask for plans to show the location of any steps, stairs, or lifts in the premises, as well as the extent and boundary of the building where relevant.

6.4 Timescale

The Council aim to make a decision within 21 days from the end of the consultation period (28 days).

6.5 Public Register

When a Licence has been granted, this will be recorded in the public register, which is available upon request.

The public register will include:

- licence number
- licence type
- number of bedrooms in the premises and type of property

- licensed premise address
- contact details for the applicant and/or agent of the premises
- the Energy Performance rating

The Council will maintain the public register of licensed short-term lets and update as often as possible, with reviews being carried out on a quarterly basis.

6.6 Objections

Anyone can make an objection or representation to the Council, about an application for a Short-term Let licence. The objection or representation should be made during the 21 day consideration period following the application being submitted. Late objections may be considered in some circumstances where reasons are provided.

An objection or representation should be submitted in writing to stl@eastlothian.gov.uk. Alternatively objections can be sent to:

Licensing
John Muir House
HADDINGTON
EH41 3HA

The objection and representation should set out the objector's name and address, specify the nature of the objection or representation and state the address or reference number of the Short-term Let licence application.

An objection may be related to, but is not limited to, the following areas:

- whether the applicant is a fit and proper person;
- the location, character, condition or type of accommodation;
- ;
- the possibility of undue public nuisance, public order or public safety;
- whether there is a risk of affecting the privacy and security of neighbours; or
- whether there is other good reason for refusing the application.

The objection or representation cannot be treated confidentially. The Council will acknowledge the objection or representation and a copy will be sent to the applicant or their representative.

Once the application has been allocated to a meeting of the Licensing Sub-committee, the Council will send the objector a letter inviting them to attend the meeting to speak to the objection or representation. At the hearing, the objector will be provided with an opportunity to speak to their objection or representation and the applicant will be provided with an opportunity to respond.

Frivolous or vexatious objections or representations will not be considered.

6.7 Fees

Details of fees can be found [Licensing fees booklet 2024 | East Lothian Council](#)

6.8 Refusal of a Licence

The Council will refuse an application for a Short-term Let licence where it is not satisfied that the applicant is a fit and proper person. The Council may refuse an application for a Short-term Let licence if the property is shown to be unsafe, or, there are significant risks to safety and security.

6.9 Refunds

The Council will **not refund** any fees charged for processing the application or renewal if the application is refused or withdrawn.

Where a licence is refused because the host or operator needs to obtain planning permission, the Council will not charge an additional fee in respect of a resubmitted application made within 28 days of planning permission being granted provided that the application for planning permission is submitted without undue delay. Refer to Section 9: Planning Considerations.

6.10 Appeals Process

Applicants can appeal against a refusal of their Short-Term Let licence application. The appeal should be made within 28 days of being notified of the refusal and should be made to the Sheriff.

Section 7: Licence Conditions:

7.1 Mandatory Conditions

The 2022 Order requires all short-term let licenses across Scotland to apply the mandatory licence conditions. A list of the mandatory licence conditions is contained in Appendix 2.

7.2 Maximum Occupancy Condition

It is a mandatory condition that hosts and operators ensure that they do not exceed the maximum number of guests for their premises. This includes making the maximum occupancy clear on adverts, listings, as well as in booking terms and conditions.

Applicants will state in their application how many guests they would like to accommodate. The Council will consider the following criteria when determining maximum occupancy:

- the number requested on the application form
- the maximum number that can be accommodated safely (broken down to the number of adults and the number of children (under 2 years of age))
- the maximum number that can be accommodated within tolerable noise and nuisance standards for neighbours

A legible, accurate and measurable plan of the premises (preferably to a scale of 1:100) is required, indicating the following:

Room sizes, sanitary ware, cooking facilities, power outlets, lighting points and switches, accommodation intended for guests with mobility impairment and number of guests occupying each room.

7.3 Additional Licence Conditions

In addition to the mandatory licensing conditions, the Council will impose additional licence conditions to a short-term let licence. The Council will review its list of additional licence conditions on a regular basis. A list of the additional licence conditions can be found in Appendix 3.

Where the Council opts to impose a supplementary licence condition, it will set out the issue that is being addressed by the supplementary condition, the reasoning for the supplementary condition, the action required of the licence holder and the deadline for this action to be completed by.

The Council will review its list of additional licence conditions on a regular basis. This list is not exhaustive.

Section 8: Licence numbers

8.1 Licence Numbers

Licence numbers will be issued in a consistent format to assist letting agencies and platforms in being able to use the licence number provided by the host or operator in their listings.

The format of the licence number, alongside information contained in the public register, will allow anybody to identify:

- the Council that issued the licence (and therefore the area to which the licence relates);
- the type of short-term let to which the licence relates (public register); and
- the type of licence issued

8.2 Licence number specification

The licence number will comprise of 8 characters, three of which are alphabetical (capital letters) and 5 of which are numerical digits (D):

For example: **A₁A₂DDDDDA₃**

The leading two characters (A₁A₂) will identify the Council; East Lothian Council will use **EL**. The 5 digits will be issued by each Council.

The final character (A₃) will denote the type of "licence" to be issued:

- **T** Temporary licence
- **F** First (full) licence
- **R** Renewed licence
- **N** application from new host (prior to determination)

For example: **EL00001T**

This number relates to a temporary licence (T). The type of short-term let (e.g. home sharing) will be displayed on the public register.

Section 9: Planning considerations

9.1 Short-Term Let control area

The Council may refuse to consider an application for a short-term let if the host or operator of a dwelling house within a short-term let control area needs planning permission but does not have it.

The high-level policy purpose behind control areas is as follows:

“to help manage high concentrations of secondary letting (where it affects the availability of residential housing or the character of a neighbourhood); to restrict or prevent short-term lets in places or types of building where it is not appropriate; and to help local authorities ensure that homes are used to best effect in their areas”.

It is a mandatory condition that a host or operator has planning permission, or, has made an application for planning permission, where all of the following conditions apply:

- they are using it for secondary letting;
- it is a dwelling house; and
- a control area has been established

In these circumstances, the host or operator must have made an application for planning permission or already have planning permission before they apply for a licence. In most cases, planning applications are determined within two months of being registered. Planning enquiries should be directed to environment@eastlothian.gov.uk

East Lothian Council currently has no control areas designated and this will regularly reviewed.

9.2 Links with control areas

Where a control area is designated, the Council will publish details of this on their website. This will assist hosts in determining whether, or not, to apply for a licence, in the knowledge that planning permission or a CLUD will be required.

The Council will give licenced hosts and operators a reasonable opportunity to comply with this mandatory condition by submitting a planning application. The host or operator should do this as soon as possible after the control area is designated.

The Council will ensure that licenced hosts or operators who may be affected by the designation of a control area are alerted as part of the planning authority's consultation process.

9.3 Where planning permission is refused

Where the Council refuse planning permission for short-term lets, the applicant may leave themselves open to Planning Enforcement Action if they continue to operate the business.

It will not always be necessary for an application to be refused, or licence to be revoked. For example, a host or operator may have a licence to let out one bedroom in their own home but have submitted an application to vary the licence, and an accompanying planning application, in order to let out three bedrooms. In this case, the applications might be declined but the existing licenced activity can continue.

Section 10: Compliance and Enforcement Action

10.1 Complaints

Anyone may make a complaint to the Council about the way a host or operator is operating their short-term let.

Complaints regarding a short-term let should be sent to stl@eastlothian.gov.uk for investigation. Alternatively complaints can be sent by post to:

Licensing
East Lothian Council
John Muir House
HADDINGTON
EH41 3HA

The Council will seek to try to resolve a complaint through engagement with the host or operator in the first instance.

Complaints will be acknowledged within ten working days and complainants will be appropriately kept up to date with the progress of their complaint. The Council will aim to respond to complaints within 21 working days. The Council will keep a record of all complaints made under this Policy.

Some complaints may require enforcement action from the Council, see section 10.4 of this Policy. A complaint against a short-term let licensed property may result in the Council undertaking an inspection visit to assess compliance. The Council reserves the right to charge the host or operator for any costs relating to an inspection visit.

The Council may need to direct some complaints to planning authorities, letting agencies, platforms, VisitScotland, Police Scotland or other bodies for further investigation.

Complaints regarding the Council's operation of its Short-Term Lets Licensing Policy or Procedures will be investigated in accordance with the Council's formal Complaints Procedure.

10.2 Grounds for Complaints

A complaint may be related to the following areas:

- whether the host or operator is a fit and proper person;
- the condition of accommodation;
- ;
- undue public nuisance, public order or public safety;
- privacy and security of neighbours; or
- any other good reason.

Frivolous or vexatious complaints will not be considered.

10.3 Identifying unlicensed short-term lets

Complaints about suspected unlicensed operators should be directed to Police Scotland as well as the Council.

The Council, letting agencies and platforms all have a role to play in identifying and eliminating unlicensed short-term lets. The Council will use a number of methods to check and monitor whether there are hosts or operators in the East Lothian area, that are trading without a valid short-term lets licence.

10.4 Enforcement Action

The options for enforcement action for the Council provided through the 2022 Order and 1982 Act are:

- additional licence conditions on application (or through variation)
- enforcement notices
- variation, suspension or revocation of the licence
- pursuance of prosecution in respect of offences under the 1982 Act

10.5 Enforcement Notices

The Council has the power to serve Enforcement Notices. Where complaints, visits to premises, or other information confirm that any licence condition has been breached, the Council will require the licence holder to take action to resolve the situation within a reasonable period.

If informal measures do not result in resolution, the Council will serve an Enforcement Notice ("non-compliance" or "improvement" notice). The notices will set out the matters constituting a breach or a likely breach, the action required to rectify or prevent the breach and the date by which the action must be taken.

Enforcement Notices will also be served if a future breach of a licence condition is anticipated, for example, a host or operator is advertising property with a maximum capacity of ten guests, in breach of a licence condition specifying no more than eight. This would be evidenced in a listing or advertisement.

10.6 Variation, suspension and revocation

The Council may vary, suspend or revoke a licence in certain circumstances. The Council may do this without serving an Enforcement Notice if the seriousness of the breach justifies urgent action.

10.7 Variation

The Council may vary the terms of a licence on any grounds it thinks fit. The Council can do this at any time, including following an application made to it by the licence holder or of its own initiative.

10.8 Suspension or revocation

The Council may order the suspension or revocation of a licence, if in its opinion:

- the licence holder is no longer a fit and proper person to hold the licence;
- the licence holder is managing the property on behalf of someone who would have been refused the grant or renewal of the licence;
- the short-term let is causing or is likely to cause undue public nuisance, or, a threat to public order or public safety; or
- a condition of the licence has been contravened.

Where the Council revokes a licence, no further application can be made by that host or operator, in respect of that premises, within one year of the date of revocation.

10.9 Appeals

Applicants can appeal against a refusal of their Short-Term Let licence application.

Hosts and operators can appeal against the decision to vary, suspend or revoke a licence. The appeal should be made within 28 days of being notified of the refusal and should be made to the Sheriff.

Hosts and operators can take bookings and provide accommodation whilst they appeal a revocation or suspension and they have 28 days in which to lodge an appeal.

Section 11: Policy Monitoring and Review

11.1 Monitoring timescale

The Team Leader – Licensing and Landlord Registration, will monitor the number of applications to the Short-Term Lets licensing scheme on a quarterly and annual basis.

11.2 Review timescale

The Short-Term Lets Policy will be reviewed after the first 12 months of the licensing scheme's implementation. The Council will review the Policy every 3 years thereafter.

Section 12: Appendices

12.1 Policy Appendices

Appendix 1 – What is a short-term let?

Appendix 2 – Mandatory Licence Conditions

Appendix 3 – Additional Licence Conditions

Appendix 4 – Sample Short-term Lets licence

Appendix 5 – Public Notice of application for Short-term lets licence

Appendix 6 – Certificate of compliance

Appendix 7 – Application for short-term let licence

Appendix 8 – Application checklist

This document can be provided in large print, Braille or in an electronic format and can be translated into other community languages. Please contact the Council's Communications Team at East Lothian Council, John Muir House, HADDINGTON, EH41 3HA, 01620 827827.

Definition of Short-term Let

Short-term let means the use of residential accommodation provided by a host in the course of business to a guest, where all of the following criteria are met:

- 1) The guest does not use the accommodation as their only or principal home;
- 2) The short-term let is entered into for commercial consideration;
- 3) The guest is not:
 - i. An immediate family member of the host
 - ii. Sharing the accommodation with the host for the principal purpose of advancing the guest's education as part of an arrangement made or approved by a school, college or further or higher educational institution, or
 - iii. An owner or part-owner of the accommodation
- 4) The accommodation is not provided for the principal purpose of facilitating the provision of work or services by the guest to the host or to another member of the host's household;
- 5) The accommodation is not excluded accommodation;
- 6) The short-term let does not constitute an excluded tenancy; and
- 7) The accommodation is not provided for foster arrangements.

Excluded accommodation

Excluded accommodation means accommodation which is, or is part of:

- a) An aparthotel;
- b) Premises in respect of which a Premises Licence within the meaning of section 17 of the Licensing (Scotland) Act 2005(6) has effect and where the provision of accommodation is an activity listed in the operating plan as defined in section 20(4) of that Act;
- c) A hotel which has planning permission granted for use as a hotel;
- d) A hostel;
- e) Residential accommodation where personal care is provided to residents;
- f) Guest rooms in specific types of residential accommodation where personal care is provided;
- g) A hospital or nursing home;
- h) A residential school, college or training centre;
- i) Secure residential accommodation (including a prison, young offenders institution, detention centre, secure training centre, custody centre, short-term holding centre, secure hospital, secure local authority accommodation, or accommodation used as military barracks);
- j) A refuge;
- k) Student accommodation;
- l) Accommodation which otherwise requires a licence for use for hire for overnights stays;
- m) Accommodation which is provided by the guest;
- n) Accommodation which is capable, without modifications, of transporting guests to another location;
- o) A bothy; or
- p) Accommodation owned by an employer and provided to an employee in terms of a contract of employment or for the better performance of the employee's duties.

Excluded tenancies

An excluded tenancy means a tenancy which falls within any of the following definitions:

- a) A protected tenancy (within the meaning of Section 1 of the Rent (Scotland) Act 1984);
- b) An assured tenancy (within the meaning of Section 12 of the Housing (Scotland) Act 1988);
- c) A short assured tenancy (within the meaning of Section 32 of the Housing (Scotland) Act 1988)
- d) A tenancy of a croft (within the meaning of Section 3 of the Crofters (Scotland) Act 1993);
- e) A tenancy of a holding situated outwith the crofting counties (within the meaning of Section 61 of the 1993 Act) to which any provisions of the Small Landholders (Scotland) Act 1886 to 1931 applies;
- f) A Scottish secure tenancy (within the meaning of Section 11 of the Housing (Scotland) Act 2001);
- g) A short Scottish secure tenancy (within the meaning of Section 34 of the Housing (Scotland) Act 2001);
- h) A 1991 Act tenancy (within the meaning of Section 1 of the Agricultural Holdings (Scotland) Act 2003);
- i) A limited duration tenancy (within the meaning of Section 93 of the Agricultural Holdings (Scotland) Act 2003);
- j) A modern limited duration tenancy (within the meaning of Section 5A of the Agricultural Holdings (Scotland) Act 2003);
- k) A short limited duration tenancy (within the meaning of Section 4 of the Agricultural Holdings (Scotland) Act 2003);
- l) A tenancy under a lease under which agricultural land is let for the purpose of its being used only for grazing or mowing during some specified period of the year (within the meaning of Section 3 of the Agricultural Holdings (Scotland) Act 2003);
- m) A private residential tenancy (within the meaning of Section 1 of the Housing (Scotland) Act 2016);
- n) A student residential tenancy

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. The licence holder shall not permit the use or storage, on the premises, of LPG room-heaters or, unless in an external store designed and approved for such storage, the storage of any liquefied petroleum gas (LPG) or any highly inflammable liquid, gas, or substance. This condition shall not apply to small amounts of liquids or gas sold in small non- refillable retail packs (e.g., lighter fuel or cosmetic appliance cartridges) kept by guests for their own use. Nor shall it apply to the external storage of LPG in cylinders or tanks which are provided by the licence holder for the provision of gas for cooking or for water or space heating or other domestic use, provided the storage complies fully with LPGA Codes of Practice and Building Regulation Technical Standards and that any installation connected to such cylinders or tanks complies with The Gas Safety (Installation and Use) Regulations 1998 or any amendment thereto.
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).
12. Licence Holders registered for Business Rates must have in place a Waste Management Contract providing for the storage and disposal of refuse.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

APPLICATION FOR GRANT / RENEWAL OF SHORT-TERM LET LICENCE

3

PART 1: ABOUT YOU

Are you applying as an individual or corporate entity?

Individual

Corporate Entity

East Lothian Council
Licensing

01 JUL 2024

Received

Fill in if you are applying as an individual:

Title Mrs

Your full name Helen Cormack

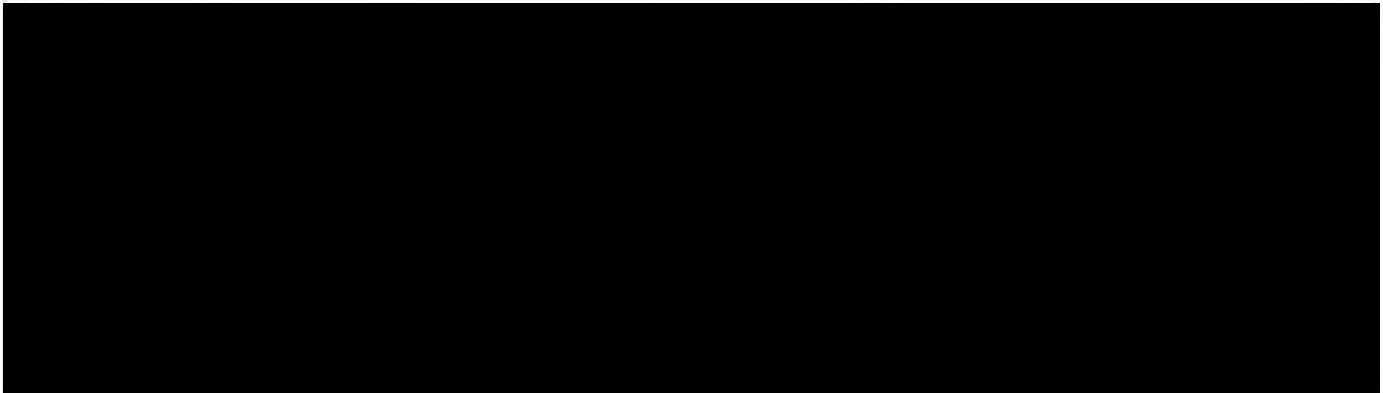
Date of birth [REDACTED]

Place of birth [REDACTED]

Home Address 7 Edenhall Road, Musselburgh

Postcode EH21 7NR

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)
7 Edenhall Road, Musselburgh	EH21 7NR	1980	June 2024

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.
James Cormack				

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
	N/A		

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. N/A

Premises Address _____

_____ Postcode _____

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 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 B&B
Guest house Airbnb Other form of home sharing
Home letting

Specify the number of rooms within the premises used as:

Bedrooms _____ Bed/Sitting rooms _____ Studio flat _____

Bathrooms One Kitchens one

Lounges _____

Other (please specify) _____

Specify the maximum number of guests 2 adults. infant
(excluding children under 2 years of age)

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

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 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: ___ 05 / ___ 06 / ___ 25
Electrical Installation Condition Report	Valid to: ___ / ___ / ___
Portable Appliance Testing Report	Valid to: ___ 21 / ___ 05 / ___ 2025
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: 24/04/00003/P
Floor plan	yes
EPC Certificate (for premises which are dwellinghouses)	Valid to: ___ 27 / ___ 05 / ___ 2034
Public Liability Insurance	Valid to: ___ 6 / ___ 7 / ___ 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.	✓
Applied for planning permission (if required).	✓
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	yes
Meets statutory guidance for carbon monoxide alarms	yes
Meets the required regulations for private water supplies (for premises with a private water supply i.e not provided by Scottish Water)	yes
Meets obligations with regard to the Tolerable and Repairing standard (applicable to dwellinghouses)	yes

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

Helen Cormack

Date

7 June 2024

zx \

Short Term Lets

From: Millar, Neil
Sent: 03 July 2024 10:38
To: Short Term Lets
Subject: RE: Short Term Let Licence Application, 7 Edenhall Road, Musselburgh EH21 7NR

Hi Arlene,

Thank you for your email below with attachment.

I can confirm that retrospective planning permission (Ref: 24/00003/P) was granted for the part change of use of garden building to form short term holiday let with allocated parking at this address (7 Edenhall Road, Musselburgh) on 26th April 2024.

Accordingly, as planning permission has been obtained, I have no further comments to make.

Regards

Neil

From: Short Term Lets <stl@eastlothian.gov.uk>
Sent: Tuesday, July 2, 2024 12:51 PM
To: Environment Reception <environment@eastlothian.gov.uk>
Subject: Short Term Let Licence Application, 7 Edenhall Road, Musselburgh EH21 7NR

Good Afternoon,

Please provide observations/comments regarding the application for a Short Term Let Licence for the above address. All responses should be returned within the 21 day consultation period.

Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

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



East Lothian Council

O'Reilly, Arlene

From: Parking
Sent: 31 July 2024 09:06
To: Short Term Lets
Subject: RE: Short Term Let Licence Application. 7 Edenhall Road, Musselburgh EH21 7NR

Hi,
I have no objection to this application.

Kind Regards

Grant Talac
The Parking Team
East Lothian Council



From: Short Term Lets <stl@eastlothian.gov.uk>
Sent: Wednesday, July 31, 2024 8:43 AM
To: Parking <parking@eastlothian.gov.uk>
Subject: RE: Short Term Let Licence Application. 7 Edenhall Road, Musselburgh EH21 7NR

Hi, sorry its secondary letting.

Thanks Arlene

From: Parking <parking@eastlothian.gov.uk>
Sent: Wednesday, July 31, 2024 7:56 AM
To: Short Term Lets <stl@eastlothian.gov.uk>
Subject: RE: Short Term Let Licence Application. 7 Edenhall Road, Musselburgh EH21 7NR

Hi,
No note of sharing or letting?

Kind Regards

Grant Talac
The Parking Team
East Lothian Council



From: Short Term Lets <stl@eastlothian.gov.uk>
Sent: Tuesday, July 30, 2024 12:21 PM
To: Raselli, Gail <graselli@eastlothian.gov.uk>; Building Standards <buildingstandards@eastlothian.gov.uk>; Parking <parking@eastlothian.gov.uk>; Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>
Subject: Short Term Let Licence Application. 7 Edenhall Road, Musselburgh EH21 7NR

O'Reilly, Arlene

From: Raselli, Gail
Sent: 30 July 2024 14:12
To: Short Term Lets
Subject: FW: Short Term Let Licence Application. 7 Edenhall Road, Musselburgh EH21 7NR
Attachments: APP.pdf

Hi Arlene,

Nothing on the ASB register.

Gail

From: Short Term Lets <stl@eastlothian.gov.uk>
Sent: Tuesday, July 30, 2024 12:21 PM
To: Raselli, Gail <graselli@eastlothian.gov.uk>; Building Standards <buildingstandards@eastlothian.gov.uk>; Parking <parking@eastlothian.gov.uk>; Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>
Subject: Short Term Let Licence Application. 7 Edenhall Road, Musselburgh EH21 7NR

Good Afternoon,

Please provide observations/comments regarding the application for a Short Term Let Licence for the above address. All responses should be returned within the 21 day consultation period.

Thanks

Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. stl@eastlothian.gov.uk

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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



East Lothian Council

27/08/2024

Your Ref: 7 EDENHALL ROAD
Our Ref: 847764

The Clerk of the Licensing
Committee
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA



Gregg Banks
Chief Superintendent
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
EH22 3AX

Dear Sir/Madam,

APPLICATION FOR GRANT OF A SHORT TERM LET LICENCE
APPLICANT: HELEN CORMACK, [REDACTED]
7 EDENHALL ROAD, PINKIE, MUSSELBURGH, EAST LOTHIAN, EH21 7NR.

I refer to the above application for the grant of a short term let licence and make the following representation.

At the end of June 2024 PC Wilson received a telephone call from Mr Fraser McLeod of [REDACTED], Musselburgh, wishing to express his concerns regarding a short term let operating at 7 Edenhall Road, Musselburgh without a license.

On the 31st of July 2024 Mr McLeod sent PC Wilson an email (as attached) detailing his full complaint.

After discussions with the East Lothian Council licensing department PC Wilson was informed that letters were sent to Mr and Mrs Cormack on 08/05/24 and 11/06/24 advising them of the requirement to obtain an STL license. They also confirmed an STL application was received by ELC from Mrs Cormack on 27/06/24.

On the 7th of August 2024 PC Wilson attended at 7 Edenhall Road and spoke with Mr and Mrs Cormack who confirmed they had been accepting guests to their short term let without a licence being in place. They provided the delay in applying for a license was due to some initial confusion on their part regarding the difference between the planning permission required and the separate requirement to licence the activity itself. Mr and Mrs Cormack were able to demonstrate that they

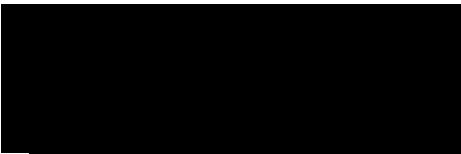
had already stopped taking future bookings having 'blocked out' all future dates on their booking app but confirmed they did have bookings already accepted for the coming month.

On the 8th of August 2024, with the council licensing department in agreement, PC Wilson informed Mr and Mrs Cormack they had 28 days in which they could receive guests with existing bookings, with the clear understanding that any bookings past the 28 days be cancelled. It was also made clear no future bookings should be taken till such time a as license to operate was obtained. Mr and Mrs Cormack were fully cooperative with PC Wilson throughout their interaction and agreed to comply with his instructions.

This representation is brought to your attention when considering this application.

There are no police objections.

Yours faithfully



Gregg Banks
Chief Superintendent

For enquiries please contact the Licensing Department.

From: [REDACTED]
Subject: Re: Important Please Read ####CONCERNS ABOUT LICENSE APPLICATION
24/00003P#####
Date: 06 May 2024 09:43:11

You don't often get email from [REDACTED]. [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.

Thank you x

[Sent from Sky Yahoo Mail on Android](#)

On Mon, 6 May 2024 at 9:35 am, Steven McLeod
<Steven.McLeod@ea.edin.sch.uk> wrote:

App No	24/00003/P	
Applicant	Mr James Cormack	Agent
		<i>Agent's Address</i>
Proposal	Part change of use of garden building to form short term holiday let with allocated parking (Retrospective)	
Location	7 Edenhall Road Musselburgh EH21 7NR	
Case Officer	Scott Robertson	
Telephone	01620 827585	
Council Ward	Musselburgh	
Community Council	Musselburgh & Inveresk Community Council	
Date Registered	22nd February 2024	
Date by which representations are to be made due to neighbour notification/public advertisement	14th March 2024	

Blair & Fraser McLeod

[REDACTED]
Dear Licencing Dept

I live [REDACTED] to application no 24/00003/P – further details above as I have the following concerns below about a License being granted.

The Structure was originally built in 2012 however planning permission was not sought until 2024 due to the introduction of new Scottish regulations whereby a license is now required to run short term lets. The client was aware planning permission is required as he had a house extension previously built in 2004 and sought this.

Owners must take accountability for building safety but from 2016 onwards he has

been running this as a business without a building warrant & subsequent insurances and we are unaware of whether or not a fire safety check was carried out Scottish Fire and Rescue, potentially putting visitors and neighbours in danger. I am also informed he was also operating throughout the covid period in contravention to the Lockdown Rules which is a criminal offence.

The application also included retrospective planning permission for 2 parking spaces as the front of the property in which he has confirmed will be used by visitors as Edenhall Road has considerable parking issues with it's locality to Pinkie St Peters School. The applicant already has 2 vans & a Motorhome with 2 of them occupying the spaces at all times therefore I do not believe there is adequate on -site parking for visitors.

If the applicant is granted a Licence, he will need to arrange business waste pickups which he hasn't done at previously and is disposing of business waste into his Green Bin. Trade waste pickups in a residential area will put further pressure on local infrastructure.

I also have concerns about the building which is going to be used as a short term let as the applicant has no access to maintain the building from the entire rear or side. The photos that were submitted seeking retrospective planning permission show the side of the building from the garden of [REDACTED] Edenhall Road. We gave no permission for anyone to come into our garden to take pictures and there is no other way he could have taken them.

The short term let structure is backed onto another double wooden shed which clearly touch along with unused surplus wood and tarpaulin which has been placed on the roof potentially causing a fire hazard.

I also have concerns that the applicant will leave the property in his motor home when it is rented out therefore the 2 person & 1 child rule wouldn't be enforced. He is the named licensee but if he is not contactable and vacates his own property during visitor stays who is then responsible if there were issues?

I feel that given the fact that the applicant has had over a decade to seek planning permission and knows that there was an impending time limit on licence enforcement this is the only reason he has sought planning permission as noncompliance would mean he couldn't operate his business any more without the correct paperwork.

I feel the applicant has proven himself to be un-trustworthy and has not been held accountable for his in-action. What is the point of having rules/regulations in place if people do not adhere – it does not give out a clear signal to members of the community. To give clarity, I sought advice from the Council to erect my new fence, he has built a structure measuring 10 feet built in width and 6 feet in height in his garden and did not think to contact anyone prior/during or after it was built, what kind of message does that send? I am in doubt as to whether anyone from the Planning Department has actually physically been out to see the structure as I know that up many Officers are still working from home.

I am in support of the new measures being introduced by Scottish Government but feel that he has taken no responsibility for his building and the risks posed and that tells be more about his integrity and character as a person.

Yours Sincerely

Blair & Fraser McLeod

24th June 2024

REF: 24/0003/P – 7 Edenhall Road, Musselburgh, EH21 7NR

Since planning permission was granted on 26th April 2024 Mr Cormack has still not sought a licence for short term let but has had numerous guests staying in his garden building . When he was granted the planning permission it came with mandatory conditions which he should be adhering to but isn't.

The conditions set out in his Council agreement/retrospective planning Doc which we read state various things such as how many people can stay/ it will be solely managed by the applicant owner etc.. however, condition (vi) is the one of most interest. It states that the applicant has confirmed that they have no forward bookings as they are pending the outcome of their short term let licence. As rules state from October 2023 all businesses must cease unless the owner has a licence, but we know factually that they have yet to apply for this and he has been emailed numerous times by the Council to do this but hasn't so far.

I have attached a screenshot of condition (vi) for you to read stating that he had no forward bookings and screenshots of his Air B and B bookings/ link to his site for this year in July and August which you can clearly see are booked out with visitors and what is still available to book. I have also attached a screenshot of his wife and him greeting guests to their property but who actually came to our property first, into our garden as they got the houses muddled !

This then goes back to our original concerns which we emailed you with, in that the owner/occupier is not trustworthy which he clearly isn't as he is running a business without a legal licence and committing a criminal offence which in turn could cost him a fine of up to £2500 if proven.

By law the licence for the short term let should also be displayed to the guests, how can he do this if he hasn't applied for one? There are also concerns with the property having been fire/gas safety checked if guests are staying along with the question does he have buildings insurance and Public Liability Insurance?

Mr Cormack has breached his planning permission condition set out by East Lothian Council and this needs enforced. Please take this as an official complaint and I have also informed Police Scotland who will be progressing an official criminal complaint.

Mr B. Mcleod and Mr F. Mcleod



14:53



2 guests · Studio · 1 bed · 1 bathroom

4.85
★★★★★

 Guest favourite 

227
Reviews



This is a rare find

Helen's place is usually fully booked.



Hosted by Helen

8 years hosting



Self check-in

Check yourself in with the lockbox.



Great location

90% of recent guests gave the location a 5-star rating.



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Get a full refund if you change your mind.


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£62 night
7-12 Jul


Reserve



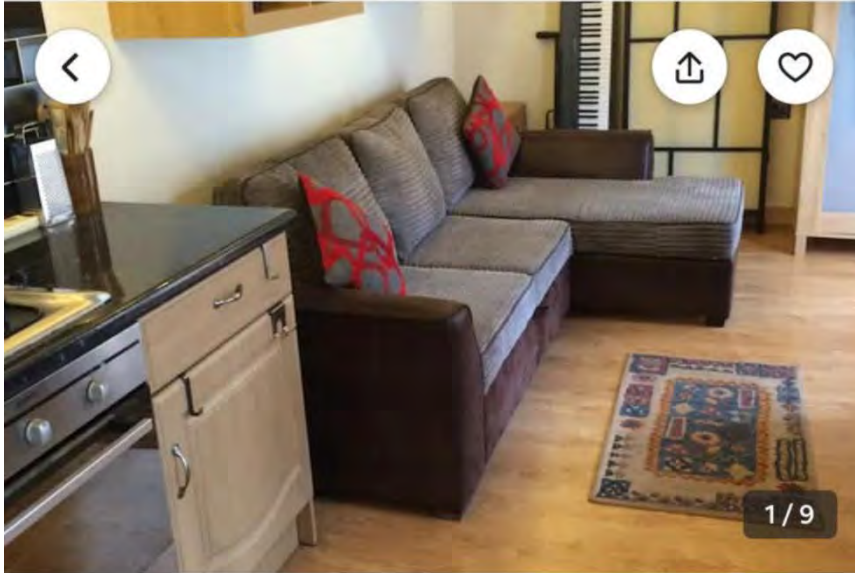
 airbnb.co.uk

14:53

68

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Studio property perfect for visitors to Edinburgh

Entire guest house in Musselburgh, United Kingdom

2 guests · Studio · 1 bed · 1 bathroom

4.85
★★★★★

 Guest favourite 

227
Reviews

£62 night
7-12 Jul

Reserve

AA ↓

airbnb.co.uk



×

Clear dates

Select check-in date

Add your travel dates for exact pricing

Mon Tue Wed Thu Fri Sat Sun

July 2024

1	2	3	4	5	6	7
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29	30	31				

August 2024

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Add dates for prices

★ 4.85

Save

AA ↓

airbnb.co.uk





[Clear dates](#)

Select check-in date

Add your travel dates for exact pricing

Mon Tue Wed Thu Fri Sat Sun

29 30 31

August 2024

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Load more dates

Add dates for prices

★ 4.85

Save

AA ↓

airbnb.co.uk



From: Fraser Mcleod
Sent: Thursday, August 1, 2024 9:50 AM
To: Licensing <licensing@eastlothian.gov.uk>
Cc: Julie Mcleod; Blair Mcleod
Subject: Official Objection of License- 7 Edenhall Road, Musselburgh

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Good morning,

Please see my below complaint / objection to short term let application licence in relation to 7 Edenhall Road, Musselburgh

MR James Cormack (owner of 7 Edenhall Road) submitted a planning permission application on 3rd January 2024 to East Lothian council in relation to application number [24/00003/P](#) - Part change of use of garden building to form short term holiday let with allocated parking (Retrospective)

On MR Cormacks application it states the following -

“Change of use in RETROSPECT of use of workshop/storage facility to Granny flat, extending same to incorporate walk in shower with toilet and hand basin. Further extend both sides with brick to secure storage space with single PVC doors, Kitchen with gas hob. Combi gas boiler for hot water and heating. Change existing doors to 1x single PVC and 1x double door to French doors. Insulation of walls/floor ceiling with kingspan 25mm and insulated plasterboard All work and change of use done same time”



It has taken Mr Cormack around 13 years to apply to East Lothian Council for planning permission “retrospectively” on this structure. Mr Cormack built this structure with no planning permission or a building warrant. MR Cormack is aware of how planning permission works as he has previously applied for an extension to his house on 23rd November 2004 (application [04/01367/FUL](#)). This previous application was not done retrospectively and confirms that MR Cormack is aware of the procedures in place. Planning authorities, having found out about MR Cormacks application on 3rd January 2024 have not done anything to enforce this “retrospective” application.

On Mr Cormack’s application it also states the first AIRBNB guests arrived May 2016. Mr Cormack was operating a fully operational, taxable business in a facility that had not been approved by East Lothian Council. MR Cormack has openly admitted he was running this as a business without a building warrant & subsequent insurances and we are unaware of whether or not a fire safety check was carried out by Scottish Fire and Rescue, potentially putting visitors and neighbours in danger. I am also informed he was also operating throughout the covid period in contravention to the

Lockdown Rules which is a criminal offence. This has also gone without action following MR Cormack's application where it states he was operating during this time.

Furthering this point since my ownership of [REDACTED] Musselburgh, I am yet to see business waste pickup. MR Cormack confirmed on his application to East Lothian council that he is using the "existing recycling bins". This is not only putting strain on the local amenities but is also a criminal offence to put business wastage into council bins. East Lothian council have ignored this, not taken action or reported it to the police which is fundamentally wrong. During this period between May 2016 and September 2023 as MR Cormack has not had a business licence. AIRBNB is a taxable income and due to MR Cormack not declaring the building being there, not having a licence and not paying for business waste pickup it is more than probable he has not paid any tax during this period. It would be interesting to see if MR Cormack is able to declare his business tax paid during this period as I understand this is also another criminal offence if he has not been paying tax.

The application also included retrospective planning permission for 2 parking spaces as the front of the property in which he has confirmed will be used by visitors as Edenhall Road has considerable parking issues with its locality to Pinkie St Peters School. The applicant already has 2 vans & a MotorHome with 2 of them occupying the spaces at all times therefore I do not believe there is adequate on-site parking for visitors. I have concerns that the applicant will leave the property in his motor home when it is rented out therefore the 2 person & 1 child rule wouldn't be enforced. He is the named licensee but if he is not contactable and vacates his own property during visitor stays who is then responsible if there were issues?.

I also have concerns about the building itself as the applicant has no access to maintain the building from the entire rear or right side. The photos that were submitted seeking retrospective planning permission show the side of the building from the garden of [REDACTED]. We gave no permission to MR Cormack or his wife to come into our garden to take pictures and there is no other way he could have taken them. Furthering this on numerous occasions I have had AIRBNB guests looking for MR Cormacks AIRBNB come into my back garden intruding on my privacy and personal life. As you can imagine this is extremely frustrating given it is a residential estate.

The short term let structure is backed onto another double wooden shed which clearly touches each other along with unused surplus wood and tarpaulin which has been placed on the roof which is a clear fire hazard. The short term let structure is also surrounded by a timber fence which has been in place for a long time. Given MR Cormack has been operating this business since 2016 and East Lothian council not being aware this is extremely irresponsible and proves his untrustworthiness and utter disregard of his guests and neighbours safety.

I feel that given the fact that the applicant has had over a decade to seek planning permission and knows that there was an impending time limit on licence enforcement due to AIRBNB change of legislation as of October 1st 2024, this is the only reason he has sought planning permission as non compliance would mean he couldn't operate his business any more without the correct paperwork. Having this new legislation not come to light I strongly suggest MR Cormack would still not have sought for planning permission.

Myself and another neighbour put in letters of concern which were completely ignored by East Lothian council. All of our concerns were disregarded and his application was approved with no consequences / accountability for the above issues.

I feel the applicant has proven himself to be un-trustworthy and has not been held accountable for his actions. What is the point of having rules/regulations in place if he does not adhere to them. It does not give out a clear signal to members of the community. To give clarity, I sought advice from the Council to erect my new fence. He has built a structure measuring approx 20 feet in width and 7 feet height, bathroom facility, plumbing, electricals and wiring in his garden and did not think to contact anyone prior/during or after it was built. What kind of message does that send?

I am in support of the new measures being introduced by the Scottish Government but feel that he has taken no responsibility for his building and the risks posed and that tells me more about his integrity and character as a person.

Since MR Cormacks planning permission was granted on 26th April 2024 Mr Cormack had still not sought a licence for short term let but has had numerous guests staying in his garden building. I contacted East Lothian council querying the status of his licence and if he was able to operate. East Lothian licensing department confirmed that MR Cormack did not have a licence to operate and had not applied for one. East Lothian council also confirmed that they had sent numerous emails / letters prompting MR Cormack to apply for his licence however these were ignored and East Lothian council received no replies. The conditions set out in his Council agreement/retrospective planning Doc which we read state various things such as how many people can stay/ it will be solely managed by the applicant owner etc. However, condition (vi) is the one of most interest. It states that the applicant has confirmed that they have no forward bookings as they are pending the outcome of their short term let licence. As the new legislation from October 2023 states all businesses must cease trading unless the owner has a licence, but we know factually that MR Cormack had not applied. I have attached a screenshot of condition (vi) for you to read stating that he had no forward bookings and screenshots of his Air B and B bookings/ link to his site for this year in July and August which you can clearly see are booked out with visitors and what is still available to book. I have also attached a screenshots of his wife and him greeting guests to their property but who actually came to our property first, into our garden as they got the houses muddled. All of which are visitors staying within Mr & Mrs Cormacks Airb&b when they do not have a licence to operate. At the time of submitting this email MR Cormack has still not got a licence to operate but you can clearly see he is in breach of the new legislation which is another criminal offence. I have also attached more pictures of other guests within the facility which were taken this week. You can clearly see MR Cormack is continually failing to comply with conditions set out by both East Lothian council planning department, East Lothian licensing department and the LAW.

By law the licence for the short term let should also be displayed to the guests, how can he do this if he hasn't applied for one? There are also concerns with the property having been fire/gas safety checked if guests are staying along with the question does he have buildings insurance and Public Liability Insurance?

I have been in touch with both the East Lothian Council planning and Licencing department having sent numerous emails and made numerous calls. East Lothian council have confirmed all the above concerns are now out of their control and is a criminal matter. A formal complaint to police has been made.

You can clearly see MR Cormack and his wife are untrustworthy and fundamentally what they are getting away with is wrong and he should be held accountable. MR & Mrs Cormack have broken numerous laws and action needs to be taken. I think it is pretty clear MR or Mrs Cormack should not

have the licence approved by East Lothian council Licencing and should cease operating. I feel as though I am going around in circles and nobody seems to be taking my concerns seriously.

Please also see attached photographs of guests staying on Wednesday 31st August 2024 until Thursday 1st August 2024 (no licence). You can clearly see MR Cormack has lied on his application again regarding parking. There is a foreign vehicle, foreign licence plate parked on the street whilst Mr & MRs Cormack's "allocated parking" is full with their own vehicles. This creates more strain on an already congested, busy street.

I personally work shift work and with the constant flow of guests in an out of Mr & Mrs Cormacks property I am finding it extremely difficult to get consistent sleep. For example on this 1st August 2024 (this morning) I was awoke by MR & Mrs Cormack saying goodbye to guests that had stayed the night given my bedroom window is only meters away. This is extremely frustrating as my sleeping pattern is affected. If Mr & Mrs Cormack were following the law they would not be operating at this time and this would not be a problem. Once again it goes back to the fact that this is within a residential area, back garden in particular and is fundamentally wrong. It is impacting my personal life and work.

I am now aware MR Cormack has applied for a short term licence as of 25th July 2024. I was made aware by a friend that MR Cormack has put up notice of his application on his wall. This is not visible to my side of the property and I most likely would not have noticed it having not been made aware by a friend. East Lothian council state this notice of application must be in clear display so this is another clear instance of rules not being followed / adhered too as I cannot understand why it's not in public view on both directions of the footpath. Apart from Mr & Mrs Cormack not wanting anyone to comment / object the licence application there is even public tree just outside of MR & Mrs Cormacks property which would have been a much more visible area for this notice, covering both directions of travel. I am aware there would be a licensing / committee meeting that would take place prior to this application being granted providing an objection is received. Myself and my brother would like to be present during this meeting. This has gone on for too long now and I want to raise my objections in person.

Please can you reply to my email confirming my objection has been received.

Kind regards,

Fraser McLeod / Blair McLeod



Search reviews



Zuzana

1 year on Airbnb

★★★★★ · 1 week ago

Helen was very kind and friendly, willing to always help and give advice. We had sucromia and everything we needed at the place.

Translated from Czech. [Show original](#)



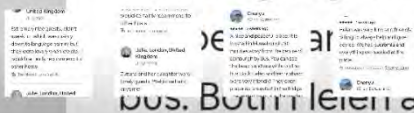
Chenyu

Zürich, Switzerland

★★★★★ · 3 weeks ago

A nice and peaceful place. It is located in Musselburgh, 30 minutes away from the centre of Edinburgh by Bus. You can see

at a while on the bus. Both Helen and her husband were very friendly! They even





From hosts



**Helen, Musselburgh,
United Kingdom**

July 2024

Extremely nice guests, didn't speak lot which was mainly down to language barrier but they were lovely when we did. I would certainly recommend to other hosts.



Translated from English



**Julie, London, United
Kingdom**

June 2024

Zuzana and her daughter were lovely guests. Welcome back





Search reviews

walk to the bus stop and about 20 30 min to the Edinburgh city center. Would highly recommend their place! Thank you Helen!



Benita

2 months on Airbnb

★★★★★ · May 2024

Absolutely loved my stay here! it was just me and my mom and we both found the place so homey. it was comfortable and the kitchen was well stocked. Besides that the bus stop is 2 mins away and the bus goes straight to the city.



Hagar

★★★★★ · May 2024

I loved this spot! It was cozy and



Search reviews

★★★★★ · May 2024

I loved this spot! It was cozy and very welcoming. Helen wrote out detailed notes for getting around and went above and beyond by providing breakfast items in the fridge. She was responsive and friendly. I would definitely recommend this for travelers trying to hang in Edinburgh!



Alisha
United Kingdom

★★★★★ · May 2024

Amazing & responsive host!!



Rosie
9 years on Airbnb

★★★★★ · May 2024



house. The unit of short term let has been formed within the central part of the garden with the remainder of it being used for storage by the applicant. The short term let accommodation comprises a bedroom/sitting room with kitchenette and shower room accessed via the front garden of the house, along the path that runs to the side of the house into the rear garden.

With regards to the use of part of the domestic garden ground of 7 Edenhall Road at existing domestic garden building as a unit of short-term self-catering holiday let accommodation the applicant has confirmed (i) the short term holiday let has been operating since May 2016; (ii) the average length of stay is between 2 to 5 nights; (iii) the accommodation can accommodate up to 2 people and a child under the age of 1; (iv) check in/out are managed by the applicant/owner- with a self-check in system being used; (v) the accommodation is heavily booked between March and April with the winter months having the occasional guest; (vi) the applicant has confirmed they have no forward bookings this year as they are pending the outcome of their short term let licence; (vii) the accommodation is typically let to couples or individuals; (viii) the accommodation is advertised through airbnb; (ix) the applicant notes that guests spend money in local shops and cafes with a number of users attending Musselburgh Racecourse events; and (x) the accommodation benefits from onsite parking for a vehicle within the applicant/owners existing drive.

DEVELOPMENT PLAN

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

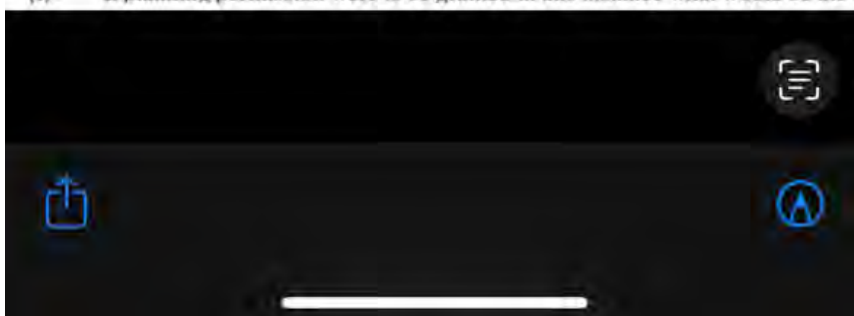
The development plan is the adopted National Planning Framework 4 (NPF4) and the East Lothian Local Development Plan 2018.

Policy 30 (Tourism) of NPF4 is relevant to the determination of this application. Policies RCA1 (Residential Character and Amenity), T1 (Development Location and Access) and T2 (General Transport Impact) of the adopted East Lothian Local Development Plan are relevant to the determination of this application.

REPRESENTATION

One written letter of representation has been received in relation to the application which objects to it. The main grounds of objection can be summarised as follows:

- (i) If planning permission were to be granted in this instance what would be the benefits?



Complaint from list by complainants: First of all, I would like to correct them on a few factual points. The building has been built for 30+ years, constructed to the regulations at time and advised by Council officer that no permission was needed.

Airbnb was closed from 30 September 2023 until planning permission was received. The policeman who visited in respect to the complaint by the neighbours was given an explanation and this reason was accepted by the Policeman. (After discussion with his superiors and the council)

Airbnb was closed prior to his visit anyway as we received a letter a few days after opening up the calendar and we realised our mistake that the license was a separate application. We closed it down immediately.

Having gone through the complainants letter it is patently clear they have assumed and written a lot of things about my wife and I, all of which are untrue. These people who have only recently moved into the house next door full time (up until then we've lived amicably next door to only 2 sets of neighbours, on each side for 35 and 40 years respectively with not one incident ever, however, these people have very negative thoughts about us, me in particular, also questioning the actual procedures of the Planning Department and the Council.

The letter is a character assassination and should be disregarded as a fairytale. They have written as many things as they can that they think will assist them with their objection without first finding out the facts.

The only 2 items that may be relevant to this objection is that 2 guests accidentally entered their garden (if this is true) looking for the flat. We apologise if this did happen. The instructions on Airbnb are very clear but some guests from abroad may not have the best grasp of the language, this can be remedied quite easily with better signage.

My wife has been running the Airbnb for 8+ years with not one incident of any kind. There has been no noise, no parking issues, no trouble or drunkenness, not one. [REDACTED] the previous owners of the complainant's house and [REDACTED]; [REDACTED] [REDACTED]; at the other side (or the owners of the property to the rear) have ever mentioned that anyone has entered their property. [REDACTED]; [REDACTED]; didn't know we had an Airbnb till we told them. [REDACTED] did know and never expressed any concerns.

Regarding the comment about the complainant not being able to sleep when on nightshift is ridiculous. Any conversations we have had with guests have been in the normal course of our daily life, not at 2/3 or 6am but during the day and could be with anyone as we have family i.e. children, grandchildren, their pets, and friends visiting all the time and they almost all, without exception come to the back conservatory door and leave that way too. We cannot be expected to tiptoe and whisper/change our lives

because he is on shift work. I believe it is a 3-bedroom house so he has the option to move to another quieter room away from our side of the house and road.

Nos. 9, 11 and 13 are part of a terrace and access must be given to neighbours for wheelie bins to be taken out for uplift, our bedroom is on the same side so we have the same daily noise of people, rubbish being put in bins, bottles being dropped into the recycling, bins being taken out under their bedroom window etc. This is something we have to appreciate and accept happens.

Edenhall is opposite a primary school and is busy and noisy at school drop off and pickup times only with a steady volume of traffic during the day, there is probably more noise at these times with children talking/laughing/shouting and playing on their way home.

Parking in my driveway can accommodate 3 vehicles comfortably. Extra parking can be accessed on Edenhall Road from the junction of Champigny Court to the top of Edenhall Road which is always clear.



7 EDENHALL ROAD
MUNELBURGH

IMPACT STATEMENT (Helen Cormack)

I'd like to address the issues made by the complainants making blatantly untrue statements.

The points below and other points, irrelevant to this meeting were covered in the planning application which was passed.

Firstly, their statements around when the flat was built and that we never sought or obtained planning permission is a fabrication, they are implying the flat was built covertly, under cover and we tried to hide it – nonsense.

To say we had no building insurance, or did no fire safety checks, is also wrong (my husband now retired ran his own business for 35 years with my son “Domestic Gas Services”, a highly rated company - so I think I know the importance of safety be it gas, electricity or fire) also, their assumption that I don't pay tax or insurance – is totally untrue and offensive, a complete character assassination. This is a wholly personal attack for which there is no basis.

That I was operating during covid is ludicrous, I followed lockdown restrictions the same as everyone else and only opened again when travel restrictions were lifted even then we followed social distancing and the use of masks until such times as these restrictions were lifted too. I'm afraid their information source is also misinformed.

Regarding business waste pick up. I am lucky to get a small swing bin of rubbish from the flat, perhaps a couple of pizza boxes and a couple of wine bottles/cans of beer and a few eggshells and bits of toast in the food waste. Guests are visiting the town/city, they perhaps eat breakfast in the flat, then eat out, they are here for a couple/3 days to see the city and surrounding area, they certainly don't spend time cooking/leave bins full of waste that would warrant a separate business waste pick up.

My guests can contact me at all times by Airbnb messages or by phone and have done so at times. We also are able to see what is going on in the backyard and at the front of the house via the CCTV (we can also talk to them through the CCTV). I have designated family and friends who are willing to step in if needed.

All the points raised are nonsense, but nonetheless have given me a lot of unnecessary stress and worry due to the personal attacks against myself and my husband. Both of

us, my husband and myself are quiet and keep ourselves to ourselves, we go about our daily business and mind our own business, in all the years we have lived on the street (42ish years) I have never been in any of my neighbours' houses on either side and know nothing of their personal lives, we say hello and have a short chat in the passing.

I worked with East Lothian Council for over 20 years in the C&F Department before I retired and I believe I was a valued member of staff due to my trustworthiness/loyalty and honesty. (I won the Council Star Award for Customer Excellence (Admin) in 2010 and was nominated twice more, in 2015 and 2016 as part of the C&F Team).

It is upsetting that the complainants have been taking photographs of people visiting me at my house, I am sure this is, if not illegal, wrong and a bit disturbing that they feel they need to spy on us.

Parking is not a problem, there is plenty of on street parking the only time it is busy is at drop off and pick times (about 45mins in the morning and 45mins at pick up as people want to park as close as possible to the school and I usually advise guests arriving with a car of this (morning drop off isn't really a problem as check in time is after 11 am). The majority of my guests arrive by bus (mostly from abroad and use the local bus service to get around, they love how close the bus stop is). Some people from the UK arrive by car but some also travel by train and bus.

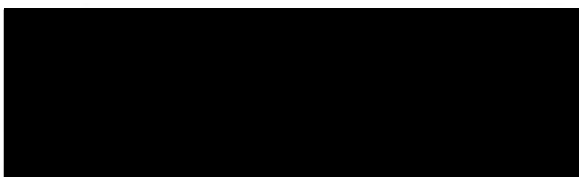
I have been doing the Airbnb for 8+ years and enjoy it immensely, I meet all sorts of different people travelling from all corners of the world and they all review the flat positively, (I enclose some recent reviews from before September 2023). And what guests like the most is the closeness to the bus stop, making for easy travel. They also like that the flat is self-contained with a separate entrance and guests often remark about how quiet and cosy it is. Guests can have a conversation with us if they want, if not this is fine too. Some guests just like to give us a wave on their way past.

Airbnb for me is not all about the money, I do it as I have said because I enjoy it, especially since I have retired, I go the extra mile for my guests to ensure they enjoy their visit and take great pleasure in their positive reviews. Most of my guests only visit once as they are just passing through on a (sometimes) once in a lifetime trip. I have only a couple of guests who return, as they are visiting family who live nearby. They have actually become friends.

I hope the license will be granted as I do enjoy doing the Airbnb and know that my guests enjoy the accommodation but will await your decision.

Encl: Reviews

Character references



(No subject)

From: Helen Cormack [REDACTED]

To: [REDACTED]k

Date: Monday 28 October 2024 at 13:44 GMT

----- Forwarded message -----

From: **Scott Rintoul** [REDACTED]

Date: Sat, 26 Oct 2024, 19:06

Subject: Re:
[REDACTED]

To whom it may concern.

I have worked with and known Helen Cormack for 18 years. In addition, her husband, James Cormack has carried out a number of jobs in our home, in his capacity as a gas engineer.

Helen and I worked together in East Lothian Council's Children and Families Department. Helen was always professional and courteous in dealing with professionals and clients alike. This was often in very difficult and stressful situations. Helen was always calm and respectful. She is very much a team player. The Duty Team dealt primarily with child protection and this was often a challenging work environment. Helen was a great support to all of us in the team and greatly missed when she retired.

Her kindness and consideration towards everyone she worked with was evident throughout the time I have known her.

James has been extremely professional in the work he has carried out for us. We have always left James a key to our property and reassured that he is completely trustworthy.

It is concerning that allegations have been directed towards Helen and James and I am aware how upsetting and stressful this has been for them. Helen and James are well respected within the local community and have been for many years.

It is unfortunate they have been targeted in such a manner and I hope there is a resolution to this this distressing situation.

If you require any further information, please do not hesitate to contact me.

Scott Rintoul
Parenting and Family Support Coordinator/Senior
Social Work Practitioner
01875 824309
srintoul1@eastlothian.gov.uk

Ronald McCardle

[REDACTED]

[REDACTED]

[REDACTED]

27/10/2024

Dear Sir/Madam,

I am writing this regarding the planning issue my neighbours Mr and Mrs Cormack of 7 Edenhall Road have regarding their small air bnb unit at the rear of their house.

I have lived next door to them for 36 years since moving into number [REDACTED] with my parents in 1988.

Over those 36 years they have been pretty much perfect neighbours. We're not friends as in people who would socialise together but we chat whenever we pass each other and on the rare occasion there's been anything to discuss regarding our properties, ie drains, fences, then it's always been perfectly amicable and we've never exchanged a cross word in those 36 years. And on a number of occasions when I've had issues with my heating he's always been happy to pop in and help out. The kind of neighbours anyone would be delighted to have.

Regarding the issue in hand I was stunned to hear not only that there were objections regarding his planning issue but especially to hear the reasons for such objections. Regarding mentions of noise I have never heard a sound from the air bnb unit in all the years it's been used as such. Not once. And as someone living in a semi detached house joined to their house I think if there was any noise we'd hear it. In fact in all the years they've had it I have saw 2 couples who used it. On both occasions it was aprox. 11 pm at night and I only saw them because I was walking my dog and their car pulled up. One asked if this was the right house and I pointed out the entrance. Other than that I've never seen anyone using it so suggestions of streams of people going in and out are far off the mark.

Another issue mentioned was parking but the only time parking is an issue around here is early morning and mid afternoon because of the number of people dropping kids off then picking them up at the school opposite the bottom of our street. So any suggestion of parking problems is exaggerated. My son never has any problems parking within yards of our home. And the thought that an extra motor parked by someone staying at the air bnb for a night or two would make any difference to the surrounding neighbours is pretty far fetched.

Yours sincerely

[REDACTED]

Mr Mrs D Donachie

[REDACTED]

27. 10. 24.

Dear Sir / Madam

I am writing this letter to you to say how upset that my friends and Neighbours James and Helen Cormack are having to prove that they are an honest hard working couple.

My husband and I have know James and Helen for forty years we have never heard any noise or disturbances from their property. Our old neighbours [REDACTED] lived next door to Mr Mrs Cormack in all the forty years did they ever complain to us.

I know this might seem hard to believe, people / friends for such a long time, but what I say is the truth. James and Helen Cormack are the best.

[REDACTED] 71 [REDACTED]



Sylvain

8 years on Airbnb

★★★★★ · July 2023

very pleasant stay at Helen's who was helpful

Translated from French [Show original](#)



Billy

1 year on Airbnb

★★★★★ · July 2023

My stay at Helens lovely little pad was amazing! It was my first experience with Airbnb and was nervous at first but Helen was extremely welcoming and assisted with any queries! The home was packed with all the utilities you would need and the fridge was stocked with breakfast and beverages! bathroom and living area were immaculate, and the kitchen was squeaky clean. I will most definitely return! thank you Helen!



Gintas

10 years on Airbnb

★★★★★ · July 2023

Great location for Edinburgh and various little towns along the sea side driving on A198. The place is quiet and has everything that is required for a stay...including Helen's breakfast!



Aline

Zürich, Switzerland

★★★★★ · July 2023

We had a lovely stay at Helens Studio. There was everything we needed and more. Helen even filled the fridge with some breakfast essentials.



Zoltán

6 years on Airbnb

★★★★★ · July 2023

Helen's place is perfect for a holiday in Edinburgh. You can go to the city center with a bus(26,44, there's even a night bus), and there is a grocery shop 5 minute walks away. The place is even better than in the pictures and it's fully equipped. Helen was very helpful from the beginning, everything was clear, we were able to check in earlier and the fridge was stacked with breakfast ingredients!



Jayne

6 years on Airbnb

★★★★★ · July 2023

Great place to stay.

Exactly what we needed for visiting The Races and Edinburgh.

Accommodation was lovely and vey peaceful.

Like a minature home from home with everything we needed.



Karen

7 years on Airbnb

★★★★★ · July 2023

Comfortable stay. Easy access to Edinburgh on public transport.



Martin

9 years on Airbnb

★★★★★ · June 2023

Helen's place was ideal for our short visit to Edinburgh. It is a quiet location nestled behind the house, only 1 minute walk to the Bus stop and 3 minutes walk to the local well stocked shop. Whilst we mainly went into Edinburgh using the great local bus service, we also explored some parts of Musselburgh and enjoyed some nice local restaurants and cafes. It is a short walk into Musselburgh itself and ideally located for visiting the Musselburgh Lagoons Nature reserve. The accomodation was very clean, with great facilities for with a very comfortable sofa bed. Helen herself was lovely communicative and considerate host. Would be more than happy to stay again.



Alexander

8 years on Airbnb

★★★★★ · June 2023

Lovely place with a great host, suitable for our needs and well provisioned with food and things we needed. Would stay again if in the area.



Katie

6 years on Airbnb

★★★★★ · June 2023

Lovely place to stay - this is a small room but has everything you need. The bed is a pull out couch and is quite comfortable and good size and can be very easily put away during the day for more space. Helen was so kind and welcoming and had bacon and eggs in the fridge for us for breakfast. As it clearly states in the listing it is beside their house and looks into the living room but they are very respectful of privacy and there are blinds to use if you wish. There is a bus stop very close to the house which takes you straight into Edinburgh- this ca take around 30 to 40 minutes with the stops along the way but is very frequent. Having a washing machine is a huge bonus too! The kitchen is well stocked for cooking. Great stay and would recommend!



Paige

7 years on Airbnb

★★★★★ · June 2023

Beautiful little granny flat behind the main house. Great shower pressure and hot water. Helen even left some food stuffs for us in the fridge and cupboards which was amazing!



Devlin
Toronto, Canada

★★★★★ · September 2023

Helen was very accommodating for me with my arrival time. I was greeted by her husband who showed me into the unit. Upon entry, I was stunned. The small private unit came with a very comfortable pull-out couch, lots of options for shampoo and conditioners in the shower. To top it off, the fridge was stocked with bread, eggs, bacon, jam, milk and juice for my stay! There is also an ensuite washing machine if needed. I would HIGHLY recommend a stay here!



Michael
2 years on Airbnb

★★★★★ · August 2023

Great stay, very easy and comfortable



Pamela
Lima, Peru

★★★★★ · August 2023

Had an amazing stay, Helen left everything clean and ready for us!



Magda
9 years on Airbnb

★★★★★ · August 2023

A little studio exactly as described by Helen. For our 3 nights stay it was just perfect. We appreciated the provided breakfast items, a lovely supermarket within a few mins of walk, buses to Edinburgh just around the corner. Thank you 😊.



Sharon
7 years on Airbnb

★★★★★ · August 2023

Helens place is just great, really good value for money, spotlessly clean, stocked with food basics and all round just a lovely stay with a kind and respectful host. I highly recommend this place.



Fiona
6 years on Airbnb

★★★★★ · July 2023

Lovely little studio, very clean and in perfect location to access Edinburgh centre, bus stop just round the corner. Lovely touch with the breakfast items supplied. Highly recommend

Airbnb access instructions.

About this space

Self contained studio property based in the outskirts of Edinburgh. Please note the flat does not have a separate bedroom . Walking distance from Musselburgh Racecourse, train station and local amenities with frequent buses to central Edinburgh and nearby Portobello. Visitors also have access to a small patio and garden as well as on street parking.

Please note flat is only a few feet away from my house, in the garden, - if total seclusion is what you are after this space may not be for you.

The space

Small studio flat, with sofa bed in quiet street big enough for a couple / couple with a young baby.

Fully equipped. When you reach no. 7 you will need to go through the green door/gate into the back garden, keep walking, past the shed on the right and conservatory on the left, the flat is facing you.

On the wall to the right of the single door is the keysafe, this key opens the single door, you can open the patio doors from inside.

Guest access

Guests are welcome to access the back garden if they wish - table and chairs from the flat may be taken out to the patio and you may sit outside.

Other things to note

The flat is a studio flat and has a generous double sofa bed. The flat is close to the house but is self contained and private. The sofa is a pull up double bed. There is a tab on the front of the sofa, just pull this up and towards you gently. There is a sheet and mattress protector above on a shelf and a mattress topper in the wardrobe. Due to covid I would highly recommend you use both the sheet and mattress protector.



The Licensing Board
East Lothian Council

27 October 2024

To Whom it may concern,

My wife and I would like to inform the Licensing Board regarding the character of James and Helen Cormack. We have known James and Helen for 45 years and can vouch for their good character. We hold a key to their bedsit flat in case of emergencies when they are away from home.

They have helped us and other neighbours when needed and we have no hesitation in vouching for them.

David and Linda Donachie

[Redacted]
[Redacted]

[Redacted]

Licensing

From: Slight, Lynn
Sent: 29 November 2024 16:19
To: Licensing
Subject: Fw: Sheila sent a message

Sheila's mailbox is full so I have resent. I'm out on site finishing shortly
Lynn

Sent from [Outlook for iOS](#)

From: Slight, Lynn <lsight@eastlothian.gov.uk>
Sent: Friday, November 29, 2024 4:15 PM
To: Fitzpatrick, Sheila in Teams <noreply@emeaemail.teams.microsoft.com>
Subject: Re: Sheila sent a message

Hi Sheila ,

Meeting went well with 3 Cllrs in attendance. I advised no objection from EH or ASB and Planning had approved the structure. The Cllrs appeared to be quite content with what they observed and they advised the applicant that it would be on Januarys License Committee Meeting for discussion.
I see no grounds for refusing but obviously that's just my opinion.

Have a good weekend
Lynn

Sent from [Outlook for iOS](#)

From: Fitzpatrick, Sheila in Teams <noreply@emeaemail.teams.microsoft.com>
Sent: Friday, November 29, 2024 3:06:30 PM
To: Slight, Lynn <lsight@eastlothian.gov.uk>
Subject: Sheila sent a message

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.

Microsoft You don't often get email from noreply@emeaemail.teams.microsoft.com. [Learn why this is important](#)

Hi,

Your team-mates are trying to reach you in **Microsoft Teams**.

SF

Sheila sent a message in chat

Afternoon Lynn, could you give me a call re the STL site visit this morning?

[Reply in Teams](#)

CAN 68946

AB054/24

East Lothian Council



Police Env H.

ANIMAL BOARDING ESTABLISHMENTS ACT 1963

APPLICATION FOR THE GRANT / RENEWAL TO KEEP A BOARDING ESTABLISHMENT (INCLUDING HOME BOARDING AND DAY CARE) LICENCE

4

This application form is in several parts for different things. Which parts you need to complete depends on what you are applying for:

Part A	About you (the applicant)	p1
Part B	Day to Day Manager	p3
Part C	Grant or Renewal of a licence	p3
Part D	Declaration	p4

Part A – About the applicant

East Lothian Council
Licensing

To be completed if a natural person (individual)

08 MAY 2024

Surname (include any other surname you have been known by)

Received

TROKE

Forename

IAN

Trading name (if different)

HARRY'S HOUNDING AROUND.

Home Address

[Redacted]

Postcode

[Redacted]

Tel. No.

[Redacted]

Email address

[Redacted]

Date of birth

[Redacted]

Age

[Redacted]

Place of birth

[Redacted]

Is applicant to carry out day-to-day management of the activity?

YES NO

To be completed if a non-natural person (organisation, company, partnership etc)

Is the applicant a company, partnership or organisation (please tick appropriate box)

Company

Partnership

Organisation

Name of business HARRY'S HOUNDING AROUND

Address of Principal registered office

[REDACTED]

[REDACTED]

Postcode

[REDACTED]

Telephone number of principal registered office

[REDACTED]

Email address of principal registered office

[REDACTED]

Names, home addresses and dates of birth of all directors, partners or other persons responsible for management:

ALISON TROKE

[REDACTED]

GRAHAM REID

[REDACTED]

[REDACTED]

Part B – Day to Day Manager

To be completed by the day-to-day manager of the activity

Surname (include any other surname you have been known by)

TROKE

Forename

IAN

Home Address

[REDACTED]

Postcode

[REDACTED]

Tel. No.

[REDACTED]

Email address

[REDACTED]

Date of birth

[REDACTED]

Age

[REDACTED]

Place of birth

[REDACTED]

Part C – Grant or Renewal of License

What type of licence are you applying for?

GRANT



RENEWAL



Type of business?

Commercial

Home Boarding

Day Care

PLAYCARE

Address of premises to be licensed

THORNFIELD, DUNBAR EH42 1GS.

Schedule of pet animals intended to be accommodated		
Type of animal	Qty.	Accommodation Details
Cats		
Dogs	UP TO 55.	N/A.
Others		

Provide details of animal accommodation and exercising facilities

NO ACCOMMODATION REQUIRED

4 ACRES SECURE FIELD FOR EXERCISE

State method of heating, lighting and ventilation

N/A

State method of water supply and food storage

RUNNING WATER AVAILABLE

NO NEED FOR FOOD STORAGE.

State arrangements for disposal of excreta, used bedding and other waste material

PMS COLLECT MONTHLY USING SEALED BINS.

(SEPA REGISTERED)

State isolation facilities for control of infectious diseases / disturbed animals

N/A ONLY ON LAND 4 HOURS. M-F

State safety precautions for the protection of the animals in case of fire or other emergency (including emergency exits)

N/A.

Is a vehicle used to transport animals? If so, provide details (make, model, registration)

~~VAN~~ RENAULT TRAFIC TRO3 RES / TRO5 RES / TRO7 RES.

Name, address and telephone number of Veterinary Surgeon

N/A

Part D – Declarations

Subject to the provisions of the Rehabilitation of Offenders Act 1974, has any party name in this form ever been convicted of any crime or offence?

YES

NO

If Yes, provide particulars below. NB – All crimes and offences must be declared:

NAME	DATE	COURT	OFFENCE	SENTENCE

Has any party named in Parts A or B ever held or currently hold a licence for a Boarding Establishment?

YES

NO

If Yes:

When was the licence granted _____

When does it expire _____

Which authority granted the licence _____

Has any person named in Parts A or B ever applied for and been refused a licence for a Boarding Establishment?

YES

NO

If Yes:

Name of person _____

When was it refused _____

Which authority refused the licence _____

Has any person named in Parts A or B ever been disqualified from keeping a Pet Shop, keeping a dog or having custody of animals?

YES

NO

If YES to any of the above, please give details:

I/We declare that the particulars given by me on this form are correct to the best of my/our knowledge and belief

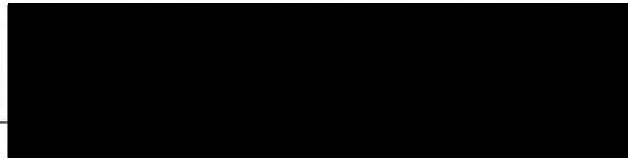
Signature of applicant



Date

02/05/2024

Signature of day to day manager



Any person who in, or in connection with the making of this application makes any statement which he/she knows to be false or recklessly makes any statement which is false in a material particular shall be found guilty of an offence and liable, on summary conviction

Please return the completed application form, relevant documents and fee to Licensing Office, East Lothian Council, John Muir House, Haddington, EH41 3HA
This application form must be lodged, together with the appropriate fee not less than 6 weeks before the proposed commencement date of the licence
Please note that the application fee is non-returnable.



Image.jpg: Image.jpg

Image 10 of 10

CLOSE X

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

31/5 Chased Env.
11/7 Anasea Env

Licensing

From: Lee Wilson <Lee.Wilson2@scotland.police.uk>
Sent: 10 May 2024 11:39
To: Licensing
Subject: AB054/24 - IAN TROKE - HARRYS HOUNDING AROUND
Attachments: AB054.24 ANIMAL BOARDING APPLICATION - IAN TROKE.PDF

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.

Good Morning,

No police objections.
Ref: 823153

Regards,
Lee

Licensing

From: Slight, Lynn
Sent: 11 July 2024 16:55
To: Licensing; Rafferty, Alison (Licensing)
Subject: Re: AB054/24 Animal Boarding Licence Application - Ian Troke

Good afternoon,

WRT this application there is a planning application 23/00292 / P validated May 2024 and awaiting decision for Thornfield , Thorntonloch, Dunbar for the change of use from agriculture land to the exercising of dogs (retrospective) . I think this is the same land / field area as advised in the Licensing application form. I'm aware that Licensing and Planning are different streams within ELC and this is for information only.

Regarding the Animal boarding application the applicant states he wishes to apply for a Playcare Licence. There is no such licence available. There are no details on the accommodation to be provided for the dogs (up to 55 animals) and the question on the form is simply marked N/A and that no accommodation is required. There are no isolation facilities available , no food storage facilities , no heating or lighting, no veterinary surgeon details. This application does not meet the terms of the Animal Boarding Establishments Act , nor would this operation meet the conditions attached to the licence.

Therefore in my opinion a licence cannot be issued.

Happy to discuss

Kind regards
Lynn

Lynn Slight
Senior EHO

Sent from [Outlook for iOS](#)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Fitzpatrick, Sheila

From: Allan, James
Sent: 26 September 2024 12:32
To: Fitzpatrick, Sheila
Cc: Taylor, Emma
Subject: RE: Animal Boarding licence application - Ian Troke (Harry's Hounding Around)

Hi Sheila

I think the welfare/safety of animals would be best dealt with by Environmental Health. I just wanted to confirm that the applicant (Harry's Hounding Around -Ian Troke) has lodged a planning application for 'Change of use of agricultural land and outbuildings to use as a dog exercise park and dog day care business (Retrospective)'. I am currently awaiting a final consultation response from Environmental Health on this application with regards to conditioning the number of dogs on site.

Thanks

James

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted] a [Redacted]

[Redacted]

Harrys Hounding Around visit 20 November 2024 @ 1120hrs - Thornfield, Dunbar EH42 1QS.

Participants - LSO Nicola Harrison / licence applicant and founder Ian Troke

The purpose of the visit was to establish whether a day care dog licence is required under the animal boarding establishments act 1963. The visit to the daycare facility lasted for around one hour and I found the founder Mr Ian Troke to be positive and transparent in speaking about his operations at the site. The facility consists of a field which is divided into two areas, at the time one area was being used with approximately 30 dogs and 3 members of staff supervising the dogs. All dogs appeared happy, and content and I did not witness any aggression and was not concerned regarding their welfare. I spoke to Ian at length who was more than happy to show me around. With the licence conditions in mind, I was able to cross reference my findings with his answers, I recommend that this facility is licensed as it is not simply a dog walking facility, dogs are collected and are then under supervision in a secure area for 3 or more hours, however at this current time not all the conditions of a licence would be met. The general conditions apply to all areas that dogs have access. If this facility was not to be licenced, then East Lothian Council would not have authority to enter the establishment nor ensure compliance.

Positives

- Does not accept any dogs under the Dangerous Dogs Act 1991
- No nuisance to neighbouring properties
- Fencing safe and secure with two lockable gates
- Exercise areas do not permit members of public, any person approaching can be easily seen.
- Outer paths, exercise areas and general surrounding areas in good condition
- Wholesome drinking water available (tap on site)
- Staff training – all staff trained in canine First Aid and other canine courses – although assurances were given this not evidenced at this time.
- Documented assessments of each dog completed but not available at this time.
- Aggressive dogs would not be welcomed back.
- There is a supervised area enabling introduction of new dogs to any existing pack.
- There are two separate paddock exercise areas available.
- A range of muzzles are available.
- Dogs are not exercised outwith the establishment.
- Sick animals are not permitted.
- Applicant satisfied dogs are routinely treated against worms and fleas/ticks.
- Local veterinary surgery available for all dogs if required and details known to all staff.
- There are 3 x first aid kits available on site.
- There are daily registers of all dogs attending the facility, the information is kept but was not available to view at the time.
- A fit and proper person is always present.
- There are no employees under 18 years of age.
- Dogs are not left unsupervised.
- Vehicles are fitted with cages and have adequate ventilation.
- All excreta is removed immediately from communal area and there is a weekly collection in place for incineration (PHS Group)
- Business is part of Dog Watch with East Lothian Council

Areas for concern:

- The maximum number of dogs permitted and the ratio of dogs to staff may exceed the condition although dependant on size of facility (55 dogs currently on register, 3 x permanent staff, day of visit approx. 30 dogs and 3 staff)
- No suitable secure indoor accommodation for dogs who require rest / time out provided at a ratio of at least 50% to the number of dogs licenced (currently dogs are taken to a van for such purposes)
- Utility area (shed) is for staff welfare purposes only and so I did not view this area, there is electricity available, Mr Troke did not have storage for medicine purposes and added that no dogs required medication and if they are on medication then the customer would be advised to administer before collection of dogs. No dogs are fed at the establishment.
- Animal control the establishment allows free mixing of dogs, not all dogs were neutered, there was one 16-week-old puppy who was not separated at this time but there is a separate area available, all other dogs were adults.
- A disease control and vaccinations policy and certificates were not available to view at this time. Mr Troke did not believe in all vaccinations and accepts dogs without up-to-date vaccinations. He did state that dogs must be flea and wormed.
- No quarantine area available if a dog was diagnosed with an infectious disease.
- Registers of dogs were not available at this time, Mr Troke confirmed that all data is within GDPR but such records are not transported to the establishment
- All dogs were not wearing a collar/ identity tag but Mr Troke confirmed that all dogs were microchipped.
- Not all dogs transported are adequately secured, the vans have cages but for larger breeds they are placed loose behind a partition in the rear of a van.

With guidance and support this facility has the potential to fulfil all requirements of the licence conditions.

Dog walking services

Join our professional dog walker scheme

To be granted approved user status, the company has to agree to a number of conditions including:

- no more than six dogs to be exercised at any one time
- the professional dog walking company to have relevant pet business insurance
- dogs to be transported in a vehicle fit for purpose with dogs adequately secured
- to have a first aid kit designed for dogs
- dogs to be tagged with the professional dog walking company's own company tag whilst under their authority
- controlling dogs during exercise
- cleaning up any dog fouling
- being aware and responsible for other land use - i.e. keeping away from livestock and bird habitat areas.

Those who gain the accreditation will be able to display their council Dog Watch approved certificate on their vehicles and will also have a user ID.

Approved companies will continue to be monitored and can lose their approved user status if they breach any of the requirements.

How to apply?

Anyone interested in applying or simply want to find out more should contact dogwatch@eastlothian.gov.uk.

Licensing

From: Liam Reid [REDACTED]
Sent: 25 November 2024 19:16
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Hounding around

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I'm writing to you to show my support to the hounding around team.

My name is William reid and my dog has been with hounding around for the past 2 years since he was a puppy. Hounding around have been invaluable to me. They offer a reliable service that is essential for all dog owners. A safe gated environment where their dogs can socialise and excersize safely of lead without any worries of running away etc. For some dog owners this will be their pets only opertunity to do so. Which is why it's so important for this to continue to be an option for all dog owners.

Licensing

From: Sarah Quinn [REDACTED]
Sent: 25 November 2024 19:57
To: Licensing; harrishoundingaround@outlook.com
Subject: Letter of support - Harry's Hounding Around

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Dear Sirs

We write in support of Harry's Hounding Around who provide an invaluable service to our Family in providing play care for our big friendly chocolate Labrador Howie Noon.

We bought Howie during the covid pandemic to give us some purpose and to assist with our physical and mental health in a challenging, strange time.

Since he came into our lives, we have welcomed a baby girl and moved forward juggling parenthood with full time public sector work as a Firefighter and Civil Service Solicitor.

Harry's Hounding Around have been helping us on this journey with essential, trustworthy and reliable play care.

Howie stands on the sofa each morning looking for Graham's van and we truly believe it gives our beloved family dog a mental and physical break from an 'active' toddler and the humdrum of walks 'around the block'. He comes home exhausted and sleeps for 2-3 hrs every day after fun, energetic exercise with his canine buddies.

Harry's provide us with reassurance that Howie is safe, loved and nurtured in order that he can exhibit normal, healthy canine behaviours in a fun and caring environment.

We have, as a family, suffered hardship with our health over the years [REDACTED]

Harry's have been there during difficult times and taken away the worry and stress associated with dog ownership, by ensuring that our furry family member obtains the love and time that he needs when we have been unable to take him very far for walks while we deal with Hospital appointments etc.

We cannot stress how vital the service is to our happy, contented home life. Without it we would struggle balancing all the demands of modern daily life. We both work full time in the centre of town and have little flexibility during the week.

We are proud to support a small local business and hope that we can continue to do so for many years to come.

Thank you

We hope the board consider our comments in the good faith that they are intended.

Kind regards

Sarah and Daniel Noon
[REDACTED]

Sent from [Outlook for iOS](#)

Licensing

From: Stuart Hamilton [REDACTED]
Sent: 25 November 2024 20:13
To: Licensing
Cc: Alison Troke
Subject: Harry's Hounding Around

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To whom it may concern,

I am writing in support of Harry's Hounding Around who I understand are the subject of a recent dispute with regards to their trading license with your Licensing Department.

Harry's has been an invaluable service for my family, allowing us to socialize our dog Woody and to build up his skills and confidence off-lead. As someone who is registered disabled, I'd be unable myself to be able to provide this level of exercise (particularly off-lead), it's vitally important for Woody to have a few hours a week in a safe, secure environment where he can play and learn with other dogs. It has been extremely difficult up to this point to find a company that we can trust like we do Harry's and I ask you to please not risk any negative change in their services as a result of your interpretation of their licensing requirements.

Thanks in advance for any help you are able to provide in this matter.

Stuart Hamilton
[REDACTED]

Licensing

From: Ruth Bonar [REDACTED]
Sent: 25 November 2024 23:09
To: Licensing
Subject: Support for Harrys Hounding Around

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Dear sir/madam

We have been using Harrys Hounding Around since our dog was a puppy and the service provided has been consistently to a very high and secure standard and which has enabled our dog to thrive in terms of having a safe environment within which to to develop socialisation skills, training and exercise. Spencer, our dog, has grown in to a mature, socially well developed and fit dog – we shall continue to use Harrys Hounding Around for this important aspect of Spencer's development and to gain the benefit of the training and development that is provided by your company.

The service you provide is reliable and Spencer very much enjoys this, our experience is that the Harrys Hounding Around service very much develops the dogs and we see this with other dogs that we know go to Harrys too.

Regards
Ruth Bonar

Sent from [Outlook for Android](#)

Licensing

From: David Bonar <[REDACTED]>
Sent: 26 November 2024 06:44
To: Licensing
Cc: harryshoundingaround@outlook.com; ruthbonar@hotmail.com
Subject: HARRYS HOUNDING AROUND

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Dear Sir / Madam

We write with reference in relation to Harrys Hounding Around, I understand my wife has written in a similar way to that below however I also wanted to add my support.

We have been using Harrys Hounding Around since our dog was a puppy and the service provided has been consistently to a very high and secure standard and which has enabled our dog to thrive in terms of having a safe environment within which to develop socialisation skills, training and exercise.

Spencer, our dog, has grown in to a mature, socially well developed and fit dog – we shall continue to use Harrys Hounding Around for this important aspect of Spencer's development and to gain the benefit of the training and development that is provided by the company.

The service Harrys Hounding Around provides is reliable and Spencer very much enjoys this, our experience is that this very much develops our dog and we see this with other dogs that we know go to Harrys too.

Regards

David Bonar

Licensing

From: kat robertson [REDACTED]
Sent: 26 November 2024 07:03
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Harry's hounding around

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Hi

I hope you are well

I am sending this email in support of Harry's Hounding Around

Harry's Hounding Around provide an excellent and reliable service that is so important to myself and my dog as well as many others.

My dog Gwen has been with Harrys Hounding Around for several years now and she thoroughly enjoys her time with them. She is able to enjoy off lead exercise in a safe and secure environment. She gets the chance to socialise with other dogs which she loves and can only be a good thing. Over the years her recall has also improved massively.

As a student nurse and support worker to people with learning disabilities, I have a busy schedule and work shifts. Harry's Hounding Around support me to balance my work load with keeping my dog healthy, happy and safe. I trust them completely as does Gwen.

We would be absolutely lost without Harry's Hounding Around and I hope they can continue to do their amazing work.

Thanks

Kathryn Langton

Sent from [Outlook for Android](#)

Licensing

From: Julie Steedman [REDACTED]
Sent: 25 November 2024 12:33
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Harry's Hounding Around

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I am writing to you in regards to Harry's Hounding Around.

My dog has been going out with Harry's Hounding Around for 6 years now. The service they provide is second to none. Our dog is very well looked after and cared for in a fantastic safe environment with amazing staff who our dog and ourselves have a great relationship. This would have a massive impact on our dogs life not being able to go everyday to exercise and socialise and be looked after by the most amazing caring staff.

Please feel free to message for more information if needed

Regards Julie Steedman and Thomas Lawrie

Licensing

From: Linda Scott [REDACTED]
Sent: 25 November 2024 11:44
To: Alison Troke; Licensing
Subject: Harry's Hounding Around

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<<https://aka.ms/LearnAboutSenderIdentification>>

Dear sirs,

I am writing in support of the business Harry's Hounding Around.

I have been sending my dog to Harry's once a week for three years.

I was not considering any kind of dog walking service for him as I am retired and am able to exercise him myself. A conversation with a neighbour about how fantastic an experience it was for her dog led me to investigate and then sign up.

This playcare is a unique experience. The dogs have a huge area to safely run around in and socialise safely with other dogs. Even though I have a park in front of my house and the beach nearby I could not replicate this. I regard it as a weekly treat for my dog.

The people who run the service are very caring of our pets. Rudy knows when it's Tuesday and Graham is due to arrive.

Communication is excellent with frequent photos and videos of the dogs having fun.

A brilliant, well run and unique service.

Yours faithfully,

Linda Scott

Licensing

From: Ruth Jamie [REDACTED]
Sent: 25 November 2024 10:58
To: Licensing
Cc: Alison Troke
Subject: Harry's Hounding Around License Renewal

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To whom it may concern

I have been made aware that there is consideration being made around whether the above company will have their licence renewed.

My dog has been going to Harry's Hounding Around for a few years now and it has made such a difference for him. As soon as he hears the van coming he is at the door waiting to get out to join his doggy friends. He loves to be with the other dogs and the socialisation has helped make him less nervous around other dogs, and for me, having him go with a team that I have total trust in is invaluable.

The Harry's team are fantastic and it's great to let him go with them secure in the knowledge that he is safe and very well cared for. The facility that they use is great for the dogs, with a large enclosed grass area for them to run around in and if the weather is too hot or cold, the large barn offers another area for socialisation with beanbags and paddling pools in the summer.

In summary, I would like to stress how important it is to me to have my dog go with Harry's Hounding Around and would ask that their licence be renewed. This will allow me to have continued peace of mind that my dog is 100% safe and happy when I need him to be well looked after and socialised when I'm at work.

Yours faithfully
Ruth Jamie

Sent from my iPhone

Licensing

From: Amy Moreno [REDACTED]
Sent: 25 November 2024 08:42
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Harry's Hounding Around

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Dear East Lothian Council,

I am writing in support of the business Harry's Hounding Around. My dog goes there once a week to spend outdoor time off-lead, where she is able to play and socialise with other dogs. She benefits greatly from this and we really appreciate the team. She loves going there once a week, and we know she's safe and having lots of fun.

Kind regards,
Amy Moreno, [REDACTED]

Licensing

From: Jane Fazel-Hamedani [REDACTED]
Sent: 22 November 2024 18:06
To: Licensing
Cc: Alison Troke
Subject: Harry's Hounding Around

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Dear Sir

I am writing to say how important Harry's Hounding Around service is to me and my family.

They provide a safe and secure environment for our dog to socialise with other dogs. She loves going and being able to run around off lead for a few hours.

It gives us great peace of mind that they collect her, and whilst in their care she is being well looked after. It also provides us with a free day which is extremely important.

Yours sincerely

Jane Fazel-Hamedani

Sent from my iPhone

Licensing

From: Sarah wheatley [REDACTED]
Sent: 21 November 2024 17:18
To: Licensing
Cc: harrishoundingaround@outlook.com; Steve
Subject: Fao Licensing Sub Committee

Follow Up Flag: Follow up
Flag Status: Completed

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Dear Sir or Madam.

I am really disappointed to hear of the problems that Harry's Hounding Around have been having regarding licensing.

Our dog, Dylan, has been benefiting from their amazing and reliable service for over three years now. Having seen how professionally they conduct themselves, right from the very first contact I had with them, and how delighted Dylan is to go out with them, I can't emphasise enough how much I trust them to keep Dylan safe, happy and well.

It genuinely brings my family so much peace of mind knowing that he is being so well looked after, having a great time socialising with other dogs off the lead.

I can't emphasise enough what a shame it would be to lose such a wonderful team. As part of a group of other dog owners, I know how lucky we are to have them exercising our dog as I realise not everyone has such great experiences.

I would be very happy to chat further if you would like any more information.

Best wishes,

Sarah Wheatley
[REDACTED]

Licensing

From: Steve Wheatley [REDACTED]
Sent: 22 November 2024 18:30
To: Licensing
Subject: FAO East Lothian Licensing Sub Committee

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Dear Sir or Madam,

My wife, Sarah Wheatley, has already written to you in support of Harry's Hounding Around, and I am writing to express my own deep disappointment regarding the licensing issues they have encountered.

I would like to reiterate what Sarah has already said. Our dog, Dylan, has been benefiting from their amazing and reliable service for over three years. From our very first interaction, I have been impressed by their professionalism and dedication. Seeing how excited Dylan is to join them and knowing he is kept safe, happy, and well cared for has been a source of immense reassurance for my family.

The team at Harry's Hounding Around provides more than just exercise; they offer a unique environment for dogs to socialise off-lead in a safe and well-managed space. This brings peace of mind not just to me, but to many other dog owners in our community.

It would be a real shame to lose such a wonderful service, which has had such a positive impact on so many families. If you would like to discuss this further or require additional information, I would be more than happy to help.

Kind regards
Steven Wheatley
[REDACTED]

Licensing

From: Tracy Neill [REDACTED]
Sent: 22 November 2024 20:09
To: Licensing
Subject: Licensing / Harry's hounding around

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Good evening,

Please can this email be respectfully considered in relation to the licensing of Harry's Hounding Around play care.

My dog has been going to Harry's hounding around play care for the last few months.

I can confirm this play care service provides a vital safe environment for my dog to exercise and play securely off the lead, which is crucial for her puppy to adolescent development and socialisation. The staff and set up of Harry's Hounding Around gives me reassurance that my dog is safe and well socialised with other dogs.

I can relax knowing my dog is with trusted and reliable staff.

Thanks

Tracy

Sent from [Outlook for iOS](#)

Licensing

From: Hannah Fox <[REDACTED]>
Sent: 23 November 2024 14:34
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Harry's Hounding Around

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Hi

FOA - Committee Overseeing Case of Harry's Hounding Around

Our girls love being cared for by Ian and Ali. We trust the team 100% to care for our girls in a safe and secure environment. The team are reliable and it ensures our girls get off-lead exercise and socialisation during the week. Without Ian and Ali caring for our girls, we would need to look at moving closer to family and changing employer. Their service is of a significantly higher quality than a dog walking service can provide which would be our alternative. Ian and Ali have the girls for longer allowing us to make work commitments, the girls benefit from spending time with other dogs, they are socialised and confident around all breeds of dogs. It's important to us that our girls enjoy their weekday care and off-lead exercise is what they enjoy.

Ian and Ali genuinely love the dogs in their care, and our girls love them in return. It's a special organisation that deserves and needs to continue.

Regards

Hannah and Eddy Fox and our girls Elphy and Meri
Sent from [Outlook for Android](#)

Licensing

From: Laura Devine [REDACTED]
Sent: 23 November 2024 15:54
To: Licensing
Cc: Alison Troke; Alan Simpson
Subject: Harry's Hounding Around

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Good afternoon

I hope this email finds you well.

I'm emailing in regards to Harry's Hounding Around ("HHA") who I believe will shortly be having a licensing discussion with you. As a long customer of HHA I'm hoping a mutual agreement can be reached soon here to ensure they can continue operating as they currently are. As a working family we are very reliant on HHA to assist with exercising and socialising our dog Max and have done since he was a puppy. We trust them fully and they are great with our dog - we've had nothing but positive experience with their service in our 3 years. We've also recommended them to friends who require a dog walker. They pick him up and drop him off with us timely and he comes back shattered from his running around for the short time he's with them. They are no different to a dog walker but with the benefit they have a safe and secure outdoor area for Max to be off the lead which for us is very important. I hope you take this email into consideration in your discussion.

Kind regards
Laura Simpson

Sent from my iPhone

Licensing

From: Helena Heveran [REDACTED]
Sent: 24 November 2024 10:44
To: Licensing
Cc: Alison Troke
Subject: License for Harry's Hounding Around

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To whom it may concern,

I write this email to express my support for a local business that I have regular contact and dealings with. My 3 dogs, Oscar, Dougal and Henry have been with Harry's Hounding Around for a long time. Over years, all three of them have developed a strong relationship with Ali, Ian and Graham. We can go to work and not have any concerns about them. I can't stress enough, the level of disruption it would cause to change to a different service to us as a family. While our boys get regular walks with the family, since the pandemic, they have become overly dependent on our presence leading to anxiety and guarding issues with other dogs which makes their walks and anything outside the family home with us a challenge as they are over-protective. This leads to shorter walks and retention of energy that they need to burn off.

With the service at Harry's Hounding Around, we fully trust that they are protected in their environment, and this shows truly in how they have developed positive socialisation skills around other dogs when they are away from us. So much so that they can be off-leash and get the much-needed exercise they need on a regular basis. This has been (no understatement) life changing for them and us! We trust the team to give the best they can to our boys and believe that's what they get. They are visibly excited at the prospect of joining Ali when it's pick up time and then come home tired and well worked out come rain or shine. I don't believe that you can get that reliability just anywhere, and I have a deep anxiety around what it would mean for our boys if that were something we needed to consider. I believe that many other families would also be left in a very difficult position should this business not be able to progress for any reason. To be quite frank, I would join any peaceful protest, sign any petition and do anything else within my power to prevent that from happening. I therefore urge you to take the lives and wellbeing of our dogs and the many other dogs that Harrys provide a service to into account while considering a resolution to your licensing agreement and hope that this can be done in a fair and timely manner.

Sincerely,

Helena Stevenson

Licensing

From: Angela Joyce <[REDACTED]>
Sent: 24 November 2024 11:15
To: Licensing
Subject: Harry's Hounding Around

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To whom it may concern,

I am writing in support of Harry's Hounding Around run by Alison and Ian Troke.

We have been using the service for several years for our two Hungarian Vizslas. These dogs require two hours daily off lead outdoor exercise as well as regular socialisation, in a secure setting, due to their tendency towards anxiety and high prey drive. As full time employees, we are not always able to achieve this, especially in winter.

Over the time we have been with Harry's, we have found them to be utterly reliable - Alison has never missed a pick up or confused dates, which has not always been our experience with services we used in the past. We trust them 100% with our animals, and we have never had a problem with them in any sense. The fact that the dogs run to the door and want to go with Alison shows us how much they enjoy their time at Harry's. They behave so well around her due to the way she is with them, which stems from her extensive knowledge of canine needs. They come home happy and tired and that is the benefit to them and us of an outdoor secure environment.

In short, we would all be lost without Harry's.

Sincerely,

Angela Joyce
[REDACTED]

Licensing

From: Crispin Hill [REDACTED]
Sent: 24 November 2024 11:21
To: Licensing
Cc: Alison Troke
Subject: Harry's hounding around - support

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ELC Licencing,

I am writing in support of Harry's Hounding Around.

We have used this business for about 4 years now. Alison took great pains to understand our needs before agreeing to help us with our dog (now two dogs) when we first approached her for help in finding a really good, safe environment for our lively vizsla. Early on we appreciated their very sensible approach and clear expertise as our dogs' breed is naturally high-spirited and energetic. And they have not let us down!

Alison has been 100% reliable throughout that time, never once missing a date with us - a talent that we have not had with any other person or business we had previously used, including one or two others on the ELC accredited list that we previously used

HHA provides a completely safe space for both our dogs and others, and we have complete trust in their handling of our pets. Our dogs need both exercise, (on the days when we cannot give that to them through meetings, schedules etc.), and the opportunity to socialise for extended periods with other dogs to ensure they remain 'good citizens' in the busy places we live in. HHA provides exactly that, and I would be happy to say so in person.

HHA provides a trusted, utterly reliable service to us and our dogs through thick and thin, and I genuinely doubt anyone else does a better job in East Lothian.

Kind regards
Crispin Hill

[Sent from Yahoo Mail for iPhone](#)

Licensing

From: Mary Brock [REDACTED]
Sent: 24 November 2024 14:31
To: Licensing
Cc: Alison Troke
Subject: Harry's Hounding Around

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To whom it may concern,

I am a customer of Harry Hounding Around and my dog has attended there twice a week for over two years. Their facility offers my dog the experience to explore and exercise in a safe , secure enclosed off lead area. With the opportunity to socialise with other dogs in a large natural outdoor area which gives her a unique experience.

The service Ian , Ali and Graham provide means a great deal to us as I know my dog is safe and very much cared for when she is there.

They are supportive and reliable and it would be difficult for me without this service as I can't leave my dog on her own.

Kind regards
Mary Brock

Licensing

From: alison paterson [REDACTED]
Sent: 24 November 2024 21:12
To: Licensing
Cc: Harrys Hounding Around Troke
Subject: Harry's Hounding Around Licence

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FAO Licensing Subcommittee

I am writing in support of Harry's Hounding Around application to continue trading as a Dog Playcare service .

Without Harry's Hounding Around I would struggle to meet my young rescue lurcher's exercise and socialisation needs . In their secure , supervised play park he can run off lead and mix with other dogs. The reliable pick up and drop off service gives me time to fulfil my regular grandparent responsibilities knowing that Bosie is enjoying himself in a safe environment with experienced professionals.

I sincerely hope the Trokes will continue to run this valuable service

Yours

Alison Paterson
[REDACTED]

Sent from my iPhone

Licensing

From: zoe.bonthron [REDACTED]
Sent: 24 November 2024 21:36
To: Licensing
Subject: Licensing Sub Committee - 12th December 2024

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Dear Sir/Madam,

I understand that you will be considering the case of the dog playcare company, Harry's Hounding Around at East Lothian Council's Licensing Sub Committee on 12th December 2024.

I wish to provide a letter of support to Harry's Hounding Around who I have found to be an exceptionally reliable and trusting service. The staff are amazing. Harry's Hounding Around has provided an invaluable dog playcare service to our family's two dogs. As a responsible dog owner, I believe it is very important that our dogs receive off-lead exercise and socialisation with other dogs. Our dogs absolutely love their playcare sessions. Harry's Hounding Around provides this opportunity for our dogs in a safe and secure environment at their location in Dunbar.

I seriously urge the Committee to ensure Harry's Hounding Around is successful in receiving the correct license in order to operate their dog playcare facility.

Yours faithfully,

Zoe Bonthron

Licensing

From: Lyndsey young [REDACTED]
Sent: 22 November 2024 12:15
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Harrys Hounding Around

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To Whom it may concern

This is an email in support of Harrys Hounding Around.

My dog Beau has been going to Harrys Hounding Around for approx 3 years. I would not trust my dog with anyone else, Ali and Ian provide a service that is exceptional in the care of my dog. I know he is safe with them and the dogs are all in a secure area which really gives me peace of mind. They have been fantastic in helping with socialising my dog as he used to be very timid. Now he loves meeting and playing with other dogs and gets lots more exercise, this is all thanks to the guys at Harrys Hounding Around.

If this service wasn't available it would possibly cause me to reduce my working hours as I have no one else to look after the dog while I'm at work so this really is invaluable to me.

I am very hopeful that Harrys Hounding Around will be here for many more years to come. Cannot speak highly enough of them.

Kind regards

Lyndsey Young

Licensing

From: Catherine Muirden [REDACTED]
Sent: 22 November 2024 12:15
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Harry's Hounding Around

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Dear East Lothian Council,

I'm writing to you in support of the application for license by Harry's Hounding Around. This business, of which we have been customers for several years, offers a vital and unique service to us as dog owners: we would be unlikely to find a similarly safe environment, where our dog Brèagha can be nurtured, exercised in safe, wide open space, socialised with other dogs and interacted with by a consistent team of highly professional, understanding and energetic individuals.

We can't praise them high enough, and it's a little wonder that they have been nominated as award winners for this unique service. As an HR Director myself it's quite obvious to me that the owners, as past Partners in the John Lewis Partnership, know how to run a business and offer outstanding service to their customers. I don't hand over trust of my dog easily!

We're fully supportive of their application and ask you to respect their long service and dedication to canine health and socialisation.

Sincerely,

Catherine Muirden

[REDACTED]

Sent from my iPhone...please forgive typos.


Jane Coates



22/11/2024

Letter of Support

I am writing to express my strong support for Harry's Hounding Around in the support and excellent care they provide for Coco my Chocolate Labrador, a dog who is in need of a loving and responsible environment.

I have had Coco from eight weeks old and I can attest to the bond that has developed between her and Ali, Ian and Graham who make up the wonderful Harry's Hounding Around. It is clear that HHA are not only capable but also deeply committed to ensuring that Coco and all the other dogs receive the best possible environment to flourish and thrive. HHA has shown consistent attention to Coco's physical and emotional needs, including a recent time when my mother . As she lived in the Borders and refused to move I had to spend much time travelling and caring for her, without Harry's Hounding Around Coco would have had very limited off lead exercise and her socialisation around other dogs would have suffered terribly. The service was then, and continues to be a game changer for me, as a working mum.

I am confident that Coco is in great hands and continues to thrive under HHA. They demonstrate responsibility, compassion, and the ability to meet all of the requirements that dogs both require and deserve. Before attending Coco was very hesitant and unsure around other dogs. Now she is a fun loving very social lab with a love of life, this is in my opinion has been supported by the service.

Thank you for considering this letter of support. I have no doubt that Coco will continue to receive the love and attention she deserves with the assistance of Harry's Hounding Around. Without this service Coco's life would be far less rich and colourful, and she would miss all of her lovely four legged friends terribly.

Kind Regards

Jane Coates

Licensing

From: NOSY NINJA <[REDACTED]>
Sent: 21 November 2024 21:19
To: Licensing
Cc: Alison Troke
Subject: Support for Harry's Hounding Around Licensing Application.

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Dear Licensing Sub-Committee,

I am writing to express my strong support for Harry's Hounding Around and to emphasise the vital role their service plays in our lives and the wider community. Both my wife and I are key workers—she is an NHS nurse, and I work in Cyber Security, safeguarding the country's critical financial infrastructure. Like many of Harry's customers, we rely on their service to ensure our dog receives the necessary physical and mental stimulation that keeps him a happy, friendly member of our community.

Harry's Hounding Around provides a safe environment where dogs benefit from structured off-lead exercise and essential socialisation. Their professionalism and commitment enable us to focus on our demanding roles, confident that our dog is thriving as a result of their care.

This service is essential, not just for individual families like ours, but for the wider community. By fostering well-exercised and well-socialised dogs, they contribute to a safer, more harmonious environment. For key workers such as ourselves, Harry's Hounding Around makes it possible to fulfil our responsibilities to society, knowing that our pets are in capable hands.

The loss of this service would have serious repercussions—not only for the well-being of the pets they support but also for the families, professionals, and community they serve. I urge the Council to recognise the crucial role that Harry's Hounding Around plays and to ensure they can continue their exceptional work.

Thank you for considering this perspective.

Kind regards

Andrew Buchanan
[REDACTED]

Licensing

From: Hannah Ranaldi <[REDACTED]>
Sent: 21 November 2024 20:34
To: Licensing
Cc: Alison Troke
Subject: Support for Harry's Hounding Around

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To whom it may concern,

I'm writing in support of Ian and Alison Trokes' license situation regarding Harry's Hounding Around.

My husband and I send our dog, Travis, twice weekly to Harry's Hounding Around. Our decision to do so was primarily based on their ability to meet our dogs needs with an opportunity for off-lead exercise due to his breed type. Coupled with this, Travis can be anxious at times, and we highly value Alison & Ian's understanding and experience of how to support this within a safe and secure environment. For us, knowing this enrichment is outdoors is vital given the breed-specific needs of our dog. Previous alternative options have proved not to be suitable due to their indoor settings, where we found Travis was under stimulated during the day. Likewise, having the opportunity to socialise with other breeds in a controlled environment has helped develop Travis' skills beyond this environment into other areas we visit.

In terms of professionalism, Alison and Ian's team have provided us with consistent, and reliable service that has helped us hugely at a time where we welcomed our son into the world. Having been provided with an initial meeting, clear documentation around terms and conditions that cover the service provided reassurance of their processes in keeping Travis safe whilst at Harry's. For Travis, this consistency provided grounding at a changing time, which in turn has helped us all adjust. Travis comes home tired, and happy which has helped me navigate life as a new mum knowing he is satisfied and content a couple of days a week. Finding a reliable and trustworthy service ran by genuinely caring individuals could have been a real challenge, but I cannot speak more highly of Alison and Ian - what they have created in their business provides a valuable service across East Lothian, which in turn supports both my private life, but also my own business and ability to run an in-person clinic supporting individuals with their health and psychological wellbeing in Haddington.

Should I be of any further assistance in speaking to my experience utilising the services Alison and Ian offer, please do let me know.

Best wishes,

Hannah

Dr Hannah Ranaldi

Licensing

From: danielle thomson [REDACTED]
Sent: 21 November 2024 19:08
To: Licensing; Alison Troke
Subject: Harry's Hounding Around

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I'm writing to you regarding, Harry's Hounding Around.

Our dog has been attending the playcare since she was a puppy, which is 4 years now. The playcare provide an excellent opportunity for dogs to have off lead exercise in a safe and secure environment. This has had a huge impact on our dog as this can be nearly impossible otherwise on normally daily walks as well as highlighting the importance of the dogs being able to socialise together, again in a secure and safe environment.

The dogs are well looked after and cared for whilst at the playcare, ensuring they are able to cool down in the hotter months.

We have built a great trusting relationship with the staff there and without the playcare it would have a huge impact on our dog due to not being able to exercise and socialise safely.

Licensing

From: Sophie Cox [REDACTED]
Sent: 21 November 2024 18:46
To: Licensing
Cc: Alison Troke
Subject: Vote of support Harry's Hounding Around

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Dear East Lothian planning committee ,

I am contacting you regarding Harry's Hounding Around and to urge you to ensure the playcare remains open. I am formally issuing my vote of support for Harry's to remain operational.

Our dog Fin has been going to playcare since he was a small puppy, we had tried other routes prior to engaging with Harry's and we were never felt satisfied in the care that our boy had received; however, from day one of Fin joining Harry's we felt a blanket of insecurity being lifted. He loves it, and we have complete trust in the Harry's team to look after and watch our boy.

Ali, Ian and Graham have provided a safe environment for our boy to run about and socialise, which has enabled him to become the well-loved boy that he is, and I know for a fact we would not have the same dog if it was not for their influence. They keep us constantly informed to how Fin is behaving each day, and when being away at work it's incredible to know your dog is in safe, and in trusted hands!

Like many myself and my partner have returned to the office post Covid and we would not be in a position to have a dog or provide it with the life it deserves if not for the Harry's Team! If this service was lost due to council decision the answer is not "there are other playcares" because quite simply Harry's is offering a service which is unrivalled and I would not place my trust in others as I have with Harry's to provide the same love and care for my boy.

If you decide to enforce a closure of the field then there will be a very tough reality for many who have returned to office work to make tough decisions to give up their dogs, and let's face it rescue centres are already overburdened as is.

This is a local business supporting the local community and it should be viewed as such not met with hurdles to operate.

I urge you to reconsider and support Harry's moving forward

Kind regards,
Sophie Cox

[REDACTED]

Licensing

From: annemarie_kerr [REDACTED]
Sent: 21 November 2024 18:42
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Harrys Hounding Around

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Dear sirs,

I would like to take this opportunity to stress the importance of Harry's Hounding around as a business to us as a family.

My dog fully benefits from this excellent service providing my dog with social interaction, freedom and security in a enclosed environment off the lead which is important to us. Furthermore we trust and know our dog is in a safe environment with the owners of this buisness and our 100% reliable with us on a weekly basis.

I would be lost if this service ended and my dog would truly miss the benefits he gets from this fantastic business.

Kind regards
Annemarie kerr and family.

Sent from my Galaxy

Licensing

From: Aimee Hutchison [REDACTED]
Sent: 21 November 2024 18:33
To: Licensing
Cc: Alison Troke
Subject: Email of support for Harry's Hounding around

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Good evening.

We've been using this service in order for us to give our dogs socialisation and a safe, off lead environment to play. We would be lost without them. My partner and I work full time often 12hour+ shifts and their reliability has enabled us to come home to well exercised, well looked after dogs.

Their facilities are perfect for our two and with one of ours being a bit of an escape artist their secure area is just perfect.

They're a real asset to East Lothian and help so many families like ours.

Aimee Hutchison

Licensing

From: Julie Wilson [REDACTED]
Sent: 21 November 2024 18:30
To: Licensing
Subject: Harry's Hounding Around

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Good evening,

We felt compelled to send this e mail in support of Harry's Hounding Around. We have used them specifically for the service that they provide to our dog since he was a puppy. The service has been invaluable to provide our dog with not only off-lead exercise but also socialisation which has greatly helped with his fear of other dogs.

We trust Ian, Ali and Graham implicitly with our dog and know that the field that they have is safe and secure and therefore our dog, who has a high hunt/prey instinct can explore safely, whilst having the opportunity to play with others.

Due to our working patterns this service is absolutely invaluable for us and we would be stuck if they could no longer provide the fantastic service that they do. We believe we would find it difficult if not impossible to find a service which is comparable and that we would be comfortable for our dog to attend 5 days per week.

Julie Wilson

Licensing

From: Meg Reece [REDACTED]
Sent: 21 November 2024 18:18
To: Licensing
Cc: Alison Troke
Subject: Harry's Hounding Around

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Good Evening,

I just wanted to get in touch to express my support and views regarding the importance of the Harry's Hounding Around service in the local area of East Lothian.

My dog, Joey, has been part of the friendly Harry's Hounding Around family for over 2 years since he was only 14 weeks old. Due to work commitments, the service provided by Alison, Ian and Graham is crucial to allow Joey to have a safe place to play and socialise with other dogs for a short period of time during the day. The service provided has given Joey exceptional social skills from a young age and his love and trust for all the team at Harry's Hounding Around is second to none - he adores them all.

From a personal perspective, from the second we met Ali and Ian and introduced them to Joey, we knew they were the perfect choice. They are professional, trustworthy and very accommodating to any last minute changes. They have been reliable since day one and they provide Joey with a secure, safe environment to allow him to exercise off lead and play. We trust Ali so much that she brings Joey into our home, with the post and gives him a treat which I leave for him. I regularly recommend them and have met other customers of the business who always express only positive views on the business as they are well known in the area. Furthermore, the family run business aspect cements further trust and reliability on the service.

I hope the above demonstrates my strong views of the importance of the business in not only mine and Joey's life but many others.

I am more than happy to discuss further.

Thanks,

Megan

Licensing

From: Werner Keschner [REDACTED]
Sent: 21 November 2024 18:04
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Harry's Hounding Around

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Dear Sir/Madam

Our dog attends Harry's Hounding Around, the socialisation sessions have really helped to improve her ability to interact with other dogs. Since going she has become much more friendly and the exercise she receives has made our life easier. It would be such a shame if a trustworthy service such as this was stopped. It is reliable and welcome service for many.

Yours aye

Werner Keschner

Licensing

From: Erin Hunnam [REDACTED]
Sent: 21 November 2024 18:00
To: Licensing
Cc: Alison Troke
Subject: Harry's Hounding Around

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To whom it may concern,

I am emailing you in regards to Harry's Hounding Around.

I want to raise with yourselves the importance this service has to myself and my 2 dogs.

I have 2 Beagles, and if you know anything about the breed, you will know these are one of the best breeds for hunting due to them being independent scent hounds. Due to this, I cannot walk my dogs off lead as it is not safe for them with their scent leading them into dangerous situations.

Harry's Hounding Around is absolutely fantastic to allow my 2 dogs a safe and secure environment to run off lead and socialise with other dogs. Ali & Ian are very reliable and my dogs wait at the window every Friday with excitement waiting Ali's arrival.

This service is extremely important to not only us as a family but to my dogs who thrive on running off lead, without this service I wouldn't be able to give my dogs the freedom that they need and require.

I hope that this service can still continue and you will see how fantastic and well thought off Ali & Ian are to a lot of families and dogs.

I am happy to be contacted to discuss the above further if required.

Kind Regards,
Erin Watson

Sent from my iPhone

Licensing

From: claire zhang [REDACTED]
Sent: 21 November 2024 17:58
To: Licensing
Cc: harryshoundingaround@outlook.com
Subject: Harry's Hounding Around Support

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To Whom It May Concern,

I am writing to you in support of Harry's Hounding Around for their licensing issues to be resolved. Harry's Hounding Around is set up to provide a safe and protected environment for dogs to be socialised and exercised in.

First of all, if it were not for Harry's my beloved pet would not be able to have the quality of life that she currently has. I work full time and, as a result, unfortunately can't give my dog the full amount of exercise that she needs. If Harry's did not exist I would have no choice but to give up dog ownership as it would be unfair for my dog to live a life stuck inside most of the day. I depend on this business's survival every single day of the working week.

Secondly, my dog needs the socialisation with other dogs, there are so many dogs that are not well socialised and as a result walking them on the street and in public places can be quite difficult. Similarly, not all dog owners want their dogs to socialise, it is a painstaking task to introduce animals in busy public places, without Harry's my dog would suffer in both wellbeing and become much more of a recluse if not more scared or aggressive to new dogs.

Lastly, I do not wish to use a day care service for my dog, I have visited many of these establishments and they lock dogs up in kennels, mistreat them, or just ignore them. Harry's is the antithesis of these establishments, they provide a safe space for dogs to exercise, they are reliable and trusted to care for my pet like their own whilst out on walks and runabouts.

This is a business that helps people and their pets. To give them a better quality of life through exercise and attention.

For all the reasons I have highlighted in this email, I strongly recommend Harry's Hounding Around be granted their amended license or be allowed to continue to operate as they have been. I know that reaching out to and supporting local people and local communities is one of the primary goals of the council and I hope you can hear our plea on this occasion to help this local business.

With kindest regards

Claire Zhang
[REDACTED]

Licensing

From: Ryan Conlon [REDACTED]
Sent: 21 November 2024 17:53
To: Licensing
Cc: Alison Troke
Subject: Harrys Hounding Around

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Good evening,

I have been using Harry's Hounding around to exercise and socialise my young Rottweiler in a safe and supervised environment for a couple of years now.

Axl has had no trouble, no injuries and is extremely well supervised for his off leash activities with other dogs. I get a report on what he's been up to and he loves meeting people and other dogs.

I really value this service as working from home means I can plan things around the time I know he's in a professionally run safe environment and I don't have to rush to walk or spend some time with him.

There are not many people I would trust with my dog, he's really quite the handful and very demanding but he loves it and I get a rest too.

My vet always comments on how calm, fit and happy he is and Harry's Hounding Around are a part of that, he's a Rottweiler and very powerful and has been brought in an open, social and non-reactive environment and is a very loving dog as a result.

Harry's Hounding around are professional, safe, communicative and make a difference to pet owners and their lives. They are an example of how local Scottish Business should be run and should be proud of the quality services they provide.

If you need any further information please don't hesitate to call me on [REDACTED] or via return email.

Yours faithfully,

Ryan Conlon

Sent from my iPhone

Licensing

From: Charalampos Spanias <[REDACTED]>
Sent: 21 November 2024 17:29
To: Licensing
Cc: Alison Troke
Subject: Letter of Support for Harry's Hounding Around

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Dear Councillors,

I hope you are doing well. I am writing to offer my support for Harry's Hounding Around, a local business that provides an essential service for the community.

Having used their services, I can confidently say that they offer a safe, secure environment for dogs, focusing on off-lead exercise and socialisation. The trust and reliability they provide have been invaluable, and I believe their services are crucial for dog owners who need safe and professional care for their pets.

I appreciate the importance of ensuring businesses comply with regulations, and I believe that Harry's Hounding Around is committed to maintaining high standards while offering a service that greatly benefits both dogs and their owners.

Thank you for taking the time to review my letter of support. I trust you will consider it carefully as you assess Harry's Hounding Around's case.

Kind regards,
Charalampos Spanias

Licensing

From: Fiona Williams [REDACTED]
Sent: 22 November 2024 08:12
To: Licensing
Subject: Harry's Hounding Around

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To whom it may concern,

I am writing to express my concern regarding the uncertainty around the licence for Harry's Hounding Around.

This company provides a vital service to my family by providing a safe and secure environment for dog off lead exercise. My dog, Dora, has greatly benefited from the structured, calm and predictable service provided. She has grown in confidence due to carefully managed socialisation and experienced staff running the business.

In particular, I would ask that you consider the disproportionate impact the closing of this business would have on key workers such as my wife and myself. Unlike non-key workers, we do not have the flexibility to work at home. Should the business not be able to operate, I would certainly be seeking extensive conversations with East Lothian Council, and my local MSP, regarding the impact on my family and rationale behind such a detrimental decision.

Best Regards,

Fiona & Sarah Williams-MacDonald

Licensing

From: Cat Norton [REDACTED]
Sent: 22 November 2024 09:05
To: Licensing
Cc: Alison Troke
Subject: In support of Harrys Hounding Around

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Dear East Lothian Licensing Committee,

We have been made aware that Harry's Hounding Around is due to go before the licensing sub committee on the 12th December due to some confusion over their business model and subsequently the requirement for a license.

Myself and my husband have a 4 year old dog called Kolbe - previously we have tried him at traditional "doggy daycare" but this does not suit his temperament and has been unsuccessful. I am an NHS Psychiatrist and my husband also works in the public sector meaning we are unable to be home for Kolbe during the day. After our last daycare placement broke down December 2023 Ian Ali and Graham came to our rescue with Harry's Hounding Around. The fact that Kolbe can spend the day in a safe environment which allows for off lead exercise and socialisation with people we trust is completely invaluable to us and Kolbe has really thrived.

It would not be an exaggeration to say without Harry's Hounding Around to go to Kolbe would suffer and we would really struggle to find anything remotely close to the invaluable service they provide. We therefore implore the committee to work with Harry's Hounding Around to come to a resolution over the licensing requirements.

with best wishes,

Dr Cat Holligan

Licensing

From: Tammy Bonthron [REDACTED]
Sent: 22 November 2024 09:02
To: Licensing
Cc: Alison Troke
Subject: Harry's Hounding Around Licensing

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Good morning,

I am sending an email as a client of Harry's Hounding Around, who has two dogs that currently attend their playcare facility near Dunbar. Attending Harry's gives my dogs the opportunity to socialise in a caring, safe and secure environment and I am more than happy to put my trust in the staff to both transport them and monitor their off lead exercise during their time spent there.

The service is very reliable and it means a lot to both of my dogs as they are very excited to attend and meet their friends. They both wait at the window to be collected by the Woof Wagon every Wednesday and after being well exercised, are both tired on their return.

Losing this service would be detrimental to both of my dogs wellbeing due to the above benefits that it provides. It would also be a great asset lost for dog owners in the East Lothian area, especially at time where people are being encouraged to champion local, small businesses. Clients using and recommending Harry's is however meaningless, if they do not have adequate support from the local authority, to allow them to continue to provide, a well used and well loved service.

Kind regards,

Tammy Bonthron

Licensing

From: Kumu Krishnasamy [REDACTED]
Sent: 22 November 2024 11:45
To: Licensing
Subject: Harrys Hounding Around - client feedback

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Dear Lothian licensing team,

RE: Harry's Hounding Around - client feedback

We have a large breed American Akita dog who we have entrusted with Harry's Hounding around since he was a year old.

Our dog is now 7 years of age and I would like to explain how Harry's Hounding Around service have been beneficial for us and our dog:-

The service Harry's offered is very important to us and unmatched I believe in this area for the following reasons:-

- They have always been very professional and have taken great care in ensuring that our dog feels safe, secure and comfortable and have been crucial to ensuring our dogs wellbeing, happiness in these years that he has been going with them.
- They are reliable and have created a great environment in which our dog is a better dog for it.
- Through the socialisation he gets, not only with the relationships he has built up with the owners at Harry's, who he trusts and loves without reservation but also with all the dogs(his buddies) he see's and interacts with.
- As you may or may not be aware the American Akita breed is not a very trusting breed and can be very reserved – Harry's have helped him to develop this trust side, which with any other Dog trainers, may not have been achievable.
- Harry's Hounding Around reinforced positive behaviours in our dog – through what they provide via interaction with other dogs and humans which I feel is essential for overall mental and emotional health of our dog and other dogs.
- Our dog is very comfortable when left alone at home and shows no signs of anxiety. I have also seen, due to the socialisation he has been getting – this has greatly enhanced our dog's ability to communicate effectively, for example interpreting body language, vocal cues, and signal. I believe this is a direct result of what he gets from Harry's.

Harry's have helped us to create a well-adjusted and confident companion and for that I am very grateful. Thanks to @Alison, Ian and Graham – a great team.

We would truly be at a loss without this service that they provide.

Thanks

Kind regards

Kumu & Leon
(Harry's Hounding Around customers)

2. APPLICATION FOR THE GRANT OF A LICENCE TO OPERATE A SHORT-TERM LET

a. 32 Douglas Marches, North Berwick

An application had been received from Klaus Frommel for a licence to operate 32 Douglas Marches, North Berwick, as a short-term let (STL). The application would be heard by the Licensing Sub-Committee because of public objections received. The Sub-Committee was required to focus on the suitability of the property to operate as an STL, and on the applicant to hold an STL licence.

Ian Forrest, Senior Solicitor, introduced the application. He highlighted the number and terms of the public objections, which had pointed out issue with display of the site notice, and he drew attention to the detailed response from the applicant. He confirmed that no objections had been received from any of the statutory consultees. He highlighted the impact of a recent court decision in Edinburgh which, in summary, said that in determining a short-term let licence application, the Licensing Sub-Committee should not look at matters already addressed as part of the planning process. The Convener then explained the process for the hearing.

Mr Frommel was present to speak to his application, and was accompanied by his son, Christian Frommel. Mr Frommel drew attention to the letter he had written in response to neighbour objections. He had been sorry to worry his neighbours and had been surprised and disappointed to have received objections to his application. He spoke positively of his relationship with his neighbours and felt they had misunderstood the scale of the letting planned, which was intended only for a few weeks across the summer months. He said he would only accept families or golfers. He said he was a single father with three children and the property was his family home; he sought to supplement his pension by offering short holidays where he would be present at the property throughout. He felt the property was ideally situated in that the house was at the end of a private driveway, with fields on one side, within walking distance of the train station, and people would not be required to drive through North Berwick to reach the location. He apologised for concerns over the notice; he understood this could have been done better, but noted that the objections received meant that the notice had been seen. He summarised that he would let the property only for a few weeks each year, generally to families who would stay for a week or longer. He would not allow guests to access the garden unless the neighbours gave their permission for this. He advised there were clear house rules, and he would personally ensure there was no noise and would restrict to a maximum of two cars on his private driveway. He would deal with all recycling and waste personally. He reassured Members that he had worked in the tourism industry for years and would undertake steps such as collecting a security deposit and asking guests to fill in a questionnaire. He advised that the property had five bedrooms, so he expected that there would be six guests or fewer at any one time, and he would not allow pets.

Mr Frommel responded to questions from Members. He advised that part of his double garage had been converted to a fully fitted room and he would stay in this part of the property when guests were present. This would mean he could let the whole house out but he could personally ensure there was no disturbance to neighbours. He reiterated that he had no plans to let the house in the winter months when he stayed in Spain, but if he was ever away, his son could look after the property. He said he wanted to look after his family home and neighbourhood. Mr Frommel also provided a copy of the house rules to Councillor McMillan for inspection.

Fee Andrews spoke to her objection. She said her concerns were due to having a young family who played at the front of the properties on the private access road. She was worried about unexpected cars causing danger, and the area not being the safe place it had been for the last five years. She felt having unknown guests would take away the security and safe space for children. She reported that parking around the estate was limited, although she acknowledged that this would be helped if Mr Frommel ensured that guests only took two spaces outside the house. She was worried about not knowing when people were likely to arrive or leave, and said that the area was a family estate where people knew one another and children could safely play outside.

Craig Wright spoke to his objection. He said the area was a family estate and he was concerned about an increase in the volume of traffic. He said that Mr Frommel was unlikely to be able to commit to only hosting families and felt there was potential for disruption being caused by holidaymakers consuming alcohol. He questioned whether the application brought any benefit to the local area when there was a lack of housing in the area and there was a caravan site adjacent to the estate for tourists.

Mr Frommel responded to questions on the house rules from Councillor McMillan. Mr Frommel said the house rules currently allowed access to the garden until 9pm, but he could completely restrict this depending on the response from his neighbours. He expected that guests would generally wish to spend time at the beach. He said that the house rules were currently in draft form. Regarding parties, he advised that a maximum of two additional guests were allowed to visit the property, and no one would be allowed to stay the night in addition to those letting the property. Mr Frommel would have a copy of the passport of the lead person, details of everyone staying, and guests would have paid a large deposit. Christian Frommel added that he or his father would be instantly aware of any disruption since they would be staying in the annex; the listing would outline restrictions on gatherings, and he felt they could manage the property very effectively. Mr Frommel said that his own car would be parked in the garage when guests were staying, but also noted that there was occasionally overspill from his neighbours' cars.

Councillor Findlay suggested that the licence could be granted for a period of one year to see how the property ran as a short-term let. Mr Forrest advised that it was within the remit of the Sub-Committee to grant for a lesser period if they had a valid reason to do so, and for a reason specific to the application.

Councillor McMillan suggested that a seasonal restriction could be applied to the licence. Ms Fitzpatrick advised that limiting the number of nights the short-term let could be used was not allowed under the legislation. Mr Frommel noted that there may be limited data to assist the next decision should the licence period be limited, since it would take time to build up business.

Councillor McMillan felt there was demand for this kind of tourism accommodation in the area. He acknowledged the objections about the nature of the site and said that

objectors should be aware of means by which they could raise concerns, including through environmental health. He felt the business should have an opportunity to run, but suggested that the licence be granted only for two years so the situation could be reviewed after this time. He wished to see approval of a clear set of house rules. Sheila Fitzpatrick, Team Manager – Licensing and Landlord Registration, advised that a live licence could be reviewed by the Licensing Sub-Committee at any time following complaints. Responding to a question from the Convener, she advised that police could make representation to the licensing authority to request a review of the licence should they receive complaints; an enforcement authority would have to say the licence was causing a public disturbance.

The Convener asked whether the house rules could be required to be lodged as part of the application, and whether officers could diarise a reminder for review. Ms Fitzpatrick said that officers could diarise a review should complaints be received to the licensing team, and could consider this after the summer 2024 holiday period. Mr Forrest agreed that there should be reason to review a licence; complaints coming in would provide such a reason.

Councillor McMillan felt that as the legislation was new, and there were several concerns from neighbours, he would like the applicant to produce stronger house rules and would prefer to grant a two-year licence. His reasons were due to concerns about the access and suitability of the site, management of the garden, traffic access, and neighbour concerns.

Ms Fitzpatrick clarified that Councillor McMillan had proposed that a licence be granted for two years with the requirement to monitor and assess should there be any issues around traffic access, location of the premises, and management of the garden facilities. Councillor Findlay formally seconded Councillor McMillan's proposal for a two-year licence. The Convener then moved to a roll call vote, and Members unanimously agreed to grant the licence for a period of two years.

DECISION

The Sub-Committee agreed to grant the short-term let licence for a period of two years.

Licensing and Landlord Registration

John Muir House

Haddington

East Lothian

EH41 3HA

Tel 01620 827664

Date: 10 November 2023

Mr Klaus Frommel
32 Douglas Marches
NORTH BERWICK
EH39 5LZ

Dear Mr Frommel,

**Civic Government (Scotland) Act 1982, Licensing of Short Term Lets Order 2022
Licensing Sub-committee 9 November 2023
32 Douglas Marches, NORTH BERWICK, EH39 5LZ**

The Licensing Sub-committee unanimously agreed to grant a Short-term Let licence for two years to allow time to monitor and assess the following:

- Traffic and parking concerns
- Suitability of the location of the premises
- Management of the garden facilities

In addition, the members requested that a copy of the 'house rules' is submitted to the licensing authority.

Your licence and conditions will be forwarded in due course.

Yours sincerely,

Licensing Officer
stl@eastlothian.gov.uk

Fitzpatrick, Sheila

From: Joanne [REDACTED] 3 [REDACTED]
Sent: 18 June 2024 15:45
To: Fitzpatrick, Sheila
Subject: Re: Complaint about STL License: 32 Douglas Marches

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Hi Sheila,

Thanks for your response. In addition to the list of complainers 2 other homeowners asked to be added to the list of residents complaining.

Mrs Julie Loporto: [REDACTED]
Mrs Claire Espie : [REDACTED]

Kind regards
Jo

Sent from my iPhone

On 18 Jun 2024, at 15:33, Fitzpatrick, Sheila <sfitzpatrick1@eastlothian.gov.uk> wrote:

Thank you for your email. The licensing authority will carry out an investigation of your complaint / concerns and respond in due course.

Regards,

Sheila Fitzpatrick
Team Leader – Licensing and Landlord Registration
East Lothian Council
Democratic & Licensing Services
John Muir House
HADDINGTON, EH41 3HA

01620 820623

sfitzpatrick1@eastlothian.gov.uk

From: Joanne [REDACTED]
Sent: Tuesday, June 18, 2024 12:05 PM
To: Fitzpatrick, Sheila <sfitzpatrick1@eastlothian.gov.uk>
Subject: Re: Complaint about STL License: 32 Douglas Marches

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.

Hi Sheila,

I forgot to copy you in. Please see below complaint from a number of residents.

Thanks

Jo

Sent from my iPhone

On 18 Jun 2024, at 12:02, Joanne [REDACTED] wrote:

Good Afternoon,

Licencing of Short Term Let: 32 Douglas Marches, North Berwick EH39 5LZ.

I am writing to formally complain on behalf of residents in Tweedie Place about the recent permissions granted at 32 Douglas Marches to allow a Short Term Let. As a resident of a community in a family estate our concerns focused on the safety of our children, homes and belongings and the impact this would have on parking and traffic management.

I can confirm that the first weekend that the home was let out all of these concerns were heightened. Promises made by the homeowner were not kept, and our all of the surrounding visitor parking was taken up with commercial vans. I would also like to highlight this is not the clientele we were reassured would be using the property as confirmed by Mr Frommel *'He said he would only accept families or golfers'* **excerpt from Minute 09 November 2023**. The estate was filled with large commercial vehicles. Am not quite sure what they contributed to the local community; other than nuisance and a large amount of exhaust fumes from these multiple vans.

The key three areas to monitor which were highlighted in your decision letter were around the following

Traffic and Parking Concerns
Suitability of the location
Management of the garden facilities

I can assure you that all three of the above remain a real concern to local residents. During the Licensing subcommittee meeting of 09 November 2023, a number of assurances were given to residents in response to our concerns.

In relation to traffic and parking, we were advised that all vehicles would be parked in the owners driveway *'No more than 2 vehicles in the driveway'* there was never a discussion about commercial vans and that resident parking would not be impacted. This simply didn't

happen. Please see attached pictures of multiple large commercial vans that were parked in visitor parking bays. On Friday 14th June there were 5 commercial vehicles in the street and surrounding parking. Not only is that a real inconvenience to his neighbours who cannot have visitors park close by, it was a real safety concern to the local children who use this as a crossing area.

As a community we have voiced our concerns about the speed in which drivers already come down Douglas Marches and as we suspected these 'promises' that traffic and parking would not be impacted were empty. In addition, some of these vans were parked directly under the bedroom of a small child in Tweedie Place who was disturbed early in the morning while they loaded vans and while a light on the top of the van flashed into his bedroom. This continued through the weekend until they left on Monday morning 17 June 24. The inconvenience is irritating, however we as residents maintain that this impact on parking is a real threat to the local children in the community who are playing. Ultimately, we all moved here to raise our families in a safe and secure environment. This is a community for families and we feel there is no place for a business like this. There are multiple places that people can stay when visiting North Berwick and we still maintain this quiet family street is not the correct location for this type of business.

In addition, I would also like to point out that Mr Frommel was not present at the weekend during this stay I attempted to discuss the matter of parking with him however there was no response during the multiple times I visited. I would like to draw you to another excerpt from the minute " *'Christian Frommel added that he or his father would be would be instantly aware of any disruption since they would be staying in the annex'*. He was simply not present this weekend while the property was let out and this was also confirmed when I asked one of the guests who confirmed my suspicions.

As residents this is hugely concerning, particularly given the summer months are fast approaching. The promises and commitments made by Mr Frommel in response to our concerns were simply said in order to help his application. He has no real concerns for the community or the local families he 'lives' next too. He is taking no consideration for how this is impacting his neighbours and reflects again that this is not the correct location for such a business. There are plenty of properties more suited further in the town should he wish to explore this business venture. It is simple not right for a residential estate.

The parking was an issue, the clientele was not who was promised, he was not staying at the property during the weekend thus leading us to have zero confidence in his ability to consider his neighbours during any future lets. Mr Frommel has clearly broken all of the promises he made in regards to our concerns and those raised at the committee meeting, which seemed to support the decision to grant his application. This clearly needs to be reviewed.

As you can imagine we are now all greatly concerned about the coming Summer months, particularly with school children now playing outside in the street more. This STL is a threat to the safety of our local

community in a number of ways and goes against all of East Lothians commitments to support the growth of sustainable communities.

I look forward to your response on how you plan to monitor and tackle this issue. This is simply not the right place for an Airbnb.

Kind regards

Mrs Joanne Wright [REDACTED]
Mr Craig Wright [REDACTED]
Mrs Marella Simpson [REDACTED]
Mrs Sarah Gaffney [REDACTED]

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Fitzpatrick, Sheila

From: [REDACTED]
Sent: 19 June 2024 17:00
To: Fitzpatrick, Sheila
Subject: Re: Short-term Let licence - EL00116F - 32 Douglas Marches, EH39 5LZ

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Dear Ms Fitzpatrick

Thank you for your email.

I am very disappointed that a neighbour wrote a complaint when we just only had our first client. I am sorry to cause a neighbour any worry or inconvenience and I very much hope that the complaint was unreasonable.

I am very sorry to cause you work.

I am honestly distressed about this when we have worked so hard to get the house perfect, even to details such as having volume reducers fitted to stereos and safety cameras installed to the driveway and the back of the house. We can see and hear cars approaching and leaving and this is recorded. There will be no guests driving unsafe or creating noise, even in the hours that we are not at the house. We vet our clients before arrival and check their customer reviews of previous accommodation providers.

We had a booking from 13 to 17 June. It was five engineers that are building the wind farm. I found them all very respectable, friendly, approachable and good and quiet guests. They did not make any social or commercial noise. My neighbour Fee even confirmed this to me yesterday morning when I asked her what else we could do for them to make things as easy as possible. Our guests were calm and arrived and left driving slow and very save. Engineers also usually leave for work before children go to school and come back after they played outside. The engineers only used the house to sleep and were away all day. It really is a mystery to me why there was a complaint and I would really like to speak to the neighbour.

We checked in the main customer. He arrived with one vehicle.

Two more vehicles arrived. We can have two vehicles directly in front of the house. I had the client immediately move one vehicle because I promised to my direct neighbour Fee with whom we share a driveway that I will not let guests park in the shared driveway, although I suppose it would be reasonable for me to sometimes allow this, as we are the property at the end of the wide driveway and anybody parking at our part would not restrict any parking of our neighbours.

Our guest actually moved two vehicles. The driveway stayed free of cars for the whole duration of the guests' stay, just as we said it would be.

It's regrettable that the engineers arrived with vans instead of cars. We did not know this. With the logos on them, they were easily identified as a group. One van stayed in front of my house and a smaller van and I think one the size of the bigger one in front of my house but perhaps also a

smaller one, were parked during the night in public lay-bys where everyone is allowed to park. More often than not, they are completely unoccupied during the night, so I really wouldn't have thought that anyone's habitual or convenient extra car park was taken away.

The vans were of a type like a Fort Transit or Sprinter or something similar. There were also vans such as delivery vans for Amazon. They cannot make more noise like a car, they are closed and have a normal engine. I suppose, perhaps if someone reverses a meter to get out of a parking space, they may be a safety signal, I really do not understand what happened. Please let me know.

There are often work vans and dog walk services and gardeners and friends visiting neighbours parked in these lay-bys during the day. Personally, I cannot find anything stressful about this, I am very sorry to have caused the neighbour worry or concern or inconvenience.

Please what was the actual concern or inconvenience? Can you please tell me which neighbour it was and I will go and find out the cause of the inconvenience and apologise and learn what happened and what to avoid. Did the vehicle alarm go off during the night? I am not aware of anything. We did not hear anything and neither did any other neighbour or, at least, no-one said anything.

I spoke to my neighbour Fee yesterday morning just to ask her how she felt after the first guests staying. She was happy but she mentioned something like a neighbour speaking to her about a light in a parked vehicle one night in a lay-by? We have bright street lights everywhere and people have blinds that they definitely need in June, I just cannot make any sense of a problem with a light and I would need more information.

Of course, normally no guest will need to use any lay-by as they can use the two spaces in front of the house.

I wish that the worried neighbour would have contacted me. When I am not at the house, Kristian or I are nearby and my telephone is practically always available. Every direct neighbour has my telephone number and knows how approachable I am and also how eager to help. If someone can talk to Fee, why would they not simply talk to me? Any neighbour should contact me first so that I can immediately address any concern, no matter how small it may be.

We will ask for any booking which type of vehicle a guest would like to bring.

I want my neighbours to be happy and we have worked very hard to organise everything in a way to keep it like this.

We did send a copy of our house rules to East Lothian Council on 13 November 2023. I will resend it to you just after sending this email.

Again, my apologies, that my small business to better my pension is creating work for you,

Kind regards,

Klaus Frommel

Sent from my iPhone

On 18 Jun 2024, at 15:33, Fitzpatrick, Sheila <sfitzpatrick1@eastlothian.gov.uk> wrote:

Good afternoon Mr Frommel,

I refer to the above and can advise that East Lothian Council has received a complaint in relation to the operation of your short-term let. You will be aware that the licence was granted for a period of two years, during which time an assessment of the following could be considered:

- Traffic and parking concerns
- Suitability of the location of the premises
- Management of the garden facilities.

The complaint received, concerns:

- Multiple vehicles at the property, impacting on visitor parking and road safety
- Disturbances created by the commercial nature of those vehicles
- Inability to contact yourself or your son, to raise concerns

During the period 14 to 17 June 2024.

I would offer you this opportunity to respond to the above concerns/complaint.

I would also like to take this opportunity to remind you that members of the Licensing Sub-committee requested that a copy of the updated 'house rules' was submitted to the licensing authority. It does not appear that this document has been received.

Regards,

Sheila Fitzpatrick

Team Leader – Licensing and Landlord Registration

East Lothian Council

Democratic & Licensing Services

John Muir House

HADDINGTON, EH41 3HA

Fitzpatrick, Sheila

From: Joanne [REDACTED]
Sent: 26 June 2024 12:42
To: Short Term Lets; Fitzpatrick, Sheila
Subject: Complaint: Speeding contractor at 32 Douglas Marches

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Hi Sheila,

I appreciate you spoke with my husband this morning but I wanted to officially note his point about the additional contractor that stayed in the property last week. Around about 19th June there was a pick up truck (didn't get the name cause it was driving so fast).

This truck was at the property for 1-2 days and speeding up and down Tweedie Place well above the 20mph speed limit where there are multiple children living.

I would like this to be noted as an additional complaint about the traffic management. There is a clear safety issue here. The van was doing at least 40mph on the quiet residential road.

Probably no point coming back to me as we get the feeling no one at the council really is interested in the residents despite us all paying higher rates of council tax and stamp Duty to live here. But please note nevertheless.

Thanks
Joanne and Craig Wright

[REDACTED]
[REDACTED]

Sent from my iPhone

Fitzpatrick, Sheila

From: Licensing
Sent: 30 July 2024 07:33
To: Fitzpatrick, Sheila
Subject: FW: Complaint about Short Term Let Licence conditions breached - 32 Douglas Marches, North Berwick, East Lothian
Attachments: Short Term Let; image0.jpeg

Morning Sheila

No sure if you were sent this yesterday. Can you maybe let us know, how you wish to proceed.

I have gone back to Kenny to say this has been passed to yourself.

Gillian

From: Black, Kenneth <kblack@eastlothian.gov.uk>
Sent: Monday, July 29, 2024 5:08 PM
To: Licensing <licensing@eastlothian.gov.uk>
Cc: Smith, Mandy - Environment <msmith@eastlothian.gov.uk>
Subject: FW: Complaint about Short Term Let Licence conditions breached - 32 Douglas Marches, North Berwick, East Lothian

Dear Licensing

See below and attached.

The ASB policy is designed to attack those who domicile is permanent.

As you can see, the complaints in this case relate to persons staying in a short-let.

We have given advice to the complainer on this front (see attachment 1).

Can this now be progressed a breach of licence?

Thanks

Kenny

From: Smith, Mandy - Environment <msmith@eastlothian.gov.uk>
Sent: Monday, July 29, 2024 4:30 PM
To: ASB Team <asb@eastlothian.gov.uk>; Black, Kenneth <kblack@eastlothian.gov.uk>
Cc: Raselli, Gail <graselli@eastlothian.gov.uk>
Subject: RE: Complaint about Short Term Let Licence conditions breached - 32 Douglas Marches, North Berwick, East Lothian

Hi Kenny

The complainers e-mail is quite clear and very comprehensive, his issue relates to the property next door having been granted a license as a short term holiday let and the disturbances that he and his young family are having to suffer living next door as a result.

He is wants to know how ELC Licensing and Planning are going to address the issue given the concerns he has raised below and the impact on his household.

Unfortunately this is out with my knowledge or remit and it would better that someone in Licensing/Planning with this knowledge of appeals and the process of challenging such decision making contact him so that they can answer his questions as opposed to me getting him to repeat the content of the e-mail and then passing it to someone else.

I will e-mail the complainer and advise him that his concerns have been passed to licensing/planning for the most appropriate person to contact him to discuss his concerns, I will advise that going forward if he experiences late night noise disturbance he should report the matter to Police Scotland or the ASB Helpline as the log of calls will be helpful in evidencing his complaint.

Can the main part of his complaint be passed to Licensing/Planning to respond and offer appropriate advice.

Kind Regards

Mandy

From: ASB Team <asb@eastlothian.gov.uk>
Sent: Monday, July 29, 2024 2:19 PM
To: Smith, Mandy - Environment <msmith@eastlothian.gov.uk>
Cc: Raselli, Gail <graselli@eastlothian.gov.uk>
Subject: FW: Complaint about Short Term Let Licence conditions breached - 32 Douglas Marches, North Berwick, East Lothian

MS
Can you contact the complainer and advise him that we no longer operate an OOH noise service.
Can you advise him that the police are the agency to call for an intervention at the time the noise is being generated.
Can you then send Sheila Fitzpatrick a copy of you contact report and work jointly with her team regarding the best way to address this.
Thanks
Kenny

From: [REDACTED]
Sent: Sunday, July 28, 2024 10:56 PM
To: ASB Team <asb@eastlothian.gov.uk>
Cc: [REDACTED]
Subject: Complaint about Short Term Let Licence conditions breached - 32 Douglas Marches, North Berwick, East Lothian

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

Dear Madam or Sir,

I hope this is the correct means of contact to raise an issue about excessive noise from a recently granted short-term let premises in North Berwick. If there is an alternative way of raising these concerns with the Council, and ensuring they are noted into the planning process, please let me know.

The house to which the licence applies are 32 Douglas Marches, North Berwick, EH39 5LZ

I've attached an article from the East Lothian Courier that covered the process of the granting of the licence, including the fact that at least 16 neighbours objected to the granting of a licence in a residential estate, with many young children.

At the time the licence was temporarily granted the applicant offered assurances at the meeting in question that there would be no noise in the evenings, and that he or his son would be staying in the house (in the converted garage) to ensure compliance. He also appears to have stated that there would be no access to the garden if neighbours were not ok with that. Unfortunately neither my wife nor I could attend the licensing meeting to raise our concerns in person as it was during the day and during the week, and work commitments could not be moved.

I also note from the quotes in the article that Councillor Mcmillan stated "*I hear objectors concerns... But there are other means of which they could make complaints through environmental health, and so on...*" He also appears to have asked for a clear set of house rules and guidance as part of the approval.

I do not know what the terms of the lease are, or what the 'house rules' are, that the licensee has referred to in communication with us, as they have never been shared with us.

I also note in the additional conditions of granting a licence that "*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*".

We have been on holiday for three weeks up until Wednesday 24th July, and therefore not experienced any of the initial guests in the property I believe. The day we returned I spoke with the licence holder in the garden when he asked me if we had experienced any issues with guests. I said we had not, as we had not been here for three weeks, and were only aware of one guest staying prior to us leaving for holiday.

The following night, Thursday 25th July, there was excessive shouting in the garden, involving a group of men in the outdoor hot tub until approximately 2245 hours.

Tonight, Sunday 28th July, a different group of guests have been in the garden until around 2230 hours, playing on the outdoor dart board, and in the outdoor hot tub, shouting loudly, clapping and shrieking.

As a result, my three young children could not sleep on either night. This is way past their bed time and recognised needs of sleep for young children. Whilst we appreciate all guests to the short-term let will be on holiday and staying up late, we and our children are not. Assurances about keeping the noise levels low appear to have been vastly overstated by the licence holder. He does not appear to be at the property, as having raised these issues with him he appears to be phoning the guests. We have had to shut all our windows, which is not ideal to say the least on a warm summers night.

Having been back from holiday for only five days, we have now experienced excessive noise late into the night on two nights, and clearly this is likely to continue - the design of the property invites guests to utilise the garden seamlessly from the house, including an outdoor hot tub and dartboard. It was entirely predictable that people on holiday would wish to do so late into the evening, which might not be unreasonable for any of us whilst on holiday, if in a suitable location. This proves very quickly that this is not a suitable location nor design for a holiday house with guests rotating every night or two, and I hope some immediate remedial action can be taken by East Lothian Council in relation the licence. We are all working, and the children will be going back to school in two weeks.

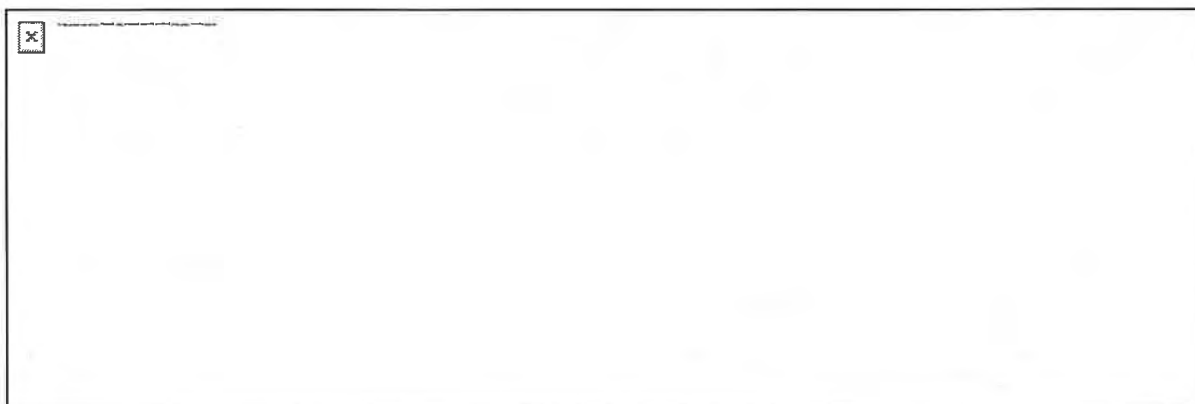
Having raised this directly with the licence holder, he has taken action tonight. My wife and I have had to deal with this with him directly, and my three young children are still awake having gone to bed at 2100 hours (it is now nearly 2245 hours). I believe this is completely unacceptable for a licensed let premises to operate in this way. As East Lothian Council residents and Council Tax payers, surely there should be some priority based on our ability to live without undue and unreasonable interference.

I am interested in what action the Council can now take in relation to these incidents, and the licence conditions or permission.

We are not unreasonable people, and accept that people in the residential neighbourhood, including us, wish to spend time in their gardens particularly when the weather is good. That is however an entirely different proposition from having a different set of holiday makers arriving into a quiet, family oriented residential estate every couple of days, and completely disregarding the needs of local residents.

Kind regards

[REDACTED]



Fitzpatrick, Sheila

From: Smith, Mandy - Environment
Sent: 29 July 2024 16:28
To: [REDACTED]
Cc: Black, Kenneth
Subject: Short Term Let

Dear Mr [REDACTED]

Thank you for your recent e-mail regarding a short term let, I am sorry to hear that you and your family are experiencing such disturbances.

I have asked that your complaint be passed to our Licensing and Planning Teams as mentioned in your e-mail and for the most appropriate officer to be identified to respond to the issues that you have raised.

I would strongly encourage you to report any late night noise disturbances to Police Scotland or East Lothian Council's Antisocial Behaviour Helpline as and when they occur as it is important that all disturbances are logged.

East Lothian Council have a 24hr Antisocial Behaviour Helpline Tel: 01875-824307 and Police Scotland can be contacted on 101

Whilst East Lothian Council no longer operate a Night Time Noise Service to deal with noise complaints in real time, we can follow up noise complaints and take appropriate action as a result of enquiries if we can obtain corroboration.

If you wish to discuss anything further please feel free to contact me.

Kind Regards

Mandy Smith

Community Protection
Team Leader (East)
East Lothian Council
Tel : 01620 - 829917
Mob: 07968427953

asb@eastlothian.gov.uk

From: [Crichton, Rebecca](#)
To: [Short Term Lets](#); [Fitzpatrick, Sheila](#); [Forrest, Ian](#)
Subject: RE: Short-term Let licence - 32 Douglas Marches, EH39 5LZ
Date: 26 August 2024 14:57:00

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Rebecca Crichton | Committees Officer | Democratic Services | East Lothian Council | John Muir House |
Haddington | EH41 3HA | Tel: 01620 827249 | E-mail: rcrichton@eastlothian.gov.uk

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: [Redacted]
Sent: Sunday, August 25, 2024 8:44 PM
To: Short Term Lets <stl@eastlothian.gov.uk>
Cc: Cmtte Licensing Sub <licensingcommittee@eastlothian.gov.uk>
Subject: Re: Short-term Let licence - 32 Douglas Marches, EH39 5LZ

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 Shiela,

Many thanks for the letter, following on from the complaints I raised about the noise and disruption arising from the licensed premises in question.

I have copied in the licensing committee email address to notify that I intend to take part in the meeting in person and would be grateful for the necessary link information in advance.

Klaus Frommel, the licence holder, contacted my wife after I'd raised the issues on the previous occasions, and offered a series of reassurances that he would take steps to prevent a reoccurrence, and asked that we contact him directly if there are any breaches of the house rules again.

I do not intend to do that. Firstly, I'm not clear what the house rules are, nor the licensing restrictions or expectations, as they haven't been shared with me. Secondly, and perhaps more importantly it strikes me that the responsibility for ensuring compliance with licensing requirements rests with the license holder, and not neighbours who are unwittingly and without any desire to become involved, being asked to monitor the house and report to the licence holder, as he clearly has no other means nor intention of monitoring what is happening himself.

It has been clear from the the outset that Klaus was willing to offer completely unrealistic excessive false assurances, both to the committee and neighbours, on what he would do to prevent the various issues arising that have unfortunately now arisen. Whilst relations have remained cordial, I do not intend to take a role in ensuring compliance with licensing regulations for a property that I do not believe should be licenced as a short term let, and that the licence holder is not prepared to effectively monitor.

Sadly last night there was a group of people in the hot tub in the garden until 2215 hours, yet again shouting loudly and causing disturbance. As this backs directly into my house, my family is most impacted by this compared to other neighbours who may not hear it. Yet again, my young children could not sleep, and were distressed and unsettled by the excessive noise. Klaus has no idea this is happening, and no means of monitoring compliance with either licensing expectations nor house rules. I won't repeat all the other related issues and knock on effect to residents, but will cover this at the licensing committee.

[REDACTED]

[REDACTED]

[REDACTED]

Many thanks in advance.

Kind regards



On 9 Aug 2024, at 07:55, Short Term Lets <stl@eastlothian.gov.uk> wrote:

Please find attached letter for your attention.

Regards,

Sheila Fitzpatrick
Team Leader – Licensing and Landlord Registration
East Lothian Council
Democratic & Licensing Services
John Muir House
HADDINGTON, EH41 3HA

01620 827664

stl@eastlothian.gov.uk

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From: [Short Term Lets](#)
To: [Crichton, Rebecca](#)
Subject: FW: New case [[ELGF249508]] Antisocial behaviour
Date: 30 August 2024 07:47:48

Hi Becky

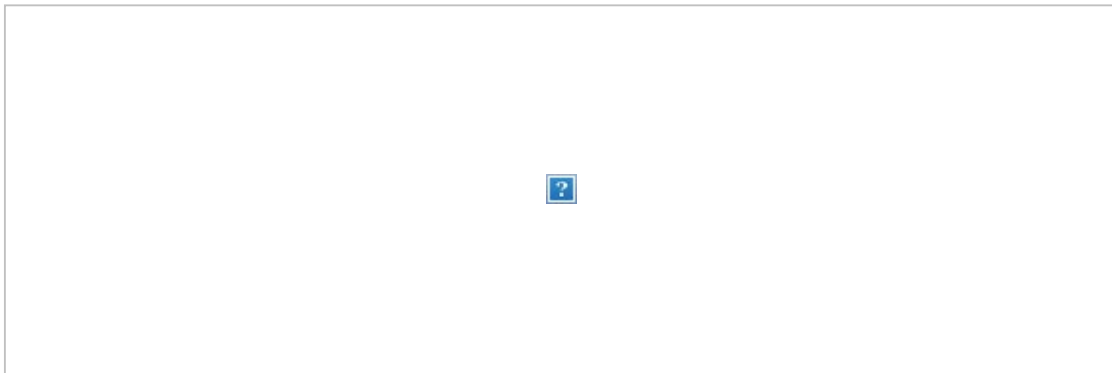
Another email to be added to the Frommel case for the sub.

Cheers

Alison

Alison Rafferty

Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk



From: [REDACTED]
Sent: Thursday, August 29, 2024 10:55 PM
To: Licensing <licensing@eastlothian.gov.uk>
Subject: Re: New case [[ELGF249508]] Antisocial behaviour

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Hi Licensing officer,

[REDACTED]

Also, there has been more excessive and prolonged noise tonight, very loud dance music next to the hot tub in the garden until 8.45pm, then talking and shouting in the garden until after 10pm. My young children have been kept awake on an important school night yet again, and are distressed. The licence holder has no means of knowing what is happening at the house as they live respectively in Spain and Glasgow (father and son). The level of false assurances about vetting guests and monitoring noise by staying in the converted garage etc is utterly untrue on their part. I'm not willing to repeatedly contact them about this, as it is not my job to ensure compliance with the licence, but theirs, it's already enough extra work to report this to the Council. Them asking us to report to them on each occasion as they are not here is totally unreasonable. I don't wish to start confronting residents as I never know who they are

- tonight it was a group of young people drinking heavily, and I do not wish an aggressive response. I will report it also through the ASB form as requested.

I recorded the dance music after 8.30pm, I believe there is an expectation of it being quiet after 8pm, but not sure if this relates to licensing requirement or house rule, or neither. I've attached a file of the music recorded from within my house, with only a window open. You can hear the volume of the shouting accompanying it as well. I hope you can submit this as evidence to the licensing sub-committee.

Kind regards

[REDACTED]

On 29 Aug 2024, at 13:57, Licensing <licensing@eastlothian.gov.uk> wrote:

Hi [REDACTED]

I acknowledge receipt.

Regards

Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

[NHS Coronavirus Information](#)



From: East Lothian Council Services <elcs@eastlothian.gov.uk>

Sent: Monday, August 26, 2024 6:27 PM

To: ASB Team <asb@eastlothian.gov.uk>

Cc: Black, Kenneth <kblack@eastlothian.gov.uk>; Baillie, Paula <pbaille@eastlothian.gov.uk>; Night Time Noise Team <nighttimenoise@eastlothian.gov.uk>; Raselli, Gail <graselli@eastlothian.gov.uk>

Subject: New case [[ELGF249508]] Antisocial behaviour

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.

Service Case Ref ELGF249508

Date created Mon, 26 Aug 2024 18:21 pm

Your name

[REDACTED]

Your address

[REDACTED]
[REDACTED]

Property type

privately owned

Town

North Berwick

Your email address

[REDACTED]

Email address

[REDACTED]

Your mobile telephone
number

[REDACTED]

Give as full a description of
the complaint as possible

Number of complaints made in relation to a short term
let behind callers property. A dog has been out in the
garden during the course of the afternoon barking -
licence states dogs are not permitted in the property.

Has the antisocial behaviour
previously been reported

Yes

Perpetrator's name (if
known)

Klaus Frommel (house owner - he lives in Spain)

Perpetrator's address (if
known)

32 Douglas Marches North Berwick

Service Case Ref

ELGF253123

Date created

Tue, 03 Sep 2024 21:55 pm

Your name

[REDACTED]

Your address

[REDACTED]

Town

-

Your mobile telephone number

[REDACTED]

Your email address

[REDACTED]

Following on from earlier issues raised about 32 Douglas Marches, North Berwick, which operates as a licensed short term let premise, I wish to report further anti social behaviour by tenants who arrived today. About 2000 hours this evening I became aware of a drone being flown over my house. It moved from the front of my house, to over the side garden, then to the rear, dropping in height. It had a flashing light and apparently a camera on board, this continued for around ten minutes, at first I couldn't establish where the drone was being flown from, as normally I believe such devices need a line of sight to the operator. After some time the drone landed, in a very controlled and slow manner on the patio adjacent to the hot tub of 32 Douglas Marches, and it was clear the drone was being piloted by a resident standing at the open door of the extension conservatory.

Give as full a description of the complaint as possible

I found this activity to be very disturbing, a serious breach of me and my families privacy, as my children were going to bed at the time, and the drone was flying close to bedroom windows, perhaps with the ability to perform surveillance on us all.

More widely, my wife has found the interactions with Mr Frommel the licence holder combined with the repeated and different, completely unpredictable anti social

intrusions to be very distressing. She does not feel able to engage with the licensing process due to the stress this is causing, and I sadly believe other neighbours are similarly impacted.

Many thanks for noting this incident, and passing on to the licensing sub committee.

Kind regards

[REDACTED]

Has the antisocial behaviour previously been reported	Yes
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Perpetrator's name (if known)	Klaus Frommel
-------------------------------	---------------

Perpetrator's address (if known)	Not known
----------------------------------	-----------



From: [Short Term Lets](#)
To: [Crichton, Rebecca](#)
Cc: [Fitzpatrick, Sheila](#)
Subject: FW: Short-term Let licence - EL00116F - 32 Douglas Marches, EH39 5LZ
Date: 05 September 2024 12:15:05

Hi, this is the owners of 32 Douglas Marches who is up for review at the next LSC.

Thanks Arlene

**Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington
EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk**

-

From [REDACTED]
Sent: Thursday, September 5, 2024 11:29 AM
To: Fitzpatrick, Sheila <fitzpatrick1@eastlothian.gov.uk>; Short Term Lets <stl@eastlothian.gov.uk>
Subject: Short-term Let licence - EL00116F - 32 Douglas Marches, EH39 5LZ

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 Ms Fitzpatrick

I just realized that I had not yet replied to your letter with [REDACTED] complaint. I sincerely apologize for the delay. I think this happened because I have been in direct contact with [REDACTED].

In some way, it may have been fortunate that I had not yet replied, as it appears that [REDACTED] has been happy with the Airbnb since his email to you in July.

I confirm that we had one set of guests who unfortunately broke the house rules. They violated the designated quiet hours on two occasions. I believe that we dealt swiftly with this. I was not at the property at the specific time but nearby. The guests were called within 2 minutes of receiving [REDACTED] message and being advised at the front door 20 minutes after [REDACTED] messaged me on 28 July that they must

comply and have to go inside the house.

While I think I understand how this situation could arise, I want to emphasize that it is absolutely not acceptable and not meant as an excuse. These few days stood out with amazing and balmy summer's evenings and very warm temperatures. It must have felt very tempting to use some outdoor space. I only wish that, if someone just couldn't help doing something that was expressively prohibited, they would have done so with discretion and used common sense to do so very quietly to ensure a peaceful environment for everyone.

Our guests were not hosting a party and I also wouldn't think that they were overly loud but it was after the quiet hours that are clearly set out in the house rules. I completely understand that children's bedtimes are children's bedtimes. I am very sorry to have caused my neighbour any worry or inconvenience.

Guests are permitted to use the veranda to the side of the house but they are not allowed in the garden to the back of the property facing [REDACTED] and [REDACTED] house.

On that particular evening, many residents and their guests were out in the garden to enjoy the unusually good weather. There was one loud party nearby along the fence to the North that a neighbour confirmed. That is in direct line of where [REDACTED] heard the noise. I think that part of the noise may have well come from there. I did ask other neighbours and it seemed that the only neighbour affected from the unusual noise until 22:30 hrs was [REDACTED] house. All of this, of course, does not take away the fact that our guests broke our clear house rules for quiet hours and I am very sorry.

It is very regrettable that this happened! I do not want to cause any neighbour any worry. I like my neighbourhood very much. I am honestly distressed about this when we have worked so hard to get the house perfect, to details such as fitting volume reducers to the stereo and installing safety cameras with microphone to the driveway and the

back garden of the house. We can see and hear if someone is in the garden or on the driveway and making noise and this is recorded. These measures allow us to monitor noise levels and ensure compliance with our house rules. We vet our clients before arrival and check their customer reviews of previous accommodation providers.

I responded to [REDACTED] complaint immediately, a telephone call to the lead huest within one minute and a face to face talk at the door within 20 minutes that rectified the situation. I wish that [REDACTED] had reached out to me when he experienced the first noise from this group disrespecting the quiet times. I want to ensure that everything is perfect for my neighbours.

It was an error of judgement accepting these particular group of guests. They were nice pleasant and pleasant people. The lead guest had only five star ratings and communicated very well and answered our questions in our questionnaire and some more questions satisfactorily. The lead guest was younger than our average guests. It turned out it wasn't a family, but perhaps a few siblings and definitely also friends. As I said, they were nice people and respectable but too easily excitable. We have learned our lesson. I don't want to be judgemental about age but since this group, we have only accepted older guests, parents with a family or golfers. It seems to work better.

I emailed our house rules to East Lothian Council after the meeting in November 2023 and again in June 2024. For quiet times, it states

Noise and neighbourhood

Just like our house, our neighbourhood is important to us. Most of the residents live here full-time.

Please be sure to respect the community and try to keep noise levels to a minimum, especially after dark. Respecting the people and property around you will make your holidays more enjoyable.

Guests and Visitors must keep noise to a minimum as not to disturb the occupants of neighbouring properties – especially during night time hours (9pm – 8am), and upon arrival and departure.

- Please try to avoid making noise between 8am and 9pm and make zero noise between 9pm and 8am to allow neighbors a peaceful night's sleep.
- If any neighboring residents report excessive noise or unruly behavior, we may have to

evict you from our property and terminate the holiday rental agreement. This could result in loss of security deposit and rental amount.

- In case of any disputes or neighbour complaints, it's your duty to notify us as soon as reasonably practicable.

In order to try to ensure that we will not have one more night where someone could feel tempted to disregard these rules, we speak to anyone checking in about this on the day, we reenforce this with an SMS to the lead guest on the day of checking in and two more posters in the house on outside doors.

The SMS and the posters read

Dear guests, our neighbours have small children.

We must ask you for your kind consideration.

Absolutlely no hot tub use or darts or veranda after 9 pm! Children's bedrooms are facing the veranda.

Quiet times 9 pm to 8 am!

Please no noise outside the entrance door and on the drive in the evenings. Children's bedrooms are facing the drive.

Please keep all windows of the cinema room closed and all blinds to the back down when in use in the evening.

Thank you for your help!

I share the communication I had with [REDACTED] on the evening on WhatsApp and a few days afterwards. We have been in direct contact and are always reaching out to our neighbours.

22:11 [REDACTED] to Klaus

Hi, this unfortunately is now the second night that we have been disturbed with shouting, screaming & clapping from the guests in your house. The guest are currently playing on the darts board, shouting and clapping - keeping our young children awake.

Last Thursday (25/7/24) (the day after [REDACTED] spoke to you in the garden) we were disturbed until 10:45pm with a group of men shouting in the hot tub.

Following your request to [REDACTED] that we keep you informed about unreasonable behaviour, we are contacting you with our concerns. We understand that your guests are on holiday, but we have young kids who need to sleep.

We are deeply worried that since we have returned from our three week holiday we have been disturbed twice in five days.

We are keen to hear how this can be prevented in the future as it is unreasonable to expect that our children will be disturbed in their own home night after night.

[REDACTED]

22:12 Klaus to [REDACTED]

I will call them right away and then read all your message.

22:17 Klaus to [REDACTED]

Thank you very much for letting me know. I hope I can get them very quickly to shut up. They know in the house rules, there is no outside noise in the evenings.

22:17 Klaus to [REDACTED]

I'm very sorry about this.

22:28 [REDACTED] to Klaus

Thank you for your quick response. Unfortunately it's nearly 10:30pm and we are still hearing conversations coming across to our house from individuals who are in the hot tub. We've had to shut the kid's bedroom windows to stop them being disturbed, which is not great on a warm night.

22:29

They're just being spoken to at the moment at the house. I hope they go inside immediately. I'm really sorry about that. you very much for letting me know that this happens, please never hesitate to do this.

31 July, Klaus to [REDACTED]

Dear [REDACTED]

We're really sorry about the trouble you had and we appreciate you getting in touch with us. We know how important it is to have a peaceful environment for your kids to sleep. We only host people with a five-star rating, especially families and golfers. Our rules include quiet hours from 9pm to 8am and no hot tub use after 10 pm. Unfortunately, it seems the group on Sunday didn't follow these rules. They were probably just really excited because of the nice weather.

As soon as we got your message, we called the guests and within 20 minutes they were talked to at the front tour.

There was a party at the house next to no 30. Our neighbours at number 30 said that they were quite loud. It is possible that some of the noise you heard was from them, it's in the same direction.

Going forward, we'll make sure to remind every new guest on arrival about the quiet hours and hot tub rules. We have these rules in our guidebook and a separate document for easy reference.

We will hand out a copy of these rules to guests.

We're thinking of putting the table to the higher veranda and further away from you.

I think I will ask guests to put up the lid of the hot tub in between the hot tub and your house, that should mean that you would hear less conversation and you also wouldn't see people in the hot tub.

If you hear any noise after the allowed hours from use of the darts board, I will take it away. It will be easier but a pity for other guests.

Even though we try to keep things quiet, people sometimes make noise, it wouldn't matter if we were there or permanent tenants or tenants just for a few days. Sometimes there might be some rule-breaking. We will try to be on top of these things as much as it is possible.

We're committed to checking our guests and making sure they know how to keep things calm.

We've had our own noises from the caravan park or kids playing football in the morning. In those cases, we closed the windows at the back. We know you understand that it is impossible to avoid every type of noise.

If you have any problems, please let us know and we'll fix them right away. Your comfort and happiness are really important to us. Thanks for understanding and working with us.

Take care,

Klaus

I am very sorry and it was very unfortunate that [REDACTED] were

inconvenienced from my small business to better my pension to cause them to write to you about the quiet hours rules not being followed by one group on two nights.

I am also very sorry that you have caused you work having to deal with something that happened at my house.

I hope I could satisfy [REDACTED] with the speediness of my response to them on the night and that it was quiet within 20 minutes. I have put in place even tighter controls and more and more direct communication to all guests that the quiet hours must be adhered.

We constantly reach out to our neighbours to ask them how they are and if there is anything about my house and guests in the holiday times that has been causing any inconvenience or worries. We ask our neighbours to please communicate anything to us how we can improve their comfort.

I do not want to cause any worry or concern to any neighbour. I want my neighbours to be happy. We have worked very hard to organise everything in a way to fit in with our neighbourhood.

Again, my apologies,

Kind regards,

Klaus Frommel



INVESTIGATION OF COMPLAINTS AND RESOLUTION OUTCOME

32 Douglas Marches, North Berwick

Licensing Standards Officer (civic) undertook an investigation into the complaints received during the summer period of June to September 2024 regarding the short term let property to identify key issues and further ascertain if a resolution could be reached between all parties to mitigate any future similar controversies.

Contact was initiated with complainant one; [REDACTED] on the 15 October 2024 with a response received on 23 October 2024. A Teams Meeting was arranged and was conducted on 30 October 2024 to directly discuss the key issues and whether these issues could be resolved by way of mediation. Although agreeable [REDACTED] did not think that a resolution could be upheld due to assurances already made to the Licensing Sub Committee from the Licence Holder when the licence was initially granted in November 2023. [REDACTED] has continually reported instances of disturbance to the East Lothian Council anti-social behaviour team. He has not contacted Police Scotland in any instance.

[REDACTED] main issues revolved around the three key areas highlighted in the licensing subcommittee decision letter: traffic and parking concerns, suitability of the location of the premises and the management of the garden facilities. Further details of the complaints were discussed which support the main issues. [REDACTED] expressed that a reasonable right to privacy is not met due to noise levels from customers involving the allowable outside activities. The licensee assurances given to the sub committee by the licensee are not being met and the property is not being appropriately managed as the licensee is absent. The property exceeds the intended timeframe as availability is throughout the year and property letting information changes on the associated advertising websites. Customers are often not families but workmen who contribute additional disturbances. Other residents are not willing to complain due to interactions with the licensee.

Contact was initiated with the second complainants Mr and Mrs Wright on 16 October 2024. A response was received 21 October 2024. A Teams Meeting was arranged and conducted on 13 November 2024. Mr and Mrs Wright also did not agree that a mediation service would be conducive to resolving their complaints and key issues.

Mr and Mrs Wrights main issues revolved around two key areas highlighted in the licensing subcommittee decision letter: traffic and parking concerns and the suitability of the location of the premises. Further issues to support the main issues discussed concerned customers who often arrive with more than two vehicles and who have parked commercial vehicles alongside their property reducing access for their visitors. Some customers have been workmen who leave early in the morning and cause disturbance outside their home which has further interrupted their child's sleep, their child has [REDACTED] and sleep is very important. Mr and Mrs Wright said customers have not observed the 20-mph speed limit in the residential area and they fear for young persons safety, particularly children playing outside. The complainants said that they have suffered verbal abuse from customers in the vicinity of their home when challenged regarding parking and noise. They believe the licensee does not manage the property effectively as he is absent and that his assurances given to the sub committee are not being met.

Licensing Standards Officer contacted the Licensee Mr Klaus Frommel 12 November 2024, and a prompt response was received the same day. A Teams Meeting was arranged and conducted on 19 November 2024.

An explanation was given as to why the meeting was being held and complaints were highlighted. Mr Frommel gave assurances as to what he had already completed in terms of mitigating further issues and complaints. Mr Frommel spoke of his plans to introduce new plants and shrubs at the rear of the garden to help reduce visibility, a map to support this plan was received. Mr Frommel could remove the darts board to reduce noise and outside activity. He also spoke about informing customers where it was favourable to park to reduce disturbances outside other resident properties. Mr Frommel was cooperative and was willing to make improvements to help make his neighbours happy.

From: kfrommel@aol.com
To: [Cmtte Licensing Sub](#); [Short Term Lets](#); [CiviciLSO](#)
Cc: [Kristian Frommel](#)
Subject: meeting of Licensing Sub-Committee 12 December, short term let 32 Douglas Marches
Date: 01 December 2024 14:51:01

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 Licensing Officer and Members of the Sub Committee for Licensing and Ms Nikki Harrison

Thank you for your letter inviting us to the Licensing Sub-Committee meeting for a Review of Short-term Let on 12 December at 14:00 hrs.

My son Kristian and I will be attending the meeting in person.

Thank you for offering me the opportunity to speak for five minutes.

I have prepared brief responses to address the most serious concerns raised by [REDACTED] and Mr and Mrs Wright.

I appreciate your help in forwarding my responses and the attachments to all panel members of the council. I feel that it is crucial for fairness that the panel and all voting councillors have access to my responses before the meeting, to ensure an informed discussion.

I enclose a few attachments showing

- the parking map for our guests
- our house rules
- two drawings of our patio to show what we would like to do for [REDACTED]

- a letter from our neighbours in no 30, confirming the absence of noise pollution and any problems with driving and parking

- example rejection of an enquiry
- guest confirming receiving and complying with our quiet times
- two documents confirming our excellent and only 5 star customer reviews

- a document in response to [REDACTED] complaints

My direct neighbours from no 30, Mr Jim and Ms Olive Lyons, who live just as close to my patio and my house as [REDACTED], submitted a letter to the council confirming their surprise about complaints. They confirm the absence of noise pollution or any concern and that, at no time, did they have cause for concern for guests driving or parking. I think it is very important to balance what [REDACTED] and Mr and Mrs Wright perceived with the view of another direct neighbour living just as close.

Thank you for your attention to these matters. I look forward to your confirmation regarding the sharing of all information. Thank you for the opportunity to speak for

5 Minutes.

A general point about being available and caring for neighbours and guests.

I stayed in the converted garage for the first two bookings. It was a good thought and meant saving money but turned out impracticable. Customers didn't like this at all. The internal walls are quite thin. It was too close for comfort. We invested in very good cameras at the front and the back of the house with microphones. They also record so we can see and hear what we would have even missed in the converted garage.

One of us stays nearby when we have a booking, normally not more than 20 minutes away. My daughter lives in Haddington. I have good friends in North Berwick where I can stay. Kristian went to school in North Berwick and stays with friends. If we have only very few guests and if we think that they probably won't mind, we still stay in the converted garage.

We do the check in personally.

During the day, I believe, it is reasonable to also go to Edinburgh or follow other business. I would do this just the same when staying in the converted garage.

Usually, people are out during the day.

I am not spending the summer in Spain, just as I confirmed last year. It is far too hot. During the summer, I can go for a week at a time when we have no bookings or when Kristian is looking after guests.

By no means have we had guests every week. We had many days and at times over a week between guests. We only accept guests for the holiday times as we said we would do.

We have refused many enquiries, because we thought, that the group would not be good for our neighbours. Please see the attached document *Example Rejections.pdf* about refusing customers.

We communicate clear with our guest what is acceptable and what not. The quiet times are very important to us, please see the attachment *private note Malinda.jpg* . We want our neighbours to be happy.

Please note the excellent and only 5 star customer reviews we have received and how customers are praising us for always being at hand and solving any little problem immediately and personally. Please see the attached document *Reviews (1).pdf* .

It is very regrettable that we had complaints! I do not want to cause any neighbour any worry. I like my neighbourhood very much. I am honestly distressed about this when we have worked so hard to get the house perfect, to details such as fitting

volume reducers to the stereo and installing safety cameras with microphone to the driveway and the back garden of the house. We can see and hear if someone is in the garden or on the driveway and making noise and this is recorded. These measures allow us to monitor noise levels and ensure compliance with our house rules. We vet our clients before arrival and check their customer reviews of previous accommodation providers.

Complaints [REDACTED]

I found it puzzling and I was shocked and very surprised that [REDACTED], with whom we swiftly resolved a previous complaint via SMS on 28 July, raised new issues without any communication to us. Please see my brief responses to the most serious accusations of [REDACTED].

26 August

Some dog noise in the afternoon.

This is correct. We found that at about half our enquiries were with dog. North Berwick seems to appeal very much to families who want to holiday with their pet. Last year, I was shy of letting a dog into the house for fear of breakage and damage to furniture. Kristian and I changed our view about dogs, given how many responsible 5 star customers were asking for this and we allowed dogs in August.

I'm sure this is no problem for the neighbourhood. Practically all our neighbours have at least one dog. [REDACTED] has a dog. We used to have a dog. In any case, I don't think that [REDACTED] is complaining about a dog.

29 August

Young adults allegedly drinking heavily, dance music early evening, [REDACTED] worried.

Please see attachment with photos *29 August drunk aggressive young adults.pdf*

3 September

Alleged antisocial behaviour of guests arriving on 3 September and flying a drone.

No customer flew a drone. My son Kristian was flying a drone to take photos of our house from the air in the sunset.

Kristian's job is professional house photography, he is photographer with a licence and insurance to fly a drone. This is his business.

Obviously, the drone was nowhere near [REDACTED] house and certainly not near his bedrooms! Spying or peeping is quite an accusation!! To be accused of antisocial behaviour is also serious. We very much take offence and we ask [REDACTED] to please refrain from doing this. If this was to go on in these serious terms, we will ask a lawyer for help. We hope this will not be necessary. We want our neighbours to be happy and we would ask for the right to be happy. We are very sorry about causing any worry to [REDACTED] family. It would be so much easier and helpful if [REDACTED] would only speak to us. His neighbour, Kristian was just standing on the veranda a few meters away. With a bit of communication, [REDACTED] wouldn't have needed to worry about anything and the council wouldn't have received yet another email from [REDACTED]. I am sorry but I would like it to be noted that I believe that [REDACTED].

statement is out of order, offensive, leading and manipulating.

quote

More widely, my wife has found the interactions with Mr Frommel the licence holder combined with the repeated and different, completely unpredictable antisocial intrusions to be very distressing. She does not feel able to engage with the licensing process due to the stress this is causing, and I sadly believe other neighbours are similarly impacted.

Firstly, please, which interactions is [REDACTED] referring to when he refuses to communicate. We had NO calls and just ONE message in 12 months. We are very approachable and friendly. We visit and try to speak to our neighbours. Secondly, the statement is trying to build on something that is not true. That is manipulating. There wasn't any antisocial behaviour. [REDACTED] knows how to engage various departments of the council and where to send reports, even reverting to extremely serious reports.

There was one broken house rule on 28 July where there was some noise 1 hour and 11 minutes after our quiet time. We reacted within one minute by telephone and 20 minutes in person. I think this was fast.

[REDACTED] goes on by writing that *sadly all his neighbours would feel the same.*

I believe this is also leading and manipulating and I don't like this approach.

I hope that we can all see some sense and let communication and tolerance prevail. I hope that [REDACTED] will start communicating with me instead of continuing to do nothing to resolve a situation that he feels just occurred, other than to suffer it for the sake of filing complaints. This will keep [REDACTED] unhappy and council officers very busy.

Why isn't [REDACTED] communicating with us?

Why didn't he call the police at least once if there was a serious problem? It would have been very easy for him.

Why did no other neighbour hear anything or file any complaint for the same events at the time?

I am genuinely very sorry for any worry or inconvenience that my small business to better my pension may have caused to any neighbour. It is very important to me that my neighbours are happy. [REDACTED] has a lovely and nice family. I always felt that he has been a very good neighbour. Surely we can get this back on track, we just need a bit of openness, tolerance and communication. I want to help.

28 July

I confirm that we had one set of guests who unfortunately broke the house rules. They violated the designated quiet hours on two occasions. I believe that we dealt swiftly with this. I was not at the property at the specific time but nearby. The guests were called within 2 minutes of receiving [REDACTED] message and being advised at the front door 20 minutes after [REDACTED] messaged me on 28 July that they must comply and have to go inside the house.

Our guests were not hosting a party and I also wouldn't think that they were overly loud but it was after the quiet hours that are clearly set out in the house rules. I completely understand that children's bedtimes are children's bedtimes. I am very sorry to have caused my neighbour any worry or inconvenience.

Guests are permitted to use the veranda to the side of the house but they are not allowed in the garden to the back of the property facing [REDACTED] house.

On that particular evening, many residents and their guests were out in the garden to enjoy the unusually good weather. There was one loud party nearby along the fence to the North that a neighbour confirmed. That is in direct line of where [REDACTED] heard the noise. I think that part of the noise may have well come from there. I did ask other neighbours and it seemed that the only neighbour affected from the unusual noise until 22:30 hrs was [REDACTED] house. All of this, of course, does not take away the fact that our guests broke our clear house rules for quiet hours and I am very sorry.

I responded to [REDACTED] complaint immediately, a telephone call to the lead guest within one minute and a face to face talk at the door within 20 minutes that rectified the situation. I wish that [REDACTED] had reached out to me when he experienced the first noise from this group disrespecting the quiet times. I want to ensure that everything is perfect for my neighbours.

It was an error of judgement accepting these particular group of guests. They were nice pleasant and pleasant people. The lead guest had only five star ratings and communicated very well and answered our questions in our questionnaire and some more questions satisfactorily. The lead guest was younger than our average guests. It turned out it wasn't a family, but perhaps a few siblings and definitely also friends. As I said, they were nice people and respectable but too easily excitable. We have learned our lesson. I don't want to be judgemental about age but since this group, we have only accepted older guests, parents with a family or golfers. It seems to work better.

In order to try to ensure that we will not have one more night where someone could feel tempted to disregard these rules, we speak to anyone checking in about this on the day, we reinforce this with an SMS to the lead guest on the day of checking in and two more posters in the house on outside doors. Please see the attachment *poster reinforce quiet times* .

The SMS and the posters read

Dear guests, our neighbours have small children.

We must ask you for your kind consideration.

Absolutely no hot tub use or darts or veranda after 9 pm! Children's bedrooms are facing the veranda.

Quiet times 9 pm to 8 am!

Please no noise outside the entrance door and on the drive in the evenings. Children's bedrooms are facing the drive.

Please keep all windows of the cinema room closed and all blinds to the back down when in use in the evening.

Thank you for your help!

I share the communication I had with [REDACTED] on the evening on WhatsApp and a few days afterwards. We have been in direct contact and are always reaching out to our neighbours.

22:11 [REDACTED] to Klaus

Hi, this unfortunately is now the second night that we have been disturbed with shouting, screaming & clapping from the guests in your house. The guest are currently playing on the darts board, shouting and clapping - keeping our young children awake.

Last Thursday (25/7/24) (the day after [REDACTED] spoke to you in the garden) we were disturbed until 10:45pm with a group of men shouting in the hot tub.

Following your request to [REDACTED] that we keep you informed about unreasonable behaviour, we are contacting you with our concerns. We understand that your guests are on holiday, but we have young kids who need to sleep.

We are deeply worried that since we have returned from our three week holiday we have been disturbed twice in five days.

We are keen to hear how this can be prevented in the future as it is unreasonable to expect that our children will be disturbed in their own home night after night.

[REDACTED]

22:12 Klaus to [REDACTED]

I will call them right away and then read all your message.

22:17 Klaus to [REDACTED]

Thank you very much for letting me know. I hope I can get them very quickly to shut up. They know in the house rules, there is no outside noise in the evenings.

22:17 Klaus to [REDACTED]

I'm very sorry about this.

22:28 [REDACTED] to Klaus

Thank you for your quick response. Unfortunately it's nearly 10:30pm and we are still hearing conversations coming across to our house from individuals who are in the hot tub. We've had to shut the kid's bedroom windows to stop them being disturbed, which is not great on a warm night.

22:29

They're just being spoken to at the moment at the house. I hope they go inside immediately. I'm really sorry about that. you very much for letting me know that this happens, please never hesitate to do this.

31 July, Klaus to [REDACTED]

Dear [REDACTED]

We're really sorry about the trouble you had and we appreciate you getting in touch with us. We know how important it is to have a peaceful environment for your kids to sleep. We only host people with a five-star rating, especially families and golfers. Our rules include quiet hours from 9pm to 8am and no hot tub use after 10 pm. Unfortunately, it seems the group on Sunday didn't follow these rules. They were probably just really excited because of the nice weather.

As soon as we got your message, we called the guests and within 20 minutes they were talked to at the front tour.

There was a party at the house next to no 30. Our neighbours at number 30 said that they were quite loud. It is possible that some of the noise you heard was from them, it's in the same direction.

Going forward, we'll make sure to remind every new guest on arrival about the quiet hours and hot tub rules. We have these rules in our guidebook and a separate document for easy reference.

We will hand out a copy of these rules to guests.

We're thinking of putting the table to the higher veranda and further away from you.

I think I will ask guests to put up the lid of the hot tub in between the hot tub and your house, that should mean that you would hear less conversation and you also wouldn't see people in the hot tub.

If you hear any noise after the allowed hours from use of the darts board, I will take it away. It will be easier but a pity for other guests.

Even though we try to keep things quiet, people sometimes make noise, it wouldn't matter if we were there or permanent tenants or tenants just for a few days. Sometimes there might be some rule-breaking. We will try to be on top of these things as much as it is possible.

We're committed to checking our guests and making sure they know how to keep things calm.

We've had our own noises from the caravan park or kids playing football in the morning. In those cases, we closed the windows at the back. We know you understand that it is impossible to avoid every type of noise.

If you have any problems, please let us know and we'll fix them right away. Your comfort and happiness are really important to us. Thanks for understanding and working with us.

Take care,

Klaus

I am very sorry and it was very unfortunate that [REDACTED] were inconvenienced from my small business to better my pension to cause them to write to you about the quiet hours rules not being followed by one group on two nights.

I am also very sorry that you have caused you work having to deal with something that happened at my house.

I hope I could satisfy [REDACTED] with the speediness of my response to them on the night and that it was quiet within 20 minutes. I have put in place even tighter controls and more and more direct communication to all guests that the quiet hours must be adhered.

We constantly reach out to our neighbours to ask them how they are and if there is anything about my house and guests in the holiday times that has been causing any inconvenience or worries. We ask our neighbours to please communicate anything to us how we can improve their comfort.

I do not want to cause any worry or concern to any neighbour. I want my neighbours to be happy. We have worked very hard to organise everything in a way to fit in with our neighbourhood.

Mr and Mrs Wright

I am sorry to cause a neighbour any worry or inconvenience and I very much hope that the complaint was unreasonable.

We have worked hard to get the house perfect, even to details such as having volume reducers fitted to stereos and safety cameras installed to the driveway and the back of the house. We can see and hear cars approaching and leaving and this is recorded. There will be no guests driving unsafe or creating noise, even in the hours that we are not at the house. We vet our clients before arrival and check their customer reviews of previous accommodation providers.

We had a booking from 13 to 17 June. It was five engineers that are building the wind farm. I found them all very respectable, friendly, approachable and good and quiet guests. They did not make any social or commercial noise. My neighbour Fee even confirmed this to me yesterday morning when I asked her what else we could do for them to make things as easy as possible. Our guests were calm and arrived and left driving slow and very save. Engineers also usually leave for work before children go to school and come back after they played outside. The engineers only used the house to sleep and were away all day. It really is a mystery to me why there was a complaint and I would really like to speak to the neighbour.

We checked in the main customer. He arrived with one vehicle.

Two more vehicles arrived. We can have two vehicles directly in front of the house. I had the client immediately move one vehicle because I promised to my direct neighbour Fee with whom we share a driveway that I will not let guests park in the shared driveway, although I suppose it would be reasonable for me to sometimes allow this, as we are the property at the end of the wide driveway and anybody parking at our part would not restrict any parking of our neighbours.

Our guest moved two vehicles. The driveway stayed free of cars for the whole duration of the guests' stay, just as we said it would be.

It's regrettable that the engineers arrived with vans instead of cars. We did not know this. With the logos on them, they were easily identified as a group. One van stayed in front of my house and a smaller van and I think one the size of the bigger one in front of my house but perhaps also a smaller one, were parked during the night in public lay-bys where everyone is allowed to park. More often than not, they are completely unoccupied during night, so I really wouldn't have thought that anyone's habitual or convenient extra car park was taken away.

The vans were of a type Fort Transit or Sprinter or something similar. There were closed vans such as delivery delivery van for Amazon. They cannot make more noise like a car, they are closed and have a normal engine. I suppose, perhaps if someone reverses a meter to get out of a parking space, they may be a safety signal, I really not understand what happened. Please let me know.

There are often work vans and dog walk services and gardeners and friends visiting neighbours parked in these lay-bys during the day. Personally, I cannot find anything stressful about this, I am very sorry to have caused the neighbour worry or concern or inconvenience.

Please what was the actual concern or inconvenience? Can you please tell me which neighbour it was and I will go and find out the cause of the inconvenience and apologise and learn what happened and what to avoid. Did the vehicle alarm go off during the night? I am not aware of anything. We did not hear anything and neither did any other neighbour or, at least, no-one said anything.

I spoke to my neighbour Fee just to ask her how she felt after our first groups staying. She was happy but she mentioned something like a neighbour speaking to her about a light in a parked vehicle one night in a lay-by? We have bright street lights everywhere and people have blinds that they definitely need in June, I just cannot make any sense of a problem with a light and I would need more information.

I wish that the worried neighbour would have contacted me. When I am not at the house, Kristian or I are nearby and my telephone is practically always available. Every direct neighbour has my telephone number and knows how approachable I am and also how eager to help. If someone can talk to Fee, why would they not simply talk to me? Any neighbour should contact me first so that I can immediately address any concern, no matter how small it may be.

Main points raised, complaint 18 June

1. Parking and Traffic
 - Allegedly 5 commercial vans parked in all the surrounding visitor parking.
 - Driving vehicles around the property (safety)
 - Noise and flashing light in the morning.
2. Clientele
 - Accepting professionals to holiday home.
3. Owners not at property

Arguments against

- The guest did not say that we were not at the property. He simply did not respond to Joanne. I can only assume this was because he was met with a tone that he didn't want to respond to. Joanne did not visit the property or attempt to make any contact with us over telephone.
- Predominantly only families with children stay here so safety shouldn't be a concern. We assumed that professionals who were working and representing a company drive safely and are not here to party or cause issues.
- The remaining clients arrived later after check in and we were not made aware they were coming with an additional van. This is now part of the vetting process.
- We only saw three vans at any time and do not believe that there were five.
- Whilst we agree that turning a van on may create enough noise to disturb someone sleeping in the morning, we believe that the small light on the van wouldn't disturb anyone trying to sleep if their curtains are closed. In June, we have daylight from 3 am onwards. Nevertheless, we have taken action to ensure that this won't happen again.
- We think that Joanne mentioned that the flashing light on the van was very dangerous for her son who has [REDACTED] but she didn't say this to us so. Whilst we will do everything in our power to ensure the safety of the children in our neighbourhood, these vans were simply commercial vehicles that will be seen daily around North Berwick. We don't see the difference in it being in the estate to on the high street when walking to the shops.

Actions Taken

- Mr and Mrs Wright visited and spoke about their concerns.
- Neighbours given personal mobile numbers for immediate communication if required,
- Vetting of guests regarding number of vehicles. Two vehicles maximum.
- Guests told they are not allowed to park in bays around no.17 (this was included in house rules).
- Implementation of cameras to see our parking but also street parking.
- We tell guests that they are to drive slowly and be responsible around the property as there are children nearby. We even highlight that they can not exceed 10mph.
- We tell guests that they are to be quiet between the hours of 8am-9pm and this includes driving their vehicles.

Outcome

We listened and took action. No further issues arose and we continue to put measures in place to make sure these concerns are addressed.

****Point to note** - Joanne writes that she is writing to "formally complain on behalf of all residents on [REDACTED]". That is not factual. There was no complaint of anyone else and no other neighbour including [REDACTED] ever spoke to us of any problem to do with driving or parking.*

Main points raised, complaint 26 June

1. Traffic Management

- Guest allegedly driving at least 40mph on Tweedie Place and unable to read the logo on the truck.

Argument against

- If it actually was one of our guests staying at the property, it would have been easy to go over to the house and read the logo or license plate/name on a truck once it was parked. We did not have a guest with a lorry or a van. We don't know who this was but that person had nothing to do with us.
- 40mph is very fast and if he was doing that speed he would have crashed into our driveway and the bushes and the fence.
- This seems like somewhat of an exaggeration, we take these type of allegations seriously however if the driver was doing this the client should have:
 1. Read the license plate when parked at the house and called the police.
 2. Contacted the professionals company that was written on the side of the truck.
 3. Contact us about the issue if the vehicle actually went to our driveway to deliver to our or our neighbours house.

None of the above was done.

Actions Taken

- We visited Mr and Mrs Wright and spoke about their concerns. We had a very friendly conversation.
- Neighbours given personal mobile numbers for immediate communication if required
- We mention to guests that they are to drive slowly and be responsible around the property as there are children nearby. We even highlight that they can not exceed 10mph.

Outcome

We listened and took action. No further issues arose and we continue to put measures in place to make sure these concerns are addressed.

Parking map visualised for clients as shown in house rules. I attached it to this email.

We ask any guest about the vehicle they would like to bring. We will allow for only two cars. The cars must be parked in front of our house.

I am very sorry for any worries or inconveniences. I love my neighbourhood and it

is very important to me that my neighbours are happy. My house is a family home and we only do short let holidays for a few months a year. We have worked very hard to build a a 5 Star business that works for our neighbours and our guests.

Again, my apologies that my small business to better my pension is creating work for you.

Kind regards,

Klaus Frommel

Example 3 - Rejection

N Nathan Show reservation

Hi Nathan, thanks for your enquiry. Could you let me know a little bit more about yourself and your guests :)

Nathan 13:59

Hi Kristian,
Yeah definitely. I'm a 26 year old graphic designer originally from Musselburgh and my hobbies are running, swimming, football & hill walking. The other guests in my group are my 2 older brothers (1 now lives in Glasgow) and some of our old friends who mostly now stay in London. The group is made up of 26-34 year olds so there won't be any young guns getting a bit too carried away! With most of us being home owners now, we know the value of property and will take the utmost care with yours. Let me know if you need any more info from me.

N Cheers,
Nathan

Reminder – This request to book expires in 5 hours

You've declined this request. Any charges or authorisations will be refunded to the guest.

21:46

Thank you so much for the information Nathan. Unfortunately I've been instantly booked for a crossover date at this listing and won't be able to host your group. I hope that yourself, brother and friends have a great time at the festival and find a perfect property for your stay.

Example 4 - Rejection

O Ollie Show reservation

To protect your payment, always communicate and pay through the Airbnb website or app.

If a guest has a profile photo, it'll be displayed after their booking is confirmed. [Learn more](#)

Ollie 19:46

Hi Kristian, i will be travelling up with 8 mates to stay at your beautiful house which we are very excited about. This is mainly for a catch up weekend as a lot of us work now and do not not see each other as much.

O

08:24

Hi Ollie, thanks for the enquiry. Unfortunately the property has been booked for these dates via another platform and I can therefore not host you. All the best.

You've declined this request. Any charges or authorisations will be refunded to the guest.

Private note from Malinda

Thank you again for everything we had such a lovely time together with our friends. Your home is even more beautiful in person! The only thing that was a little disappointing was that we were not able to access hot tub and garden area a little later but we understand it is very difficult when in a residential neighbourhood. Absolutely loved your sunroom!!

Detailed feedback

Check-in

5 ★

Cleanliness

5 ★

Review 1



Emily

6 months on Airbnb

★★★★★ · 1 week ago

The house was fantastic and fully met our high expectations. Kristian could not have been more helpful. Would definitely recommend and would stay again



Response from Kristian

5 days ago

Thank you for your kind words Emily, welcome back anytime 😊

Review 2



Asia

New to Airbnb

★★★★★ · 1 week ago

We had a fantastic stay here with my big family!
The house was well presented and had everything we needed.
The hot tub was definitely the highlight!
Kristian is responsive and very helpful. Would highly recommend!

Review 3



Valerie

4 years on Airbnb

★★★★★ · 2 weeks ago

Lovely property in a lovely part of Scotland. Had all the amenities which made for a very pleasant stay.

Review 4



Suzanne

2 years on Airbnb

★★★★★ · 3 weeks ago · Stayed with kids

Wonderful home! Fast and responsive host! Pictures don't do the home justice. It's beautiful!

Review 5



Tulsi

8 years on Airbnb

★★★★★ · July 2024

Had a perfect couple of days, definitely would come back. Kristian was really helpful and friendly and responded very quickly.

Review 6



Laura

4 years on Airbnb

★★★★★ · July 2024

We had a wonderful stay in Kristian's house in North Berwick. The home had everything we could have wanted for a big family get together- the hot tub especially! It was very well equipped and was a great location.

Kristian was an excellent host and was always available to answer any questions we had. He gave us the recommendation of a meal out at Herringbone which was absolutely fantastic!

North Berwick has lots to see and do, our favourite was a boat trip to Bass Rock with Sula Boat trips!

We will definitely be back!

Review 7



Kristen

McKinney, Texas

★★★★★ · July 2024 · Stayed with kids

We loved our stay here at Kristian's house! The house itself is beautiful and spacious and has many fun and useful amenities! Kristian is an excellent host who is very responsive and kind! We would stay here again in a heartbeat. Definitely recommend!

Review 8



Pankaj

3 years on Airbnb

★★★★★ · July 2024

The property was amazing and the host was too helpful !! Loved my stay here !!

Review 9



Marie

3 years on Airbnb

★★★★★ · July 2024

We have just returned from a fabulous break at Kristian's home (4 adults & 3 boys, aged 11, 12 & 13).

The boys loved the hot tub, which they made regular use of.

The house is spotless and everything we needed was there. The rooms are all tastefully decorated. A lovely touch is the provision of robes and slippers for everyone. The master bedroom has an ensuite shower & a great walk-in wardrobe. The 3 boys enjoyed having a twin & double bedroom, connected by a Jack & Jill shower room.

There is plenty of room for everyone to be together or have their own space.

The house is in an ideal spot for visiting Foxlake Aqua Park and the National Museum of Flight. Each is only a 15-20 min drive away. We visited both and the boys had a great time. There is a little high street nearby, packed with plenty of shops, cafes, restaurants and bars, which are only a couple of minutes walk from the beach. There really is something for everyone to enjoy.

This was a great choice for us....

Review 10



Luke

9 years on Airbnb

★★★★★ · June 2024

Great house in a good location, perfect for me and 3 of my colleagues while working in Edinburgh.

Review 11



James

3 months on Airbnb

★★★★★ · June 2024

Me and my friends were lucky enough to be Kristian's first guest and we were not disappointed. The place was immaculate throughout, comfy beds and had all the creature comforts of home plus more! The speaker system throughout the house was a hit. Kristian has put a lot of effort into this place and it shows. The app had everything on you would need to know good restaurants, taxi services, etc.

Definitely booking again next time we visit East Lothian for a golf trip.

Photos of the

quote [REDACTED] 29 August

“tonight it was a group of young people drinking heavily, and I do not wish an aggressive response. I will report it also through the ASB form as requested.

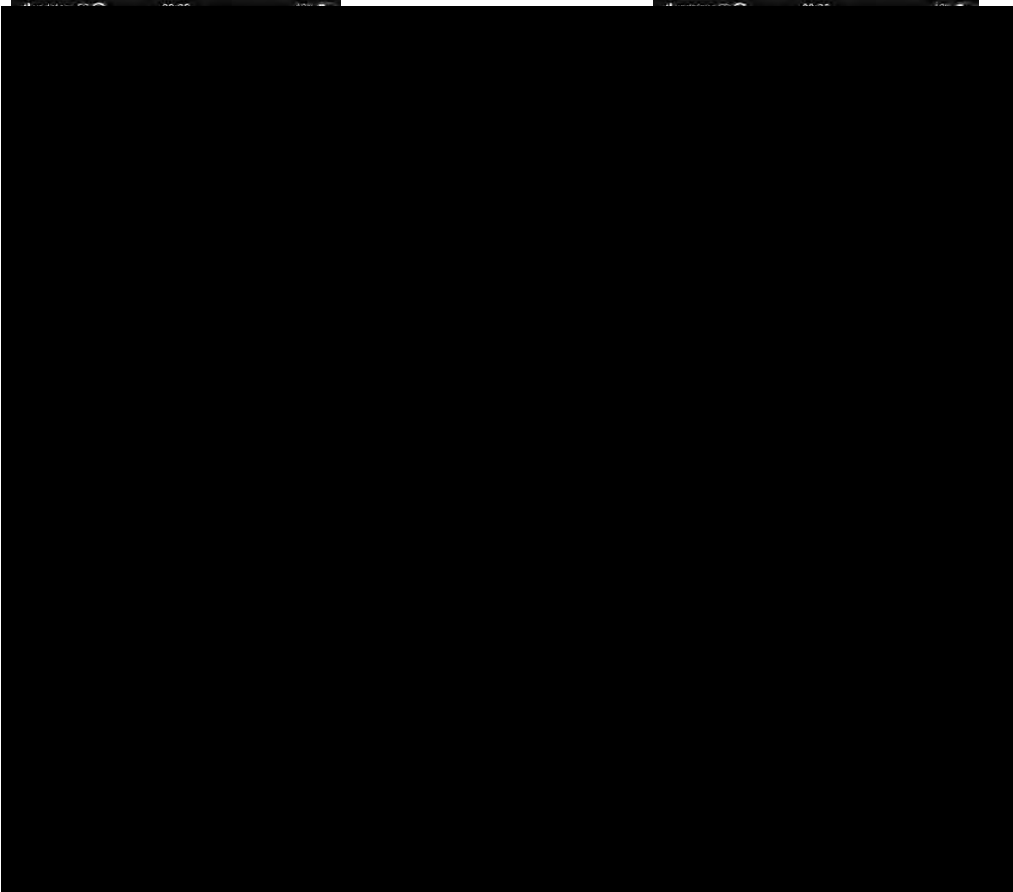
I recorded the dance music after 8.45pm”

The allegedly heavily drinking young people possibly threatening an aggressive response were very pleasant children of a lovely family with a very nice and calm and caring mother.

If they were drinking anything, it was orange juice!

[REDACTED] reports about dance music until allegedly 8:45 and recorded this. I am very sorry about any inconvenience. I can't hear very loud noise on our camera sounds and no noise after the quiet times. No other neighbour heard anything. Our guests are on holiday and like to enjoy themselves. I think it's also ok to dance when you're not on holiday. [REDACTED] children dance in the garden, sometimes he has parties. I dance.

About the recording, you can put up or down the level of a sound recording as you wish and take it from where you like it. It's very difficult to really hear how it would have been on the day.



Mr & Mrs J Lyons



9th September 2024

For the attention of Rebecca Crighton
Licensing Sub Committee
East Lothian Council

Dear Rebecca Crighton

Complaint at 32 Douglas Marches

We have been contacted by our neighbour, Mr K Frommel at 32 Douglas Marches with regards to complaints to noise and antisocial behaviour from his property.

We were very surprised to hear of any complaint and at no time have we had cause for concern. Over the last few months, we havent noticed any additional noise or increase of traffic.

This is a family neighbourhood which has the usual noise level of children and family activities including traffic, which is typical for any large housing estate. However, more noise can come from the adjacent caravan park at times.

For the reasons above, we are baffled by the complaints and feel it unjust.

Regards

Mr & Mrs J Lyons

No 17

Lay-by

No 34

No 32

Garage

House door

P1

P2

Grass

Bushes

Shared Driveway

Garden

No 30

Tweedie Place

Douglas Marches

Lay-by

Pavement

Parking Plan

P1 P2 parking for 2 cars

Absolutely No Parking

Dear guests, our neighbours have small children.

We must ask you for your kind consideration.

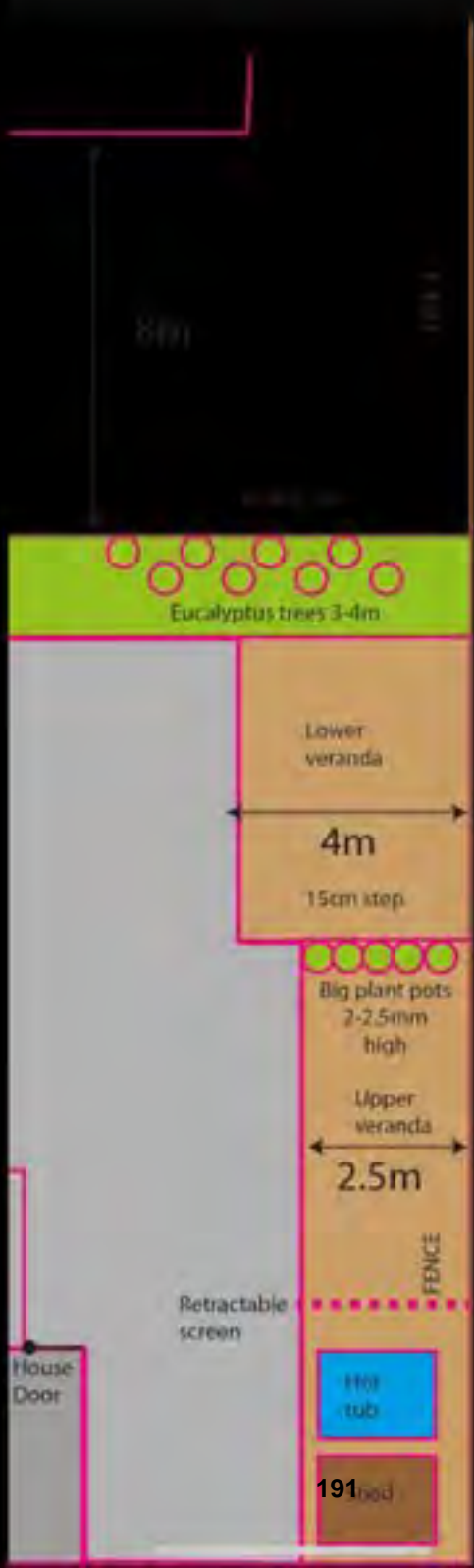
Absolutely no hot tub use or darts or veranda after 9 pm! Children's bedrooms are facing the veranda.

Quiet times 9 pm to 8 am!

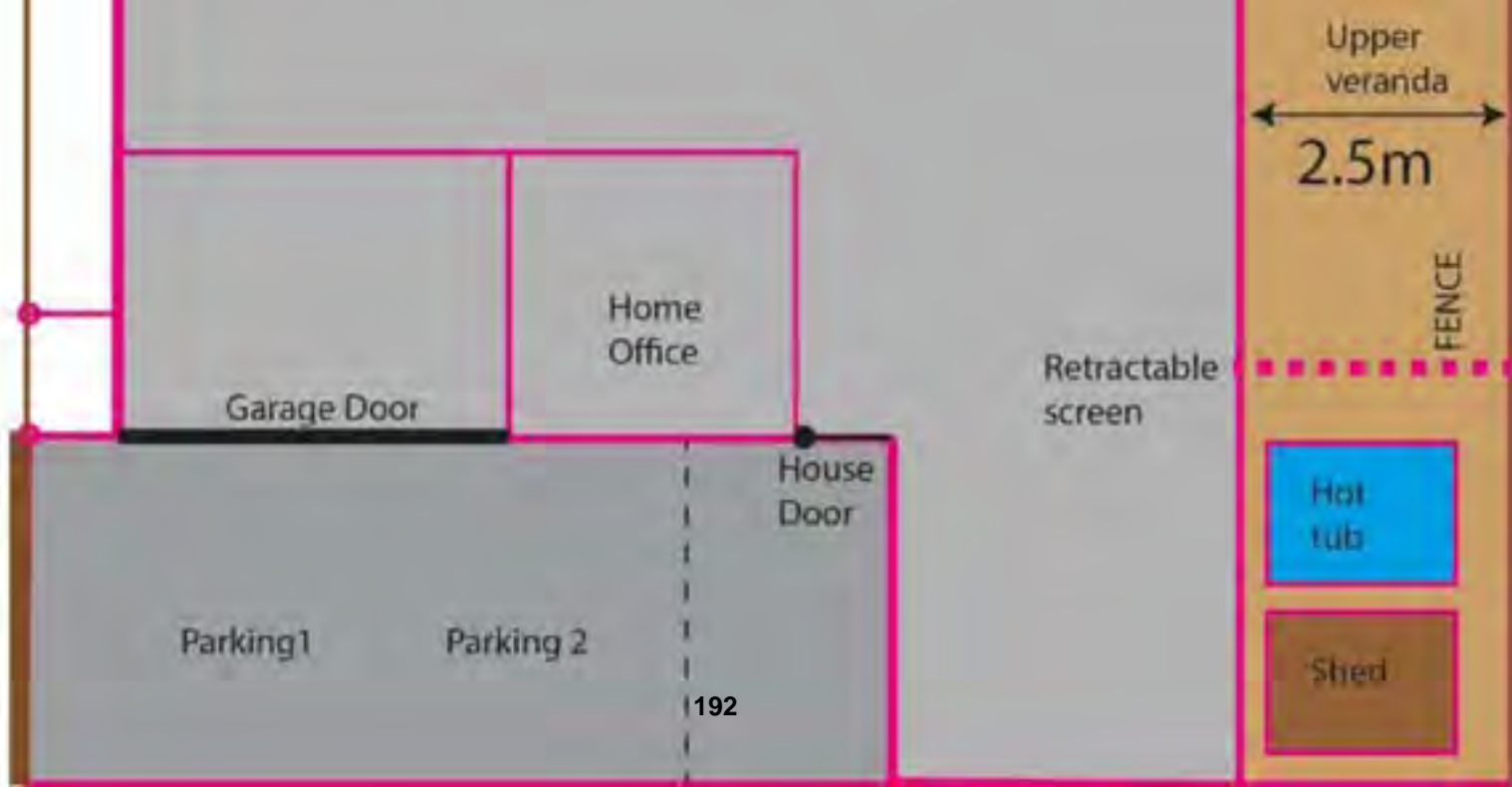
Please no noise outside the entrance door and on the driveway in the evenings. Children's bedrooms are facing the driveway.

Please keep all windows of the cinema room closed and all blinds to the back down when in use in the evening.

Thank you for your help!



FENCE



Upper
veranda



2.5m

Home
Office

Garage Door

Retractable
screen

FENCE

House
Door

Hot
tub

Parking1

Parking 2

Shed



Guest favourite

This home is in the **top 10%** of eligible listings based on ratings, reviews and reliability

Overall rating



Cleanliness

5.0



Accuracy

4.9



16 reviews

Most recent ▾

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🔍 Search reviews



Titiya

6 months on Airbnb

★★★★★ · October 2024

Very nice host.



Jeanette

3 months on Airbnb

★★★★★ · October 2024

This was a beautiful, spacious house for a

HOUSE RULES

32 DOUGLAS MARCHES, NORTH BERWICK



Dear Guests,

Hello, and welcome to our home!

We're so happy you've chosen our property for your holidays.

Before you settle in and get comfortable, we would like to make you aware of the House Rules in place at our holiday rental. Understanding and complying with our house rules will make for a comfortable and fun stay for everybody!

Please read each of the rules carefully in order to avoid any danger or deductions from your security deposit upon check-out.

1. Please treat our house with the same respect as you would your own home. We've put a lot of effort into making this into a lovely space to be enjoyed by our guests.
2. Be sure to maintain a good level of cleanliness throughout your stay, this will make it much easier when check-out time comes!
3. In case of any accidental damage, we'll look into the issue internally to decide if and how much the deduction or repair cost will be.
4. We hope you have lots of laughter and fun times during your holidays! However, we'd really appreciate it if you're mindful and keep noise to a minimum during daytime hours and to zero during quiet time hours.
5. Please respect our neighbours. We live in a very nice and quiet neighbourhood. It is very important that you follow the traffic, parking, and quiet hour rules to ensure that their young families are not disturbed and are kept safe. We take this very seriously and any breaches of these rules may result in you leaving the property early.
6. Please ensure you read and fully understand the house rules at the beginning of your stay. If anything is unclear, please contact us so we can explain in further detail to avoid any misunderstandings.

Have fun! This is your holiday time, and we hope you make the most of our home, its amenities and your opportunity to relax and visit the surrounding area.

Inventories and supplies

At our holiday rental, we like to provide our guests with useful supplies in a starter pack, which they can use during their stay. You can find the complete inventory for the property in our **Welcome Book**. Here are a few rules to follow with regard to the items you'll find in and around our home.

- Tap water is safe to drink.
- We've provided dish soap for your use. If you run out, please buy the same brand, as it's eco-friendly and will cause less harm to our local water supply.
- There are some canned goods and other imperishable foods in the kitchen pantry, which you are free to use as you wish. Always check the expiry date before eating anything. We always make sure not to leave expired food in the house, but oversights may happen.
- Please don't take any kitchen cutlery outside to avoid misplacing or losing it.

Noise and neighbourhood

Just like our house, our neighborhood is important to us. Most of the residents live here full-time.

Please be sure to respect the community and keep noise levels to a minimum, our quiet times are between 9pm-8am. Respecting the people and property around you will make your holidays more enjoyable.

Guests and Visitors must keep noise to a minimum so as not to disturb the occupants of neighbouring properties – **especially during quiet time hours (9pm–8am)**, and upon arrival and departure.

- Please avoid making any noise between 9pm and 8am to allow neighbors a peaceful night's sleep. This includes conversations outside the property.
- Please do not use the hot tub or any outside amenities after 10pm. We ask that you go inside and do not return to the garden until the following morning once quiet hours are over.
- If any neighboring residents report excessive noise or unruly behavior, we may have to evict you from our property and terminate the holiday rental agreement. This could result in loss of rental amount.
- In case of any disputes or neighbor complaints, it's your duty to notify us as soon as reasonably practicable.
- While we know there are some cute pets nearby our property, their owners would appreciate it if you didn't give them any food!

Children and safety

We try to keep our holiday rental as child-friendly as possible. That said, parents are responsible for ensuring their children's safety at all times. If you find anything unsafe or requiring revision at our property, please contact us at your earliest convenience so we can address the issue.

To keep our property child-friendly, we ask that you:

- Never leave children unsupervised at our property without any adults.
- The backyard is a perfect, safe place for children to play. To avoid danger, please don't let them play in the driveway. The garden can be used until quiet hours begin (9pm).
- Guests are fully responsible for the safety and security of their children at all times, as well as any disturbance caused to other residents in the neighborhood.
- Please do not use glasses outside or in the children's play area for safety reasons.

Off-limit areas

Guests are prohibited from entering and using the outdoor shed, the garage and the upstairs attic. Under no circumstances will guests be allowed to enter these areas.

Smoking

Smoking is prohibited inside the home and within a 50-foot radius of the house. There is a designated smoking area on the side patio with ashtrays provided. Smokers are only to ash and dispose of cigarettes in the ashtray provided.

- Discovering guests have been smoking inside the property will result in the loss of the security deposit.

Parties and social gatherings

Parties, gatherings, and functions of any kind are **strictly prohibited**.

Pets

We welcome one dog in our house, but ask that all pet owners follow a few simple rules to ensure a pleasant stay for everyone. Please only bring a trained dog that does not bark, especially during the quiet hours of 9pm-8am. Additionally, dogs should never be left unattended during these hours. Owners are responsible for cleaning up after their pets and ensuring they are well-behaved throughout their stay. Thank you for helping us maintain a peaceful and enjoyable environment for all guests and neighbours.

Extra guests

Please respect the maximum number of visitors and the rules regarding visitors as set out below.

Guests are only allowed a maximum of 2 visitors for the entire duration of the stay. Under no circumstances will visitors be allowed to stay the night. We want you to enjoy your holidays and time at our home to the maximum, but we do have to set some restrictions on visitor numbers for safety reasons.

- Guests are responsible for ensuring that any visitors comply with these House Rules.
- Guests are to allow the homeowner or service access to the property for purposes of repair and inspection. The homeowner will exercise this right of access in a reasonable manner and advise beforehand where possible.

Kitchen

No doubt, one of the biggest advantages of staying in our house is our fully furnished kitchen. It's perfect for rustling up tasty breakfasts, leisurely lunches and delicious dinners for all the family to enjoy.

We provide the basics, such as cooking oil, simple seasoning and some condiments. Please treat our kitchen with the love and respect you would your own to keep it in great condition for other guests.

- Please be sure to ventilate the kitchen after cooking anything that could leave a strong smell behind.
- Be careful not to wash food that remains down the drain. Please throw any kitchen scraps into the container in the utility room for organic waste.
- To help the environment, please only switch on the dishwasher when it's full and use the eco-program where possible.
- To simplify the inventory process, please return any kitchen items to where you originally found them.
- Kitchen cleaning products are under the sink. If any products run out during your stay, please let us know so we can replace them for the next guests.

Keys

Keys are to remain in the possession of the primary guest at all times during the stay. You must not replicate the keys or leave them out of the care of the primary guest.

Rubbish and Recycling

We like to do our bit for the environment, and we ask that our guests do the same! There are clearly labeled containers for separating and recycling different materials in the utility room and the regular rubbish for non-recyclables.

Once the containers in the utility room are full, please empty them into the containers outside at the back entrance to the utility room. Please don't put out any loud recycling such as glass during 9pm and 8am.

Packaging and plastics are to be disposed of in the white bag, organic and compost is disposed of in the grey container, paper and cardboard products are thrown in the blue box, glass in the grey box and all other trash can be disposed of in the green bin. All garbage must be disposed of in these designated bins and should never be left around the property.

Your host will take the trash and recycling to the street when they are to be emptied.

Please do not flush any sanitary products down the toilet. We provide a bin for this in each bathroom.

Appliances and Electronics

The electric panel is in the garage. Please contact your host in the unlikely case of a power outage.

TV usage is allowed for guests during the entire duration of their stay. Please log into your streaming accounts for Netflix, Prime Video, Disney Plus. The apps are downloaded. Guests are not allowed to purchase, download, or rent any subscription or entertainment not listed above.

You'll find all the electrical appliances you need for a comfortable stay at our home. Please use them responsibly and ask other members of your party to do the same. This means adhering to the few rules we outline below.

- Please do not overload or underload the washer/dryer. Be sure to separate colors and whites, and wash at a low temperature (30°C) where possible.
- The optimum temperature for the thermostat is between 18-21°C in winter. The thermostat is pre-set.
- Please make sure you switch off lights, fans or any other small electrical appliances when you go out. The same applies to heating – we're an eco-friendly home!
- No compensation will be given for any temporary outage of electricity, gas, water, cable, satellite or telephone service.

Security

You are in a very safe neighbourhood. While we have taken the necessary measures to make our house rental safe for incoming guests, you also have a role to play in ensuring the safety and security of your party. There are actions you can follow to keep the house secure during your stay.

- Any time guests leave the holiday house, they must ensure all windows and doors are closed and locked to maintain security and prevent rain and water damage.
- We are not responsible for the loss of any personal belongings or valuables. If you misplace something in the house, please let us know so we can look for the item during the changeover and holiday rental cleaning.
- Parents must not leave children unattended at any time. Any guest injuries sustained inside the house are not covered by our holiday rental insurance.

Parking and vehicles

We have private parking at our property for two cars. You can only park directly in front of the house and not on the driveway. The spaces are showcased in the diagram below (labelled P1 & P2). Please note that the parking bays beside and in front of No.17 are strictly prohibited.

- Please do not start your car or park during quiet hours.
- Please ensure all lights are turned off in and outside your vehicle.
- **Please do not exceed 10 mph** in the estate or on approach to our home.
- **PLEASE PAY PARTICULAR ATTENTION TO OUR DIRECT NEIGHBOURS' BOYS.**
- The garage is locked and off-limits for guests' vehicles.

Parking map for 32 Douglas Marches



Damages and breakages

While we know our guests won't intentionally break anything at our holiday house, we understand accidents can happen sometimes. Here is what you need to know about accidental damages or breakages during your stay.

- Always report any accidental damages or breakages in a timely manner, especially before check-out.
- Please do not move any furniture from one room to another without our permission first.
- Please don't take any bath towels with you to the beach.
- If any damage to the property or its appliances is not covered by our insurance, the guest will pay for the repair costs from the security deposit.

Compliance and final agreement

We've set out these house rules so that every guest visiting our property has a safe, secure and, most importantly, fun stay at our place. Compliance with these rules is essential for every member of the traveling party. We hope you have a great time and find everything you need at our home.

- Breach of any of these house rules is a breach of the terms and conditions of occupancy, as per the rental agreement you have signed.
- We reserve the right to evict any guests or visitors from the property who refuse to follow these house rules.
- In any case, please use common sense while staying in our house. If you're unsure about any house rules and require further clarification, please call us.

