

Agenda item	<b>9.1</b>
Report no	<b>HLC/125/25</b>

## **THE HIGHLAND COUNCIL**

**Committee:** THE HIGHLAND LICENSING COMMITTEE

**Date:** 5 August 2025

**Report title:** Application for the grant of a short term let licence –  
Glasdair, 42 Island Bank Road, Inverness, IV2 4QT (Ward 15  
– Inverness Ness-side)

**Report by:** The Principal Solicitor – Regulatory Services

### **1. Purpose/Executive Summary**

1.1 This report relates to an application for the grant of a short term let licence.

### **2. Recommendation**

2.1 Members are asked to determine the application in accordance with the Council's hearings procedure.

### 3. Background

- 3.1 In terms of The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (“2022 Order”), a licence is required for residential accommodation for use as a short term let.
- 3.2 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:
- 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:
    1. An immediate family member of the host
    2. 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
    3. an owner or part-owner of the accommodation
  - 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

### 4. Application

- 4.1 On 13 December 2024 a validated application for the grant of a short term let licence was received from Mr Maksut Tasasiz.
- 4.2 The property to which the application relates is Glasdair 42, Island Bank Road, Inverness, IV2 4QT (the “Premises”). A site plan was provided by the applicant as part of the application process and is attached as an appendix to this report (**Appendix 1**). The Premises are those edged in red on the plan on page 1 of Appendix 1.
- 4.3 The application for the short term let licence has been made on the basis that the said Mr Maksut Tasasiz will be the host/operator of the Premises. The host/operator has applied for a short term let licence as an ‘existing host’ on the basis that the Premises were operated as a short term let property prior to 1 October 2022.
- 4.4 The person named on the application as being responsible for the day-to-day management of the Premises is the said Mr Maksut Tasasiz.
- 4.5 The type of letting which has been applied for is ‘home sharing’, which means the host/operator is using all or part of their own home for short-term lets whilst they are there.
- 4.6 The Premises is described as a semi-detached house which can accommodate a maximum capacity of eight guests. Floor plans of the Premises were provided by the applicant as part of the application process, and these can be found on page 2 of Appendix 1.

## **5. Owner of the Premises**

- 5.1 Mr Maksut Tasasiz is named on the application as the owner of the Premises.
- 5.2 On 14 March 2025, the Licensing Team received an email complaint from a Mr Tamer Tasasiz, stating that he was the owner of the Premises and confirming that he did not give his consent to Mr Maksut Tasasiz's application for a short term let licence for the Premises.
- 5.3 The 2022 Order inserted additional provisions in to the Civic Government (Scotland) Act 1982 and states that where an applicant is not the owner of the premises or the land on which the premises are located, the following must be provided along with an application for the grant or renewal of a licence:
- (i) the name and address of the owner (or, as the case may be, each owner), and
  - (ii) a declaration from the owner (or, as the case may be, each owner) or a person authorised to act on their behalf, that they consent to the application.
- 5.4 The Licensing Team conducted a property search for the Premises which states that the registered proprietor of the Premises in the Land Register of Scotland is Mr Tamer Tasasiz.
- 5.5 The Licensing Team contacted Mr Maksut Tasasiz and his legal representative on 10 April 2025 to request the declaration which confirms Mr Tamer Tasasiz's consent to the licence application for the Premises to be made by Mr Maksut Tasasiz. Mr Maksut Tasasiz's legal representative confirmed to the Licensing Team on the same date that they will provide the necessary declaration from Mr Tamer Tasasiz as soon as practicable.

At the time of writing this report, such declaration has not been provided to the Licensing Team. If available, a verbal update will be provided to the Committee by the Principal Solicitor – Regulatory Services.

- 5.6 In the absence of such declaration, the Principal Solicitor – Regulatory Services cannot grant the licence under delegated powers as it does not comply with the statutory requirements, detailed at point 5.3 above.

## **6. Process**

- 6.1 The application was circulated to the following Agencies/Services for consultation:
- Police Scotland; and
  - Scottish Fire & Rescue Service; and
  - Highland Council Environmental Health Service.
- 6.2 Police Scotland and the Highland Council's Environmental Health Service have both confirmed that they have no objections to the application.
- 6.3 At the time of writing this report, Scottish Fire & Rescue Service have not provided a response to the consultation request. If available, a verbal update will be provided to the Committee by the Principal Solicitor – Regulatory Services.

## **7. Certificate of Compliance**

- 7.1 The applicant has provided a certificate of compliance confirming that a public notice of application for their short term let licence was displayed at or near the Premises for a period of 21 days from 15 December 2024.

## **8. Non-Timeous Public Objection**

- 8.1 It is open to any member of the public to submit an objection or representation in relation to an application for a licence for a short term let licence. An objection to the application was received by email on 16 May 2025 from Mr Tamer Tasasiz. However, this was received after the 28 day period for objections or representations to be made by members of the public had elapsed, namely on 12 January 2025, and therefore this objection cannot automatically be considered by the Committee.
- 8.2 At the meeting, Mr Tamer Tasasiz will be invited to address the Members as to the reason why the objection was submitted after the 28 period for objections / representations to be made. The applicant will be invited to address the Committee on the same and thereafter Members will require to determine whether there were sufficient reasons for the non-timeous objection and whether it should be heard.
- 8.3 If the Committee are minded to accept the non-timeous objection, a copy will be circulated at the meeting. If not, the application will be determined in its absence.

## **9. Determining issues**

- 9.1 Paragraph 5(3) of Schedule 1 of the Civic Government (Scotland) Act 1982 states that a licensing authority may refuse an application to grant or renew a licence where:
- a) The applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either:
    - i. for the time being disqualified under section 7(6) of the Civic Government (Scotland) Act 1982, or;
    - ii. is not a fit and proper person to be the holder of the licence.
  - b) The activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such licence if he made the application himself;
  - c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—
    - (i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;
    - (ii) the nature and extent of the proposed activity;
    - (iii) the kind of persons likely to be in the premises, vehicle or vessel;
    - (iv) the possibility of undue public nuisance; or
    - (iv) public order or public safety; or
  - d) there is other good reason for refusing the application.

If required, the Principal Solicitor – Regulatory Services will offer particular advice on the criteria relating to this particular application.

9.2 A copy of this report has been sent to both the applicant and objector who, in the terms of paragraph 4(2) of the Civic Government (Scotland) Act 1982, have been invited to attend and will be provided with an opportunity to be heard by the Committee.

9.3 Both parties have also been advised of the procedure which will be followed at the meeting which may also be viewed via the following link:

[Licensing hearings procedures | Licensing hearings procedure \(Licensing Committee\) \(highland.gov.uk\)](#)

## 10. Policies

10.1 The following policy is relevant to this application:

- Short-term let licensing policy statement (which includes the mandatory and additional licence conditions attached to all Short Term Let Licences):-

A copy of this policy can accessed [here](#) or a hard copy can be supplied where requested.

## 11. Implications

11.1 Not applicable.

Date: 6 June 2025

Author: Patrycja Bujdasz

Reference: [FS550239337](#)

Background Papers:

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

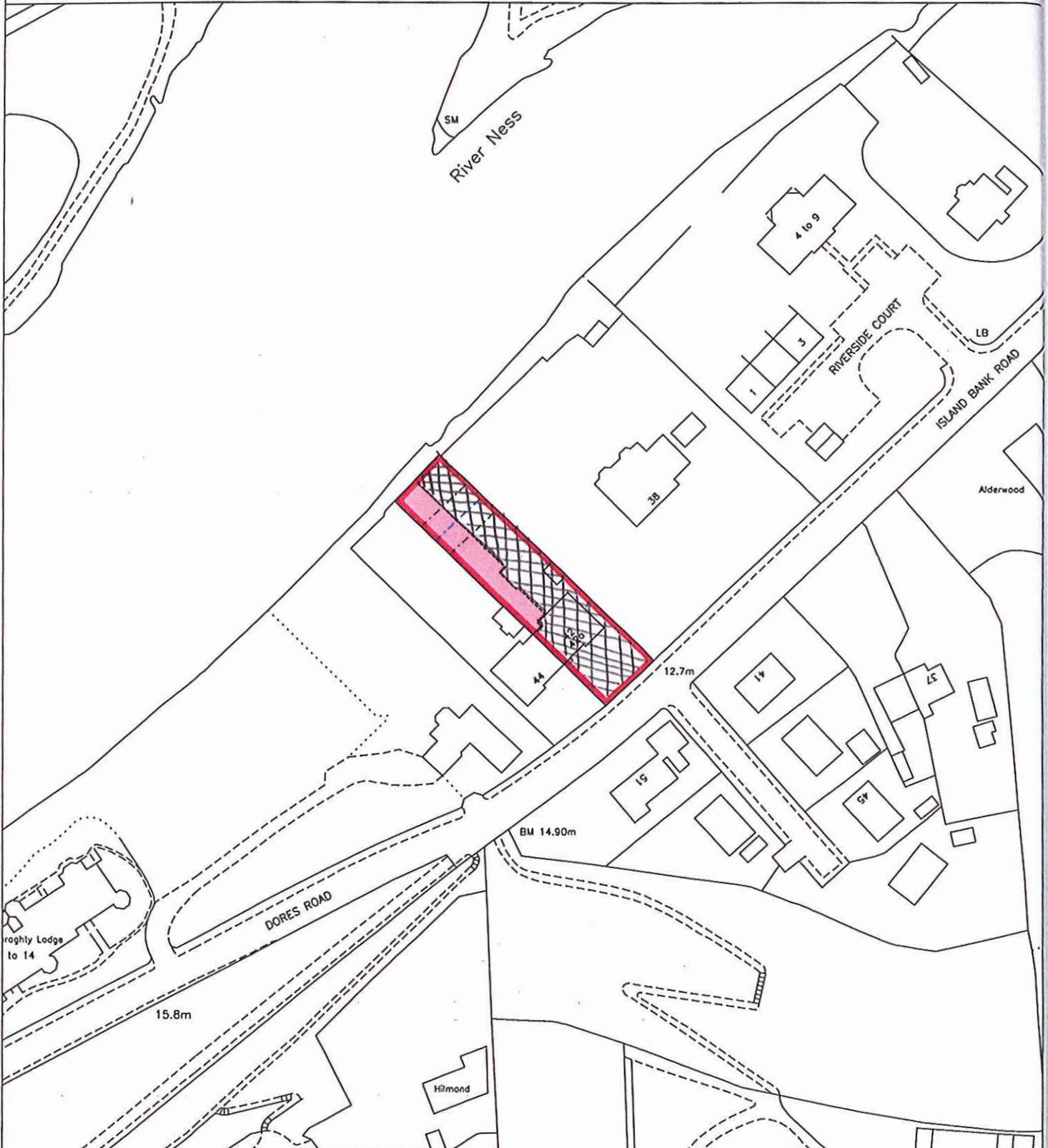
### Appendix:

Appendix 1: Site plan detailing the extent of the Premises and floor plans for the Premises.

# Appendix 1

 <b>LAND REGISTER OF SCOTLAND</b>	Officer's ID / Date	TITLE NUMBER
	4537 16/5/2005	<b>INV7200</b>
	<b>ORDNANCE SURVEY NATIONAL GRID REFERENCE</b>	Scale
		1/1250
<b>NH6543SE NH6643SW NH6543NE NH6643NW</b>		Survey Scale
		1/1250

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GROUND FLOOR



S = SMOKE / HEAT DETECTORS

FE = FIRE EXIT

D = ACCOMMODATION INTENDED FOR GUESTS WITH MOBILITY IMPAIRMENT

FIRST FLOOR

