

Agenda item	15.2
Report no	HLC/147/25

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 16 September 2025

Report title: Application for the grant of a licence for a House in Multiple Occupation – 1 Old Church Court, Innes Street, Plockton, IV52 8TW (Ward 5 – Wester Ross, Strathpeffer and Lochalsh)

Report by: The Principal Solicitor – Regulatory Services

1. Purpose/Executive summary

- 1.1** This report relates to an application for the grant of a licence for a house in multiple occupation.

2. Recommendation

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

3. Background

- 3.1** The licensing of houses in multiple occupation (HMO) is an activity covered under Part 5 of the Housing (Scotland) Act 2006.
- 3.2** An HMO is defined as living accommodation in which 3 or more unrelated adults live and share one or more of the basic amenities which are a toilet, personal washing facilities and facilities for the preparation or provision of cooked food. It must be their only or main residence.

4. Application

- 4.1** On 18 October 2024 an application for the grant of a licence in respect of a house in multiple occupation was received from Highland Coast Hotels Ltd.
- 4.2** The property to which the application relates is 1 Old Church Court, Innes Street, Plockton, IV52 8TW.
- 4.3** The maximum number of persons applied for to reside in the house is 4.
- 4.4** In terms of the abovementioned Act, the local authority must decide whether to grant or refuse an application for an HMO within 12 months of it receiving the application. Therefore, this application must be determined by **17 October 2025**. If the local authority does not determine an application for an HMO licence within the 12 month period, the authority is to be treated as having decided to grant the HMO licence unconditionally. The application is before this Committee as this is the last meeting before the determination date expires.

5. Process

- 5.1** Following receipt of this application a copy of the same was circulated to the following Agencies/Services for consultation:
- Police Scotland
 - Scottish Fire and Rescue Service
 - Highland Council Environmental Health Service
 - Highland Council Building Standards Service
 - Highland Council Planning Service
- 5.2** Planning have advised that planning permission for a house in multiple occupation will be required. A planning application has been submitted by the applicant and is currently under consideration.
- 5.3** All other agencies/services above have indicated that they have no objections to the grant of the licence.

6. Representations and Objections

6.1 Letters of objection in respect of the application have been received as follows:-

- (i) Jane MacKenzie – received 25/10/2024 (attached as **Appendix 1**);
- (ii) Peter Shipley – received 01/11/2024 (attached as **Appendix 2**);
- (iii) Sofia Berglind – received 01/11/2024 (attached as **Appendix 3**);
- (iv) Annan Dryburgh – received 05/11/2024 (attached as **Appendix 4**);
- (v) Jill Dryburgh – received 05/11/2024 (attached as **Appendix 5**);
- (vi) Rona Amigues-MacRae – received 05/11/2024 (attached as **Appendix 6**);
- (vii) Guillaume Amigues – received 05/11/2024 (attached as **Appendix 7**).

7. Determining Issues

7.1 Section 130 of Part 5 of Housing (Scotland) Act 2006 states that a Licensing Authority may refuse to grant a licence where the applicant or anyone else detailed on the application is not a fit and proper person.

7.2 Section 131 of the same Act also states that a Licensing Authority may grant a licence only if it considers that the living accommodation concerned:

- (a) is suitable for occupation as an HMO, or
- (b) can be made so suitable by including conditions in the HMO licence.

and in determining whether any living accommodation is, or can be made to be, suitable for occupation as an HMO the local authority must consider—

- (a) its location,
- (b) its condition,
- (c) any amenities it contains,
- (d) the type and number of persons likely to occupy it,
- (da) whether any rooms within it have been subdivided,
- (db) whether any rooms within it have been adapted and that has resulted in an alteration to the situation of the water and drainage pipes within it,
- (e) the safety and security of persons likely to occupy it, and
- (f) the possibility of undue public nuisance.

7.3 If required the Principal Solicitor will offer particular advice on the criteria relating to this particular application.

7.4 A copy of this report has been sent to the applicant and objectors who have all been invited to attend the meeting and will each be provided with an opportunity to be heard by the Committee. They have also been advised of the procedure which will be followed by at the meeting.

8. Policies

8.1 The following policies are relevant to this application:

Highland Council HMO Conditions and Standards. A copy of these can accessed at: [Apply for a licence - Houses in multiple occupation \(HMO\) | The Highland Council](#) or a hard copy can be supplied where requested.

9. Implications

9.1 Not applicable.

Date: 26 August 2025

Author: Carol Nicolson

Background Papers: Part 5 of the Housing (Scotland) Act 2006

Appendices:-

Appendix 1 - Jane MacKenzie – received 25/10/2024;

Appendix 2 - Peter Shipley – received 01/11/2024;

Appendix 3 - Sofia Berglind – received 01/11/2024;

Appendix 4 - Annan Dryburgh – received 05/11/2024;

Appendix 5 - Jill Dryburgh – received 05/11/2024;

Appendix 6 - Rona Amigues-MacRae – received 05/11/2024;

Appendix 7 - Guillaume Amigues – received 05/11/2024.

Received 25/10/2024

Jane MacKenzie
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Michael Elsey
Licensing Office
Chief Executives Service
Town House
Inverness
IV1 1JJ

22 October 2024

Dear Sir

Re: HMO Application, 1 Old Church Court, Plockton, IV52 8TW

I am writing to register my objection to the application lodged for the flat next to mine to become a house of multiple occupation.

The flat is owned by Highland Coast Hotels, who use it to house employees at their hotel/public house the Plockton Inn. The flat is one of five in a converted church, a small residential group of homes with a small central access hall and outside grounds with one parking space per flat. We have an owner's association that meets regularly to manage the building and discuss issues of common concern.

I am a retiree living on my own, owner of flat 2, next door to the Highland Coast Hotels flat. I can attest that their flat is already used for multiple occupation and has been for some years. Their employees tend to stay for short periods of time in the flat, moving in and out with great frequency, quite often being moved after behaviour issues emerge.

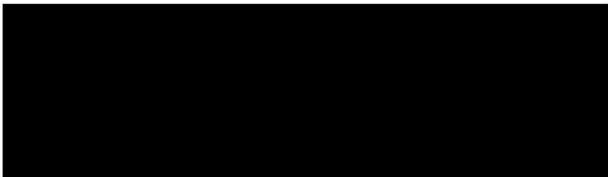
At our latest meeting of the owner's association on 15 October (just last week), Highland Coast Hotels managers admitted that they have signally failed to date to manage the flat successfully. Asked how they would grade their management of it, one manager rated their management at 3-4 out of 10, while their CEO rated it at 5 out of 10. There have been numerous anti-social incidents, with occupants drinking on the doorstep of the Old Church building and making excessive noise. More worryingly, there have been violent incidents, the most recent being in early August this year, when I was next door in my own flat listening as one of their occupants raged and caused physical damage, including breaking down a door. The following day builders had to come in to repair the damage.

A year ago, Highland Coast Hotels agreed to conduct checks on any employee they placed in the flat, and this has been done. But this has failed to make any difference to the behaviour of those they place in the flat.

When asked whether they can give any assurance of better management of the flat in the future, the CEO last week told us they can only say they will try, reminding us that employment in the hospitality sector is intrinsically volatile, which makes it inevitable that occupancy will change frequently. He told us that the group is seeking other accommodation options for staff in the village, and that they would like to sell the flat if other options become available. To me, this is an admission that housing their staff in a small building shared with residential owners is excessively difficult to manage.

I hope my concerns will be taken into account when considering this application.

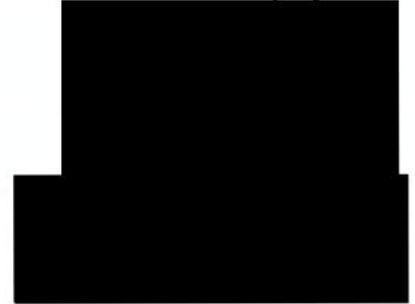
Yours faithfully

A large black rectangular redaction box covering the signature area.

Jane MacKenzie



Peter Shipley



Michael Elsey
Licensing Office
Chief Executives Service
Town House
Inverness
IV1 1JJ

30 October 2024

Dear Sir

Re: HMO Application, 1 Old Church Court, Plockton, IV52 8TW

I am writing to register my objection to the application lodged for the flat next to mine to become a house of multiple occupation (HMO).

The application is for a flat which is one of five in an old converted church building. All the flats are accessed through a single entrance to the main street with a very small shared hall area containing all five entrance doors. Given the proximity to each other there is a well organised residents association that administers the maintenance of the communal property, building insurance etc. This group also gets together to discuss and manage any issues that arise that are impacting the residents.

For the past two years the only issues, other than the routine maintenance activities, that have arisen have been as a result of the behaviour of the residents in 1 Old Church Court. This culminated in a meeting on 22nd November 2023 with Guy Crawford, the CEO of Highland Coast Hotels Ltd and Paul Acari the manager of the Plocton Inn, to discuss what actions they could take to resolve the multiple issues that the residents had been having with the behaviour of the occupants of the flat. The issues included occupants drinking heavily in and outside of the flat, causing noise and disruption, the main flat door being violently punched or kicked to the point of needing to be repaired and on one occasion a resident being arrested in the building by the police. Several actions were proposed by Highland Coast Hotels Ltd at the meeting, including undertaking police checks, the manager vetting who goes in to the flats and also notifying us as residents whenever changes were being made. We met again on 15th October this year where it was agreed that there had been no improvement at all in the nuisance and disruption that their residents were causing to the other residents in the building. No actions were proposed that gave me any confidence that the situation would improve. It did seem that Highland Coast Hotels Ltd were reconciled with the fact that this

sort of nuisance was an inevitable consequence of the sorts of people they had to place in the flats. I cannot accept that as a responsible way of responding to our concerns.

My objection to the provision of an HMO License for this property is therefore on the following grounds:

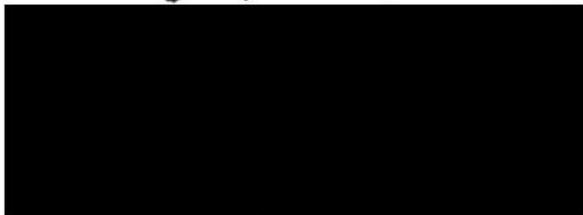
- **Undue public nuisance:** It is clear from our history of involvement with Highland Coast Hotels Ltd that they are not able to adequately manage the behaviour of their staff in our building. Providing an HMO License will make what is already a very difficult situation much worse.
- **Parking:** The flat only has 1 parking space provided and so a HMO license will lead to increased pressure on the local parking which, in Plocton, is already under huge pressure.
- **Offstreet waste and recycling:** Old Church Court has limited space for bins which does not have the capacity to cope with the additional demand.
- **Suitability of the accommodation:** Old Church Court has a very small communal area which is already under pressure as occupants circulate and temporarily leave bags, prams, push chairs and even bikes as they enter and leave their flats. This small area also exacerbates any issues around noise or disruption being caused by residents. Providing an HMO License will make this situation worse.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Peter Shipley

Sofia Berglind,



Michael Elsey
Licensing Office,
Chief Executives Service,
Town House, Inverness, IV1 1JJ.

Dear Michael Elsey,

During my residency of over 18 years, I am very disappointed to have send in this objection due to the nature and unprofessionalism of owners of said flat within the walls of the old church on Innes Street Plockton.

Over the past years we have had ongoing public nuisance complaints, not just from the owners and residents of the Old Church but locals around the area due to the behavior of the occupants (employees/workers) residing in the said flat.

The lack of confidence due to this fact towards the owners of flat it is in my professional opinion that the organization that controls the flat for their employees do not have the profession skills management and human resources to employ people who can live under the conditions that we live by within the walls of the Old Church respecting other residents who reside there.

Due to the small private parking area for each flat we have had parking issues with employees parking on the wrong area where customer of the holiday lets has no way of parking leading to more headaches for the owners to address.

Plockton is small community having additional occupancy within said flat could lead to more unappropriated behaviour from the employees residing there e.g... Police arresting an employee who resided in the flat [REDACTED] which caused concerns not only for the residents within the building but for all Plockton residents and community. Another employee who was under the influence of drugs and alcohol stealing another employee's car and crashing

[REDACTED]. and list goes on inappropriate behaviour within their work (Hotel) threatening, drunken disorder...

I urge to please consider the residents within Old Church and the community of Plockton for your making your decision.

Yours sincerely,

[REDACTED]
Sofia Berglind.

Appendix 4

Michael Elsey
Licensing Office
Tigh Na Sgire
The Highland Council
Park Lane
Portree
IV52 9GP



1st November 2024

Dear Sir

Re: HMO Application for No 1, Old Church Court, Innes Street Plockton.

I am writing to you to register my objection to the Application for a House of Multiple occupancy in The Old Church building I have lived in with my family for over 28 years.

The day-to-day management is to be undertaken by Mr Paul Ascari as GM of Plockton Inn & the Haven. (Highland Coast Hotels Ltd.

This day-to-day management has to date been somewhat remiss to say the least with more like knee jerk reactions approach to management. This is apparent by the correspondence between The Old Church Owners Association and Mr Ascari (HCH Ltd). Always reacting to concerns of residents after the event rather than proactive management.

The incident this year in No 1 with an internal door being badly damaged, August 2024, even with a DS check complete on the staff member, there was no communication or apologies from management on the fact that this had even taken place. None of the owners or the OCCOA were contacted regards this incident by email or in person by Paul Ascari, GM and Gavin Arthur, Operation Manager Plockton Inn (Highland Coast Hotels Ltd). They only reacted, yet again, when the OCCOA wrote to them regards the incident, Email enclosed.

I wrote to Dafydd Jones, Area Planning Officer, Inverness with councillors copied in but never received a reply.

- 1. I have enclosed the letter/email sent 12th Nov 2023 to view my/our concerns with the Change of use/noise disturbance/car parking issues to highlight this, on-going problem that we have with Paul Ascari & HCH Ltd management of No 1. My objections for the HMO are set out in this email from a year ago. Parking/Noise/Disturbance etc.**
- 2. I enclose a Word Document letter sent to CEO Guy Crawford from the Old Church Court Association regards the arrest back in November along with an email document from the owner of No 2, [REDACTED] to The OCCOA regards her concerns about the arrest.**
- 3. I enclose an email sent to Paul Ascari, GM from the Association regards the Staff member damaging/breaking the door in No. 1, August 2024, email dated 6th September 2024.**

I trust that you take my objections into account when considering the lack of efficiency of the day-to-day management under Paul Ascari or HCH Ltd in determine their management suitability for an HMO License in No. 1. Old Church Court.

Thank you.

Yours sincerely

Annun Dryburgh

From: [REDACTED]
Sent: Sunday, November 12, 2023 10:34 PM
To: Dafydd Jones (Planning (North)) [REDACTED]
Cc: Isabelle Campbell (Councillor) [REDACTED] John
Finlayson (Councillor) [REDACTED]
Subject: Change of Use with No Planning Permission

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

Dear Mr Jones

I wish to bring to your attention that Highland Coast Hotels Ltd have recently purchased Flat One, Old Church Court, Innes Street, Plockton and have changed its use from residential to staff accommodation without applying for a change of use. This has had and continues to have a detrimental effect on the other residents, particularly in terms of noise at unsociable hours.

Section 2.20 of the planning guidance emphasizes that the impact on the amenity for neighbors, such as noise during unsociable hours, is likely to be more pronounced in tenement buildings, apartment complexes, or similar structures, where stone or equivalent hard surfaces may amplify noises and cause echoes. The greater the impact, the more significance it deserves.

This draft planning guidance is intended for hosts and operators of short-term lets. A separate planning circular has been prepared for planning authorities. However, we are concerned about the constant turnover of staff, with some only lasting a day. These are not repeat staff from sister hotels but rather new workers, making it difficult for us to see a returning familiar face. Moreover:

- Cars are frequently parked in other residents' allotted spaces and have been asked to move on numerous occasions.
- Staff members are constantly back and forth, leaving doors to swing shut in the communal hallway, which has a flagstone floor and bare walls, amplifying noise.
- Staff members have been observed staggering and appearing drunk in the communal hallway as early as 9:00 AM, and they have been asked on numerous occasions not to smoke near or in the hallway, sometimes from 9:30 AM until 3:30 PM.

Section 2.21 of the guidance highlights particular impacts on other residents in flatted buildings. Relevant considerations here include any reduction of the physical security of

a building, such as the use of key boxes, and the actual and perceived increased risks to permanent residents from guest access to communal areas.

As you can imagine, the impact on the amenity for ourselves and our neighbors has not been positive.

In recent months, local police have visited Flat One, Old Church Court, on two occasions. The first incident involved two Plockton Inn staff residing in Flat One. A member of staff stole another staff member's car, which he crashed at Balmacara, and then took off to evade arrest. The second incident occurred only last week when four police officers arrested a chef working at the Plockton Inn. He was arrested in Flat One, handcuffed, and escorted off the premises and into a police van. [REDACTED]

[REDACTED] This individual had been working at the Plockton Inn and living in Flat One for the past two months.

My wife was at home by herself and witnessed the arrest, which left her shaken by the whole incident, especially when we discovered the charges. We view these incidents as both actual and perceived increased risks to the permanent residents from staff access to communal areas. There is increased noise and general disturbance compared to the occupation of the property on a permanent or long-term residential basis. We have lived here for the past twenty-eight years and have never experienced this level of disturbance before. The likely frequency and intensity of disturbance or unsociable behavior will continue unless addressed.

Highland Coast Hotels have, yet again, flouted the planning procedures, as they have done on numerous occasions, as clearly demonstrated by the retrospective planning applications submitted. At one point, they used Flat One as a site office during the refurbishment of the Plockton Inn, with the Compass workers residing in Flat One.

Section 2.15 of the guidance states that there are often multiple material planning considerations relevant to a particular planning application. Some may support the application, while others may suggest it should not be approved. In these circumstances, it is for the person determining the application to consider each of these considerations and to weigh them up. They can decide how important each consideration is for this particular case and how much importance to give it.

I can't, for the life of me, see how a hotel's need for staff accommodation can supersede the residents' rights to a peaceful life that they have previously enjoyed, especially without even applying for a change of use planning application.

Section 2.16 of the guidance emphasizes that the planning system should operate in the public interest and does not seek to protect one individual's interests against another's.

Old Church Court is a residential flatted building and is not a suitable place to house itinerant staff with inadequate security checks. Such a use is certainly not in the public's interests. Therefore, we request that on this occasion, swift enforcement action should be taken due to the possible breach of fire regulations regarding staff accommodation, as well as the breach of planning regulations. Staff living in Flat One have informed us that rooms now have numbers and separate locks on bedroom doors, shared facilities, creating separate units within a flat.

Please also see attached Word Document that has been sent to CEO Guy Crawford, HCH Ltd from The Old Church Court Owners Association.

We look forward to a timely resolution of these concerns to ensure the well-being of all residents. We appreciate your attention to these matters.

Yours sincerely,

Annan Dryburgh



Unless related to the business of The Highland Council, the views or opinions expressed within this e-mail are those of the sender and do not necessarily reflect those of The Highland Council, or associated bodies, nor does this e-mail form part of any contract unless so stated.

Mura h-eil na beachdan a tha air an cur an cèll sa phost-d seo a' buntainn ri gnothachas Chomhairle na Gàidhealtachd, 's ann leis an neach fhèin a chuir air falbh e a tha iad, is chan eil iad an-còmhnaidh a' riochdachadh beachdan na Comhairle, no buidhnean buntainneach, agus chan eil am post-d seo na phàirt de chunradh sam bith mura h-eil sin air innse.

Guy Crawford CEO
Highland Coast Hotels Ltd
Floor 3,1-4 Athol Crescent
Edinburgh
EH3 8HA

5 Old Church Court
Plockton
IV52 8TW

07/11/2023

Dear Guy

Good evening.

I am writing to you on behalf of the Old Church Owners Association, representing concerned residents who are deeply alarmed and distressed by the arrest of a member of your staff that occurred in No 1, Old Church Court on Thursday, 2nd November 2023

The fact that a wanted individual [REDACTED] was residing under the same roof as us, my husband and I (full-time residents of 28yrs), [REDACTED] is part-time resident and the owners from 2 self-catering apartments No 3 & No 4 is extremely concerning.

We are finding it difficult to understand why these people who are employed by HCH Ltd or being brought in to work in the Plockton Inn are not subjected to proper vetting and criminal background checks. These itinerate workers, who frequently come and go, have no intention of living in "Our" Community. It has become nearly impossible to keep track of how many individuals have occupied No. 1 since HCH Ltd.'s acquisition of the Plockton Inn April 2022 as there has been so many. Some have stayed for as little as a few days, resulting in a significant turnover of occupants--- possibly as many as 20-30 different people, if not more, not including the Compass workmen who were housed there during your 3-month refurbishment of The Plockton Inn.

There was also an unfortunate attempt to use No.1 as a site office for the refurbishment work, which led to significant disruption and discomfort for residents. This included the unacceptable behaviour of workmen shaking plaster dust from their clothing in the communal hallway while only dressed in their underwear.

Regrettably, this recent incident involving the arrest of a [REDACTED] man is not an isolated occurrence. Less than 6 months ago a staff member stole a chefs car keys containing the Plockton Inns keys, took the chef's car and wrote it off a few miles from Plockton, and subsequently went on the run. [REDACTED] In addition to these incidents, we have encountered a range of other issues including lack of respect from staff, attitude problems and chefs being drunk and disorderly as early as 9.30am to name a few.

On Friday, 3rd Nov 2023 Paul, GM and another individual conducted a Fire Audit in the Common Hallway. While We understand the necessity of such audits, we believe that basic courtesy would have dictated notifying us, the Old Church Owners Association (OCCOA) via email of such activities in our shared spaces. During this audit cupboard doors were opened that do not pertain to communal property. Paul, GM informs me that he has no authority to inform OCCOA of any of HCH Ltd.'s business activities within the Church Building. However, we, as an Association, firmly believe that involving OCCOA is essential when matters concern communal areas as these are shared with all residents.

It has become evident, both from other owners and our correspondence, that immediate discussion with you, as CEO are necessary to address and resolve these ongoing staff-related issues. It is felt that our security and safety has been serious jeopardised with these latest police incident and all owners do NOT want this to happen again.

It is our collective belief that the current approach to business may hinder Highland Coast Hotel Ltd.'s integration into our Plockton community.

Our neighbour, [REDACTED] and family are also extremely distraught to as to the thought that this [REDACTED] Individual was staying in her house for Bed & Breakfast due to friction between the 2 staff members who resided in No 1, one of them being the Individual who was arrested. Management requested that he returned to No 1 where he was arrested in handcuffs the following day.

Finally, to the present date, not a single member of HCH Ltd.'s management have taken the time to contact any owner or the Association with an explanation, apology or to reassure us, is deplorable.

Not the best of publicity for HCH LTD?

I trust that I will have a response to my email, in the very near future with possible dates for suggested dates/times to hold a meeting with yourself. Dates range from 20th - 27th Nov for a possible meeting.

Yours sincerely

Jill Dryburgh
OCCOA Secretary & Treasurer

Dear Jill

I'm writing to you in your role as Chair of our Owners' Association. As you know I'm in France at the moment, but I have heard from my family in Plockton that there was a police incident in the Old Church yesterday involving a number of police officers entering the building followed by the arrest of someone in Flat no 1, the flat housing employees of the Plockton Inn. [REDACTED]

This is not the first incident in the same flat this year, and I am seriously concerned about the security of the other properties and residents of the building, not least my own security as a single woman living in flat no 2 during my months in Plockton.

I gather that there was a gathering of senior executives of the Plockton Inn's owners in Plockton this week. I wondered whether they came to you with any explanation of this incident, and any reassurances of who they are going to house in their flat going forward and how they plan to manage the flat better. I believe the residents have the right to feel secure and not to fear raids into the building by the police.

I think it would be good for the Owners' Association to have a meeting with managers senior to those we normally see in Plockton - with the actual owners, in fact. I am back in Plockton on 20 November. I know that you go away at the end of November, but hopefully the new owners of flat no 1 could find a time to meet us between those dates. In the light of recent events, I believe such a meeting is urgently needed.

I am sure they too are anxious to meet us, if only to reassure us. I would be prepared to travel within the Highlands to meet the persons at the appropriate level within the company. But for the maximum number of owners to be present, it would be better if the meeting could be held in Plockton.

With best regards

Jane MacKenzie

[REDACTED]

On 6 Sep 2024, at 09:03, Jill Dryburgh [REDACTED] wrote:

Dear Paul

Trust you had a well deserved break.

Thank you for keeping us up to date with all the staff changes and who you are accommodating in No.1.

There certainly is a high volume of, as you put it, staff moving on, staff moving out, staff moving in and then out again with more arriving a few days later. It is rather difficult at times to keep up with the staff turnover in N0 1.

I understand that [REDACTED] the Chef residing in No 1, the chef you had to let go, his departing shot was to bash his bedroom door in and a new door had to be fitted. This does not give the owners very much confidence in the checks that are being carried out relating to any issues that employees may have. ie drinking related issues, especially if they become violent.

Other staff members who you accommodate in No 1 must have been feeling very intimidated and concerned about their own safety.

The follow up meeting that Guy mentioned about having in Jan/Feb has not happened. (Email dated 27th November 2023).

We, the owners, would like to have this follow up meeting.

Is there a possibility that this can be arranged, maybe for October?

Kind Regards

Jill

Michael Elsey
Licensing Office
Tigh na Sgìre
The Highland Council
Park Lane
Portree
IV51 9GP



30th October 2023

Dear Sir

I am writing with an objection to the application made by Paul Acari, General Manager, Plockton Inn & The Haven in Plockton owned by Highland Coast Hotels Ltd for an HMO License in No 1, The Old Church Court, Innes St, Plockton.

My family have been the only long-standing residents since the Old Church was converted in 1995/1996. There are 2 flats and 3 Maisonettes in the old church. HCH Ltd bought a maisonette No 1, 2nd May 2023 and before that rented the property since purchasing The Plockton Inn, April 2022.

The long List of Noise and Nuisance caused by Staff/Tenants in No 1 has been continuous throughout the last 3 years causing great stress and a tremendous amount of work on behalf of The Old Church Owners Association.

The OCCOA was formed in 1996 by the owners of the properties, we have our own bank a/c to pay for gardening bills, repairs etc and have meetings throughout the year to discuss issues etc. I have been the treasurer/secretary for the last 10 years and full-time resident since Nov 1996, 28 years. The owners also have Joint Business Insurance which the Insurance company have informed me that the cost will rise due to increase liability if an HMO is granted.

A security camera had to be installed in the main hallway of the Old Church to record the disturbance and noise caused by staff/tenants in No 1.

When Paul Ascari joined the company April 23, he himself stayed in No 4 for a few days and that weekend one of the tenants was falling about drunk in the main communal hallway at 9.30am. Delightful!!

EMAIL COMMUNICATION TO/FROM PAUL ASCARI, GM/HIGHLAND COAST HOTELS REGARDS TENANTS/STAFF IN NO 1 SINCE MEETING WITH GUY CRAWFORD, CEO HCH LTD, PAUL ASCARI, GM AND HUMAN RESOURCES, NOVEMBER 2023.

- **13 people moved in and out in the last 4 months making it 18/19 different people moved in and out since November 2023. --- No Change with HCH Ltd having agreed to have longer term people moving in where possible. You imagine the noise and disturbance moving creates.**
- **Noise from up to 4 tenants at a time in and out of No 1, letting the door slam, not closing doors in hallway & Main Front door to the Old Church Court. Even though notices are in place. Tenants all on different shifts, split shifts and late shifts, majority are smokers and tend to be drinkers so creating an untenable amount of disturbance and noise at all hours when entering/leaving the building. To the point that they ignore smoking rules**

and stand right outside the Main door with smoke drifting back in and also up into the bedroom windows in another property.

On the date of the HMO application the CEO, HCH Ltd informed us they have only moved everybody out because they have applied for the License, and they shouldn't have had any more than 2 tenants legally. HCH Ltd have been in violation of this since April 2022.

- Tenants continually ignoring the briefing that Management have given them on simply respectful rules. Since Nov 23 I have had to email the GM of Plockton Inn as HCH Ltd representative over countless times with issues from attitude of tenants, refuse bins issues, noise and disruption, tenants being drunk, leaving personal items in hallway from boots to door mats being laid out in a line in the communal hall by tenants and helping themselves to herbs from the communal garden. Emailed Paul. Sept 24
- A Tenant being arrested in handcuffs by the police [REDACTED] Emailed OCT 23. This incident led to the first meeting with HCH Ltd in Nov 23
- An Ex-tenant and chef coming into The Owners Shared Garden and helping themselves to herb. Emailed AUG 24
- Plockton Inn/HCH Ltd not informing the OCCOA of work being carried out in the Old Church Communal Hallways with workmen opening doors that don't belong to Plockton Inn/HCH Ltd. Periodically. 3D surveys being carried out. The gentlemen surveying thought they had to survey the complete building, not No 1 only. Had to prevent them doing so. No communication again from management to this visit. Emailed APRIL 24 HCH Ltd agreed to inform the OCCOA of visits. Not happening.
- Continued use by staff of The Plockton Inn & Haven using the pathway to access the bottle bank or walking to the public carpark despite numerous briefings by management to Staff regards this issue. The gates have a sign on saying No Entry, but they still use it. Emailed APRIL 24 and AUG 24
- Tenant breaking down his own bedroom door inside the property (No 1) because he couldn't get in. No explanation from Management. The new bedroom door lay in the Communal Hallway. Emailed AUG 24
- Re-cycling Bins not being brought in to Store cupboard. Numerous occasions.

Other incidents

- A Tenant stealing another tenants car keys & hotel keys, stole tenant's car, crashed it and then went on the run.
- Preparing to use No 1 as a site office when refurbishing Plockton Inn until we had to stop them. HCH Ltd then proceeded to house Compass workers in No 1. One of them, every evening took his work trousers off and, in his underpants, shook his dirty work trousers out in the hallway.
- On going noise and disturbance issues

The HMO application was applied for the day before our most recent meeting on the 15th October, The CEO, HCH Ltd admitted at the meeting they have only moved everybody out (apart from one person) because they have applied for the License, and they shouldn't have had any more than 2 tenants legally. HCH Ltd have been in violation of this since April 2022.

PARKING

- There is only One allocated car parking space with No 1 therefore the possibility of another 2 cars is adding to the car parking problems in Plockton which has been ongoing for years. I have had ask tenants on several occasions to move their car from our space.

SIZE OF ROOMS

- The bedrooms are just on the limit for having 4 tenants, especially the double room as per selling brochure in 1995.

COMMUNITY AND ENVIRONMENT

- The tenants do not make a good impression to the community and tourists alike. This is due to the tenants/staff not having anywhere to smoke. They can be seen sitting outside The Haven, smoking and spitting on the ground or hanging around the street. This was this summer. Photo/video to prove.

Three days ago, the OCCOA received an email from Paul Ascari to say another member of staff/tenant moving into No 1 tomorrow. Always re-shuffling!

Before I print my letter, the new tenant of No 1 has moved in today. (31st Oct) The tenant/staff member has been in and out of the 3 doors, Main door, hallway and No 1 door, 15 times, letting the door slam of No 1 and the gates on the outside of the building making over excessive noise that it drew my attention to it sitting in my Living room which is on the Shore side of the Church building.

PlocktonInn/HCH Ltd have not supplied us with their plan to deal with Noise and disturbance. At present they have not considered the Joint Buildings Insurance matter. Management have not made enquires regards this and no explanation as to sort payment out between owners. They are constantly Re -briefing tenants on all the above matters repeatedly and it still happens. I believe that the HMO should not be granted as this is clearly a residential building, and the nature of the hospitality trade do **not** mix for having an HMO in a small building with only 5 properties where management of No 1 constantly show lack of control of tenants.

I trust that you will give my objections careful consideration.

Kind regards



Jill Dryburgh



I enclose a few emails to management on a few points raised above and a couple photos to back my objections up. I can't possibly send them all.

From: Jill Dryburgh [REDACTED]
Subject: Re: Church Court Visit August 19th
Date: 20 July 2024 at 20:49
To: Paul Arcari [REDACTED]
Cc: [REDACTED]



Dear Paul

Thank you for your email informing the OCCOA residents of the scheduled visit by electrical installers on 19th August 2024.

On another matter

Unfortunately, it saddens us, once again, to have write to you regards staff behaviour. [REDACTED] Sous chef, who you accommodated in No 1 before moving him to The Haven, has been using the path at the west gable end to pass through. In fact today I have seen him twice. [REDACTED] (No 3 Owner) and I were out the back of the building late this morning when he passed through.

[REDACTED] was back again just after 6pm this evening!!

This time he came from The Inn passed through the path to the garden area at the back of the Old Church where he help himself to Rosemary. [REDACTED] spoke to [REDACTED] where he was informed that the chef told him to come and get some rosemary.

- [REDACTED] should not be using the path. He is not a resident of No 1.
- [REDACTED] must know this already but chooses to ignore it.
- He has no business coming in to the garden to take/steal herbs.
- The other chef on duty tonight has no business either telling [REDACTED] to come and cut rosemary. This is not for the use of The Plockton Inn.

Trust this matter will be dealt with immediately.

Thought you also would want to know regards the 3 chefs [REDACTED] no 1 and the 2 in The Haven for their behaviour in the early hours of the morning. Have been spotted outside the Haven staggering about drunk 1am - 3am. So drunk at times that they can't get the key in the door of No 1 to unlock it. The other chef has to help him that's after assisting him across the road. (This is on camera).

Await your reply.

Kind Regards

Jill

On 20 Jul 2024, at 17:15, Paul Arcari [REDACTED]

Dear all,

Good afternoon,

I write to let you know that we are having a new electric meter installed in our church court residence apartment. Our energy provider will therefore be attending the property between 13:00 and 17:00hrs on 19/08/2024 to make the install. They will arrive in a branded van and will be wearing a uniform and ID badge.

With best regards,

Paul Arcari
General Manager
Plockton Inn, Plockton



From: Jill Dryburgh [REDACTED]
Subject: Re: Church Court Visit
Date: 2 April 2024 at 15:34
To: Paul Arcari [REDACTED]
Cc: Guy Crawford [REDACTED]



Paul

Good afternoon.

Thank you for your email writing with your apologies regards a visit to Old Church Court by 2 engineers from Property and Land surveys who believed that they were to survey the whole of Old Church Court not just No 1.

It saddens and upsets us that HCH Ltd have disregarded what was agreed back in Nov 2023 with notification of any site visits by people working on behalf of HCH Ltd.

Guy did in fact phone to apologise to Annan and I this morning after the engineers reported back to yourselves that we asked them to leave. We accepted Guy's apologies and asked him to go through the proper channels with an email to all owners of expected site visits by companies working for HCH Ltd. Obviously somebody instructed Property & Land Surveys to come to survey the building at which point somebody should have informed the Owners Association, whether the date or time was confirmed or not. We would have all known about the expected visit and why.

Once again these engineers were opening doors in the communal hallway. Why on earth did nobody even show them across to Old Church Court and instruct them where to go. This is all unbelievable and unacceptable.

As for the member of staff who used the Private path at Old Church Court to access the bottle bank and return to the Plockton Inn, You yourself advised us, after the last time this happened, that all staff members would be instructed or briefed that this path is not for employees of the Inn to use unless they are resident in the building.

Either all staff members were not notified of this or they chose to ignore your instructions, this is even with a sign on the gate that says to No Entry. Where is their respect entering private land when not invited or told to do so.

It really makes you wonder if this has been happen throughout the winter months when we have been visiting our daughter in Tasmania especially when these two things happen within 1 hour of each other today and 4 months after our meeting back in Nov 2023 with Guy, [REDACTED] yourself and owners of OCCOA.

The video was taken to keep for reference.

[REDACTED]

I will pass on these emails to the other Owners of OCCOA to keep them in the picture and make them aware of the disrespect that HCH Ltd have with owners of Old Church Court wishes.

Regards

Jill

On 2 Apr 2024, at 12:10, Paul Arcari [REDACTED]

Mr and Mrs Dryburgh,

Good morning,

I write with apologies of an unscheduled site visit this morning of the Church Court apartment. No date of this visit was provided to me and I was therefore unaware until coming on shift today that two site engineers were at Church Court.

Following a conversation with the gentleman and I believe a call from Guy I can confirm that I have sent the engineers away. A new date will be rescheduled and prior notice of both the date and nature of the visit will be issued via email from me to all residents of Church Court.

It has come to my attention that a member of our bar staff was walking through the church court path with bottles this morning en route to / from the bottle bank. I have re-briefed that staff member and indeed will issue a message to the team today that the church court path is for residents only. Sadly that staff member has arrived at work very upset and shaken from the interaction and from being video recorded on the pathway this morning.

Our sincere apologies from our / my side,

Paul Arcari
General Manager
Plockton Inn, Plockton

[REDACTED]

[REDACTED]

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From: Jill Dryburgh [REDACTED]
Subject: Follow up Meeting with HCH Ltd
Date: 6 September 2024 at 09:03
To: Paul Arcari [REDACTED]
Cc: [REDACTED]



Dear Paul

Trust you had a well deserved break.

Thank you for keeping us up to date with all the staff changes and who you are accommodating in No.1. There certainly is a high volume of, as you put it, staff moving on, staff moving out, staff moving in and then out again with more arriving a few days later. It is rather difficult at times to keep up with the staff turnover in NO 1.

I understand that [REDACTED] the Chef residing in No 1, the chef you had to let go, his departing shot was to bash his bedroom door in and a new door had to be fitted. This does not give the owners very much confidence in the checks that are being carried out relating to any issues that employees may have. ie drinking related issues, especially if they become violent. Other staff members who you accommodate in No 1 must have been feeling very intimidated and concerned about their own safety.

The follow up meeting that Guy mentioned about having in Jan/Feb has not happened. (Email dated 27th November 2023).

We, the owners, would like to have this follow up meeting.

Is there a possibility that this can be arranged, maybe for October?

Kind Regards

Jill

On 15 Aug 2024, at 11:41, Paul Arcari [REDACTED]

Dear all,

Good morning,

I write with a further staff update my end from the Plockton Inn.

I am deliberately reshuffling some staff around whilst also having had to re-recruit post my annual leave period since the two new arrivals - [REDACTED] and [REDACTED] did not even show up in the end. With that in mind and given a little unforeseen opportunity as it were due to another staff member moving on to city life I am able from next week to accommodate not only some new staff in Church court but also non kitchen chefs.

On or before August 26th the residents of Church Court will be:

[REDACTED] FOH and already living there since March no change
[REDACTED] KP and Hospitality assistant from Wednesday August 21st
[REDACTED] FOH and [REDACTED] Bar from around Monday August 26th.

DS check already in place for [REDACTED] and [REDACTED] and [REDACTED] currently in progress as part of onboarding.

Hence forward and from next week I will be housing all current / future chefs out with Church Court.

Today -just for three nights until our current barman moves on this weekend - [REDACTED] and [REDACTED] one of our new couples will be staying in Church Court., They have a fully trained dog and Gavin and I will be briefing them in full today pre moving in. As mentioned, they are actually moving across to the Haven this Sunday. Please note also that I have an upcoming quarterly staff general meeting late August and for the benefit of doubt I will brief all staff who don't reside at Church Court to stay off Church court grounds. I will also re-brief new recruits going forward so as to avoid non live in staff being at Church Court unless with my prior permission and approval and having informed you first.

Meanwhile and on a tangent a reminder that our energy provider will be coming this Monday to replace one of our meters in Church Court. I will guide the engineers across as previously mentioned and they will be wearing uniform and with ID. There might also be a second visit on Thursday 22nd, TBC and less likely by the same energy group.

With best regards,

Paul Arcari
General Manager
Plockton Inn, Plockton



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From: Jill Dryburgh [REDACTED]
Subject: Recycling Bins.
Date: 9 September 2024 at 08:12
To: Paul Arcari [REDACTED]
Cc: [REDACTED]



Dear Paul

I am sorry that I am having to send you an email let again regards the Recycling bins being left on the path at Old Church Court.

They have been lying there a week now, since Monday. 2nd September.

One bin was taken in on Thursday but the other two still remain.

New staff in No 1 probably need another briefing.

I will leave this in your hands to deal with

Kind Regards

Jill



Sunday, 8th September (Above)









Rona Amigues-MacRae
[REDACTED]
[REDACTED]
[REDACTED]

Michael Elsey
Licensing Office
Chief Executives Service
Town House
Inverness
IV1 1JJ

31 October 2024

Dear Mr Elsey

Re: HMO Application, 1 Old Church Court, Plockton, IV52 8TW

I am writing to register my objection to the application lodged by the owners of Flat 1, 4 Old Church Court to become a house of multiple occupation.

Flat 1 is owned by Highland Coast Hotels ("HCH") and is situated opposite my flat (Flat 4) in the building of Old Church Court. The flat is one of five in a converted church, a small residential group of homes with a small central access hall and outside grounds. My husband and I bought flat 4 -- opposite flat 1 - in December 2023. We spent a significant portion of our life savings buying, upgrading and refurbishing the flat and now offer it for short term rental. I was born and raised in Plockton, so we bought this property to first rent and later retire to. The other owners and I have an owners' association that meets regularly to manage the building and discuss issues of common concern.

My objections to HCH's application for an HMO license are based on the following: i) undue public nuisance; ii) (un)suitability of the accommodation; iii) parking; iv) off-street waste and recycling; v) Highland Coast Hotel's repeated breach of council regulations:

- i) **Undue public nuisance:** There have been numerous instances of violent and antisocial behaviour from the HCH staff staying in Flat 1. Most recently in August 2024, a tenant in Flat 1 kicked a door down inside flat 1 during a violent episode. Tenants of Flat 1 regularly drink and smoke on the doorstep of the Old Church Court building, leaving cigarette butts on the ground and make excessive noise late at night. The staff work in split shifts and late into the night, so are constantly coming and going, slamming their flat doors as they do so and often leaving the building door wide open which exposes the hallway to the elements and loses heat from the whole building (which is already old, so is not very energy efficient as it is). In October 2023, a tenant and staff member of HCH was dragged away in handcuffs by the police [REDACTED]. [REDACTED] HCH's employees tend to stay for short periods of time in the flat, moving in and out with great frequency, quite often being moved after behaviour issues emerge. Since we bought Flat 4 in December 2023, HCH have already moved more than 16 tenants in and out of Flat 1. During a meeting of the Owners' Association last week, HCH's CEO, Guy Crawford, admitted that the hospitality

sector is intrinsically volatile, which makes it inevitable that occupancy will change frequently. These frequent moves cause noise and disturbance as a constant stream of employees move their belongings in and out of the building.

HCH's management of the behaviour of their staff and tenants of Flat 1 has been extremely poor. In spite of frequent complaints from the owners' association regarding poor and disruptive behaviour from HCH's staff, there has been no improvement. I therefore do not believe HCH is capable of managing Flat 1 in such a way that we will not be subject to continued nuisance and disturbance. The approval of the HMO will increase the number of people occupying the property and exacerbate the problem further.

- ii) **Unsuitability of the accommodation:** Flat 1 is very small and does not have enough communal living space to comfortably be an HMO. The shared spaces of the Old Church Court building are also very small and are already under pressure as occupants circulate and temporarily leave bags, prams, push chairs and even bikes as they enter and leave their flats.
- iii) **Parking:** Flat 1 has only one parking space. A car is required to live in Plockton because of the rural location and lack of basic amenities in the village. If an HMO were granted, there simply would not be enough parking spaces for the tenants of Flat 1, which would put more pressure on the village and on the area around Old Church Court.
- iv) **Off-street waste and recycling:** Old Church Court has limited space for bins and does not have the capacity to cope with the additional demand. Moreover, the tenants at Flat 1 have frequently failed to take their bins in and out, which has caused the pathways to become blocked when bins are left outside, and when bins are simply not taken out to be emptied, bad smells from their bins. This would also be exacerbated with more tenants if an HMO were granted.
- v) **Highland Coast Hotel's repeated breach of council regulations:** HCH's CEO, Guy Crawford, admitted during an owners' association meeting that HCH are already using Flat 1 for multiple occupation and have been for some years. HCH neither respect nor follow the council regulations, and nor do their staff. This disregard for the rules has already caused significant disturbance to the other owners/residents of Old Church Court, as detailed above, and will inevitably be exacerbated if an HMO license is granted.

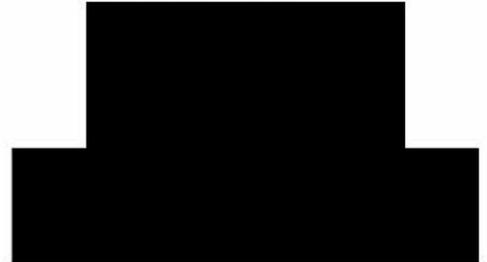
HCH's poor management of their staff and tenants in Flat 1 has and continues to cause significant disturbance to the other owners and residents of Old Church Court. It is my very strong view that if HCH were to be granted an HMO license, the issues detailed above would inevitably be exacerbated. I would be very grateful if you would therefore take my objections into account when considering HCH's application for an HMO.

Yours sincerely,

Rona Amigues-MacRae



Guillaume Amigues



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Licensing Office
Chief Executives Service
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IV1 1JJ

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