

Agenda item	16.2
Report no	HLC/14/26

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 13 January 2026

Report title: Application for the grant of a short term let licence – 24 Maccoll Road, Cannich, IV4 7LP (Ward 12 – Aird and Loch Ness)

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, 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 26 August 2025 a validated application for the grant of a short term let licence was received from Mrs Ellis Catriona Allan.
- 4.2 The property to which the application relates is 24 Maccoll Road, Cannich, IV4 7LP (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 Mrs Allan will be the host/operator of the Premises. The application was made after 1 October 2023 and, as such, the host/operator cannot operate the premises as a short term let until they have obtained a licence.
- 4.4 Mrs Allan is named on the application as the owner of the Premises.
- 4.5 The person named on the application as being responsible for the day-to-day management of the Premises is the said Mrs Allan.
- 4.6 The type of letting which has been applied for is 'secondary letting', which means the host/operator is letting a property where they do not normally live.
- 4.7 The Premises is described as a semi-detached house which can accommodate a maximum capacity of four guests.

In addition, there is an external socialising area which comprises a fenced patio to the rear and a lock block area to the front.

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. Process

5.1 The application was circulated to the following Agencies/Services for consultation:

- Police Scotland;
- Highland Council Environmental Health Service; and
- Highland Council Building Standards.

5.2 Police Scotland, the Highland Council's Environmental Health Service and the Highland Council Building Standards have all confirmed that they have no objections to the application.

5.3 The Scottish Fire & Rescue Service was not further consulted on the application as the fire safety checklist, which was completed by the applicant, pertaining to the application was deemed satisfactory.

6. Certificate of Compliance

6.1 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 11 September 2025.

7. Public objections

7.1 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.

During the notice of display period, the following timeous objections were received and are attached as Appendices to this report:

- Objection received by email on 11 September 2025 from Mr Angus Hughes & Ms Joanna Giedrojć (**Appendix 2**).
- Objection received by email on 12 September 2025 from Mr Gordon Duncan (**Appendix 3**).

8. Determining issues

8.1 Paragraph 5(3) of Schedule 1 of the Civic Government (Scotland) Act 1982 states that a licensing authority shall 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.

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

8.3 All 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 \(Licensing Committee\) \(highland.gov.uk\)](https://www.highland.gov.uk/licensing-hearings-procedures)

9. Observations on objections

9.1 In the letters of objection found at Appendices 2 and 3, points have been made which should not be taken into account by the Committee when determining this licence application, as they are outwith the scope of the grounds that a licensing authority can consider in terms of the refusal of an application to grant or renew a licence, as detailed at point 8.1 of this Report.

9.2 If required, the Principal Solicitor – Regulatory Services will offer further advice or clarification on these points.

10. Policies

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: 19 September 2025

Author: Sophie Shearer

Reference: [FS743549656](#)

Background Papers:

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

Appendices:

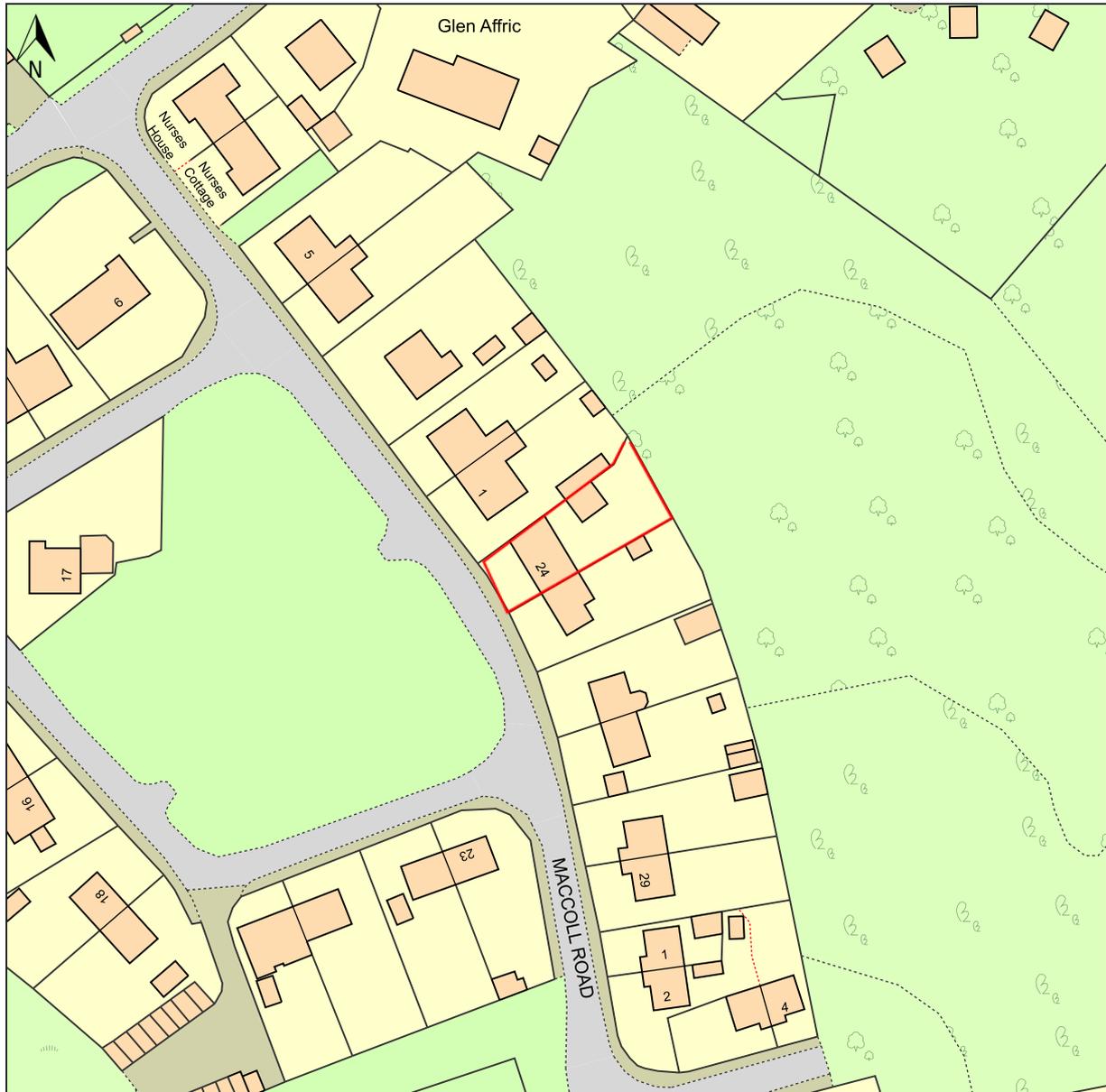
Appendix 1: Site plan detailing the extent of the Premises and floor plans for the Premises;

Appendix 2: Objection received by email on 11 September 2025 from Mr Angus Hughes & Ms Joanna Giedrojc;

Appendix 3: Objection received by email on 12 September 2025 from Mr Gordon Duncan.

Appendix 1

24, MACCOLL ROAD, CANNICH, HIGHLAND, IV4 7LP



© Crown copyright and database rights, 2024. Ordnance Survey
0100031673 Created using Plans by Emapsite

0m 20m 40m 60m 80m 100m

Scale: 1:1250

Paper Size: A4

Notes:



24 Maccoll Road
Cannich
Beauly
IV4 7LP

Maximum Occupancy: 4

Key



Heat Alarm



Smoke Alarm

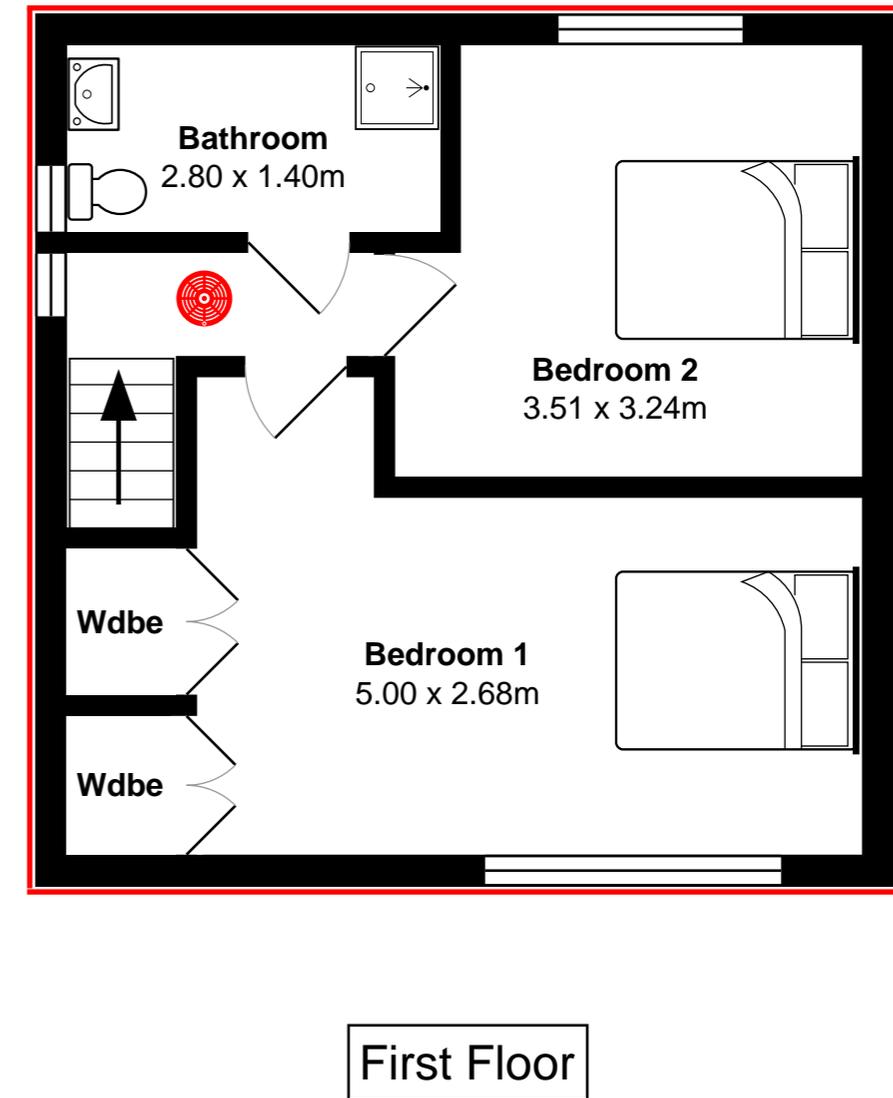
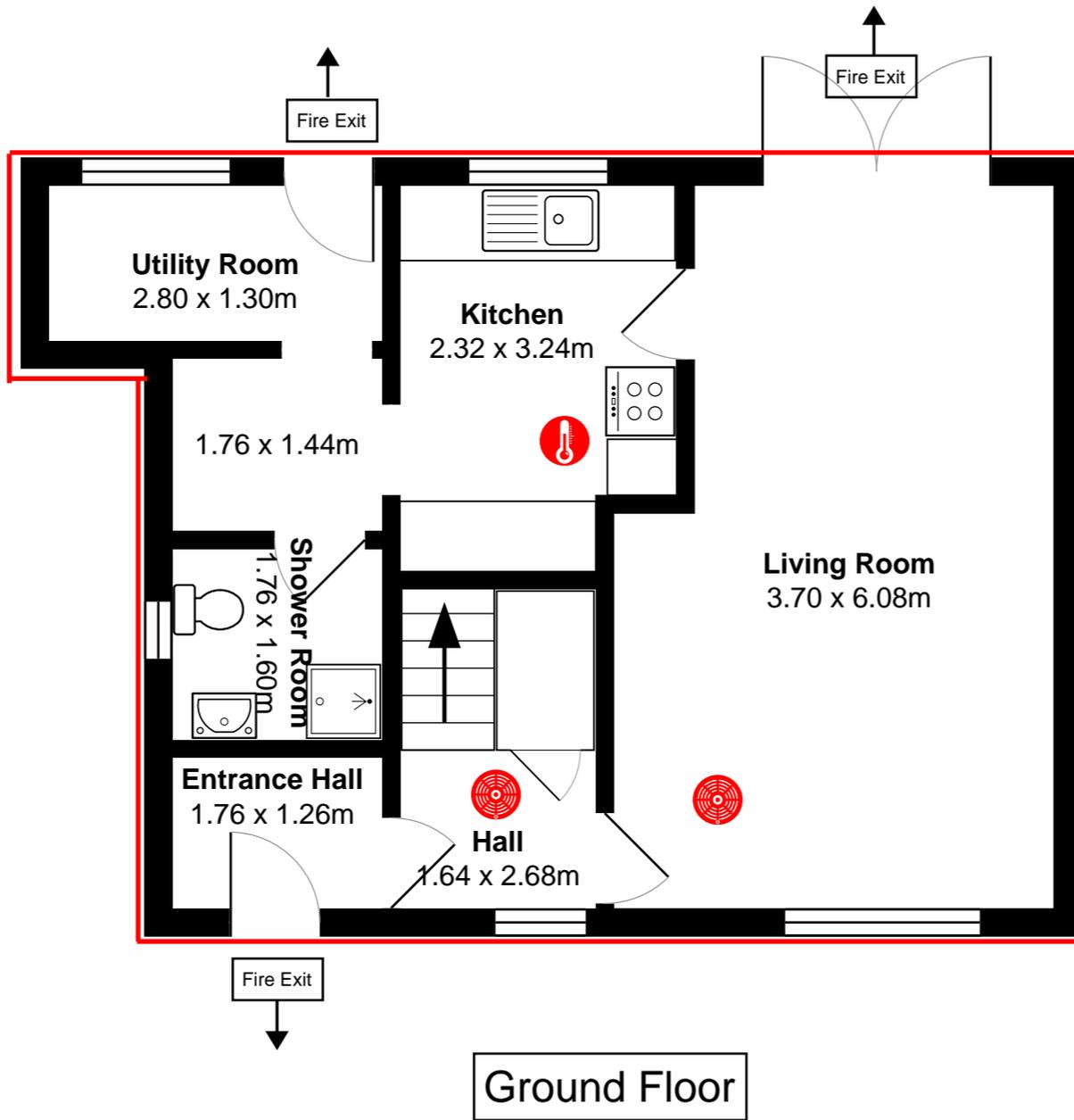
Fire Exit



Fire Exit



Limit of Lettable Area



Appendix 2

Sophie Shearer (Legal Team (Licensing))

From: angus hughes [REDACTED]
Sent: 11 September 2025 10:31
To: STL Licensing
Subject: Objections against licence for STL at 24 MacColl road Cannich IV4 7LP

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Sophie

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.

From

Angus Hughes & Joanna Giedrojcz,



Dear Sir/Madame,

We would like to resubmit our objection to the granting of a Short term Licence for 24 MacColl Road, Cannich, IV4 7LP applied for by Ellis Catriona Allan on 25/08/25 with new notice posted on 10/09/2025.

We would also like to add a further concern not included on original objection.

The grounds on which we would like to object to are as follows,

1,

24 MacColl road is attached to our house, the walls are relatively thin and noise can easily be heard between the two houses.

Joanna works as a nurse in Raigmore Hospital Inverness, She has to commute daily going to bed at 21.00 hrs and rising for work at 05.45, our bedroom walls back directly on to the dividing wall between the properties.

2,

We are concerned about the types of persons likely to be using the house, we will have no idea who is next door to us and are likely to be holidaymakers with the expectations of going there to enjoy themselves ,partying etc .

3

We do not think the location of the house in a residential street with working folks and families is suitable for holiday letting or Air B&B type accommodation.

4,

As there is a chalet in the garden of 24 MacColl road, is this included in this application? as if so the numbers of potential persons could increase significantly in the property.

Yours Sincerely,

Angus Hughes

Joanna Giedrojć

Sophie Shearer (Legal Team (Licensing))

From: GD [REDACTED]
Sent: 12 September 2025 10:57
To: STL Licensing
Subject: My Objection for STL License for 24 MacColl Road Cannich Beaully IV4 7LP

Follow Up Flag: Follow up
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From
Gordon Duncan

Dear Sir/Madam

I would like to resubmit my objection to the proposed short term let license at 24 MacColl Road Cannich Beaully IV4 7LP by Ellis Catriona Allan on 25th August 2025. With a new notice being placed on the 10th September 2025.

I would like to object to the license on the following points.

1

Although I live at [REDACTED] 24 MacColl Road Cannich Beaully IV4 7LP is my next door neighbour.

I suffer with Multiple Sclerosis and continue to work, due to my condition I have fatigue and go to bed at 21:00 and rise at 05:30. My bedroom is on the gable end of my house nearest 24 MacColl Road Cannich Beaully IV4 7LP and I'm concerned any noise from frequent guests entertaining may interrupt my sleep.

2

I don't believe that 24 MacColl Road Cannich Beaully IV4 7LP is best placed to be holiday accommodation or Air B&B in a quiet residential street with working families.

Yours Sincerely
Gordon Duncan