

Agenda item	11.2
Report no	HLC/39/26

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 31 March 2026

Report title: Application for the grant of a short term let licence – 10 Moray Park Avenue, Inverness, IV2 7LS (Ward 17 – Inverness)

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 22 January 2026 a validated application for the grant of a short term let licence was received from Mrs Fiona Giselle Gunn.
- 4.2 The property to which the application relates is 10 Moray Park Avenue, Inverness, IV2 7LS (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 indicated by black arrow 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 Gunn 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 Gunn 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 Gunn.
- 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 garage conversion with private entrance which can accommodate a maximum capacity of two 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. 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 and all Council Services have 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 28 January 2026.

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 29 January 2026 from Ms Emma Glass **(Appendix 2)**.
- Objection received by email on 5 February 2026 from Ms Joyce 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:

[Highland Licensing Committee Procedure for Hearings Applicants for License/License Holders](#)

9. Observations on objections

- 9.1 In the emails 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 be accessed [here](#) or a hard copy can be supplied where requested.

11. Implications

11.1 Not applicable.

Date: 26 February 2026

Author: Audra MacDonald

Reference: [FS767726295](#)

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 29 January 2026 from Ms Emma Glass.

Appendix 3: Objection received by email on 5 February 2026 from Ms Joyce Duncan.

APPENDIX 1

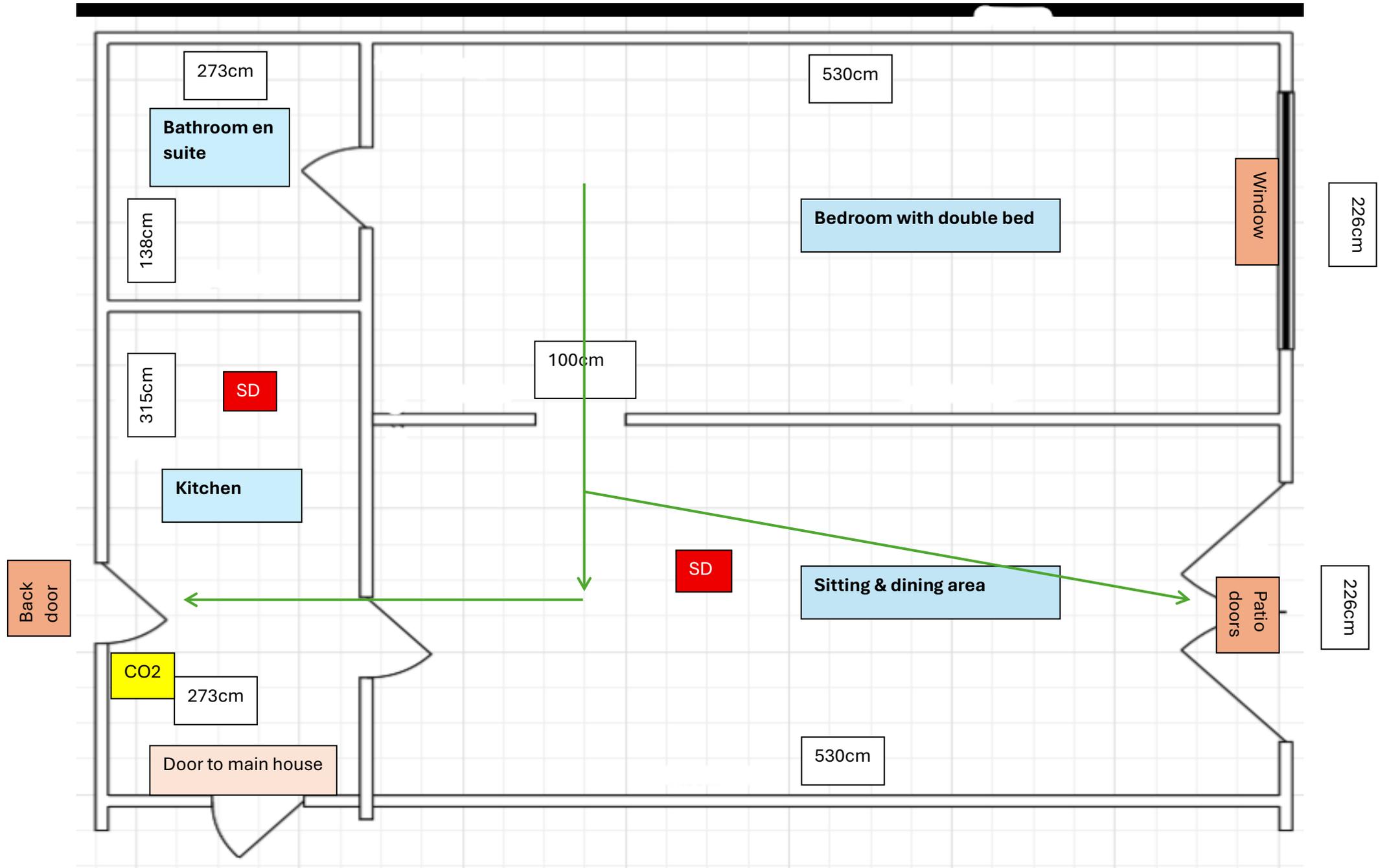
10 Moray Park Avenue, Culloden, Inverness, IV2 7LS



Copyright Ordnance Survey

[OS 1:500 Block Plan - Council-Compliant Map | UK Map Centre](#)

Accessed: 17/01/2026



APPENDIX 2

From: [REDACTED]
To: [STL Licensing](#)
Cc: [REDACTED]
Subject: Objection to Short-Term Let Licence Application - 10 Moray Park Avenue
Date: 29 January 2026 14:47:41

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 Sir or Madam,

I wish to formally object to the short-term let licence application for **10 Moray Park Avenue**, located within the Highland Council area.

My objection is based on the following material considerations:

1. Title Deed Restrictions

The title deeds for this property I would assume are similar to ours and include restrictive conditions which prohibit even the keeping of a caravan within the driveway. This clearly indicates an intention to limit intensified or commercial use of the property. The operation of a short-term let represents a significant change in use and is contrary to the spirit and purpose of these restrictions.

2. Inadequate Parking Provision

The property is located within a cul-de-sac, where road space is limited and designed solely to serve existing residential properties. The street already experiences significant parking pressures, particularly at school pick-up and drop-off times, to the extent that double yellow lines have been introduced due to persistent selfish and obstructive parking. Additional visitor vehicles associated with a short-term let would exacerbate these existing issues, increasing the risk of obstruction, reducing turning space, and potentially impeding access for service and emergency vehicles, to the detriment of road safety and residential amenity. Any overspill parking would inevitably occur on the public road.

3. Noise Disturbance and Loss of Residential Amenity

Short-term lets are well-documented to generate increased noise levels due to frequent guest turnover, late arrivals, early departures, and holiday-style use. This would result in an unacceptable loss of amenity for permanent residents in what is a quiet residential area.

4. Antisocial Behaviour

The transient nature of short-term occupancy increases the risk of antisocial behaviour, including noise nuisance, inappropriate use of outdoor spaces, and a lack of accountability compared with permanent residents.

5. Increased Traffic and Safety Concerns

Short-term let use would result in increased vehicular movements, deliveries, and servicing, to the detriment of road safety and residential character. This is particularly concerning given the nature and capacity of local roads.

Taken together, these issues demonstrate that the proposed short-term let would be

incompatible with the character of the area and would adversely affect the amenity of neighbouring residents. I therefore respectfully request that Highland Council refuse this application.

Thank you for considering my objection.

Yours faithfully,

Emma Glass

[Redacted]

[Redacted]

[Redacted]

[Redacted]

APPENDIX 3

To: [STL Licensing](#)
Subject: Objection to short term let
Date: 05 February 2026 08:24:27

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.

Objection to Short-Term Let Licence Application - 10 Moray Park Avenue

Dear Sir or Madam,

I wish to formally object to the short-term let licence application for 10 Moray Park Avenue, located within the Highland Council area.

My objection is based on the following material considerations:

1. Title Deed Restrictions

The title deeds for this property I would assume are similar to ours and include restrictive conditions which prohibit even the keeping of a caravan within the driveway. This clearly indicates an intention to limit intensified or commercial use of the property. The operation of a short-term let represents a significant change in use and is contrary to the spirit and purpose of these restrictions.

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Thank you for considering my objection.

Yours faithfully,

Joyce Duncan

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent from my iPhone