

Agenda item	<b>11.4</b>
Report no	<b>HLC/41/26</b>

**THE HIGHLAND COUNCIL**

**Committee: THE HIGHLAND LICENSING COMMITTEE**

**Date: 31 March 2026**

**Report title: Application for the grant of a short term let licence – 42 Great Glen Place, Inverness, IV3 8FA (Ward 13 – Inverness West)**

**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 2 February 2026 a validated application for the grant of a short term let licence was received from Mr Kevin MacDonald, agent on behalf of Dunain Holdings Limited (Company number SC689439) and having their registered office at 3 Borlum Cottages, Drumnadrochit, IV63 6XN.
- 4.2 The property to which the application relates is 42 Great Glen Place, Inverness, IV3 8FA (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 Dunain Holdings Limited will be the host/operators of the Premises. The application was made after 1 October 2023 and, as such, the host/operators cannot operate the premises as a short term let until they have obtained a licence.
- 4.4 Dunain Holdings Limited is named on the application as the owner of the Premises.
- 4.5 The persons named on the application as being responsible for the day-to-day management of the Premises are Mr Christopher Martin and Miss Chrissann Macleod.
- 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 flat with communal entrance which can accommodate a maximum capacity of four 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's Planning Team;
- Highland Council's Environmental Health Service; and
- Highland Council's Building Standards.

5.2 Police Scotland and all Council Services have confirmed that they have no objections to the application.

5.4 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 4 February 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 objection was received and is attached as an Appendix to this report:

- Objection received by email on 21 February 2026 from Mrs Anna Macleod Stewart (**Appendix 2**).

## 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 objector who, in the terms of paragraph 4(2) of the Civic Government (Scotland) Act 1982, have both been invited to attend and will be provided with an opportunity to be heard by the Committee.
- 8.3 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:

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

## **9. Observations on objections/representations**

- 9.1 In the email of objection found at Appendix 2, 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: 27 February 2026

Author: Sophie Shearer

Reference: [FS791267573](#)

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 21 February 2026 from Mrs Anna M Stewart.

# Appendix 1



Consolidated Design and Management Regulations 2016 (CDM 2016)  
The CDM 2016 Regulations place health and safety duties on clients, designers and contractors that are linked to construction work.  
It is the responsibility of all parties to ensure the management of health and safety and welfare when undertaking construction projects.

It is intended that the project is built to the approved design.  
Any construction modifications will need to be approved by the Local Authority.  
The Local Authority will issue a Completion Certificate from the Local Authority.

WHERE AN SDR CERTIFICATE IS INCLUDED:  
Managing Part Certificate Design Change  
Introduction  
A Certificate will sign the design certificate following an examination of plans, specifications and other documents, but not all, of which will accompany the building consent application lodged with the Local Authority. The plans that accompany the building consent application should describe the design that has been certified.  
It is not uncommon for designs to evolve up to and even beyond the point at which construction drawings are issued.  
Any alterations of design following certification, which the design is not automatically approved by the Certificate, could result in the safety of the building being compromised.

The purpose of this Guidance Note is to provide Certificate holders with guidance on the data associated with post-certification design changes and to suggest some strategies for managing these risks.

**WARNING**  
This document is for information only and does not constitute a contract. It is intended to be used in conjunction with the relevant contract documents. It is not intended to be used as a substitute for professional advice. It is not intended to be used as a basis for liability. It is not intended to be used as a basis for liability.

Rev	Date	Description

**Building Design**  
Architectural Technologist MCAT &  
Energy Design Consultant  
Approved Certificate of Design for (Section 6 - Energy) for Domestic Buildings

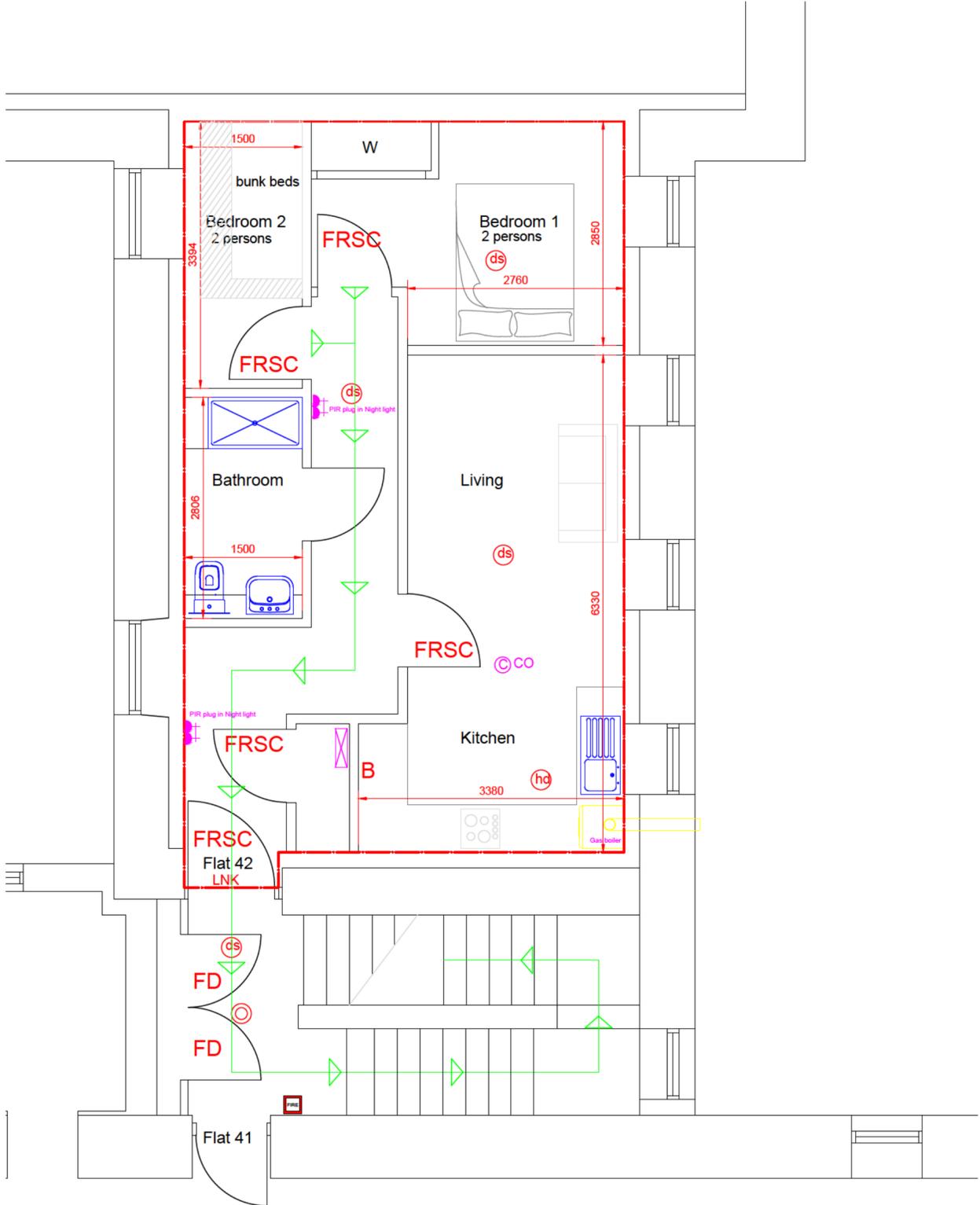


On Track training

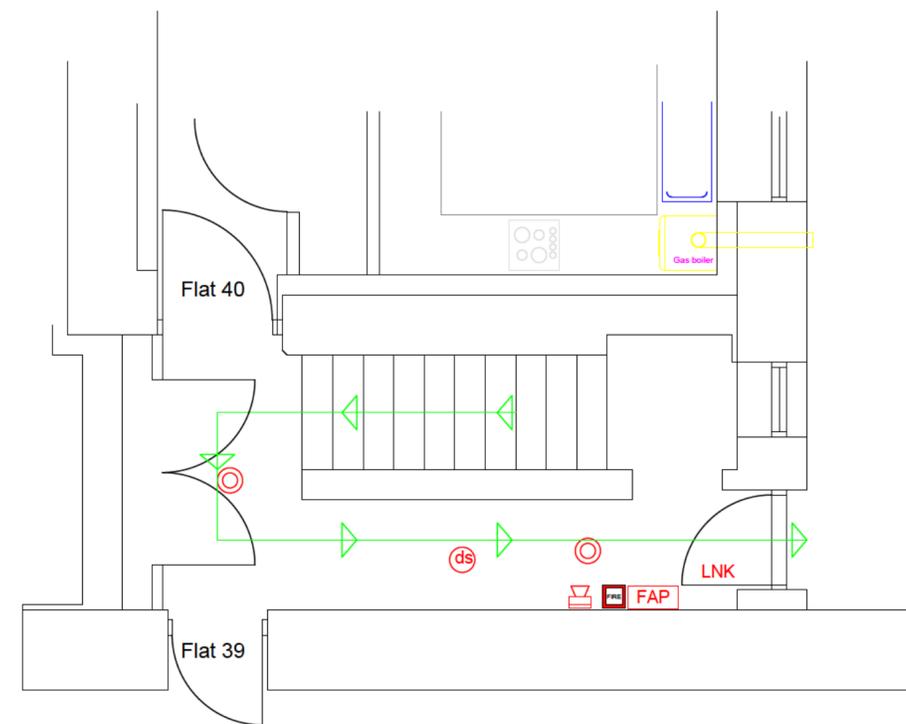
STL Application at 42  
Great Glen Place  
Inverness  
IV3 8FA

Site Plan

Scale	1:500	Sheet No.	A3
Client	1501/2026	Project	STL Application
Drawing No.	1322.269.02	Revision	



FIRST FLOOR PLAN



GROUND FLOOR PLAN

- (hd) heat detector
- (ds) smoke detector
- break glass call point
- LNK Lock no key
- FRSC Fire resisting self closing door
- FAP Fire Panel
- emergency lighting
- B Fire blanket
- Fire Escape route
- © CO Carbon Monoxide Detector
- ⊠ Distribution / Fuse Board.

Not suitable for Mobility impairment

Written dimensions to be taken in all cases.  
Any discrepancies to be reported immediately.  
Contractor to check all sizes on site.

Notes:

Construction (Design and Management) Regulations 2015 (CDM 2015)  
The CDM2015 Regulations place health and safety duties on clients (including domestic clients), designers, contractors, principal designers and principal contractors that are involved in construction work. Due to its structural nature, information provided on this drawing is important and significant and should be taken into account in CDM duties conducted by all parties to govern the management of health, safety and welfare when undertaking construction projects.

It is essential that the project is built to the approved drawings and specifications approved by Planning and Building Standards. Any unauthorised modifications will incur further council fees and additional architectural fees and may result in not gaining a Completion Certificate from the Local Authority.

WHERE AN SER CERTIFICATE IS INCLUDED  
Managing Post Certification Design Changes  
Introduction  
A Certifier will sign the design certificate following an examination of plans, specifications and other documents some, but not all, of which will accompany the building warrant application lodged with the Verifier (Local Authority). The plans that accompany the building warrant application should illustrate the design that has been certified. It is not uncommon for designs to continue to evolve up to and even beyond the point at which construction drawings are issued. Any alteration of the design following certification, where the change is not subsequently approved by the Certifier, could result in the safety of the structure being compromised.

The purpose of this Guidance Note is to provide Certifiers and their clients with guidance on the risks associated with post-certification design changes and to suggest some strategies for managing these risks.

**IMPORTANT:**  
Please note that ALL Client/Contractors to follow the CDM2015 involved with the Building Warrant. The CDM2015 states that certification is required to be given to Building Regulations and that period of certification is required. Failure to comply could result in non-compliance and rejection of a Completion Certificate.  
Each CDM2015 is site specific, if you don't have a copy or access to a copy please contact our offices.

Rev	Date	Description

**KVM Building Design**  
Architectural Technologist MCAT &  
Energy Design Consultant  
Approved Certifier of Design for (Section 6 - Energy) for Domestic Buildings  
e mail: [redacted]  
website: [redacted]

**CIAT**  
CHARTERED PRACTICE

Client: On Track Training

Project: Short Term Let Licence Application at 42 Great Glen Place, Inverness IV3 8FA

Drawing Title: Floor plan

Scale: 1:50	Paper Size: A2
Drawn: k macdonald	Status: STL Application
Date: 15/01/2026	
Drawing No: 1322.269.01	Revision:

copyright©

# Appendix 2

18<sup>th</sup> February 2026

Dear Sirs

Re: 42 Great Glen Place, Inverness,  
IV3 8FA; letting application

I am writing to intimate my objection to the application made by the owners of the two flats directly through the wall from my home, number [REDACTED]

My objections are as follows:

1. The over provision within this development at present of let properties aimed at short term lets. We are surrounded by them due to the location.

2. The owners have not shared their intentions with us despite our house being passed every time they, and their guests enter or depart. When the lower flat was applied for they did not give us any notification either, when we did find out it was too late. I was told by you, in correspondence, that you have to take the word of the applicants "in good faith" that they have notified neighbours. (We were never shown anything relating to the application until we looked it up online and read it and the letter of objection attached to the file.)

3. Noise has been an issue regularly for us, thumping doors, early

departures, late arrivals, food delivery men knocking our doors and windows looking for the flat, a big change for us after years of settled long term tenancies with lovely neighbours.

4. Refuse bins are held communally. As a community we know that there are many visitors who pay no regard to ensuring the bins are used properly. We have had several letters from the factor telling us to keep up standards as the council is objecting to the lack of stringent use. (One week they refused uplift.) Those of us who live here are often reallocating refuse as a matter of "community service"; another S.T.L. will only exacerbate the problems with the bins.

It is my firm view that the application should be refused and that the applicants should be asked to speak to all neighbours when making applications and get their signed affidavit that consultation is done officially. There is no excuse for the applicants in this case not to have told us. That they didn't for either flat tells its own story.

Yours faithfully  
Mrs A. Stewart.

## Sophie Shearer (Legal (Licensing))

---

**From:** Anna Stewart [REDACTED]  
**Sent:** 21 February 2026 12:09  
**To:** STL Licensing  
**Subject:** Confirming full name re STL objection: Your ref: GS/SS

**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.

Dear Mr Somers

Further to your letter I wish to confirm that I wish my objection to the application at Great Glen Place to proceed. As requested:

My full name is: Mrs Anna Macleod Stewart.

My mobile number is: [REDACTED]

My email address: [REDACTED]

Yours sincerely  
Mrs A Stewart