

Agenda item	<b>14.4</b>
Report no	<b>HLC/63/26</b>

**THE HIGHLAND COUNCIL**

**Committee: THE HIGHLAND LICENSING COMMITTEE**

**Date: 12 May 2026**

**Report title: Application for the grant of a short term let licence – 1 Windsor Court, Albert Street, Nairn, IV12 4HS (Ward 18 – Narin and Cawdor)**

**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 January 2026 a validated application for the grant of a short term let licence was received from Mr Hugh Long.
- 4.2 The property to which the application relates is 1 Windsor Court, Albert Street, Nairn, IV12 4HS (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 blue and shaded in pink on the plan on page 1 of Appendix 1.
- 4.3 The application for the short term let licence has been made on the basis that the said Mr Long 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 Mr Hugh Long and Mrs Lesley Long are named on the application as the owners 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 Mr Hugh Long.
- 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 private 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 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 9 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 25 February 2026 from Mr Brian Skelton **(Appendix 2)**.

7.2 The applicant has submitted a written response to this objection, and this is attached as an Appendix to this report **(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 objector who, in the terms of paragraph 4(2) of the Civic Government (Scotland) Act 1982, have been invited to attend and will be provided with an opportunity to be heard by the Committee.
- 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: 20 April 2026

Author: Sophie Shearer

Reference: FS: 784973230

### Background Papers:

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



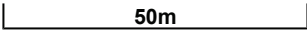
### Appendices:

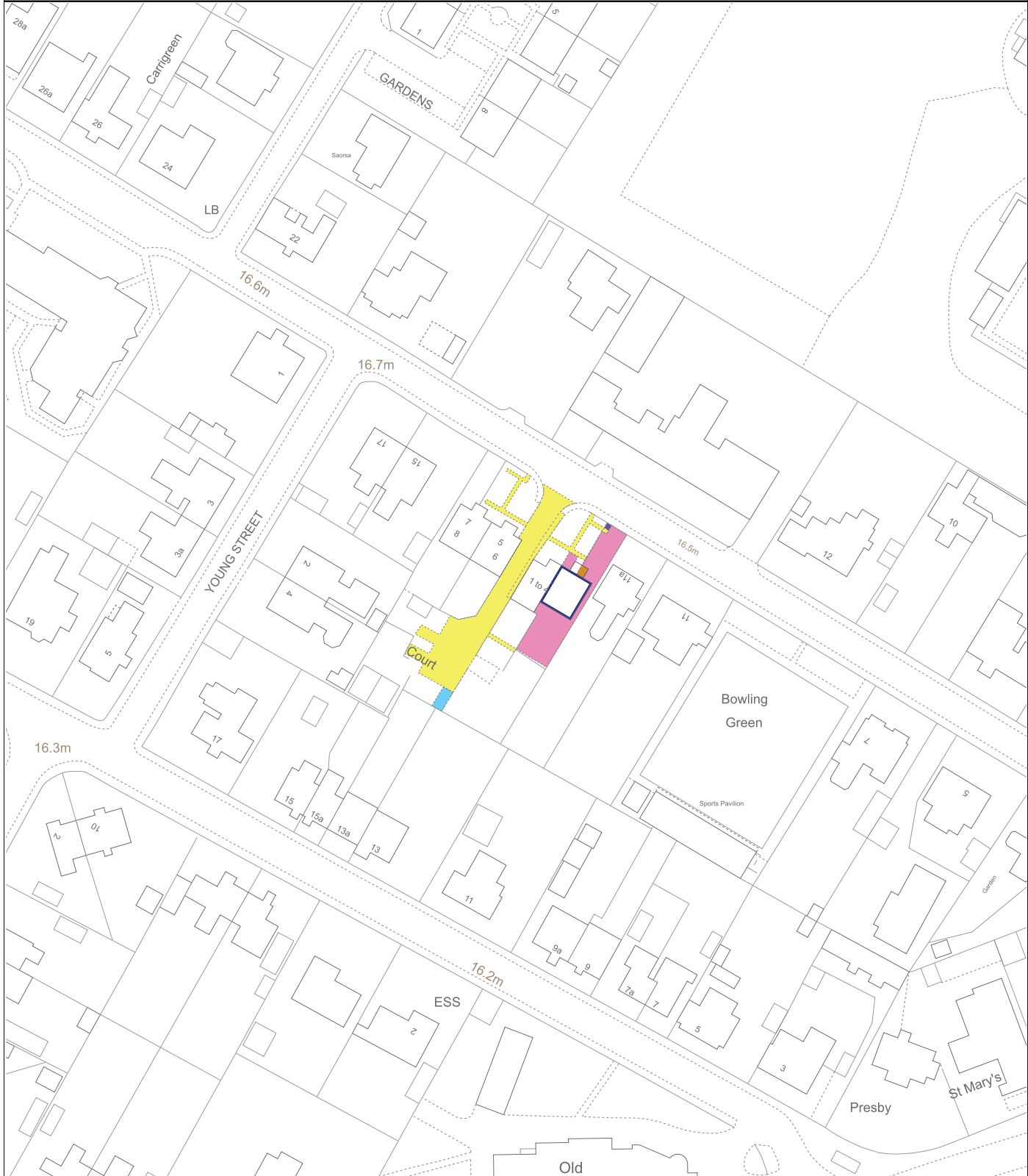
Appendix 1: Site plan detailing the extent of the Premises and floor plans for the Premises;  
and

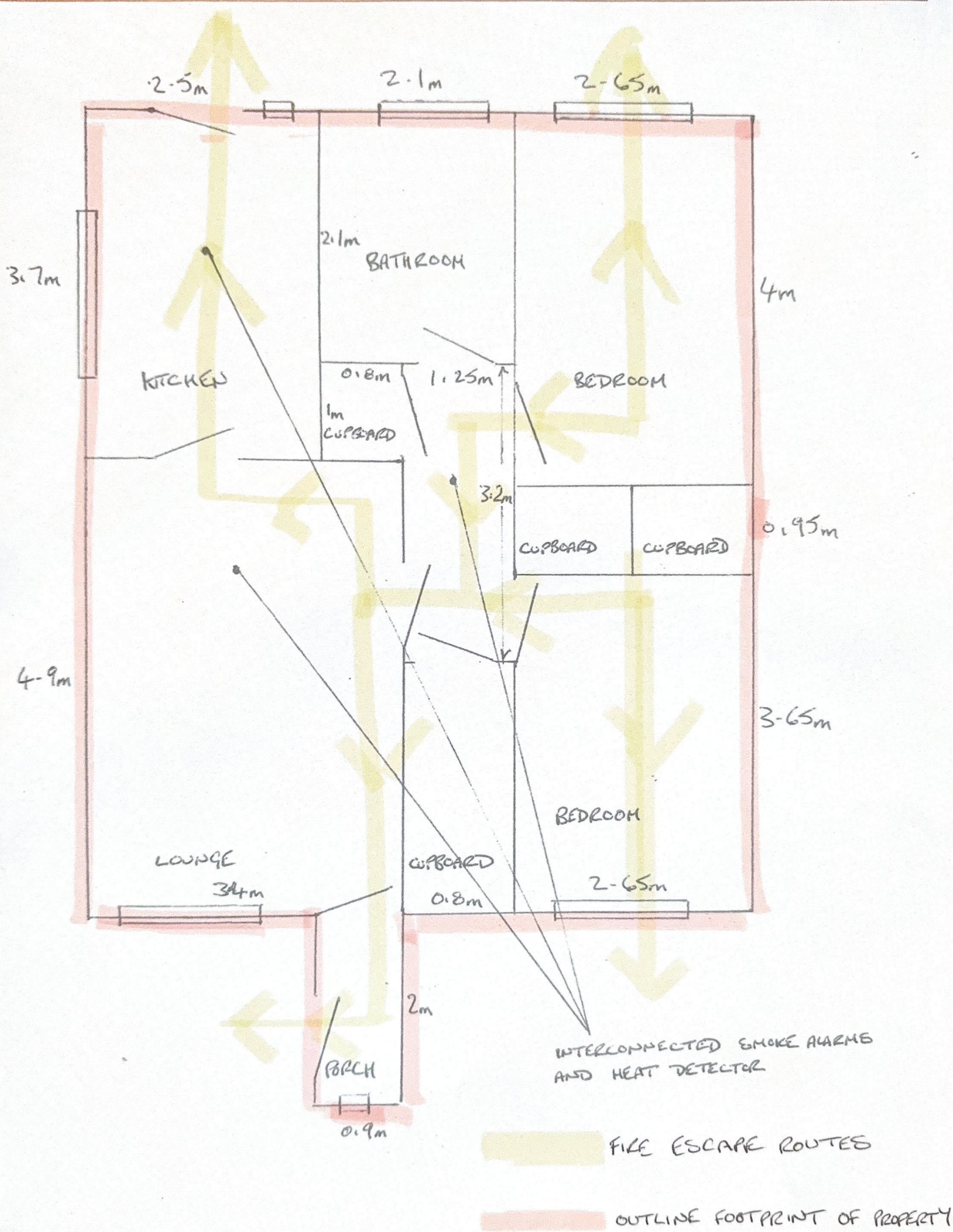
Appendix 2: Objection received by email on 25 February 2026 from Mr Brian Skelton.

Appendix 3: Written submission received by email on 15 March 2026 from the applicant, Mr Hugh Long.

# Appendix 1

 LAND REGISTER OF SCOTLAND	Version date	Additional Cadastral Map View/Supplementary Data	
	10/10/2023	<b>NRN3120-1</b>	
	BRITISH NATIONAL GRID EASTING/NORTHING		
287926, 856542		Survey Scale	Print Scale
		1:1250	1:1250 @ A4
CROWN COPYRIGHT © This copy has been produced on 16/10/2025 with the authority of Ordnance Survey under Section 47 of the Copyright and Patents Act 1988. Unless there is a relevant exception to copyright, the copy must not be copied without prior permission of the copyright owner. OS Licence no AC0000820447. This extract may contain Ordnance Survey features captured at other scales.			





1 WINDSOR CT, NAIRN IV12 4HS

SCALE 1:50

## Sophie Shearer (Legal (Licensing))

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**From:** Brian Skelton [REDACTED]  
**Sent:** 25 February 2026 14:06  
**To:** STL Licensing  
**Subject:** Re: Objection to short term let (1 Windsor Court, Nairn)

**Categories:** Objection, 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.

Good afternoon,

Thank you for your email.

Could you please use the following address for this STL Objection:

[REDACTED]

Thank you.

Kind regards,  
Brian

Sent from [Outlook for Android](#)

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**From:** STL Licensing  
**Sent:** Wednesday, February 25, 2026 1:59:41 PM  
**To:** Brian Skelton  
**Subject:** RE: Objection to short term let (1 Windsor Court, Nairn)

Good afternoon,

Thank you for your email. In order to proceed with this objection, could you please confirm your full address.

Please refer to the attached guidance for those seeking to make an objection to an STL application.

Many thanks.

Kind regards

**Sophie Shearer**  
**Administrative Assistant**

[REDACTED]

Email: [STL@highland.gov.uk](mailto:STL@highland.gov.uk)

**From:** Brian Skelton

**Sent:** 23 February 2026 12:35

**To:** STL Licensing

**Subject:** Re: Objection to short term let (1 Windsor Court, Nairn)

**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.

Good morning Sophie,

Please find below, my objection to this Short-Term Let application, along with the justification. Please do not hesitate to contact me if you require any further details.

This objection relates to the application of a Short-Term Let licence for the property located at 1 Windsor Court, Albert Street, Nairn, IV12 4HS. I understand that the owner of this property has applied for this licence in order to list the property for rental on Air BnB, and/ or other short-term letting agencies. The notice for the application of this licence was displayed at the property from 18<sup>th</sup> February 2026.

I purchased [REDACTED] in June 2017, which is located next to the property seeking a Short-Term Let licence, mainly for the purpose of being a retirement property, once I retire. I was particularly keen on this property as the Title Deeds make it clear that no trade, business or profession is to be conducted from the property. I have copied the relevant section of the title sheet below:

RESTRICTIONS ON USE OF HOUSES

(THREE)

The houses shall be used solely as private dwellinghouses and for no other purpose whatsoever and no feu shall ever in any way be sub-divided nor shall a house be occupied by more than one family at a time and no additional buildings of any description shall be erected on said lots of ground without the written consent of the superiors therefor previously obtained and no alterations or additions shall be made on or to the buildings erected or to be erected without the prior written consent of the superiors as aforesaid; Without prejudice to the foregoing any such additional buildings or alterations shall comply with the requirements of the Building and Planning Acts and all other relevant legislation and enactments; All the ground of each feu shall, so far as not occupied by buildings as aforesaid, be used as ornamental or garden ground in front and at the sides and as such, or as greens for bleaching or drying clothes at the back, all in connection with the houses and for no other purpose whatsoever; **It is hereby expressly declared that parties occupying the houses are prohibited from carrying on in or on any of the feus or houses without the prior written consent of the superiors any trade, business or profession and that whether or not such trade, business or profession might in ordinary circumstances be deemed incidental or natural to the ordinary residential use of the houses and notwithstanding any rule**

HMRC considers Air BnB rentals, and other short-term lets, as being conducting a business, which would be a restriction on the use of this property.

Further, as per the title sheet, there is a restriction to 1 family occupying this property (see below) which will not be the case if the Short-Term Let licence is approved. The maximum of 1 family per property was another reason why I purchased my property there, as I expected it to be quiet with decent neighbours and not a regular turnover of guests in a property.

## RESTRICTION IN USE OF FEU

(TWO)

Each of the feus shall be used solely for erection of a house for the occupation of one

As the Short-Term Let licence is applying for up to 4 guests to occupy the property, there is no guarantee that the property will be occupied by 1 family. There may also be issues with numerous cars from guests using the car park, blocking residents from parking there in allocated parking spaces.

Over the last 3 years I have experienced many issues with dampness in my property as a result of large amounts of black refuse bags filled with general waste being piled against an exterior wall to my property. These refuse bags were placed in the rear garden of 1 Windsor Court by the tenant over a period of time. It took many months, and numerous phone calls to the owner of the property - Hugh Long, who eventually removed the refuse bags. It was then discovered that a raised garden bed had been erected which rested against my exterior wall which caused a considerable amount of dampness to the internal wall of my property, along with damaging the floor coverings. I have concerns that the owner will not conduct regular inspections at the property, and may result in my property suffering further damage. Further, Hugh Long has mentioned that he is starting this Short-term Let business as a way to "quickly increase his pension pot". From this statement by Hugh Long, I have concerns that any repairs that are required will not be dealt within a reasonable time.

The previous tenant at 1 Windsor Court made a regular habit of walking over my property (the back garden with a 4 foot wall) to gain easier access to the car park even after several requests to him to refrain from doing so. Again, this matter was discussed with Hugh Long who did not appear to be interested in resolving the issue. I eventually sent a legal letter to this tenant, and ultimately had to erect a fence to stop the constant disturbance of the tenant walking through my back garden. If the Short-Term Let licence is approved then I am concerned that Hugh Long will not be proactive in addressing any issues that may arise with guests occupying the property.

If this Short-Term Let licence is approved, then the primary purpose of the property will no longer be in line with the terms of the Title Sheet, namely that the property "shall be used solely as private dwellinghouses and for no other purpose whatsoever".

In summary, I respectfully request that this application for a Short-Term Let be refused on the points raised above.

Yours sincerely,  
Brian Skelton

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## Sophie Shearer (Legal (Licensing))

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**From:** Hugh Long [REDACTED]  
**Sent:** 15 March 2026 20:07  
**To:** STL Licensing  
**Subject:** Re: Objection to STL Licence FS: 784973230 1 Windsor Court, Albert Street, Nairn, IV12 4HS  
**Attachments:** 1 Windsor Court - Objection response Regalet.pdf  
**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.

Hi Sophie,

Thank you for this information.

Can you please include this response for the licensing committees consideration, to the objectors concerns, from a professional local management company that will be looking after the property for us if we are successful with the application.

Kind regards

Hugh

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# REGALET MANAGEMENT LTD

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Regalet Management Ltd  
Company No: SC758049

13.03.2026

Dear Licensing Team,

We are writing on behalf of the owner of 1 Windsor Court, Albert Street, Nairn, in response to the objection submitted by Mr Brian Skelton regarding the Short-Term Let licence application.

If the license is granted, Regalet Homes will be appointed to manage the property. We would like to provide reassurance that professional controls and procedures are in place to address the concerns raised in the dispute, ensuring that the property is managed responsibly and that neighbouring residents are not negatively affected. Additionally, we would like to outline some of our concerns regarding the accuracy of Mr Skelton's dispute.

- 1. Use of the House:** The property will continue to function as a private dwelling and will not be converted into a shop, office, or any other non-residential space. Guests will occupy the property as a home during their stay, which aligns with its residential use. We don't believe HMRC's tax treatment of rental income constitutes a restriction on the property's use, as suggested by Mr Skelton, as the property is still classed as a residential dwelling under Scottish law.
- 2. Occupancy:** The license application specifies a maximum of four guests, which aligns with the size of a small household. Although the property deeds refer to "one family," we interpret modern housing law to allow unrelated individuals living together to still constitute a household. We believe the neighbour's concerns about multiple guests are speculative, and in reality, occupancy will be limited and managed.
- 3. Parking:** The property has allocated parking. Guests will be provided with clear guidance on parking rules, and our management team will monitor compliance to prevent misuse of spaces.
- 4. Waste Management:** We implement a waste disposal procedure across all of our managed properties and have not had any issues. We provide guests with clear instructions and conduct regular checks to ensure refuse is managed properly. This proactive oversight goes beyond what is typical in long-term lets or owner-occupied properties.
- 5. Property Maintenance:** Our company will conduct regular inspections and promptly address any maintenance issues. This is crucial for our operations because we want to present the property in the best possible condition for our guests. By ensuring guest satisfaction, we also keep the property in good shape and prevent any negative impact on neighbouring properties.
- 6. Neighbour Relations:** Guests will be instructed to respect property boundaries and community rules. This includes specific house rules that guests must abide by. We do not accept parties or gathering and do not offer last minute, 1 night stays to prevent unwanted gatherings. Our management team will be available to address any concerns quickly and effectively.



# REGALET MANAGEMENT LTD

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We note that references to the owner's personal financial motives, such as building a pension fund, are irrelevant to the licensing process. What matters is compliance with regulations and responsible management, which is assured by appointing a professional local company. In addition, Mr Skelton has indicated that his property is intended as a retirement home. Our understanding is that he is not currently occupying the property, and it may be more appropriate to raise objections at a future licence renewal stage, once he is residing in the property himself and can demonstrate any direct impact.

The objection notes highlights issues that have now been addressed, and we don't believe these add any weight to this objection. We would also like to note that many of the issues he raised—such as parking, neighbour relations, property maintenance, and waste disposal—are not unique to short-term letting. These matters can also occur in properties that are owner-occupied or rented long-term. We believe the key difference is that, as a short-term let, the property will be subject to closer monitoring and stricter management controls than would typically apply in those other situations. Finally, we don't agree that using this property as a short-term let changes its primary use on the title sheet; it will still be used as a private dwelling house.

We respectfully request that our comments are considered alongside the dispute and any legal clarifications are made with regards to the use of the property. If any further information is required for this application on our management controls please reach out and we can provide them.

Yours sincerely

[REDACTED]

Jemma Tweedie  
Director  
Regalet Management Ltd