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| Agenda item | <b>6.3</b>       |
| Report no   | <b>HLC/71/26</b> |

## **THE HIGHLAND COUNCIL**

**Committee:** THE HIGHLAND LICENSING COMMITTEE

**Date:** 23 June 2026

**Report title:** Application for the grant of a short term let licence – 3c Friars Street, Street, Inverness IV11RJ (Ward 14 – Inverness Central)

**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 25 March 2026 a validated application for the grant of a short term let licence was received from Mr James Mckeachie.
- 4.2 The property to which the application relates is 3c Friars Street, Inverness, IV1 1RJ (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 coloured in pink on the plans found on page 1 of Appendix 1.
- 4.3 The application for the short term let licence has been made on the basis that Mr James Mckeachie and Mrs Corrine Mckeachie will be the hosts/operators of the Premises.
- 4.4 The said Mr James Mckeachie and Mrs Corrine Mckeachie are named on the application as the owners of the Premises.
- 4.5 The said Mr and Mrs McKeachie are named on the application as being responsible for the day-to-day management of the Premises.
- 4.6 The type of letting which has been applied for is 'secondary letting', which means the hosts/operators are 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 pages 2 and 3 of Appendix 1.

## 5. Process

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

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

5.2 Police Scotland, the Highland Council's Building Standards Department and the Highland Council's Environmental Health Service 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 Paragraph 2 of Schedule 1 of the Civic Government (Scotland) Act 1982, as amended by the 2022 Order, requires a public notice of application for a short term let licence to be displayed at or near the application premises for a period of 21 days.

6.2 A public notice of application in respect of the short term let licence application for the Premises ("Site Notice") was prepared by the Licensing Team and was issued to the applicant on 25 March 2026, together with instructions regarding the display of the Site Notice.

6.3 During the notice of display period, however, a complaint was made to the Licensing Team which stated that the Site Notice was not being displayed in line with the legislative requirements.

6.4 The applicant was informed of this complaint by the Licensing Team and the applicant advised that they would arrange to re-display the Site Notice.

6.5 A certificate of compliance was then submitted by the applicant confirming that the Site Notice was re-displayed for a period of 21 days from 23 April 2026. On this basis and having had sight of photographic evidence of the display method of the notice, it is accepted that the applicant has complied with the site notice requirements.

## 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 27 April 2026 from Ms Susan Mackenzie **(Appendix 2)**.
- Objection received by email on 14 May 2026 and further email on 15 May 2026 from Mr Mike Maclennan **(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 objections 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: 18 May 2026

Author: Alexander Florence

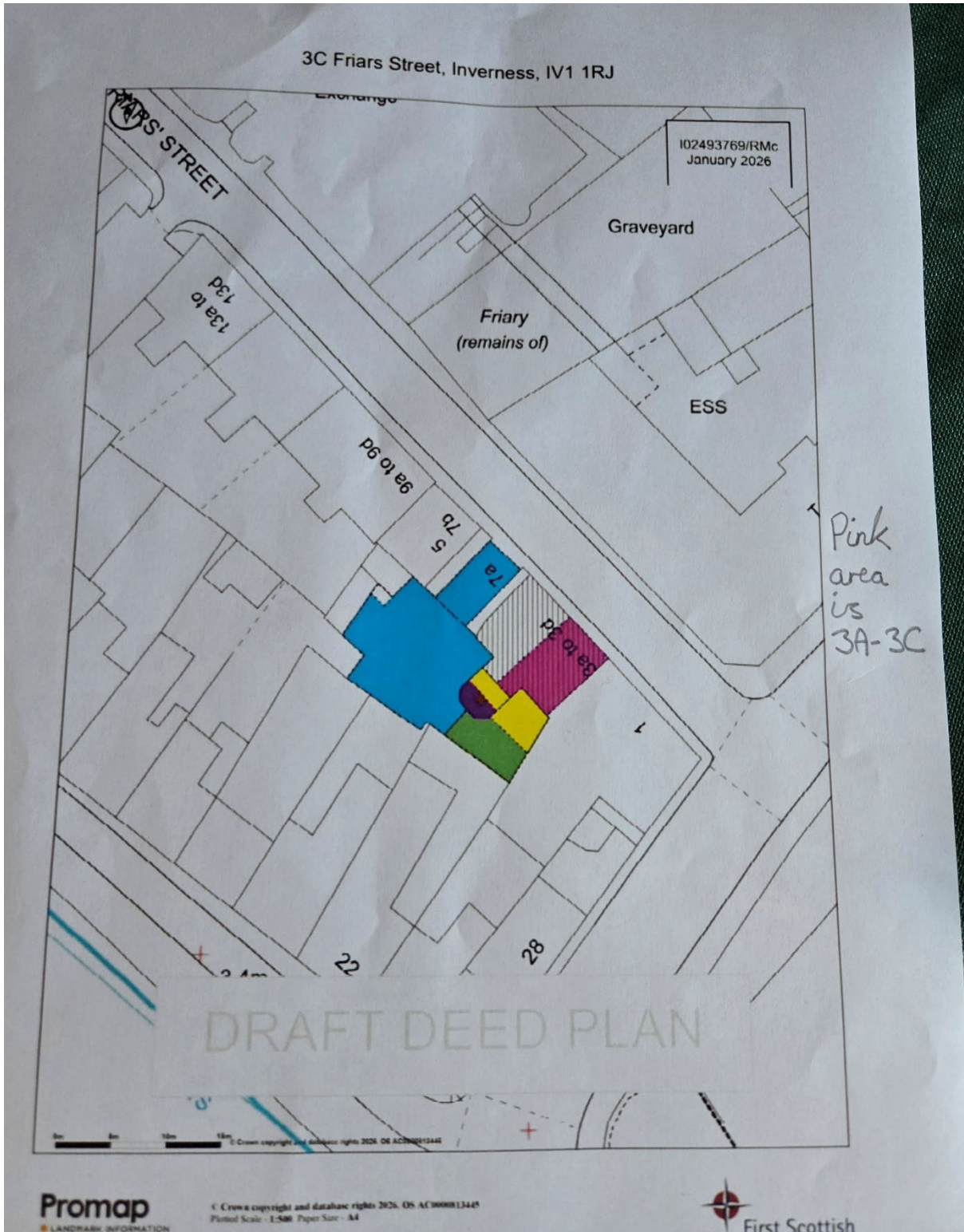
Reference: [FS802166515](#)

Background Papers:

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

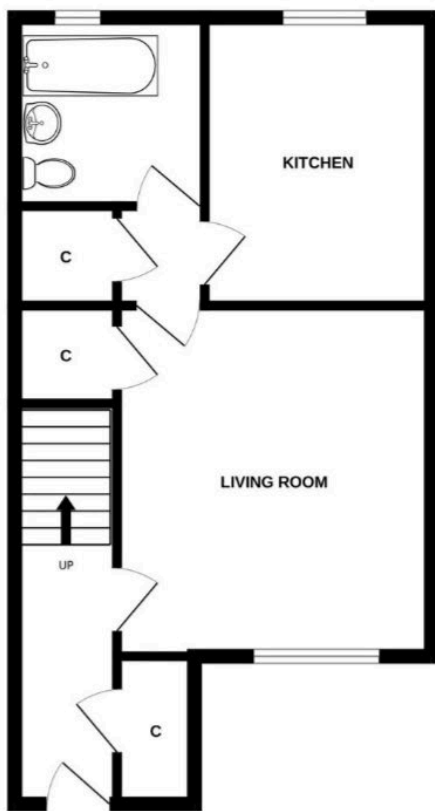
Appendices:

Appendix 1: Site plan detailing the extent of the Premises and floor plans for the Premises;  
Appendix 2: Objection received by email on 27 April 2026 from Ms Susan Mackenzie;  
Appendix 3: Objection received by emails on 14 May 2026 and 15 May 2026 from Mr Mike Maclennan.



# Floorplan

GROUND FLOOR



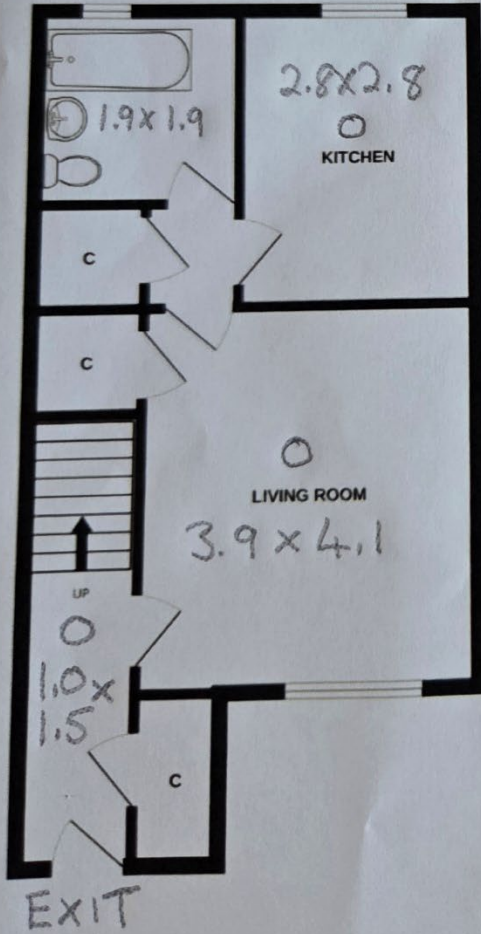
1ST FLOOR



# Floorplan

GROUND FLOOR

1ST FLOOR



**From:** Susan Mackenzie [REDACTED]  
**To:** STL Licensing  
**Subject:** Re application for short term lets licence  
**Date:** 27 April 2026 13:53:43  
**Attachments:** 1000017026.jpg

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**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

In reference to the application for a short term lets licence for 3 C Friars street Inverness IV11RJ. I would like to object to this application for the following reasons -

1. Noise from frequent use of the steps which are used to access the first floor flat at 3C Friars street, Inverness. The steps up to /down from the property at 3C Friars street are shared with the property next door at 3(d) Friars street.
2. Concerns about litter being left outside 3C Friars street's front door and on shared steps leading up to/down from both properties.
3. Access to property from courtyard area - noise when people are entering and leaving the courtyard with cars and/ or on foot.
4. Not closing the iron gates after entering and leaving the courtyard area. For safety reasons the gates were put there to deter people who didn't live here from hanging about and using the courtyard as a public toilet.

Kind regards.

Susan Mackenzie  
[REDACTED]

**PUBLIC NOTICE OF APPLICATION FOR SHORT TERM LETS LICENCE**  
**The Civic Government (Scotland) Act 1982 (Licensing of Short Term Lets) Order 2022**

Application type: New application

James Mckeachie of 66 BURN BRAE WESTHILL INVERNESS IV2 5RH has applied to The Highland Council for a short term lets licence, for the below property.

Address of the property to be licensed: 3c, Friars Street, Inverness, IV1 1RJ

Licence type applied for: Secondary letting

The day-to-day managers are:

- James Mckeachie

**Representations**

Representations must:

- be in writing.
- specify the grounds of the objection or the nature of the representation.
- set out the name and address of the person making it.
- must be signed by the person, or on their behalf; and
- be made within 28 days of public notice of the application being given.

Copies of any representations will be given to the applicant. If a representation is made to the Highland Council after this date but before a final decision is taken on the application, the Highland Council may consider the late representation if it is satisfied that it was reasonable for the representation to have been made after the deadline.

Representations should be sent to [sl@highland.gov.uk](mailto:sl@highland.gov.uk) or one of the following offices:

| Caithness, Sutherland & Easter Ross  | Ross & Skye   | Lochaber   | Inverness, Nairn, Badenoch & Strathspey  |
|--|---|--|--|
| The Highland Council<br>Caithness House<br>Market Place<br>Wick<br>KW1 4AB | The Highland Council<br>Tigh Na Sgìre<br>Park Lane<br>Portree<br>IV51 9GP | The Highland Council<br>Charles Kennedy Building<br>Achintore Road<br>Fort William<br>PH33 7RQ | The Highland Council<br>Charles Kennedy Building<br>Achintore Road<br>Fort William<br>PH33 7RQ |

The application was submitted on: 22/03/2026

This notice was displayed from: 23/4/2026

The last date for representations is 28 days from the date this notice was displayed

# APPENDIX 3

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** FW: 3C Friars Street - shortly term let  
**Date:** 18 May 2026 15:01:14  
**Attachments:** [image001.png](#)  
[image002.png](#)

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**From:** Mike Maclennan [REDACTED]  
**Sent:** 15 May 2026 11:14  
**To:** STL Licensing <STL@highland.gov.uk>  
**Subject:** Re: 3C Friars Street - shortly term let

**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 Alexander

Thank you for providing the background to the process. I understand the limitations of the STL legislation and that future control zones will hopefully incorporate some planning legislation.

It was interesting to note that the applicant sees all objections and I suspect my objections were forwarded to them yesterday. I say this because I heard visitors to the property last night and experienced extremely loud banging etc.. so loud and violent that my wall mirrors etc all rattled on the walls! The same thing happened the night the recent public notice was re-displayed. To me, this is deliberate and a reaction from the applicant to my objections. There has been no activity or visitors to the property in between these 2 events.

I mentioned this as an example of the disregard the applicants appear to have for the neighbours. As you mentioned, Environmental Health are the point of contact for such complaints.

Kind regards  
Mike Maclennan

Sent from [Outlook for Android](#)

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**From:** STL Licensing <STL@highland.gov.uk>  
**Sent:** Friday, May 15, 2026 10:30:38 AM  
**To:** Mike Maclennan [REDACTED]

**Subject:** RE: 3C Friars Street - shortly term let

Hello Mr Maclennan,

Thank you for your email of 14 May 2026. I confirm safe receipt of your objection to this STL application.

By way of background, the main purpose of short term let licensing legislation is to (1) ensure properties are safe for use for the occupants and (2) are being managed effectively by persons who are deemed fit and proper to do so.

This is contrasted with planning legislation, which is a separate regulatory matter. Planning legislation is directed at the development of land and the use of premises upon it. The Planning Authority can consider amenity issues such as parking problems in the area, whether a proposal will lead to an unacceptable intensification of land use, whether the premises will negatively impact residential amenity and the concentration of short term lets premises within an area.

Licensing cannot duplicate matters that are already dealt with by other legislation or regulatory regimes. An STL application attracting public objections will require it to go before a formal hearing of the Highland Licensing Committee. However, the Clerk to Committee does need to advise Members, about what can and cannot be legally considered as part of a licensing application. I attach a document for objector guidance an objection to an STL application and the grounds for refusal as laid out in the legislation. We are aware of the frustrations some members of the public have with the scope of the licensing regime and what can and cannot be considered under licensing legislation. However, the Licensing Committee is required to act as a quasi-judicial body and within the constraints of the legislative grounds for refusal.

As you note, if an STL licence is indeed granted in the Highland Council area, there are additional [conditions](#) (in Appendices 3 and 4 of the STL Policy), relating for example to noise, parking and anti-social behaviour, which if suspected of being breached, should be reported to the Council's Environmental Health Team for investigation and action ([EHSTL@highland.gov.uk](mailto:EHSTL@highland.gov.uk)).

In terms of hearing procedure, all relevant parties (including objectors) are afforded the opportunity to state their case and ask questions of the relevant parties, in line with the Council's Hearing Procedure. Members of the Committee are given advice from the Clerk on what were material considerations and non material considerations may be, and legislative grounds for refusal. Members are advised to weigh up the information before them and disregard any material that is not relevant to the statutory licensing grounds for refusal. Any party who submits an objection must be provided with the opportunity to

attend a hearing to state their case, and if a person does not take every opportunity to state their case to the licensing authority, this will adversely affect any right of appeal of that party against a decision of the Committee to the Sheriff Court.

I write simply seeking to confirm the limits and scope of the licensing legislation and not to dispute the no doubt sincere and well intentioned points you make. All submitted objections are required to be circulated to the applicant, Members of the Committee and published publicly.

I should say that as a Council Officer, I am not able to provide legal advice to members of the public as that would engage a conflict of interest, particularly if any decision of the Council, as licensing authority, is appealed against to the Sheriff Court. Applicants, licence holders and objectors are therefore advised to seek their own independent legal advice or representation at Committee should they wish to do so.

Officers have raised with Scottish Government whether further universal guidance on relevancy of objections could be provided alongside the legislation to manage expectations for members of the public as we understand this is an issue that is similarly raised with other Council licensing authorities as well. However, this has not been forthcoming to date.

Please do not hesitate to contact me should you have any queries. We shall be in touch in due course with the relevant papers and invitation to a future hearing of Committee

Kind Regards

Alexander Florence  
Licensing  
Legal  
The Highland Council



**INVESTORS IN PEOPLE®**  
We invest in people Standard

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**From:** Mike Maclennan [REDACTED]  
**Sent:** 14 May 2026 13:49  
**To:** STL Licensing <[STL@highland.gov.uk](mailto:STL@highland.gov.uk)>  
**Subject:** Re: 3C Friars Street - shortly term let

**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

I'm writing in relation to the most recent application for a short-term licence (STL) at 3C Friars Street.

After having the time to look into this, I now realise how futile such objections by concerned neighbours are. I discovered a recent article in the Inverness Courier where they obtained information on such applications. As of 2025, there were over 7000 approved applications for STLs and only 4 rejected!

Friars Street has had a lot of antisocial behaviour recently and I have had numerous contacts with the Highland Council Housing Officers about this. They have done their best and there has been some improvements. However, there are on-going problems and I feel that in order for current residents to continue trying to foster a community spirit and take pride in the street, there really needs to be an effort by the local authority to promote a settled community. Having temporary holiday accommodation alongside social housing that is used for the short-term needs of societies most challenging individuals, makes this extremely difficult. I understand that the HC has included Inverness in a list of their newly proposed Control Zones and I hope this will address the current overall decline in community pride and ownership. My fear however, is that this process will come too late for the licensing proposal in question.

While the above objection is a more general point, I do have concerns about the direct impact on myself and immediate neighbours. They are:

1. Noise. The property is directly above my own and I fear that the nature of the guests will be such, that I will be subjected to late night disturbance - both from returning guests late at night and continuing parties. The location of the shared entrance & access means that such activities will be extremely disturbing.
2. Security & access. There are several properties that share the gated entrance & parking. Due to recent violent incidents that have occurred, there is a fear that the

increased volume of people accessing 3C will negatively impact the safety of residents. Parking is also restricted and visitors will obviously not be concerned about the permanent resident's requirements for access.

3. Type of guests. While it is difficult to predict the nature of future guests, the indicators so far suggest that the recent purchase of 3C is for a purely commercial reason. The owners have already demonstrated their indifference to the current residents by lying about their plans and the underhand way they displayed the statutory notice. There is a real fear that the model of business will be one of low-cost accommodation/high turnover. This will obviously mean lower standards on the quality of guests and owners who will prioritise income generation over their neighbours concerns.

Saying all this, I realise that it could be argued by those in favour of approving the licence that these are all assumptions. However, I would argue that these are genuine concerns and that they do need to be highlighted at the onset. I'm aware that there are avenues available to complain about any subsequent bad/noisy behaviour - both via the HC and the Airbnb website. Should the licence be approved, then I would hope not to need them. Unfortunately, I do believe it is inevitable that the proposed STL will generate a lot of noise & disturbance for the current residents - in particular myself, who live directly beneath the property in question. Any future complaints will take time to be addressed (if at all) and those affected will have to live with the ongoing disturbances.

Therefore, I submit my objections on the assumption that they will be recorded & kept on file for any future reference.

Kind regards  
Mike Maclennan



Sent from [Outlook for Android](#)

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