The Highland Council

Minutes of Meeting of the Special **Economy and Infrastructure Committee** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Monday, 28 September 2026 at 9.30 am.

Present:

Mr I Brown
Mr M Cameron
Mr A Christie
Mr S Coghill (Remote)
Ms L Dundas
Mr J Edmondson
Ms C Gillies (Remote)
Mr K Gowans
Mr M Green
Mr R Jones
Mr P Logue
Mr D Macpherson
Mr H Morrison (Remote)
Mrs T Robertson
Mr R Stewart
Ms K Willis (Remote)

Non-Members also present:

Mrs S Atkin (Remote)
Mr M Baird (Remote)
Dr M Gregson
Mrs J Hendry (Remote)
Ms K MacLean (Remote)
Mrs M Paterson (Remote)
Mrs M Reid
Mrs M Ross (Remote)

Officials in Attendance:

Mr J Welsh, Chief Officer - Enterprise and Investment
Mr I Meredith, Principal Solicitor
Ms M Maguire, Principal Planner
Mr G Somers, Solicitor
Mr D Mudie, Strategic Lead - Plan and Building Standards
Miss J MacLennan, Joint Democratic Services Manager
Mrs O Bayon, Committee Officer

An asterisk in the margin denotes a recommendation to the Council. All decisions with no marking in the margin are delegated to Committee.

Mr K Gowans in the Chair

Business

1. Calling of the Roll and Apologies for Absence
Gairm a' Chlàir agus Leisgeulan

Apologies for absence were intimated on behalf of on behalf of Mr J Bruce and Ms L Niven.

2. Declarations of Interest/Transparency Statement
Foillseachaidhean Com-pàirt/Aithris Fhollaiseachd

The Committee **NOTED** the following Transparency Statements:-

Item 3 – Mr M Cameron, Mr A Christie, Mr M Green, Mr D Macpherson and Ms C Gillies.

3. Short Term Let Control Area – Post Consultation Report
Sgìre Smachd air Màil Geàrr-Ùine – Aithisg an dèidh na Co chomhairleachaidh

Transparency Statements: the undernoted Members declared connections to this item but, having applied the objective test, they did not consider that they had an interest to declare:-

Mr M Cameron – as a person named on a Short Term Let licence and in receipt of income from operating a bed and breakfast within the proposed Control Area. However, as this was an existing Short Term Let business which did not require planning consent, the Control Area would not apply.
Mr A Christie – as a member of Living Rent.
Mr M Green – as the owner of Holiday Lake Seaview Lodge. However, Nairn was not one of the areas proposed as a Control Area.
Mr D Macpherson – as a family member operated a Short Term Let Property in Fort William.
Ms C Gillies – as a Member of the Scottish Crofting Federation, which had submitted a response to the consultation.

There had been circulated Report No. ECI/36/26 by the Assistant Chief Executive - Place.

During discussion, Members raised the following issues:-

- concern was expressed regarding progressing the proposed Short-term Let Control Areas at this time on the basis that legal, evidential and governance questions remained. Reference was made to the interaction between planning and licensing, mandatory condition 13 and the potential investigation of the historic planning position of existing operators. Questions were raised regarding what would trigger such an investigation, what evidence threshold would apply, how far back officers would go and circumstances where records no longer existed or ownership had changed;
- reference was made to the Muirhead judgment and concern was expressed regarding the potential for legal challenge over how the provisions might operate in practice, together with the potential implications for the Council and the public purse;
- in relation to the evidence supporting the proposals, it was questioned what evidence should reasonably be expected before extending the same or a similar level of intervention. Reference was also made to the six week consultation period, compared with 12 weeks which was stated to be widely accepted as best practice, the 608 responses received in respect of Highland Rural and 202 for Inverness City and attendance of 25 people at the dedicated operators webinar;
- while recognising the housing crisis in Highland, it was argued that the proposed Control Areas would not build additional homes, provide serviced land or create additional infrastructure capacity. The importance of building more homes and addressing constraints relating to serviced land, water and sewerage connections and infrastructure was emphasised;
- support was expressed for the proposals on the basis of experience of the Badenoch and Strathspey Short-term Let Control Area, with reference being made to housing being brought back into residential use. It was emphasised

that, alongside building additional houses, available measures should be used to retain houses within the residential housing stock and provide homes for young people and working-age people wishing to live and work in Highland;

- thanks were expressed to the Planning Team for the work undertaken in establishing and operating the Badenoch and Strathspey Short-term Let Control Area. Attention was also drawn to the significant additional workload that the proposals would create and the need, should they proceed, for additional staff and resources to deal with the increased caseload;
- the importance of balancing the needs of the tourism sector whilst sustaining residential communities was emphasised. It was highlighted that the proposals were not intended to stop short-term lets and were one measure alongside action in relation to second homes, empty homes and building additional social and affordable housing;
- support was expressed for consultation with local communities followed by consideration through the relevant Area Committees and for individual communities and areas having a say in relation to short-term lets;
- clarification was sought as to how an existing operator could demonstrate that planning permission was not required and whether a Certificate of Lawfulness would be necessary. It was explained that a Certificate of Lawfulness was one means of demonstrating the planning position but was not the only means and that each application would be considered on its own merits and circumstances;
- clarification was sought regarding how any future changes to Ward or Area Committee boundaries would affect the proposed Control Areas. It was explained that any subsequent changes to Area Committee boundaries would not alter the boundary of a Short-term Let Control Area approved by Scottish Ministers;
- it was emphasised that the proposed Control Areas were only one of a number of measures being used to address housing pressures, alongside action relating to second homes, empty homes and the provision of additional social and affordable housing. Reference was made to the need to balance sustaining residential communities with promoting tourism;
- attention was drawn to the recommendations from the City of Inverness and Area Committee, which had been discussed in detail by that Committee and it was emphasised that people in areas with large numbers of short-term lets wanted neighbours rather than strangers. The Committee was urged to accept the recommendations from the City of Inverness Area Committee;
- support was expressed for the establishment of controls rather than a ban on short-term lets. Reference was made to the impact of the growth in short-term lets on communities, including businesses being unable to obtain staff because of the lack of accommodation, and to evidence that controls could, over time, affect the availability of properties to rent and buy;
- reference was made to the detailed consideration of the proposals by the relevant Area Committees and the consultation and engagement undertaken. The detail of the report and the support provided by officers to Councillors and those potentially affected were welcomed; and
- to avoid ambiguity, it was suggested that the City of Inverness Area Committee be referred to as the City of Inverness and Area Committee, to reflect that it represented the wider Inverness area as well as Inverness City.

Thereafter, Mr K Gowans seconded by Mr A Christie, **MOVED** the recommendations as listed in the report.

As an **AMENDMENT**, Mr R Stewart sought to move an Amendment that the proposed Short-term Let Control Areas should not proceed at this time. However, the proposed Amendment failed to find a seconder and Mr R Stewart requested, in terms of Standing Order 23.1, that his dissent from the decision be recorded.

Decision

The Committee:-

i. **NOTED** the consultation feedback detailed within Appendix 3 and Appendix 4 of the report and summarised in Sections 8, 9 and 10 of the report;
ii. **NOTED** the recommendation of the City of Inverness Area Committee to the Economy and Infrastructure Committee that the proposed City of Inverness Short Term Let Control Area be progressed;
iii. **NOTED** the recommendations of the Wester Ross, Strathpeffer and Lochalsh, Lochaber, City of Inverness, Skye and Raasay and Sutherland Area Committees to the Economy & Infrastructure Committee that their respective Areas are included in the proposed Highland Rural Short Term Let Control Area;
iv. **AGREED** to submit the proposed designations of the Inverness City Short Term Let Control Area and the Highland Rural Short Term Let Control Area to Scottish Ministers, based on the available evidence, consultation feedback and the recommendations of the relevant Local Area Committees and to delegate authority to Officers to:-
    a. submit the proposed Short Term Let Control Area designations to Scottish Ministers for approval; and
    b. following the decision by Scottish Ministers bring back a further report to the Economy and Infrastructure Committee confirming the outcome and outlining the next steps, including the date of the commencement of the Control Area; and
v. **NOTED** the resourcing implications outlined in Section 11 of the report.

The meeting ended at 10am.