

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE**  
**held BY MICROSOFT TEAMS**  
**on FRIDAY, 16 FEBRUARY 2024**

**Present:** Councillor Kieron Green (Chair)

Councillor John Armour	Councillor Mark Irvine
Councillor Jan Brown	Councillor Liz McCabe
Councillor Amanda Hampsey	Councillor Dougie Philand
Councillor Graham Hardie	Councillor Peter Wallace

**Attending:** Stuart McLean, Committee Manager  
Katie Clanahan, Solicitor  
Fiona Macdonald, Solicitor  
James Crawford, Licensing Standards Officer  
Mark Watson, Applicant  
John Mackie, Applicant's Agent  
Alastair Wilson, Objector

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated on behalf of Councillors Audrey Forrest, Daniel Hampsey, Andrew Kain and Paul Kennedy.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest intimated.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982, THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF SHORT-TERM LETS) ORDER 2022: APPLICATIONS FOR GRANT OF A SHORT TERM LET LICENCE**

The Chair welcomed everyone to the meeting. In line with recent legislation for Civic Government Hearings, the parties (and any representatives) were given the options for participating in the meeting today. The options available were by video call, by audio call or by written submission. For this hearing the Applicant, his Agent and the Objector opted to proceed by way of video call and Mark Watson, John Mackie and Alistair Wilson joined the meeting by MS Teams.

**(a) Mark Watson, Invervaigan, Glen Striven Estate Roads, Toward, Dunoon PA23 7UN**

The Chair outlined the procedure that would be followed and invited the Licensing Standards Officer to speak to the terms of the report.

The Chair then invited the Applicant to speak in support of the application.

**APPLICANT**

The Applicant, Mark Watson spoke of the history of Glen Striven Estate, which had been a shooting estate since 1981. He advised that since then, every property on

the Estate had at one time or another been used as a Short-term Let. Mr Watson advised that he had bought Burnfoot Cottage on the Estate in 2016 and had been privileged to witness the business of the Estate including the farming and shooting of both deer and birds. He advised that unfortunately the Estate had fallen into hard times in 2018 and was put up for sale. Having not been able to sell the Estate despite it being advertised for a long period of time, the owners approached Mr Watson who initially bought Invervaigan and then other properties within the Estate.

Mr Watson spoke of refurbishing the property to a high standard and advised that it had been classed as a commercial property by Argyll and Bute Council for the last 20 years. He advised that the success of the property as a Short-term Let over the last few years had given his family the ability to spend money on maintaining the road and installing security gates. In addressing some of the issues raised by the Objector, Mr Watson advised that Mr Wilson's opinion that the Estate was a quiet housing estate was incorrect and that this was demonstrated through its history as a shooting estate. He addressed the issues Mr Wilson had with the security gates and advised that although Mr Wilson had not contributed financially to the installation of the gates, he benefitted from the privacy and security that they afforded. He advised that Mr Wilson appeared to have a vendetta against his family and his business and that as recent as last week Mr Wilson had received a public notice for being a nuisance.

#### **QUESTION FROM OBJECTOR**

Referring to the last point in Mr Watson's submission, Mr Wilson asked the Applicant if he had ever been arrested by the Police for his actions on the Estate.

The Applicant refrained from answering this question

#### **OBJECTOR**

The Objector, Mr Wilson spoke of the Council's Short-term Lets Licensing Policy Statement. He referenced paragraph 1.4 which outlines the aims of the licensing scheme such as addressing the issues faced by neighbours and that the economic and tourism benefits from short-term lets are balanced with the needs and concerns of local communities. He also referenced paragraph 5.5(c) which outlines grounds for refusing an application as a consequence of an objection where the premises were regarded as not suitable for the conduct of the activity.

Mr Wilson advised that Glen Striven Estate was a good example of a cluster of properties that had been purchased as Short-term Lets, which in turn prohibited those properties becoming private homes. He requested that the Committee consider the Estate as a whole and not piece meal and went on to highlight the applications before the Committee today as well as the expected number of guests within each one at any given time. He spoke of the volume of properties on the Estate being used as Short-term Lets and advised that these amounted to an unacceptable and unreasonable balance in terms of the Short-term Let Policy Statement and was also contrary to the Argyll and Bute Outcome Improvement Plan, the Local Development Plan and National Planning Framework 4. He requested that the Committee refuse the applications and redress the balance.

Mr Wilson noted that his objection had a number of areas and advised that these

were routed in paragraph 5.5 of the Argyll and Bute Short-term Lets Licensing Policy Statement. He advised that he had no issue with planning permission as he recognised that applications for Planning Permission were judged on a case-by-case basis. In relation to his comments on the noise and nuisance he advised that had he been living in an urban area he would expect noise, however living in a remote and rural area he found that any noise had a disproportionate affect. He advised that most properties on the Estate were strung along a single gravel road which passed through the bottom of his garden. He advised that he found the Applicant's reference to it being a shooting estate with lots of noise and commotion unacceptable as by the time he had purchased his property in 2017, the Estate had been sold and that all the properties were either private homes, homes of Estate employees or family holiday homes, not Short-term Lets as defined by the current legislation.

Mr Wilson spoke of the renovations at Invervaigan and expressed his displeasure that the rooms had been extended, with the installation of three kitchens, three bathrooms and three front doors that could easily accommodate up to 12 people. He expressed concern over the potential increase that this would bring in traffic, and the possibility that these additions could lend themselves to allow the development to become three self-contained flats.

Mr Wilson outlined his concerns around the private water supply and the difficulties faced in the summer months during spells of dry weather when the burn runs dry, without the addition of what could potentially be up to 40 people. He advised that wasn't good enough for the Applicant to refer back to the days of a shooting estate, as the shooting season runs during the wetter months of October to February. He further advised that Environmental Health did not study this matter in enough depth and advised that it was his opinion that a further study should be carried out before a determination on the matter was agreed.

Referring to the legislation which stated that "existing businesses offering new accommodation must legally have a licence before operating," Mr Wilson expressed his surprise that Invervaigan could be considered as an existing business given that as late as 2021 it had been a building site as renovation works progressed. Mr Wilson advised that he had evidence that the building had been deemed unsafe by the Council's Planning department and spoke of the significant periods of lockdown and travel restrictions over the 2020/21 period. He suggested that the Committee consider the information provided by the Applicant against these facts.

Mr Wilson then spoke of the legal requirement for notices intimating the Applicant's intention to let the property on a short-term basis to be displayed at or near the property where it can be conveniently read. He advised that the notices for the applications were displayed around a mile from the public footpath on a private road where they could not reasonably be read. He suggested that the notices were displayed in such a manner as to deny any comments or objections from other local residents.

Addressing the issue of the code for the security gates, Mr Wilson advised that the overwhelming reason that people wanted the security gates was to prevent unauthorised access, due to a number of thefts that had taken place. He advised

that his issue was that the code would be given to all guests of the Short-term Lets leaving them just as vulnerable to unauthorised persons on the Estate as before the gates were installed.

Mr Wilson concluded his submission by advising that by granting the Short-term Let Licences the strategic direction of the Argyll and Bute Short-term Lets Licensing Policy the Scottish Government Short-term Lets Policy and the enjoyment of his home, the private water supply and his security were being compromised. He requested that the Committee adhere to paragraph 1 of the Argyll and Bute Short-term Let Licensing Policy and redress the balance.

## **MEMBERS' QUESTIONS**

Councillor Brown enquired as to how long the property had been used as Short-term Let.

The Applicant advised that Invervaigan had been used as an overspill for Glenstriven Shooting Estate, and it had been awarded commercial rates status 20 years ago.

Councillor Brown asked if it has been used as a commercial property since Mr Watson bought it.

Mr Watson advised that when he bought it, he had honoured the bookings of the previous owners and had used it himself as a Short-term Let.

Councillor Irvine referred to the information contained within the agenda pack, which alluded to the provision of water sports and boats and crafts. He asked the Applicant to explain a bit about this.

The Applicant advised that he had a private speedboat which he kept on Loch Striven. He spoke of an allegation that he allowed guests to use this speedboat and advised that this was incorrect. He advised that each property had a couple of plastic kayaks which were available for guests to use at no additional charge and entirely at their own risk.

Councillor Armour spoke of the housing crisis within Argyll and Bute and asked the Applicant whether there had been any indication that anyone would like to use any of the premises as a permanent residence.

Mr Watson advised that there hadn't and advised that the properties were located 18 miles from Dunoon and down a single track road.

Councillor Irvine asked the Applicant to explain a bit about the operational model, for example the changeovers, staffing and cleaning regime.

Mr Watson outlined the living arrangements for cleaning staff and maintenance and advised that in busier times they would seek to employ more staff from the local area, with transport being provided if required.

Councillor Irvine asked the Applicant if somebody would be on hand to deal with guests 7 days a week.

Mr Watson confirmed that his daughter lived within 5 miles of the property and would deal with any immediate issues.

Councillor Brown asked whether Mr Watson would consider advertising as a long term let given the current housing crisis.

Mr Watson advised of another property "Flagstaff" which was currently being renovated and advised that he would consider this property for that purpose.

Councillor Philand addressed the issues raised by the Objector in relation to the water supply and asked why he thought his position was the correct one.

The Objector advised that as a resident who resides at his property all year round, he was aware of times when the burn that feeds the water supply had run dry, with the few residents and people on the Estate. He advised that his concerns related to the use of this supply with upwards of 40 people using it. He suggested that the Council's Environmental Health department should undertake more studies to ascertain whether there was enough water for this purpose or whether the whole system needed to be upgraded.

Councillor Philand asked the Licensing Officer whether he was aware of the type of assessment carried out by Environmental Health in this regard.

Mr Crawford outlined the process followed in respect of seeking comments from statutory consultees in regards to an application of this type and advised that he had received a short reply to say that they had no issues.

Councillor Philand asked whether Environmental Health had made an effort to attend the site before coming to the conclusion that there were no issues.

Mr Crawford advised that as far as he was aware, Environmental Health inspect and test the water supply on an annual basis, and although he was unaware as to whether they attended the site on this occasion, he suggested that they would have used the data collected at the last annual inspection and made their assumption based on that.

Referring to the Objectors concerns that both National and Local Government Policies had been compromised by the application, Councillor Philand asked the Licensing Officer whether he was satisfied that legislation and procedures had been followed.

Mr Crawford advised that he was satisfied.

Councillor Armour asked whether the burn was the only source of water supply for the Estate.

The Applicant advised that there were 3 separate sources that could be utilised. He outlined the regular maintenance checks which included clearing silt and checking the tank. Mr Watson advised that in peak season, if they find that the tank wasn't enough, he would take the necessary steps to add an additional tank to ensure that there was no disruption in the supply of fresh water for both his guests and residents on the Estate.

In addressing the concerns of the Objector in relation to the possibility that the house could eventually be turned into 3 separate units as opposed to one, Councillor Brown asked the Applicant whether this was his plan.

Mr Watson advised that he had purchased the property for his 3 daughters and

their families to use out of season. He advised that the purpose of the 3 separate units was so that they could close doors to ensure that each of his daughters and their families had privacy. He further advised that although the premises was designed to be used as a larger Short-term Let for parties of up to 12 people, the property had the ability to be closed off in such a way that smaller groups could rent it out and only use a percentage of the property.

Councillor Brown enquired as to whether the application related to one property or 3 separate properties.

The Applicant advised that it was only one property and that he only intended using it as such, charging a lesser rate depending on the size of the party renting it.

The Chair, Councillor Green sought legal advice in terms of the licensing implications for renting out of the property that could be used flexibly.

The Council's Solicitor advised that legally, closing off doors to protect areas of the property was no different to closing off a room to protect personal effects. She advised that it was one property in terms of the definition of a dwelling house.

Councillor Brown enquired as to the legal position in terms of the rates to be charged for hire of the property to different sized parties.

Ms Clanahan confirmed that this was no different to charging different rates for different seasons. She advised that the price can be altered accordingly and that this didn't change the definition of the property.

Councillor Green spoke of certain situations within the Act where multiple properties were covered by one licence.

Ms Clanahan outlined the legal position and advised that the application before Members was for one property. She advised that should the Applicant make changes in the future, this would require to be addressed at that time.

Councillor Green asked the Applicant whether he would be happy if the licence was granted with a condition that stipulated that the property could only be used by one group at a time.

Mr Watson advised that he would be happy with that stipulation as he did not intend to have multiple occupancy as he hoped to maximise the income through larger parties.

Ms Clanahan confirmed that there were no legal issues with adding this as a condition of any licence granted.

Councillor McCabe noted that the purpose of an Air B&B was to make money. She asked the Applicant to clarify the position in relation to the prices charged to different sizes of parties.

Mr Watson advised that it would be different rates for different sizes of parties. He advised that if permission was granted and it took traction, his intention was to introduce a minimum party size.

Councillor Hampsey asked the Applicant to advise of his intentions should the property be booked out to one couple, who would be at one end of the property,

would he consider renting to another couple who could use the other end of the property at the same time.

Mr Watson advised that he would not do this as the rest of the property would be closed off.

Councillor Green asked the Applicant about his experience of the water supply.

Mr Watson advised that in his experience they always had water filling the tanks. He advised of an occasion where the tank had drained dry but advised that this was as a result of lack of maintenance as the burn itself had not run dry.

Councillor Green enquired as to how long it would take to resolve any issues.

Mr Watson confirmed that this would take 3-4 hours.

Councillor Green asked the Objector to outline his experience of the water supply over the summer months.

Mr Wilson advised that over the last 4 years, there had been 2 occasions where the burn had run dry and that this was with less people using it than would be if the Short-term Let Licence was granted.

Councillor Green asked Mr Wilson what he did when the water ran out.

Mr Wilson advised that he used bottled water. He advised that there were other burns that water could be drawn from by bucket but not a dedicated supply.

Councillor Irvine asked the Applicant to re-summarise his ability to deal with the water supply running low.

Mr Watson advised that at present there was a 16,000 litre tank in place that is fed by the burn. He advised that he intended to add another 16,000 litre tank if there was traction on rentals.

Councillor Green asked the Applicant about the three burns that could be utilised, he enquired as to whether it was the Applicants' intention to plumb them in.

Mr Watson advised that in his experience, the burn that currently feeds the supply doesn't run dry. He advised that if it were to he would have no issue in using another burn to get the supply from.

## **SUMMING UP**

### **Objector**

The Objector, Mr Wilson took the opportunity to summarise his submission. He advised that he had tried to put in a water system and he found that it didn't work. Referring to the water sports, he advised that he had never spoken about the use of the Applicant's motor boat. He did advise that he had concerns regarding the use of the kayaks referred to by the Applicant and would query whether the appropriate Public Liability Insurance was in place that covered water sports. Mr Wilson further advised that Invervaigan was not a Short-term Let as defined by the legislation as it previously had employees living in it. In addressing the issue of the gate code, he advised that he didn't see why he should be compromised by that. Mr Wilson urged the Committee to refuse the application.

## **Applicant**

The Applicant, Mr Watson advised that he felt he had said all that was necessary. He advised that the reviews of his guests were testament to how impressive the area was and outlined the tax he had contributed over the last year and the estimated tax for the coming year.

When asked, both parties confirmed that they had received a fair hearing.

## **DEBATE**

Councillor Irvine took the opportunity to clarify for the Objector that his letter of objection, contained within the agenda pack, made reference to the motor boat.

Councillor Green advised of his own experience in living off a private water supply. He advised that this was an all-year-round problem which had to be given cognisance, however having considered the discussion around that including the ability to utilise a larger body of water, he was content that the application be approved.

Councillor Armour agreed with Councillor Green's comments and advised that he too was happy with the information provided to alleviate the concerns of the Committee around the water supply.

Councillor Brown advised that her main issue with the application was the ability to split the premises into three sections. Having noted the Applicant's comments in relation to making money, she advised that if the Committee were minded to grant the application she would like to see a condition imposed that would mean that the Applicant would require a Short-term Let Licence for each property.

Referring to earlier discussions, the Chair sought legal advice in relation to the procedure around imposing such a condition.

The Council's Solicitor clarified the position around the application procedure to change one property into 3 separate properties and the procedure around amending a licence to remove any conditions imposed.

Councillor Armour confirmed that he would support that Application with the addition of a condition precluding the property being used by more than one party at any given time.

Councillor Irvine advised that having considered the argument put forward by the Objector in regards to footfall, traffic and general usage of the Estate, he felt that were these properties to be sold as private dwelling houses the comings and goings on the Estate would be similar when you took into account deliveries and such like. He advised that his personal opinion was that these properties would be difficult to let on a long term basis but that allowing them to be used as Short-term Lets would allow the increase of employment within the area.

Councillor Philand advised that he had taken reassurance from the information provided, specifically in relation to being compliant in terms of the legislation, the water supply and the comings and goings were it to be a private dwelling house. He advised that he was content to accept the recommendations of the Licensing Officer that this application be approved.



Councillor Wallace advised that he had a concern in relation to the kayaks. He advised that his concerns stemmed from comments made by the Applicant around the use of lifejackets and advised that he felt that either the appropriate safety equipment was provided or the kayaks should not be readily available for use by guests.

The Chair, Councillor Green sought legal advice in this regard.

Ms Clanahan advised that the provision of kayaks within the property, would mean that the Applicant would be liable for any loss, damage or accident while in use.

Councillor Wallace advised that for him to be content with the application, the provision of lifejackets would be necessary.

Discussion took place on the competency of imposing such a condition on a licence for a Short-Term Let. Ms Clanahan advised that it would be more suitable to advise that National Safety Guidelines had to be followed.

Councillor Hampsey advised that she felt strongly that if kayaks were available within the properties for use by guests, then suitable buoyancy aids and lifejackets should also be made available.

To provide clarity around earlier discussions, Fiona Macdonald, Solicitor advised that the provision of water sports and activities would be ancillary to the actual property and as such to include safeguards in terms of conditions was potentially challengeable. Ms Macdonald advised that any liability in this regard lay solely with the Applicant.

Councillor Hardie advised that he was in agreement with Councillor Philand and that he too supported the recommendations of the Licensing Officer.

The Chair, Councillor Green moved that the application be approved with the conditions, as outlined within the report relating to antisocial behaviour and privacy and security and to include an additional condition in terms of the occupancy being restricted to one group at any given time. With no-one being otherwise minded this became the decision of the Committee.

## **DECISION**

The Planning, Protective Services and Licensing Committee unanimously agreed to grant a Short-Term Let Licence to the Applicant, subject to the inclusion of the antisocial behaviour and privacy and security conditions set out at paragraph 6.1 of the report, along with an additional condition that the occupancy of the property being restricted to only one group at any one time.

(Reference: Report by Regulatory Support and Building Standards Manager, submitted)

The Chair moved, and the Committee agreed to adjourn for a short comfort break. On resuming at 11:30am, all those present were as per the sederunt with the exception of Councillor Armour.

(b) **Mark Watson, Pier Cottage, Glen Striven Estate, Toward, Dunoon**

The Chair outlined the procedure that would be followed and invited the Licensing Standards Officer to speak to the terms of the report.

The Chair then invited the Applicant to speak in support of the application.

**APPLICANT**

The Applicant, Mr Watson advised that Pier Cottage was a beautiful cottage which had been rented out since the days of the old shooting estate. He advised that this was deemed as a commercial property which paid commercial rates.

**QUESTIONS FROM OBJECTOR**

The Objector, Mr Wilson confirmed that he had no questions.

**OBJECTOR**

Mr Wilson referred the Committee back to the submission that he made in respect of the previous application at Invervaigan, Glen Striven Estate Roads, Toward, Dunoon, PA23 7UN.

**QUESTIONS FROM APPLICANT**

The Applicant confirmed that he had no questions.

**MEMBERS' QUESTIONS**

Referring to discussions in respect of the previous application, specifically in relation to the provision of water sports, Councillor Peter Wallace asked the Applicant what his intended approach would be in this regard.

The Applicant, Mr Watson advised that it was Point Cottage that had the water craft, and advised that the legal implications in terms of the specifics around the fit of buoyancy aids was the reason that they had stipulated that guests had to provide their own. He further advised that emphasis would be placed upon guests supplying their own buoyancy aids for those intending to use the facilities.

Referring to information contained in the Agenda pack, Councillor Irvine asked the Applicant to clarify any restrictions on the title deeds in respect of the property.

The Applicant's Agent, Mr Mackie outlined the historical condition which was applied in 1948 and stipulated that both Pier Cottage and The Point should only be used as private residential dwellings and not as a hotel or for any other purpose. He advised that since this time, the law had progressed somewhat and that the Title Conditions (Scotland) Act 2003 stated that if a previously issued condition had been breached for a period of five years or more, the original title condition was deemed to be extinct. He advised that Mr Watson had evidenced that both properties had been used as a Short-term Lets since 2016, being a period of 8 years, and as such the condition should now considered extinguished and no longer valid.

Councillor Brown enquired how the Applicant policies the use of kayaks and water sports, ensuring that guests have brought their own lifejackets and buoyancy aids.

Mr Watson advised that kayaks were locked in sheds and only made available when it was clear that appropriate provisions had been met. He advised that safety was paramount and that this was a strict requirement when agreeing what provisions were required.

## **SUMMING UP**

### **Objector**

The Objector, Mr Wilson advised that the objections he raised in the previous application were pertinent to this application and stressed that the issue of the title deed conditions should not be overlooked.

### **Applicant**

The Applicant, Mr Watson advised that he had nothing more to add at this time.

When asked, both parties confirmed that they had received a fair hearing.

## **DEBATE**

Having noted that no Member wished to speak at this time, the Chair, Councillor Green moved that the application be approved with the conditions, as outlined within the report relating to antisocial behaviour and privacy and security. With no one being otherwise minded this became the decision of the Committee.

## **DECISION**

The Planning, Protective Services and Licensing Committee unanimously agreed to grant a Short-Term Let Licence to the Applicant, subject to the inclusion of the antisocial behaviour and privacy and security conditions set out at paragraph 6.1 of the report.

(Reference: Report by Regulatory Support and Building Standards Manager, submitted)

(c) **Mark Watson, The Point, Glen Striven Estate, Toward, Dunoon PA23 7UN**

The Chair outlined the procedure that would be followed and invited the Licensing Standards Officer to speak to the terms of the report.

The Chair then invited the Applicant to speak in support of the application.

## **APPLICANT**

The Applicant, Mr Watson advised that The Point was located at the very end of the Estate, a mile and a half from the entrance, which was accessible by a dirt track road which he maintained. Mr Watson advised that the property had

operated as an Air B&B since before 2016 and sought approval to carry on.

### **QUESTIONS FROM OBJECTOR**

The Objector, Mr Wilson advised that he had no questions.

### **OBJECTOR**

The Objector, Mr Wilson advised that the objections he raised in the previous two applications were pertinent to this application. He advised that he felt that there had been no real discussion on the issues he raised in relation to the gate code and security or to the provision of notices outlining the Applicants intention to use the property as a Short-term Let. He further advised that the issue of the title conditions, are classed as a real burden, which is at odds with the Applicant's lawyer but that he would look to resolve this issue by another means.

### **QUESTIONS FROM APPLICANT**

The Applicant, Mr Watson advised that he had no questions.

### **MEMBERS' QUESTIONS**

Councillor Brown sought advice from the Council's Solicitor as to whether it was pertinent for the Committee to approve this application if they were so minded.

Ms Clanahan advised that she was in agreement with the Applicant's lawyer and that the issue could be pursued in another forum if required. She advised that it would be competent for the Committee to determine the application.

Addressing the issues raised by the Objector, Councillor Irvine enquired as to the exact nature of the objection in relation to the gate codes and general security.

The Objector, Mr Wilson advised that the idea behind such a security measure was that the code would only be circulated around a small group of people. He advised that the code would be given to a number of people, who in turn could give it out to others if they so wished, and that would result in the loss of the control of the gates.

Councillor Brown advised that having heard earlier submissions in relation to the reliance of the Objector on deliveries as the area is so remote, advised that the same could be said of delivery drivers. She further advised that her understanding of the necessity for the gates was to prevent unauthorised access to the track. She asked the Objector, whether in his opinion, the gates would therefore help in maintaining the track.

Mr Wilson advised that the original reason for putting in the gates was due to a number of thefts from the area. He argued that the more people who have the code, the less effective the gates become.

Councillor Irvine asked the Objector, whether, as he had known about the notices which had been posted, he had canvassed others for opinions and objections.

Mr Wilson advised that he had been party to general discussions but that he did not canvass anyone.

The Chair, Councillor Green enquired as to how many permanent residents there

were on the Estate.

Mr Wilson advised that there were only two, himself and his wife.

Councillor Hampsey asked the Applicant how often he proposed to change the code on the gates, and how this would be done, given the obvious breakdown in the relationship between the Applicant and the Objector.

Mr Watson advised that the code had only been changed once in the last year. He stressed that in his opinion, giving the code to regular delivery drivers was more of an issue than giving it to people who have travelled miles to come to the area. Mr Watson advised that the code change was done by a third party so there was no need for contact between himself and Mr Wilson. He also took the opportunity to clarify that pedestrian access to the Estate was still in place despite the gates.

Councillor Hampsey enquired as to whether Mr Wilson was happy with the arrangements as outlined by the Applicant.

Mr Wilson confirmed that he could live with a code change on an annual basis, and was happy to liaise with the third party on that.

## **SUMMING UP**

### **Objector**

The Objector, Mr Wilson advised that he had nothing further to add. He advised that in his opinion the issue of the display of notices had not been dealt with, and it was setting a precedence that could lead to trouble in the future.

### **Applicant**

The Applicant, Mr Watson confirmed that he had nothing further to add.

When asked, both parties confirmed that they had received a fair hearing.

## **DEBATE**

The Chair, Councillor Green advised that in relation to the display of notices, he took the presentation by the Licensing Officer at face value. He advised that the issue would not appear to affect any other person, as there was only one other household on the Estate and one member of that household was in attendance. He advised that he did not agree that a precedence was being set, and that as familiarity with the new Licensing regime grows so too would compliance with the process.

Having noted that no Member wished to speak at this time, the Chair, Councillor Green moved that the application be approved with the conditions, as outlined within the report relating to antisocial behaviour and privacy and security. With no one being otherwise minded this became the decision of the Committee.

## **DECISION**

The Planning, Protective Services and Licensing Committee unanimously agreed to grant a Short-Term Let Licence to the Applicant, subject to the inclusion of the antisocial behaviour and privacy and security conditions set out at paragraph 6.1 of

the report.

(Reference: Report by Regulatory Support and Building Standards Manager, submitted)