East Lothian Council



CIVIC GOVERNMENT (SCOTLAND) ACT 1982

Email address

APPLICATION FOR GRANT / RENEWAL OF SHORT-TERM LET LICENCE

PART 1: ABOUT YOU		2 a
Are you applying as an individua	I or corporate entity?	
Individual	Corporate Entity X	
Fill in if you are applying as an in	dividual:	
Title		
Your full name		
Date of birth		
Place of birth		3020
Home Address		
Postcode	Tel. No	

Please provide your home address history for the last 5 years with no gaps or overlaps, starting with the most recent. Please confirm the dates you resided at these properties (continue on a separate sheet if necessary):

Addresses (last 5 years)	Postcode	Date from (mm/yy)	Date to (mm/yy)
1 1 2 3 3			
0 11 13			

Agent(s) & Day to Day Manage	er(s)		
Do you have or intend to appoint	t an agent or day	∕-to day manag	er?
Yes X No			
If you answered yes, please prov	vide details for ye	our agent(s) or	day to day
manager(s). Trading Name and	Nominated Indiv	idual:	
www.northberwickholidayhomes	<u>.co.uk/</u>		
Caroline Currie c/o North Berwic	k Holiday Home	S	
A alaba a a			
Address: North Berwick Holiday Homes			
129 High Street			
North Berwick Postcode EH39 4HB			
	Date of bir	th N/A	
			200
	Tel. No. 01	620 893 204	
Email address: <u>booknow@nbhol</u> i	idayhomes co ul	e	
_mail address. <u>booknow@mbiloi</u>	daynomes.co.dr	2	

Addresses (last 5 years)	Postcode	Date from (mm/yy)	Date to (mm/yy)

Joint Ownership	
Is your property jointly owned? Yes	X No
If you answered yes, please provide detail	ls for all joint owners.
Joint owner(s) (continue on a separate sh	eet if necessary):
Full Date of Addr name birth (last 5 years)	
Marian Caves	
Individuals, please go to Part 2.	
Corporate entities	
Corporate entities, please complete the re Fill in if you are applying as a corporate en charity)	9. 9
Corporate entity nameGCO Haddingt	<u>on</u>
Limited company number (if applicable)	SC574506
First name and surname <u>Gavin Caves</u>	
Registered or principal office address	

Email address

Tel. No. Names and private addresses and dates and places of birth of its directors, partners or other persons responsible for its management, including trustees in the case of charities (continue on a separate sheet if necessary).

Full name	Personal address	Place of birth	Date of birth
Gavin Caves			
Marian Caves			

If you do not own the property which is the subjyou have proof of permission from the owner(s	•	ı, do
Yes No No N/A X		
PART 2: PREMISES DETAILS		
Where you have a single premises with multi- complete the Premises Details Supplemental	·	lease
Premises 25 Station Hill, North Ber Address	wick	
Postcode	EH39 4AS	
Unique Property Reference Number (if known)	STL 75191	
EPC Rating* C		
* (if applicable – not req∪ired for home sharin	ng or Unconventional accom	modatio
Please select the type of premises:		
Detached House	Semi-detached House	
Terraced House X	Flat	
Unconventional accommodation		

your short-term let:	se select the t	rescribtion that best describe	5
Self-catering	χ	B&B	
Guest house		Other form of home sharin	g 🗌
Home letting			
Specify the number of rooms with	in the premises	s used as:	
Bedrooms ³ (2 beds in each bedro	oom) Bed/Sitt	ting rooms	
Bathrooms 2_	Kitchens	1	
Lounges 1			
Other (please specify) 1 office			
Specify the maximum number of g	guests 6		
(excluding children under 2 years	of age)		
Specify the number of off-street	car parking sp	paces available 0	
PART 3: APPLICATION AN	ID LICENCE	TYPE	
(to be completed by all applican	ıts)		
Please select the application type:	:		
First application (new operator)			X
New application (where property h	nas been used	as licensed STL previously)	
Renewal			
Change to existing license			

been used as a licensed short-term let before, please proceed to 'The Type of Short Term License you require' (below).
Existing license number N/A
Existing license expiry date
If you are submitting a new application where the property has been used as a licensed short-term let before, please complete the following fields.
Previous license number N/A
Previous license expiry date
Please select the type of short-term let license you require:
Home sharing
Home letting
Home sharing & home letting
Secondary letting X
If you are applying for a change to your existing license, please indicate the reason for your request (e.g. a change of agent, changes to the property – e.g. an extension to increase maximum occupancy).
N/A

If you are applying to renew or alter your license, please complete the

following fields. If submitting a new application where the property has never

PART 4: CONVICTIONS

Has anybody named on the application been convicted of any offence? Please include details of any unspent convictions in the table below: **NONE**

NAME	DATE	COURT	OFFENCE	SENTENCE
100				

PART 5: APPLICATION CHECKLIST

Note - this check list must be fully completed in order to submit your application

I have enclosed the following (please tick to confirm (or enter N/A)	
Correct application fee	Yes
Annual gas certificate (for premises with a gas supply)	Valid to: 05/02/2025
Electrical Installation Condition Report	Valid to: 05/02/2029
Portable Appliance Testing Report	Valid to: 05/02/2029
Fire Risk Assessment	Yes
Fire Service Safety Checklist	Yes
Legionella Risk Assessment	Yes
Planning permission (for premises within a control area or where requested by the licensing authority)	Planning application reference number: N/A
Floor plan	Yes (2 beds in each of the 3 bedrooms)
EPC Certificate (for premises which are dwellinghouses)	Valid to: 01/ 09/ 2033
Public Liability Insurance	Valid to: 11/ 06/ 2025
Proof of consent from owner (if applicable)	N/A

I have: (please tick to confirm (or enter N/A)	
Identified the owners and those involved in the day-to-day management of my premises	Yes
Ensured that to the best of my knowledge all those named on my application are fit and proper persons	Yes
Prepared information that will be available to guests at the premises including:	Yes (pending STL being given re (a))
(a) a certified copy of the license and the license conditions,	
(b) fire, gas and electrical safety information,	
(c) details of how to summon the assistance of	
emergency services,	
(d) a copy of the gas safety report,	
(e) a copy of the Electrical Installation Condition Report, and	
(f) a copy of the Portable Appliance Testing Report.	
Applied for planning permission (if required).	Not required
Noted the requirement to display my license number and EPC rating on listings for my premises	Yes
Proof that furniture and furnishings/the furniture and furnishings guests have access to, comply with fire safety regulations	Yes
Read and understood the mandatory conditions that will apply to my license	Yes
Read and understood the additional conditions that will apply to my license	Yes

My premises (please tick to confirm (or enter N/A)	
Meets current statutory guidance for provision of fire, smoke and heat detection	Yes
Meets statutory guidance for carbon monoxide alarms	Yes
Meets the required regulations for private water supplies (for premises with a private water supply i.e not provided by Scottish Water)	N/A
Meets obligations with regard to the Tolerable and Repairing standard (applicable to dwellinghouses)	Yes

PART 6: DECLARATION

East Lothian Council, as licensing authority, will use information it holds about you to determine whether you are a fit and proper person to operate a short-term let. In addition, licensing authorities to which you apply may share relevant information they hold about you with one another to help those authorities determine whether you are a fit and proper person to act as a landlord, or to act for a landlord.

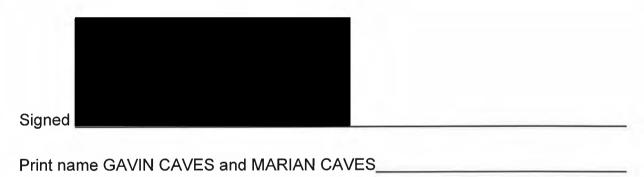
They may also share and seek relevant information with Police Scotland and, if appropriate, other relevant authorities.

Anyone who gives false information on this form, or fails to provide the information required by this form, is committing an offence which could lead to prosecution.

I declare that I have read and understood the mandatory conditions that apply to short-term let licences and East Lothian Council's additional conditions

I will comply with the requirement to display a site notice in accordance with paragraph 2 of Schedule 1 of the Civic Government (Scotland) Act 1982

I declare that the information given in this application is correct to the best of my knowledge



Date 29.4.24

DATA PROTECTION ACT 2018

Please note that the information given on this form may be stored electronically by this Authority for the purpose of licensing.

The Identity of the Data Controller under the Data Protection Act 2018 ("the Act").

East Lothian Council, John Muir House, Haddington, East Lothian EH41 3HA ("the Council")

The purpose or purposes for which the data are intended to be processed.

The Data will be processed in order for East Lothian Council to fulfil its statutory duty under the Civic Government (Scotland) Act 1982 in receiving, registering, determining and granting applications for licenses under the said Act. The

Data will be shared with public bodies who require to be consulted about the application, such as the Police. It will also be shared with internal East Lothian Council services, particularly within the Environment Department who give advice to the Council as Licensing Authority, in respect of the application.

East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Further information can be obtained from:

Data Protection Officer Licensing, Administration and Democratic Services John Muir House Haddington

dpo@eastlothian.gov.u

<u>k</u>

O'Reilly, Arlene

From:

Millar, Neil

Sent:

09 July 2024 11:01

To:

Gavin Caves

Short Term Lets

Cc: Subject:

RE: FW: Short Term Let Licence Application, 25 Station Hill, North Berwick EH39 4AS

Attachments:

RE: STL75191 - further information required

Morning Gavin,

Thank you for your email below and apologies for my oversight.

I recall that I visited your property on 6th October 2023 to establish whether or not planning permission was required for the use of the house as a unit of short term holiday let accommodation (see attached email). It was established that planning permission was not required and this remains the case.

Please note that I have copied our short term let licensing team into this email for their information.

Kind regards

Neil

From: Gavin Caves

Sent: Monday, July 8, 2024 3:36 PM

To: Millar, Neil <nmillar@eastlothian.gov.uk>

Subject: Fwd: FW: Short Term Let Licence Application, 25 Station Hill, North Berwick EH39 4AS

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You don't often get email from

Learn why this is important

Dear Neil,

I was forwarded your 4th July email to STL - see bottom of email thread.

However, you have already visited our property and declared it not needing change of use. See email from yourself copied below:

Dear Marian,

Thank you for your email below and attachment.

I can confirm that I visited the property this morning and met with the current owner who was able to provide me access and show me around. The purpose of my site visit was to establish whether the use of this house, as a unit of short term holiday let accommodation, requires planning permission for it. I note that this property (25 Station Hill, North Berwick) is located within North Berwick Town Centre as defined by Policy TC2 of the East Lothian Local Development Plan 2018. It is also within North Berwick Conservation Area. The property is served access by its own private entrance door (which is not shared with any other property) and is located between the shopfronts of 19-23 and 27 Station Hill.

I understand from your emails below that (i) the property will be let to either families or small groups of people; (ii) the property is to be let out for roughly half of the year with the average stay being 7 nights; (iii) the maximum occupancy capacity of the house is for 6 people; and (iv) that it is currently in use as a private dwelling.

Based on the information provided and having visited the property today I can confirm that planning permission is not required for the change of use of the house, the subject of this enquiry, to form short term holiday let accommodation.

Kind regards	
Neil	

Please can you confirm this with STL thanks, so they can progress with my STL application thanks.

Looking at your email from the 4th of July - here are the answers to your other questions:

How many days/weeks per year would the property be used for short term lets;

I would imagine around 30 weeks a year - but it obviously depends on whether there is any interest from people wanting to stay at the property.

What would be the maximum occupancy of the property (i.e. how many visitors can occupy the property in one booking);

As per application, six people.

What would be the minimum and maximum length of stay



Licensing
John Muir House
Haddington
East Lothian
EH41 3HA

30th July 2024

Dear Sirs,

SHORT TERM LETS APPLICATION — 25 STATION HILL, NORTH BERWICK, EH39 4AS

I wish to object to the granting of a short term lets licence for the above property by M.
Caves of

I own

and we are about to take up occupation there as a jewellery business.

Regards,

Clare Blatherwick

Director

Consultation Responses

Antisocial Behaviour Team – No objection

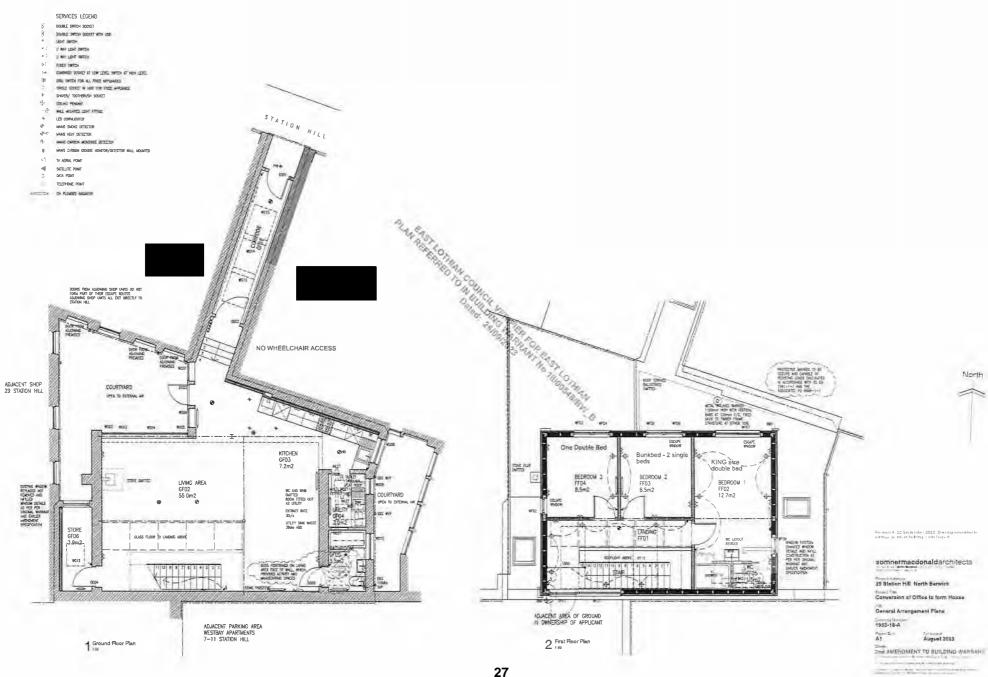
Parking Team – No response

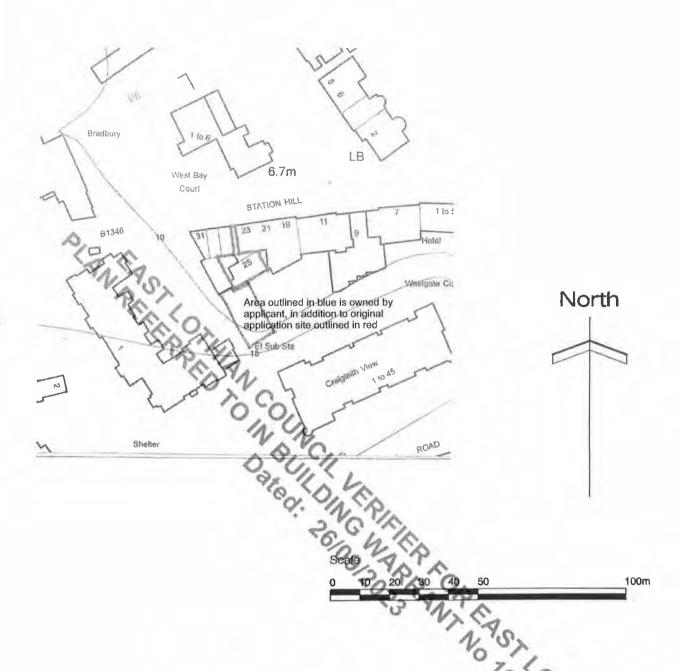
Planning authority – see email 9^{th} July 2024

Environmental services – No objection

Police Scotland – No objection

SFRS – No response





Somnermacdonaldarc 2a Law Road • North Berwick • EH39 4PL • 01620 ES www.somnermacdonald.co.uk

Project Address:

25 Station Hill North Berwick

Project Title:

Alterations to form House

Site Location Plan

Drawing Number: 1955-03-B

Paper Size:

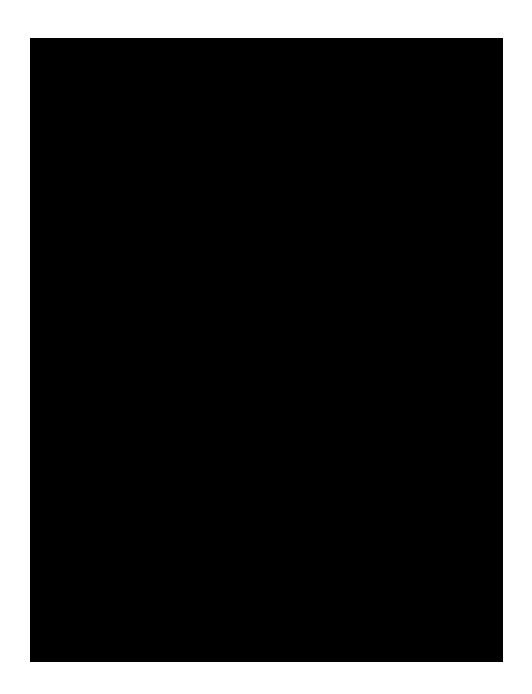
1st Issued:

A4

July 2019

Dimensions stated are in millimetres unless specifically noted otherwise.







 From:
 Short Term Lets

 To:
 Crichton, Rebecca

 Date:
 05 August 2024 14:12:34

From: Clare Blatherwick

Sent: Monday, August 5, 2024 10:38 AM **To:** Short Term Lets <stl@eastlothian.gov.uk>

Subject: Re: Short Term Let Licence Application 25 Station Hill, North Berwick EH39 4AS

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And attached are photos of the back of the applicant's property for your records

From: Clare Blatherwick

Date: Monday, 5 August 2024 at 10:29

To: Short Term Lets <stl@eastlothian.gov.uk>

Subject: Re: Short Term Let Licence Application 25 Station Hill, North Berwick EH39

4AS

Thanks Arlene.

Thank you for your response.

I am going to forward the correspondence I have received from the applicant to you. I appreciate you aren't go betweens, nor am I asking you to be but I would like it noted that he has contacted me independently and the content recorded.

I will be attending the meeting in September - most likely online.

Best, Clare

From: Short Term Lets <stl@eastlothian.gov.uk>

Date: Monday, 5 August 2024 at 09:17

To: Clare Blatherwick

Subject: RE: Short Term Let Licence Application 25 Station Hill, North Berwick EH39

4AS

Good Morning Clare, we send a redacted copy of your objection to the applicant as part of the invitation process.

Hope this helps.

Thanks Arlene

Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. stl@eastlothian.gov.uk

From: Clare Blatherwick

Sent: Thursday, August 1, 2024 4:29 PM **To:** Short Term Lets <stl@eastlothian.gov.uk>

Subject: Re: Short Term Let Licence Application 25 Station Hill, North Berwick EH39 4AS

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Dear Arlene,

Thanks for the response. I am curious that he has my details. I wasn't aware that information about objectors was supplied to the applicant?

Thanks, Clare

From: Short Term Lets <stl@eastlothian.gov.uk>

Date: Thursday, 1 August 2024 at 08:31

To: Clare Blatherwick

Subject: RE: Short Term Let Licence Application 25 Station Hill, North Berwick EH39

4AS

You don't often get email from stl@eastlothian.gov.uk. Learn why this is important

Good Morning Clare, thank you for your email.

I did tell Mr Caves that I would email you asking for permission to share contact detail as we cannot be the "go between" in these discussions.

Kind Regards Arlene

Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. <u>stl@eastlothian.gov.uk</u>

From: Clare Blatherwick

Sent: Wednesday, July 31, 2024 9:52 PM **To:** Short Term Lets <stl@eastlothian.gov.uk>

Subject: Re: Short Term Let Licence Application 25 Station Hill, North Berwick EH39 4AS

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Hi Arlene,

He has bypassed you and messaged me through my website...

Best, Clare

From: Short Term Lets <stl@eastlothian.gov.uk>

Date: Wednesday, 31 July 2024 at 16:20

To: Clare Blatherwick

Subject: FW: Short Term Let Licence Application 25 Station Hill, North Berwick EH39

4AS

You don't often get email from stl@eastlothian.gov.uk. Learn why this is important

Good Afternoon Claire, the applicant has contacted myself to ask if it is ok to share contact details? He wishes to discuss options to your objections.

Please let me know your thoughts.

Kind Regards

Arlene

Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. <u>stl@eastlothian.gov.uk</u>

From: Short Term Lets <stl@eastlothian.gov.uk>

Sent: Wednesday, July 31, 2024 3:42 PM

To: Clare Blatherwick

Subject: Short Term Let Licence Application 25 Station Hill, North Berwick EH39 4AS

Good Afternoon, please see attached invitation regarding the above STL Licence Application.

Kind Regards

Arlene

Arlene O'Reilly | Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. <u>stl@eastlothian.gov.uk</u>

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From: Short Term Lets
To: Crichton, Rebecca

Subject: FW: Clare Blatherwick Contact Notification

 Date:
 05 August 2024 13:55:27

 Attachments:
 image001[26].gif

image002[46].jpg image003[57].jpg image004[96].png image005[25].png image006[42].jpg

From: Licensing < licensing@eastlothian.gov.uk>

Sent: Monday, August 5, 2024 10:32 AM **To:** Short Term Lets <stl@eastlothian.gov.uk>

Subject: FW: Clare Blatherwick Contact Notification

From: Clare Blatherwick

Sent: Monday, August 5, 2024 10:29 AMTo: Licensing < licensing@eastlothian.gov.uk>Subject: FW: Clare Blatherwick Contact Notification

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Second email from applicant

From: Gavin Caves

Date: Friday, 2 August 2024 at 14:10

To: Clare Blatherwick

Subject: Re: Clare Blatherwick Contact Notification

Hi Clare,

Thanks for your reply, much appreciated.

I have waited (over two years) for a property to come up that has no residential neighbours, suitable for my family to go on holiday / short term lets. Yours

is the only objection.

Your concerns are completely unfounded and I implore you to reconsider your objection. You should come round and see for yourself - just message if you'd like to meet.

Kind regards,

Gavin

On Thu, 1 Aug 2024 at 16:48, Clare Blatherwick

wrote:

Dear Gavin,

I'm well thanks and hope you are too? I had an email from the licensing team noting that you had requested my contact information, but I see you found my website in the interim.

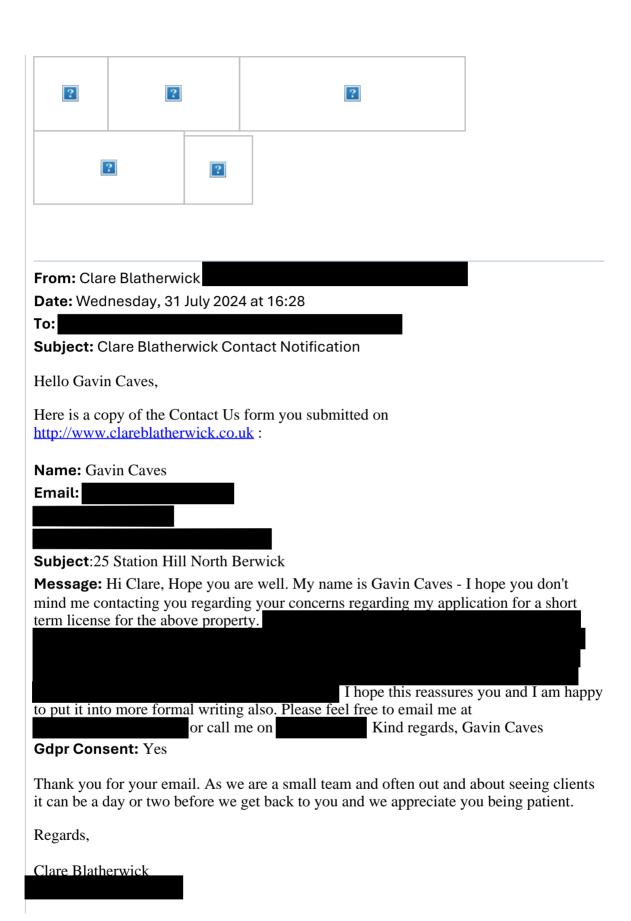
Thank you for your email. I appreciate your response, but it remains a serious concern for us. The security of my team and the business is paramount and when I bought the property I was under the impression the house was owner occupied.

It feels really important to us that our neighbours are known. Accordingly, I felt I had no choice but to make the objection on this occasion. As it happens, I previously turned down taking another property in NB on the basis that it had shared space with some short term let properties and I wasn't comfortable with that.

I certainly don't want to start our neighbourly relations off on the wrong footing. Maybe it is best that we take time to mull things over before the meeting with the licencing team when we can discuss it further.

Best regards, Clare





Response to STL Application Objection for 25 Station Hill, North Berwick, EH39 4AS

FAO Licensing Sub-Committee - meeting 12th September at Council Chamber, Town House, Haddington

Dear Members of the Sub-Committee,

I am the owner of the above property (Gavin Caves) and the applicant in question for the STL licence.

Thank you for giving me the opportunity to respond to the objection you have received. I trust all other aspects of my application have been considered by the licensing office and are acceptable.

The objector raises two issues, which I would like to address. They appear to relate to the 'unsuitability' of my property for the licence applied for on grounds, it seems, of security and privacy.

My position is that the property is entirely suitable for short-term letting, that the purely theoretical risk identified by the objector is unsubstantiated and lacks supporting evidence, and that the licence should be granted.

1. 'The property has

licences.

As is common with many properties in Scotland,

many
of which, as the sub-committee will be aware, have been deemed suitable for STL

The underlying premise to the objection seems to be that short term tenants are more likely to cause safety and security issues when compared with long term tenants or other building occupants.

Having checked the crime data for East Lothian and beyond, I have found no evidence that this is the case. If the objector has such evidence, I would expect it to be put before the sub-committee. Indeed, if it were the case, then no STL licences should ever be granted anywhere. As it stands, the objector's concern seems to be entirely based on a discriminatory assumption against short term tenants.

I do not consider this likely and in fact the audit trail of occupants, which will include
names and financial information, would surely reduce such a risk rather than increase
it.

Given its location, short term tenants would most likely be holiday makers, coming to play golf or take their children to the beach. They would also be good potential clients for the objector – providing, I would have thought, an attractive business stream. I would be happy to have the objector's business card in the welcome pack for tenants, were an STL licence granted.

2. 'Direct sight into our property'

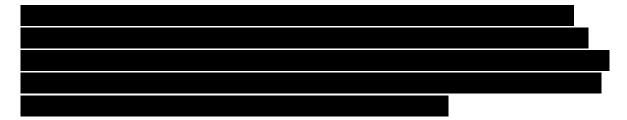
The use made of the property has no bearing on the privacy of the objector's property (it the past it has been both an office and a residential property). Any lines of sight which exist now also existed at the time the objector acquired their property which, as noted, looks

Most of us have some view of our neighbours' windows and utilise measures such as blinds/curtains/privacy glass/shutters etc. In any event, any lines of sight are minimal at best in this case. Please see photos below of the view from my lounge towards the objector's property. For context, I had to open the blinds wide to even see the objector's window.

The objector's position appears to be that the simple fact of my property's proximity to their business should prevent the granting of this licence. Proximity is, of itself, not a valid ground for objection. It should not be that the mere presence of another business close by - regardless of the nature of that business - is sufficient reason to refuse this licence for the operation of a short-term rental in a self-contained residential property. The objector's business is not entitled to any specific or enhanced privacy.

Again, the underlying premise to the objection seems to be that short term tenants are more likely to cause safety and security issues when compared with long term tenants or other building occupants – when looking onto the objector's property through the window. There is no evidence for this.

Please also note that my property (see floorplan and photos below) has a separate front door that opens out onto Station Hill such that the objector would never know who was 'coming and going' from the building.



Safety and security are also paramount for me and for my tenants, family and guests. I am happy to discuss with my new neighbours ways we can together ensure that we are as secure as possible.

I do sincerely wish my new neighbour every success in their new business premises.

As I understand it, the sub-committee requires to grant my licence unless there are grounds to refuse it. The only potential ground(s) cited to the sub-committee would appear to be based on security/privacy concerns. Both concerns are, I respectfully submit, ill-founded and discriminatory against short term tenants; the committee has not been provided with sufficient evidence to refuse my application on that basis.

In summary, I should be very grateful if the STL sub-committee would reject the objection to the provision of a STL licence for 25 Station Hill and grant the licence I have applied for.

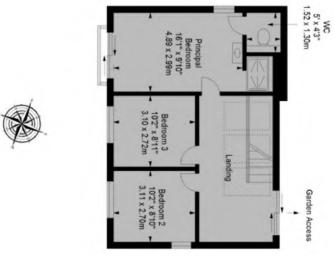
I look forward to meeting you all in person at the meeting on the 12^{th} September at the Town House in Haddington.

Kind regards,

Gavin Caves





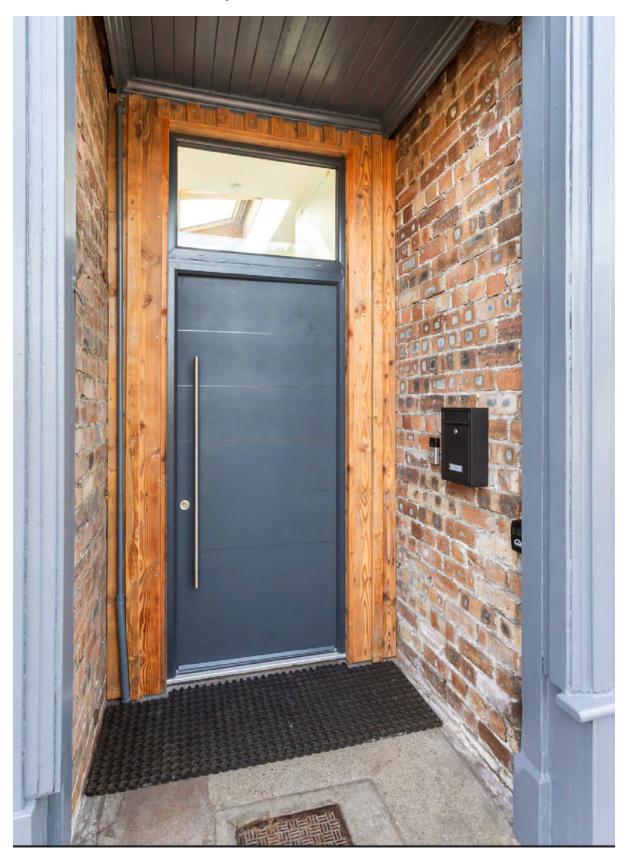


Please note the separate front door and entrance onto Station Hill





Front Door of 25 Station Hill – opens onto Station Hill



Interior view from Estate Agent images at purchase – since then, a brand new kitchen has been installed and new flooring fitted. All required safety measures have also been installed to satisfy the requirements for an STL licence



