

**MINUTES OF THE MEETING OF
LICENSING SUB-COMMITTEE**

**THURSDAY 13 FEBRUARY 2025
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON
& HYBRID MEETING FACILITY**

1

Committee Members Present:

Councillor J Findlay
Councillor C McFarlane
Councillor J McMillan (Depute Convener)
Councillor T Trotter

Other Councillors Present:

None

Council Officials Present:

Mr I Forrest, Senior Solicitor
Ms S Fitzpatrick, Team Leader – Licensing and Landlord Registration
Ms N Harrison, Licensing Standards Officer
Ms E Barclay, Democratic Services Assistant

Others Present:

None

Clerk:

Ms B Crichton, Committees Officer

Apologies:

Councillor C Cassini
Councillor C McGinn

Declarations of Interest:

Item 2: For transparency, Councillor McMillan stated that he had dealt with economic development matters with the manager on site, but felt that he was still able to make an objective decision.

The clerk advised that the meeting was being held as a hybrid meeting, as provided for in legislation; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the Council was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record

retention; and that the webcast of the meeting would be publicly available for six months from the date of the meeting.

The clerk recorded the attendance of Members by roll call.

1. MINUTES FOR APPROVAL
Licensing Sub-Committee, 12 December 2024

The minutes were approved as an accurate record of the meeting.

**2. CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960,
LICENSING OF RELEVANT PERMANENT SITES (SCOTLAND)
REGULATIONS 2016, SETON SANDS HOLIDAY VILLAGE – REQUEST
FOR EXTENSION OF APPLICATION DETERMINATION DEADLINE**

A report had been submitted by the Executive Director for Council Resources to ask the Licensing Sub-Committee to consider whether to extend the application determination deadline for a relevant permanent site licence application, submitted by Seton Sands Holiday Village on 29 November 2024, by eight weeks. The extension was to enable the planning permission position to be regularised through the grant of a Certificate of Lawful Use or Development (CLUD).

Ian Forrest, Senior Solicitor, spoke to the report. He advised that the current application deadline was 28 February 2025, however, determination of the application had been held up because the applicant was required to apply for the appropriate planning permission. Lichfields, acting as agent for Haven Leisure Ltd.'s, had therefore requested that the determination deadline be extended to 25 April 2025 to allow the application for the CLUD, which had been submitted recently, to be determined.

Sheila Fitzpatrick, Team Leader – Licensing and Landlord Registration, added that the Planning Authority had indicated that the application could not be registered or processed until further information had been provided, and the applicant had been informed of this the previous day.

Speaking to the request for an extension of the determination period, Helen Ashby-Ridgway, agent, pointed out that the CLUD application was not a planning application, but would confirm that the property in question had been in situ for at least ten years.

Responding to questions from Councillor McMillan and Councillor Trotter, Ms Ashby-Ridgway advised that the additional information requested included the already submitted statements of evidence having to be re-signed and witnessed by a solicitor. Evidence of council tax statements had also been requested. She explained that the application had taken some time because there had been a number of parts to be collated, and different planning authorities had different requirements regarding the signing and witnessing of statements. She added that it had only recently been established that the presence of the caravan was not being questioned by the Planning Authority, but the use of the caravan.

Following a further question from Councillor McMillan, there was a discussion around submission dates. Ms Fitzpatrick advised that a CLUD application usually took two months to determine, so the required evidence must be submitted to the Planning Authority within the next week to allow the licence application to be determined by the requested extension of 25 April.

Councillor Trotter pointed out that the site was not functioning legally until appropriate permissions were in place, and asked where the liability would fall if something were to go wrong. Simon Combs, representing Haven Leisure Ltd., advised that the situation was rare because there were hardly any residential pitches in any Haven parks. He advised that if the whole park was operating on a holiday licence, then responsibility would lie with the business operating the park. Councillor Trotter explained that his concern was for the residents, and acknowledged the company's acceptance of responsibility.

Councillor McMillan echoed Ms Fitzpatrick's comments about the requirement to submit evidence quickly. He also sought to confirm whether there would be any need for the matter to come back before the Licensing Sub-Committee. Mr Forrest confirmed that the licence could be determined under delegated powers.

Councillor Trotter expressed disappointment over the length of time it had taken the operator to licence the site, particularly when the licence affected members of the public who may not know the background to the situation. He expected that everything in the site to be kept in order in future. Councillor McMillan added that those who chose to work in a regulated environment must obey the regulations.

Councillor Findlay said he was happy to agree to the requested extension and delegate authority to Licensing Officers to determine the application.

Councillor McMillan asked the operators to note the Sub-Committee's remarks, to work with the Council, and to submit the required information as soon as possible.

Councillor McMillan then moved to a roll call vote, and Committee members unanimously voted in support of the recommendation to extend the application determination deadline by eight weeks.

Decision

The Licensing Sub-Committee agreed to extend the application determination deadline from 28 February 2025 to 25 April 2025.

Councillor McMillan acknowledged that this had been the last committee meeting under the formal signature of the Chief Executive, Monica Patterson, and wished her well in her retirement.

Signed

.....

Councillor J McMillan
Depute Convener of the Licensing Sub-Committee

REPORT TO: Licensing Sub-Committee
MEETING DATE: 8 May 2025
BY: Executive Director for Council Resources
SUBJECT: Taxi Fare Review

2

1 PURPOSE

- 1.1 To allow the Licensing Sub-Committee to consider the review of the scale of the fares or other charges currently in operation in respect of the East Lothian taxi fleet.

2 RECOMMENDATIONS

- 2.1 That the Sub-Committee –
- a) complete the review of taxi fares by considering the two responses received from local taxi operators and information on neighbouring local authority tariffs;
 - b) agree that the confirmed tariff will come into effect on 28 July 2025; and
 - c) authorise officers to advertise and explain the effect of the proposals and invite representations from the public.

3 BACKGROUND

- 3.1 There is a statutory requirement for the Council to review taxi fares at least once every 18 months. The last review took place between August 2023 (Appendix 1 – existing tariff), with the fares being adopted on 27 January 2024, meaning that the next review is to be completed no later than May 2024 in order to comply with the statutory timescales.
- 3.2 To ensure compliance with this timescale, the review was initiated by way of consultation with the taxi trade in East Lothian regarding any proposals they may have regarding the review of taxi fares. That consultation ran

from 4 to 31 March 2025. There were two responses or proposals (Appendices 2 and 3) received to alter the current fee structure. The Sub-Committee is entitled to complete the review of fares with the decision being to make no changes to the current levels or amend current levels.

- 3.3 As part of the review of taxi fares, the Licensing Team has also consulted with other Licensing Authorities, namely, West Lothian, Midlothian, City of Edinburgh, and Scottish Borders about their current scale of fares and other charges. A summary of their charges can be found at Appendix 4.
- 3.4 For information, comparable journey costs for the above local authorities have been calculated (Appendix 5).
- 3.5 Before any new scale of fares and other charges can come into force, the Council must advertise any new proposed scale in the local press to give an opportunity for public representations. Said notice must also specify the date on which it is proposed that the tariff shall take effect, which must take account of the period for representations and for appeals to the Traffic Commissioners. It is therefore suggested that the proposed date of coming into effect should be eight weeks after the date of advertising. Following the coming into effect of the tariff, there would be a further notice published confirming that the new tariff is now in effect.

4 POLICY IMPLICATIONS

- 4.1 None. In fixing a scale of fares and other charges, the Council as Licensing Authority is complying with a statutory duty.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - none
- 6.2 Personnel - none
- 6.3 Other - none

7 BACKGROUND PAPERS

- 7.1 None

Appendix 1 – Existing tariff

Appendix 2 – Trade body response (Torrance 07.01.25)

Appendix 3 – Trade body response (Torrance 28.03.25)

Appendix 4 – Summary of neighbouring authority tariffs

Appendix 5 – Comparable journey costs

AUTHOR'S NAME	Ian Forrest
DESIGNATION	Senior Solicitor
CONTACT INFO	Ext 7389
DATE	15 April 2025

EAST LoTHIAN COUNCIL
CIVIC GOVERNMENT (SCOTLAND) ACT 1982
TAXI FARE SCALE

FARE TABLE FOR TAXI CABS
27 January 2024

For 1 to 8 Passengers	TARIFF 1 6am – 6pm	TARIFF 2 6pm- 6am	TARIFF 3
1. For the initial period of waiting and 2. For the initial hire not exceeding 713.70 yards	£3.60	£4.80	£6.00 1. 6pm on 24 th December until 6am on 27 th December 2. 6pm on 31 st December until 6am on 2 nd January
1. For each additional 40 seconds of waiting time	24p	24p	48p
2. For every additional 146.5 yards	24p	24p	48p
3. Or a combination of 1 and 2 above	24p	24p	48p

EXTRA PAYMENTS

- Car valeting charge for customer misuse - £120

NOTES

- The above fares are applicable only within East Lothian

Fitzpatrick, Sheila

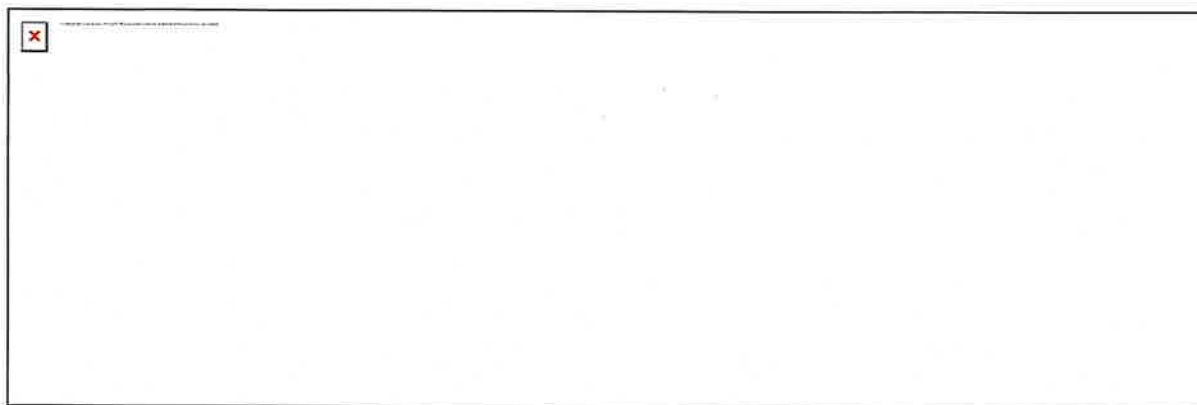
From: Licensing
Sent: 07 January 2025 10:59
To: Fitzpatrick, Sheila
Subject: FW: Taxi Fares

Alison Rafferty

Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664
| E. licensing@eastlothian.gov.uk

****please note my working week is Monday, Tuesday, Thursday, Friday**

Protect Our Privacy: use a password manager to store your passwords. Never leave passwords near your computer or use the same password for multiple applications



From: Ian Torrance <torrancetaxis@hotmail.com>
Sent: Tuesday, January 7, 2025 10:54 AM
To: Licensing <licensing@eastlothian.gov.uk>
Subject: Taxi Fares

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom It May Concern

It is now time to ask for a price increase. As I am sure you are aware of the additional costs which are on the horizon ie. Minimum Wages , N.I. , increase in Taxi Licence also Vehicle Tests which are already in place.

Could I please put a request forward for a price increase in the region of 10%. I have spoken to Robert Campbell at AC,s and he is in total agreement.

Regards

Ian Torrance

For and on behalf of

Torrance Taxis

1a Spott Road, Dunbar

East Lothian

EH42 1LE

Tel: 01368 862612

Web: <http://www.torrancetaxisandtravel.co.uk>.

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by reply e-mail then delete.

Fitzpatrick, Sheila

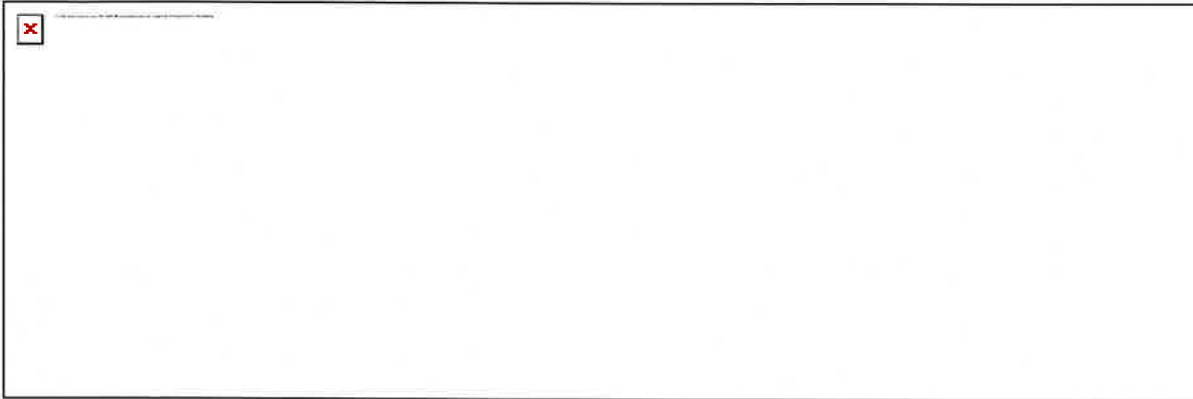
From: Licensing
Sent: 28 March 2025 09:44
To: Fitzpatrick, Sheila
Subject: FW: Taxi Fare Increase
Attachments: Taxi Fare 2.pdf

Alison Rafferty

Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664
 |E. licensing@eastlothian.gov.uk

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From: Ian Torrance <torrancetaxis@hotmail.com>
Sent: 28 March 2025 09:36
To: Licensing <licensing@eastlothian.gov.uk>
Subject: Taxi Fare Increase

CAUTION: This email originated 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

With regards to an increase in fares, taking into account all additional cost such as Living Wage Increase, National Insurance Increase no doubt an Increase in taxi tests, taxi licence for which we now pay for medicals ourselves £55 also, medical stress tests when required at a cost of £500. Replacement of vehicles are now costing an additional £20000.00 Please find attached proposed new tariffs.

Regards

Ian Torrance

For and on behalf of

Torrance Taxis

1a Spott Road, Dunbar

East Lothian

EH42 1LE

Tel: 01368 862612

Web: <http://www.torrancetaxisandtravel.co.uk>.

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EAST LoTHIAN COUNCIL
CIVIC GOVERNMENT (SCOTLAND) ACT 1982
TAXI FARE SCALE

FARE TABLE FOR TAXI CABS
27 January 2024

For 1 to 8 Passengers	TARIFF 1 6am – 6pm	TARIFF 2 6pm- 6am	TARIFF 3
1. For the initial period of waiting and 2. For the initial hire not exceeding 713.70 yards	£3.60 £3.80 + 5.5%	£4.80 NO CHANGE	£6.00 1. 6pm on 24 th December until 6am on 27 th December 2. 6pm on 31 st December until 6am on 2 nd January NO CHANGE
1. For each additional 40 seconds of waiting time	24p 30p	24p 30p	48p 60p
2. For every additional 146.5 yards	24p 30p	24p 30p	48p 60p
3. Or a combination of 1 and 2 above	24p 30p + 25%	24p 30p + 25%	48p 60p + 25%

EXTRA PAYMENTS

- Car valeting charge for customer misuse - £120 (**NO CHANGE**)

NOTES

- The above fares are applicable only within East Lothian

		Tariff 1 0600 – 1800	Tariff 2 1800 – 0600	Tariff 3 1800, 24 Dec to 0600, 27 Dec and 1800, 31 Dec to 0600, 2 January		Additional charges	ELC (current)
Initial period of waiting and initial hire < 713.70 yards	1 – 8 passengers	£3.60	£4.80	£6.00		Car valeting charge for customer misuse - £120.00	
1. Each additional 40 seconds of waiting time 2. Every additional 146.5 yards 3. Combination of 1 and 2		£0.24	£0.24	£0.48			
		Tariff 1 Mon – Fri, 0600 - 1800	Tariff 2 Mon – Thur and Fri – Mon, 1800 - 0600	Tariff 3 1800, 24 Dec to 0400, 27 Dec and 1800, 31 Dec to 0400, 2 January			WLC (from 22/05/24)
Initial period of waiting (40 secs) and initial hire < 176 yards	Up to 2 passengers	£3.00	£3.40	£5.10		Soiling - £40.00 Each additional adult (>12yrs) - £0.60	
1. Each additional 40 seconds of waiting time 2. Every additional 176 yards		£0.20	£0.20	£0.30		Each additional child (5 – 12 yrs) - £0.20 Each piece of luggage - £0.20	

3. Combination of 1 and 2						(max £0.40 per hire) Item or luggage requiring assistance of driver - £6.00 Cancellation - £3.00 Engagement - £1.00	
		Tariff 1 Mon – Fri 0600 – 1800	Tariff 2 Mon – Fri 1800 – 0600 Fri – Mon 1800 – 0600	Tariff 3 24/12 – 27/12 1800 – 0600 31/12 – 03/01 1800 – 0600			MLC (from 02/11/2022)
Initial period of waiting <60 seconds Initial hire < 339m Combination of above	Up to 2 passengers	£3.00	£3.80	£4.50		Cleaning - £50.00 Additional adults - £0.20 Engagement - £0.60	
Each additional 30 seconds of waiting Each additional 168.3m Combination of above		£0.25	£0.25	£0.40		Cancellation - £2.00 Airport charges – responsibility of passenger (waiting, setting down, picking up)	
		Tariff 1 Social hours	Tariff 2 Unsocial hours (2200 – 0600)	Tariff 3 1800, 24 Dec to 0600, 27 Dec and 1800, 31 Dec to 0600, 3 January			Scot Borders (proposed and to be confirmed following appeal to Commissioner)

Initial hire (96.78 yards thereafter) Each 152.76 yards or part thereafter.	1 – 4 passengers	£3.00 £0.20 £0.20	£3.70 (77.43 yards) £0.20 (each 122 yards) £0.30	£3.45 £0.30 £0.30		Car valeting charge for customer misuse - £100.00	
Waiting time - After 95 secs, each 55 secs							
Initial hire (96.78 yards thereafter) Each 152.76 yards or part thereafter	5 – 8 passengers	£4.50 £0.30 £0.30	£5.50 (77.43 yards) £0.30 (each 122 yards) £0.50	£5.10 £0.50 £0.50			
Waiting time - After 95 secs, each 55 secs							
		Tariff 1 Mon – Fri, 0600 – 1800	Tariff 2 Mon – Fri, 1800 – 0600 and Sat – Mon, 0600 - 0600	Tariff 3 Mon – Fri, 0600 – 1800 During Xmas & NY period (1800, 24/12 to 0600, 27/12 and 1800, 31/12 to 0000, 02/01)	Tariff 4 Mon – Fri 1800 – 0600 All day if Xmas & NY are a Sat or Sun		CEC (from 09/12/2024)
Initial period of waiting (105 secs) and Initial hire < 451m	Up to 3 passengers	£3.60	£4.80	£4.60	£5.75	Soiling - £50.00 >3 passengers - £0.40 Engagement - £0.80 Cancellation - £2.20	
1. Each additional 148m up to 1783m,		£0.30	£0.30				

thereafter each additional 172m. 2. Each additional 32 secs of waiting time. 3. Combination of 1 & 2						Airport charge – Amount charged at gate subject to max. of £6 (providing no more than actual charge)	
1. Each additional 162m up to 1909m, thereafter each additional 187m. 2. Each additional 34 secs of waiting time. 3. Combination of 1 & 2				£0.40	£0.52		

All other LAs charge different rates depending on the number of passengers.

Check with Alan Kelley/Bruce Moffat/Colin Squance re logistics of introducing more criteria to fares e.g. additional passengers etc.

LA	Distance	Initial charge	Distance thereafter	Distance charge	Additional waiting time	Total
ELC	(8800 yds)	£3.60	8086.3	£13.44	£1.92	£18.96
MLC	(8046.72m)	£3.00	7707.72	£11.50	£2.50	£17.00
WLC	(8800 yds)	£3.00	8624	£9.80	£1.60	£14.40
SBC	(8800 yds)	£3.00	8703.22	£11.40	£1.20	£15.60
CEC	(8046.72m)	£3.60	7595.72	£2.70 + £10.92 = £	£2.81	£20.03

5 mile journey comparison
5 mins additional waiting time
2 passengers
Tariff 1

APPLICATION FOR GRANT / RENEWAL OF SHORT-TERM LET LICENCE

3

Tel. No. [REDACTED] Email address [REDACTED]

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)
[REDACTED]			

Agent(s) & Day to Day Manager(s)

Do you have or intend to appoint an agent or day-to day manager?

Yes ☐

No ☒

If you answered yes, please provide details for your agent(s) or day to day manager(s).

Trading Name and Nominated Individual N/A

Address _____

_____ Postcode _____

Date of birth _____

Tel. No. _____ Email address _____

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

Joint Ownership

Is your property jointly owned? Yes ☐ No ☒

If you answered yes, please provide details for all joint owners.

Joint owner(s) (continue on a separate sheet if necessary):

Full name	Date of birth	Addresses (last 5 years)	Email	Tel. No.

Individuals, please go to Part 2.

Corporate entities

Corporate entities, please complete the relevant sections on the following pages.
Fill in if you are applying as a corporate entity (e.g. company, partnership, trust or charity)

Corporate entity name _____

Limited company number (if applicable) _____

First name and surname _____

Registered or principal office address _____

Tel. No. _____ Email address _____

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

If you do not own the property which is the subject of this licence application, do you have proof of permission from the owner(s):

Yes ☐ No ☐ N/A ☐

PART 2: PREMISES DETAILS

Where you have a single premises with multiple accommodation units, please complete the Premises Details Supplementary form.

Premises Address 29 Old Abbey Road, North Berwick

Postcode EH39 4BP

Unique Property Reference Number (if known)

EPC Rating* E

** (if applicable – not required for home sharing or unconventional accommodation)*

Please select the type of premises:

Detached House	<input type="checkbox"/>	Semi-detached house	<input type="checkbox"/>
Terraced House	<input checked="" type="checkbox"/>	Flat	<input type="checkbox"/>
Unconventional accommodation	<input type="checkbox"/>		

From the following options, please select the description that best describes your short-term let:

Self-catering	<input type="checkbox"/>	B&B	<input type="checkbox"/>
Guest house	<input type="checkbox"/>	Other form of home sharing	<input type="checkbox"/>
Home letting	<input checked="" type="checkbox"/>		

Specify the number of rooms within the premises used as:

Bedrooms 3 Bed/Sitting rooms _____

Bathrooms 1 Kitchens 1

Lounges 1

Other (please specify) Dining room and conservatory

Specify the maximum number of guests 5
(excluding children under 2 years of age)

Specify the number of off-street car parking spaces available 0

PART 3: APPLICATION AND LICENCE TYPE **(to be completed by all applicants)**

Please select the application type:

First application (new operator)	<input checked="" type="checkbox"/>
New application (where property has been used as licensed STL previously)	<input type="checkbox"/>
Renewal	<input type="checkbox"/>
Change to existing licence	<input type="checkbox"/>

If you are applying to renew or alter your licence, please complete the following fields. If submitting a new application where the property has never been used as a licensed short-term let before, please proceed to '**The Type of Short Term Licence you require**' (below).

Existing licence number _____

Existing licence 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 licence number _____

Previous licence expiry date _____

Please select the type of short-term let licence you require:

Home sharing ☐

Home letting ☐

Home sharing & home letting ☐

Secondary letting ☒

If you are applying for a change to your existing licence, please indicate the reason for your request (e.g. a change of agent, changes to the property – e.g. an extension to increase occupancy).

N/A

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:

NAME	DATE	COURT	OFFENCE	SENTENCE

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	See East Lothian Council website – Civic Licence Fees
Annual gas certificate (for premises with a gas supply)	Valid to: <u>20</u> / <u>02</u> / <u>26</u>
Electrical Installation Condition Report	Valid to: <u>20</u> / <u>02</u> / <u>30</u>
Portable Appliance Testing Report	Valid to: <u>20</u> / <u>02</u> / <u>26</u>
Fire Risk Assessment	17/2/25
Fire Service Safety Checklist	17/2/25
Legionella Risk Assessment	20/2/25
Planning permission (for premises within a control area or where requested by the licensing authority)	Planning application reference number: N/A
Floor plan	✓
EPC Certificate (for premises which are dwellinghouses)	Valid to: <u>07</u> / <u>08</u> / <u>2025</u>
Public Liability Insurance	Valid to: <u>31</u> / <u>08</u> / <u>2025</u>
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	✓
Ensured that to the best of my knowledge all those named on my application are fit and proper persons	✓
Prepared information that will be available to guests at the premises including: (a) a certified copy of the licence and the licence 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 licence number and EPC rating on listings for my premises	✓
Proof that furniture and furnishings/the furniture and furnishings guests have access to, comply with fire safety regulations	✓
Read and understood the mandatory conditions that will apply to my licence	✓
Read and understood the additional conditions that will apply to my licence	✓

My premises (please tick to confirm (or enter N/A))	
Meets current statutory guidance for provision of fire, smoke and heat detection	✓
Meets statutory guidance for carbon monoxide alarms	✓
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)	✓

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

Signed



Print name Carmel M Mullan

Date 8 March 2025

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.uk

Licensing

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 14 March 2025 09:45
To: Licensing
Subject: SHORT TERM LET APPLICATION - 29, OLD ABBEY ROAD, NORTH BERWICK, EH39 4BP - CARMEL MULLAN - 09/05/1964
Attachments: APP.PDF

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Hi all,
No Police objection
Our ref - 906572

Regards
Iain

Rafferty, Alison (Licensing)

From: Parking
Sent: 14 March 2025 11:14
To: Short Term Lets
Subject: RE: EL00533N, Short Term Let Application 29 Old Abbey Road, North Berwick, EH39 4BP

Hi,
I have no objection to this application.

Kind Regards

Grant Talac
The Parking Team
East Lothian Council



From: Short Term Lets <stl@eastlothian.gov.uk>
Sent: 13 March 2025 11:40
To: Environment Reception <environment@eastlothian.gov.uk>; Parking <parking@eastlothian.gov.uk>; Business Support CPT <businesssupportcpt@eastlothian.gov.uk>; Building Standards <buildingstandards@eastlothian.gov.uk>; Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>
Subject: EL00533N, Short Term Let Application 29 Old Abbey Road, North Berwick, EH39 4BP

Good Morning,

Please provide observations/comments regarding the application for a Short Term Let Licence for the above address. All responses should be returned within the 21-day consultation period.

Regards

Arlene

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

Verbal abuse and threatening behaviour is never acceptable. #zerotolerance

We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.



BE NICE
RESPECT US AS WE RESPECT YOU



Rafferty, Alison (Licensing)

From: Millar, Neil
Sent: 14 March 2025 09:31
To: Short Term Lets
Subject: RE: EL00533N, Short Term Let Application 29 Old Abbey Road, North Berwick, EH39 4BP
Attachments: RE: Further Information required STL77996

Hi Arlene,

Please see attached email sent to the applicant on 22nd January confirming that planning permission is not required for the change of use of this house (29 Old Abbey Road, North Berwick) to short term holiday let accommodation.

Regards

Neil

From: Short Term Lets <stl@eastlothian.gov.uk>
Sent: 13 March 2025 11:40
To: Environment Reception <environment@eastlothian.gov.uk>; Parking <parking@eastlothian.gov.uk>; Business Support CPT <businesssupportcpt@eastlothian.gov.uk>; Building Standards <buildingstandards@eastlothian.gov.uk>; Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>
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Rafferty, Alison (Licensing)

From: Slight, Lynn
Sent: 17 March 2025 10:06
To: Short Term Lets
Subject: FW: EL00533N, Short Term Let Application 29 Old Abbey Road, North Berwick, EH39 4BP 25/00360/STL
Attachments: APP.pdf; EICR.pdf; EPC.pdf; Floor plan.pdf; GAS.pdf; LRA.pdf; PAT.pdf

Good morning

No objections to this application

Kind regards

From: Environmental Protection <envprot@eastlothian.gov.uk>
Sent: 13 March 2025 14:39
To: Slight, Lynn <lsight@eastlothian.gov.uk>
Subject: FW: EL00533N, Short Term Let Application 29 Old Abbey Road, North Berwick, EH39 4BP 25/00360/STL

Uniform 25/00360/STL

From: Short Term Lets <stl@eastlothian.gov.uk>
Sent: 13 March 2025 11:44
To: Environmental Protection <envprot@eastlothian.gov.uk>
Subject: FW: EL00533N, Short Term Let Application 29 Old Abbey Road, North Berwick, EH39 4BP

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BE NICE

RESPECT US AS WE RESPECT YOU

East Lothian Council

O'Reilly, Arlene

From: Aitchison, Claire (Council Support)
Sent: 13 March 2025 15:14
To: Short Term Lets
Subject: RE: EL00533N, Short Term Let Application 29 Old Abbey Road, North Berwick, EH39 4BP

Hi Arlene

Just to confirm I have checked the ASB register and there have been no ASB complaints against this address.

Best Wishes,
Claire

From: Business Support CPT <businesssupportcpt@eastlothian.gov.uk>
Sent: 13 March 2025 14:54
To: Aitchison, Claire (Council Support) <caitchison@eastlothian.gov.uk>
Subject: FW: EL00533N, Short Term Let Application 29 Old Abbey Road, North Berwick, EH39 4BP

From: Short Term Lets <stl@eastlothian.gov.uk>
Sent: 13 March 2025 11:40
To: Environment Reception <environment@eastlothian.gov.uk>; Parking <parking@eastlothian.gov.uk>; Business Support CPT <businesssupportcpt@eastlothian.gov.uk>; Building Standards <buildingstandards@eastlothian.gov.uk>; Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>
Subject: EL00533N, Short Term Let Application 29 Old Abbey Road, North Berwick, EH39 4BP

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Regards

Arlene

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

NOTICE OF OBJECTION OR REPRESENTATION

If you are completing this form by hand, please write legibly
in block capitals using ink.

Please indicate below the type of notice you are making (tick appropriate box)

X Objection ☐ Representation

Please send your Objection or Representation to:

East Lothian Council,
Licensing, Administration and Democratic Services,
John Muir House, Haddington
East Lothian, EH41 3HA

If you are OBJECTING, please complete Part A of this form.

If you are MAKING REPRESENTATIONS, please complete Part B of this form.

All parties should complete Sections 1, 2 and Part C of this form.

Section 1 - Application Details

This objection/representation relates to the following Application:

Applicant's name Carmel Mullan

Name / Address of premises 29 Old Abbey Road

Post code EH39 4BP

This Application is for

☐ House in Multiple Occupation

☒ Short-term Let

Application Number (if known) EL00533N

Section 2 - Objector/Representer Details

If you fail to complete this section, the objection or representation may not be considered

(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL

Mr Macfarlane

Address

[REDACTED]

Post code

[REDACTED]

PART A - OBJECTION

Ground	Explanation
Local Housing Strategy	<p>I purchased my house on the understanding that it was in a residential street, in a residential area. At time of purchase I was not aware that there was a short term let premises in a row of 5 adjoining residential houses, (19 Old Abbey Road), immediately [REDACTED] and [REDACTED] g my house, which has direct views into my [REDACTED]. 19 Old Abbey Road house was issued with a short term licence despite objections from multiple neighbours. Subsequent to the issuance of the short term let licence to number 19, another short term let licence was issued to the house [REDACTED] to mine, 27 Old Abbey Road. More recently a further short term letting licence was issued to number 35 Old Abbey Road, despite objections about the suitability of this upper floor flat as a short term holiday let. (For reference, the occupants of No 35 now permanently locate their green refuse bin on the pavement of Old Abbey Road).</p>

	<p>Granting a short term let licence for number 29 Old Abbey Road would mean that I would have a short term holiday let property immediately [REDACTED] and [REDACTED] my house, as well as three consecutive adjoining properties to the [REDACTED] side of my house on Old Abbey Road. Such a density of short term lets, effectively commercial properties, is out of all proportion in a residential area.</p> <p>The occupants of these premises make no contribution to the local neighbourhood or community, and the weekly or more frequent turnover of visitors, significantly and adversely changes the nature of the neighbourhood. Short term let tenants often arrive with two cars per address, in a street with already limited parking, and regularly ignore the recycling rules.</p> <p>Short-term letting properties, in locations such as Old Abbey Road can attract a market premium over residential premises. For example, a short term let licence was issued to No 35 Old Abbey Road after it had unsuccessfully been for sale as a residential property for months and was in fact still on the market when its licence was issued. Residential buyers are being outbid by buy to let investors, while residential buyers are not attracted to properties which have adjacent, (though the wall, or floor), short term let properties.</p> <p>Unless the local housing strategy for North Berwick is to prioritise short term lets, over residential properties, I believe the creation of a row of three adjoining short term let properties on Old Abbey Road, increasing to four the number of short term let properties [REDACTED] to my house, is disproportionate.</p>
<p>Local Economic Development Strategy</p>	<p>The economic contribution of permanent residents who are living in the Town all year round far exceeds that of short-term visitors, for a variety of reasons, including;</p> <ul style="list-style-type: none"> • Permanent residents live in North Berwick for the majority of the year, supporting local businesses, and other service providers, throughout the year, unlike short term visitors. • Residents are using a wider range of services and more intensively than short term visitors, e.g. schools, health services, sports clubs. A significant number of residents also volunteer in activities, which support the community and Town. • The revenue generated from the short term lets is largely flowing to owners living outside of North Berwick and East Lothian. (E.g. were No 35 to be granted a short term let licence, 3 out of the 4 short term let owners in the immediate vicinity of my house would be non-East Lothian residents).