

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE  
held BY MICROSOFT TEAMS  
on FRIDAY, 20 SEPTEMBER 2024**

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

Councillor Jan Brown	Councillor Graham Hardie
Councillor Audrey Forrest	Councillor Fiona Howard
Councillor Daniel Hampsey	

**Attending:** Stuart McLean, Committee Manager  
Alison MacLeod, Licensing Standards Officer  
David Walker, Solicitor  
Jennifer Shannon, Applicant  
Greig Cavanagh, Applicant

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors John Armour, Gordon Blair, Amanda Hampsey, Mark Irvine, Paul Kennedy, Dougie Philand and Peter Wallace.

**2. DECLARATIONS OF INTEREST**

Councillor Fiona Howard declared a non-financial interest in the application for grant of a Short-Term Let License (G Cavanagh & J Shannon, Flat 1/3, 67 East Princes Street, Helensburgh, G84 7DG) as she was a personal friend of the objector. She confirmed that she would leave the meeting and take no part the consideration of this application which was dealt with at item 3 of this Minute.

Councillor Fiona Howard, having declared an interest in the following item, left the meeting at this point.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF SHORT-TERM LETS) ORDER 2022: APPLICATION FOR GRANT OF A SHORT-TERM LET LICENCE (G CAVANAGH & J SHANNON, FLAT 1/3, 67 EAST PRINCES STREET, HELENSBURGH, G84 7DG)**

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 Applicants had opted to proceed by way of video call and Greig Cavanagh and Jennifer Shannon joined the meeting by MS Teams.

Sue Smith, Objector, had opted to proceed by way of written submission. A copy of this was contained within the agenda pack and was considered by Members as part of their deliberations.

The Chair invited the Licensing Standards Officer to speak to the terms of the report.

Thereafter the procedure set out in Appendix 5 of the report was followed and the Chair invited the Applicants to speak in support for their application.

## **APPLICANT**

Ms Shannon spoke on behalf of herself and Mr Cavanagh. She thanked the Committee for taking the time to review the application.

She addressed the concerns raised by the Objector and stated that Sue Smith had acknowledged that the inspection report was satisfactory. She advised that following the objections that were raised they had fitted carpets in the living area, hall and bedroom but felt it was unreasonable to be asked to carpet the kitchen.

In respect of the objection raised about the bins she stated that the objection was the first they had been told that the location of the bins was not suitable and that they had been sited in the same location since they bought the property in November 2023. She advised they had moved the bins to beside the outdoor staircase but this had not resolved the objection. She advised that they had asked the Objector where she would like the bins to be located but she had offered no recommendations. The Objector had suggested they install a black bottle bin, which they had, and all bins had been clearly labelled with the flat number.

Ms Shannon stated that the parking for the property was on a main road with no double yellow lines and since purchasing the property they had not experienced any issues with parking. Due to the size of the property they would only expect 1 or 2 cars to require parking at any one time.

She advised that they had employed a Property Management Company to ensure the smooth operation of the Short-Term Let. Under their guidance they had produced a guest handbook and installed a Ring doorbell camera. The camera would allow them to monitor the occupancy numbers and view all activity on the external staircase at the entrance to the property.

She stated that guests would be given the telephone number of the Property Management Company along with her own mobile number. Due to her close proximity to the property she would be able to attend in person within 5 minutes should any issues arise.

Ms Shannon advised that the Objectors flat had previously been used as a commercial property but upon changing the use to residential the Objector had designed the layout to have the bedroom beside the external staircase. As well as the window beside the staircase there was another which looks directly on to the main street.

She advised that the Objector had acknowledged that the Applicants had greatly improved the interior of the property. In respect of the exterior issues such as roughcasting and guttering, the Objector had indicated that the condition had deteriorated over a number of years. She stated that she had obtained a quote to improve the roughcasting but the Objector had been unwilling to split the cost of the work to the areas which were shared responsibility.

She stated that she was aware that another property in the block had applied for a Short-Term Let Licence and had not received any objections despite also having access to the shared garden and walkway.

Ms Shannon stated that they had tried to address all the concerns which were raised but it had not made any difference and she felt the Objector was using the application to make them pay for the totality of the exterior works.

## **MEMBERS' QUESTIONS**

Councillor Brown asked what restrictions they were prepared to place on the use of the shared garden. Ms Shannon advised that initially they were prepared to surrender their use of the garden but as the other Short-Term Let property had access they did not now feel that was a fair solution.

Councillor Hardie asked if their relationship with the neighbour was cordial. Ms Shannon advised that they had previously had a very good relationship but it had deteriorated when they asked her to contribute to the cost of the roughcasting, and that was when the objection had been submitted.

Councillor Green asked if the kitchen and dining area still had hard flooring. Ms Shannon advised that the living area, kitchen and dining area were open plan and they had been carpeted up to the kitchen units but she felt it was unreasonable to ask for the kitchen to be carpeted where there would be food preparation. She stated that it was a small portion of the area above the Objectors bedroom that had hard flooring and that the Objector had previously advised that her bed was situated under the living area which had been carpeted.

## **SUMMING UP**

### **Applicant**

Ms Shannon advised that they were happy to contribute to the upkeep of the exterior of the building and that their main focus was looking after the property and their guests.

Councillor Green asked the Applicants if they felt they had received a fair hearing to which both confirmed they had.

## **DEBATE**

Councillor Hardie stated he felt the applicant had been responsible in addressing all the issues that had been raised and he was happy to grant the licence.

Councillor Hampsey stated he agreed with Councillor Hardie and was minded to grant the licence.

Councillor Forrest stated that as the Applicant had addressed every objection she was happy to grant the licence.

Councillor Brown said that as the Applicant had taken on board all of the issues raised she was happy to grant the licence.

Councillor Green stated that as he lived in a close he had some sympathy with the issues raised relating to noise and the external staircase, however, it was clear that the Applicant had addressed all concerns as far as was practically possible and he was therefore happy to grant the licence.

## **DECISION**

The Committee agreed to grant a Short-Term Let Licence subject the inclusion of additional conditions in respect of Antisocial Behaviour; Privacy and Security; Noise Control in Flatted Premises and Littering and Waste Disposal.

(Reference: Report by Head of Legal and Regulatory Support, submitted)