



City Chambers
DUNDEE
DD1 3BY

29th August, 2024

Dear Colleague

The undernoted members are requested to attend a MEETING of the **LICENSING COMMITTEE** to be held remotely on Thursday, 5th September, 2024 at 10.00am.

Members of the Press or Public wishing to join the meeting should contact Committee Services on telephone (01382) 434228 or by email at committee.services@dundeecity.gov.uk by no later than 5.00pm on Tuesday, 3rd September, 2024.

Please submit any apologies for absence to Willie Waddell, Committee Services Manager, on telephone 01382 434228 or email willie.waddell@dundeecity.gov.uk.

Yours faithfully

GREGORY COLGAN

Chief Executive

Depute Lord Provost Kevin CORDELL

BAILIE Christina ROBERTS

COUNCILLORS

Stewart HUNTER
Roisin SMITH

George McIRVINE

Wendy SCULLIN
Daniel COLEMAN

AGENDA OF BUSINESS

1 DECLARATION OF INTEREST

Members are reminded that, in terms of The Councillors Code, it is their responsibility to make decisions about whether to declare an interest in any item on this agenda and whether to take part in any discussions or voting.

This will include all interests, whether or not entered on your Register of Interests, which would reasonably be regarded as so significant that they are likely to prejudice your discussion or decision-making.

2 CIVIC GOVERNMENT (SCOTLAND) ACT 1982

(a) NEW APPLICATIONS GRANTED UNDER DELEGATED POWERS

KNIFE DEALER - NEW APPLICATION

No	Nam	Address
1	David Livingstone	21 Dundonald Street

PUBLIC ENTERTAINMENT – NEW APPLICATIONS

No	Name	Location	Date of Event
1	Sweet Productions	The Keiller Centre	13/09/2024 to 22/09/2024
2	The Kiltwalk	Slessor Gardens	11/08/2024
3	Sonya MacLachlan	115 Cheviot Crescent	Full
4	Cancer Research UK, Relay for Life	Fairfield Community Sports Hub	17/08/2024
5	Charles Horne	Caird Park	12/09/2024 to 29/09/2024
6	Charles Horne	Riverside Park	04/10/2024 to 13/10/2024

PRIVATE HIRE OPERATORS - NEW APPLICATIONS

No	Name	Address
1	Harish Singh	29 Tullideph Road
2	David Ogilvie	3 Wentworth Drive
3	Scott Conacher	82 Craigmount Road

SECOND HAND DEALER - NEW APPLICATION

No	Name	Address of Premises
1	Ozkan Sayan	Prime Tech Repair, 38 Whitehall Crescent

LATE HOURS CATERING – NEW APPLICATIONS

No	Name	Address of Premises
1	Altea 4 Restaurants Ltd	McDonalds, Longtown Road
2	Abdel Hamid El-Nakla	Stack'd, 39a St Andrews Street

TAXI DRIVER - NEW APPLICATIONS

No	Name	Address
1.	Fahad Afzal	44 Roods Kirriemuir

WINDOW CLEANER - NEW APPLICATION

No	Name	Address
1	Joshua Peterson	125 Glenmoy Terrace, Forfar

(b) PUBLIC ENTERTAINMENT

PROPOSED AMENDMENTS TO THE PUBLIC ENTERTAINMENT LICENCE RESOLUTION (AN20-2024)

1. On 29th March 2018, the Licensing Committee adopted the attached resolution setting out the categories of public entertainment for which a licence would be required from 1st April 2019.
2. Following a review by the Licensing Standards Officers, it is proposed that the resolution be amended as follows - (i) Firstly in the section relating to **“Billiard , snooker and pool halls”**, the word **“or any other premises that provide these activities”** should be added. This would circumvent the issues that arose recently over a premises which provided these activities but was not a bespoke snooker/pool hall. (ii) Secondly, in the section relating to **“Any activity involving shooting or archery”**, the words **“or Axe Throwing or Hurling”** should be added. This particular section should also provide that a no-alcohol policy should apply to such premises and be attached to their conditions. The reasoning behind this is that some axe hurling premises had mixed messages around this. On their own website, they clearly stated that the consumption of alcohol was not allowed on the premises, whereas another website advertising the same premises stated that patrons could bring their own alcohol. If a no-alcohol condition was attached to the licence of these types of premises then any doubt would be removed.
3. If the Licensing Committee are minded to approve the above amendments to the resolution, the Head of Democratic & Legal Services will arrange for these to be advertised for any public comments. Any such comments will be reported back to the Committee at a future meeting. If there are no comments, the Committee is asked to resolve that these amendments should take effect from ----- being the minimum period set out in the Civic Government (Scotland) Act 1982 for changes to a resolution to come into effect.

(c) METAL DEALER – NEW APPLICATION

No	Name	Address
1	Co-Dem Contracts Ltd	Yard, 10a Noble Road

The applicant has failed to provide Public Liability Insurance with £5m indemnity and the Certificate of Compliance in the prescribed time.

(d) PUBLIC ENTERTAINMENT – VARIATION

No	Name	Address
1	Pure Gym	West Marketgait

Variation request to remove condition 6 (**Appendix 1**) – Page 1.

(e) PUBLIC ENTERTAINMENT – NEW APPLICATION

No	Name	Address
1	Freya's Wish	20/24 Dura Street

A letter of representation dated 29th May 2024 has been received from the Environmental Manager – copy attached (**Appendix 2**) - **Page 5**.

(f) TAXI OPERATOR – CORPORATE PLATE – NEW APPLICATIONS

No	Name	Address
1	EV101 Limited	116 Harrison Avenue

This is an application for a Taxi Licence to replace an existing Taxi Operator's Licence with an electric vehicle. The existing licence holder is George Harris OP426. Director of EV101 Limited are George Harris, Farees Ahmed and Sabbahath Mubarik.

(g) TAXI OPERATOR – REQUEST FOR EXTENSIONS OF TIME TO PLACE VEHICLE ON SERVICE

No	Name	Address
1	City Centre Cabs	Charles Bowman Way

The Licensing Committee at its meeting held on the 8th August 2024 agreed to grant a further extension and bring back for an update.

2	FMC (Scotland) Ltd	Unit L, Charles Bowman Avenue
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The Licensing Committee at its meeting held on the 8th August 2024 agreed to grant a further extension and bring back for an update.

3	Maureen Martin	46 Poplar Road Clayton Caravan Park
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The Licensing Committee at its meeting held on the 8th August 2024 agreed to grant a further extension and bring back for an update.

3 HOUSING (SCOTLAND) ACT 2006

(a) HOUSES IN MULTIPLE OCCUPATION - DELEGATED

No	Name	Person Responsible	Address
1	Abertay Holdings Ltd	Abertay Holdings Ltd	13 King Street
2	Annabel Findlay & Colleen Scott	Easylets Ltd	1/2, 20 Perth Road
3	A&S Hussein Properties Ltd	Bradley Khan Associates Limited T/A Martin Co	79D King Street
4	Rashid & Amina Hussein	Bradley Khan Associates Limited T/A Martin Co	79C King Street
5	Mr Simon Childs & Ms Susan Clark	Simon Childs	4/2, 63 Gellatly Street
6	Stufi Properties Ltd	Rockford Properties Ltd	41 Taylors Lane
7	High Oak Ltd	Rent Flats Dundee	1/2, 378 Perth Road

4 CIVIC GOVERNMENT (SCOTLAND) ACT 1982, (LICENSING OF SHORT-TERM LETS) ORDER 2022

(a) SHORT TERM LETS – DELEGATED – NEW APPLICATIONS

The undernoted applications have been received: -

No	Name	Person Responsible	Address
1	Andrew & Rebecca Forrester	Andrew Forrester	83A Fisher Street
2	Alan & Anabela Frendo-Cumbo	Clark Anderson Properties Ltd	1b Thorter Loan
3	Amanda Milton	Amanda Milton	3/2, 1 Lytton Street
4	Ashnor Properties Ltd	Clark Anderson Properties Ltd	Kimberley Buildings, 1/1, 38 Whitehall Street
5	Mohammad Ossman	Mohammad Ossman	100 Seagate
6	Ellen Laird	Clark Anderson Properties Ltd	71E Church Street
7	Lucy Danskin & Victoria Steedman	NLD Properties Ltd	3/1, 25 Scott Street
8	Lucy Danskin & Vikki McKelvie	NLD Properties Ltd	250G Blackness Road
9	Alan & Fiona Brownlie	Alan Brownlie	115a Dundee Road
10	Llona Grant		14D Church Street
11	Craig & Caroline Anderson	Anderson (CCNA) Properties Ltd	G/2, 17 Lorimer Street
12	Neil Danskin & Vikki McKelvie	NXD Properties Limited	3/1, 19 Scott Street
13	Lewis & Kenneth Kerr	Kenneth Kerr	24 Shamrock Street
14	Steven Robb	SPR Property Letting Ltd	29 Ogilvie Street
15	Susan Moore & Paul Instrell	Clark Anderson Properties Ltd	277 King Street
16	8th Line Property Ltd	Kate Sikorsky	G/2, 14 North Erskine Street
17	8th Line Property Ltd	Kate Sikorsky	G/1, 16 North Erskine Street
18	8th Line Property Ltd	Kate Sikorsky	2a South Baffin Street
19	Mandy Moffat		43a Glamis Drive
20	Michael McDonald		14 Ambrose Street
21	Moth Investments Ltd	Hamish Moir	G/1, 21 King Street
22	Lusson Properties Dundee Limited	NLD Properties Limited	2/1, 33 Scott Street
23	Moth Investments Ltd	Hamish Moir	160 King Street
24	Hamish Moir		R/G/3, 329 Brook Street
25	Moth Investments Ltd	Hamish Moir	G/1, 11 Fort Street
26	Lusson Properties Dundee Limited	NLD Properties Limited	262E Blackness Road
27	8th Line Property Ltd	Kate Sikorsky	G/1, 9 Malcolm Street
28	Jennifer Oliver	Clark Anderson Properties Limited	586 Brook Street
29	Lynn & Graeme Davidson		304 King Street
30	Morna & James Bell	Morna Bell	68 The Esplanade
31	Andrew Pyper	Victoria Guild	300 King Street
32	Birchfalls Properties Ltd	Clark Anderson Properties Limited	G/1, 105 Clepington Road
33	Richard Green	Easybnb	262D King Street
34	John McDonald	John McDonald	6 Fort Street
35	John McDonald	John McDonald	45 King Street
36	John McDonald	John McDonald	49 King Street
37	Ruth Alexander	Ruth Alexander	5 Drummond Street

38	John McDonald	John McDonald	15 Castle Street
39	Jennifer & Stephen Olivier	Clark Anderson Properties Limited	2 Castle Terrace
40	Mark J Stewart	Easybnb	11 Claypotts Road
41	Anne Kinnear & Scott Raffle	Colcro Project	51d Beach Crescent
42	Angela Gatford	Clark Anderson Properties Limited	4 Hill Road
43	Katie New & Steven Lawrie	Katie New	61 Clepington Road
44	Constance & Martin Higgins	Constance Higgins	2/1, 9 Blackness Avenue
45	Constance & Martin Higgins	Constance Higgins	23 Oxford Street
46	Jeanette French	Jeanette French	1a Inverary Terrace
47	Martin Higgins	Ian Higgins	3/1, 8 Forrest Park Road
48	Constance & Martin Higgins	Constance Higgins	3/1, 9 Blackness Avenue
49	Brenda Calder	Clark Anderson Properties Limited	1/R, 4 Manor Place
50	Lucy Danskin & Patricia Moffat	NDL Properties Limited	G/1, 192 Lochee Road
51	Margaret & Nigel Cowley	Margaret Cowley	15 Castle Terrace
52	Mawei Ltd	Wei Lee	Flat 2, 7 Ward Road
53	Paul Crawford		7 Constitution Terrace
54	Richard & Mary Fleming	Birkk Property Ltd	Flat 7, 49 Trades Lane
55	Neil Danskin & Derek Murray	NXD Properties Limited	3/2, 21 Scott Street
56	Neil Danskin		3/2, 80 Peddie Street
57	Neil Danskin & Derek Murray	NXD Properties Limited	2/3, 296 Perth Road
58	Gary & Jacqueline Hayhoe	Pillow Properties Partner Limited	2 Churchill Place
59	Highland Game Ltd	Clark Anderson Properties Limited	The Lodge, 69 Dundee Road
60	Mohammad Osman		96 Seagate
61	Rachel & Richard Barber		G/1, 15 Forebank Road
62	Sheena & Simon Norris		367 Arbroath Road
63	NXD Properties Ltd		2/2, 46 Cleghorn Street
64	Karen Walker & Oliver Cock	Clark Anderson Properties Limited	11 Douglas Terrace
65	Donia & Steven Henderson	Easybnb	74 Camphill Road
66	Doc Ventures	Casa Fresa Ltd	9A King Street
67	Doc Ventures	Casa Fresa Ltd	9B King Street
68	Doc Ventures	Casa Fresa Ltd	9C King Street
69	Casa Fresa Ltd	Stuart Mather	19 Kintail Place
70	Stephen Mather	Casa Fresa Ltd	Apt1, 21 Candle Lane
71	Stephen Mather	Casa Fresa Ltd	Apt2, 21 Candle Lane
72	Thomas Cathro	Casa Fresa Ltd	Flat 1, 22 Castle Street
73	Kirsty Mather	Casa Fresa Ltd	Flat 7, 22 Castle Street
74	Kirsty Mather	Casa Fresa Ltd	24 Monifieth Road
75	Kasa Properties Ltd	Casa Fresa Ltd	30C Cowgate
76	Casa Fresa Ltd	Stuart Mather	31 Thorter Row
77	Kirsty Mather	Casa Fresa Ltd	64B Union Street
78	Makeup Directors Pension Scheme	Casa Fresa Ltd	64C Union Street
79	Eleanor Whitby & Edward Murdoch	Edward Murdoch	Pinegrove, 334D Perth Road

(b) SHORT TERM LETS – NEW APPLICATIONS

No	Name	Person Responsible	Address
1	Aliona & Hugh Levins	Aliona Levins	596 Perth Road
<p>The Licensing Committee at its meeting held on the 8th August 2024 agreed to defer the application to allow the applicant to be in attendance. The original letter from PSSU is attached (Appendix 3) - Page 7.</p>			
2	Kinship Investments	Ann McMahon	Flat 17, Taypark, 30 Dundee Rd
<p>The Licensing Committee at its meeting held on the 23rd May 2024 agreed to defer the application to allow the applicant to be in attendance. The original letters from objectors are attached (Appendix 4) - Page 9.</p>			
3	West Development Properties Ltd	Clark Anderson Limited	Properties 28 West Queen Street
<p>Letters of objections have been received from members of the public – copies attached (Appendix 5) - Page 41. A letter of representation has also been received from PSSU – copy attached (Appendix 6) - Page 59.</p>			
4	Kasas Properties Ltd	Casa Fresa Limited	1/2, 333 Brook Street
<p>Letters of objections have been received from members of the public – copies attached (Appendix 7) - Page 61. A response has been received from the applicant (Appendix 8) - Page 77. A letter of representation has also been received from PSSU – copy attached (Appendix 9) - Page 81.</p>			
5	Angela Walters		11 Sunnybrae Terrace
<p>A letter of representation has been received from PSSU – copy attached (Appendix 10) - Page 83.</p>			
6	Polly Turner		70 Broughty Ferry Road
<p>A letter of representation has been received from PSSU – copy attached (Appendix 11) - Page 85. A late objection has been received an explanation from the objector to why it is late – copy attached (Appendix 12) - Page 87.</p>			
7	Wilma Woudenberg		Waterside, 89 Fisher Street
<p>A letter of representation has been received from PSSU – copy attached (Appendix 13) - Page 93.</p>			

The Committee may resolve under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.

5 CIVIC GOVERNMENT (SCOTLAND) ACT 1982, (LICENSING OF SHORT-TERM LETS) ORDER 2022

(a) SHORT TERM LETS –NEW APPLICATIONS

6 CIVIC GOVERNMENT (SCOTLAND) ACT 1982

(a) TAXI DRIVER'S LICENCE - UPDATE

(b) TAXI DRIVER'S LICENCE - SUSPENSION HEARINGS - MEDICALS

(c) TAXI DRIVER'S - SUSPENSION HEARINGS

(d) TAXI OPERATOR'S – REQUEST FOR VARIATIONS

(e) TAXI OPERATOR – RENEWAL APPLICATION

(f) TAXI DRIVER – REQUEST FOR WHEELCHAIR EXEMPTION - UPDATE

(g) WINDOW CLEANER – NEW APPLICATION

(h) STREET TRADER – REQUEST FOR SUSPENSION HEARING

(i) PRIVATE HIRE OPERATOR AND TAXI DRIVER – REQUEST FOR SUSPENSION HEARING

7 HOUSING (SCOTLAND) ACT 2006

(a) REQUEST FOR HEARING


APPENDIX 1**PureGym Dundee**

Marcus Maddock <[REDACTED]>

Thu 16/05/2024 10:55

To:licensing.board <[REDACTED]>

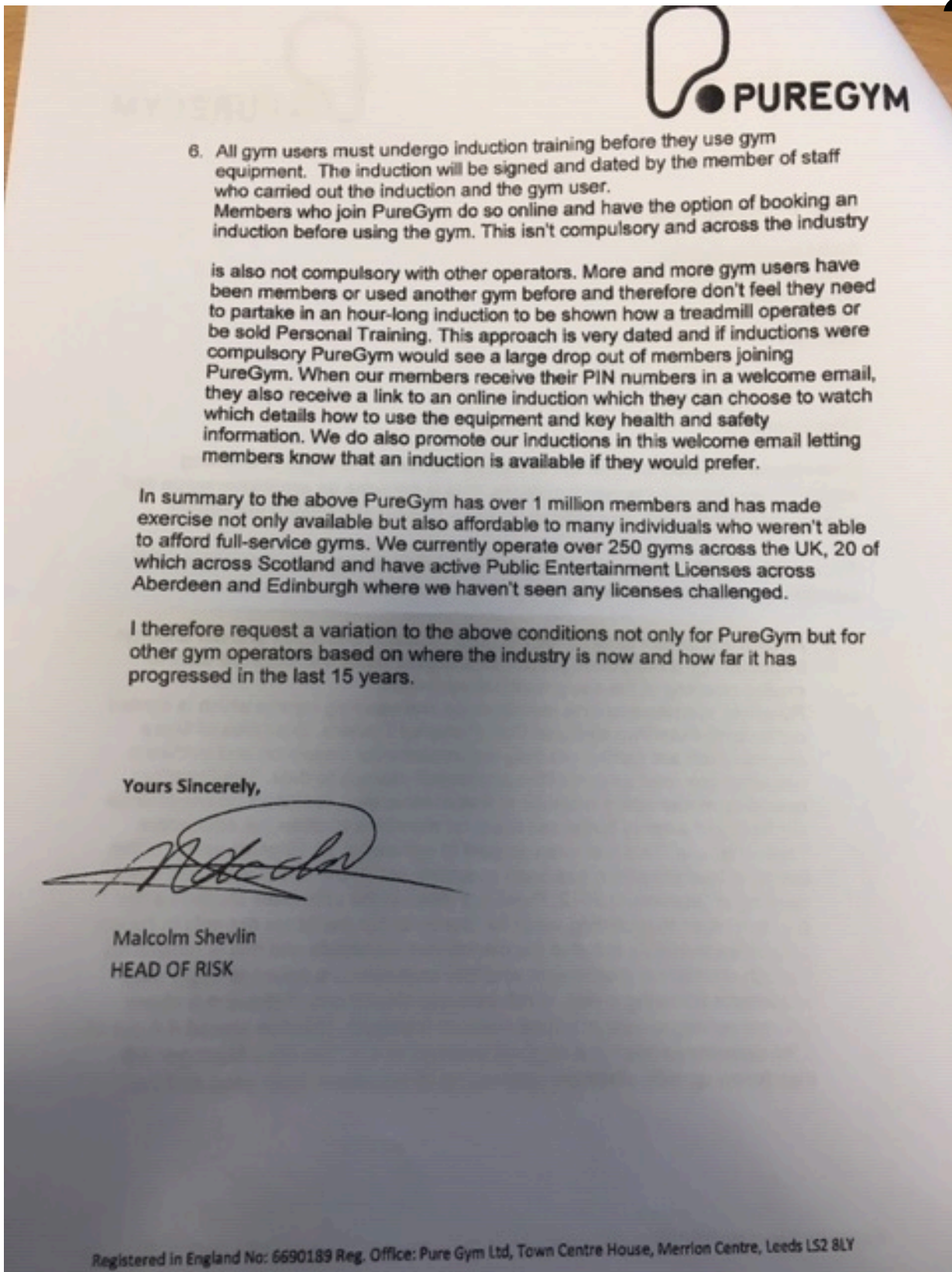
Cc:Alec Stubbs <[REDACTED]>

 1 attachments (35 KB)

public_entertainment_-_gym_conditions_0 (2).docx;

Good Morning,

I would like to request removal/variation to standard license condition 6, attached. This was raised by my former colleague, Malcolm Shevlin, in 2020 (shown below) but wasn't addressed on the day of hearing and the condition stood. From speaking to Lisa Archibald this morning, who was most helpful, she recalls the main topic of discussion on the day was surrounding cleaning provisions and so condition 6 was, presumably, overlooked. Regardless, PureGym had since let the PEL lapse and reapplied for a new PEL and therefore the conditions rightly stand.



I would like to request either A) removal or alteration of the condition for PureGym Dundee to better align with standard industry practice or B) the committee look to remove or change wording to condition 6 generally as, I imagine, all gyms in Dundee will be technically in breach.

To clarify PGs stance – Gym inductions are optional, however strongly recommended. The prospective member can 'opt-out' should they feel it unnecessary. All gym kit has safe use information (pictorial/description of use/QR codes showing videos of use) and the PureGym app has video demonstrations of how to use all kit.

Many Thanks,

Marcus Maddock

Health and Safety Manager – North Division

*At PureGym we value and respect flexible work arrangements.
Please do not feel obligated to respond outside of your normal working hours.*

PUREGYM **EVERYBODY WELCOME**

[Visit our blog for the latest health and fitness tips >](#)

Email: [REDACTED]

Direct dial: [REDACTED]

Website: www.puregym.com

Address: [REDACTED]



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APPENDIX 2



Memorandum

To Clerk to the Licensing Committee

From Environmental Manager, Neighbourhood Services

Our Ref RE/KAW/SR102715

Your Ref PE692 Temporary and Full Licence

Date 29th May, 2024

Subject Freya's Wish C.I.C., 20-24 Dura Street, Dundee, DD3 7QL

I refer to the Public Entertainment Application (FULL) and the Temporary Public Entertainment Application (PE692) for the abovementioned event premises.

Given the range of proposed activities there is the potential for noise and odour issues. It would be beneficial to obtain more information e.g. there is mention of a circus and the use of the word "events", without further explanation of what is proposed.

For the above premises, the issue is not so much with internal events, where mitigation measures can be undertaken e.g. to prevent music noise break out, but the application does not state which activities are proposed to be external.

While the planners may be commenting separately, at present there is only planning consent to operate internally until 23:00hrs and yet the applicant is stating 01:00 for weekends and bank holidays.

I would request that the following conditions are included on any PEL should it be approved:

1. With regard to the external areas:

Restriction of hours:

September to June - open 09:00 hours Monday to Sunday: closing at 21:00 hours

July and August - open 09:00 hours Monday to Sunday: closing at 22:00 hours.

2. Music shall be so controlled as to be inaudible within any adjacent residential property.

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CHANGING FOR THE FUTURE

Memorandum

O;I;

To **SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES**

From Gabrielle Hayes – Ext. 6832

Our Ref GH STL/ DD00206P

Your Ref

Date 26 July 2024

Subject **Civic Government (Scotland) Act 1982 - (Licensing Of Short-term Lets) Order 2022**
596 Perth Road, Dundee – Mrs Aliona Levins (2 persons)
HOME LETTING
08 August 2024 Licensing Committee

In respect of the above application, I would make the following observation in regard to a licence being issued for a Short-term Let to the period 31 January 2027:

- The applicant has not provided public liability insurance with £5m cover as required. A valid policy for £1m cover has been submitted.
- The Electrical Installation Condition Report is not signed by the contractor and does not confirm that the extent of the testing meets the minimum requirement.
- The Portable Appliance Test expires on 04/08/24 and a new one will require to be submitted.

This application was accepted as having been received on 30 Sept 2023 and therefore the last scheduled Committee for this to be determined at is 5 Sept 2024.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER

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Ashley Smith

From: [REDACTED] >
Sent: 02 October 2023 12:40
To: licensing.board
Subject: 17 Taypark, 30 Dundee Road
Attachments: IMG_20231001_101414.jpg

I refer to the attached Application for secondary letting at the above address. I am emailing on behalf of my parents, Ian and Dorothy Low, [REDACTED]

My parents are both in their 90s and becoming increasingly vulnerable. My mother has advanced Alzheimer's disease and my father is deaf and frail. Although my mother no longer has capacity my father has expressed significant concerns about the proposed secondary letting and in particular the impact this would potentially have on the safety and security of the block in which they live. Short term lets will mean many different groups of people coming and going at different and possibly anti social times, a potential increase in noise and reduction in attention to security. My parents live on the ground floor so will be impacted significantly as there is a shared entrance. There may also be an impact in terms of parking facilities and waste disposable.

Understandably, they wish to remain in their own home as long as possible and to feel safe. We are concerned that approval may lead to an increase in applications of this nature and in turn a loss of community within the area. We are of the view that it is important to maintain a sense of community and for residents to continue to enjoy their environment in the way it was originally intended. We are aware that some of these concerns may be considered as only 'potential' and therefore may not be taken into account but if the application is approved and they become a reality it may be too late.

We are also aware of the benefits of increased tourism to the city of Dundee but do not believe this location, where the majority of the residents are elderly, is suitable for a short term let.

Judith Lynch

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Ashley Smith

From: [REDACTED]
Sent: 02 October 2023 12:12
To: licensing.board
Subject: Flat 17 Taypark, 30 Dundee Road DD1 5LX

Sir,

It has come to my attention that the above property has been licensed as an air b&b. I object strongly to it being put to this use. Being a 3 bedroom flat it will be available to groups of individuals who may well be noisy both within the property and when entering and leaving the premises. There is no guarantee it will not be used for parties and we do not want to be woken or kept awake by antisocial behaviour.

I therefore officially write to express our objection and trust the license, if now in place, will be revoked. If not yet in place, will not be considered.

Yours faithfully,

Linda and Andrew Loudon

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Broughty Ferry
DD1 5LX

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Ashley Smith

From: [REDACTED]n>
Sent: 01 October 2023 11:56
To: licensing.board
Subject: Proposed AirBnB rental

As an elderly owner of a flat in Taypark, I would like to state my objections to flat No.17 being used as an AirBnB.

This is a residential area of Broughty Ferry. Parking is already a challenge for residents, many of whom are elderly.

There is the potential for holiday visitors creating noise, late into the evening. This is particularly concerning for residents in the proposed block of flats.

Security is an added concern, especially to those living alone.

Margaret Young
[REDACTED]

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~~30~~ 30 Dundee Road,
Broughty Ferry,
Dundee.
DD5 1LY.
2/10/23

Democratic Legal Services,
Dundee City Council,
24 City Square, DD1 3BY.

I write in response to the one, barely readable, notice, stuck behind weathered glass at the entrance to Block B - why were all owners not advised individually? - intimating that the owner of Flat 17 makes application for her premises to be used as an Air B & B letting.

Time was, and I have been a home owner for 25 years, when 'Fayhawk' was a happy, harmonious community, where all residents owned their flats. In time, sadly, vacant flats were bought by people who wanted not to live in them and enjoy them, as we do, but to make money from them by letting them. This has led to problems with parking, tenants having 2, sometimes 3 cars, and not using their garages; tenants not observing the covenants set down in their Deed of Conditions, and being indifferent to proprietors because their tenure is not permanent.

The unsupervised, short term, self catering lets, which Air B & B necessitates, is abhorrent to me - 2 years ago an owner refused a higher offer for the sale of his flat because the buyer intended to use it as an Air B & B - and I vehemently object to permission being granted.

Another example of absentee landlords profiting at the expense of neighbouring home owners.

Yours faithfully,
John H. Whitehead

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Ashley Smith

From: [REDACTED]
Sent: 25 September 2023 14:43
To: licensing.board
Subject: Short term let - 17 Taypark Broughty Ferry DD5 1LX

We understand that there is an application from the owners of Flat 17 Taypark for a licence for short term lets.

We object to this. Our objections are:

1. There is a community of residents who include elderly and/or vulnerable people who find it convenient and safe because of the location close to amenities and public transport. Such residents may be concerned about unknown persons on site entering through common areas.
2. There is already a parking problem on site as garages were built in the 1980s when cars were smaller and residents cannot get cars into the garages.
3. There will be a reduction in the housing stock in the area as a short term let means the property is not available for local residents which exacerbates the housing shortage.
4. Whilst I am sure the landlord will have proper obligations in terms of behaviour of tenants, there is no means of enforcement in the short term if tenants are antisocial.

--

Cherry and Robin White

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Ashley Smith

From: Fiona Szeller <[REDACTED]>
Sent: 10 October 2023 06:06
To: licensing.board
Subject: Flat 17 Taypark, 30 Dundee Road, Broughty Ferry, DD5 1LX

Dear Head of Democratic and Legal Services,

I am owner of [REDACTED] Taypark and wish to convey my objections to the application for the short-term let of Flat 17 Taypark.

The application is not consistent with the licensing authority's policy on overprovision:

- The Broughty Ferry area already offers multiple options for short-term let accommodation of this type in addition to hotels and guest houses

Concerns about the safety of guests, neighbours, or others:

- constant change of guests raises concerns for the safety of residents through not knowing who is using the property, and no means of contact should problems arise
- the block is secured with secure entry for residents - this is no longer deemed effective with the property offered for short-term letting, with regular change of guests week on week
- we have a young adult daughter who needs to feel safe and secure arriving and leaving the property, particularly in the stairwell, and passing the doorway of flat 17 which is directly below our property

Concerns about noise or nuisance:

- disruption of additional footfall in the common stairwell with guests arriving and leaving with luggage on a regular basis, and risk of damage to the stairwell over time. The management of check-in/out and cleaning/changeover causes a constant stream of people entering and leaving the building
- There is limited parking with no assigned bays therefore an increase in the number of vehicles puts more pressure on residents parking availability. There is also potential for damage to vehicles due to the unloading and loading of luggage/equipment
- short term break/weekend travellers are not concerned with neighbours and maintaining relations with regards to being mindful of noise; arriving and leaving during anti-social hours, and maintaining reasonable noise levels when in the property
- the properties are not fully soundproof, with sound traveling between flats - loud tv and music, voices and footsteps on the solid floor travels up to the flat above - guests enjoying a short break will not be mindful of the peace and comfort of residents
- each property has a balcony, so noise on this outside space causes further nuisance
- this is a quiet development with many elderly owner/occupier residents. This block in particular has very elderly residents who have dementia so the noise of guests arriving and departing, and unknown people coming and going is disruptive and unsettling for everyone but particularly for those residents

I would be grateful if you would please acknowledge receipt of this email.

Yours faithfully
Fiona Szeller

Sent from [Outlook for iOS](#)

Ashley Smith

From: Iain Sturrock <[REDACTED]>
Sent: 05 October 2023 10:45
To: licensing.board
Subject: Short Term Let Licence - Flat 17 Taypark

I understand that an application has been made for a short term let licence for Flat 17 Taypark, 30 Dundee Road, Brought Ferry.

I wish to submit an objection to this application. I am joint owner of Flat 10 in the same complex. The development is a residential development with mainly owner occupiers, most of whom are elderly. The use of this flat as a short term let, which I understand is planned to be through Air BNB, is out of keeping with the development and is likely to detract from their enjoyment of their property of the other residents.

Regards

--

Iain Sturrock MBE CDipAF CEng FIET
[REDACTED]

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Ashley Smith

From: [REDACTED]
Sent: 01 October 2023 18:09
To: licensing.board
Subject: Short term let - Objection

Good morning

I am writing to object to the application for short term let at 17 Taypark, 30 Dundee Rd, Broughty Ferry, Dundee DD2 1LX.

There are 24 flats at 'Taypark' - Four blocks split into 6 flats per block. It is a quiet residential development, many owners older with some having lived here for decades. I live in the ground floor flat number 18, the applicant, Mrs McMahon's flat (17) is right above my flat. I pay an ongoing fee to Taylor & Martin who are the current 'Factors' for this development.

The applicant has been operating an Airbnb for a couple of years and the frequency of short term lets is increasing.

The grounds for my objection fall under Additional Licensing Conditions which sit within the Dundee City Council- Short term Lets Licensing Policy Statement (Guidance Notes and Standards for Accommodation) and the STL application also contravenes the property deeds and residents agreed Code of Practice.

Additional Licence Conditions

57.

Antisocial behaviour -

The entrance to the block is a shared entrance with an outer and inner door, shared stairs and landings. My fee to the Factor includes a charge for regular cleaning of the shared areas which regardless of this is kept in good order by the permanent residents. There have been a number of incidents in the last 18 months where spillages have occurred in the entrance from those using Flat 17 Airbnb. The increasing number of visitors with their trolley cases etc also means additional wear and tear to the communal hallway areas and staircase. In addition, many short term let visitors are coming through the entrance doors from 11pm through to the early hours of the morning and allowing the doors to slam shut. This is unfortunately a regular occurrence and has prompted one of my neighbours to put up notices asking for the doors to be closed quietly. Permanent residents know better but notably when the Airbnb is occupied little difference has been made. Car parking here for residents is at a premium already with many residents owning 2 cars. My own daughter regularly struggles to find a space when visiting and additional cars belonging to STL visitors will only increase these issues. Flat no. 17 can hold up to six people and potentially this could mean parking is required for 3 or more cars.

62.

"Fitted carpets with suitable underlay will require to be fitted to reduce sound transmission between flats. Where an existing STL, operated by an existing host/operator, has exposed wooden floor boards, laminate, hard wood flooring or tiled floor finishes and substantiated complaints are received regarding excessive noise, the host/operator will be required to provide fitted carpets and underlay or other acceptable finish to minimise sound transmission" -

Flat 17 is above me and has laminate flooring fitted. When the flat is occupied particularly by short term let visitors the noise transmission is dreadful. I am 85 years old so I spend a good bit of time in my flat and the level of noise makes a difference. It is affecting my general wellbeing and sleep. Even though the applicant Mrs McMahon has advised visitors to take off shoes in the flat, little notice is taken. I hear not only heavy foot traffic but also trolley cases being wheeled across the floor at all hours, dogs and children running and sliding across the floor, chairs dragging etc. I spoke to Mrs McMahon about the laminate flooring being a problem for me but she advised a member of the family is allergic to carpet. The laminate flooring has therefore remained. If substantial sound proofing in the flat above was installed between the joists and/or carpet with suitable soundproofing underlay added, this would lessen sound transmission and improve my position greatly.

Property Deeds and Code of Practice

In support of my objection, the Deeds to the property and agreed residents Code of Practice states:

1. There should be only one family living in the flat (Deed of Conditions)

9. In relation to Noise, the Code of Practice states; this will be a nuisance unless everyone cooperates in consideration of others 'avoid heavy treading in the flats as footsteps are easily heard. Door banging resounds through the block and is very disturbing..... don't bang your own front door.

In addition, the property deeds read that a business or trade should not be carried out from the property without consent....

"The feu shall not be used without the prior written consent of the Superiors for the carrying on full time or part time of any trade, business or profession whether or not such trade, business or profession might be deemed to be in ordinary circumstances incidental to or natural to ordinary residential use of the feu".

Regards

D.A. Sherlock

Dorothy A. Sherlock (Mrs)

Ashley Smith

From: [REDACTED]
Sent: 05 October 2023 12:42
To: licensing.board
Subject: Objection/Short-term Lets

Dear Sir or Madam,

**Objection to Application for Licence for Short-term Lets
17 Taypark, 30 Dundee Road,
Broughty Ferry, DD5 1LX**

My wife and I are owners of a flat at Taypark. We wish to submit an objection to the above referred application for a licence for Secondary Letting which would permit the owner to undertake short-term lets at flat no.17 in Taypark, for the following reasons:

1. The Deed of Conditions (Title Deeds) applicable to all 24 of the flats at Taypark state that each flat is a dwellinghouse and shall be used as a dwellinghouse only and for no other purpose whatsoever. Furthermore it is not permitted to carry out any trade or business therein.
2. Each of the 4 blocks (each of which comprises 6 flats) is entered by a common external door operated with a security key. It is unacceptable to have short-term visitors being granted access to such a key and thereby into the whole block of flats. This will compromise the security and safety of the flats in that block. Surely short-term lets should have their own direct access and should not affect any nearby residents.
3. The Taypark complex of 24 flats is used by the residents who live there as their principal dwellinghouse. The use of flat 17 for short-term lets is bound to lead to an increase of traffic in the block entrance area and common stair, with more noise and nuisance. Residents are entitled to the peaceful enjoyment of their homes without the disturbance or inconvenience that will inevitably flow from short-term letting to visitors. Most of the residents are in an older age group and it would wholly inappropriate for there to be the comings & goings associated with short-term letting in that block and indeed in the complex as a whole.
4. There will almost certainly be an increase in usage of the carpark at Taypark, where there is already a lack of space.
5. We are concerned that the use of a flat for short-term letting will have an undesirable effect on property values in the Taypark complex.
6. Broughty Ferry is already well-served with short-term accommodation.

We therefore are of the view that the above-referred application for a licence should be refused and we trust that the Council and it's Licensing Committee will reject the application.

Yours sincerely,
Grace & Gordon Shepherd
[REDACTED]

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Ashley Smith

From: Hilary Nimmo <[REDACTED]>
Sent: 02 October 2023 21:01
To: licensing.board
Subject: Airbandb application

Dear Sir,

I wish to register my strong objections to the granting of an Air B and B licence to the property situated at the following address - Flat 11 Taypark

30 Dundee Road
Dundee DD5 1LX

These flats are primarily owned and occupied by elderly people who were attracted by the quietness and low traffic intensity within the complex as well as the community spirit which prevails. Given that owners may be affected by issues with hearing, sight and mobility, these are important safety considerations especially as access to the centrally located recycling bins involves crossing the internal road which provides egress to the main entrance on Dundee Road.

Parking within the complex is at a premium and the consequences of a three bedroom flat with possible multiple occupancy represents an unacceptable increase in traffic and traffic speed, parking problems, noise, nuisance and danger to the elderly residents.

Personal experience of a similar application in Edinburgh led to other residents being disturbed at all hours by arriving renters who created an appalling amount of noise and who, instead of checking where the rented flat was, crashed up and down the communal stair trying to force a door- any door- open with the keys from a key safe box. As I could not prove how my lock had been damaged, I had to cover the repair cost myself!

Security is also an issue. The outside doors to each block are good sturdy wooden doors but the doors giving access to the individual flats are fairly flimsy and could be forced more easily. The handing of keys to an unknown number of people (who could copy them and access other flats in the block at a later date) could affect vulnerable older citizens very negatively and would be a dangerous decision to take. Also, grant one licence now and it would be difficult subsequently to refuse others.

It seems to me to be a retrograde step to open the way to other Air B and B applications in an area which is so favoured by elderly people who value their independence in a safe environment especially when the Broughty Ferry area has already so many properties being run as a Air B and B rentals.

I also note that on the application form (displayed in a small reinforced glass panel inside the front door of the block and therefore inaccessible, difficult to read and missed by most residents until told by residents of that block) the words secondary tenancy are marked. Does this mean that the applicant is a tenant of Flat 15 and not the owner? If so, does the actual owner know this and does he/she accept responsibility for the actions of the sub tenant?

Perhaps I am incorrect in my interpretation - please clarify this for me.

I would appreciate an acknowledgement of this email by 6th October.

Thanking you for your attention to this matter.

Yours faithfully,

Hilary Nimmo

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Ashley Smith

From: Linda McLennan <[REDACTED]>
Sent: 04 October 2023 09:08
To: licensing.board
Subject: Application Objection : Flat 17 Taypark, 30 Dundee Road, DD5 1LX

Dear Sir

This is regarding the application by Flat 17 Taypark, 30 Dundee Road, DD5 1LX for a short term let licence to use this property as an Airbnb.

As the owner of Flat 22 Taypark, 30 Dundee Road, DD5 1LX I object to the granting of such a licence on the grounds of the impact an Airbnb would have on a property such as Taypark. Taypark consists of owner occupied apartments within a quiet self contained area in Broughty Ferry. Parking is limited and there is a risk that the privacy of residents will be negatively compromised together with noise disturbance resulting from frequent visitors to the Airbnb property.

A very significant risk is of security as the apartments are currently accessed by an Entry Security System which will require the Airbnb host to provide these details to guests. There is no reception at Taypark. Also there is no housekeeping services currently at Taypark, and such services will cause disruption to the permanent residents.

Kind regards

[Sent from Yahoo Mail on Android](#)

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Ashley Smith

From: Betty Jolly <[REDACTED]>
Sent: 04 October 2023 17:12
To: licensing.board
Subject: 17 Taypark, 30 Dundee Road

To whom it may concern

I am writing to you regarding the short term let - airbnb - application for Flat 17 Taypark, 30 Dundee Road DD5 1LX. I wish to object to this application due to the following reasons:

- There are a number of vulnerable, elderly residents in the block.
- The flats in the block have their own garages and there is limited parking for visitors. Having multiple guests using the flat will increase pressure on limited parking facilities.

Please keep me informed of any further developments to this application

Many thanks
Elizabeth Jolly

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Ashley Smith

From: [REDACTED]
Sent: 02 October 2023 16:08
To: licensing.board
Subject: Flat 17, Taypark, 30 Dundee Road, Broughty Ferry, Dundee DD5 1LX

Dear Sir / Madam,

I am the Executor of the Estate, and brother of the late Mrs Phyllis Hay, legal owner of Flat 14 at Taypark, as referenced above.

I understand that an application has been made by Flat 17 to “operate an Airbnb rental business” at the said premises.

The Land Register of Scotland / Land Certificate 2006, D. Burdens Section D5, states “The dwellinghouse comprised in the feu shall be used and occupied by the Feuar as a dwellinghouse only and for no other purpose whatsoever.”

Furthermore it does state “no full time or part time of any trade, business or profession ... to ordinary residential use of the feu.”

Notwithstanding any of the foregoing we vigorously oppose any license or the like to short term rentals such as Airbnb at the said apartment and the Block in general.

Kindly acknowledge receipt of the above objection to the application.

Yours sincerely,

John Derek Anderson [REDACTED]
Executor the Estate The Late Mrs Phyllis Hay

From my iPad

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Ashley Smith

From: Derek How [mailto:derek.how@bt.com] >
Sent: 03 October 2023 16:15
To: licensing.board
Subject: Air B&B, Flat 17 Taypark. DD5 1LX

We are hereby formally objecting to the application lodged, for number 17, Taypark to be an Air B&B. This is fundamentally wrong, for an owner occupied residential apartment development in a prestigious area of Broughty Ferry.

An Air B&B attracts myriad individual types, some desirable, some less so.

Parking is at a premium, unofficially it's full. Safety of all owners is paramount, considering the majority are elderly, so therefore with a potential influx of vehicles not familiar with Taypark layout or rules is significantly dangerous.

All Air B&B individuals will have a key to the security door, there for safety for all 6 apartments in the block. Therefore, a potential safety risk for all those residents. In addition, nuisance aspect of hugely varying comings and goings, day and night, plus associated potential noise from temporary lettings.

For existing owners, with an integral Air B&B could have a detrimental affect on any future sale.

Taypark has a very strong community feel, coveted by our elderly owners who enjoy, safety, peace and harmony.

The presence of an AirB&B in Taypark would be a total missfit and completely unacceptable in this stable development.

Yours sincerely,

Mr & Mrs Derek & Aileen How, Apartment 9, Taypark.

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Ashley Smith

From: [REDACTED]
Sent: 02 October 2023 13:07
To: licensing.board
Subject: Airbnb at Taypark

To whom this may concern

I have just seen what seems to be a white piece of paper, referring to flat no 17 becoming an Airbnb. Although this paper is barely readable and behind wired glass it states this matter.

I am suprised at this letter as i have been informed this flat is already an Airbnb and has been since 2022.(Reviews are on line).To which i have looked up and read.

Shocking as to why it was not seeking permission in 2022 to become an Airbnb .

I would have objected then as i am now. Taypark is a quiet area. With very little parking as it is full to capacity with the owners at present. To add an Airbnb would be disastrous for us living here. We already oblige the parking here to accommodate the elderly and residents with mobility issues.

I bought my flat at no 1,so i could live a quiet peaceful life due to illness so do not want noise,late comings and goings and numerous people and parties,that Airbnb's bring.

This i have witnessed at my friends house . Theres an Airbnb there and parties,drugs and prostitution is going on .

Not for Taypark.

I strongly object.

I look forward to your prompt response on this urgent matter.

Many thanks

Sandra Gallacher (no 1)

Many thanks

Sent from my Galaxy

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Ashley Smith

From: [REDACTED]
Sent: 02 October 2023 11:43
To: licensing.board
Subject: Objection to license at 30 Dundee Road Flat 17 Taypark Broughty Ferry Dundee DD5 1LX

We would like to strongly object to the licence for above property This is a second floor flat in a residential area We have had our solicitor look at the title deeds of the property and it states clearly you are not allowed to run a business of any type from any of the properties at 1 to 24 Taypark

Mr & Mrs G N Anderson

[REDACTED]
[REDACTED]
[REDACTED]
Broughty Ferry
Dundee
DD 5 1 LX
Sent from my iPad

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APPENDIX 5

Ms. L. Bryson **41**

Received 12 October, 2023

~~██████████~~ West Queen Street,
Broughty Ferry,
Dundee DD5 1AR

Head of Democratic & Legal Services
Dundee City Council,
21 City Square,
Dundee DD1 3BY

Dear Sir / Madam,

Re - Granting of 'Short-Term' let licence - 28 West Queen Street,
Broughty Ferry, Dundee by Mr. Euan Stewart, West Developments,
Dundee.

I would like to state an objection to the renewal of
the licence.

It was never divulged by West Developments that flat 28
would be used as an Airbnb. Had I known, I would
not have considered moving into the building.
A steady stream of guests used the property. Whilst some
guests were respectful, others weren't.

Noisy, offensive language and behaviour was displayed
on many occasions, in particular, the early hours of
the morning.

This behaviour caused upset and anxiety to neighbours,
many of whom are elderly.

Complaints were made to the Letting Agents and although some complaints were dealt with successfully, many of the problems continued.

I would respectfully ask that the application be rejected.

Yours faithfully,

L. Bayson.

MR & MRS G CROMBIE
~~28~~ WEST QUEEN STREET
BROUGHTY FERRY DD5 1AR

HEAD OF DEMOCRATIC
AND LEGAL SERVICES
DUNDEE CITY COUNCIL
21 CITY SQUARE
DUNDEE DD1 3BY

Received 23 October, 2023

Dear Sir/Madam

We are writing to object to the licence application for a short term let by Clark Anderson on behalf of owner of Flat 28 West Queen Street.

Our objections are:

- . short term visitors do not abide by the the rules within Deeds - i.e.
 - . No parking of commercial vehicles, caravans etc.
 - . commitment to ensure the area is well kept, and residents are courteous and considerate of their neighbours.
 - . the car park can only accommodate residents – no visitors spaces are available – again visiting tenants are not aware of this (although there are signs) but they do NOT respect this rule, as their interests are only short term.
 - . rubbish is not disposed of correctly in the recycling bins – instead bottles are left around the area for someone else to sort out. Food stuff and cigarette ends are left to be cleaned up by neighbours after the occupants depart.
- . disruption and excessive noise in the middle of the night is experienced by these visitors – as well as excess rubbish and disrespect for neighbouring flats.
- . there is no guarantee as to the amount of occupants that actually stay in the flat at any one time, therefore overcrowding is often an issue.
- . this is a residential area, and as such should be kept that way to protect the permanent homeowners against short term visitors who do not have any consideration for them.

Yours sincerely,



L. CROMBIE & G. CROMBIE

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7th OCTOBER 2023

MR. MRS R. GUILD
[REDACTED] QUEEN STREET
BROUGHMY FERRY
DUNDEE
DTS 1AR.
MOBILE [REDACTED]

HEAD OF DEMOCRATIC & LEGAL SERVICES
DUNDEE CITY COUNCIL
21 CITY SQUARE
DUNDEE
DD1 3BY.

OBJECTION TO GRANTING OF 'SHORT-TERM' LET LICENCE OF
28 WEST QUEEN STREET, B/FERRY, DUNDEE.
BY MR. EWAN STEWART, WEST DEVELOPMENTS PROPERTIES,
UNIT G, SOFTWARE CENTRE, GEMINI CRESCENT, DUNDEE.

I WRITE IN REFERENCE TO THE ABOVE APPLICATION, WHERE
EWAN STEWART IS APPLYING FOR A SHORT-TERM LETTING LICENCE.
MY WIFE AND I STRONGLY OBJECT TO A LICENCE BEING ISSUED.

WEST DEVELOPMENT OWN ONE OF THE EIGHT FLATS! THE OTHER
SEVEN ARE OWNED BY RETIRED, MOST ELDERLY RESIDENTS.

REASON FOR MY OBJECTION IS: THAT THE FLAT OWNED BY
WEST DEVELOPMENT - THEY DID NOT INFORM ^{ANY} ALL OF US, IT
WAS TO BE A B x B. THEY DID SAY THEY WOULD USE THEIR
FLAT FOR A LONG LEASE, OTHERWISE WE WOULD NOT HAVE BOUGHT
OUR FLAT!

'THEY NEVER MENTIONED THEY WOULD USE IT AS A B x B, VERY
DECEITFUL.'

THERE ARE MANY PROBLEMS ASSOCIATED WITH THEIR APPLICATION

1. ALLOWING VANS, LORRIES, BOATS ETC INTO THE PARKING AREA WHICH OUR DEEDS OF CONDITION FORBID US, THE OTHER SEVEN RESIDENTS TO BRING INTO THE PARKING AREA.
2. WE ALL FEEL UNSAFE WITH THE B.B AS STRANGERS OCCUPY THE FLAT ON A WEEKLY BASIS, AND SOME OF THEM HOLD NOISY PARTIES.
3. IT IS A VERY POOR SHOW AND IRONIC, WHEN THE ONES WHO BREAK THE RULES, ARE THE ONES WHO CREATED THEM.
4. DESPITE COMPLAINTS TO WEST DEVELOPMENTS AND THEIR AGENT WHO 'LET OUT' THEIR FLAT, THE PROBLEMS CONTINUED TO EXIST. IF YOU GRANT THIS APPLICATION, THE ELDERLY RESIDENTS WILL BE FEELING ANGRY & DISGUSTED. SURELY NOT TOO MUCH TO WISH FOR - PEACE & HARMONY IN OUR ADVANCING YEARS.
5. I MUST EMPHASISE ONCE AGAIN, THAT IF YOU GRANT THEIR LICENCE, THE PROBLEMS WILL NO DOUBT CONTINUE.

Regards .

Margaret o Ron Guild.

Ashley Smith

From: Sheena Lemon <[REDACTED]>
Sent: 08 October 2023 21:19
To: licensing.board
Subject: Fwd: Short term lets at 28 West Queen Street DD5 1AR

Sent from my iPad

Begin forwarded message:

From: Sheena Lemon <[REDACTED]>
Date: 8 October 2023 at 18:33:54 BST
To: licensingboard@dundeeccity.gov.uk
Subject: Short term lets at 28 West Queen Street DD5 1AR

Good afternoon

I am writing to advise you of my objections to the above.

I oppose this strongly as since the beginning the rules in the missives have not been followed.

It states clearly "no commercial vehicles". We have had numerous trucks, vans, even a boat parked in our private car park for residents' only. Some of these vehicles were huge, dripped diesel, on our newly laid mono block drive. These all pertain to the short term rentals flat.

I have had to pick up numerous cigarette ends which unbelievably have been flung out the basement bedroom window, and landed at foot of my stairs. I took photos and other owners also picked up cigarette butts.

I have had takeaway delivery drivers knocking at my door, at all hours looking for the rental.

Short term tenants have been slamming gates shut at 1 and 2am on weeknights and because West Developments have added another entrance, they're wandering right past other owners bedroom windows and bringing back other people.

Extra guests attending parties looking for the flat have knocked at my door.

All of us owners were not made aware of West Developments plans to let this 2 bedroom flat out before we purchased. We feel aggrieved it was then converted to 3 bedrooms and let out.

I would certainly have had second thoughts living above a flat where there are comings and goings at all hours.

This weekends guests had 3 cars parked over 2 spaces while they were in the flat.

The owners of this flat at 28 couldn't care less about any of us, they took the money and ran.

I object strongly as I feel I for one was hoodwinked into buying and they planned this all along without mentioning to any of us when we purchased in 2021.

This is a quiet residential block, apart from this one blot on the landscape.

Yours faithfully

Sheena Lemon

~~XXXXXXXXXXXX~~ t

Broughty Ferry

Dundee

DD5 1AR

Sent from my iPad

49

MR JAMES MINNIS

~~██████████~~ QUEEN ST.

BROUGHTY FERRY

DUNDEE

DD5 1TR.

TEL ~~████████████████████~~

WITH REFERENCE TO ARDONS APPLICATION BY
NUMBER 28 OF THE ABOVE ADDRESS

Dear Sir/Madam.

I am a 76 year old disabled man, living on my own.
I rarely leave my home because of disability and
respiratory problems.

Please note my objection to the granting of
an ARDONS Licence for the property mentioned, namely
28 WEST QUEEN ST, BROUGHTY FERRY, DUNDEE DD5 1AR.

My reasons for the objection are quite simple.

1. The plot has already been used as an ARDONS
and causing problem for myself and neighbours.

I have on a number of occasions had to visit
the plot during early hours around and after
midnight.

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Some of the AIRBNB tenants ignore the parking agreement in that they have parked in my space, we have directed parking, and once used my space all night from 5PM the previous day. When I went to complain no one would answer the door.

Vans and contractors are not permitted parking at all yet most of the tenants there must be workmen staying here whilst working in Dundee and of course, they all have vans.

In the bigger picture I feel councils in all cities need to be more cautious allowing AIRBNB in commercial and industrial areas as it affects local inhabitants daily lives.

There is 8 flats in the block, we all well 7 of us moved here for peace and quiet! The other flat, number 28 was unsold so WEST DEVELOPMENT decided to use it as AIRBNB. Had I known this I would not have moved here.

Excuse my writing, I have bad arthritis and currently bad cataracts

Yours sincerely
J. M. M.

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Ashley Smith

From: Tracy Sparey <[REDACTED]>
Sent: 06 October 2023 16:41
To: licensing.board
Subject: Airbnb 28 West Queen Street, Broughty Ferry, Dundee

Dear Licensing Board

My name is Tracy Sparey and I reside in [REDACTED] Queen Street, Broughty Ferry, Dundee, DD5 1AR (previously the Broughty Ferry Hotel). My husband and I have read your notice regarding the current Airbnb (no. 28) in our apartment block and we wish to vehemently oppose the request from West Developments Ltd to continue running an Airbnb.

In 2020 I contacted West Developments regarding purchasing one of the apartments.

My husband and I were finally mortgage free and it was our dream to live the rest of our lives in Broughty Ferry. The apartments were ideal for us as our children are adults and my husband was now retired from 30 years in the Royal Air Force.

At no point did West Developments mention that they would be keeping an apartment to rent as an Airbnb. I want to stress that the other residents like us are retired and the majority of the residents are pensioners. We all get along and we all do our bit to keep our building and car park pristine.

Sadly life in our apartment is far from our dream and many a night my husband and I discuss moving due to the stress, noise and behaviour from Airbnb guests.

As residents we were provided with a handbook and our deeds. Within this handbook there was a letter from our factor Ross and Liddell regarding Car Park usage (letter attached). All residents in the apartments adhere to these conditions, conditions that I'm sure that West Developments had a input into these conditions and I'm sure Clark Anderson Properties also knew the conditions. In the conditions it states there has to be NO caravans, motorhomes, jet skis, boats, commercial vans and others. We have had the lot! I called Clark Anderson who said they would notify the guests. Clearly that did not happen. I emailed West Developments their response was "we will let Clark Anderson Properties know".

We have endured:

- * Extremely loud football games from TV where the guests open the window wide so they can smoke inside the apartment.
- * Shouting and banging the gates on the Claypotts Road entrance which is the bedroom side of all of the apartments.
- * Cigarette butts strewn throughout the car park (no residents are smokers) and the Airbnb cleaners do not pick them up!
- * Oil leaking from trucks and vans and not cleaned up.
- * Not using the recycling bins appropriately.
- * Several times we have had people who are pressing the buzzer (any buzzer) day and night asking how they get to the Airbnb that includes late night takeaway services.

Due to the stress I moved to Norway in August to be with my husband who works there. I will be returning in February. In the meantime my son and daughter-in-law are living in our apartment and they have also mentioned the noise from the last guests.

Sadly the chat between residents is always the topic of selling up but who, in their right mind, would buy our flats with an Airbnb in the building!!!

Please do the right thing and revoke West Developments request after all they aren't the ones living there!

Yours sincerely

Tracy and Sean Sparey

YOUR REF:
OUR REF: 45220063
DATE: 01/04/2022

Tracy & Sean Sperry
[REDACTED] Queen Street
Broughty Ferry
DD5 1AR

Dear Clients,

CAR PARK USAGE.
16-30 WEST QUEEN STREET, BROUGHTY FERRY.

Sent from my iPad

57

~~██████████~~ West Queen St
Broughty Ferry,
Dundee DD5 1AR
6/10/23.

Dear Sir/Madam,

With reference to the undated notice placed beside number 28 West Queen St on the 4th Oct, granting an application for license to allow airbnb there.

My husband and I strongly oppose to this continuing. We are in our 70's like most of the residents here and are already feeling insecure and annoyed at the noise and disruption caused at number 28.

Our bedroom windows are right beside one of the entrances and we recently had workmen staying there coming in and out

at all hours during the night, as well as other people staying at the airbnb. West Development and Clark Anderson Properties were informed of the noise etc. As well as the noise, there are always trucks, vans + cars sometimes obstructing the residents cars in the carpark.

We were unaware when purchasing our flat that there was going to be an airbnb in the building.

Again we just want to stress how against we are having an airbnb in this building

ALEXANDRA + THOMAS SZELLEK

A. Szellek 



Memorandum

To	SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES
From	Gabrielle Hayes – Ext. 6842
Our Ref	GH STL/ DD00135P
Your Ref	
Date	21 August 2024
Subject	Civic Government (Scotland) Act 1982 (Licensing Of Short-term Lets) Order 2022 28 West Queen Street, Broughty Ferry – West Development Properties Ltd (6 persons) SECONDARY LETTING 5 September 2024 Licensing Committee

In respect of the above application, I would have no objection to a licence being issued for a Short-term Let to the period 31 January 2027.

No objections have been received from the Planning Section of the City Development Department, Food Safety & Health & Safety Section of Neighbourhood Services or the Scottish Fire and Rescue Service.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER

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Ashley Smith

From: [REDACTED]
Sent: 23 January 2024 23:52
To: [REDACTED]
Subject: 331 Brook street, Broughty ferry short term let

Hello

I have been told that the licence application for the above let is already in and that the time for objections had passed by my landlord Kyle Moir.

The applicant has not posted any notice about this and not has the council made me an an immediate neighbour aware of this.

In fact I have been asking about this and find it odd that I would not be notified. No one that works in this little are or lives here has seen any notice and I have now asked over 16 people.

I do not believe any notice was posted by the applicant.

Firstly the property was bought very late September 2022 and was not trading or bookable until May 2023. I am told the applicant has used false bookings from another of his holiday lets to lie and mislead the council and this needs to be investigated.

The property was not fitted with hard flooring by Fairfield flooring until the 4th May 2023. I'm unsure how anyone was there when the old bathrooms were still outside in April 2023. I have attached images to prove this.

The flat has gone from a 2 bed office to a 3 bed and 3 bathroom dwelling. I'm not even sure you can get a building warrant in 3 weeks never mind complete this work and advertise the property. This property within the STL laws of Scotland should not be trading and the council should not be allowing it to trade. It is operating illegally.

On the 13th December 2022 the applicant removed the toilet in the flat and flooded o ur property as well as the flat next door. He lied and claimed it was our elderly neighbours washing machine until his own plumber explained to us they were replacing bathrooms. Again we have photographs and texts to prove this. The flat was a shell and inhabitable again proving that not only has he little regards for people homes and business but also that the properly wasn't habitable.

It is my view Mr Mather's is not of good character. He is someone who enjoys throwing his weight around. He has made a number of complaints about me - all unfounded and when he doesn't get his own way makes formal complaints which affect my livelihood and that of my 18 members of staff. He does this as a way of punishing me when I refuse to buckle to his bullying or ask him to clean up his tenants mess.

He has also drawn the local nursery into his web of deceit by claiming that they are the ones making these complaints - simply causing mayhem when in fact they are the loveliest of people.

He has also on a number of occasions used my personal phone and email even when I have asked him not to, he chooses to target and harass me personally and John Kydd at Gilson Grey Solicitors has had to become involved.

The flats works were started without a building warrant and even though Mr Mathers has claimed to the council and licensing board it is his home He has never lived there. The building warrant when o last checked wasn't complete. I can't see how it can be compete when he has plumbed his new additional bathroom into a rain water pipe. It hasn't even been vented.

MR Mather was aware of this as we told him yet lied to the licensing board last week that no one has made him aware. He accepted the smell was there as he tried to claim I was serving rotten food - all along it's his cost cutting and shoddy workmanship.

This poses a health hazard to myself, my customers, our elderly neighbours and the children who attend the nursery. Item 24G of the standards

I do not believe the property is big enough to house 8 people adequately. I can't understand looking at the original floodplain where the activity space and storage space is for all these people.

There is no space for any additional bins and the bins for the flat are constantly overflowing. So much so Mr Mathers has used his own car to remove this rubbish without a waste carrier licence.

One more than one occasion I have had to assist guests at the holiday let. Some innocent when they couldn't get a key to get in. Others more concerning.

We had some guests who had come for a graduation -this is rare as most guests are tradespeople working in Dundee. It was dark and they couldn't see where they were going. Having knocked on our side door we had to use our security lighting and phone torches to show them where they were going. The back court is pitch black and no lighting on the very old uneven stairs.

The same guests struggled on the steps and my team had to help carry their bags up. Had there been a fire I'm not sure how they would have got out.

The guests in the flat are often same sex parties of 8, this leads to cigarette butts, beer cans and people coming and going at odd hours. It creates mess and anti-social behaviour. These flats should not be allowed to become party pads. I note that some councils do allow same sex parties and if this holiday let is approved I would hope the council don't allow all same gender parties of guests for this reason.

I have concerns about the nursery and the flat windows overlooking where children (including some in our own family) play. The guests can stay for up to 2 months at a time and children can become trusting. Currently courts can tell offenders where they can live but not if they can stay on some short term lets. I am genuinely concerned that this property could be abused by offenders.


The property doesn't have a smoking area, we frequently have guest smoke at our back windows. This smell then comes thru out cafe and it's far from ideal. There is also the litter issue. Again we have raised this but are ignored and we usually just clean it up ourselves.

The property isn't suitable and my mind dangerous, the applicant has lied to the council to evade any investigation and its close proximity to vulnerable groups means it open to abuse. It needs additional waste collections and rubbish storage(which it doesn't have) and overall I feel that the council ignoring this sets precedent that no one needs adhere to any rules.

I hope you can understand my fears.

Best wishes
Kelly Fairweather

Sent from my iPhone



Ashley Smith

From: [REDACTED]
Sent: 28 February 2024 13:27
To: licensing.board; Joe FitzPatrick MSP; Stewart Hunter
Subject: Re: 331 Brook street, Broughty ferry short term let

Hi All

Having spoken to the police today I have been advised that the council is in charge of licensing fraud. I have been told that Mr Mathers of the above address and application has given evidence that he was operating before the cut off.

This is untrue and the flat was inhabitable until May 2023. The unit flooded us twice, had no floorboards or bathrooms even in February.

I'm deeply concerned that He seems to lie and make everyone's life a misery but nothing happens and he is basically continuing fraud.

In addition no one has done anything about his security camera with a wide lense which covers my under 16 staff and the nursery.

It is utter madness that this has been allowed to continue and I would like this matter treated seriously.

Best wishes

[REDACTED]
 Sent from my iPhone

On 26 Feb 2024, at 14:13, licensing.board <licensing.board@dundeecity.gov.uk> wrote:

Good Afternoon,

Many thanks for your email, I have saved it with your first objection and added it to the file. In the meantime, should you have any concerns regarding the application or the property, please feel free to contact the Private Sector Services Unit, 3 City Square, Dundee (Freephone 0800 085 3638).

Kind Regards,

Ashley Smith

Licensing & Electoral Registration
 Dundee City Council, City Square, Dundee, DD1 3BY
 Email : licensing.board@dundeecity.gov.uk
 01382 434039

My working days are Monday/Tuesday/Thursday/Friday

From: [REDACTED]
Sent: 26 February 2024 01:23
To: licensing.board <licensing.board@dundeecity.gov.uk>; short-termslets@dundeecity.gov.uk; Joe FitzPatrick MSP <joe.fitzpatrick.msp@parliament.scot>
Cc: customer services <customerservices@dundeecity.gov.uk>
Subject: Re: 331 Brook street, Broughty ferry short term let

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Ashley Smith

From: [REDACTED]
Sent: 26 February 2024 01:23
To: licensing.board; short-termslets@dundee.gov.uk; Joe FitzPatrick MSP
Cc: customer services
Subject: Re: 331 Brook street, Broughty ferry short term let
Attachments: [REDACTED]

Hi All

I have given the council evidence and shown that there is no way the holiday let at 333 Brook street could have been trading before the cut off.

The bath was in the back yard in May 2023 and the flooring wasn't laid until 6 May 2023. I have also reported that this person is draining his additionally bathrooms into a rain water pipe and we have toilet roll etc now coming out of what should be a clean area.

It now seems that Mr Mathers is above the law and no one seems to care that he is flouting it or making everyone's lives a misery including the elderly lady next door .

We now have a high resolution security camera which records sound and has a very high powered light. This is activated when my staff use the back door are and as it records sound they have no privacy. The nursery is directly behind us and this camera is now recording the children while they play. This is unacceptable.

The elderly lady next door now has this light glaring and meaning her bedroom has light pollution. All for a holiday let that should not have guests !

We also have issues with litter Mr Mathers guests regularly smoke and throw cigarettes butts outside the windows or leave them all over the shared courtyard and stairs.

I would like to understand why no one seems to be acting to stop this let being used even though if is an illegal ?

[REDACTED]
[REDACTED]

Sent from my iPhone

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Ashley Smith

From: Kyle Moir <[REDACTED]>
Sent: 16 January 2024 16:01
To: licensing.board
Subject: RE: Short Term Let 1/2, 333 Brook Street, Broughty Ferry, Dundee

CONFIDENTIAL EMAIL - INTENDED RECIPIENT ONLY

Ashely

Good afternoon

We did not receive a notification of the application, we still have not we were made aware of the application by a third party.

Nor were we aware that details within the application may not be correct, which we felt should be pointed out to you and checked for their accuracy.

The property was purchased on 22 September 2022 and was refurbished immediately after as such it could not have operated as a short term let prior to 1 October 2022, as such it should not be or have been operating as a short term let.

Kind regards

Kyle

Kyle Moir [REDACTED]

[REDACTED]

[REDACTED]



From: licensing.board [REDACTED]
Sent: Tuesday, January 16, 2024 3:50 PM
To: Kyle Moir [REDACTED]
Subject: RE: Short Term Let 1/2, 333 Brook Street, Broughty Ferry, Dundee

Caution: This is an external email from outside your organisation, please use caution when clicking on links or opening attachments. If in doubt, forward to the Big Red Button.

Good Afternoon,

Thank you for your email regarding the Short Term Let at 333 Brook Street. The last day to object was Thursday 11th January 2024, can you advise the Licensing Committee why the objection has been lodged after the objection date?

Kind Regards,

Ashley Smith
Licensing & Electoral Registration
Dundee City Council, City Square, Dundee, DD1 3BY
Email : licensing.board@dundeecity.gov.uk

01382 434039

From: Kyle Moir [REDACTED]
Sent: 16 January 2024 12:24
To: licensing.board [REDACTED]
Cc: Janet Hood [REDACTED]
Subject: Short Term Let 1/2, 333 Brook Street, Broughty Ferry, Dundee

CONFIDENTIAL EMAIL - INTENDED RECIPIENT ONLY

Dear Dundee Licensing Board

We understand an application has been made for the above property to become a short term let.

As the proprietor of the property 335 Brook Street, Broughty Ferry, Dundee we would like to formally object to the application for a short term let of the above property by Casa Fresca.

The property was purchased by the applicant on 22.09.2022, prior to that date the property was let on a residential tenancy basis to a mother and her son. It is noted that the use was however for a an office and that no change of use was sought to convert the property back to residential use.

We note the property was not trading as a short term let prior to 22.09.2022.

We understand that works have been carried out to the property to convert it to a short term let, we understand that such works were not notified to the Council or the neighbours though they should have been. This was report and forms Notice 23/00060/SEC27.

Works have been carried out to increase the downward capacity of the drainage which has resulted in problems for our tenant that did not exist prior to the works being carried out.

The change of use of the property will put further strain on an already pressured rental market in Broughty Ferry, stopping families from renting a three bedroomed accommodation.

The Property is accessed solely through a common lane which is shared with a nursery, which is the nursery's only means of access. This would mean the nursery would not be aware of who was sharing their sole access, can the owner of the property confirm that check are being carried out, I any one able to simply stay at the property?

Furthermore:-

- 1). The development is contrary to the Scottish Government Housing policy on More homes – “everyone has a quality home that they can afford and that meets their needs”^[1]
- 2). The development is contrary to Scottish Planning Policy on “socially sustainable places” and “supporting delivery of accessible housing”.^[2]
- 3). The development would have unacceptable impacts on neighbourhood amenity.

Kind regards

Kyle

Kyle Moir [REDACTED]
 [REDACTED]
 [REDACTED]



[REDACTED]

Ashley Smith

From: [REDACTED]
Sent: 07 November 2023 14:35
To: licensing.board; planning; bs
Cc: [REDACTED]
Subject: Un-licences short term let and building standards issues

Dear sirs

I am writing to formally complain about the lack of action taken when illegal works are carried out and new premises that should have a licence are opened.

The property in question is 1/r 333 Brook St, Broughty Ferry.

This started trading in July of this year and was converted from an accountants office to a 3 bed 3 bathroom holiday let.

During the works the soil pipe from the new toilets has been connected into the rain water trap at the rear of the property(photo attached).

When the property is occupied (up to 8 adults) the drainage can not cope and this is causing terrible smells and when it is also raining the trap is overflowing.

The owner had complained of flies in their property and I can only assume that this is because the SVP is not adequately ventilated as they are using the down pipe from the gutters and that is blocked with vegetation.

The property is new and they have not applied for a short term letting licence and therefore should not be able to operate.

My business is being severely impacted as the smell from the drains at the back is causing the rear of the restaurant to smell.

This needs to be closed down until the problems are resolved as it is clearly a public health issue. I also worry about the people renting the property as clearly the works have not been carried out in accordance to the law.

I would like to know if Building Standards, Planning, Licencing or Environmental Health are going to take action and when this would happen as the property is booked out every day this month on their website.

The smell is impacting my business and the mess from the overflowing can not be safe for the children going to the nursery behind.

Regards
Paul Fairweather
[REDACTED]

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Pamela Smith

From: Paul Fairweather <[REDACTED]>
Sent: 22 January 2024 17:49
To: licensing.board
Subject: Re: Short term letting licences

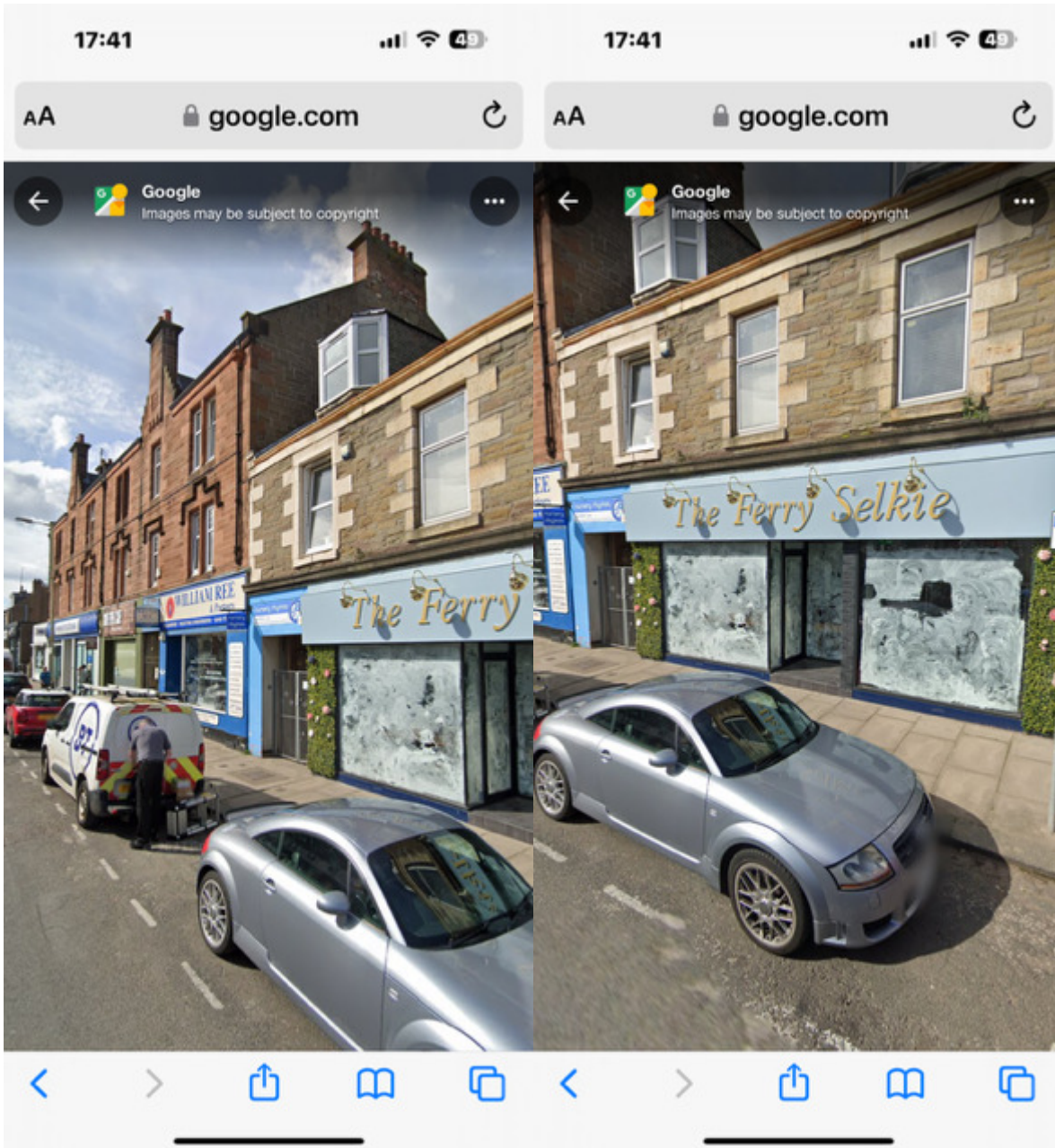
Thanks for getting back to me.

That might explain why no one has seen the notice as there are no lamp posts anywhere near the property, to save you time looking I have attached photos of the street and you will see that the nearest lamp posts are 3 to 5 properties away to either side.

I would like this noted and also that people are now only just finding out what is happening. It seems that this is another fabrication from Mr Mather, trying to evade due process.

Kind regards

Paul





On 22 Jan 2024, at 16:58, licensing.board <licensing.board@dundeeccity.gov.uk> wrote:

Good Evening Paul,

Apologies for the delay in response, I have since had word back from the applicant to say the notice was posted on a lamppost outside the property on Brook Street.

Kind Regards,

Ashley Smith

Licensing & Electoral Registration

Dundee City Council, City Square, Dundee, DD1 3BY

Email : licensing.board@dundeeccity.gov.uk

01382 434039

My working days are Monday/Tuesday/Thursday/Friday

From: Paul Fairweather [REDACTED]

Sent: 19 January 2024 14:13

To: licensing.board <licensing.board@dundeeccity.gov.uk>

Subject: Re: Short term letting licences

Hello

I have spoken to all 3 neighbours and none of this seen the notice.
 If it was displayed on the property door it wouldn't be viable to most neighbours.
 It wasn't displayed on a ground floor level.
 Do you have a picture of the display - as someone who is there everyday it was not visible at all
 Paul Fairweather

On 19 Jan 2024, at 13:11, licensing.board <licensing.board@dundeeecity.gov.uk>
 wrote:

Good Afternoon,
 The notice would've been displayed outside the property between 4th October and
 25th October 2023. The application was also advertised in the local press on 15th
 December 2023.
 Kind Regards,
 Ashley Smith
 Licensing & Electoral Registration
 Dundee City Council, City Square, Dundee, DD1 3BY
 Email : licensing.board@dundeeecity.gov.uk
 01382 434039
 My working days are Monday/Tuesday/Thursday/Friday

From: Paul Fairweather <[REDACTED]>
Sent: 19 January 2024 11:52
To: licensing.board <licensing.board@dundeeecity.gov.uk>
Subject: Re: Short term letting licences

Hi
 Thanks for your quick response. Neither myself or other neighbours have seen the
 notice can you advise where this was displayed ?

Kind regards
 Paul

> On 19 Jan 2024, at 11:38, licensing.board <licensing.board@dundeeecity.gov.uk>
 > wrote:
 >
 > Good Morning,
 >
 > Many thanks for your email. I can confirm that the applicant displayed the notice
 > in October as per their completed Certificate of Compliance document. The last day
 > to object to this application was Thursday 11th January 2024. I notice that we have
 > received an objection form yourself on 7th November 2023, if you wish to submit a
 > further objection you must put in writing why the objection has been received after
 > the deadline and it would be put forward to the Licensing Committee.
 >
 > Kind Regards,
 >
 >
 > Ashley Smith
 > Licensing & Electoral Registration
 > Dundee City Council, City Square, Dundee, DD1 3BY
 > Email : licensing.board@dundeeecity.gov.uk
 > 01382 434039
 >

> My working days are Monday/Tuesday/Thursday/Friday
>
> -----Original Message-----
> From: Paul Fairweather [redacted]
> Sent: 19 January 2024 11:23
> To: licensing.board <licensing.board@dundeecity.gov.uk>
> Subject: Short term letting licences
>
> Good morning
>
> The property above mine is operating as a short term let. I believe there is a
Licencing application in for it but I can not find a notice displayed to advise of how
to make an objection.
> The property is at 333 Brook street Broughty ferry.
> Can you please advise of the best way to put in an objection and if I need a
reference number for the application and where best to send it.
>
> Many thanks
> Paul
>
>
>
> <https://www.dundeecity.gov.uk/sites/default/files/CostofLiving.png> <<https://www.dundeecity.gov.uk/costofliving>>
> _____
>

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Pamela Smith

From: Stuart Mather [REDACTED]
Sent: 19 February 2024 13:11
To: licensing.board
Subject: Re: Late Objection received - Short Term Let - DD00199P 333 Brook Street

Hi Ashley

Thanks for this.

We're getting a bit fed up of them now. It's the same person/business (the Ferry Selkie).

So there's been 3 complaints:

- Kelly Fairweather
- Paul Fairweather
- Kyle Moir (their landlord)

They are all connected to the property downstairs (ferry selkie) and have a bee in their bonnet as we objected to their premises licence application.

Surely it can only be one complaint from one address? Not multiple complaints from the same address?

Everything they have written is untrue. I'm sure you can read through the nonsense and see that they are hell bent on getting us shut down.

There is not a single shred of evidence to support any of these claims. We have done nothing but improve the area and these allegations are defamatory.

It's starting to get personal now and I'm extremely concerned and frustrated that they are attacking my character continually.

Kind regards
Stuart

On 19 Feb 2024, at 10:51, licensing.board [REDACTED] wrote:

Good Morning,
Please find late objection received for 333 Brook Street attached with a covering letter.
Kind Regards,
Ashley Smith
Licensing & Electoral Registration
Dundee City Council, City Square, Dundee, DD1 3BY
Email : [REDACTED]

My working days are Monday/Tuesday/Thursday/Friday
"Do not open these types of documents from people you do not know since they might contain macros that will allow malicious code to be executed in your machine. Thanks."

<Applicant letter - emailed 19.02.24.doc>
<Late Objection 21.01.24 - redacted.pdf>

Pamela Smith

From: Stuart Mather [REDACTED]
Sent: 27 November 2023 12:19
To: licensing.board
Cc: [REDACTED]
Subject: Re: Objection received - DD00199P 333 Brook Street

Hi Ashley,

Thanks for sending over the attached.

Just to confirm following our telephone conversation, almost everything in the objection is incorrect:

- we were trading pre-October 2022
- we had drawings developed by an architect and were issued with a building warrant
- we asked about change to planning and were advised by DCC the property is classed as residential on their system so nothing to charge
- the building inspector confirmed everything has been carried out in accordance with the warrant. The only ongoing amendment is a piece of new pipe work at the rear needs to be adjusted by the plumber. This has been ongoing for the last few weeks and is currently being addressed between us, the architect, building control and the plumber
- we have not received any complaint or communication of any kind regarding a drainage/smell/environmental issue, either from Paul Fairweather, the council, the nursery or any other neighbour
- we've not noticed any overflowing pipe
- there is only one wc that connects into this pipe, not 3
- the smell and fly issue was/is coming directly from their excessively large food/sea food waste bins. We complained about this to them directly and also to environmental and believe this is simply retaliation. We have a large email trail with pictures to reflect our ongoing issue with their bins.
- there is no mess from the pipe at rear. Overflowing rainwater pipes and rhones are not uncommon during periods of heavy, continuous rain

In summary, the only ongoing matter is a pipe amendment at the rear and this is actively being worked on between all relevant parties.

We'll contact Gabrielle and arrange a property visit in the meantime.

Kind regards
Stuart

On 27 Nov 2023, at 10:27, licensing.board [REDACTED] wrote:

Good Morning,
Please find objection received and a covering letter attached in relation to your Short Term Let application.
Kind Regards,
Ashley Smith
Licensing & Electoral Registration
Dundee City Council, City Square, Dundee, DD1 3BY
Email : [REDACTED]
[REDACTED]

"Do not open these types of documents from people you do not know since they might contain macros that will allow malicious code to be executed in your machine. Thanks."

<Applicant letter - emailed.doc>
<P Fairweather Objection - redacted.pdf>



Memorandum

To	SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES	
From	Gabrielle Hayes – Ext. 6842	
Our Ref	GH STL/ DD00199P	
Your Ref		
Date	21 August 2024	
Subject	Civic Government (Scotland) Act 1982 (Licensing Of Short-term Lets) Order 2022 333 Brook Street (1/2), Broughty Ferry – Kasas Properties Ltd SECONDARY LETTING 5 September 2024 Licensing Committee	(8 persons)

In respect of the above application, I would have no objection to a licence being issued for a Short-term Let to the period 31 January 2027.

No objections have been received from the Planning Section of the City Development Department, Food Safety & Health & Safety Section of Neighbourhood Services or the Scottish Fire and Rescue Service.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER

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CHANGING FOR THE FUTURE

Memorandum

O;I;

To **SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES**

From Gabrielle Hayes – Ext. 6832

Our Ref GH STL/ DD00105P

Your Ref

Date 21 August 2024

Subject **Civic Government (Scotland) Act 1982 - (Licensing Of Short-term Lets) Order 2022**
11 Sunnybrae Terrace, Dundee – Ms Angela Walters (2 persons)
HOME SHARING
5 September 2024 Licensing Committee

In respect of the above application, I would make the following observation in regard to a licence being issued for a Short-term Let to the period 31 January 2027:

- The following items, identified during an inspection on 25 April 2024 and noted in the report from PSSU dated 2 May 2024 remain outstanding:

Health & Safety

- Ensure front door has a thumb-turn lock to allow egress from the property without the use of a key.
- Ensure the hall and landing are sufficiently lit for occupants to find their way out of the property. This could be achieved by these areas having one or more (as appropriate) automatic plug-in night lights of the type which continue to operate if the mains electricity fails. Where additional lighting is provided, a system should be established to ensure that the lighting is present and in working order at the commencement of each let.

Documentation

- Provide evidence of a current Buildings Insurance policy.
 - Provide evidence of current Public Liability Insurance with a minimum cover of £5m for a single incident.
- A current Gas Safety Certificate requires to be submitted.
 - This application was received on 29 September 2023 and therefore the last scheduled Committee for this to be determined at is 5 September 2024.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER

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CHANGING FOR THE FUTURE

Memorandum

O;I;

To **SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES**

From Gabrielle Hayes – Ext. 6832

Our Ref GH STL/ DD00093P

Your Ref

Date 21 August 2024

Subject **Civic Government (Scotland) Act 1982 - (Licensing Of Short-term Lets) Order 2022**
70 Broughty Ferry Road, Dundee – Rise Proeprty Resi Ltd (5 persons)
SECONDARY LETTING
5 September 2024 Licensing Committee

In respect of the above application, I would make the following observation in regard to a licence being issued for a Short-term Let to the period 31 January 2027:

- The following items, identified following an inspection on 19 April 2024 and noted in the report from PSSU dated 2 May 2024, remain outstanding:

External

1. Entrance door woodwork requires to be painted.

Hallway

2. Movement/settlement cracks in ceiling to be repaired and redecorated.

Living Room

3. Movement/settlement cracks in ceiling to be repaired and redecorated.
4. Hanging/loose cables around TV and WiFi unit to be tidied/secured.
5. Carpet to be cleaned or replaced.

Kitchen

6. Repair damaged drawer front.
7. Damaged and loose tiles to be repaired or replaced.

Bedrooms

8. Bedroom 1 - Movement/settlement cracks in ceiling to be repaired and redecorated.
9. Bedroom 2 - Movement/settlement cracks in ceiling to be repaired and redecorated.
10. Bedroom 2 - Carpets and curtains to be cleaned or replaced.
11. Bedroom 3 - Movement/settlement cracks in ceiling to be repaired and redecorated.

Bathroom

12. Clean/remove mould build up around bath and shower screen.
13. Clean/remove mould build up on ceiling above shower/bath.
14. Clean/remove mould build up on wall and floor at side of bath.
15. Bath panel to be repaired and re-secured or replaced.
16. Dirty shower head to be cleaned or replaced.
17. Cracked and loose wash hand basin to be replaced.

Upper Landing

18. Loft hatch to be securely seated.

Health & Safety

19. Confirmation required that the fridge/freezer that failed on the Portable Appliance Test report has been removed or repaired.
20. Remove redundant electrical fittings and cables from ceilings in hallway and landing.

Documentation

21. Further evidence of previous operation of this property as an STL is required.
- A new Portable Appliance Test certificate or delivery notes/receipts for new items, requires to be submitted.
 - This application was received on 27 September 2023 and therefore the last scheduled Committee for this to be determined at is 5 September 2024.



GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER

APPENDIX 12

Re: OBJECTION TO SHORT TERM LET AT 70 BROUGHTY FERRY ROAD

John Wright <[redacted]>

Fri 23/08/2024 18:33

To:licensing.board <[redacted]>

Good afternoon Pamela,

Thanks for the prompt reply.

The reason that our objection has just been submitted is that no formal notice was ever displayed. We walk past the property daily and would have objected sooner if we had seen any notice.

The requirements are that " This notice must be displayed on or near the short- term let property in a position where it can be easily read by the public. This notice must be displayed for a period of 21 days from the date the application was lodged with the Licensing Authority"

Since the requirements were not met, surely this means that the application can not be brought before the Licensing Committee at present,

Regards,

John and Sandra Wright.

From: licensing.board <[redacted]>
Sent: 23 August 2024 16:35
To: johnwright646@live.co.uk <[redacted]>
Subject: Fw: OBJECTION TO SHORT TERM LET AT 70 BROUGHTY FERRY ROAD

Good afternoon,

I am writing to advise we have received your late objection, , the Licensing Committee will determine on the day of the meeting if the objection will be considered.

The Licensing Committee for this application will be held on the 5th September 2024 at 10am and a teams link will be sent to you w/c 2nd September 2024 to attend the meeting.

Kind Regards

Pamela

Licensing Department,
Dundee City Council, 21 City Square, Dundee DD1 3BY
Email : licensing.board@dundeecity.gov.uk
Tel : 01382 434444

From: John Wright <[redacted]>
Sent: 22 August 2024 17:19

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OBJECTION TO SHORT TERM LET AT 70 BROUGHTY FERRY ROAD

John Wright <[REDACTED]>

Thu 22/08/2024 17:19

To:licensing.board <[REDACTED]>

To whom it may concern,

We wish to raise an objection to the proposed short term let at 70 Broughty Ferry Road , Dundee, DD4 6BE.

We were not aware that we had to raise a formal written objection until I spoke to Gabrille Hays this afternoon.

The grounds for our objection are:

- Excessive noise from the property due to shouting, banging and loud music up to 4 am on some mornings .
- Household waste thrown out in the street from people living there.
- Small fires in the drying area.
- The title deeds for the Property state that only one vehicle per household are allowed to park in the adjacent car park but at times there are as many as four vehicles from the let, preventing residents from parking near their home.
- At times the property appears to have as many as a dozen people staying at the property.

I have previously phoned the Landlords Registration Department to raise these issues, but it appears it was not logged.

It should be noted that we never saw any formal notification posted to notify neighbours of the proposed short term let and the process for objections. We understand that this should have been in a prominent position on a public path but it was not. There may have been a notice posted outside the properties front door, but to reach the door you would have to go off the main public path, onto a private path and then up two flights of stairs only used by this property.

Regards,

John and Sandra Wright

[REDACTED]
[REDACTED]


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objection for short term let license at 70 Broughty Ferry Road Dundee

PHILIP COLACO <[REDACTED]>

Sun 25/08/2024 20:44

To:licensing.board <[REDACTED]>

 3 attachments (7 MB)

Noise 7.m4a; Noise 21.11.m4a; 20240825_203209.jpg;

whom it may concern

I am writing this email in regards to putting in an a formal objection for the license for a short term let property which is up for review at 70 brought ferry road, Dundee. I am summarising the reason for my objections below – I am conjoined to the property on the right-hand side with my bedroom sharing a wall with number -70s; kitchen / lounge area. Additionally, my bedroom window is less than a metre from the Kitchen/ Living area. See picture enclosed

1. Noise- for the past 4 years there has been constant noise from Parties, and I have put numerous complaints into the letting agent Fraser @ Pillow partners. My first contact was made as far back as July 26th, 2020, and the situation is still not fully resolved. I have numerous recording which the letting agent has copy of which detail excessive levels of noise. I have also had complaint in the Antisocial behaviour team last summer so surely this should be taken into consideration when this license was being granted- last summer there were between 10-15 French students living the in the property which formed part of my case to the antisocial behaviour team. They had parties every night and a t one point another neighbour was so angered by the constant noise and altercation took place which the police were involved – Currently there is extensive work being carried out in the property and has been for the last 4 weeks with workmen are starting as early as 6am drilling and banging. Most recently the workmen have taken to working through the night, which is totally unacceptable When I questioned the workmen, they advised they were under pressure from the landlord to get the job finished. I have had to call the police on occasion as I cannot sleep wit the level of noise from work being carried out overnight. Keep getting assurances from the letting agent they would not allow parties or noise of any kind but every time some stays in that property there are parties. It is causing me sleep deprivation is starting to affect me on a day-to-day basis. I have lived in this property since 2016 and this is nice quiet area which is one of the main reasons I initially purchased this property. but the last 4 years have been absolute hell for me. Additionally the front door requires to be slammed as it is apparently morphed and this constantly wakes me when people are leaving the property at 6am

2. Car parking – people staying this property are taking up 3-4 car parking spaces regularly meaning residents who both have bought and rent their properties are unable to get parked-

this is totally unacceptable and massive bug bear to everyone living in this area

3. No notice to object-having spoken with Gabrielle Hays@ the licensing board – I was advised a public notice should have been put it up the landlord stating the intention for the license to be reviewed and details of how to put an objection and this should have been visible from the footpath for 21 days – I can advise that no such notice was ever put up. I walk past he foot path daily and the number 70 and the only notice I saw was a poster for a missing cat. I can only assume this was done to stop any objections and this is why indeed I am submitting, mines late along with my other neighbour’s. I was also very disappointed to be told that there is apparently nothing that can be done if the owner has not put up the notice. Surely a legal process has to be followed in these circumstances.

I would kindly ask that you acknowledge this objection and invite m ethe teams meeting scheduled for 5th of September

I have attached a noise recording showing abd example of what I hear from my property and also a photo with my bedroom window marked in green showing how close I am.

Thank you

Philip Colaco

[Redacted signature block]



Housing

CHANGING FOR THE FUTURE

Memorandum

O;|;

To	SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES
From	Gabrielle Hayes – Ext. 6832
Our Ref	GH STL/ DD00094P
Your Ref	
Date	21 August 2024
Subject	Civic Government (Scotland) Act 1982 - (Licensing Of Short-term Lets) Order 2022 89 Fisher Street, Broughty Ferry – Mrs Wilma Woudenberg (6 persons) SECONDARY LETTING 5 September 2024 Licensing Committee

In respect of the above application, I would make the following observation in regard to a licence being issued for a Short-term Let to the period 31 January 2027:

- The following items, identified during an inspection on 20 March 2024 and noted in the report from PSSU dated 2 May 2024 remain outstanding:

Bathrooms

1. Ground Floor – Bath panel to be refitted.
2. Ground Floor – A means of ventilation to the outside required (no window).
3. First Floor – The 25mm step in the floor presents a trip hazard. Remove step or provide a clear method of highlighting the step.
4. First Floor – Door must be fitted with a functioning privacy lock.

General

5. To maintain a maximum occupancy of 6, a plan showing the allocation of accommodation to suit 6 persons should be submitted that excludes the use of the attic rooms which are not accepted for sleeping accommodation.

Health & Safety

6. Ensure all electrical circuits are protected by an RCD.
7. Ensure the hall and landing are sufficiently lit for occupants to find their way out of the property. This could be achieved by these areas having one or more (as appropriate) automatic plug-in night lights of the type which continue to operate if the mains electricity fails. Where additional lighting is provided, a system should be established to ensure that the lighting is present and in working order at the commencement of each let.

Documentation

8. Provide a current Gas Safety Certificate.
 9. Provide a Legionella Risk Assessment.
 10. Provide a Portable Appliance Test certificate that covers all items in the property available for guests.
- Evidence the property was in use as a short-term let prior to the 1 October 2022 is required.
 - This application was received on 29 September 2023 and therefore the last scheduled Committee for this to be determined at is 5 September 2024.

A handwritten signature in black ink, appearing to read 'G. Hayes', written in a cursive style.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER