



City Chambers
DUNDEE
DD1 3BY

5th June, 2024

Dear Colleague

The undernoted members are requested to attend a MEETING of the **LICENSING COMMITTEE** to be held remotely on Thursday, 13th June, 2024 at 10.00 am.

Members of the Press or Public wishing to join the meeting should contact Committee Services on telephone (01382) 434211 or by email at committee.services@dundeecity.gov.uk by no later than 5.00pm on Tuesday, 11th June, 2024.

Please submit any apologies for absence to Elaine Doak, Committee Services Officer, on telephone 01382 434211 or email elaine.doak@dundeecity.gov.uk.

Yours faithfully

GREGORY COLGAN

Chief Executive

Depute Lord Provost Kevin CORDELL

BAILIE Christina ROBERTS

COUNCILLORS

Stewart HUNTER
Roisin SMITH

Jax FINNEGAN
George McIRVINE

Charlie MALONE
Daniel COLEMAN

AGENDA OF BUSINESS

The Committee is reminded of the quasi-judicial nature of the meeting and that in accordance with Standing Order No 34(4) only those members who are present during the whole of the proceedings may take part in the deliberation.

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 LICENSING SUB-COMMITTEE – MINUTE OF MEETING

The minute of meeting of the Licensing Sub-Committee held on 16th May, 2024 is attached for noting (**Appendix 1**). - **Page 1**

3 CIVIC GOVERNMENT (SCOTLAND) ACT 1982

(a) NEW APPLICATIONS GRANTED UNDER DELEGATED POWERS

MARKET OPERATOR - NEW APPLICATION

No	Name	Address of Premises
1	Joanne McFadyen	V&A

PUBLIC ENTERTAINMENT – NEW APPLICATIONS

No	Name	Location	Date of Event
1	Charlene Maggs	Kettledrum Bar	14th June, 2024
2	Dundee Rep & Scottish Dance Theatre Ltd	Tay Square	4th June, 2024
3	Westfest	Magdalen Green	2nd June, 2024

SALE OF ANIMALS AS PETS – NEW APPLICATION

No	Name	Address
1	Zoo Centre Group Ltd	ZOO Centre, 36 Albert Street

SKIN PIERCING & TATTOOIST - NEW APPLICATION

No	Name	Address of Premises
1	Darren Parkin	Black Art Tattoo and Piercing Co, 82 Broughty Ferry Road

TAXI DRIVER - NEW APPLICATIONS

No	Name	Address
1	Sohil P Khoja	12A Fairbairn Street
2	Scott Marshall	7 Elm Street

WINDOW CLEANER - NEW APPLICATION

No	Name	Address
1	Matthew Mahon	6 Castle View, Perth

(b) TAXI DRIVER – NEW APPLICATIONS

No	Name	Address
1	Darren Acari	39 Church Street

The applicant has failed to submit a medical in the prescribed time.

2	Mohammed Karaghool	15 Roseburn Gardens
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The applicant has failed to provide a medical, SVQ certification, pass the street knowledge test and name an operator in the prescribed time.

3	Mohan Giri	47 Blaikies Mews
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The applicant has failed to provide a medical, UTRN, SVQ certification, pass the street knowledge test and name an operator in the prescribed time.

4	Abubakir Rafiq	10 Corbie Wood
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The applicant has failed to provide a medical, UTRN, SVQ certification, pass street knowledge test and name an operator in the prescribed time.

5	Darren White	25 Hillbank Place
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The applicant has failed to provide SVQ certification in the prescribed time.

4 HOUSING (SCOTLAND) ACT 2006

(a) HOUSES IN MULTIPLE OCCUPATION – DELEGATED

No	Name	Person Responsible	Address
1	Shaoyun Li and Kaixin Zhou	Mawei Ltd	39 Clayhills Drive
2	Everthrive Estates Ltd	Sandstone UK Property Management Solutions Ltd	4/0, 168 Blackness Road
3	Nomagalix Ltd	Sandstone UK Property Management Solutions Ltd	2/0, 66 Peddie Street
4	Ian and Amy Munro		4/1, 74 Commercial Street
5	Eventhrive Estates Ltd	Sandstone UK Property Management Solutions Ltd	3/2, 59 Strathmartine Road
6	Karen Gray	Rockford Properties Ltd	8D Lawson Place
7	Dundee Chambers Assets Ltd	Mezzino Ltd	Flat C, 7 Lyon Street

8	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat F, 7 Lyon Street
9	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat C, 17 Lyon Street
10	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat F, 17 Lyon Street
11	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat M, 17 Lyon Street
12	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat P, 17 Lyon Street
13	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat C, 27 Lyon Street
14	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat F, 27 Lyon Street
15	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 4, 14 Lyon Street
16	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 1, Meadowside Halls, 19 Bell Street
17	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 2, Meadowside Halls, 19 Bell Street
18	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 1, Meadowside Halls, 19 Bell Street
19	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 3, Meadowside Halls, 19 Bell Street
20	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 4, Meadowside Halls, 19 Bell Street
21	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 5, Meadowside Halls, 19 Bell Street
22	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 6, Meadowside Halls, 19 Bell Street
23	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 7, Meadowside Halls, 19 Bell Street
24	Dundee Assets Ltd	Chambers	Mezzino Ltd	Flat 8, Meadowside Halls, 19 Bell Street
25	Peter Mansfield and Alison Walker		Peter Mansfield	10 Friary Gardens
26	Wright Investments (Scotland) Ltd		Sandstone UK Property Management Solutions Ltd	3a Arbroath Road
27	Hudson Property Ltd	Reid	Robb Residential Ltd	281 Perth Road
28	Alexander David & Co (Scotland) Ltd		Sandstone UK Property Management Solutions Ltd	3/L, 275 Blackness Road
29	Amy McIntosh		Easylets Ltd	2 Milnbank Gardens
30	Goldwest Ltd		Easylets Ltd	18 Friary Gardens

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

(a) SHORT-TERM LETS – DELEGATED

No	Name	Person Responsible	Address
1	James Fung	James Fung	94 Seagate
2	Aaberlee Guest House	Aaberlee Ltd	20 Union Street
3	Fiona Campbell	Clark Anderson Properties Ltd	71A Church Street, Broughty Ferry
4	Jacqueline and John McBeath		74 Unicorn Court, West Victoria Dock Road
5	Parveen Jassal	3 Sisters Rentals	2/1, 11 Dudhope Street

6	Parveen Jassal	3 Sisters Rentals	Flat 1, 100 Victoria Road
7	Zaveri Properties Ltd		Flat 1/1, 79 Long Lane
8	Central Sunrise Short Stays Ltd		5 Wallacetown Court
9	Imran Din		The Bond, Flat 4, 81 Seagate
10	Audrey Taylor		3E Wellington Street
11	Mohammed Asif Sarwar		27A Rosefield Street
12	Annette Linn	Clark Anderson Properties Ltd	58 Mains Drive
13	Sunrise Short Stays		2/1, 348 Perth Road
14	Farah Solaiman		239 Arbroath Road
15	Slot Leisure Ltd	iLet Property Services	E1, 55 Commercial Street
16	Slot Leisure Ltd	iLet Property Services	E2, 55 Commercial Street
17	Classfield Properties Ltd	Khalid Mehmood	1/1, 72 Dunholm Road
18	Robert Gow and Alison-Jane Townsend	Clark Anderson Properties Ltd	12 Newhall Gardens
19	The Bobsai Tree Ltd	Farah Solaiman	125 Craigie Avenue
20	Megan McManus		47 Dalhouse Road
21	Katie Clark	Easybnb	294C King Street
22	Corso Property Development Ltd		G/1, 7 Arklay Street

(b) SHORT-TERM LETS – NEW APPLICATIONS

No	Name	Person Responsible	Address
1	Archibald & MacNab Properties Ltd	Katrina McNab	4 Carmichael Gardens

Letters of objections have been received from members of the public – copies attached **(Appendix 2). - Page 3**

2	Farah Solaiman		239 Arbroath Road
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A letter of objection has been received from a member of the public – copy attached **(Appendix 3). - Page 35**

3	James and Joan Hannay	Fine Nest Property Management Ltd	1/3, 48 Constitution Street
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A letter of representation has been received from PSSU – copy attached **(Appendix 4). - Page 37**

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.

6 CIVIC GOVERNMENT (SCOTLAND) ACT 1982

(a) TAXI DRIVER- NEW APPLICATION

(b) TAXI DRIVER - SUSPENSION HEARINGS

(c) BOOKING OFFICE – NEW APPLICATION

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APPENDIX 1

At a MEETING of the **LICENSING SUB-COMMITTEE** held remotely on 16th May, 2024.

Present:-

Councillor Stewart HUNTER
Councillor Roisin SMITH
Councillor George McIRVINE

Councillor Stewart HUNTER, Convener, in the Chair.

Unless marked thus * all items stand delegated.

The Convener agreed that the undernoted item of business be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales involved.

The Sub-Committee resolved 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 item of business on the ground that it involved the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.

I DECLARATION OF INTEREST

No declarations of interest were made.

II CIVIC GOVERNMENT (SCOTLAND) ACT 1982

(a) TAXI DRIVER'S LICENCE – REQUEST FOR IMMEDIATE SUSPENSION

There was submitted a letter of information from the Chief Constable relative to the alleged conduct of J M during the currency of their Taxi Driver's licence.

The Sub-Committee gave consideration to the content of the letter. Thereafter, having heard the representative of the Chief Constable and consideration of the advice of the Legal Officer, the Sub-Committee agreed that the Taxi Driver's licence held by J M be suspended with immediate effect and that a suspension hearing be held on 13th June, 2024 in relation to the fitness of J M to be the holder of a Taxi Driver's licence.

Stewart HUNTER, Convener.

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Dundee City Council
License Board
21 City Square
Dundee

Dear Sir /Madam

Notice of Application for a license for Short Term Let at 4 Carmichael Gardens Dundee

I wish it noted by the Council that I object to the above application.

This development was built by Charles Gray (Homes) Ltd around 1995 and in the legal papers/deeds given to all new home owners was included what I believe is called a Burdens Section. This stated certain restrictions imposed by Charles Gray for all owners of the properties in the development. This was so the unique fabric of the street could be maintained. And this is what all owners of the properties have adhered to. I have attached a part copy of the original deed which outlines certain restrictions, but if you require to see all the original deed, I will send you a copy.

While the said property has been let out before, it was a long term let and was occupied by only one family. This is in accordance with the deeds which state that properties should never be sub divided.

The development is a quiet cul-de-sac with a mixture of older residents and young families. The majority of owners have been here long term and this kind of application does not fit in with the fabric of the development. Further, I see that the applicants state that there will be no more than 5 guests. There is only room for two cars to very tightly park in the driveway and so any other vehicles would have to be parked on the narrow street. I point out that No. 7 on the Deeds Burden states that no commercial vehicles shall be parked overnight in the development. Indeed, I have already had to have a word with someone from the property who had parked in a private space in front of our block of flats. Each flat owns their own parking space. I politely told her that she was parking on private property and that we respect one another's spaces in this development and was accused of "Ambushing her". I was on my own with no one else around and at 73 my days of ambushing anyone are long gone! If this is the company's attitude already to problems, what will it be like when they start letting out the property. I am also concerned as to how an Edinburgh based company manage the property should any problems arise since we have already experienced the attitude of one of their employees?

Finally, with the current housing crisis in Dundee this is a waste of a family home. I would think that this is a priority the Council should be concentrating on rather than giving over houses in residential areas to outside businesses. Dundee has plenty of hotel/serviced apartments in and around the city centre.

I hope that the Council takes all these points into account before deciding on this application.

[Redacted signature area]

Dundee
DD3 6LS

[Redacted signature area]
[Handwritten signature]

LAND REGISTER OF SCOTLAND



TITLE NUMBER ANG3871

D 4

D. BURDENS SECTION

the flats in the Development and the cost thereof shall be borne equally among all the flat proprietors; Declaring that we or our foresaids shall be considered to be a majority so long as we are the proprietors of at least one flat in the Development; Further declaring that the external colour scheme shall not be altered without the prior written consent of us or our foresaids;

(Seventh) No caravans, boats, trailers or commercial vehicles shall be parked overnight in the Development;

(Eighth) The Flat and its share in the common parts shall be constantly insured against loss or damage by fire, explosion, lightning, storm or flood, riot and civil commotion and all other commonly insurable risks with a reputable Insurance Company for its full replacement value and in the event of the Flat and share in common parts or any part thereof being damaged or destroyed it shall be restored within Eighteen months after such destruction or damage to its former condition and the whole sum to be received from the Insurance Company shall be expended in re-erecting the Flat or repairing the damage; Declaring that if the Flat and share in common parts are so damaged or destroyed they shall be re-erected and restored in accordance with elevations and plans to be approved by us or our successors as Superiors in writing prior to restoration work commencing, which elevations and plans shall so far as reasonably practicable conform with the original elevations and plans;

(Ninth) The cost of maintenance, repair and replacement of the common parts of the Block and any other charges which may be occasioned by the use and enjoyment of the flats in the Block shall be shared equally by the proprietors of all the flats in the Block;

(Tenth) The cost of maintenance, repair and replacement of the mutual gable shall be shared equally by the proprietors of the flats in the two Blocks known as Blocks 2 to 16 and 34 to 48 Carmichael Court, aforesaid;

(Eleventh) In respect that we have formed and constructed to the standard required by the Local Authority the roads, kerbs and footpaths, and the drains, sewers and culverts serving the Development, the said road and others will be maintained by the feuars and the other proprietors in the Development (excluding the proprietors of 12 to 30 (even numbers) Lawson Place, Dundee) sharing the cost equally, in good condition and repair all to the satisfaction of us or our foresaids until such time as the said

LAND REGISTER OF SCOTLAND



TITLE NUMBER ANG3871

D 3

D. BURDENS SECTION

February Nineteen hundred and Ninety-five.

Note: In so far as affecting the subjects in this Title the chain dotted black line in a blue wash on the deed plan has been shown by a blue broken line on the Title Plan.

2 Feu Disposition by Charles Gray (Homes) Limited to Jamie Gibson Rice and another and their executors and assignees (hereinafter referred to as "the feuars"), recorded G.R.S. (Angus) 16 May 1997, of the subjects in this Title (hereinafter referred to as "the Flat"), contains the following burdens;

(First) The Development known as Riverview, Dundee of which the Flat forms part is intended to be feued in general conformity with a feuing plan prepared by us with right to deviate as we or our successors as Superiors shall see fit;

(Second) The Flat shall be used solely as a private dwellinghouse and for no other purpose whatsoever and shall never in any way be sub-divided or occupied by more than one family at a time;

(Third) The feuars are specifically prohibited from using the Flat or any of the common property within the Development for any business, commercial or industrial use and nothing shall be done or be permitted to be done within the Development by the feuars which may be deemed a nuisance or occasion disturbance to other proprietors or which is likely to injure the amenity of the Development;

(Fourth) The feuars shall be entitled to keep a reasonable number of usual domestic pets provided that they do not cause a nuisance, but breeding and kennelling shall be prohibited;

(Fifth) The feuars shall be prohibited from erecting external satellite dishes or external T.V. aerials without the prior written consent of us or our foresaids;

(Sixth) No structural or other alterations shall be carried out by the feuars upon any part of the Block known as 18 to 32 Carmichael Court, Dundee without the prior written consent of us or our successors as proprietors of the superiority of the feu; It is expressly provided and declared that in order to preserve uniformity of the external appearance of the Block, all external painting and decorating shall only be carried out in whole or in part as required by decision of a majority of the proprietors of

LAND REGISTER OF SCOTLAND

TITLE NUMBER ANG3871

D 6

D. BURDENS SECTION

future erect any wall or boundary fence without the prior written consent of us or our foresaids, which consent shall not be unreasonably withheld;

(Sixteenth) There is reserved to us and our successors as Superiors a heritable and irredeemable servitude right of wayleave over all parts of the Development for all necessary services and to do all necessary work; there is reserved to us and our successors as Superiors and to our successors as proprietors of the flatted part of the Development or any part thereof a heritable and irredeemable servitude right of access in, to and over the Flat, the Block and common parts for all necessary purposes subject to the said servitude right of access being exercised at a reasonable time and upon reasonable notice; And there is also reserved to us and our successors as Superiors and to our successors as proprietors of the flatted part of the Development or any part thereof an unrestricted heritable and irredeemable servitude right of pedestrian and vehicular access at all times over all roads, footpaths and car parking areas within the Development for all necessary purposes; subject always in the event of the exercise of the foregoing rights to making good any damage occasioned thereby; and

(Lastly) it is hereby expressly provided and declared that for the future protection of the Development as a whole the said reservations, burdens, conditions and others shall be enforceable by the various proprietors holding the same rights inter se in all time coming.

Head of Democratic and Legal Services,
Dundee City Council,
21 City Square,
Dundee DD13BY.

Dear Sir/Madam,

Re application for a Licence of a Short-term Let at No.4 Carmichael Gardens, Dundee.

Carmichael Gardens is a small, quiet cul-de-sac, made up of family homes, many of the families having lived here since the houses were built, almost 30 years ago, and many residents are now of advancing years.

The application in this case is, I believe, for 5 unrelated people, working together in Dundee, to share the accommodation, until their contract or employment here comes to an end. Presumably this could be for a few weeks, or a few months, or longer, but certainly there is likely to be considerable coming and going, of people that the residents are not familiar with.

It is recognised in Dundee City guidance for houses in multiple occupancy, that 'Multiple occupancy intensifies pressure on amenity, particularly mutual areas, and parking, and can increase the prospect of disturbance and nuisance'. I am aware that the proposal in this case is not an HMO, but I would suggest that the principle of this guidance is relevant.

Parking in the street is difficult enough already, but having 5 unrelated persons living at number 4, might, I would suggest, very well have more cars than the allocated 2 spaces, which, in an already fairly congested street, might well lead to parking on pavements, across drives etc.

Again, I would not wish to make assumptions, but it might be reasonable to suggest that 5 unrelated workers, living away from home, in a vibrant city like Dundee, might wish to enjoy a night out now and again, perhaps all together, which could conceivably cause 'disturbance and nuisance' to neighbours.

Taking all of this into account, as a near neighbour of the above premises I would like to object to the granting of the above Short-term Let.

Carmichael Gardens, Dundee DD3 6LX.



LAND REGISTER OF SCOTLAND



TITLE NUMBER ANG3871

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D. BURDENS SECTION

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LAND REGISTER OF SCOTLAND

TITLE NUMBER ANG3871

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D. BURDENS SECTION

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(Lastly) it is hereby expressly provided and declared that for the future protection of the Development as a whole the said reservations, burdens, conditions and others shall be enforceable by the various proprietors holding the same rights inter se in all time coming.

Dundee City Council
License Board
21 City Square
Dundee

Dear Sir/Madam

Re - Application for Short Term Let at 4 Carmichael Gardens, Dundee


Carmichael Court/Gardens is a small quiet cul-de-sac in a residential area with a mixture of long term older residents and young families. I believe that this application does not fit in with the character of this development as a whole.

There is a security concern as there is likely to be considerable coming and going at all times of people that the residents are not familiar with as well as the parking implications with what could be up to 5 unrelated persons staying at the property at any one time. There is only a very tight space for two cars and this can all increase the prospect of disturbance and nuisance at all times.

As far as I am aware there are certain restrictions in the deeds of all our properties which this application does not adhere to. I can furnish you with a copy should you so wish.

I am also concerned that the business is run from an Edinburgh based company. How is this property to be managed should any problems arise? Are they depending on a local management firm to oversee things?

I wish it noted that I most certainly object to this application as it will not enhance the area in any way.


Carmichael Court
Dundee
DD3 6LS



Ashley Smith

From: [REDACTED]
Sent: 19 February 2024 11:28
To: licensing.board
Subject: Re: Objection to short- term lets

Dundee City Council
License Department.
19Th February, 2024

Dear Sir/Madam
Notice of Application for a license for Short-Term Lets etc.- 4 Carmichael Gardens,Dundee.DD3 6LX

We wish to object to the above application for a license for the above property. Like other residents in this quiet cul-de-sac of Carmichael gardens, we have made our home of 27 years on the understanding that the balance of Family dwellings would make it a unique street for families and permanent residents, we chose in 1996 on this basis and it has worked fantastic as we have around 16 houses that most of the families have occupied for as long as us. The proposed change/License is incompatible with the unique character of the street and there is neither available or planned additional infrastructure to support the change of use to a property with short term lets from 3 to 5 unrelated individuals. An HMO License was applied for by the previous owners of No4 Carmichael Gardens and was refused by Dundee City Council, the same objections made on that application have not changed. The property has only room for 1 car to be parked in Drive, when the current owners visit the property with workmen, they have up to 3 vehicles parked in Pavement's in front of other Neighbours properties. We believe it will be the same if permission is granted with multiple vehicles parked on pavements making it difficult for residents on dark winter morning / nights with children and especially disabled Neighbours having to dismount the pavement and use the road to go around illegally parked car/vans. Also making it difficult for emergency vehicles to access the street. We also worry about the transient nature of the people that may be living in the property, they will not be committed to becoming part of a fantastic community minded street,making the street a great place to live and help each other keep the place in tip top shape ,most of the dwellings have young children or grandchildren at the adjacent houses. We also are concerned about noise/Partying of visitors working away from home and letting things get out of hand as it is not their normal home.

Also, who will put out bins etc. on a regular basis as the owners will not reside at the property. I Believe as i write this objection that the owners of the property are actively making changes to the property without any warrants or consents, which proves to me and my Neighbours that they will not follow council guidance if an application is granted for a license. We are happy to make ourselves available to you or your department at any time.

Yours Sincerely

[REDACTED]

[REDACTED]

[REDACTED]

Licensing Board
Dundee City Council
21 City Square
Dundee
DD1 3BY

1st March 2024

Re-Application for the License of a Short Term let at 4 Carmichael Gardens Dundee

Dear Sir/Madam,

I would like to object to the granting of the license at the above address.

1. Dundee and Scotland are experiencing a shortage of family homes, so why should we have a short term let for 5 people replacing an existing family home. When we bought our house in 1995 a condition of the sale in the Burdens Section was that any house or flat within the development should only be used as a private dwelling house and should never be subdivided or occupied by more than one family.

2. No 4 has parking for 2 vehicles and there are to be up to 5 residents who could potentially have a vehicle each. Carmichael Gardens is a narrow street with driveways on each side and limited parking. With no parking on pavement rule there is bound to be problems with excess vehicles.

Again referring to Condition of Sale commercial vehicles are not allowed to park overnight in the development.

The owners of No4 have stated that they also deal with Booking.com and Airbnb and the residents, many of whom are elderly worry about potential security and noise problems in the street.

Kind regards

████████████████████
████████████████████
Dundee

DD3 6LX

Head of Democratic and Legal Services,
Dundee City Council,
21 City Square,
Dundee DD13BY.

Dear Sir/Madam,

Re application for a Licence of a Short-term Let at No.4 Carmichael Gardens, Dundee .

Carmichael Gardens is a small, quiet cul-de-sac, made up of family homes, many of the families having lived here since the houses were built, almost 30 years ago, and many residents are now of advancing years.

The application in this case is, I believe, for 5 unrelated people, working together in Dundee, to share the accommodation, until their contract or employment here comes to an end. Presumably this could be for a few weeks, or a few months, or longer, but certainly there is likely to be considerable coming and going, of people that the residents are not familiar with.

It is recognised in Dundee City guidance for houses in multiple occupancy, that 'Multiple occupancy intensifies pressure on amenity, particularly mutual areas, and parking, and can increase the prospect of disturbance and nuisance'. I am aware that the proposal in this case is not an HMO, but I would suggest that the principle of this guidance is relevant.

Parking in the street is difficult enough already, but having 5 unrelated persons living at number 4, might, I would suggest, very well have more cars than the allocated 2 spaces, which, in an already fairly congested street, might well lead to parking on pavements, across drives etc.

Again, I would not wish to make assumptions, but it might be reasonable to suggest that 5 unrelated workers, living away from home, in a vibrant city like Dundee, might wish to enjoy a night out now and again, perhaps all together, which could conceivably cause 'disturbance and nuisance' to neighbours.

Taking all of this into account, as a near neighbour of the above premises I would like to object to the granting of the above Short-term Let.

[REDACTED]

[REDACTED]

[REDACTED] Carmichael Gardens, Dundee DD3 6LX.

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

[REDACTED]
Dundee
DD3 6LX
26 February 2024

Dear Sirs,

Re: Application for Licence of a Short-Term Let, 4 Carmichael Gardens, Dundee DD3 6LX

We write in objection to the above application.

We own the property adjacent to number 4, with shared driveway and rear fencing. We have lived here for over ten years. The street is a residential cul-de-sac of 17 homes, occupied by a mixture of families, middle-aged couples and retired people. There are at least four families with primary school aged children, and two that we know of where young grandchildren come to stay. Lots of the children play outside on the street.

We have two sons at primary school. The two upper floors of number 4, a townhouse, overlook our back garden. We have concerns about an increased number of unknown adults staying at the property and being able to look over into our garden. Our children could also come into contact with these visitors in the shared driveway, when leaving for school on foot, taking out the bins or putting their bikes into the back garden. We have concerns about their safety from a child protection point of view. They have told us that they wouldn't like to bump into lots of people they don't know when coming out of their house.

Parking

Number 4's part of the shared driveway is sufficient for the width of a single vehicle. It is possible that two vehicles could park behind each other, and we understand that the applicant will be advertising two parking spaces. However, we are concerned that the inconvenience of parking this way will lead to the second vehicle parking on-street and contributing to congestion or encroaching onto our portion of the driveway as there is no physical separation.

Noise & Nuisance

The applicant has written to neighbours stating that the property will be leased to one group at a time, comprising up to 5 adults. We anticipate increased noise due to this type of let. Instead of one family, there may be five adults with five different lifestyles using the property at any one time. Although not an HMO in name, this situation amounts to the same increase in pressure on amenities and prospect of disturbance and nuisance that the HMO restrictions aim to prevent. The applicant is registered at an Edinburgh address. We understand that one Director lives in Edinburgh and the other in Wick, so neither would be on-site to manage any issues arising. It would fall to neighbours to deal with any immediate issues and this is not something that we want to have to deal with in person.

Notwithstanding the applicant's planned activities, we understand that the granting of this licence would allow for multiple groups to share the house, provided that the maximum occupancy is not exceeded. Should the stream of business that the applicant currently imagines not transpire, we fear that the property will then be opened up to multiple groups of people sharing the house and the

consequent increase in vehicular and foot traffic that this would entail. Our concerns in terms of safety, parking and noise/nuisance described above would therefore be heightened.

We are also concerned that advertising the address, location and quality of the property in the public domain might attract attention to it as a target for burglars, particularly as somewhere maintained to a high standard and likely to be unoccupied for periods of time, in an otherwise very residential area. If this property becomes a target, it would increase the vulnerability of the whole street which is currently very safe.

Contrary to Title Deeds

We attach a copy extract of the Burdens Section of our Land Certificate, which we understand is common to all the properties on Carmichael Gardens. Part 3(Second) states that "the dwellinghouse...shall be used for domestic use only by one family and for no business, commercial or industrial use". We would therefore argue that the granting of this licence is contrary to the common obligations of the property owners on this development, and to the maintenance of the nature and amenity of the street that the owners are entitled to expect from each other.

For the above reasons, we object to the application.

Electronically signed 26 February 2024

[Redacted signature]

[Redacted name]

[Redacted signature]

[Redacted name]

Ashley Smith

From: [REDACTED]
Sent: 23 February 2024 19:14
To: licensing.board
Subject: Short term let 4 Carmichael Gardens ,Dundee

Good evening,

I am writing to you to strongly object to a SHORT TERM LET , of the above property, I have resided here for quite a number of years and this is a quiet area, and wish this to remain so, I don't agree with this in any shape or form ,consideration should be given to the residents and neighbours who have resided here for many years, please feel free to contact me on [REDACTED]

Kindest regards [REDACTED]

Sent from Yahoo Mail for iPhone

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

Tuesday, 27 February 2024

Dear Sir / Madam,

Re application for a Licence of a Short-term Let at No.4 Carmichael Gardens, Dundee.

Carmichael Gardens is a small, quiet cul-de-sac, made up of family homes, many of the families having lived here since the houses were built, almost 30 years ago, and many residents are now of advancing years.

The application in this case is, I believe, for 5 unrelated people, working together in Dundee, to share the accommodation, until their contract or employment here comes to an end. Presumably this could be for a few weeks, or a few months, or longer, but certainly there is likely to be considerable coming and going, of people that the residents are not familiar with. It is recognised in Dundee City guidance for houses in multiple occupancy, that 'Multiple occupancy intensifies pressure on amenity, particularly mutual areas, and parking, and can increase the prospect of disturbance and nuisance. I am aware that the proposal in this case is not an HMO, but I would suggest that the principle of this guidance is relevant.

Parking in the street is difficult enough already, but having 5 unrelated persons living at number 4, might, I would suggest, very well have more cars than the allocated 2 spaces, which, in an already fairly congested street, might well lead to parking on pavements, across drives etc.

Again, I would not wish to make assumptions, but it might be reasonable to suggest that 5 unrelated workers, living away from home, in a vibrant city like Dundee, might wish to enjoy a night out now and again, perhaps all together, which could conceivably cause 'disturbance and nuisance' to neighbours. I have also noted that the new owner's intent to 'bring the property (which was built as a family home) up to hotel standards, I would have thought that it would be more economical to place their clients into a local hotel which of course would have better facilities.

Taking all of this into account, as a near neighbour of the above premises I would like to object to the granting of the above Short-term Let.

Yours Sincerely

[Redacted signature area]

Dundee
DD3 6LX

License Board
21 City Square
Dundee

Dear Sir / Madam

Re - Application for Short Term Let
at 4 Carmichael Gardens, Dundee

This is a quiet residential area with a mixture of owners who have all resided here for many years and we have all worked together to maintain the unique character of the development. We have all adhered to the restrictions which the builder included in our deeds at the time of purchase. These include:

Only one family shall occupy a dwelling

No external satellite dishes or T.V. aerial should be erected without prior consent

No commercial vehicles to be parked overnight in the development

These restrictions were for the future protection of the development.

The application, I believe, is for up to 5 unrelated people sharing the accommodation.

This in itself throws up more problems

i.e. Pressure on parking in a narrow street. This house has only space for one car in driveway

The prospect of people coming and going at all times which can cause disturbances.

There is also a security concern in that residents will not be familiar with the tenants who

come and go from the property.

For these reasons I wish to strongly object to the granting of this Short Term Let application.

[Redacted]

Mr [Redacted]

[Redacted] CARMICHAEL COURT

DUNDEE

DD3 6LS

Head of Democratic and Legal Services,
Dundee City Council,
21 City Square,
Dundee DD13BY.

Dear Sir/Madam,

Re application for a Licence of a Short-term Let at No.4 Carmichael Gardens, Dundee.

Carmichael Gardens is a small, quiet cul-de-sac, made up of family homes, many of the families having lived here since the houses were built, almost 30 years ago, and many residents are now of advancing years.

The application in this case is, I believe, for 5 unrelated people, working together in Dundee, to share the accommodation, until their contract or employment here comes to an end. Presumably this could be for a few weeks, or a few months, or longer, but certainly there is likely to be considerable coming and going, of people that the residents are not familiar with.

It is recognised in Dundee City guidance for houses in multiple occupancy, that 'Multiple occupancy intensifies pressure on amenity, particularly mutual areas, and parking, and can increase the prospect of disturbance and nuisance'. I am aware that the proposal in this case is not an HMO, but I would suggest that the principle of this guidance is relevant.

Parking in the street is difficult enough already, but having 5 unrelated persons living at number 4, might, I would suggest, very well have more cars than the allocated 2 spaces, which, in an already fairly congested street, might well lead to parking on pavements, across drives etc.

Again, I would not wish to make assumptions, but it might be reasonable to suggest that 5 unrelated workers, living away from home, in a vibrant city like Dundee, might wish to enjoy a night out now and again, perhaps all together, which could conceivably cause 'disturbance and nuisance' to neighbours.

Taking all of this into account, as a near neighbour of the above premises I would like to object to the granting of the above Short-term Let.

[Redacted signature line]

[Redacted signature line with handwritten initials]

[Redacted line]

[Redacted line]

[Redacted line]

1/5

21
Carmichael Gardens
Dundee
DD3 6LX

24 Feb 2024

Dear Sirs / Madam

I am writing in response to a notice that appeared in Carmichael Gardens advising of a request to allow 4 Carmichael Gardens, Dundee to become a business.

The first attempt in 2007 was made by the last owner who withdrew their application when they realised the neighbourhood were objecting in numbers to their application.

In the intervening years little has changed, in the main the same families still live in Carmichael Gardens. The new families who moved in have young families and one of the current residents had their elderly parents move into Carmichael Gardens as well. One resident originally intended to apply for an HMO but his wife and young children loved the area so much they made it their family home.

The area is 100% residential, it is a quiet family orientated area where parents know their children can happily play outside safely and the potential of introducing up to 5 individuals, possibly transient, is extremely concerning and will significantly alter the easy, relaxed family atmosphere of Carmichael Gardens and the surrounding streets as we will have no idea who is coming and going.

Another major concern is the parking situation, the existing parking is already heavily used and already some visitors have to park outside Carmichael Gardens the addition of work vans and cars can only exacerbate this problem, there is only one parking space adjacent to the property and there is very limited on street parking due to dropped kerbs, already large vehicles struggle to access the end of the cul-de-sac at times.

Dundee already has a chronic shortage of family homes and the loss of this good sized family home is unnecessary.

Casual visitors and workers from out of town have an abundance of accommodation available to them both in and around Dundee and the surrounding areas.

There is an array of all types of hotels, motels, bed and breakfasts, caravan sites and self catering accommodation available. I am certain that if there was a shortage of accommodation motel chains like Premier Inn etc would be building more to fill the gap, to the best of my knowledge they aren't.

Carmichael Gardens and the neighbouring streets are in a peaceful settled residential area and are totally unsuitable for HMO type businesses which could allow absolutely anyone to move into this property, there is

3/5

no reasonable justification for this change of use/licence to be considered in a well established family area.

The new owners are an Edinburgh based business who did a leaflet drop only to the homes in Carmichael Gardens seemingly forgetting the neighbouring Flats and possibly in Lawson Place. They say they want to be good neighbours and a part of the community, it is difficult to imagine how this could possibly be achieved given that none of the business owners will be resident and I assume don't even live in the area. Their clients, also from out of town are unlikely to be involved with the community given that their homes are elsewhere and they are here to work.

As previously stated, we are a diverse residential community of all ages and can't see any way that this alteration would cause anything but anxiety and concern ultimately unsettling the easy going environment in Carmichael Gardens and the surrounding homes.

It is concerning that tradesmen and women have been in and out of the property in the last 3-4 weeks and we are hoping that this doesn't indicate that advice has been given that this application is a formality.

4/5 ..

Residents of homes in and around Carmichael Gardens, particularly the elderly and those with young children are against any property housing temporary, potentially transient, individuals and call for the proposal to be rejected.

Enclosed is a copy of a page from the General Register of Sasine where I have underlined the "second burden" which clearly states that the properties are for "domestic use only by one family, no business, commercial or industrial use: no commercial vehicles shall be parked overnight in the development"

[Redacted text block]

Regards

[Redacted signature block]

5/5:

therein mentioned in favour of Scottish Hydro-Electric plc dated Seventeenth and Twenty fourth both days of January and recorded in the said Division of the General Register of Sasines on Third February, all in the year Nineteen hundred and Ninety five; **AND ALSO WITH and UNDER** the following burdens, prohibitions, conditions, declarations, reservations, stipulations and clauses, irritant and resolute, namely - (FIRST) the Development of which the feu forms part is intended to be feued in general conformity with a feuing Plan prepared by us with right to deviate as we or our successors as Superiors shall see fit; (SECOND) the said dwellinghouse shall be used for domestic use only by one family and for no business, commercial or industrial use; no commercial vehicles shall be parked overnight in the Development; (THIRD) the feuars shall maintain the said dwellinghouse in good order and repair and in the event of the said dwellinghouse becoming dilapidated or destroyed shall restore or re-erect it within twelve months and thereafter maintain on the feu a dwellinghouse of similar style, materials, size and value on the same line of front according to plans and specifications first approved in writing by us or our successors as Superiors; (FOURTH) no exterior alterations to the said dwellinghouse, including altering the colour scheme, shall be made, and no buildings or erections, including walls and fences, shall be built on the feu without the prior written consent of us or our foresaids; (FIFTH) the feuars shall keep the said dwellinghouse constantly insured against loss or damage by fire, explosion, lightning, storm or flood, riot and civil commotion and all other commonly insurable risks with a reputable Insurance company for its full replacement value and if required produce annual premium receipts to us or our foresaids; (SIXTH) the feuars shall be entitled to keep usual domestic pets provided that they do not cause a nuisance, but breeding and kennelling shall be prohibited; (SEVENTH) as the Development has been designed on an open-plan basis, the feuars shall not erect any boundary of any description on the pavement boundary of the feu or in the front garden nor shall the feuars erect any boundary or place any objects along the driveway boundary; the boundary walls or fences on the north and south of the feu shall be, without further payment, the mutual property of the feuars and the proprietors for the time being of the adjacent feus on the north and south and shall be kept in good order and repair by the feuars and such adjoining

ANG 983 562

ANG 983 562

14

Ashley Smith

From: [REDACTED]
Sent: 26 February 2024 17:00
To: licensing.board
Subject: Re: Objection to Short Term Let

Dear Sir/Madam,

I am writing to object to a notice put up in my street to inform us of a secondary, short-term letting for number 4 Carmichael gardens from Archibald and MacNab 23/1 Margaret Rose Drive, Edinburgh. 4 Carmichael gardens is a townhouse that looks right into my daughter's bedroom the thought of total strangers coming and going in the street makes me feel unsafe as we won't get the chance to get to know who these people really are. Our street is a small and quiet community where we all look out for each other and each others children. Number 4 is a family home, working in childcare I know there are families in Dundee who would much better benefit from living in this house who are currently living in overcrowded flats in our own city. This secondary letting is a money maker with no interest in our community. We want our children to be safe and you cannot guarantee who will be coming and going in our street they could be drug dealers, paedophiles, hen/stag parties. We have all worked hard and our council tax is not cheap, bringing these people into our street is not what we want.

[REDACTED]
[REDACTED]
Dundee
DD3 6LX

Sent from [Outlook for Android](#)

From: licensing.board <licensing.board@dundeecity.gov.uk>

Sent: Monday, February 26, 2024 4:55:47 PM

[REDACTED]
Subject: Objection to Short Term Let

Good Afternoon,

As discussed please feel free to reply to this email.

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

Head of Democratic and Legal Services,

Dundee City Council,

21 City Square,

Dundee DD13BY.

Dear Sir/Madam,

Re application for a Licence of a Short-term Let at No.4 Carmichael Gardens, Dundee.

Carmichael Gardens is a small, quiet cul-de-sac, made up of family homes, many of the families having lived here since the houses were built, almost 30 years ago, and many residents are now of advancing years.

The application in this case is, I believe, for 5 unrelated people, working together in Dundee, to share the accommodation, until their contract or employment here comes to an end. Presumably this could be for a few weeks, or a few months, or longer, but certainly there is likely to be considerable coming and going, of people that the residents are not familiar with.

It is recognised in Dundee City guidance for houses in multiple occupancy, that 'Multiple occupancy intensifies pressure on amenity, particularly mutual areas, and parking, and can increase the prospect of disturbance and nuisance'. I am aware that the proposal in this case is not an HMO, but I would suggest that the principle of this guidance is relevant.

Parking in the street is difficult enough already, but having 5 unrelated persons living at number 4, might, I would suggest, very well have more cars than the allocated 2 spaces, which, in an already fairly congested street, might well lead to parking on pavements, across drives etc.

Again, I would not wish to make assumptions, but it might be reasonable to suggest that 5 unrelated workers, living away from home, in a vibrant city like Dundee, might wish to enjoy a night out now and again, perhaps all together, which could conceivably cause 'disturbance and nuisance' to neighbours.

Taking all of this into account, as a near neighbour of the above premises I would like to object to the granting of the above Short-term Let.

[REDACTED]

■ Carmichael Gardens, Dundee DD3 6LX.

Head of Democratic and Legal Services,

Dundee City Council,

21 City Square,

Dundee DD13BY.

Dear Sir/Madam,

Re application for a Licence of a Short-term Let at No.4 Carmichael Gardens, Dundee.

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Taking all of this into account, as a near neighbour of the above premises I would like to object to the granting of the above Short-term Let.

[REDACTED]

[REDACTED]

[REDACTED] Carmichael Gardens, Dundee DD3 6LX.

Licensing Board,
 Dundee City Council,
 21 City Square,
 Dundee.
 DD1 3BY.

29th February 2024

Re – Application for the License of a Short Term Let at 4 Carmichael Gardens Dundee.

Dear Sir/Madam,

I hereby give notice of my objection to the granting of a short term letting license (5 residents) for the above mentioned property under the following grounds for refusal.

- Scotland, and Dundee in particular is currently experiencing a shortage of family homes and here we have a limited company purchasing a previous family home for the intention of making a commercial profit thus denying the opportunity for a family to benefit from living in a desirable area of the city.
- When I purchased my home in this development in 1995 it was stated in my conditions of sale (Burdens Section) that my house: -

“shall be used solely as a private dwellinghouse and for no other purpose whatsoever and shall never in any way be sub-divided or occupied by more than one family at a time.”

I am confident that this condition is still in force with all houses in Carmichael Gardens/Court and I cannot see that a short term let with multiple unrelated residents in the property at No.4 complies with this legal condition of sale

- Within Carmichael Gardens we have small friendly community of different ethnic families who have lived in the community for many years. All are greatly concerned with the prospects of increase problems for parking with the possible addition of private and commercial vehicles that this license will bring;
 Carmichael Gardens is a narrow street and pavement parking is common, with the current law on pavement parking being implemented then the possibility of blocked passageway to large emergency and service vehicles is inevitable should there be a further increased influx of vehicles at No.4, Currently the property has only space for 2 vehicles but 5 residents may have a vehicle each. Again how can the (nonresident in Dundee) owners police this possible problem?
- Again I refer to my condition of sale in that

“The feuars are specifically prohibited from using the house or any part of the common property within the development for any business, commercial or industrial use and nothing shall be done or be permitted to be done within the development by the feuars which may be deemed a nuisance or occasion disturbance to other proprietors or which is likely to injure the amenity of the development.”

What can be done to prevent any company that rents this accommodation from using the premises for business / commercial office space.

- Residents of Carmichael Gardens/Court have been informed that it is the limited company's intention to rent out this property to company clients who will utilise the accommodation for workers and parking of company vehicles within the development.

- Further I refer to my condition of sale in that

"No caravans, boats, trailers or commercial vehicles shall be parked overnight in the development.

How can they ensure that there will be no potential for any unauthorised parking from 5 un related occupants if they are not personally residing in the property?

- Safety and Security of residents from undesirable or unruly residents/guests

As the owners of this property intend to rent out, and they have stated in correspondence to the neighbours, "to enhance the local housing market". How can they ensure from afar that there will be no potential for any disturbance or nuisance from 5 un related occupants and any of their guests if they are not personally residing in the property?

The owners have also stated that they deal with both Booking.com and Airbnb for letting and this brings added safety and security concerns to the current neighbours as to the suitability of future guests. Absent landlords cannot police the property to ensure that the designated limit of occupancy of the property has not been exceeded. Does the short let license allow them to go down this route, thus ensuring a profitable return from this financial investment, if their plan for company only clients does not bear fruit in the future.

Regards,



■ Carmichael Gardens,

Dundee,

DD3 6LX.

Ashley Smith

From: [REDACTED]
Sent: 06 March 2024 21:55
To: licensing.board
Subject: Short-term letting licence at 4 Carmichael Gardens, DD3

Good evening,

I'm a local resident staying one street over from Carmichael Gardens and I understand the residents at number 4 Carmichael Gardens have requested a short-term letting licence for the address (and I'm also aware a number of my neighbours have protested the licence).

While I don't outright object to the granting of the licence, I think there is a compromise to be made here. I completely support people being able to use their property in any way they like including for business, however, my concern is that there isn't enough security in the area to support the running of short-term letting in our area as we're a quiet cul-de-sac and there are many young families and vulnerable people in the area so having a lot of strangers coming and going does raise a security risk due to the lack of CCTV. I've had my car vandalised in the last two years and had to report this to the police at the time, other neighbours have also personally told me of attempted break-ins to their properties (caught on a Ring doorbell), strangers getting into the entryways of the flats at Carmichael Court, and two residents have been followed home on separate occasions (one of them being me). With this in mind, having many different people coming in on a short-term let basis does make me concerned about the individuals who may stay at the premises and any guests they might bring with them as the perpetrators in each of the instances above were not local to our neighbourhood (and while these are one-off instances over a number of years, sadly the few ruin it for the many as I'm sure most people are not ill-intentioned).

The owners of 4 Carmichael Gardens (the business owners) have made it clear that residents at their other business locations are usually there for specific events, which is also why I have a concern that there may be partying and alcohol which will additionally bring extra noise and disturbance to the area. The business owners state they will be providing a Ring doorbell for the front of the house, however, I do not feel this is sufficient as the rest of the street (and anywhere outside the view of the camera) is left unprotected, increasing the risk for local residents and putting the onus on the rest of us to capture issues and report them (making it more difficult to provide proof for instances of acts such as those described above). My request/suggestion for the business owners would be to ensure that a further CCTV camera is installed facing up the street to improve visibility and security in the area (this should be installed at the business' expense and clearly signposted when installed).

I hope that the business owners will deem this request fair and agree to install the CCTV camera on a lamppost or similar location, pointing up along Carmichael Gardens for the safety and security of the locals. If they do, I'm happy to support their short-term letting licence, however, if they do not wish to take this step to keep our community safe I'm afraid I would need to object to the licence being granted as I do not believe our area is suitable for this type of business at this time.

Many thanks,
[REDACTED]

████ Carmichael Gardens
Dundee
DD3 6LX

██
██
██
██

23 February 2024

Good afternoon

Re: Letter of objection for licence application at 4 Carmichael Gardens, Dundee. DD3 6LX
Licence applicant: Archibald & MacNab Properties Ltd

We are the owners of the property attached to that of the licence application which is requesting approval to offer rooms on the premises at 4 Carmichael Gardens, Dundee on the basis of short-term lets.

1. This is a change to the current use of the property which over the last 20 years has been rented as a family home with long term tenancy agreements which supported the residential character, stability, and security of this street.
2. This licence application is a change of use of this property from residential to commercial which will be detrimental to the character of the area.
3. We are very concerned that the change to short-term tenancy with up to four tenants at any time, all of whom will be unrelated will impact on the security and stability of the area.
4. Commercial use of the property will have a detrimental effect on the residential amenity which will impact on the value of our property.
5. We believe that to grant this licence would be detrimental to the existing residential environment in this small cul-de-sac and surrounding area for the following reasons:
 - a. There will be increased pressure on street parking with four tenants. There are a limited number of visitor parking spaces out with the use of the driveway and there will be a permanent pressure on these reducing their use by the rest of the street. Despite reassurances that personal vehicles would be limited to only two of the tenants, we fail to see how this would be in any way enforceable by the landlord.
 - b. With no limits on the frequency of change of tenants there is a destabilising impact upon the street community which is primarily family oriented. In 30 years there has been no disruptive or anti-social behaviour and the many young children and elderly feel secure in this environment.
 - c. We have profound concern that neither the owner of the property nor the short-term tenants have any opportunity or motivation to enhance or contribute to the secure and stable aspect of our neighbourhood community. The landlord may express a desire for tenants to engage but as the landlord is not resident it is naïve to suggest this is possible or manageable should anti-social, disruptive or even criminal behaviour occur at the address.
 - d. However diligently the property is managed, problematic tenants cause immediate and often lasting damage. Most worrying is the frequency of tenancy change which will increase the likelihood of this becoming an established problem over which the permanent residents of the street will have very limited agency.

- e. It is disingenuous at best for the landlord to state that the granting of the licence will enhance the community. The whole purpose of this commercial venture is for the limited company to make a profit by renting rooms to businesses working in the area in the short-term – from our perspective this is a change of use of the property detrimental to the whole community.

We ask that you consider our objections and refuse this licence application.

We would be grateful if you would advise of the timescale of any decision-making regarding the licence application, and whether we would have an opportunity to attend any meetings to further discuss the issues we have raised.

Yours faithfully

[REDACTED]

Owner [REDACTED] Dundee.



TITLE NUMBER ANG51077

D4

D. BURDENS SECTION

a blue broken line on the Title Plan.

- 3 Feu Disposition by Charles Gray (Homes) Limited to Alan Grant and Fiona Margaret Grant (hereinafter referred to as "the Feuars"), recorded G.R.S. (Angus) 29 Aug. 1995, of the subjects in this Title (hereinafter referred to as "the feu"), contains the following burdens:

(First) the Development called Riverview, Dundee (hereinafter referred to as "the Development") of which the feu forms part is intended to be feued in general conformity with a feuing Plan prepared by us with right to deviate as we or our successors as Superiors shall see fit;

(Second) the dwellinghouse ● Garmichael Gardens, Dundee shall be used for domestic use only by one family and for no business, commercial or industrial use; no commercial vehicles shall be parked overnight in the Development;

(Third) the feuars shall maintain the said dwellinghouse in good order and repair and in the event of the said dwellinghouse becoming dilapidated or destroyed shall restore or re-erect it within twelve months and thereafter maintain on the feu a dwellinghouse of similar style, materials, size and value on the same line of front according to plans and specifications first approved in writing by us or our successors as Superiors;

(Fourth) no exterior alterations to the said dwellinghouse, including altering the colour scheme, shall be made, and no buildings or erections, including walls and fences, shall be built on the feu without the prior written consent of us or our foresaids;

(Fifth) the feuars shall keep the said dwellinghouse constantly insured against loss or damage by fire, explosion, lightning, storm or flood, riot and civil commotion and all other commonly insurable risks with a reputable Insurance company for its full replacement value and if required produce annual premium receipts to us or our foresaids;

(Sixth) the feuars shall be entitled to keep usual domestic pets provided that they do not cause a nuisance, but breeding and kennelling shall be prohibited;

(Seventh) as the Development has been designed on an open plan

Mr and Mrs Birse

Dundee
DD4 7PT

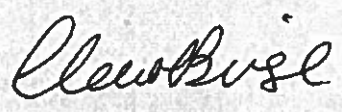
[Redacted]

3rd November 2023

[Redacted]

on edge in his own home. I know Farah sees this as just a business but this is our home and our safe space.

Yours sincerely,



Mr and Mrs Birse



Memorandum

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

From Gabrielle Hayes – Ext. 6842

Our Ref GH/PC STL/ DD00172N

Your Ref

Date 29 May 2024

Subject **Civic Government (Scotland) Act 1982
(Licensing Of Short-term Lets) Order 2022
48 Constitution Street (1/3), Dundee – Mr James Hannay
SECONDARY LETTING
13 June 2024 Licensing Committee** (4 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 subject to the following:

- The following items, identified during an inspection on 04 December 2023 remain outstanding:

Health & Safety

1. Provide additional, interlinked smoke detector in vestibule.

General

2. Provide an updated guest folder including all safety certificates.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER