**West Lothian Council**

**Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) Order 2022**

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| **SHORT-TERM LET LICENSING**  **OBJECTION/REPRESENTATION FORM** |

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| This from should be received by the Council by the date given in the site notice for receipt of objections/representations. It can be emailed or posted. Email: stl@westlothian.gov.uk  Address: Housing, Customer and Building Services, Civic Centre, Howden South Road, Livingston, EH54 6FF | |
| Name of person making an Objection or Representation |  |
| Address of Person making an Objection or Representation |  |
|  |
| Address or Licence Number of Short Term Let Property |  |
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| OBJECTION: If you want to object please specify the reasons why you think the application should be refused with reference to the grounds for refusal (a) to (d) contained in the attached guidance note, please quote the paragraph(s) which apply |
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| REPRESENTATION: If you do not wish to object but wish to bring any matters (either positive or negative) to the attention of the council when it is considering the application please provide the information below |
|  |

The information provided on this form including your name and address will be shared with the applicant.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Signature |  | | | Date |  |  |  |
| Name (BLOCK CAPITALS) |  |  |  | | | | |

**West Lothian Council**

**Submitting an Objection or Representation to a Short-term Let Licence Application under Civic Government (Scotland) Act 1982 [as amended by the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022]**

This document contains information available in the Civic Government (Scotland) Act 1982 and the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022. It contains broad guidance and a pro-forma objections/representations form. If you are unclear about the information provided or what to do next, please seek independent legal advice.

Possible grounds for objections or representations

The 1982 Act states that a licensing authority shall refuse an application to grant or renew a licence, if in their opinion -

*(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either:*

*(i) for the time being disqualified under section 7(6) of the 1982 Act, or*

*(ii) not a fit and proper person to be the holder of the licence;*

*(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if s/he made the application him/herself;*

*(c) where the licence applied for relates to an activity consisting of or including the use of premises, those premises are not suitable or convenient for the conduct of the activity having regard to:*

*(i) the location, character or condition of the premises;*

*(ii) the nature and extent of the proposed activity;*

*(iii) the kind of persons likely to be in the premises;*

*(iv) the possibility of undue public nuisance; or*

*(v) public order or public safety; or*

*(ca) the applicant would not be able to secure compliance with:*

*(i) the mandatory licence conditions, and*

*(ii) the standard conditions and any further conditions to which the licence is to be subject,*

*(cb) the application does not contain the consent of the owners of the premises, or*

*(d) there is other good reason for refusing the application (this needs to be a licensing reason)*

General

All objections or representations must:

* Be made in writing (including email and the online objection form)
* Specify the ground(s) of the objection or nature of the representation;
* Specify the name and address of the person making it; and
* Be signed by the objector, or on their behalf (for emails/the online form the inclusion of your name and address will count as a signature)

Objections or representations should be received by the Coiuncil within 28 days of the Site Notice being posted at the premises , the final date for receipt of objections/representations date will be displayed on the Site Notice.

The Council must send a copy of any objection or representation to the applicant. The application and objections or representations will be considered before the Council determines the application.

The Council has discretion to consider late objections and representations if satisfied that there is sufficient reason why the objection or representation was not received in time. If this applies you will need to explain in your objection or representation why it is late. A copy of your objection or representation will not considered unless the decision maker or the committee make a decision that it will consider it.

If you have made an objection or representation to an application this means that the application will need to be referred to either a decision maker who has delegated powers to determine the application or to the Licensing Committee. If the application is referred to a decision maker the decision will be made on the basis of written submissions from all parties and you will be asked if you wish to send in any additional comments.

If the application is referred to committee you will be given notice of the relevant committee meeting so that you can decide whether to attend the meeting to address the committee regarding your objection or representation and to answer any questions from the applicant or committee members regarding it or to rely on your written objection/representation.

Objection/representation form to be attached to this document