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Council Building  
2 High Street  
Perth  
PH1 5PH

02/04/2024

A hybrid meeting of the **Licensing Committee** will be held in **the Council Chamber** on **Monday, 08 April 2024 at 13:00.**

If you have any queries please contact Committee Services on (01738) 475000 or email [Committee@pkc.gov.uk](mailto:Committee@pkc.gov.uk).

**THOMAS GLEN**  
Chief Executive

***Those attending the meeting are requested to ensure that all notifications are silent on their device and other devices are in silent mode.***

***Please note that the meeting will be broadcast online and recorded. The recording will be publicly available on the Council's website following the meeting.***

**Members:**

Bailie Mike Williamson (Convener)  
Councillor Iain MacPherson (Vice-Convener)  
Councillor Keith Allan  
Councillor Hugh Anderson  
Councillor Bob Brawn  
Bailie Rhona Brock  
Councillor Steven Carr  
Councillor Andy Chan  
Councillor Michelle Frampton  
Councillor Ken Harvey  
Councillor Crawford Reid  
Councillor Willie Robertson  
Councillor Grant Stewart



**Licensing Committee**

**Monday, 08 April 2024**

**AGENDA**

***MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.***

**1 WELCOME AND APOLOGIES**

**2 DECLARATIONS OF INTEREST**

**3 MINUTES**

**3(i) MINUTE OF MEETING OF LICENSING COMMITTEE OF 19 FEBRUARY 2024 FOR APPROVAL** **5 - 8**  
(copy herewith)

**3(ii) MINUTE OF MEETING OF LICENSING COMMITTEE OF 12 MARCH 2024 FOR APPROVAL** **9 - 12**  
(copy herewith)

**3(iii) MINUTE OF MEETING OF LICENSING COMMITTEE OF 27 MARCH 2024 FOR APPROVAL**  
(copy to follow)

**4 GRANT OF A SHORT TERM LET LICENCE - PROVISIONAL LICENCE NO. PK12855N** **13 - 30**  
Report by Strategic Lead - Legal and Governance (copy herewith 24/114)

***IT IS RECOMMENDED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM(S) IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973***

**P1 SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD2195**

- Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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All Council Services can offer a telephone translation facility.

## LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth, on Tuesday 19 February 2024 at 1.00pm.

Present: Bailies M Williamson and R Brock, Councillors K Allan, H Anderson, B Brawn, S Carr, A Chan, M Frampton, K Harvey, C Reid, W Robertson and G Stewart.

In Attendance: M McLaren, D Rankine, J Guild, R Ramsay and M Pasternak (all Corporate and Democratic Services), D Smith (Police Scotland) (Item P1 onwards).

Bailie M Williamson, Convener, Presiding.

### 1. WELCOME AND APOLOGIES

The Convener welcomed all present to the meeting. Apologies for absence were noted as above.

### 2. DECLARATIONS OF INTEREST

There were no Declarations of Interests in terms of the Councillors Code of Conduct.

### 3. MINUTES

#### 3(i) Minute of Meeting of Licensing Committee of 8 January 2024 for Approval

The Minute of Meeting of the Licensing Committee of 8 January 2024, was submitted and approved as a correct record.

#### 3(ii) Minute of Meeting of Licensing Committee of 30 January 2024 for Approval

The Minute of Meeting of the Licensing Committee of 30 January 2024, was submitted and approved as a correct record.

#### 3(iii) Minute of Meeting of Licensing Committee of 13 February 2024 for Approval

The Minute of Meeting of the Licensing Committee of 13 February 2024, was submitted and approved as a correct record.

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.**

**P1 GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD2296**

There was submitted a report by Strategic Lead – Legal and Governance (24/60) together with a letter of representation dated 11 January 2024 from Police Scotland, regarding Taxi Driver Licence TD2296.

The representative of Police Scotland addressed the Committee and answered Members' questions.

Mr Balcezak, applicant, attended the meeting, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver Licence TD2296, be granted for a period of 1 year.

**P2. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD2299**

There was submitted a report by Strategic Lead – Legal and Governance (24/61) together with a letter of representation dated 19 January 2024 from Police Scotland, regarding Taxi Driver Licence TD2299.

The representative of Police Scotland addressed the Committee and answered Members' questions.

Mr McNeill, applicant, attended the meeting, addressed the Committee, and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver Licence TD2299, be granted for a period of 3 years.

**P3. SUSPENSION OF A TAXI-PRIVATE HIRE CAR DRIVER LICENCE – TD1661**

There was submitted a report by Strategic Lead – Legal and Governance (24/62) together with immediate suspension request dated 18 January 2024 from Police Scotland, regarding Taxi Driver Licence TD1661.

The representative of Police Scotland addressed the Committee and answered Members' questions.

Mr Naeem, licence holder, attended the meeting along with his employer Andrew Lothian who addressed the Committee, and answered Members' questions, on behalf of Mr Naeem.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Consideration of Suspension of Taxi/Private Hire Car Driver Licence, be deferred for an initial period of 3 months to allow further information on proceedings from the Crown Office and Procurator Fiscal Service.

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## LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth, on Tuesday 12 March 2024 at 10.00am.

Present: Bailies M Williamson, Councillors B Brawn, M Frampton, K Harvey, MacPherson and W Robertson.

In Attendance: M McLaren, D Gilkison, K Engelberts, S Michie, C Thompson, D Williams, A Brown and M Pasternak (all Corporate and Democratic Services).

Apologies: Councillors K Allan and H Anderson, Bailie R Brock, Councillors S Carr, A Chan and C Reid.

Bailie M Williamson, Convener, Presiding.

### 1. WELCOME AND APOLOGIES

The Convener welcomed all present to the meeting. Apologies for absence were noted as above.

### 2. DECLARATIONS OF INTEREST

There were no Declarations of Interests in terms of the Councillors Code of Conduct.

### 3. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE PK11493P

There was submitted a report by Strategic Lead – Legal and Governance (24/85) along with eight letters of objection in relation to 1a Balmoral Court, Gleneagles Village, Auchterarder, Perth and Kinross, PH3 1SH.

Mr J Bryden, Mr R Gray and Mr I Massie, objectors, and Mrs B Wilson, on behalf of objectors, attended the meeting, addressed the Committee and answered Members' questions.

Mr P Levis and Ms L Nichol, on behalf of the applicant, attended the meeting, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

#### **Resolved:**

The application of a Short Term Let Licence – Provisional Licence PK11493P, be granted for a period of three years, subject to conditions that there will be a curfew of 10pm in relation to loud music and gatherings outside the property, and that there will be no cars parked outside of the properties driveway or on the grass,

and that the properties management remains available and their details shared with all neighbouring properties.

THERE FOLLOWED A 65 MINUTE RECESS, AFTER WHICH THE COMMITTEE RECONVENED

**4. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE  
PK12233P**

This item was withdrawn from consideration prior to the meeting.

**5. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE  
PK11208P**

This item was withdrawn from consideration prior to the meeting.

**6. GRANT OF A SHORT TERM LET LICENCE – NEW OPERATION, COORIE  
IN, 17 STRATHTAY LODGES, ABERFELDY**

There was submitted a report by Strategic Lead – Legal and Governance (24/88) along with along with a letter of objection in relation to Coorie In, 17 Strathtay Lodges, Aberfeldy, Perth and Kinross, PH15 2EZ.

Mrs A MacKenzie, objector, attended the meeting, addressed the Committee and answered Members' questions.

Dr Z Porteous, applicant, attended the meeting via telephone, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

The application of a Short Term Let Licence – New operation, Coorie In, 17 Strathtay Lodges, Aberfeldy, be granted for period of three years.

**7. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE  
PK11906P**

There was submitted a report by Strategic Lead – Legal and Governance (24/89) along with along with a letter of objection in relation to Struan House, Flat 2, 38 Bonneathill Road, Pitlochry, Perth and Kinross, PH16 5BS.

Mr and Mrs Lumsden, applicant, attended the meeting via telephone, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

The application of a Short Term Let Licence – Provisional Licence PK11906P, be granted for period of three years.

**8. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE  
PK12090P**

There was submitted a report by Strategic Lead – Legal and Governance (24/90) along with a letter of objection in relation to 4 Mitchell Square, Blairgowrie, Perth and Kinross, PH10 6HR.

Mrs Hutchison, applicant attended the meeting, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

The application for a Short Term Let Licence – Provisional Licence PK12090P, be granted for period of three years.

## **10. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE PK11842P**

There was submitted a report by Strategic Lead – Legal and Governance (24/105) along with four letters of objection in relation to The Tabernacle, Dull, Aberfeldy, Perth and Kinross, PH15 2JQ.

Dr Caplan and Mrs Brocklehurst, objectors attended the meeting, addressed the Committee and answered Members' questions.

Ms Millar, solicitor representing applicants attended the meeting, addressed the Committee and answered Members' questions.

### **FOLLOWING SHORT ADJOURNMENT, THE COMMITTEE RECONVENED**

Resolved:

The application for a Short Term Let Licence – Provisional Licence PK11842P, be granted for period of three years, subject to conditions that guests may not hold social gatherings or play amplified music at the short-term let premises after 7pm, the owner to deal with anti-social behaviour and explain house rules to guests upon arrival.

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**PERTH AND KINROSS COUNCIL – LICENSING COMMITTEE**  
**Monday 8 April 2024**  
**REPORT BY STRATEGIC LEAD – LEGAL AND GOVERNANCE**

<b>TYPE OF APPLICATION</b>	Grant of a Short-Term Let Licence
<b>APPLICANT(S)</b>	Douglas Campbell and Lynne Carribine Provisional Licence Number: PK12855N
<b>PREMISES (if applicable)</b>	42 George Street, Blairgowrie, Perth And Kinross, PH10 6HP
<b>THE APPLICATION</b>	<p>Douglas Campbell and Lynne Carribine, joint Applicants, have applied for a three-year short-term let licence as new hosts.</p> <p>The Application has been validated by Licensing Officers and was sent out for consultation. Police Scotland, Scottish Fire and Rescue Services, and PKC Planning Department have stated they have no objections to this application.</p> <p>Short term let property is a detached house. The Application is for that of a secondary short-term let licence.</p> <p>The property has one bedroom, and the Applicant(s) has applied for a maximum capacity of two guests.</p> <p>Three letters of objection have been received with regards to this Application (see attached letters of objection).</p>
<b>RELEVANT LICENSING POLICIES</b>	<p>The Council's Short Term Let Policy was approved by the Licensing Committee on 22 September 2022.</p> <p>The Council's Short-Term Lets Policy focuses on ensuring that an efficient, effective and proportionate licensing scheme is in place, which is customised to the needs and circumstances of the Council's local area and supports applicants who wish to obtain a short-term let licence.</p> <p>The aims of the licensing scheme are:</p> <ul style="list-style-type: none"> <li>• to ensure all short-term lets are safe;</li> <li>• to facilitate licensing authorities in knowing and understanding what is happening in their area; and</li> <li>• to assist with handling complaints and address issues faced by neighbours effectively.</li> </ul> <p>In assessing an application for a short-term lets licence, the Council will consider:</p> <ul style="list-style-type: none"> <li>• the suitability of the person applying and that of the other people named on the application form (whether they are "fit and proper");</li> <li>• compliance/ability to comply with mandatory conditions (applicable to all short-term lets across Scotland) (copy attached);</li> <li>• compliance/ability to comply with any additional conditions that the Council might attach to the licence (either specific to</li> </ul>

	<p>the accommodation, or specific to short-term lets in Perth and Kinross); and</p> <ul style="list-style-type: none"> <li>the suitability of the premises in the context of Perth and Kinross Council's policies.</li> </ul> <p>The Council may vary the terms of a licence on any grounds they think fit and can do this at any time. This can be done following an application made to the Council by the licence holder on their own initiative. This could include adding further conditions to the licence. The Council will consult with the statutory consultees and any other parties it considers appropriate.</p> <p><b>Conditions attached to a Short-term Let Licence</b></p> <p><b><u>Mandatory Conditions</u></b></p> <p>Any Licence will be subject to Conditions. Under the 2022 Order, there are certain conditions which the Council must attach to a short-term let licence, irrespective of the type of short-term let granted, whether it is Secondary Letting, Home Letting, Home Sharing or Home Letting and Home Sharing. These are known as "mandatory conditions" and are detailed at Annex A.</p> <p><b>Please note that the Council has no power to amend these mandatory conditions.</b></p> <p>All applicants should ensure, prior to applying for a short-term let licence of any type that they are able to comply with the mandatory conditions attached to a licence. Applicants should also note that in term of listing their premises as a licensed short-term let, as required under mandatory condition 14, the listing must include the licence number provided by the Council and the valid energy performance certificate rating) if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008.</p>
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<p><b>LEGAL POSITION</b></p>	<p>The Civic Government (Scotland) Act 1982 provides grounds for refusal of a short-term let licence. Any decision to refuse a short-term let licence must be relevant to one or more the following grounds of refusal as detailed in the Civic Government (Scotland) Act 1982:-</p> <p>A licensing authority must grant the application unless one of the grounds of refusal exists. If, in the opinion of the Committee, a ground of refusal exists then the application must be refused.</p> <p>The grounds of refusal are:-</p> <p>(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 –</p> <p style="padding-left: 40px;">(i) for the time being disqualified under section 7(6) of this Act, or</p> <p style="padding-left: 40px;">(ii) not a fit and proper person to be the holder of the licence;</p> <p>(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 he made the application him/herself;</p> <p>(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 –</p> <p style="padding-left: 40px;">(i) the location, character or condition of the premises;</p> <p style="padding-left: 40px;">(ii) the nature and extent of the proposed activity;</p> <p style="padding-left: 40px;">(iii) the kind of persons likely to be in the premises;</p> <p style="padding-left: 40px;">(iv) the possibility of undue public nuisance; or</p> <p style="padding-left: 40px;">(v) public order or public safety; or</p> <p>(ca) the applicant would not be able to secure compliance with:</p> <p style="padding-left: 40px;">(i) the mandatory licence conditions, and</p> <p style="padding-left: 40px;">(ii) the standard conditions and any further conditions to which the licence is to be subject;</p> <p>(cb) the application does not contain the consent of the owners of the premises; or</p> <p>(d) there is other good reason for refusing the application;</p> <p>and otherwise shall grant the application.</p> <p>In deciding whether or not to grant or renew a Licence, the Council will consider each Application on its own merits and will take into account the following:</p> <ul style="list-style-type: none"> <li>• any Objections or Representations</li> <li>• this Licensing Policy Statement</li> <li>• any other relevant considerations</li> </ul>
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<b>OPTIONS</b>	<p>The Committee need to consider whether the objection(s) received relate to the activity of a short term let licence.</p> <p>The options open to the Committee are therefore to:</p> <ul style="list-style-type: none"> <li>• grant the application;</li> <li>• grant the application for a shorter period of time;</li> <li>• grant the application with additional conditions; or</li> <li>• refuse the application if one of the grounds for refusal exist.</li> </ul>
<b>PROCEDURE</b>	<ul style="list-style-type: none"> <li>• Identify parties</li> <li>• Consider any preliminary issues</li> <li>• Members of the public speak to their representation(s)/objection(s)</li> <li>• Committee asks any questions to the objectors</li> <li>• Applicant makes submission</li> <li>• Committee asks any questions of the applicant</li> <li>• Objector/s sum up</li> <li>• Applicant sum up</li> <li>• Committee makes decision</li> </ul>



## **Annex A – Mandatory Conditions**

Mandatory conditions will be applied to all types of short-term let licences (as specified in schedule 3 of the Order) and Temporary Exemptions. The following are mandatory conditions and will apply to all licences issued:-

### **Agents**

1. Only those named as a holder of the licence can carry out the day to day management of the short-term let of the premises.

### **Type of licence**

2. The holder of the licence may only offer the type of short-term let for which the licence has been granted.

### **Fire safety**

3. The holder of the licence must ensure the premises has satisfactory equipment installed for detecting, and for giving warning of –
  - (a) fire or suspected fire, and
  - (b) the presence of carbon monoxide in a concentration that is hazardous to health.
4. The holder of the licence must keep records showing that all upholstered furnishings and mattresses within the parts of the premises which are for guest use, or to which the guests are otherwise permitted to have access, comply with the Furniture and Furnishings (Fire Safety) Regulations 1988<sup>(1)</sup>.

### **Gas safety**

5. Where the premises has a gas supply -
  - (a) the holder of the licence must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises,
  - (b) if, after an annual inspection, any appliance does not meet the required safety standard, the holder of the licence must not allow a short-term let of the premises until the works necessary to bring the appliance to the required safety standard have been carried out.

### **Electrical safety**

6. Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which the guests are permitted to have access, the holder of the licence must -
  - (a) ensure that any electrical fittings and items are in -
    - (i) a reasonable state of repair, and
    - (ii) proper and safe working order,
  - (b) arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person,

- (c) ensure that, following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,
  - (d) arrange for a competent person to—
    - (i) produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and
    - (ii) date label and sign all moveable appliances which have been inspected.
7. In determining who is competent, the holder of the licence must have regard to guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006.

#### **Water safety: private water supplies**

8. Where the premises are served by a private water supply, the licence holder must comply with the requirements on the owners of private dwellings set out in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.

#### **Water safety: legionella**

9. The holder of the licence must assess the risk from exposure to legionella within the premises, whether or not the premises are served by a private water supply.

#### **Safety & repair standards**

10. (1) The holder of the licence must take all reasonable steps to ensure the premises are safe for residential use.
- (2) Where the premises are subject to the requirements of Chapter 4 of Part 1 of the Housing (Scotland) Act 2006, the holder of the licence must ensure that the premises meet the repairing standard.

#### **Maximum Occupancy**

11. The licence holder must ensure that the number of guests residing on the premises does not exceed the number specified in the licence.

#### **Information to be displayed**

12. The holder of the licence must make the following information available within the premises in a place where it is accessible to all guests -
- (a) a certified copy of the licence and the licence conditions,
  - (b) fire, gas and electrical safety information,
  - (c) details of how to summon the assistance of emergency services,
  - (d) a copy of the gas safety report,
  - (e) a copy of the Electrical Installation Condition Report, and
  - (f) a copy of the Portable Appliance Testing Report.

#### **Planning Permission**

13. Where the premises is in a short-term let control area for the purposes of section 26B of the Town and Country Planning (Scotland) Act 1997(4) (“the 1997 Act”), the

holder of the licence must, where the use of the premises for a short-term let requires planning permission under the 1997 Act, ensure that either—

- (a) an application has been made for planning permission under the 1997 Act and has not yet been determined, or
- (b) planning permission under the 1997 Act is in force.

### **Listings**

14. (1) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises includes -
- (a) the licence number, and
  - (b) a valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008<sup>(5)</sup>.
- (2) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises is consistent with the terms of the short-term let licence.

### **Insurance**

15. The holder of the licence must ensure that there is in place for the premises -
- (a) valid buildings insurance for the duration of the licence, and
  - (b) valid public liability insurance for the duration of each short-term let agreement.

### **Payment of fees**

16. The holder of the licence must pay any fees due to the licensing authority in respect of the licence on demand.

### **False or misleading information**

17. The holder of the licence must not provide any false or misleading information to **the licensing authority**.

### **Interpretation**

18. In this schedule -

“Electrical Installation Condition Report” means a report containing the following information –

- (a) the date on which the inspection was carried out,
- (b) the address of the premises inspected,
- (c) the name, address and relevant qualifications of the person who carried out the inspection,
- (d) a description, and the location, of each installation, fixture, fitting and appliance inspected,
- (e) any defect identified,
- (f) any action taken to remedy a defect,

“Energy Performance Certificate” means a certificate which complies with regulation 6 of the Energy Performance of Buildings (Scotland) Regulations 2008),

“gas safety report” means a report containing the following information -

- (a) the date on which the appliance or flue was checked,
- (b) the address of the premises at which the appliance or flue is installed,
- (c) a description of and the location of each appliance or flue checked,
- (d) any safety defect identified,
- (e) any remedial action taken,
- (f) confirmation that the check undertaken complies with the requirements of an examination of -
  - (i) the effectiveness of any flue,
  - (ii) the supply of combustion air,
  - (iii) subject to head (iv), its operating pressure or heat input or, where necessary,
  - (iv) if it is not reasonably practicable to examine its combustion performance,
  - (v) its operation so as to ensure its safe functioning,
- (g) the name and signature of the individual carrying out the check, and
- (h) the registration number with which that individual, or that individual’s employer, is registered with a body approved by the Health and Safety Executive for the purposes of regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998(7),

“holder of the licence” means any person to whom a short-term let licence has been granted or jointly granted,

“home letting” means a short-term let consisting of the entering into of an agreement for the use, while the host is absent, of accommodation which is, or is part of, the host’s only or principal home,

“home sharing” means a short-term let consisting of the entering into of an agreement for the use, while the host is present, of accommodation which is, or is part of, the host’s only or principal home,

“premises” means the accommodation which is the subject of an application for a short-term licence or the subject of a short-term licence,

“repairing standard” means the steps which the holder of the licence is required to take to comply with the obligations placed on the holder by Chapter 4 of Part 1 of the Housing (Scotland) Act 2006(8),

“secondary letting” means a short-term let consisting of the entering into of an agreement for the use of accommodation which is not, or is not part of, the licence holder’s only or principal home,

“short-term let” has the same meaning as in article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022,

“short-term let licence” means a licence for a short-term let, and “type of short-term let” means one of the following purposes -

- (a) secondary letting,
- (b) home letting,
- (c) home sharing, or
- (d) home letting and home sharing.



NINIAN

3 MITCHELL SQUARE

BLAIRGOWRIE

PERTSHIRE

4/3/2024

Appendix 1

Dear Sir/Madam,

I would like to object to the application for short term lets of 42 GEORGE ST. BLAIRGOWRIE PERTSHIRE. We are concerned about the security at the back of our house with strangers prowling about.

Your faithfully





**CDS STL**

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**From:** Jill Davies <[REDACTED]>  
**Sent:** 05 March 2024 01:49  
**To:** CDS STL  
**Subject:** Short Lets Application Reference 1793

[REDACTED] [REDACTED]

**CAUTION:** This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

Good morning,

I would like to put in an objection to the Short Lets application reference 1793 at 42 George Street, Blairgowrie, PH10 6HP.

[REDACTED]

My objection relates to the security of our property at the back of the house. There is a locked door onto the street, in the past people have come in and had free access to our gardens. All the houses backing onto the back of 42 George Street have a path which links us, including from 42 George Street back garden. All occupants of the short lets property would then have access to all our properties. With the experience of parties and barking dogs left by holiday makers at No. 4 Mitchell Square, also a short let property, we object to any further disturbance or threat to our safety and security.

There is currently an issue with a lack of parking in the area. Additional vehicles will create additional issues.

Kind regards

Jill Davies  
Pilrig Mount, Mitchell Square, Blairgowrie, PH10 6HR  
[REDACTED]



Representation about short-term lets licence application for  
42 George St, Blairgowrie PH10 6HP by  
Mr Dougie Campbell + Mrs Lynne Carribine

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The grounds of objection to this licence application  
are as follows:

① Chronic housing Shortage / Limits on short-term lets numbers

There is apparently a housing crisis in Scotland <sup>and</sup> a shortage of properties at the 'lower end' of the housing market (purchased or rented). If this property becomes a short-term let it means that yet another dwelling house will have been removed from the housing stock in Blairgowrie. This reduces the opportunity for people, especially young people to acquire a home. All over Scotland young folk have to move away because they can't get an affordable place to stay. Fields are currently being filled with new houses, all the while many decent, old (sometimes historic) homes are being bought up by 2nd-home-owners / developers and turned into short-term lets as an investment opportunity, thereby pushing up local house prices. This has been happening in an unfettered manner, and such a lack of control must have had some effect on housing availability.

There seems to be no overall control, by councils or government, on the numbers of short-term lets popping up all over the old part of Blairgowrie. It is not easy to find them or see just how many there are. Perhaps there should be a quota or limit on how many there can be in a specific area i.e. so many per 100 homes for instance.

I live in the old town centre and there are approximately 12 short-term lets within a few hundred metres of here.

② Erosion of communities / Inactive politicians

The Government and councils all over Scotland have been caught out by Air B+B etc, and are way behind with regulations, licences, permissions etc. They have so far failed in

their duty to protect communities from this erosion.

It used to happen to other places but now it's happening in Blairgowrie! (I witnessed a rash of holiday homes up in Pennan 20 years ago, the place was dead. And I've seen it in the West Highlands and the Borders too.)

It is surely the duty of councils and government to stand up for us? I hold both responsible for failing to see what this would do to communities without any action (until now, which is a bit late).

The old part of Blairgowrie where I live is a strong neighbourhood where we watch out for one another and lend a helping hand when needed. People stay here a long time. As we get older + die off, our homes could become short-term lets, diminishing the permanent population and then there will be NO COMMUNITY, just the sound of suitcase wheels running up + down the streets. The winners then will be the often absentee landlords + 2nd home owners who live elsewhere.

### ③ Privacy, security, parking etc

All of our gardens at the back of Mitchell Square (and 42 George Street) are private to us and we feel relatively safe here. We may have a hedge or fence between properties but it is all relatively open. We all share a communal gate from George Street and so the possibility of strangers turning up to this (possible) short-term let property at 42 George Street, is a privacy issue, a security issue and a disturbance issue for us. It would be an intrusion into our lives, especially with possible 'garden parties' in the summer.

Not knowing who is your "neighbour" from one day to the next, and not knowing how they will behave is intrusive, possibly disruptive and creates anxiety.

Parking for residents has become increasingly difficult with the proliferation of short-term lets locally.

#### ④ Anonymity of short-term lets / Empty hotels

Absentee landlords and property developers are being allowed to alter and empty our part of the town. There is not enough attention being paid to what they are up to in this uncontrolled industry. This is an industry, these are businesses / investment projects, not just someone letting out a spare room (They should not be confused with dedicated holiday accommodation such as chalets / pods etc, that has been a mistake made by authorities lumping them all together in the same category).

In the past B+B's (as well as guest houses / hotels) were proud to have a sign outside indicating their business. But now, due to the online booking of everything, short-term lets operate under a cloak of anonymity, allowing the world (and sometimes their neighbours) to think that these are just ordinary dwelling houses. There are no signs outside, the only thing that gives them away is the keypad entry system.

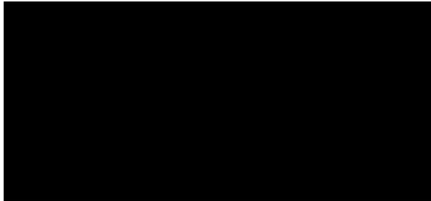
Gradually and quietly, and without many constraints, over the last 6 or 7 years developers have bought up properties here in the old part of Blairgowrie, both houses and flats to turn them into short-term lets. The sheer volume of these short-term lets available now must have had a detrimental effect on traditional hotels. The Royal Hotel, one of the main buildings on Blairgowrie's High Street has never re-opened after Covid. Perhaps this hotel may have come back to life if there was not the massive competition from local short-term lets.

This once busy, grand, old building sits empty and abandoned, boarded up and is a bit of a disgrace on our town.

2nd home owners / developers / short-term let operators are in many cases living elsewhere in the country and have no real interest in our town. (The property at 42 George Street is such an example.) I can't imagine that they would be entirely happy if several short-term lets invaded their neighbourhoods, but it's OK to travel many miles here to run such businesses.

Please council, stand up for permanent residents in our town and do not give permission for yet another short-term let to go ahead.

From Joist Hunter, Iris Bank, Mitchell Square, Blairgowrie PH10 6HR



6/3/24