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Council Building  
2 High Street  
Perth  
PH1 5PH

01/09/2022

A hybrid meeting of the **Licensing Committee** will be held in **the Council Chamber** on **Thursday, 08 September 2022 at 10:00.**

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)  
Bailie Chris Ahern  
Councillor Keith Allan  
Councillor Hugh Anderson  
Bailie Rhona Brock  
Councillor Steven Carr  
Councillor Eric Drysdale  
Councillor Ken Harvey  
Councillor David Illingworth  
Councillor Crawford Reid  
Councillor Willie Robertson  
Councillor Grant Stewart



**Licensing Committee**

**Thursday, 08 September 2022**

**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 MINUTE OF MEETING OF THE LICENSING COMMITTEE OF 3 AUGUST 2022 FOR APPROVAL** **5 - 6**  
(copy herewith)

**4 NOTIFICATION OF PUBLIC PROCESSION FOR AUCHTERARDER RUNNING FESTIVAL- 10 & 11 SEPTEMBER 2022** **7 - 34**  
Report by Head of Legal Services (copy herewith 22/205)

**5 VARIATION OF CONDITION OF A STREET TRADER LICENCE - ST452** **35 - 58**  
Report by Head of Legal Services (copy herewith 22/206)

**APPENDIX 5 - SUBMISSION FROM APPLICANT**  
(copy to follow)

***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 - TD1507**

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

**P2 CONTINUED SUSPENSION OF STREET TRADER LICENCE - ST396**

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

**P3 GRANT OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE - TD2126**

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

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.
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You can also send us a text message on 07824 498145.
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All Council Services can offer a telephone translation facility.
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## LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 3 August 2022 at 10.00am.

Present: Bailie M Williamson (Convener), Councillor I MacPherson (Vice-Convener), Bailie C Ahern, Councillors K Allan, H Anderson, S Carr, E Drysdale, K Harvey, C Reid, W Robertson and G Stewart.

In Attendance: M McLaren, D Gilkison, J Guild, A Taylor, A Brown and K Molley (all Corporate and Democratic Services), R Lyle (Communities) J Gordon, M Simpson and L Gregge (up to and including Item 4) (all Police Scotland).

Apologies for Absence: Bailie R Brock and Councillor D Illingworth.

Councillor 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 interest in terms of the Councillors' Code of Conduct.

### 3. MINUTES

The Minute of Meeting of the Licensing Committee of 16 June 2022 was submitted and approved as a correct record.

### 4. PUBLIC ENTERTAINMENT LICENCE – OTHERLANDS, SCONE PALACE

There was submitted a report by the Head of Legal and Governance Services (22/172) regarding a Public Entertainment Licence for Otherlands Festival, Scone Palace.

Tom Ketley, Sam Joss, Rob Dudley, Yasmin Galletti di Cadhillac of Otherlands Limited along with their Solicitor, Niall Hassard, and R Lyle on behalf of the Safety Advisory Group, attended the meeting, addressed the Committee and answered Members' questions.

#### **Resolved:**

- (i) The application for a temporary public entertainment licence by Otherlands Limited for an outdoor music festival at Scone Palace, Perth with conditions as set out in Appendix A to Report 22/172, be approved.
- (ii) Delegation to the Head of Legal and Governance Services, in consultation with the Convener of the Licensing Committee, to finalise any necessary adjustments to the conditions of the licence, be agreed.

## **5. LICENSING OF SHORT TERM LETS**

There was submitted a report by the Head of Legal and Governance Services (22/173) regarding the Licensing of Short Term Lets.

D Gilkison, Licensing Manager, attended the meeting, addressed the Committee, and answered Members' questions.

### **Resolved:**

- (i) The Head of Legal and Governance Services carry out a public consultation on the draft Short Term Let Policy Statement and schedule of fees as detailed in Appendix 1 of Report 22/173.
- (ii) The Head of Legal and Governance Services bring back a report with the final draft of the Police Statement, schedule of fees and public consultation responses to a future meeting of the Licensing Committee, prior to the Scheme coming into force on 1 October 2022.

**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 TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD2119**

This item was withdrawn from consideration prior to the meeting.

### **P2. CONTINUED SUSPENSION OF SKIN PIERCING AND TATTOOING LICENCE – SP97**

There was submitted a report by the Head of Legal and Governance Services (22/175) together with a letter of objection dated 22 June 2022 from Police Scotland, regarding Immediate Suspension of a Skin Piercing and Tattooing Licence.

The applicant failed to attend.

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

### **Resolved:**

Suspension of Skin Piercing and Tattoo Licence SP97 be continued for the duration of the licence, on the grounds that the applicant is not a fit and proper person to be the holder of a Skin Piercing and Tattooing Licence.

**PERTH AND KINROSS COUNCIL**

**Licensing Committee – 8 SEPTEMBER 2022**

**NOTIFICATION OF PUBLIC PROCESSION – 10 & 11 SEPTEMBER 2022**

**Report by Head of Legal Services**

(Report No 22/205)

Name and Address:	Fiona Watt Five Star Active Auchterarder 10 Kikfield Place Auchterarder PH3 1FP
<b>Reason for Report:</b>	<p>The procession is proposed to take place in Auchterarder on Saturday 10 &amp; 11 September 2022 at 10.30am. It is estimated around 250 - 500 people will take part.</p> <p>There is 1 objection to this application from TES Roads Network received 23 August 2022.</p> <p>List of attachments:-</p> <ul style="list-style-type: none"> <li>(1) The Notice of a Proposed Public Procession</li> <li>(2) Risk Assessment – Proposed Public Procession</li> <li>(3) Overview of Route Maps</li> <li>(4) Objection from TES Roads Network Management received on 23 August 2022.</li> <li>(5) Response from Police Scotland</li> <li>(6) Public Procession Conditions and</li> <li>(7) Public Processions Code of Conduct</li> </ul>

**Background Information:**

The Committee has three possible courses of action open to it in determining the notification in terms of the Civic Government (Scotland) Act 1982, Section 63.

Option 1 – Accept the Notification as received.

Option 2 – Accept the Notification and make an Order imposing Conditions such as those set out in attachment 5 to this report and any other conditions that the Committee considers appropriate. The conditions include provision for timing, route, compliance with Police instructions, litter disposal, marshalling and stewarding arrangements. A Code of Conduct (see attachment 8) detailing what is expected of organisers and participants can also be issued although this does not form part of the conditions of the Order.

Option 3 – Reject the Notification and make an Order prohibiting the holding of the procession.

**Contact Officer: D Gilkison:** [REDACTED]





**CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
PART V – PUBLIC PROCESSIONS**

**POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006  
PART 2 – PUBLIC ORDER**

## NOTICE OF A PROPOSED PUBLIC PROCESSION

This form should be completed by the organiser of the event and submitted to us **at least 28 days before** the date of the proposed procession. The organiser should also complete and return the Risk Assessment Form attached to this application. If your event is less than 28 days away and you have not submitted this form to us, you should contact the person named on this form as soon as possible in order to discuss whether you will be able to apply for an exemption to the required 28 day notice period. Please note that we are only able to grant an exemption in exceptional circumstances, such as the event is being organised in reaction to a recent event or announcement.

You should read the attached code of conduct and fill in **all** sections of the form:

- send the completed form to the address at the bottom; and
- keep a copy for yourself.

We will consult with Police Scotland and the Roads Network Department providing them with a copy of your application and risk assessment.

If you require any assistance with completing the form, please contact us. Not completing all relevant sections of the form may delay or prevent us from considering your notification.

### Organiser's Contact Details

Name: FIONA WATT .....

Address: 10 KIRKFIELD PLACE; AUCHTERARDER, PERTH AND KINROSS .....

Postcode: PH3 1FP .....

Phone number: [REDACTED] ..... Email address: [REDACTED] .....

### Chief Steward's Contact Details

Name: AS ABOVE .....

Address: .....

Postcode: .....

Phone number: ..... Email address: .....

### Procession Details

Name of Organisation or Band: AUCHTERARDER RUNNING FESTIVAL 10K / HALF MARATHON .....

Date and Start Time of Procession: SATURDAY 10<sup>th</sup> SEPTEMBER (10K) AND SUNDAY 11<sup>th</sup> SEPTEMBER (HALF MARATHON) – BOTH START TIMES OF 10.30AM .....

Reason for Procession: RUNNING EVENT RACE .....

Proposed Route: **10K Route (prov)** - <https://www.strava.com/routes/2921459045644512750>

**Half Marathon Route (prov)** - <https://www.strava.com/routes/2921457741244554734>

THE ROUTE WILL START AND FINISH AT THE COMMUNITY SCHOOL OF AUCHTERARDER (AGREEMENT HAS BEEN SAUGHT) AND WORK TO CREATE A COMMUNITY FESTIVAL EVENT SHOWCASING THE TOWN, BRINGING ALL ITS SHOPS, BUISNESSES AND LOCAL GROUPS TOGETHER AS WELL AS PROMOTING THE TOWNS NEW NETWORK OF PATHS AND ROUTES.

Number of people expected to take part: 250-500 MAX EACH DAY .....

Please provide details of the arrangements for controlling the event: STEWARS AND MARSHALLS PRESENT  
ALONG ROUTE WEARING HIGH VIS. ROUTE MAINLY ON PAVEMENTS OR QUIET ROADS. NOTICE TO ALL  
LOCAL RESIDENTS. SAFETY BRIEFING TO ALL RUNNERS. SWEEPER AND SIGNAGE USED..(Please continue  
on a separate sheet if necessary)

Number of stewards: 15-20..... Number of vehicles: 2.....

Do you intend to use a Perth and Kinross Council car park during this event? Yes – POTENTIALLY USE THE  
PUBLIC CAR PARKS FOR PARKING OF RUNNERS IF REQUIRED.

Names of any bands and the names of each band member who will be taking responsibility for the bands. The named  
band members must be present on the day and must identify themselves to the police.

Band A: .....

Name of Responsible Person: .....

Band B: .....

Name of Responsible Person: .....

Band C: .....

Name of Responsible Person: .....

(Please fill in on a separate sheet if necessary)

Is this a sponsored event? NO If yes, give details .....

Is this an annual event? YES

Please provide any extra information about the procession which you think may be relevant:

AFTER A VERY SUCCESSFUL FEW YEARS OF THIS EVENT WE ARE KEEN TO GET BACK AFTER THE COVID  
PANDEMIC TO A SAFE CONTROLLED AND ENJOYABLE RACE FOR RUNNERS. THIS EVENT SHOWCASES  
AUCHTERARDER AND ITS LOCAL NETWORK. LOCAL BUISNESSES WILL BE INVOLVED AND BENEFIT TOO.  
A FULL RISK ASSESSMENT HAS BEEN DONE

**I, the organiser, have read your code of conduct and agree to keep to its standard conditions.**

Your signature: ..... Date:01/02/22 .....

**Send Completed form, together with completed Risk Assessment Form, to:**

Chief Executives – Legal Services  
Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD  
Tel. (01738) 475000  
Email. [civiclicensing@pkc.gov.uk](mailto:civiclicensing@pkc.gov.uk)  
[www.pkc.gov.uk](http://www.pkc.gov.uk)

## HOW WE USE YOUR PERSONAL INFORMATION

The information provided by you will be used by Perth & Kinross Council to process your application and thereafter to keep you informed of any updates with regard to your application or licence.

Your information be shared with Police Scotland and the Roads Network Department.

The Council may also check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties or share your information with them in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law.

You should be aware that the names of individuals who hold this licence appear on a register which is available for public inspection

*For further information, please look at our website [www.pkc.gov.uk/dataprotection](http://www.pkc.gov.uk/dataprotection); email [dataprotection@pkc.gov.uk](mailto:dataprotection@pkc.gov.uk) or phone 01738 477933.*





**CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
PART V – PUBLIC PROCESSIONS**

**POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006  
PART 2 – PUBLIC ORDER**

## **RISK ASSESSMENT – PROPOSED PUBLIC PROCESSION**

### **General information for the organiser**

We are asking you to fill in this risk assessment form to help us understand what dangers and risks might be associated with holding your event. This form will take you through the most common areas of risk which we and Police Scotland might want to raise with you. We and Police Scotland may carry out our own assessment of risk and may want to discuss our assessment with you before any meeting is held or at the first meeting itself.

### **Purpose of filling in the risk-assessment form**

A risk assessment of the procession will help to:

- identify any dangers associated with holding it;
- evaluate the level of any known risks;
- decide who is at risk and in what way and how the risk to them could be got rid of; and
- decide, whether other types of risk have been identified, whether it would be possible to introduce appropriate measures to allow the procession to go ahead.

### **Who should be filling this form in?**

It would be preferable if you were a suitably qualified person (e.g. someone who is trained in health and safety regulations). If that is not possible, someone else in the organisation with a strong knowledge of the area where the march is to be held should fill it in. We will then check the form and compare it to the assessment of risk which we and Police Scotland may be carrying out.

### **How to fill in the form**

You should work your way through the form section by section. If there are parts to sections which you cannot fill in, you should contact the person named at the end of the form. If your overall assessment shows that there is a high risk associated with holding the procession, you should get in touch as soon as possible to discuss if we can find solutions to reduce or remove the risk. Once we have considered the notification, the risk assessment and all other evidence, we may contact you to hold a meeting.

### **Next steps**

We will assess the risks associated with holding your procession within the first two weeks of us receiving your notification and risk-assessment forms. You should remember to keep a copy of this form for your records and bring it with you for any meeting which we may hold. This is because we and Police Scotland may want to raise issues with you about how your assessment compares to ours. In case there are problems, we may need further meetings.



CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
PART V – PUBLIC PROCESSIONS

POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006  
PART 2 – PUBLIC ORDER

**RISK ASSESSMENT – PROPOSED PUBLIC PROCESSION**

**Section One**

Name: FIONA WATT .....

Address: 10 KIRKFIELD PLACE, AUCHTERARDER, PERTH AND KINROSS .....

..... Postcode: PH3 1FP .....

Phone number [REDACTED] ..... Email address [REDACTED] .....

Date of Procession: 10+ 11 / 09 / 2022..... Time of Procession: 10.30am .....

Proposed Route: 10K Route (prov) - <https://www.strava.com/routes/2921459045644512750>

Half Marathon Route (prov) - <https://www.strava.com/routes/2921457741244554734>

(Please continue on a separate sheet if necessary)

**Section Two**

This section sets out the main areas of the risk assessment. You should provide as many supporting comments as you can.

Is the date of your procession particularly significant to the organisation?	NO. MOST SUITABLE DATE. NO OTHER EVENTS ON
Has your organisation marched along the same route before?	YES – PREVIOUS YEARS AND THE EVENT HAS BEEN A HUGE SUCCESS FOR AUCHTERARDER – THERE IS A CHANGE IN ROUTE DUE TO DIFFERENT START/FINISH LOCATION (THIS IS DUE TO THE FACT WE WANT TO CREATE A COMMUNITY EVENT AND HAVE IT IN THE HEART OF THE COMMUNITY IE THE SCHOOL)

## Section Two (cont.)

Are there enough trained stewards to control the numbers of marchers expected?	YES. WE SHALL HAVE AROUND 20 STEWARDS EACH DAY. WE WILL ALSO HAVE LEAD MARSHALLS WITH EXPERIENCE. ALL MARSHALLS WILL BE FULL BRIEFED AND A HANDBOOK WILL BE GIVEN.
Have there been any difficulties or tensions in the recent past with holding this procession?	NO
Please assess the level of risk there may be to public safety. (Please also say whether the risk is low, medium or high)	LOW. RUNNERS WILL BE GIVEN A FULL SAFETY BRIEFING WHEN THEY ENTER AND ALSO ON RACE DAY. THE ROUTE WILL BE MARKED AND WELL MARSHALLED.
Please assess any risk to public order. (Please also say whether the risk is low, medium or high)	LOW
Please assess the risk of damage to property. (Please also say whether the risk is low, medium or high)	LOW
Please assess the risk of disruption to local business, the community or shoppers and traffic from holding the procession. (Please also say whether the risk is low, medium or high)	LOW. MID MORNING SO QUIET. ROUTE MAINLY ON PAVEMENTS AND QUIETER ROADS. ALL RESIDENTS ON ROUTE WILL BE NOTIFIED. LOCAL BUSINESSES WILL BENEFIT FROM RUNNERS COMING AND SPENDING TIME AFTER THE RACE IN THE SHOPS AND FOR REFRESHMENTS!
Taking account of all the information in this table, what is your opinion of the overall risk of holding the procession? Is it low, medium or high?	LOW

### Section Three

This section details other information which you should consider as part of a general assessment of the procession. You should assess the following.

At the end of the march, what are your arrangements for getting marchers to go home?	THE MAJORITY OF RUNNERS WILL DRIVE TO THE EVENT. MARSHALLS WILL ASSIST IF REQUIRED TO DIRECT CARS
Are you organising any other social events at the end of the march? (Please give details of what these are.) And will you need a police presence?	NONE
Is the proposed route shown on your notification as a route that your organisation commonly uses?	HELD PREVIOUSLY WITH LARGE SUCCESS
Have you taken out insurance to help cover for any risks arising from the procession?	YES – EVENT INSURANCE INCLUDING PUBLIC LIABILITY. RUNNERS WILL ALSO SIGN A DISCLAIMER
What is your assessment of the risks to marchers if the route passes through communities which may be against the march?	N/A. RUNNERS WILL FOLLOW ROUTE. LOCAL RESIDENTS INFORMED
Do you have enough security in place for any coaches and other vehicles used by the marchers?	PARKING AT START/FINISH. MARSHALLS PRESENT TO DIRECT TRAFFIC.
Have you considered the policing and attendance costs for holding the procession?	POLICE WILL BE NOTIFIED. RUNNERS PAY AN ENTRY FEE.
Have you assessed what other priorities there may be in the area on the day of the march?	YES – NONE HENCE WHY DATE ALLOCATED. NO OTHER EVENTS ON.
Have you considered the effect on the community as a whole if the march went ahead?	YES – PUBLIC WILL BE NOTIFIED. THE COMMUNITY WILL BE ENCOURAGED TO COME OUT AND CHEER RUNNERS ON.
Could you combine this procession with other similar events in the area? If not, why not?	NO



## Section Four

### Final Assessment

If the local authority is holding a meeting, I would like to raise the following points about this risk assessment.

>ALL RESIDENTS WILL BE NOTIFIED – PRESS, SOCIAL MEDIA AND LEAFLETS

>TRAINED FRIENDLY STEWARDS WILL BE OUT AROUND THE ROUTE

>RISK ASSESSMENT AND MARSHALL GUIDE CAN BE VIEWED

>SWEEPERS WILL BE AT THE BACK – ENSURING THE RACE FOLLOWS A NO TRACE RACE AND ALL RUNNERS ARE BACK HOME TO THE FINISH

>ROUTE WILL BE MARKED WITH SIGNS

Please provide any other supporting comments.

THIS EVENT IS BEING ORGANISED BY FIVE STAR EVENTS WHO HAVE SUCCESSFULLY ORGANISED THIS AND OTHER EVENTS AROUND AUCHTERARDER WITH MUCH SMOOTHNESS AND SAFENESS.

THIS EVENT IS MAINLY ON LOCAL PAVEMENTS OR QUIETER ROADS AROUND THE TOWN

## Section Five

### Declaration

I have assessed the risks associated with holding the above procession.

I will come to any meeting which may be needed.

Signature of the person carrying out the risk assessment

Name in BLOCK CAPITALS: FIONA WATT

Relevant qualifications of the person carrying out the risk assessment:

Signature of organiser:

(You only need to fill in this part of the form if you are not the person who carried out the risk assessment.)

Name in BLOCK CAPITALS: FIONA WATT

Date: 01/02/2022

### **Send Completed form to:**

Chief Executives – Legal Services

Perth and Kinross Council

Pullar House

35 Kinnoull Street

Perth PH1 5GD

Tel. (01738) 475000

Email. [civiclicensing@pkc.gov.uk](mailto:civiclicensing@pkc.gov.uk)

[www.pkc.gov.uk](http://www.pkc.gov.uk)

We will make sure that a copy of your assessment is sent to Police Scotland and the Roads Network Department.

## **HOW WE USE YOUR PERSONAL INFORMATION**

The information provided by you will be used by Perth & Kinross Council to process your application and thereafter to keep you informed of any updates with regard to your application or licence.

Your information will be shared with Police Scotland and the Roads Network Department.

The Council may also check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties or share your information with them in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law.

You should be aware that the names of individuals who hold this licence appear on a register which is available for public inspection

*For further information, please look at our website [www.pkc.gov.uk/dataprotection](http://www.pkc.gov.uk/dataprotection); email [dataprotection@pkc.gov.uk](mailto:dataprotection@pkc.gov.uk) or phone 01738 477933.*

**PERTH AND KINROSS COUNCIL**

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

**PART V - PUBLIC PROCESSIONS**

**POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006**

**PART 2 – PUBLIC ORDER**

**ORDER**

In terms of Section 63(1) of the Civic Government (Scotland) Act 1982, as amended, the Perth and Kinross Council hereby order that the procession of which details are given below shall be held subject to the conditions noted on the Appendix to this Order\*.

A. ORGANISER

NAME: - \*\*\*\*

ADDRESS: \*\*\*\*\*

POSTCODE: \*\*\*\*\*

B. ORGANISATION: - \*\*\*\*\*

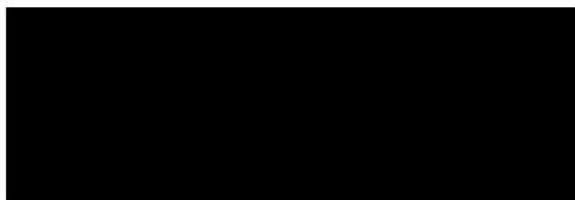
C. DATE AND TIME OF PROCESSION: \*\*\*\*\*

D. ROUTE: \*\*\*\*\*

E. ESTIMATED NUMBER OF PARTICIPANTS: \*\*\*\*\*

ESTIMATED NUMBER OF VEHICLES: \*\*\*\*\*

Signature.....



Lisa Simpson, Head of Legal Services

Date: **11 May 2022**

\*NOTE: The notifier has the right of appeal to the Sheriff within 14 days of receipt of the Order against the imposition of conditions.

cc Chief Constable  
Firemaster  
Scottish Ambulance Service  
Executive Director (Environment)  
Corporate Communications Manager

**PERTH AND KINROSS COUNCIL**

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

**PART V – PUBLIC PROCESSIONS**

**CONDITIONS**

- (1) The procession must commence at 0900 as stated in the foregoing Order.
- (2) The procession must keep to the route stated in the foregoing Order.
- (3) The Police will give instructions about the width of the carriageway which may be utilised by the participants. These instructions will vary in accordance with the particular type of carriageway, and these instructions must be obeyed.
- (4) Organisers and participants shall comply at all times with the directions or instructions given to them by the Police.
- (5) Where there are no footpaths, participants should keep to the left hand side of the road.
- (6) Numbers of participants in the procession must be agreed by the Police and the applicant.
- (7) Any participants deemed to be under the influence of alcohol by the Police must be prohibited from taking part in the procession.
- (8) Expectation to apply with the Code of Conduct.

**REASONS**

- (1) To enable proper arrangements to be made for police supervision, traffic management and, if necessary, road closures and the re-routing of bus services.
- (2-5) In the interest of public order, and to safeguard the interests of members of the public who are not involved in the procession.
- (6-8) In the interests of the safety of those participating in the procession.





## Public Processions

### Code of Conduct

#### All organisers should:

- provide 28 days notice to the Council of the intention to hold a procession;
- give notification as early as possible in those cases where a series of similar processions is proposed;
- co-operate with the Council and the Police from the time of submission of the notification of a procession until the procession disperses;
- identify himself/herself to the Police Officer in charge at the commencement of the procession;
- ensure that the route is as agreed with the Council;
- ensure that the number of participants does not exceed that stated in the notification;
- ensure that the procession commences promptly, at the time stated, and finishes at the time stated;
- ensure that all participants have been informed of any conditions imposed on the procession (change of timing, change to route etc);
- ensure anyone under the influence of alcohol and drugs is not allowed to participate;
- ensure an appropriate ratio of stewards and marshals to participants (one to ten) and that all stewards:
  - are briefed by organisers and given guidance/instruction on their role prior to the procession;
  - carry proof of status;
  - co-operate with the Police as required;
  - are highly visible and easily identifiable;
  - conduct themselves in a proper manner;
  - ensure that participants comply with directions regarding their own public safety and that of the public;
- ensure that, wherever possible, processions follow main roads, rather than going through residential housing developments;
- ensure that all participants keep to the near or left hand side of the street except on one-way streets where they will keep to the right side;
- ensure that the Police are assisted in guaranteeing that passage is allowed for traffic and pedestrians;
- ensure that, if necessary, the procession is split into sections in order to avoid serious dislocation of traffic and to facilitate the crossing of pedestrians who have a right of free access and passage to or through any public area;

- ensure that all playing of music ceases when approaching and passing places of worship while services are in progress, as instructed by the Police;
- ensure all participants disperse as soon as the procession concludes;
- ensure that the behaviour of participants could not reasonably be perceived as being deliberately aggressive (ie threatening, abusive, homophobic, sectarian or racist);
- accept that he/she is responsible for the behaviour of all participants, including bands where appropriate (as well as followers) and for ensuring general compliance with the Council's Code of Conduct on public processions and Police instructions;
- note that the conditions of Section 62 of the Control of Pollution Act 1974, in relation to the use of loudspeakers, shall be observed;
- note that the terms of the Public Order Act 1986, in relation to the prohibition of the wearing of uniforms signifying association with any political organisations etc, shall be observed;
- ensure that no banners or similar placards likely to incite a breach of the peace or contravene the Terrorism Act 2000 are displayed;
- note that the terms of the local byelaws, wherein force, in relation to the prohibition of the consumption of alcohol by any person in a designated place, shall be observed;
- note that the Council may take into account any public disorder, anti-social behaviour or damage to property resulting from a specific procession if notification is received from the organiser for a similar march.

**All participants in processions should:**

- behave with due regard for the rights, traditions and feelings of others in the vicinity of the procession, particularly in areas where there has previously been public disorder around processions;
- behave with due respect at "sensitive" areas such as places of worship;
- refrain from using words or behaviour which could reasonably be perceived as being deliberately aggressive (ie threatening, abusive, homophobic, sectarian or racist);
- obey the lawful direction of procession organisers, stewards and the Police at all times;
- keep to the designated route as directed by the Police;
- refrain from consuming alcohol or drugs prior to or during the procession;
- not display banners or similar placards likely to incite a breach of the peace or contravene the Terrorism Act 2000;
- disperse in good order as soon as the procession concludes.



**Nicola Storrar**

---

**From:** Civic Licensing  
**Sent:** 24 August 2022 08:21  
**To:** Nicola Storrar  
**Subject:** FW: Auchterarder Running Festival - 10 & 11 September 2022

---

**From:** Colin Heggie [REDACTED]  
**Sent:** 23 August 2022 14:22  
**To:** Shona Michie [REDACTED]  
**Cc:** Brian Cargill [REDACTED]  
**Subject:** RE: Auchterarder Running Festival - 10 & 11 September 2022

Hi Shona

It is because runners gather on the road at and around the start area and block the free movement of traffic. I have witnessed this the last time the race took place.

Regards

Colin

---



**Nicola Storrar**

---

**From:** Ian Colliar [REDACTED]  
**Sent:** 18 March 2022 12:16  
**To:** Civic Licensing  
**Subject:** CORE-DMS - DOCUMENT - #1061342  
**Attachments:** PUBLIC PROCESSION FORM - ARF 2022 - 10-11 SEPT 2022.PDF

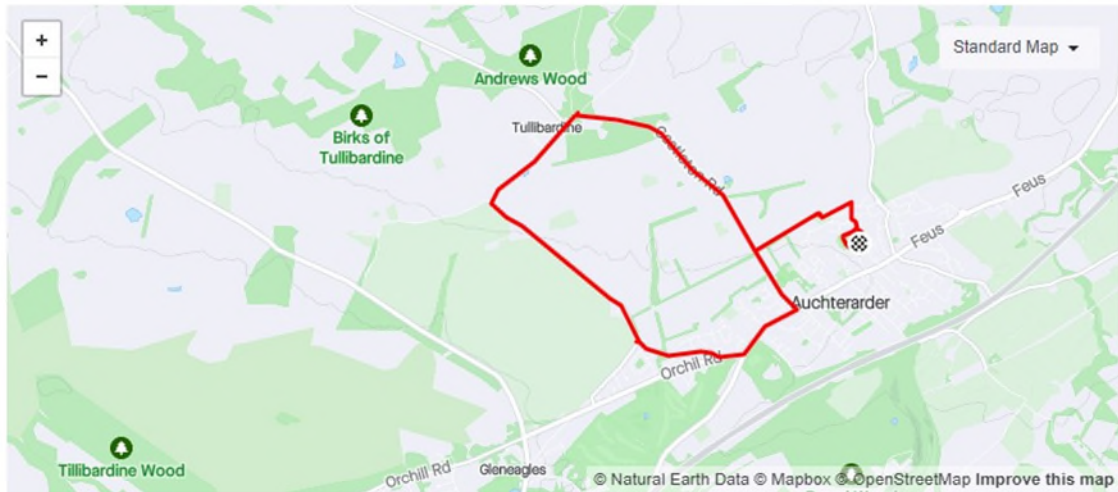
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Standard non supporting Police Scotland letter to be sent to organiser due to event on public road. No objections



## 10k from School v1



### Close up of Start Point



## Half from School v1



140 m  
120 m



## Civic Licensing

---

**From:** Five Star Active  
**Sent:** 24 August 2022 17:09  
**To:** Civic Licensing  
**Subject:** Re: Public Procession - 10 September 2022  
**Attachments:** 1b5d47cd-7cb0-4976-a2b0-e21931925368.jpg; e61ab599-711a-4e74-95d0-adf0f5d42dbf.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**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.

Hi Nikki

Many thanks for your email today regarding the Public Procession Order for ARF on 10/11 Sept.

I wish to attend (will have to be remotely due to my day-job commitments) however please can I express my concern and anxiety around this matter considering this meeting is merely 48 hours before the event (of which I did put in the order paperwork in Feb 22).

After I received an email from civic licensing on 27th July saying that I required a TTRO and to liaise directly with the Roads Department I attempted on numerous occasions (detailed on timeline below) to contact them and still, as of today 24 August, they have never communicated directly with me on this matter. Please find below the contact details to date....

- Received email from Civic Licensing saying I required a TTRO and to complete form and to liaise directly with roads dept – 27th July
- Emailed Roads dept to ask for someone to call me urgently to discuss– 27th July
- Called P&K Council (Case -FS-Case-440330942 ) and left a message for Roads to call me – they said they would get someone to call me back – 28th July
- Emailed Roads dept with more info (please see email re information presented) and asked for someone to call me again to discuss – 28th July
- Called P&K Council to chase up my phone call case – 2nd Aug – they put another note to roads - FS-Case-441505709
- Emailed a chase up email to Roads Dep on 9th Aug

I have made myself available for a chat with them to discuss their concerns, I really think this process could have been made less time-consuming and resource intensive if they had responded to my requests directly. It would also have alleviated the anxiety I now face.

Whilst attempting to promote community participation in a local event bringing a positive health and wellbeing benefit, as well as attracting visitors to Auchterarder to enhance local economy I find the approach taken by the roads department to be uncollaborative and ultimately obstructive to meeting a number of the objectives of Perth and Kinross Council's Corporate Plan,

Fiona

Email sent to roads -

## Five Star Active

to RoadsNetworkManagement

Hi there

I emailed yesterday and called today to try and contact someone to discuss the AUCHTERARDER RUNNING FESTIVAL. Please can someone call me urgently so we can discuss and agree course of action. To assist our discussions please see below info...

- As an event we have been operating for a number of years and have never before been asked for a TTRO so keen to understand the difference this year?
- Please find updated routes since writing and completing the Public Procession documentation in Feb 22 - as noted in the docs I sent these routes were provisional - since reviewing them and discussing with Scottish Athletics this has meant that now a large part of route is on common public paths and pavements. These routes have been assessed and measured from Scottish Athletics and they have now granted us license for running the event.
- Race numbers are being dramatically reduced since last time we run the event in 2019 (previously we had 750 each day and this year we are aiming for max 200 each day). We have never been required to undertake a TTRO for this event so would be keen to understand why suddenly the requirement of this for this year with less runners.

If someone would please call me on .

(attached – 10K and Half Routes)

On Wed, 24 Aug 2022 at 09:45, Civic Licensing <[civiclicensing@pkc.gov.uk](mailto:civiclicensing@pkc.gov.uk)> wrote:

Good Morning,

I refer to your notice of a proposed public procession referred to above and write to advise that the Council's Licensing Committee will consider your application at its meeting to be held in the Council Chambers, Council Buildings, 2 High Street, Perth, PH1 5PH on Thursday, 08 September 2022 at 10.00 a.m.

Please see attached documents.

Please reply by return, if you will be attending.

Regards,



Nikki

Nicola Storrar

Licensing Assistant

Corporate & Democratic

Legal & Governance Service

2 High Street

Perth

PH1 5PH

01738 475180

[www.pkc.gov.uk](http://www.pkc.gov.uk)

(Please note the information I am able to provide is strictly guidance not legal advice, I would recommend you seek your own independent legal advice.)

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**PERTH AND KINROSS COUNCIL**

**Licensing Committee – 8 September 2022**

## VARIATION OF CONDITION 7 OF A STREET TRADER LICENCE– ST452

### Report by Head of Legal Services

(Report No 22/206)

Name and Address:	Michelle Maxwell 7 Finlay Road Callander FK17 8FB
Trading Location:	Grass area opposite Drummonds Hotel St Fillans Crieff  Age: 43 years
9 Month Decision Date:	25 February 2023
Reason for Report:	<p>4 objections have been received for this application as below.</p> <p>Gary Loudon submitted an objection letter received 17 June 2022 (copy attached).</p> <p>Loch Lomond &amp; Trossach submitted an email objection received 21 July 2022 (copy attached).</p> <p>Liam Cayless submitted an email objection received 21 July 2022 (copy attached)</p> <p>Jim O'Donnell submitted an email objection received 22 July 2022 (copy attached)</p>

<p><b>Background Information:</b></p>	<p>The applicant has applied to Vary Condition 7 of their Street Trader Licence.</p> <p>Condition 7 states “a street trader shall not trade from any one location for more than one hour and shall move at least 100 meters away and shall not return to the previous location within one hour”.</p> <p>The applicant wishes to remain at the proposed location – Grass verge opposite the Drummond Hotel, St Fillans for more than one hour namely</p> <p>Monday to Sunday between the months of March to October and between the hours of 8am to 6pm.</p> <p>Copy of the Variation Application attached</p>
---------------------------------------	---

	<b>Copy of Standard Conditions of Street Trader attached</b> <b>Photographs of the site location attached.</b>
--	---

**Contact Officer: D Gilkison**







**REQUEST TO VARY CONDITION 7 OF A  
STREET TRADER LICENCE**

1 (a)	Full name	Surname	MAXWELL	
		Forename(s)	MICHELLE	
		Maiden Name		
Trading name if different		THE FROTHY COW LTD		
(b)	Home Address	7 Finlay Rd Callander		
		Postcode	FK7 8FB	
(c)	Telephone Number	Home	Mobile	
(d)	E-mail			
2.	Please state the address and precise location where you wish to trade	DRUMMOND HOTEL		
		PH6 2ND		
		Postcode		
3.	Is the site more than 100 metres away from a shop(s) whose main goods or services for sale are of the same or class as those you wish to offer?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
4.	Is the site on private or council owned ground?	Private Ground <input checked="" type="checkbox"/> Council Owned Ground <input type="checkbox"/>		

5.	Do you have permission/or have you applied for permission to occupy the site? (Please enclose a copy of your permission to occupy the site).	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
6.	What hours will you trade from the specified location?	Days <b>Monday to Sunday</b>	Times <b>8 am - 6 pm</b>	Months of the Year <b>March to October</b>

CHECKLIST		
I have	Please tick	
	Yes	No
<ul style="list-style-type: none"> <li>Made or enclosed payment of the fee (£107) for the variation request. <b>Card payment</b></li> </ul>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>Enclosed sketch map of trading location providing the exact spot where you will be trading.</li> </ul>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>Enclosed consent of owner to occupy ground as my site is on private ground or Council owned ground.</li> </ul>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>I have displayed the Site Notice and confirm I will return the Compliance Notice after 21 days to certify that I have complied with the display notice requirement.</li> </ul>	<input checked="" type="checkbox"/>	

#### HOW WE USE YOUR PERSONAL INFORMATION


The information provided by you will be used by Perth & Kinross Council to process your application and thereafter to keep you informed of any updates with regard to your application or licence.

Your information will be shared with Police Scotland, Planning Service, Roads Network and Environment Services in order to determine if you are a fit and proper person to hold a licence. A requirement for this licence is to display a site notice for 21 days which the public can view and this will contain personal information which will include your name and address.

The Council may also check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties or share your information with them in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law.

You should be aware that the names of individuals who hold this licence appear on a register which is available for public inspection

I declare that the particulars given by me on this form are true. I consent to the sharing of my personal information for the purposes set out above.

Signature of applicant/agent ..... 



Date ..... 20 MAY 2022 .....

**It is an offence to make any statement in this application which you know to be false or to recklessly make any statement which is false in a material particular. Offences are punishable by a fine up to £1,000.**

August 2016

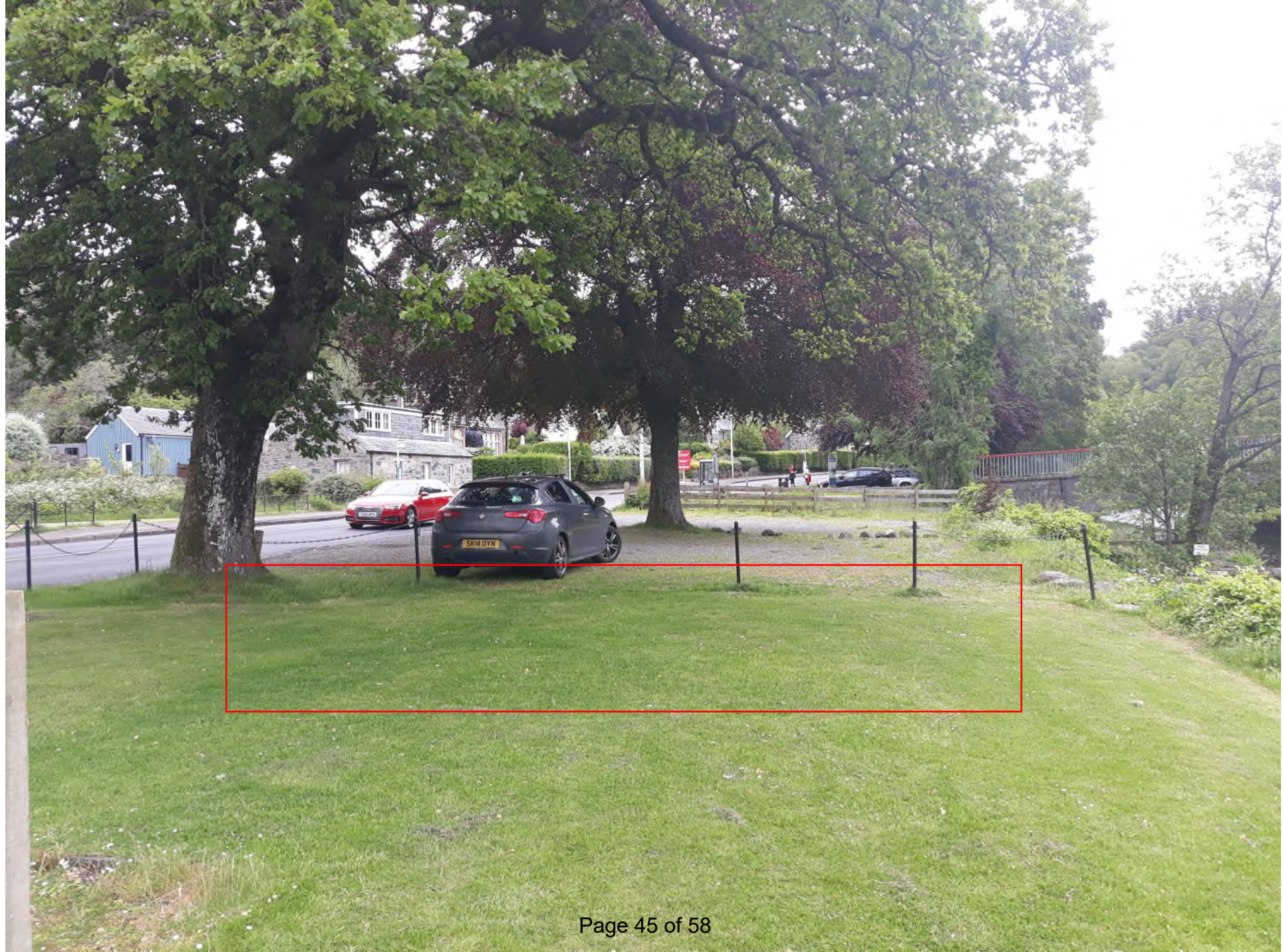
























**PERTH AND KINROSS COUNCIL  
CIVIC GOVERNMENT (SCOTLAND) ACT, 1982  
STREET TRADER'S LICENCE  
CONDITIONS**

1. The licence has been granted for three years or such shorter period as determined by the Council and is valid to the date shown on the licence.
2. A street trader while trading must always wear the licence including photograph conspicuously on his/her outer garment. The licence shall be made available for inspection on request by any member of the public or authorised official of the Council or Officer of Police Scotland or other body.
3. A street trader shall not alter, erase or deface his licence in any way or allow it to be used by anybody other than the licence holder. A duplicate licence will be issued as necessary on payment of £10.
4. Street trading shall not be permitted between 1am and 6am.
5. Street trading shall not be permitted in the City Centre of Perth, being the area delineated by the black line as shown on the attached plan.
6. A street trader shall not trade within 100 metres of a shop whose main goods or services for sale are of the same or a similar class as those offered by the street trader.
7. A street trader shall not trade from any one location for more than one hour and shall move at least 100 metres away and shall not return to the previous location within one hour. This shall not apply to traders who have the permission of the organisers to trade at local shows or events.
8. A street trader trading in foods or goods for human consumption shall:
  - a) ensure that the vehicle/stall in use is kept clean and is of such construction and is maintained in such order, repair and condition to allow it to be effectively cleaned. No such vehicle shall be used as a sleeping place.
  - b) provide and maintain in proper working order equipment necessary for the proper cleaning and sterilising of all utensils and vessels used in connection therewith and comply with any regulations made under Sections 13 and 56 of the Food and Drugs (Scotland) Act, 1956; all to the satisfaction of the Director of The Environment Service.
  - c) present the vehicle/stall to the Director of The Environment Service for an annual inspection and display the Certificate of Compliance issued in a conspicuous place with the vehicle/stall.
  - d) display on the vehicle/stall in conspicuous and legible characters the name and address of the person carrying on the business and the address where the vehicle/stall is normally kept when not in use, if different from above.

9. A street trader when using a vehicle/stall shall:
- a) not cause the vehicle/stall to stand on or within a distance of sixteen metres from any pelican or pedestrian crossing.
  - b) comply with the Road Traffic Act, 1972 and other current regulations and relevant legislation.
  - c) ensure that the vehicle/stall is causing no obstruction and can be speedily and easily removed.
10. All food displayed for sale shall be labelled in compliance with Food Labelling Regulations.
11. No food shall be sold from a vehicle while the vehicle's engine is switched on or idling, and the vehicle's doors shall be kept closed while the vehicle is in motion.
12. Food and other goods stored in connection with the business shall only be stored in premises or other places approved by the Director of The Environment Service.
13. A Street Trader shall not use a loud speaker (e.g. chimes, bells, vehicle horn etc.) from a vehicle at any time for the purpose of advertising any entertainment, trade or business.

The only exception to the above requirement is where the loud speaker is fixed to a vehicle used for the conveyance of a perishable commodity for human consumption (e.g. ice cream, etc.), and, in such circumstances where the operation of a loudspeaker is permitted, the following restrictions shall apply:-

- (a) The loud speaker should only be operated to inform members of the public that the commodity is on sale from the vehicle
  - (b) The loud speaker shall not be operated:-
    - i. so as to give reasonable cause for annoyance to persons in the vicinity
    - ii. before 12 noon or after 7 p.m.
    - iii. for longer than four seconds at a time.
    - iv. more often than once every three minutes.
    - v. when the vehicle is stationary.
    - vi. except on approach to a selling point.
    - vii. when in sight of another vehicle which is trading.
    - viii. when within 50 metres of schools (during school hours), hospitals and places of worship (on Sundays and other recognised days of worship).
    - ix. more often than once every two hours on the same length of street.
    - x. louder than 80 decibels (dB(A)) at 7.5 metres from the vehicle.
14. A street trader shall remove any paper, or other refuse which may collect as a result of trading and shall not allow any paper etc. to be deposited or to fall on any street or adjoining property. Where a trader trades at a particular location for more than 15 minutes he shall place a litter bin or other receptacle beside his vehicle/stall for the deposit of paper, etc. by his customers.

15. On written notice being served by an Environmental Health Officer on a street trader that his/her clothing or persons unclean or unsuitable or that the vehicle/stall is unclean or unsuitable, such street trader shall immediately cease street trading until the complaint is dealt with to the satisfaction of the Environmental Health Officer.
16. A street trader shall not employ or appoint for the purpose of street trading within the district any person who does not hold a street trader's licence. No person under 17 years shall engage or be employed in street trading. A street trader shall keep available for inspection a register showing the names and addresses of all street traders in the district employed by him.
17. Notwithstanding the above and any other conditions annexed a street trader while trading shall comply with any order or instruction given by an Officer of Police Scotland.
  - a) or the prevention of obstruction or annoyance to the public or to the occupiers of any premises, or
  - b) in connection with any emergency or disturbance, or
  - c) on any occasion when an Officer at his discretion may consider it necessary in the public interest to give such order or instruction
18. A street trader shall notify the Council of any material change of circumstances affecting him/her or any other person or company named on the licence or affecting the activity to which his licence relates.

A street trader who ceases to act as such for the unexpired period of the licence or whose licence has been suspended by the Council or has expired shall, within 7 days, return the licence to the Head of Legal Services.

## NOTES

1. A street trader's licence is not required to trade on trunk or principal roads not covered by a 30 m.p.h. or 40 m.p.h. speed restriction or on all land within 15 metres of such roads. However, the permission of Perth and Kinross Council, as roads authority, is required to trade in such areas.
2. The Council may, at any time, vary the terms of a licence on any grounds which they consider reasonable. Notice will be given to the licence holder at least seven days before any proposed variation is considered. The licence holder will be given an opportunity to be heard by the Committee before any variation is made. A licence holder may, at any time, apply for variation of any of the conditions.
3. The Council may order suspension of a licence if in their opinion:
  - (a) the holder is no longer a fit and proper person to be the holder of such a licence, whether because of conviction for offences which have taken place since the grant or renewal of the licence or for any other good reason.
  - (b) the activity to which the licence relates is being managed by or carried on for the benefit of a person other than the licence holder, who would have been refused the grant or renewal of a licence.
  - (c) the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or public safety.
  - (d) a condition of the licence has been contravened.
4. The Council will issue renewal notices to the last known address of the licence holder but it will be the duty of the street trader to ensure that an application for renewal is made whether or not a renewal notice has been received.
5. It is an offence to contravene any condition attached to a street trader's licence.

Lisa Simpson  
Head of Legal Services  
Council Building  
2 High Street  
Perth  
PH1 5PH

14 June, 2022

Head Of Legal Services  
Chief Executive - Legal  
Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth PH1 5GD

Dear Sir or Madam

**Re : Street Trader Licence Frothy Cow c/o Drummond Hotel PH6 2ND**

The granting of this licence would seriously undermine a vital village resource namely the current Village Store which operates on an all year round basis serving the local community.

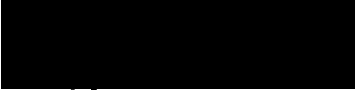
The opening of this mobile coffee unit with its lower operating overheads during the peak visitor season will impact footfall at the existing shop and may have a substantial impact on its current profitability and therefore its ability to operate a year round service for the benefit of the village.

We were led to believe by the Drummond Hotel that this mobile coffee shop would be operated in conjunction with their water sports activities which were to take place at the hotel foreshore and this I can understand as the water sports attracts its own footfall and therefore its impact on the shop would be minimal. However the water sports activities have been moved back to their original site on the South Side of the Loch and they also have a small coffee outlet situated there.

The current proposal brings no benefit to our village and could have a serious long-term impact on facilities available to locals on an all year round basis.

I therefore object to this proposal.

Yours Sincerely

  
Gail Loudon  
Earngrove Cottage  
St Fillans  
PH6 2ND

## Civic Licensing

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**From:** Jennifer Paton [REDACTED]  
**Sent:** 21 July 2022 08:18  
**To:** Civic Licensing  
**Subject:** RE: Street Trader Licence for Michelle Maxwell at St Fillans

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Morning

Thank you for your consultation on this licence application.

**I can confirm that under the Town and Country Planning (Scotland) Permitted Development Order that planning permission would be required to site the snack van in this location. I can confirm that there is no planning permission for this use.**

**Class 15.** The use of land (other than a building or land within the curtilage of a building) for any purpose, except as a caravan site or an open air market, on not more than 28 days in total in any calendar year, and the erection or placing of moveable structures on the land for the purposes of that use.

Having regards to the above please accept this is a formal objection to the proposal.

Kind regards

Jennifer Paton

---

**From:** Civic Licensing <civclicensing@pkc.gov.uk>  
**Sent:** 19 July 2022 16:01  
**To:** Jennifer Paton [REDACTED]  
**Subject:** RE: Street Trader Licence for Michelle Maxwell at St Fillans

Good Afternoon,

Thanks for your email.

Can you please confirm if you are making a formal objection or representation to this application. Can you please also confirm if the applicant was to site her van at this location for a period of 28 days or less, if planning permission would be required from the Loch Lomond & Trossachs planning department.

Regards,

Nikki

Nicola Storrar  
Licensing Assistant  
Corporate & Democratic  
Legal & Governance Service  
2 High Street  
Perth  
PH1 5PH

(Please note the information I am able to provide is strictly guidance not legal advice, I would recommend you seek your own independent legal advice.)

---

**From:** Jennifer Paton <[REDACTED]>  
**Sent:** 19 July 2022 15:24  
**To:** Civic Licensing <[civicleicensing@pkc.gov.uk](mailto:civicleicensing@pkc.gov.uk)>  
**Subject:** Street Trader Licence for Michelle Maxwell at St Fillans

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Thank you for consulting with the National Park Planning Authority on the application for a Street Trader Licence in the layby opposite the Drummond Hotel St Fillans.

I can confirm that there is no planning permission in place for such a use.

It is unlikely that the Park Authority would support such a proposal in this location which is in the St Fillans Conservation Area and within the setting of a category c listed building. The photographs show a copse beach tree which may be affected by parking underneath it. This proposed location would impact upon the landscape qualities of the National Park. Transport Scotland would need to be consulted regarding access to the proposal and a good waste management strategy would need to be in place.

I hope the above is of assistance in considering the application for a licence,

Kind regards

Jennifer Paton  
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## Civic Licensing

---

**From:** Liam Cayless [REDACTED]  
**Sent:** 21 July 2022 11:06  
**To:** Civic Licensing  
**Cc:** Jim O'Donnell; [REDACTED]; Clare Allen; [REDACTED]  
**Subject:** RE: Street Trader Licence and Variation to Condition 7 - St Fillans

Good morning.

Reference the email below.

My objection to the siting of a mobile snack wagon is based on its distance to my business. St Fillans Village Store Car Park is immediately adjacent to the proposed siting and therefore not outwith the 100 metres distance.

I have forwarded your response to the National Park and am awaiting their confirmation on your suggestion that planning consent is not required if they intend to trade less than 28 days per year. I have checked the Park website and a yet there is no record of a planning application. Assuming this does not materialize it is apparent they intend to trade using the 28 day 'loop hole'. I assume this clause was added to the licence to enable traders to pitch at short term events (festivals, concerts etc) with a finite time span. Again, assuming this is the case its obvious that this is not the intention on this occasion. Is it within the licensing committees power to refuse a licence if they believe there is an intention to breach its conditions? Who will police the 28 day trading period? What action will be taken in event of breach of licensing conditions?

You mention 'stakeholders' in a earlier email. Who would they be in this case? Can you confirm if you have been in contact with St Fillans Community Council on this issue? Would they be considered stake holders?

I look forward to hearing from you.

Many thanks in advance.

Liam

Sent from [Mail](#) for Windows

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## Civic Licensing

---

**From:** Jim O'Donnell [REDACTED]  
**Sent:** 22 July 2022 00:51  
**To:** Civic Licensing  
**Subject:** FW: Street Trader Licence on the Drummond Hotel site - St Fillans

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Dear Sirs,  
I reside at Kirklea St Fillans PH6 2 NF in the Village of St Fillans.

I have investigated the information that is available ref the application for a Street Trader Licence for a Mobile Snack Wagon in the area of the Drummond Hotel St Fillans.

I have lived in St Fillans for 15 years.

St Fillans is a conservation village within the National Park and this sort of vendor is neither in the keeping of the Village nor does it provide a required or welcomed service to the Villagers .

There will be a negative impact on the Village shop that depends upon the use by visitors.

The shop has its own car park and amenities within 50 meters of the proposed licence siting and I believe that a snack van will diminish the village shops already struggling sustainability.

This proposed licence is no more than an opportune use of a derelict Hotel area and adds no real service or intrinsic value to the Village.

I take this opportunity to object to the granting of this licence.

My objections are predicated as follows:

1. The Drummond Hotel has been closed, as a Hotel, and for the last six years but was operated by the Crieff Hydro Water sports department last year. During the last seasons use there was on road car parking, litter and waste from day trip users.
2. A stationery snack wagon positioned in the Hotel car park or loch side will increase the pedestrian numbers at a blind bend on the road ( A 85 ) increasing the likelihood of traffic accidents.
3. There is no public amenities such as toilets available for users of this type of vendor.
4. My interpretation of the licencing regulations is that a snack van is one that moves not one that is stationery , and if it is stationery and open only at weekends during the summer season then there is, in my belief , no sustainable added amenity or service to the Villagers only an increase in noise , litter, cooking smells all of which inhibit the reasonable enjoyment of the residents within 100 meters of the advised site.
5. There is an alternative site in the layby outside the Public Toilets some 1500 meters further along the A 85 .

I would appreciate confirmation of receipt of my objections .

Thank you.

Best regards,

**Jim O'Donnell**  
*Development Director*  
Tel: [REDACTED]

