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Council Building
2 High Street
Perth
PH1 5PH

22/05/2023

A hybrid meeting of the **Licensing Committee** will be held in **the Council Chamber** on **Monday, 29 May 2023 at 13:00**.

If you have any queries please contact Committee Services on (01738) 475000 or email 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.

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 Michelle Frampton
Councillor Ken Harvey
Councillor David Illingworth
Councillor Crawford Reid
Councillor Willie Robertson
Councillor Grant Stewart

Licensing Committee

Monday, 29 May 2023

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/SUBSTITUTES**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTE OF MEETING OF THE LICENSING COMMITTEE OF 17 APRIL 2023 FOR APPROVAL 5 - 8**
(copy herewith)
- 4 GRANT OF A SHORT TERM LET LICENCE - PROVISIONAL LICENCE NO. PK11176N 9 - 30**
Report by Head of Legal and Governance Services (copy herewith 23/153)
- 5 GRANT OF A SHORT TERM LET LICENCE - PROVISIONAL LICENCE NO. PK11139P 31 - 56**
Report by Head of Legal and Governance Services (copy herewith 23/154)
- 6 MATERIAL CHANGE IN CIRCUMSTANCES OF A PRIVATE HIRE OPERATOR LICENCE - PH273 57 - 64**
Report by Head of Legal and Governance Services (copy herewith 23/155)

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 GRANT OF PRIVATE HIRE OPERATOR LICENCE - PH426**
- Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
- P2 GRANT OF TAXI DRIVER LICENCE - TD2211**
- Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

P3 SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE - TD1554

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

P4 SUSPENSION OF WINDOW CLEANER LICENCE - WC311

- 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 Monday 17 April 2023 at 10:00am.

Present: Bailies C Ahern, R Brock and M Williamson, Councillors K Allan, S Carr, K Harvey, D Illingworth, I MacPherson, W Robertson and G Stewart.

In Attendance: A Brown, J Guild, M Henderson, M McLaren, S Michie M Pasternak, D Rankine (all Corporate and Democratic Services), J Gordon and D Smith (Police Scotland).

Apologies for Absence: Councillors H Anderson, E Drysdale 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

No Declarations of Interest were made in terms of the Councillors' Code of Conduct.

3. MINUTES

- (i) The Minute of Meeting of the Licensing Committee of 6 March 2023 was submitted and approved as a correct record.
- (ii) The Minute of Meeting of the Licensing Committee of 9 March 2023 was submitted and approved as a correct record.

IT WAS AGREED TO VARY THE ORDER OF BUSINESS AT THIS POINT.

4. GRANT OF LATE HOURS CATERING LICENCE – LH145

There was submitted a report by the Head of Legal and Governance Services (23/113) in relation to the Grant of a Late Hours Catering Licence No. LH145.

Mr Andrew Hunter of Harper MacLeod Solicitors, on behalf of the applicant, attended the meeting by telephone, addressed the Committee and answered Members' questions.

Resolved:

The application for Late Hours Catering Licence No. LH145, be granted.

5. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE NO. PK11161P

There was submitted a report by the Head of Legal and Governance Services (23/111), along with two letters of objection and submissions from the applicant and their agent, in relation to the Grant of a Short Term Let Licence – Provisional Licence No. PK11161P.

Mrs Susan Munro of Munro Holiday Lettings and Property Management, on behalf of the applicant, attended the meeting, addressed the Committee and answered Members' questions.

Resolved:

The application for Short Term Let Licence – Provisional Licence No. PK11161P, be granted.

6. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE NOS. PK11140P AND PK11141P

There was submitted a report by the Head of Legal and Governance Services (23/112), along with a letter of objection, in relation to the Grant of a Short Term Let Licence – Provisional Licence Nos. PK11140P and PK11141P.

Ms Joanna Miller of Gilson Gray Solicitors, on behalf of the applicant, attended the meeting by telephone, addressed the Committee and answered Members' questions. Mr Fraser Grant, objector to the application, attended the meeting by telephone, addressed the Committee and answered Members' questions.

Motion (Bailie M Williamson and Councillor W Robertson)

Application for Grant of a Short Term Let Licence – Provisional Licence Nos. PK11140P and PK11141P, be granted subject to a 10pm curfew on the use of the garden for both properties.

Amendment (Bailie C Ahern and Councillor D Illingworth)

Application for Grant of a Short Term Let Licence – Provisional Licence Nos. PK11140P and PK11141P, be granted.

In accordance with Standing Order 21, a roll call vote was taken.

6 Members voted for the Motion as follows:

Councillors S Carr, K Harvey, I MacPherson, W Robertson, G Stewart and Bailie M Williamson.

4 Members voted for the Amendment as follows:

Bailie C Ahern, Councillor K Allan, Bailie R Brock and Councillor D Illingworth.

Resolved:

In accordance with the Motion.

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. RENEWAL OF TAXI DRIVER LICENCE – TD1949

There was submitted a report by the Head of Legal and Governance Services (23/114) together with a letter of representation dated 16 February 2023 from Police Scotland, regarding Renewal of Taxi Driver Licence No. TD1949.

The applicant was in attendance.

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

Resolved:

Taxi Driver Licence No. TD1949, be renewed.

P2. SUSPENSION OF TAXI DRIVER LICENCE – TD2155

There was submitted a report by the Head of Legal and Governance Services (23/115) together with a request for suspension dated 4 April 2023 from D Rankine, Licensing Enforcement Officer, and a letter of representation dated 24 October 2022, regarding Taxi Driver Licence No. TD2155.

The applicant was in attendance.

D Rankine, Licensing Enforcement Officer, addressed the Committee and answered Members' questions. The applicant also addressed the Committee and answered Members' questions.

Resolved:

Taxi Driver Licence No TD2155, be suspended with immediate effect for the unexpired portion of the duration of the licence (expires 23/12/2023).

PERTH AND KINROSS COUNCIL – LICENSING COMMITTEE
29 MAY 2023
REPORT BY HEAD OF LEGAL AND GOVERNANCE SERVICES

TYPE OF APPLICATION	Grant of a Short Term Let Licence
APPLICANT	Mr and Mrs Malcolm Provisional Licence Number:- PK11176N
PREMISES (if applicable)	Flat 1, Westwood, Station Road, Birnam, Dunkeld, PH8 0DS
THE APPLICATION	<p>Mr and Mrs Malcolm are joint applicants and have applied for a three year short term let licence as new hosts (not operating prior to the 1 October 2022). The application has been validated by Licensing Officers and was sent out for consultation. The Police, Fire Service and Planning Department have stated they have no objections to this application.</p> <p>Mr and Mrs Malcom's property is a self-contained flat.</p> <p>The property has 1 bedroom and the potential for a sofa bed in the lounge area. The applicants have applied for a maximum capacity of 4 guests.</p> <p>2 letters of objections have been received with regards to this application (see attached letters of objections).</p>
RELEVANT LICENSING POLICIES	<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"> • to ensure all short-term lets are safe; • to facilitate licensing authorities in knowing and understanding what is happening in their area; and • to assist with handling complaints and address issues faced by neighbours effectively. <p>In assessing an application for a short-term lets licence, the Council will consider:</p> <ul style="list-style-type: none"> • the suitability of the person applying and that of the other people named on the application form (whether they are "fit and proper"); • compliance/ability to comply with mandatory conditions (applicable to all short-term lets across Scotland) (copy attached); • compliance/ability to comply with any additional conditions

	<p>that the Council might attach to the licence (either specific to the accommodation, or specific to short-term lets in Perth and Kinross); and</p> <ul style="list-style-type: none"> the suitability of the premises in the context of Perth and Kinross Council's policies. <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>Conditions attached to a Short-term Let Licence</p> <p><u>Mandatory Conditions</u></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>Please note that the Council has no power to amend these mandatory conditions.</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>
LEGAL POSITION	<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>(i) for the time being disqualified under section 7(6) of this Act, or</p>

	<p>(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 himself;</p> <p>(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to –</p> <p>(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;</p> <p>(ii) the nature and extent of the proposed activity</p> <p>(iii) the kind of persons likely to be in the premises, vehicle or vessel;</p> <p>(iv) the possibility of undue public nuisance; or</p> <p>(v) public order or public safety; or</p> <p>d) there is other good reason for refusing the application; 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"> • any Objections or Representations • this Licensing Policy Statement • any other relevant considerations
OPTIONS	<p>The Committee need to consider whether the objection received relates 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"> • grant the application. • grant the application for a shorter period of time. • grant the application with additional conditions; or • refuse the application if one of the grounds for refusal exist.
PROCEDURE	<ul style="list-style-type: none"> • Identify parties. • Consider any preliminary issues. • Members of the public speak to their objections. • Committee asks any questions to the objectors. • Applicants makes submission. • Committee asks any questions of the applicants. • Objectors sum up. • Applicants sum up. • Committee makes decision.

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([1](#)).

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([5](#)).
- (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.

For consideration by Perth & Kinross Licensing Committee

Ref: Civic Government (Scotland) Act 1982. Application for Grant of a Short Term Let Licence – Flat 1, Westwood, Station Road, Birnam. PH8 0DS.

Your Ref: **FS-CASE-497070028.**

STL Licensing Committee Meeting date: 29th May, 2023.

Thank you for considering this submission relating to our application for a short-term-let licence for the subject referenced property.

We are a retired married couple living within Perth and Kinross who have holidayed and visited this area all our lives, enjoying its natural, historical, cultural opportunities and resources.

Our property is a 'C' listed one-bedroom flat occupying the whole ground floor of a three-storey flatted building. The flat has direct independent access via a private rear garden entrance door and is also serviced by a main front door that allows access to the ground floor communal hallway and the flat's front door. There is a private rear garden and a private parking space at the front of the property which allows one-step entrance to the property.

As evidenced by Historic Environment Scotland, we understand that many buildings in Station Road including ours were purpose-built for tourism and as such offer very little in the way of storage to facilitate permanent residential living:

'Probably built (1870) for let as lodgings for summer visitors as at Tower Buildings and Murthly Terrace'.

See: <https://portal.historicenvironment.scot/designation/LB11081>

We will use the property ourselves and, realising the continued importance of protecting and encouraging tourism as originally intended, we seek to offer high-quality, safe, legally compliant accommodation to visitors as a base to explore this fantastic area of Perth and Kinross.

'Westwood' is a 3 minute walk from the train station and 2 minute walk to the Inverness to Edinburgh bus stop and is across the street from the Birnam Arts Centre. The walking, cycling and fishing opportunities on our doorstep are such a draw for us and visitors alike.

We have fully complied with all STL mandatory requirements and prior to making this STL licence application we applied to Perth & Kinross Council and have been granted on 7th March 2023 both Planning Permission for change of use to STL (22/02069/FLL) and Listed Building Consent (22/02078/LBC).

We have enjoyed good communication during consultation with the Perth & Kinross Council Conservation Officer to ensure our flat has been repaired and renovated in

line with best practice and we will continue working with our neighbours to carry out necessary repairs and maintenance, playing an active part in upkeep and improvement of not just our property but the building itself so as to protect and preserve the building as part of the local and Scottish heritage.

In relation to the STL licensing process; we have complied with all the mandatory obligations including fire safety, gas safety, electrical safety, water safety – legionella as well as safety and repair standards. We have increased our insurance liability in line with STL requirements.

We have used, and will continue to use, local tradesmen to help with maintenance. If our application is successful, we intend to use a young, local professional management company who will oversee all aspects when the property is let to ensure professional standards, codes of conduct and compliance with 'good guest' procedures. We wish to continue to support the vitality and success of the community.

We understand from Visit Scotland that there is a dearth in the area of ground floor, small sized accommodation for guests with limited mobility or other limiting disabilities. We have endeavoured to give consideration to this - our flat has its private parking space directly outside, with one step to enter the property where the vestibule, communal hall and whole apartment is floored using a single, level run of nonslip flooring. Our toilet is a 'higher' seated loo, the shower is a low-rise walk-in shower with a removable shower stool. Throughout the property all electrical outlets have been elevated. If our application is successful we will continue our efforts to implement further aids and assistance.

We have tried to make our flat as sustainable as possible through energy efficient appliances, energy efficient light bulbs, weatherproofing, smart thermostats, using sustainable household essentials and low or non-toxic biodegradable products. If the application is successful, we will ensure clear recycling instructions, highlight public transport and recommend local businesses such as the post office for farmer's boxes and eggs and the community growing garden 'The Field' for its locally grown produce. We will continue implementing sustainable practices and encourage our guests to do so too.

We will keep up-to-date with changes in standards and legislation and would seek Visit Scotland accreditation.

We have been welcomed into the community by our friendly neighbours and use the local shops, cafés and facilities regularly and again we would actively promote services and encourage guests to do likewise.

With reference to the two letters of objection, both parties, who are not our neighbours but from the wider community, cover the same two points: insufficient housing stock due to growth in numbers of holiday accommodation and the fact that a local person is leaving their rented property and looking for an affordable long term rental property.

Neither petitioner appears to make a complaint pertaining to the grounds for licensing refusal, as per the Legal Position part of the Report to this committee by the Head of Legal and Governance Services.

As a former local authority Area Housing Manager I am aware, as you no doubt are too, that the serious question of housing provision in Scotland and indeed the nation, in the 21st century is challenging and multifaceted. Our housing problems include the level of demand, demographic changes, changes in household structures, housing stock levels not keeping a pace due to insufficient home building programmes, lack of infrastructure, and empty houses. In January 2023 there were 42,865 empty houses in Scotland (ASSC 2023, Association of Scotland's Self Caterers).

Likewise, many factors impact affordable housing and there are concerns about the number of private landlords leaving the sector due to rising costs / mortgage rates and the rate of return on investment proving unsustainable. Social providers and housing organisations face similar challenges.

Government, local authorities and social enterprises are considering how best to address these difficult and emotive situations via strategies, policies and legislation whilst balancing the needs and pressures of the economy in the modern world and especially during this extended cost of living crisis.

The Scottish Government has introduced, via various Housing (Scotland) Acts, protection for private residential tenants and limits the grounds on which eviction orders can be acted on, in fact there is a current moratorium on evictions for all but a few reasons. Likewise, there are restrictions on rent increases and there are also proposals for rent control areas. Therefore tenants 'having to leave' properties is also a complex and emotive subject.

These discussions need to have an evidence-based approach and not be based on anecdotal comments - it is more complex than it all being the fault of holiday properties.

The ASSC states the self-catering industry delivers multiple benefits for local communities 'providing a £867 million annual boost to the Scottish economy, generating 2.4 million visitor nights and supporting 23,979 jobs'. (ASSC 2023). The area of Birnam and Dunkeld is strongly reliant for its economic viability on tourism and its associated revenue streams.

Our small accommodation property, as detailed by Historic Environment Scotland, was constructed for holiday visitor use and it is perfect for purpose as it was intended - as a place for people to visit and enjoy whilst also contributing to the local community and local economy.

We hope you will give positive consideration to our application and we thank you for your time reading this submission.

Thank you.

Susan & Alistair Malcolm.

Civic Licensing

From: Civic Licensing
Sent: 22 May 2023 11:17
To: Civic Licensing
Subject: FW: Short Term Let License Application - Flat 1, Westwood, Station Road, Birnam, Dunkeld, PH8 0DS
Attachments: Senior Market .pptx

From: Marina DiDuca [REDACTED]
Sent: Monday, May 15, 2023 6:11 PM
To: Malcolm Family [REDACTED]
Subject: RE: Flat 1, Westwood, Station Road, Birnam. - Photos.

Hi Alistair,

Thank you for sharing images of your property with me. Although the property would not be suitable for full-time wheelchair users as your door would need to be a minimum 800 mm, **I can see that you are looking to make the property more accessible for people with limited mobility and properties who cater for this market are definitely in demand.**

I have forwarded on some statistics which should help with you with your licensing application.

Please do keep in touch and let me know how things progress.

Best regards
Marina

Marina Di Duca
Inclusive Tourism Manager
VisitScotland
Mobile: [REDACTED]

VALUE OF THE seniors market

In Scotland, 55 years old and over :

- 36% of domestic trips & spend are from the over 55's
(4.3 million trips and £1 billion)
- 30% of international visitors are over 55
(1.2 million)
- Spend 20% more than average consumer on leisure and hospitality
- In the last 12 years, 21% increase in domestic trips & spend up by 45%

“86% of seniors will make a return visit compared with 18-34 year olds” (Source: Barclay’s Ageing Population Report)



DISABLED VISITORS, FRIENDS & FAMILY

- £249 billion annual spending
- 1/5 people are disabled
- 70% of disabilities are invisible
- 8% wheelchair users
- 1 in 3 people over 60 have hearing loss

“75% of disabled people have deserted a business because of poor disability awareness or understanding”



3 reasons to engage with this market



Growth potential

(The market is set to increase as the UK's population ages. The benefits for businesses and destinations catering for inclusive tourism are also growing)



Loyal, repeat customers

(Inclusive businesses have higher occupancy rates. 86% of this market will make a return visit, more loyal compared with 18-34 years)



Spend more

(disabled and senior travellers spend significantly more on holiday than other groups)

Nicola Storrar

From: Val Wylie [REDACTED]
Sent: 05 April 2023 14:31
To: CDS STL
Subject: Planning application 22/02069/FLL

Follow Up Flag: Follow up
Flag Status: Completed

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I'm writing in connection with the planning application displayed at Flat 1 Westwood, Station Road Birnam PH8 0DS which outlines an intention to use the flat as a short term let.
I wish to register an objection.

If this application is allowed to go through, this property will be removed from the local housing pool and will be likely used for holiday accommodation. I am aware of several local people (one of whom has recently been obliged to move out of rented accommodation in which they have lived for about 20 years) who are looking for a flat such as this one, either to rent or to buy.

This village needs more affordable long term lets, not more holiday accommodation when there is already a significant difficulty for local people to remain in their own community. Dunkeld and Birnam is a living community, not just a holiday destination and I hope that planning decisions will reflect and support this.

Val Wylie
Rathlin
Oak Road
Birnam
PH8 0BL

Civic Licensing

From: CDS STL
Sent: 01 May 2023 11:13
To: Civic Licensing
Subject: FW: 22/02069/FLL

From: Karen Yellowlees [REDACTED]
Sent: 10 April 2023 11:28
To: CDS STL <STL@pkc.gov.uk>
Subject: 22/02069/FLL

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To whom it may concern

I am making contact to have lodged my objection, and reasons, to the proposed change of use to a short-term let of Flat 1, Westwood, Station Road Birnam PH8 0DS, application submitted by Mr Alastair Malcolm, Coldrairie House, by Kinross. It's a fact that there is insufficient housing stock in Birnam and surrounds and local people are adversely impacted by the increasing number of properties that are being snapped up and then used as holiday rentals. I object to this application on these aforementioned grounds, and would comment that it is ironic and illuminative of the issues we are facing, that in the same building that Flat 1 is situated within, there is a member of our community who is being evicted (no fault), and is experiencing uncertainty about where his eventual accommodation will be. I find it really sad that many local people are unable to afford to buy or rent in Birnam and Dunkeld and the reasons for this include a direct link to the increasing number of short term lets and holiday homes.

I have no objection to people offering holiday accommodation from their own properties, in the way of what was once known more commonly as bed and breakfast. I hope I have managed to adequately express my objection.

Yours sincerely

Karen Yellowlees

St Abbs

Birnam Terrace

Birnam

PH8 0DR
[REDACTED]

[Sent from Yahoo Mail on Android](#)

PERTH AND KINROSS COUNCIL – LICENSING COMMITTEE
29 MAY 2023
REPORT BY HEAD OF LEGAL AND GOVERNANCE SERVICES

TYPE OF APPLICATION	Grant of a Short term let Licence
APPLICANT	Mr and Mrs Cunningham Provisional Licence Number:- PK11139P
PREMISES (if applicable)	Rowan Cottage, Birnam, PH8 0DW.
THE APPLICATION	<p>Mr and Mrs Cunningham joint applicants have applied for a three year short term let licence as existing hosts (operating prior to the 1 October 2022). The application has been validated by Licensing Officers and was sent out for consultation. The Police, Fire Service and Planning have stated they have no objections to this application.</p> <p>Mr and Mrs Cunningham's property is a semi-detached house.</p> <p>The property has 3 bedrooms and the applicants have applied for a maximum capacity of 6 guests.</p> <p>1 letter of objection has been received with regard to this application (see attached letter of objection).</p>
RELEVANT LICENSING POLICIES	<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"> • to ensure all short-term lets are safe; • to facilitate licensing authorities in knowing and understanding what is happening in their area; and • to assist with handling complaints and address issues faced by neighbours effectively. <p>In assessing an application for a short-term lets licence, the Council will consider:</p> <ul style="list-style-type: none"> • the suitability of the person applying and that of the other people named on the application form (whether they are "fit and proper"); • compliance/ability to comply with mandatory conditions (applicable to all short-term lets across Scotland) (copy attached); • compliance/ability to comply with any additional conditions that the Council might attach to the licence (either specific to

	<p>the accommodation, or specific to short-term lets in Perth and Kinross); and</p> <ul style="list-style-type: none"> the suitability of the premises in the context of Perth and Kinross Council's policies. <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>Conditions attached to a Short-term Let Licence</p> <p><u>Mandatory Conditions</u></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>Please note that the Council has no power to amend these mandatory conditions.</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>
LEGAL POSITION	<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>(i) for the time being disqualified under section 7(6) of this Act, or</p>

	<p>(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 himself;</p> <p>(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to –</p> <p>(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;</p> <p>(ii) the nature and extent of the proposed activity;</p> <p>(iii) the kind of persons likely to be in the premises, vehicle or vessel;</p> <p>(iv) the possibility of undue public nuisance; or</p> <p>(v) public order or public safety; or</p> <p>d) there is other good reason for refusing the application; 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"> • any Objections or Representations • this Licensing Policy Statement • any other relevant considerations
OPTIONS	<p>The Committee need to consider whether the objection received relates 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"> • grant the application; • grant the application for a shorter period of time; • grant the application with additional conditions; or • refuse the application if one of the grounds for refusal exist.
PROCEDURE	<ul style="list-style-type: none"> • Consider any preliminary issues • Member of the public speak to their objection • Committee asks any questions to the objector • Applicants makes submission • Committee asks any questions of the applicants • Committee makes decision

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⁽¹⁾.

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⁽⁵⁾.
- (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.

Nicola Storrar

From: Maggie Cunningham [REDACTED]
Sent: 14 May 2023 15:38
To: CDS STL
Subject: APPLICATION FOR GRANT OF A SHORT TERM LET LICENCE - Rowan Cottage, Birnam, Dunkeld, PH8 0DW (ref FS-Case-4655278418)
Attachments: Application for ST let Licence .docx; Copy email from R Gray.docx; EXTRACT FROM HOLIDAY COTTAGES CHARTER.docx; Info sent prior to guests coming.docx

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For the attention of D G M Gilkison, Licensing Manager.

Dear Ms Gilkison

I am attaching written representation and supporting documentation with regards to my application for an STL Licence. My submission includes responses to the objection submitted by Mr Robin Gray. It is my understanding that my submission will be issued in full along with all attachments to the Members of the Council's Licensing Committee prior to the meeting at which my application will be considered. The meeting is to be held on 29th May 2023 @ 1pm.

My submission comprises the following documents:

Appendix 1 - Representation including responses to the objection

Appendix 2.- Plan of properties (Sent by separate email)

Appendix 3. - Photo showing Mr Gray's hedging taken 29 July 2020 (Sent by separate e-mail)

Appendix 4. - Mr Gray's e-mail of July 2021 and our response

Appendix 5 - Extract from Holiday Cottages' Charter showing Holidaymakers' responsibilities

Appendix 6. - Information sent by me to guests prior to their visit

Applicant's Submission - Appendix 1

APPLICATION FOR GRANT OF A SHORT TERM LET LICENCE

Rowan Cottage, Birnam, Dunkeld, PH8 0DW

This is the written representation and supporting documentation submitted by me, the applicant, Mrs Margaret Cunningham. Included are responses to the objection submitted by Mr Robin Gray on 04 January 2023.

Mrs Cunningham is the Licence applicant as she manages the letting of the property, but Mr Cunningham is involved on the practical side of things and can answer questions on matters such as the access track, etc. if the Committee so wishes.

We are grateful that the Council agreed to defer our hearing until the May Licensing Committee meeting. We did not receive notification of the meeting to be held on 17th April nor any copy of the objection until 30th March. As we were going on holiday on 1st April for 3 weeks we would have been unable to attend the meeting and had no time to prepare and submit documentation, including responses to the objection.

We purchased Rowan Cottage in September 2019. Before purchase we checked the planning application and noted the detached property was designated to be a holiday let. This is now called Oak Tree Cottage and is owned by the developer. The Council Planning Report that recommended approval of the application (ref: 14/1763/FLL) contained significant statements with regard to holiday letting, quoted as follows:

- **“Economic Impact**
The economic impact of the proposal is considered to have the potential to have a long term sustained impact on the local economy through the holiday letting business, as is partly identified in the letter of support from Visit Scotland.”
- **“Conditions**
For the avoidance of doubt, the identified holiday let accommodation hereby approved shall be used as holiday accommodation only and shall not be occupied as the sole or main residence of the occupant; all to the satisfaction of the Council as Planning Authority.”

The above statements demonstrated that the Council supported holiday letting in the area as providing long term support to the local economy. This was one of the criteria that encouraged us when purchasing Rowan Cottage.

Referring now to Mr Gray’s grounds for objecting, some of them contain incorrect or misleading information. However, we will address all of his 6 bullet points in turn in case they are considered to be relevant.

1. There are 5 properties in the locality, not 4 as Mr Gray states. The 5th is Inkpot Cottage, some 150m further along from Ringwood Cottage on the access track. This is owned by Murthly Estate and is occupied by a tenant.
2. Noted as information. We have no comment.
3. Mr Gray’s comments are misleading. They purchased in August 2019 and we purchased on 5th September 2019. We did not meet or speak to the Grays before they purchased so we could not possibly have affected their decision to purchase. Mr Gray’s statements that *“later the owners admitted”* and *“if we had been advised of the truth”* implies that we had lied to them, which we did not.
4. Mr Gray states that guests *“invade our privacy with behaviour often associated with tourists”*. We fail to understand the comment regarding tourists, the vast majority of whom in our experience are well behaved and this applies particularly to our guests. Regarding invasion of privacy and visibility of our guests (and our family?) we can only assume this means that Mr Gray is rather sensitive to people being in an adjoining property and garden. This situation applies to most semi-detached properties when it is quite common for neighbours to erect fencing and plant hedges for increased privacy. Mr Gray has chosen to spend considerable sums on expensive beech hedging and fence panels but probably would have done so irrespective of Rowan Cottage being a holiday let.

In this regard, please refer to the attached plan (**Attachment 2**) and note the following points:

- Our garden boundaries (front/back) that are mutual with the Grays are 42m long. Along these boundaries they have planted 30m of beech hedging and erected 12m of fence panels 2.3m high. (Note that without planning permission the maximum legal height of a fence is 2m.)
 - On boundaries that are **not** mutual with Rowan Cottage, the Grays planted another 90m of beech hedging and erected another 28m of fence panels. Note that some of this hedging is beyond our mutual boundary and is on land owned by Murthly Estate.
 - Mr Gray attributes a high cost of privacy screening to Rowan Cottage. Please note he used a landscape contractor to supply and plant expensive potted copper beech hedge plants that were around 2m tall. These were planted along 30m of our mutual boundary before the end of July 2020. We estimate this needed over 100 potted plants. It is important to note that this planting was done **before** we had our first holiday let guests in August 2020. (**See Attachment 3 - photo taken on 29 July 2020**). It is therefore clearly not true for Mr Gray to state in his objection *"Subsequently we had to invest £5,000 in privacy screening in an effort to reduce the intrusion and visibility of numerous tourists staying at Rowan Cottage"*.
 - Rowan Cottage has a small patio area that faces towards the 2.3m high fence at the rear of the Gray's property. Behind that fence they have a only a narrow strip of land and a path where they keep their bins and garden implements, etc. The Gray's own patio area is on the other side of their property and faces towards their other neighbour's property, Oak Tree Cottage.
5. We comment on the number of properties in point 1 above. To state "more than 50%" is incorrect.
6. Mr Gray's comments on the access track are misleading. It was constructed of course bitumen macadam, not "dirt". Yes, it had potholes but it is exaggeration to state that it could not be safely used.

Mr Gray is wrong to imply that the poor condition of the track has been caused by our guests' cars. He is fully aware that the condition deteriorated due to the heavy construction vehicles used to build the new properties. It has remained in fairly good condition beyond the stretch used heavily by the contractors, including outside both of our properties. The developer promised to repair the track but failed to do so despite repeated requests from residents. Repairs were carried out recently after we (Mr Cunningham) had liaised with Murthly Estate (who own the track) and a contractor to organise repairs. Residents have all agreed to pay a share of the repair costs.

Mr Gray wrongly states we have 4 parking spaces. We have 3 spaces on our land and our guests are advised of this limit. Guests may occasionally have visitors but this applies to any property. We advise guests not to park on the access track. The track has been made slightly wider opposite our property to allow large vehicles to turn into our parking area, especially the truck needed to empty our septic tank.

We would now like to present information regarding the alleged behaviour of our guests.

The Council's Licensing Policy Statement, clause 7.16 states:

"The Licence Applicant is entitled to fair notice of complaints. If the objection is based on alleged incidents, then for each alleged incident, the objector should answer questions such as: What happened? What was the day, date and time? Was there any official complaint (e.g., to Police, Council)? If so, what action was taken?"

In his objection email, Mr Gray has not advised the Council of any alleged incidents. We ask the Committee to take that point and the following information into account when considering our application.

After purchase, we spent months preparing the house and garden. Then Covid hit and we did not have our first booking until August 2020. At that time we advised the Grays to call us or our agent if there were any problems with guests, giving them contact telephone numbers. We said it was imperative to advise us while guests were still resident so we could deal with any situation as it arose. The Grays made no calls to us or our agent.

Since August 2020 we have received only one complaint from Mr Gray, that was nearly a year later by email on 26 July 2021 (**see Attachment 4**). There had been young children playing noisily in the garden and kicking a football against fencing, also two dogs barking. The guests had left the property on 24 July so it was too late for us to deal with the situation. We responded by email to Mr Gray on 28 July 2021 (**See Attachment 4**). Note that in Mr Gray's email he stated "*the majority of your renters have been fine*" but he also requested that we should not accept booking from families with young children.

Given our concerns over this complaint, we checked with our neighbour on the other side. She said she hadn't been bothered by the noise, that it was just children playing. Regarding dogs, our letting website stated only one dog was allowed but our agent had agreed to two without our knowledge. We immediately advised our agent to ensure that the one dog condition was adhered to.

Since that one complaint in July 2021 we have not been contacted with any complaints. Mrs Gray has told Mrs Cunningham recently on more than one occasion that they have no problems with our guests. She has said that we get nice people and they chat to most of them, also that Rowan Cottage did things properly. She told her that their problems were with guests staying at Oak Tree Cottage on their other side. That has a patio area with a hot tub and Mrs Gray told me they have complained on several occasions to the owner of Oak Tree Cottage about the noise from guests partying outside late into the night. Mrs Cunningham told her that our new agent had suggested that having a hot tub would increase our rating from 4 to 5 stars but there was no way we would have considered this out of respect for our neighbours.

We changed agent last year to Travel Chapter (Holiday Cottages) who are classed as a "Responsible Holiday Provider". They have a Responsible Holiday Charter which clearly states the holiday makers' responsibilities. (**see Attachment 5**). We now have direct contact with guests via email and phone which ensures a more personal touch. We send out our information (**see Attachment 6**) along with an introductory email prior to their visit. We have found that guests are more likely to read information prior to arriving rather than just leaving the information in the cottage. Please note that under the headings Noise, Parking and Dogs, we stress respect for neighbours, use of the track, number of parking spaces and dog issues.

For information - Over the last financial year we had 37 bookings with 195 days booked = 53% of the year.

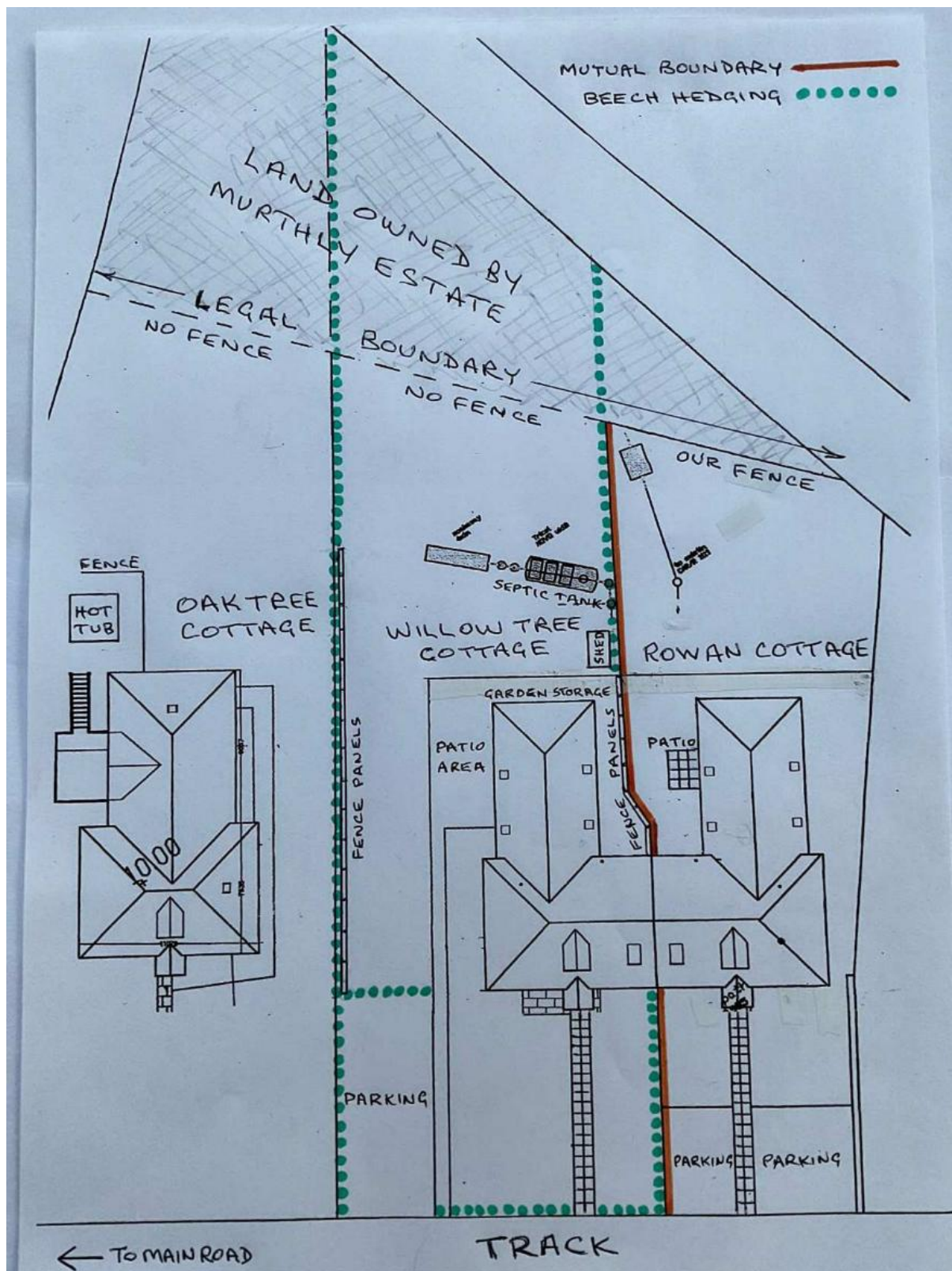
When our application is being considered we would hope that we will not be penalised due to the alleged behaviour of guests and visitors at the Gray's other neighbours.

We have always endeavoured to provide a high standard of accommodation for our guests and also to ensure that the neighbourhood is respected.

If the committee wishes to view the property online it can be viewed at:
holidaycottages.co.uk (under the name of West Ringwood).

Applicant's Submission - Appendix 2

Plan of properties showing boundaries and other details



Applicant's Submission - Appendix 3

Photo taken on 29 July 2020 showing boundary beech hedging already in place



Applicant's Submission - Appendix 4

From: David Cunningham [REDACTED]
Date: 28 July 2021 at 14:43:05 BST
To: Robin Gray [REDACTED]
Subject: Re: Last week - your renter

Robin,

We are sorry you found last week's renter noisy but unfortunately we are unable to do anything after the event. We understand it's not for you to police the property but in previous discussions we agreed that you could call the agent if you felt there were problems. She has assured us that she would contact or visit renters to deal with issues of this nature. We gave you the number of the agent but also said that you could contact us direct to make us aware of any problems in which case we would then of course contact the agent.

We can assure you that documentation in the cottage states that respect should be shown to neighbours by keeping noise to a reasonable level and to a minimum after 10pm, also that dogs have to be kept under control and no incessant barking. We have asked our agent to ensure these points are covered in the information she issues to renters.

Best wishes,

David and Maggie

On 26 Jul 2021, at 10:27, Robin Gray [REDACTED] wrote:

Hi David,

Whilst the majority of your renters have been fine and well behaved we did have significant and unacceptable disturbance last week. Your renter was a young lady with 3 children who were all probably under 7s old. Add to this there were 2 dogs.

For all of last week we had 2 dogs continually barking and kids screaming and shouting. We also had a football being kicked off the wall on your patio side plus footballs bouncing off the fencing. The noise was such that both Ellen & myself found that trying to work alongside this level of intrusion was difficult and unacceptable. Your renter had many visitors and often was joined by another young lady who had 2/3 children with her. The noise level coming from your rental meant that we could not work indoors, outdoors or indeed enjoy any of our private space.

I did not complain to the young lady and her guests as it's not my responsibility to control and police the people who rent your property.

We accept that kids will make some noise and dogs will bark but going forward I would request that you do not accept bookings from families who have very young children and noisy dogs. I would also like you to emphasise and remind your renters and letting agent (on your website listing and any literature) that West Ringwood is a private residential area and should be treated as such.

Kind regards

Robin

Robin Gray
Manufacturers Agent & Distributor

<image001.png>



Applicant's Submission - Appendix 5

EXTRACT FROM HOLIDAY COTTAGES CHARTER

5 . Holidaymakers' responsibilities

You will ensure that you and all Holidaymakers will:

- act responsibly and carefully whilst at the Property, abiding by any property specific house rules and leave the Property, and all things in or at it, in the same state of repair and cleanliness as at the start of the holiday;
- report to the Owner any damage or breakages made during the holiday occupancy and pay for damage (wear and tear accepted);
- not smoke at the Property nor allow anyone else to smoke at the Property;
- not allow more than the maximum number of people or pets to stay at the Property as stated on the Website;
- at all times comply with any applicable laws and local or Government guidance, and ensure that no Holidaymaker or their guests (if allowed at the Property) or pets (if allowed at the Property) do anything which is illegal, or may cause unreasonable damage, noise, behaviour or disturbance;
- not enter the Property before the stated arrival date and time and will leave the Property before the stated departure date and time;
- treat people with respect and not act in a way which is abusive, violent, destructive, menacing, or harassing towards an Owner, any member of their team, any member of the community in which the Property is situated, or any of our employees, directors, consultants or other party acting on our behalf;
- secure the Property (including all windows and doors) whenever leaving the Property.

We and the Owner will be entitled to make a reasonable charge where Holidaymakers have failed to comply with these responsibilities. In serious cases, Holidaymakers may have to leave the Property early without any compensation or refund.

Applicant's Submission - Appendix 6

Rowan Cottage,
DUNKELD & BIRNAM, PH8 0DW

David & Maggie welcome you to Rowan Cottage and hope you have a great time.

In the house, there is additional information but here are some things which will help you before you arrive, along with some of the basic housekeeping requirements.

Arrival/Keys

Arrival time is 5pm and departure time is 10am. If you require an earlier time, please ask and we will see if that is possible.

A front door key can be found in the key safe which is located on the left-hand pillar at the front door. Press both buttons on either side of the the safe and the front will drop down. Enter the Code **xxxx**. Remove the key, close the safe and YOU MUST then scramble the numbers.

Additional keys for the French windows and back door are in the locks. Please leave these in the locks, do not remove them. To lock the French windows, you need to bring the handle up quite firmly to its maximum (do not force) then back to horizontal before turning the key. Please then check that the door is locked as sometimes we find the latches have not engaged sufficiently. Each window has keys located next to them.

After your stay, please return the front door key to the safe using the same code as to open and then YOU MUST please again scramble the numbers once the keys are back. Check that the other keys are in the appropriate locks.

Parking

Parking is at the front of the house and there is room for 3 cars **only** if parked with care. Do not park on the track outside the house or on the verge as access is required 24 hours per day for other residents who live further up the track. The woodland opposite does not belong to us but to the Murthly Estate. Also please drive slowly along the track.

Noise

The cottage is situated in a quiet residential area. It is important that you respect our neighbours by always keeping noise at a reasonable level and to a minimum after 10pm. Please do not play music outside during the day or from the inside with doors open after 10pm.

Smoking

Rowan Cottage is a non-smoking establishment. If this is not observed a charge maybe made to cover cleaning of curtains, carpets, upholstery to remove the smell. If smoking in the garden, please dispose of cigarette ends in the tin marked cigarettes which can be found in the ash bucket, NOT on the ground.

Septic tank

Rowan Cottage is served by a private septic tank. This is sensitive so we ask all guests to safeguard the smooth running of the system by using the bags and bins provided for anything other than toilet paper.

Dogs

One well behaved dog (as per your booking) is welcome but must be restricted to the ground floor social areas. Do not allow them on furniture, beds or leave them alone in the house as they may damage the furniture. The dog should not be allowed outside the garden unaccompanied. Please remove all dog hairs from the house and any dog fouling from the garden before you leave. Dog Poo bags are provided under the kitchen sink. Please dispose of them in the general waste bin.

Ensure that your dog does not cause a nuisance by straying or incessant barking.

Linen

Linen for the beds, one bath towel and one hand towel per person is provided. Two Tea Towels and dishcloth are also provided. Please bring your own beach towels and any additional towels or tea towels you may require.

Travel Cot and Highchair

A Travel Cot and Highchair is available at the property. Please contact us prior to your visit so these can be made available for your use.

Internet

The house has Wi-Fi Internet PLUSNET – XFC2PF and the password is ckchLXp7aT6qCk. Data is unlimited but due to location the download speeds can vary so the downloading of films/music may not work. In certain weather conditions i.e. Rain or wind the internet service may buffer. Mobile reception is good.

Bird Feeders

You are welcome to refill the bird feeders if you wish to see the great variety of birds that come to our bird table located outside the kitchen window. There is bird seed, etc. in the Utility Room. You will see Coal Tits, Great Tits, Robins, Greenfinch, Dunnocks, Chaffinch, Sparrows, Nuthatch and if you are lucky a Greater Spotted Woodpecker, which is a shy bird but has been seen on many occasions. A red squirrel is also an occasional visitor at the bird table.

Cleaning

We ask you to kindly

- Leave all towels, tea towels, etc. in the bath and strip all beds and also leave the bed linen in the laundry bag provided. Please do not mix them.
- Leave the kitchen clean and return all crockery and pans to original places.
- Empty all rubbish bins into the general waste bin that is kept at the end of the track and labelled Rowan Cottage. NO GLASS MUST BE PLACED IN THIS BIN.
- Empty all recyclable waste into the bin at the end of the road with the blue top and labelled Rowan Cottage. NO GLASS MUST BE PLACED IN THIS BIN.
- Glass to be placed in the box labelled glass outside. Please take all bottles and glass to the recycling centre, see information for their location.

- Empty fridge and freezer.
- Return all furniture to its original place, especially if you move beds.
- Please leave a note with any breakages and malfunctioning items.
- Check all external and internal lights are off.
- Make sure all windows are closed and locked. Window levers should point fully left before locking.
- Check you have left the back door key and French window key in the lock and that these doors are locked. Remember to return the front door key to the key safe and scramble the numbers as you leave.
- Check that you have packed all your belongings!

If you need any further assistance, please either contact us or Holiday Cottages:

David & Maggie Cunningham: 07919313313

e-mail: laurelbank1947@icloud.com

Holiday Cottages: Customer Service Department, Tel. No. 01237 459910

CDS STL

From: Robin Gray [REDACTED]
Sent: 04 January 2023 12:12
To: CDS STL
Subject: Ref : Short Term Let License : Rowan Cottage Birnam PH80DW : Representation/
 Objection by Robin Gray Willow Tree Cottage.

Follow Up Flag: Follow up
Flag Status: Flagged

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.

Dear Sir/ Madam,

With reference to the above application for Short Term let License application for Rowan Cottage Birnam PH8 0DW.

I would like to lodge an objection/ representation to this application. The grounds of my objection are as follows :-

- Within the location of Rowan Cottage there are only 4 houses. (West Ringwood Cottage + Rowan Cottage + Willow Tree Cottage + Oak Tree Cottage). The area is a rural location and is peaceful and quiet.
- Oak Tree cottage is also a rental property and is located next to my home. Rowan Cottage (the applicant) is on the other side of my home i.e. We now have holiday rentals on both sides of our home.
- We purchased our home in August 2019 and was informed that the neighbouring semi-detached property (Rowan Cottage) was to be a holiday home for their family – a few weeks later the owners admitted that they had purchased Rowan Cottage as a commercial rental property e.g. a commercial business. If we had been advised of the truth we probably would not have purchased Willow Tree Cottage given the close proximity of the houses.
- Our home (Willow Tree cottage) is directly attached to Rowan Cottage: Tourists / renters staying at Rowan Cottage invade our privacy with behaviour often associated with tourists. Subsequently we had to invest £5,000.00 in privacy screening in an effort to reduce the intrusion and visibility of numerous tourists staying at Rowan Cottage.
- Approving the license application will result in more than 50% of the total dwellings being populated by tourists and visitors. This is an unfair and unreasonable burden on the residents.
- All of the houses are accessed via a dirt track drive that is now badly damaged and is reaching the point where this drive cannot be safely used by the residents. The renters from Rowan Cottage arrive with 2/3/4 cars (parking spaces for 4 cars has been created) and as such we have an almost continuous movement of cars.

I trust the above is taken into consideration whilst considering the application for Rowan Cottage.

My contact details are :

Mr Robin M Gray
 Willow Tree Cottage
 West Ringwood
 Birnam
 Dunkeld
 PH8 0DW
 m: [REDACTED]
 e: [REDACTED]

Kind regards

Robin

Robin Gray

Nicola Storrar

From: Debra Gilkison
Sent: 12 May 2023 13:33
To: Nicola Storrar
Subject: FW: Robin Gray : Willow Tree Cottage : Objection to Rowan tree cottage application for short term let license

From: Robin Gray [REDACTED]
Sent: Thursday, May 4, 2023 1:30 PM
To: Debra Gilkison [REDACTED]
Subject: Robin Gray : Willow Tree Cottage : Objection to Rowan tree cottage application for short term let license

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.

Dear Debra,

Please find below my written representation as I will be unable to attend the hearing ref the above license application for Rowan Tree Cottage.

I would advise that the committee should not misinterpret my non-attendance as a lack of interest or in any way a reduction in my level of objection to this application. I would like to the following points to be considered as part of my written representation:-

- Rowan Tree Cottage was never designed, built, or intended to be suitable for a holiday rental.
- The houses at West Ringwood are located in a quiet, rural location with no amenities for visitors.
- Our house (Willow Tree Cottage) is partially attached to Rowan Tree Cottage and as such the close proximity is of concern especially with strangers present.
- To mitigate the above and because of the close proximity of the visitors, we have had to spend £5,500 in privacy screening and security fencing.
- The West Ringwood area has only 4 houses, 2 are residents, the other 2 are currently rented. Thus if the application for Rowan tree is approved, we will have 50% of the houses as rental only properties.
- Rowan cottage can accommodate 6 adults and has now 4 parking spaces. On my other side I have Oak Tree Cottage which was built with planning permission for a holiday rental (I assume they have also applied for a licence). Oak Tree cottage property can accommodate 8 adults and has an outdoor hot tub which is proving to be noisy and troublesome.
- The combination of both rental properties does often mean that we have to tolerate 14 visitors plus up to 8 cars. Which given that the residents number only 3 people with 2 cars has created a situation that is unfair, unreasonable, and often intolerable.
- Tourists / visitors are no benefit to the residents of West Ringwood, the only benefactors are the rental owners who do not live locally nor do they contribute to the local economy .
- The increased amount of traffic on the private driveway has destroyed the road surface and we have now had to pay £450+ VAT for the drive repair (the repair is divided by the owners and does not reflect the visitor traffic and damage).
- The visitors arrive and depart at all hours with their pre-arranged Tesco/ Amazon/ Morrison etc deliveries all adding to the intrusion, noise and disruption.
- The rental owners have placed permanent wheelie bins at the top of the drive (on land that does not belong to them) - required for the amount rubbish etc from the rental properties. This is unsightly and unwelcome. The residents place and remove their wheelie bins just before collection and then remove when emptied.

Even with the quickest of research it is clear that the Dunkled and Birnam area is overrun with rental accommodation with very few properties left (or affordable) for use by the locals. Booking.com has 125 properties to rent / Airbnb has 248 homes to rent within the Dunkeld areas . We need to understand that the population of Dunkled and Birnam is now only 1330 (Source : Nation Trust for Scotland) and allowing and adding to the rental stock is not only not required, but also completely unjustified. When will local authorities realise that needs of the local residents must be met and that excessive tourism is simply devaluing the area, adding pollution and has little or no benefit to the local community.

I hope that you will kindly consider the points above and reject the application for a short-term rental at Rowan Tree cottage.

Kind regards

Robin

Robin Gray
Willow Tree Cottage
West Ringwood
PH8 0DW



Robin Gray
Manufacturers Agent & Distributor



p: [REDACTED]
e : [REDACTED]
w : www.rgiagency.com

PERTH AND KINROSS COUNCIL – LICENSING COMMITTEE
29 MAY 2023
REPORT BY HEAD OF LEGAL AND GOVERNANCE SERVICES

TYPE OF APPLICATION	Material Change in Circumstances of a Private Hire Operator Licence
APPLICANT	Mrs Kathleen Dyke, 47 Murray Crescent, Perth, PH2 0HW
PREMISES (if applicable)	N/A
THE APPLICATION	Mrs Dyke has submitted a request to vary the terms and conditions of his operator licence, with regard to the age limit for replacing vehicles (see attached copy application received 5 April 2023).
RELEVANT LICENSING POLICIES	<p>Current policy is that a taxi or private hire car shall be no more than 10 years old from the date of first registration before being replaced, however all vehicles for a taxi or private hire operator licence if wheelchair accessible (WAV) must be no more than 12 years old from date of first registration before being replaced.</p> <p>The Applicant's vehicle will be 10 years old from the date of first registration on the 25 June 2023. To comply with current operator conditions, the applicant would have been required to replace or remove this vehicle from service on or before this date.</p>
OPTIONS	<p>The options open to the Committee are therefore to:</p> <ul style="list-style-type: none"> • Deviate from policy and grant the application • refuse the application.
PROCEDURE	<ul style="list-style-type: none"> • Identify parties. • Consider any preliminary issues • Applicant makes submission • Committee asks any questions of the applicant • Applicant sums up • Committee makes decision

P&C
Perth and Kinross

2 High Street

Perth

PH 5PH

TEL: 01738 475000

Date: 05/04/2023 13:17

Our Ref: H0058H0U58

Location: BDR

Fund: CS

Ref No: 10110010000859261

Narrative: KATHLEEN DYKE

MOP: Cheque

Amount Paid :£71.00

CAN: 5335

User: H0058

Machine: H0U58

Please keep this copy for your records.



For Official use only

Date received	
Receipt No.	

**REQUEST FOR CONSENT TO MATERIAL CHANGE
IN CIRCUMSTANCES OR ALTERATION OF
CIVIC GOVERNMENT (SCOTLAND) ACT, 1982 LICENCE
TAXI/PRIVATE HIRE DRIVER, TAXI OPERATOR, PRIVATE HIRE OPERATOR
LICENCE**

PLEASE COMPLETE IN BLOCK CAPITALS

Question 1 – Licence holder details		
Licence holder name	MRS KATHLEEN DYKE	
Licence holder address	47 MURRAY CRESCENT CRAIGIE, PERTH	
	Postcode	PH2 0HW
Contact telephone number	[REDACTED]	
Email address	[REDACTED]	
Question 2 – Licence Details		
Type of Licence held	Taxi/Private Hire Driver <input type="checkbox"/> Taxi Operator <input type="checkbox"/> Private Hire Operator <input checked="" type="checkbox"/>	
Licence Number	PH 273	

Question 3 – Variation Details			
Do you wish to remove someone from your licence?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/a <input type="checkbox"/>		
If "yes", please provide full details of the person to be removed.	Surname		
	Forename/s		
Do you wish to add someone to your licence?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Na <input type="checkbox"/>		
If "yes", please provide full details of the person to be added.	Surname		
	Forename/s		
Private Home Address including postcode			
	Postcode		
Telephone Number	Home		
	Mobile		
	E-mail		
Date and place of birth	Years	Date of Birth	Place of Birth

Does he/she have any convictions	Yes <input type="checkbox"/> No <input type="checkbox"/>			
Please list all current Convictions (Please use separate sheet if necessary)	Date	Court	Offence	Sentence
Has the new person (if applicable) lived in the UK for at least 10 years? If no, please provide a letter from your home country confirming that you do not have any convictions.	Yes <input type="checkbox"/> No <input type="checkbox"/>			
Do you have a change in your medical history?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Na <input type="checkbox"/>			
If "yes" please provide details of your medical condition.	Date first diagnosed - - / - - / - - - -			
	Condition _____			
	Are you receiving any medication/medical attention in connection with this condition? Yes <input type="checkbox"/> No <input type="checkbox"/>			
	Describe the effect this may have on your fitness to drive a Taxi/Private Hire car _____ _____			
	Do you have any medical condition which would prevent you carrying a guide dog or assistance dog in your vehicle? Yes <input type="checkbox"/> No <input type="checkbox"/>			

<p>Are you informing the Licensing Department of criminal convictions and/or driving offences?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Na <input type="checkbox"/></p> <p>Type of criminal conviction – _____</p> <p>Sentence _____</p> <p>Driving Offence _____</p> <p>Points obtained _____</p>		
<p>Are you applying to display advertisement/s on your vehicle?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Na <input type="checkbox"/></p> <p>Attach a design proof of the advertising clearly showing where the advertising will be placed on the vehicle.</p> <p>Please confirm that you are displaying "Pre Book Hire" signs?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>		
<p>Are there any other changes that are not listed above that you wish to make.</p> <p>Please give as much information to the change you wish to make.</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Needing to extend use of van SD13 BUT , as have ordered a new vehicle but not getting this until October this year. Have enclosed order form as proof of this-</p>		
<p>6. CHECKLIST</p>			
(a)	Have you enclosed/made payment of the £71.00 fee	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
(b)	Have you enclosed a design proof of the advertising you wish on your vehicle	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
(c)	If the person/s who I have added to my licence has not lived in the UK for 10 years I have enclosed a letter from their home country confirming that I/my manager have/have not got any convictions	Yes <input type="checkbox"/>	NA <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, Scottish Fire and Rescue Service, Planning Service 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. Further information on how your information is used can be found here <https://www.pkc.gov.uk/detailedprivacynotices>

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 30/3/2023

Signature of applicant(s) to be removed from licence or added to licence

..... Date

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.

June 2019