

LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth, on Tuesday 27 March 2024 at 10.00am.

Present: Bailies M Williamson, Councillors K Allan, H Anderson (up to and including Item 8), B Brawn, S Carr, A Chan, K Harvey, W Robertson and G Stewart.

In Attendance: M McLaren, K Engelberts, S Wann, J Guild, A Brown and M Pasternak (all Corporate and Democratic Services).

Apologies: Bailie R Brock, Councillors C Reid and M Frampton.

Bailie M Williamson, Convener, Presiding.

1. WELCOME AND APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

COMMITTEE AGREED TO VARY THE ORDER OF BUSINESS AND HEAR ITEM 10 AT THIS POINT.

3. REVIEW OF HOUSES IN MULTIPLE OCCUPATION FEES

There was submitted a report by Strategic Lead – Legal and Governance (24/107) (1) providing the Licensing Committee with an update on work carried out to review the current licence application fee structure for Houses in Multiple Occupation (HMOs), and also (2) making recommendations about changes to the existing fee structure with the overarching aim of driving up standards and ensuring that full cost recovery is reflected in HMO fees.

Resolved:

The proposed revised fee structure and charges in relation to applications for Houses in Multiple Occupation (HMO) licences, be approved.

**4. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE
NO. PK11692P**

There was submitted a report by Strategic Lead – Legal and Governance (24/100) along with letter of objection in relation to The Cottage, 26 Lower Oakfield, Pitlochry, PH16 5DS.

Mr Jeremy Connell, applicant, addressed the Committee and answered Members' questions, all via telephone.

Mr John McLaren-Stewart, objector to the application, was not present at the meeting.

Resolved:

The application of a Short Term Let Licence – Provisional Licence PK11692P, be granted for a period of three years with a recommendation that the applicant check any requirement for planning permission.

**5. GRANT OF A SHORT TERM LET LICENCE – NEW OPERATION – 1
DUNBAR COURT, GLENEAGLES VILLAGE, AUCHTERARDER PH3 1SE**

There was submitted a report by Strategic Lead – Legal and Governance (24/101) along with a letter of objection in relation to 1 Dunbar Court, Gleneagles Village, Auchterarder PH3 1SE.

DSQL Investments, applicant, and Mr Peter Kelly, objector to the application, were not present at the meeting.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

The application of a Short Term Let Licence – New Operation – 1 Dunbar Court, Gleneagles Village, Auchterarder PH3 1SE, be granted for a period of three years.

**6. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE
NO. PK11646P**

There was submitted a report by Strategic Lead – Legal and Governance (24/102) along with a letter of objection in relation to The Beeches, 39 Dunbar Court, Gleneagles Village, Auchterarder, Perth and Kinross, PH3 1SE.

Mr and Mrs Michael Oak, applicants attended the meeting, addressed the Committee and answered Members' questions.

Mr Peter Kelly, objector to the application, was not present at the meeting.

Resolved:

The application of a Short Term Let Licence – Provisional Licence PK11646P, be granted for period of three years.

7. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE NO. PK11728P

There was submitted a report by Strategic Lead – Legal and Governance (24/103) along with along with a letter of objection in relation to The Gleneagles Holiday Home, 40 Dunbar Court, Gleneagles Village, Auchterarder, Perth and Kinross, PH3 1SE.

Ms Lorraine Stewart, applicant attended the meeting, addressed the Committee and answered Members' questions.

Mr Peter Kelly, objector to the application, was not present at the meeting.

Resolved:

The application of a Short Term Let Licence – Provisional Licence PK11728P, be granted for period of three years.

COMMITTEE AGREED TO VARY THE ORDER OF BUSINESS TO HEAR ITEM 9 AT THIS POINT.

8. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE NO. PK11790P

There was submitted a report by Strategic Lead – Legal and Governance (24/106) along with four letters of objection, in relation to Flat G, Fiscals House, 3 South Street, Perth PH2 8NJ.

Mr Donald Graham and Mr Fergus Purdie, objectors to the application, attended the meeting, addressed the Committee and answered Members' questions.

Ms Deirdre Barron, applicant, attended the meeting, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Motion by Bailie M Williamson and I MacPherson

Grant the Short Term Let Licence for a period of 3 years.

Amendment by Councillors G Stewart and B Brawn

To refuse the application under the terms of Paragraph (c) of Report 24/103.

In terms of Standing Order 21, a roll call vote was taken:

In terms of Standing Order 24.1, having lost internet connection Councillor Anderson was not permitted to take part in the vote.

4 Members voted for the Amendment as follows:
Councillors K Allan, B Brawn, A Chan and G Stewart

5 Members voted for the Motion, as follows:
Bailie M Williamson, Councillors S Carr, K Harvey, I MacPherson, and W Robertson

Resolved:

The application of a Short Term Let Licence – Provisional Licence PK11790P, be granted for period of three years, with a recommendation the applicant check their title deeds regarding any restrictions for short term letting the property.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 1.00PM

9. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE NO. PK12308P

There was submitted a report by Strategic Lead – Legal and Governance (24/104) along with four letters of objection in relation to Tigh Na Beannich, 5 Gartwhinzean Loan, Powmill, Dollar FK14 7LU.

Mr Jason Craig, objector to the application, attended the meeting, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Mr Andrew Smith, objector to the application, attended the meeting, addressed the Committee and answered Members' questions.

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

Ms Jessica Leslie and Mrs Monica Craig, objectors to the application, were not present at the meeting.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

The application for a Short Term Let Licence – Provisional Licence PK12308P, be granted for period of three years, subject to the following conditions and a recommendation the licence holder seeks to have "Celebration House" feature removed from booking page on Cottages.com:

1. There will be no social gatherings or amplified music to be played in the garden after 10pm.

2. The Licence Holder must take reasonable steps to manage the premises in such a way as so seek and prevent and deal with effectively any antisocial behaviour by guests to anyone else in the short term let and in the locality of the short term let.
3. The Licence Holder must –
 - a. Take reasonable steps to ensure no disturbance or nuisance arises within or from the premises, for example by explaining the house rules to guests.
 - b. Deal effectively with any disturbance or nuisance arising from the premises as soon as practicable after the licence holder is made aware of it.
4. The licence holder must ensure they have due respect for neighbours at all times.
5. There will be no hen or stag parties on the premises.
6. The pool area must be vacated by guests by 9pm.

10. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE NO. PK11842P

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

Dr Richard Caplan and Ms Anna Brocklehurst, objectors to the application, attended the meeting, addressed the Committee and answered Members' questions.

Ms Joanna Millar, agent on behalf of the applicants, attended the meeting, addressed the Committee and answered Members' questions.

Mr David Reilly and Dull and Weem Community Council, objectors to the application, were not present at the meeting.

FOLLOWING SHORT ADJOURNMENT, THE COMMITTEE RECONVENED

Resolved:

The application for a Short Term Let Licence – Provisional Licence PK11842P, be granted for period of three years, subject to the following conditions and a recommendation the licence holder make contact with PKC Environmental Health Department for guidance on maintenance of the hot tub:

1. There will be no amplified music to be played in the garden.
2. There will be no social gatherings in the garden after 10pm.
3. The Licence Holder must –
 - a. Take reasonable steps to ensure no disturbance or nuisance arises within or from the premises, for example by explaining the house rules to guests.
 - b. Deal effectively with any disturbance or nuisance arising from the premises as soon as practicable after the licence holder is made aware of it.

4. The licence holder must share contact details of the local managing agent(s) with the neighbours.