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Council Building  
2 High Street  
Perth  
PH1 5PH

04/07/2023

A hybrid meeting of the **Licensing Committee** will be held in **the Council Chamber** on **Monday, 10 July 2023 at 10:00**.

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

**THOMAS GLEN**  
Chief Executive

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

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

**Members:**

Bailie Mike Williamson (Convener)  
Councillor Iain MacPherson (Vice-Convener)  
Bailie Chris Ahern  
Councillor Keith Allan  
Councillor Hugh Anderson  
Bailie Rhona Brock  
Councillor Steven Carr  
Councillor Michelle Frampton  
Councillor Ken Harvey  
Councillor David Illingworth  
Councillor Crawford Reid  
Councillor Willie Robertson  
Councillor Grant Stewart



**Licensing Committee**

**Monday, 10 July 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**

**2 DECLARATIONS OF INTEREST**

**3 MINUTES**

**3(i) MINUTE OF MEETING OF LICENSING COMMITTEE OF 29 MAY 2023 FOR APPROVAL 5 - 8**  
(copy herewith)

**3(ii) MINUTE OF SPECIAL MEETING OF LICENSING COMMITTEE OF 30 MAY 2023 FOR APPROVAL 9 - 12**  
(copy herewith)

**4 GRANT OF A SHORT TERM LET LICENCE - PROVISION LICENCE NO. PK11236N 13 - 26**  
Report by Head of Legal and Governance Services (copy herewith 23/205)

***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 TAXI/PRIVATE HIRE CAR DRIVER LICENCE - TD2227 - 3 YEARS**  
• Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**P2 GRANT OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE - TD2237 - 1 YEAR**  
• Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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## LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth, on Monday 29 May 2023 at 1:00pm.

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

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

Apologies for Absence: Bailie R Brock and Councillor 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

The Minute of Meeting of the Licensing Committee of 17 April 2023 was submitted and approved as a correct record.

COUNCILLOR I MACPHERSON TOOK THE CHAIR FOR THE REMAINING ITEMS OF BUSINESS.

### 4. GRANT OF SHORT TERM LET LICENCE – PROVISIONAL LICENCE NO. PK11176N

There was submitted a report by the Head of Legal and Governance Services (23/153), along with a written submission from the applicant and two letters of objection, in relation to the Grant of a Short Term Let Licence – Provisional Licence No. PK11176N.

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

Mrs Karen Yellowlees, objector to the application, attended the meeting by telephone, addressed the Committee and answered Members' questions.

**Resolved:**

Application for a Short Term Let Licence – Provisional Licence No. PK11176N, be granted for a period of three years.

**5. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE NO. PK11139P**

There was submitted a report by the Head of Legal and Governance Services (23/154), along with a written submission from the applicant and a letter of objection, in relation to the Grant of a Short Term Let Licence – Provisional Licence No. PK11139P.

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

**Resolved:**

Application for Short Term Let Licence – Provisional Licence No. PK11139P, be granted for a period of three years.

**6. MATERIAL CHANGE IN CIRCUMSTANCES OF A PRIVATE HIRE OPERATOR LICENCE – PH273**

There was submitted a report by the Head of Legal and Governance Services (23/155), in relation to a Material Change in Circumstances of a Private Hire Operator Licence – PH273.

Ms Kathleen Dyke, applicant, attended the meeting, addressed the Committee and answered Members' questions, supported by Councillor Eric Drysdale.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECOVNEVED.

**Motion (Councillors I MacPherson and D Illingworth)**

**Private Hire Operator Licence No. PH273, be granted an extension until 30/09/2023 to allow delivery of replacement vehicle.**

Amendment (Baillie C Ahern and Councillor K Allan)

Application for a Material Change in Circumstances of a Private Hire Operator Licence No. PH273, be refused due to lack of evidence.

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

**6 Members voted for the Motion as follows:**

**Councillors H Anderson, S Carr, M Frampton, D Illingworth, I MacPherson, G Stewart and Baillie M Williamson.**

4 Members voted for the Amendment as follows:  
Bailie C Ahern, Councillors K Allan, K Harvey and W Robertson.

**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.**

DUE TO THE FOLLOWING TWO APPLICATIONS BEING FROM THE SAME APPLICANT, IT WAS AGREED THE ITEMS WOULD BE HEARD TOGETHER, WITH DECISIONS TAKEN SEPARATELY.

**P1. GRANT OF PRIVATE HIRE OPERATOR LICENCE – PH426**

**P2. GRANT OF TAXI DRIVER LICENCE – TD2211**

There was submitted a report by the Head of Legal and Governance Services (23/156) together with a letter of representation dated 10 March 2023 from Police Scotland, regarding Grant of Private Hire Operator Licence No. PH426.

There was submitted a report by the Head of Legal and Governance Services (23/157) together with a letter of representation dated 5 April 2023 from Police Scotland, regarding Taxi Driver Licence No. TD2211.

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.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

- (i) Private Hire Operator Licence No. PH426, be granted for a period of one year.
- (ii) Taxi Driver Licence No TD2211, be granted for a period of three years.

**P3. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD1554**

There was submitted a report by the Head of Legal and Governance Services (23/158) together with a request for suspension dated 2 May 2023 from Police Scotland, regarding Taxi/Private Hire Car Driver Licence No. TD1554.

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.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver Licence No. TD1554, be not suspended based on insufficient information.

**P4. SUSPENSION OF WINDOW CLEANER LICENCE – WC311**

There was submitted a report by the Head of Legal and Governance Services (23/159) together with a request for suspension dated 25 April 2023 from Police Scotland, regarding Window Cleaner Licence No. WC311.

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:**

Suspension of Window Cleaner Licence No. WC311, be deferred pending court date of 09/08/2023.



## LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth, on Tuesday 30 May 2023 at 10:00am.

Present: Bailie M Williamson, Councillors K Allan (Up to an including Item P4), H Anderson, S Carr, M Frampton, K Harvey and I MacPherson.

In Attendance: J Guild, M McLaren, S Michie, M Pasternak and R Ramsay (all Corporate and Democratic Services), J Gordon and K Thomson-Craig (Police Scotland).

Apologies for Absence: Bailies C Ahern and R Brock, Councillors D Illingworth, C Reid, W Robertson and G Stewart.

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.

COUNCILLOR I MACPHERSON TOOK THE CHAIR FOR THE FOLLOWING ITEMS OF BUSINESS.

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

#### P1. GRANT OF TAXI DRIVER LICENCE – TD2202

There was submitted a report by the Head of Legal and Governance Services (23/160) together with a letter of objection dated 18 April 2023 from Police Scotland, regarding Grant of Taxi Driver Licence No. TD2202.

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.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Taxi Driver Licence No TD2202, be granted for a period of one year.

**P2. GRANT OF TAXI DRIVER LICENCE – TD2212**

There was submitted a report by the Head of Legal and Governance Services (23/161) together with a letter of objection dated 10 April 2023 from Police Scotland, regarding Grant of Taxi Driver Licence No. TD2212.

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.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Application for Taxi Driver Licence No. TD2212, be refused.

**P3. GRANT OF TAXI DRIVER LICENCE – TD2220**

There was submitted a report by the Head of Legal and Governance Services (23/162) together with a letter of objection dated 28 April 2023 from Police Scotland, regarding Grant of Taxi Driver Licence No. TD2220.

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.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Taxi Driver Licence No. TD2220, be granted for a period of one year.

**P4. GRANT OF TAXI DRIVER LICENCE – TD2222**

There was submitted a report by the Head of Legal and Governance Services (23/163) together with a letter of objection dated 4 May 2023 from Police Scotland, regarding Grant of Taxi Driver Licence No. TD2222.

The applicant was in attendance, accompanied by Mr Sandy Smith of Perth Radio Taxis.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Taxi Driver Licence No. TD2222, be granted for a period of three years.

COUNCILLOR K ALLAN LEFT THE MEETING AT THIS POINT.

**P5. GRANT OF TAXI DRIVER LICENCE – TD2213**

There was submitted a report by the Head of Legal and Governance Services (23/164) together with a letter of objection dated 26 April 2023 from Police Scotland, regarding Grant of Taxi Driver Licence No. TD2213.

The applicant failed to attend.

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

**Resolved:**

Application for Taxi Driver Licence No. TD2213, be refused.



**PERTH AND KINROSS COUNCIL – LICENSING COMMITTEE**  
**10 July 2023**  
**REPORT BY HEAD OF LEGAL AND GOVERNANCE SERVICES**

<b>TYPE OF APPLICATION</b>	Grant of a Short Term Let Licence
<b>APPLICANT</b>	Mrs Jill Davidson Provisional Licence Number:- PK11236N
<b>PREMISES</b>	27 Willowbank, Birnam ,Dunkeld, Perth And Kinross, PH8 0JN
<b>THE APPLICATION</b>	<p>Mrs Davidson, sole applicant, has 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>Mrs Davidson's property is semi-detached house.</p> <p>The property has 2 bedrooms and 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>
<b>RELEVANT LICENSING POLICIES</b>	<p>The Council's Short Term Let Policy was approved by the Licensing Committee on 22 September 2022.</p> <p>The Council's Short-Term Lets Policy focuses on ensuring that an efficient, effective and proportionate licensing scheme is in place, which is customised to the needs and circumstances of the Council's local area and supports applicants who wish to obtain a short-term let licence.</p> <p>The aims of the licensing scheme are:</p> <ul style="list-style-type: none"> <li>• to ensure all short-term lets are safe;</li> <li>• to facilitate licensing authorities in knowing and understanding what is happening in their area; and</li> <li>• to assist with handling complaints and address issues faced by neighbours effectively.</li> </ul> <p>In assessing an application for a short-term lets licence, the Council will consider:</p> <ul style="list-style-type: none"> <li>• the suitability of the person applying and that of the other people named on the application form (whether they are "fit and proper");</li> <li>• compliance/ability to comply with mandatory conditions (applicable to all short-term lets across Scotland) (copy attached);</li> <li>• compliance/ability to comply with any additional conditions that the Council might attach to the licence (either specific to</li> </ul>

	<p>the accommodation, or specific to short-term lets in Perth and Kinross); and</p> <ul style="list-style-type: none"> <li>• the suitability of the premises in the context of Perth and Kinross Council's policies.</li> </ul> <p>The Council may vary the terms of a licence on any grounds they think fit and can do this at any time. This can be done following an application made to the Council by the licence holder on their own initiative. This could include adding further conditions to the licence. The Council will consult with the statutory consultees and any other parties it considers appropriate.</p> <p><b>Conditions attached to a Short-term Let Licence</b></p> <p><b><u>Mandatory Conditions</u></b></p> <p>Any Licence will be subject to Conditions. Under the 2022 Order, there are certain conditions which the Council must attach to a short-term let licence, irrespective of the type of short-term let granted, whether it is Secondary Letting, Home Letting, Home Sharing or Home Letting and Home Sharing. These are known as "mandatory conditions" and are detailed at Annex A.</p> <p><b>Please note that the Council has no power to amend these mandatory conditions.</b></p> <p>All applicants should ensure, prior to applying for a short-term let licence of any type that they are able to comply with the mandatory conditions attached to a licence. Applicants should also note that in term of listing their premises as a licensed short-term let, as required under mandatory condition 14, the listing must include the licence number provided by the Council and the valid energy performance certificate rating) if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008.</p>
<b>LEGAL POSITION</b>	<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> <ul style="list-style-type: none"> <li>• 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:</li> </ul>

	<p>(i) for the time being disqualified under section 7(6) of the 1982 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 s/he made the application him/herself;</p> <p>(c) where the licence applied for relates to an activity consisting of or including the use of premises, those premises are not suitable or convenient for the conduct of the activity having regard to:</p> <p>(i) the location, character or condition of the premises;</p> <p>(ii) the nature and extent of the proposed activity;</p> <p>(iii) the kind of persons likely to be in the premises;</p> <p>(iv) the possibility of undue public nuisance; or</p> <p>(v) public order or public safety; or</p> <p>(ca) the applicant would not be able to secure compliance with:</p> <p>(i) the mandatory licence conditions, and</p> <p>(ii) the standard conditions and any further conditions to which the licence is to be subject,</p> <p>(cb) the application does not contain the consent of the owners of the premises, or</p> <p>(d) there is other good reason for refusing the application (this needs to be a licensing reason)</p> <p>In deciding whether or not to grant or renew a Licence, the Council will consider each Application on its own merits and will take into account the following:</p> <ul style="list-style-type: none"> <li>• any Objections or Representations</li> <li>• this Licensing Policy Statement</li> <li>• any other relevant considerations</li> </ul>
<b>OPTIONS</b>	<p>The Committee need to consider whether the objections 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"> <li>• grant the application.</li> <li>• grant the application for a shorter period of time.</li> <li>• grant the application with additional conditions; or</li> <li>• refuse the application if one of the grounds for refusal exist.</li> </ul>
<p><b>PROCEDURE</b></p>	<ul style="list-style-type: none"> <li>• Identify parties.</li> <li>• Consider any preliminary issues.</li> <li>• Members of the public speak to their objections.</li> <li>• Committee asks any questions to the objectors.</li> <li>• Applicant makes submission.</li> <li>• Committee asks any questions of the applicants.</li> <li>• Objectors sum up.</li> <li>• Applicant sum up.</li> <li>• Committee makes decision.</li> </ul>



## **Annex A – Mandatory Conditions**

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

### **Agents**

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

### **Type of licence**

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

### **Fire safety**

3. The holder of the licence must ensure the premises has satisfactory equipment installed for detecting, and for giving warning of -

(a) fire or suspected fire, and

(b) the presence of carbon monoxide in a concentration that is hazardous to health.

4. The holder of the licence must keep records showing that all upholstered furnishings and mattresses within the parts of the premises which are for guest use, or to which the guests are otherwise permitted to have access, comply with the Furniture and Furnishings (Fire Safety) Regulations 1988<sup>(1)</sup>.

### **Gas safety**

5. Where the premises has a gas supply -

(a) the holder of the licence must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises,

(b) if, after an annual inspection, any appliance does not meet the required safety standard, the holder of the licence must not allow a short-term let of the premises until the works necessary to bring the appliance to the required safety standard have been carried out.

### **Electrical safety**

6. Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which the guests are permitted to have access, the holder of the licence must -

- (a) ensure that any electrical fittings and items are in -
  - (i) a reasonable state of repair, and
  - (ii) proper and safe working order,
  
- (b) arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person,
  
- (c) ensure that, following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,
  
- (d) arrange for a competent person to—
  - (i) produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and
  
  - (ii) date label and sign all moveable appliances which have been inspected.

7. In determining who is competent, the holder of the licence must have regard to guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006.

**Water safety: private water supplies**

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

**Water safety: legionella**

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

**Safety & repair standards**

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

### **Maximum Occupancy**

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

### **Information to be displayed**

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

### **Planning Permission**

13. Where the premises is in a short-term let control area for the purposes of section 26B of the Town and Country Planning (Scotland) Act 1997(4) (“the 1997 Act”), the holder of the licence must, where the use of the premises for a short-term let requires planning permission under the 1997 Act, ensure that either—
  - (a) an application has been made for planning permission under the 1997 Act and has not yet been determined, or
  - (b) planning permission under the 1997 Act is in force.

### **Listings**

14. - (1) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises includes -
  - (a) the licence number, and
  - (b) a valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008(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<sup>(7)</sup>,

“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<sup>(8)</sup>,

“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**

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**From:** Karen Yellowlees [REDACTED]  
**Sent:** 01 June 2023 17:16  
**To:** CDS STL  
**Subject:** 27 Willowbank, Dunkeld

**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.**

To whom it may concern

I am making contact to have lodged my objection, and reasons, to the application for a secondary letting for the house at 27 Willowbank, Dunkeld, PH8 0JN, submitted by Jill Davidson, Gamekeepers Cottage, Fungarth, Dunkeld, PH8

OES. 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 used as holiday rentals. The houses in Willowbank were built as council houses. I find it really sad and unacceptable 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 object to this application on these aforementioned grounds.

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, or indeed to privately let accommodation that provides people with homes. I hope I have managed to adequately express my objection.

Yours sincerely,  
Karen Yellowlees

Address-  
St Abbs  
Birnam Terrace  
Birnam  
PH8 0DR  
Tel no- [REDACTED]

[Sent from Yahoo Mail on Android](#)





**Nicola Storrar**

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**From:** john small [REDACTED]  
**Sent:** 04 June 2023 11:45  
**To:** CDS STL  
**Subject:** STL 27 Willowbank Dunkeld PH8 0JN

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

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Dear PKC

I am writing to object to the short Term Let application for 27 Willowbank Dunkeld PH8 0JN

I am concerned about the potential for increased noise associated with STLs. Willowbank is a quiet residential street and Air B&B style letting is inappropriate in this area.

I do not object to this property being let on a weekly basis, as this is a tourist area and we should be encouraging people to stay in the village and spend their money in local businesses.

If people desire a short break, there are numerous hotels which cater for this type of vacation within walking distance of the short let application.

However, having a potential weekend party house located in this street may have the effect of negatively impacting quality of life while being of little value to the economy of the village

Regards

John Small

30 Willowbank

Dunkeld

PH8 0JN

[Sent from Yahoo Mail on Android](#)

