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Council Building
2 High Street
Perth
PH1 5PH

06/02/2024

A hybrid special meeting of the **Licensing Committee** will be held in **the Council Chamber** on **Tuesday, 13 February 2024** at **09:30**.

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. The recording will be publicly available on the Council's website following the meeting.

Members:

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

Licensing Committee

Tuesday, 13 February 2024

AGENDA

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

- 1 WELCOME AND APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
- 3 GRANT OF A SHORT TERM LET LICENCE - NEW OPERATION - 5 - 24
6 THE PADDOCK, AUCHTERARDER**
Report by Strategic Lead - Legal and Governance (copy herewith 24/53)

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PERTH AND KINROSS COUNCIL – LICENSING COMMITTEE
13 February 2024
REPORT BY STRATEGIC LEAD – LEGAL AND GOVERNANCE

TYPE OF APPLICATION	Grant of a Short-Term Let Licence
APPLICANT(S)	Dr Gideon Pringle and Mrs Linda Pringle Provisional Licence Number: None – NEW LET
PREMISES (if applicable)	6 The Paddock, Auchterarder, Perth And Kinross, PH3 1LE
THE APPLICATION	<p>Dr and Mrs Pringle, joint Applicants, have applied for a three-year short-term let licence as new hosts (not operating prior to 1 October 2022).</p> <p>The Application has been validated by Licensing Officers and was sent out for consultation. Police Scotland, Scottish Fire and Rescue Services, and PKC Planning Department have stated they have no objections to this application.</p> <p>Applicants' property is a detached house. The Application is for that of a 'home letting' short-term let licence.</p> <p>The property has 4 bedrooms and the Applicant(s) has applied for a maximum capacity of 8 guests.</p> <p><u>Three</u> letters of objection have been received with regards to this Application (see attached letters 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

the accommodation, or specific to short-term lets in Perth and Kinross); and

- the suitability of the premises in the context of Perth and Kinross Council's policies.

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.

Conditions attached to a Short-term Let Licence

Mandatory Conditions

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.

Please note that the Council has no power to amend these mandatory conditions.

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>	<p>The Civic Government (Scotland) Act 1982 provides grounds for refusal of a short-term let licence. Any decision to refuse a short-term let licence must be relevant to one or more the following grounds of refusal as detailed in the Civic Government (Scotland) Act 1982:-</p> <p>A licensing authority must grant the application unless one of the grounds of refusal exists. If, in the opinion of the Committee, a ground of refusal exists then the application must be refused.</p> <p>The grounds of refusal are:-</p> <p>(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either –</p> <p style="padding-left: 40px;">(i) for the time being disqualified under section 7(6) of this Act, or</p> <p style="padding-left: 40px;">(ii) not a fit and proper person to be the holder of the licence;</p> <p>(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application him/herself;</p> <p>(c) where the licence applied for relates to an activity consisting of or including the use of premises, those premises are not suitable or convenient for the conduct of the activity having regard to –</p> <p style="padding-left: 40px;">(i) the location, character or condition of the premises;</p> <p style="padding-left: 40px;">(ii) the nature and extent of the proposed activity;</p> <p style="padding-left: 40px;">(iii) the kind of persons likely to be in the premises;</p> <p style="padding-left: 40px;">(iv) the possibility of undue public nuisance; or</p> <p style="padding-left: 40px;">(v) public order or public safety; or</p> <p>(ca) the applicant would not be able to secure compliance with:</p> <p style="padding-left: 40px;">(i) the mandatory licence conditions, and</p> <p style="padding-left: 40px;">(ii) the standard conditions and any further conditions to which the licence is to be subject;</p> <p>(cb) the application does not contain the consent of the owners of the premises; or</p> <p>(d) there is other good reason for refusing the application;</p> <p>and otherwise shall grant the application.</p> <p>In deciding whether or not to grant or renew a Licence, the Council will consider each Application on its own merits and will take into account the following:</p> <ul style="list-style-type: none"> • any Objections or Representations • this Licensing Policy Statement • any other relevant considerations
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<p>OPTIONS</p>	<p>The Committee need to consider whether the objection(s) received relate to the activity of a short term let licence.</p> <p>The options open to the Committee are therefore to:</p> <ul style="list-style-type: none"> • 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.
<p>PROCEDURE</p>	<ul style="list-style-type: none"> • Identify parties • Consider any preliminary issues • Members of the public speak to their representation(s)/objection(s) • Committee asks any questions to the objectors • Applicant makes submission • Committee asks any questions of the applicant • Objector/s sum up • Applicant 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.

CDS STL

From: Colin Leitch [REDACTED]
Sent: 05 January 2024 17:31
To: CDS STL
Cc: Colin Leitch
Subject: ACKNOWLEDGEMENT - Objections to Application for Short Term Let Licence at 6 The Paddock, Auchterarder, PH3 1LE

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,

Objection - Application for Short Term Let Licence at 6 The Paddock, Auchterarder, PH3 1LE.

This written information is regarding the application for the **Application for Short Term Let Licence at 6 The Paddock, Auchterarder, PH3 1LE.**

Applicant Name: Gideon Pringle

Applicant Address: Lediation Farm, Kinross, KY13 ORS

I, Lord Colin Douglas Wallace Leitch currently own and reside at **7 The Paddock, Auchterarder, PH3 1LE** and have enclosed below the reasons why I object to the application for the short term lease licence for the said property above.

First Objection - Public Hazard & Safety

a) Emergency Services Access - We do from time to time encounter the use of medical services as we do have residents living on the street with ongoing medical conditions and have helped and supported neighbours with access to the said services. Additional congestion or parking for more cars than the house driveway can accommodate may delay or obstruct any emergency service vehicles.

b) Limited parking - The application property has limited parking and may cause the short term letting residents to seek alternative parking within the street vicinity which may block the access to our driveway. This would also be unfair for other residents including myself who have visiting family and friends to park outside individual houses.

c) Parking in the turning bay - The dedicated turning bay is used by all residents residing on the street and is used daily by delivery vehicles as well as other service vehicles. Blocking this would mean that vehicles would not be able to safely turn around to exit the street heading onto the a busy main road which is Ochill Road which leads to Gleneagles and Auchterarder Town.

d) Parking on pavement areas - Parking on the pavement is not only inconvenient but also dangerous for people that require mobility access, people with children and pushchairs as well as the elderly. With limited parking in relation to the potential holiday let occupancy of the application property, people may be encouraged to use the pavement as an alternative for parking. This is also illegal and comes under the Transport (Scotland) Act 2019.

Second Objection - Public Nuisance & Safety

a) Designated smoking areas - My house is directly adjacent to 6 The Paddock, I have been diagnosed within the last 24 months with Pneumonia and undergo regularly check ups regarding the status of my lungs. I am very sensitive to both Cigarette/ Vape smoke which makes me wheeze and cough. My wife [REDACTED] suffers from Asthma

and regularly requires the use of an inhaler. Which could cause the need for additional medication for my wife and I.

b) Out of social hours arrivals and departures - We are a quiet neighbourhood with little disturbance as some residents on the street over the age of 80 with ongoing sensitive medical conditions. The driveway is situated and on the front of the house and would be very audible for opening and closing of car doors as well as movement of bulky cases and baggage.

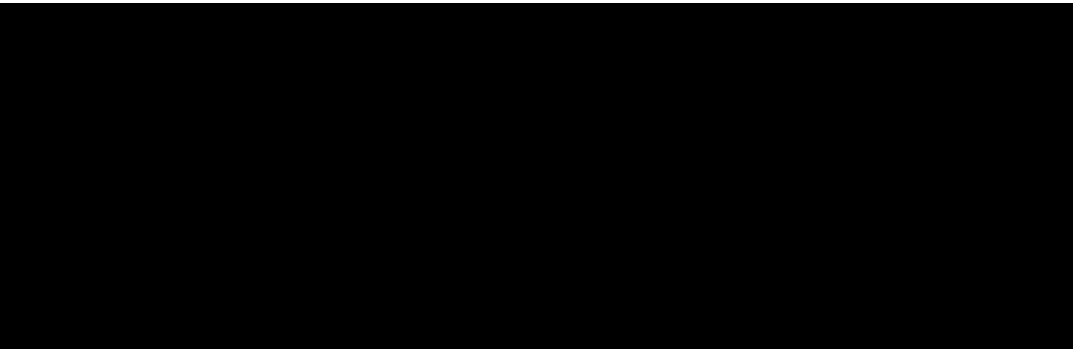
c) Out of social hours celebrations and outdoor parties - I myself are over the age of 80 along with 3 other residents on the street. 2 of our bedrooms are in very close proximity and face the rear of the application property, any unsociable gatherings or celebrations would mean noise disturbance to my family as well as our dogs. I also have a summer house to the rear of my property close to the fence of the house in question and potential guests who may stay at the property may wish to utilise the house for celebrations and may cause unnecessary and frequent disturbance to my wife and I and any guests that may be staying.

I would like to add that we have not had any communication from Gideon Pringle with regards to the intension of the short term letting application and the notice placed on the fence of the said property has been partially obstructed by a builders skip. Therefore non of my concerns listed above have been placed into consideration prior to the application being sent to the council for consideration.

Kind regards,

Lord Leitch

Signed by:



Lord Leitch
7 The Paddock
Auchterarder
Perth & Kinross
PH31LE



CDS STL

From: Frank Johnstone <[REDACTED]>
Sent: 03 January 2024 12:52
To: CDS STL
Cc: [REDACTED]
Subject: Objections to Application for Short Term Let Licence at 6 The Paddock, Auchterarder, PH3 1LE

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Objections to Application for Short Term Let Licence at 6 The Paddock, Auchterarder, PH3 1LE. The applicant is Mr Gideon Pringle.

I am writing to object to the application for a short term let (home letting) licence which has been made in relation to the house forming number 6, The Paddock, Auchterarder PH3 1LE (the Property).

My name is Frank Johnstone and I am the owner of the house at 2 The Paddock, Auchterarder, PH3 1LE at which I reside and which is diagonally opposite the Property. The Paddock is a small cul de sac which consists of 8 houses including the Property. Entrance to and exit from the cul de sac, which is a "dead end", is only from Orchil Road.

My objections to the grant of the short term let licence are on the following grounds-

First Objection: Public Safety

My primary objection to the granting of a licence is on the grounds of public safety. In particular, if the licence is granted, I would be concerned about the safety of guests staying at the Property, the safety of residents in the 7 other houses in the Paddock and their visitors and the safety of others using vehicles, in the small cul de sac which forms the Paddock. I would also be concerned about the safety of pedestrians and cyclists etc. The grounds of this objection are based on the limited parking available at the Property and the limited street parking in the cul de sac.

Public Safety: Emergency Services Access

The licence application is for a short-term home letting licence to allow a maximum of 8 individuals to stay at the Property. It is inherent in the application that there is a risk of an additional 8 cars entering and leaving the cul de sac and being parked in it. I accept that, in some cases, a smaller number of cars may be parked by guests staying at the Property, but, nonetheless, there is a risk, if the application is granted, that 8 vehicles could require to be parked in the cul de sac. I would estimate that the Property has parking for 3 cars and maybe even 4 if they were parked carefully. As only 3, or possibly, 4 cars can be parked on the Property, this could entail another 5 or 4 cars being parked by guests staying at the Property on the street in the cul de sac, potentially blocking access for emergency vehicles, such as fire engines, ambulances or police vehicles. This is a public safety risk for guests staying at the Property, other residents in the cul de sac, their visitors, and other road users in the cul de sac.

Public Safety: Traffic Safety Hazard - Parking on Pavements.

It is generally accepted that parking on pavements is unsafe, unfair, and it can force people, including pedestrians, dog walkers and parents pushing prams and others, on to the road and increases accidents. It is for these reasons that the Transport (Scotland) Act 2019, with effect from 11 December 2023, made it illegal to park on the pavement in Scotland. Access to the driveways of all 8 houses in the Paddock is over the pavement. The driveways allow for the parking of two vehicles, which reduces the space for parking on the road without blocking an owner's driveway.

If guests staying at the Property felt they had to park on the pavement, because there was no other parking, or to allow residents access to their homes, or to allow others who wished to drive or park in the cul de sac, this would force pedestrians on to the road. This is a public safety risk.

Public Safety: Traffic Safety Hazard - Parking on the Street

In addition to cars used by guests who might stay at the Property, cars owned by other residents in the cul de sac, cars owned by family and friends who visit the residents living in the cul de sac, there are of course, amazon/delivery vans, food delivery vans (i.e. Tesco vans etc) post vans, refuse lorries etc which also use the cul de sac, and need to park there for various periods of time. If 4 or 5 cars belonging to guests staying at the Property are parked on the street in the cul de sac this is an excessive number of cars considering the requirements of residents in the cul de sac and other vehicle owners/users who enter the cul de sac and wish to park there. This increased parking would also create a public safety risk for cyclists and pedestrians in the cul de sac, particularly any who may have physical disabilities or with young children. The potential for an additional 4 or 5 cars to be parked on the street in the cul de sac is a public safety risk.

Public Safety: Traffic Safety Hazard - Cars Parked in the Turning Bay

As the Paddock is a small cul de sac there is a turning point immediately adjacent to the Property to allow cars, delivery vans, refuse lorries and other vehicles in the cul de sac, to turn. If guests staying at the Property parked their vehicles in the turning point, this would leave nowhere for other vehicle users who live in or are visiting the Paddock, to turn their vehicles in the street. The purpose of the turning bay is so that drivers can avoid (i) having to either attempt a 3 point turn (if feasible, depending on what other vehicles were on the road) and (ii) having to reverse onto Orchil Road. This is a public safety risk.

Second objection: Undue Nuisance in relation to Parking

The coming and going in the Paddock of up to an additional 8 cars belonging to guests staying at the Property and the parking of possibly up to 4 or 5 cars in the cul de sac, would cause congestion and possibly prevent or restrict the parking available to residents, family friends etc of the residents in the other 8 houses in the cul de sac. In addition, particularly during peak arrival and departure times for short-term guests, 8 vehicles trying to park would contribute to noise pollution i.e. engines and the banging of car doors, and disturb the peace and quiet that residents in the neighbourhood are reasonably entitled to expect. This would constitute an undue nuisance to the residents of the Paddock.

In addition, the coming and going in the Paddock of up to an additional 8 cars belonging to guests staying at the Property and the parking of possibly up to 4 or 5 cars on the street in the cul de sac would constitute a nuisance, lead to frustration and be an inconvenience to residents in the cul de sac other road users and possibly pedestrians in the Paddock.

Third objection: Undue nuisance in relation to the use of the exterior rear patio and the patio on the right of the Property

There are two outside patios at the Property, one at the rear of the Property and one on the right of the Property. The patio on the right of the Property is adjacent to number 7 The Paddock. The patio on the right of the Property is nearer to my house (2 The Paddock) than the Property's front door.

Outdoor patios: Noise Disturbance Concerns

The patio situated on the right of the Property is a large concrete/slab recreational area which is separated from the fence adjoining the house which forms number 7 The Paddock, by a small flowerbed and bushes. Access to the right patio can be gained from the back garden at the Property or from the gate at the front of the Property. I would estimate that the wall of the house at number 7 The Paddock is about 23 feet from the edge of the right patio and it has two bedrooms which overlook the right patio and the rear patio.

The two outdoor patios pose a heightened risk of noise disturbances made by guests at the Property having social gatherings, conversations, playing music and other activities on the outside patios.

I am concerned that (i) noise from the patios and, in particular, the right patio, would disturb me particularly in the evening and at night and (ii) would disrupt the peaceful enjoyment of my home which is diagonally across the road from the Property.

I am also concerned that noise emanating from the patios would disrupt the peaceful enjoyment of other residents in the cul de sac and, in particular, would constitute a disturbance and nuisance for the residents at number 7 The Paddock and other residents in the cul de sac and adjoining properties.

The cul de sac which forms the Paddock and adjoining streets are entirely residential. Short term let rentals often attract guests seeking leisure and entertainment. There is a real risk of evening and night disturbances on the outdoor patios which would create an unreasonable disturbance and nuisance for residents in the cul de sac and other adjoining proprietors.

For the above reasons, I consider that the short term let licence at the Property should not be granted.

Representations

My two representations are as follows:-

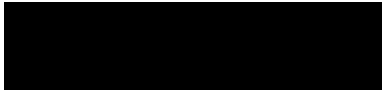
Parking assessment


If the Council is inclined to grant the licence, despite my objections, I would request that, before it does so, it carries out an assessment of the parking situation surrounding the Property in the cul de sac, to ensure that there is no public safety risk and to ensure that there are adequate parking provisions in place for residents and other road users visiting the cul de sac.

Rubbish/refuse disposal arrangements

If the Council is inclined to grant the licence, despite my objections, I would request that, before it does so, the Council considers the refuse/rubbish removal arrangements which the applicant proposes to have in place in relation to rubbish/ empty bottles etc of guests who stay at the Property. If up to 8 individuals are staying at the Property it is reasonable to anticipate that they are likely to generate a significant amount of refuse. It would not be in keeping with the residential nature of the cul de sac if large industrial commercial bins were used at the Property and which would be unsightly for residents in the Paddock. Equally so, it is appropriate that there is an effective and safe arrangement in place for the disposal of rubbish generated by guests staying at the Property.

Signed by:



Frank Johnstone
2 The Paddock
Auchterarder
Perth & Kinross
PH3 1LE
Email 

CDS STL

From: Andrew Richards [REDACTED]
Sent: 16 January 2024 09:20
To: CDS STL
Cc: Christine Richards; [REDACTED]
Subject: Re: INFORMATION REQUIRED: Objections to 6 The Paddock, Auchterarder short term let application

[REDACTED] [REDACTED]

Good-day Karen,

Thank-you for clarifying what outstanding information needs to be provided. Please let me know if anything else is required.

I also appreciate that it is encouraged that neighbours resolve any issues themselves prior to the committee meetings.

As requested,

Objectors' names and addresses:

1. Christine Muriel Richards
3 The Paddock,
Auchterarder,
PH3 1LE

2. Andrew Stuart Richards
Riedpark 25
Zug
6300
Switzerland

With regards,

Andrew Richards
[REDACTED]

On 15 Jan 2024, at 14:16, CDS STL <STL@pkc.gov.uk> wrote:

Good afternoon,

I refer to your email of 5 January 2024 objecting to the application for a home letting short-term let licence for the premises located at 6 The Paddock, Auchterarder, PH3 1LE. While you have provided your name and have confirmed your ownership of the address 3 The Paddock, it is missing critical information in order to deem it 'electronically signed'. Please note that your email objection does not include:

1. All objectors' full addresses (your full address, as well as your mother's full address)

2. All objectors full names (your mother's full name has not been included)

Please ensure that the above information is received by no later than **5pm on Wednesday, 17 January 2024**, failing which the objection will be deemed late. The Licensing Committee has discretion to consider late objections or representations if satisfied that there is sufficient reason why the objection or representation was not received in time. If this applies you will need to explain in your objection or representation, why it is late. A copy of your objection or representation will not be considered unless the Licensing Committee makes a decision that it will consider it.

Given that this short-term let licence application has been validated, the status of the application on our [Public Register](#) has been updated from 'submitted' to 'pending'. This means that the application has now moved to outside consultation, providing for feedback from Police Scotland, Fire and Rescue Services, and Planning. These consultees have a statutory period of 28 days from the date the application is validated to respond. It is after that period has passed that the objection(s) will be considered at a Licensing Committee meeting to be convened at a future date. However, you will receive notification by way of an invite letter confirming the date, time and location of the meeting at which time you will have the opportunity to speak to your objection(s) and answer any questions the Licensing Committee may have.

Further information can be viewed at [Objections and Representations to a short term let licence application](#).

In the interim, we encourage neighbours to engage with the host/operator of the short-term let to resolve any concerns before a Committee Meeting is convened. If your objection is resolved to the satisfaction of all parties before such a Committee Meeting is convened, please contact us as soon as possible.

Kind regards,
Karen

<image001.jpg>

Karen Engelberts

Licensing Enforcement Officer

Short Term Lets - Corporate and Legal Services

Perth & Kinross Council

2 High Street

Perth PH1 5PH

Telephone: 01738 475195

(9am – 12pm, Monday through Friday except for public holidays)

Web: [Short Term Lets - Perth & Kinross Council \(pkc.gov.uk\)](http://pkc.gov.uk)

The information provided may not address your individual requirements, is for informational purposes only, and does not constitute any form of legal advice. It is recommended that you seek your own, independent legal advice.

From: Andrew Richards [REDACTED]

Sent: Friday, January 5, 2024 8:46 AM

To: CDS STL <STL@pkc.gov.uk>

Cc: Christine Richards [REDACTED]; [REDACTED]

Subject: Objections to 6 The Paddock, Auchterarder short term let application

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 writing on behalf of my mother who lives at 3 The Paddock to object to the application for short term let at 6 The Paddock.

I am also a part owner of 3 The Paddock and have been granted by my mother power to act on her behalf.

The objections relate to disturbance.

My mother's house is directly opposite the house requesting short term let. Her bedroom is at the front of the house. Any noise relating to additional cars, coming and going of people and outdoor activity such as on the patio, will be heard. My mother is 84 years old and enjoys living in this quiet residential cul-de-sac where everybody knows each other and is respectful of each other.

Being elderly, my mother often retires to bed around 8.30pm and can arise at 10.00am. Understandably, any short-term guests at no.6 will no doubt be unaware or have any interest or regard for whether or not an elderly lady is trying to sleep across the road. In fact, I believe that there are five bedrooms available at no.6. This could potentially lead to ten adult guests coming and going as they please with between five and ten cars at any time of the day and night. There is external parking at no.6 for 2 cars. Next to it is an actively used turning circle for the use of the whole cul-de-sac and cannot have guests' cars permanently parked in it. Apart from No.8, all the other residents are elderly and any extra cars on this road will be a hazard. Since the eight houses were built in this quiet residential cul-de-sac they have either been owner-occupied or rented to long term tenants, all of whom have kept an eye on each other's well-being and security. Granting a short term let licence will change the whole balance of the cul-de-sac to everyone's detriment. My mother and I kindly ask you to refuse the application for a short-term let licence.

I note on the public notice of application that email must be electronically signed. Please could you inform me how to do so and I wish to ensure that these objections are considered.

Sincerely

Andrew Richards

[REDACTED]

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