

Public Document Pack



To: Councillor Carle, Convener; and Councillors Allan, Boulton, Corall, Cormie, Delaney, Lesley Dunbar, Forsyth, Graham, MacGregor, Malik, Malone, Nathan Morrison and Townson.

Town House,
ABERDEEN Date Not Specified

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in Council Chamber - Town House on **TUESDAY, 12 MAY 2015 at 10.00 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

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Website Address: www.aberdeencity.gov.uk

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<http://committees.aberdeencity.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13012&path=13004>

Should you require any further information about this agenda, please contact Allison Swanson, tel 01224 522822 or email aswanson@aberdeencity.gov.uk

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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Second Floor West, Marischal College

To	Eric Anderson, Team Leader, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	30 April 2015
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.172 Bannermill Place, Aberdeen

Applicant/s: Dean Gowans

Agent: None stated

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 12 May 2015 for the reason that one 'late' letter of representation/objection was received by the HMO Unit.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality

The premises:

The premises to which this HMO licence application relates is an upper-floor maisonette flat with accommodation comprising of 6 letting bedrooms (2 en-suite), one public room, one kitchen/dining-room & 2 bathrooms. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 26 January 2015 and was received by the HMO Unit on 30 January 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance submitted by the applicant declares that the public Notice of HMO Application was displayed between 28 January 2015 – 17 February 2015 (inclusive).

Letter of Representation/Objection:

One letter of objection was received by the HMO Unit on 11 March 2015, some 3 weeks outwith the statutory 21-day period. The legislation, however, allows the local authority to consider a late letter if it considers that it was reasonable for the respondent to submit the letter after the deadline for doing so. Accordingly, if the Committee decides to consider the letter, it will be circulated to Members at the meeting.

Letter from licence-applicant:

The applicant submitted a letter in response to the letter of representation/objection. The applicant's letter will be circulated to Members, if necessary, during the consideration of whether or not to consider the 'late' letter of representation/objection.

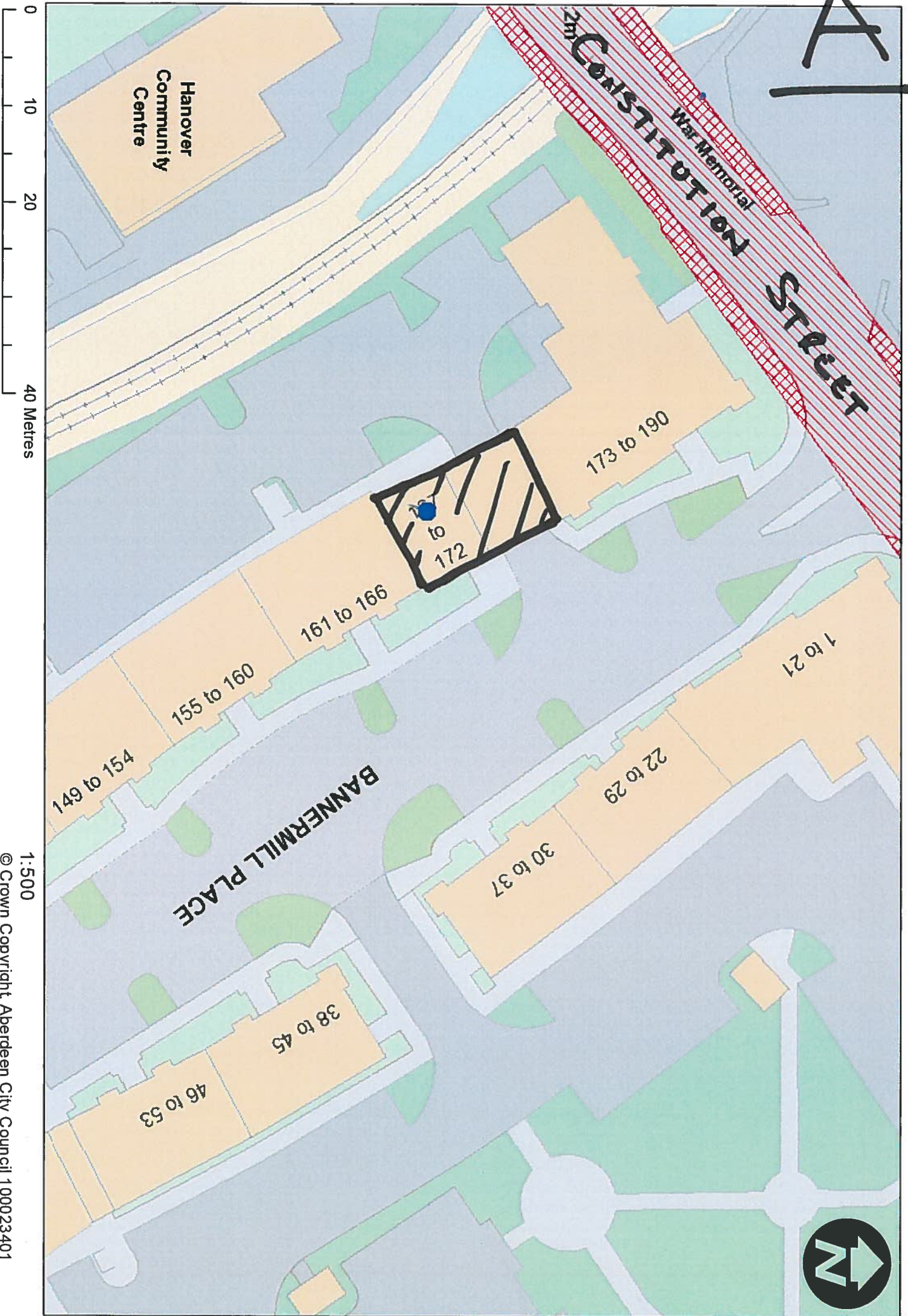
Other considerations:

- Police Scotland has been consulted in respect of the applicant's suitability as a 'fit & proper' person, and has made no comment or objection.
- The Scottish Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has highlighted some areas for improvement.
- At the date of this report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any corroborated complaint of anti-social behaviour at No.172 Bannermill Place, Aberdeen.
- The applicant and his property are currently registered with the Landlord Registration database.
- The applicant recently applied for, and was granted Planning Permission Change Of Use To An HMO, which means that he may accommodate 6 or more unrelated persons.
- The applicant originally requested an occupancy of 5 tenants, however having recently been granted Planning Permission Change of Use, he has revised his proposed occupancy to 6 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is an application to renew an existing HMO licence.
- At the date of this report, the required HMO upgrading work has not been completed.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain
Private Sector Housing Manager

A





ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Second Floor West, Marischal College

To	Eric Anderson, Team Leader, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	30 April 2015
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.8 St.Machar Place, Aberdeen

Applicant/s: Derek Watt & Aileen Watt

Agent: None stated

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 12 May 2015 for the reason that 3 letters of representation/objection were received by the HMO Unit.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality (see Other Considerations below)

The premises:

The property at No.8 St.Machar Place, is a 2-storey, semi-detached house with accommodation comprising of 5 letting bedrooms, one public room, one bathroom & one kitchen. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 4 February 2015 and was received by the HMO Unit on 9 February 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance submitted by the applicant declares that the public Notice of HMO Application was on display outside the property for the statutory 21-day period between 4 February 2015 – 25 February 2015.

Letter of Representation/Objection:

3 letters of representation/objection were received by the HMO Unit, all within the statutory 21-day Notice period, and must therefore be considered by the Committee. All objectors have been invited to attend the Committee meeting. Details of the letters are as follows;

- A letter dated 23 February 2015 from Mrs B.McPetrie, Planning Secretary, Old Aberdeen Heritage Society. (attached as Appendix 'B')
- A letter dated 24 February 2015 from Dewi Morgan on behalf of the Old Aberdeen Community Council. (Attached as Appendix 'C')
- A letter dated 24 February 2015 from Christine Burgess. (attached as Appendix 'D')

Letter from Licence-Applicant

The licence-applicant submitted a letter in support of his application (attached as Appendix 'E'). The licence-applicant has been invited to attend the Committee meeting.

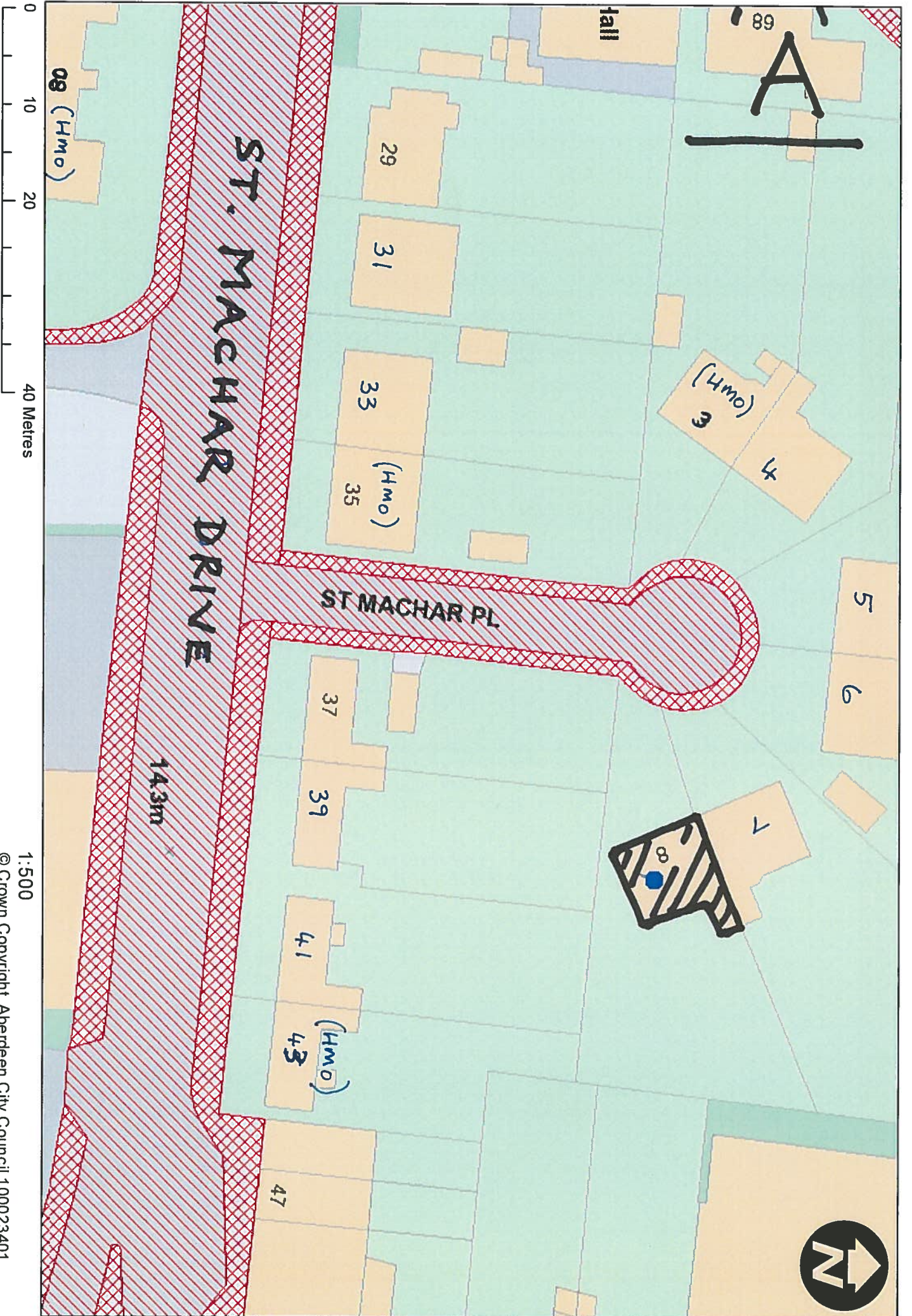
Other Considerations:

- Police Scotland has been consulted in respect of the applicants' suitability as 'fit & proper' persons, and has made no comment or objection.
- The Scottish Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.
- At the date of this report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.8 St.Machar Place, Aberdeen.
- The applicants are currently registered with the Council and have registered 2 other rental properties, (one of which being a licensed HMO), however the property which is the subject of this report has not been registered therefore it will be necessary for the applicants to do so before letting it.
- The applicants have requested an occupancy of 5 tenants, which is acceptable to the HMO Unit in terms of space and layout.

- The previous owners of No.8 St.Machar Place were first granted an HMO licence in 2006, then they renewed it in 2009, and again in 2012. The property changed hands on 30 January 2015, when it was purchased by the licence-applicants. Under Section 136 of the HMO legislation, the licence-applicants are legally entitled to operate the property as an HMO until their licence application has been determined, because they satisfy the Section 136 criteria, ie. they were registered landlords on the date of sale, and they submitted their own HMO licence application within one month of the date of sale.
- The landlords of Nos.3 St. Machar Place, 35 St. Machar Drive, 43 St. Machar Drive & 80 St.Machar Drive all hold current HMO licences. I am also dealing with a pending HMO licence application for No.7 St. Machar Place. The position of these properties is shown on the plan attached as Appendix 'A'.
- All 3 letters of representation/objection mention 'overprovision' of HMOs in the area, which is a ground of refusal available to local authorities when considering HMO licence applications. However, the Housing & Environment Committee of this Council, at its meeting on 27 August 2013, agreed that no policy on HMO overprovision be introduced, and that remains the position at the date of this report.
- The houses at Nos.3 – 8 St.Machar Place, were added to the Old Aberdeen Conservation Area on 23 April 2015.
- St.Machar Place is a Controlled Parking Zone, and every household in St.Machar Place is entitled to a maximum of 2 parking permits, regardless of the size of the household.
- All HMO upgrading work & fire safety work has been satisfactorily completed therefore the Committee may grant the HMO licence if they are so minded to do so.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain
Private Sector Housing Manager





OLD ABERDEEN HERITAGE SOCIETY

'B'

HMO Unit,
Housing and Environment,
Business Hub 11
Second Floor West
Marischal College

Aberdeen City Council Housing & Environment
DATE RECEIVED 25 FEB 2015
Private Sector Housing Unit

23rd February 2015

Dear Sirs,

8 St Machar Place, Old Aberdeen – Application for HMO Licence

Old Aberdeen Heritage Society wishes to register an objection in the strongest terms to the application for an HMO Licence in relation to this property.

We wish to state first of all that we are aware that the previous owner operated this property as an HMO.

We also wish to state that until recently the Society had been under the impression that the only grounds for refusal of an HMO licence (and therefore the only grounds for objection) was either the unsuitability of the applicant or some physical aspect of the property concerned. This was the understanding conveyed to us by officials in the HMO Dept. when we first enquired about these matters. We therefore have missed the opportunity of registering our objection to a number of HMO licences in recent years, and we have seen their proliferation across Old Aberdeen.

We have recently, however, been made aware of the fact that, since the 2011 legislation (Private Rented Housing (Scotland) Act), a local authority has been able, for the first time, to refuse a HMO licence on the grounds of overprovision.

The 2011 Act amends the 2006 Housing (Scotland) Act to allow this. This has been put into effect by the insertion into the 2006 Act of a new Section 131A – “Overprovision”. The legislation is crystal clear on the powers now afforded to the local authority:-

“The local authority may refuse to grant an HMO licence if it considers that there is (or, as a result of granting the licence, would be) overprovision of HMOs in the locality in which the living accommodation concerned is situated.”

This power is reiterated in the Government’s Guidance later that year (August 2011, updated January 2012) (Section 2.2.7.A)

No 8 St Machar Place is one of six period cottages situated in an attractive cul-de-sac, all of which were built as family homes, and which until recently, have remained so. It is one of two cottages in the cul-de-sac which have been operating as HMOs, along with the adjoining property at No 35 St Machar Drive, No 43 St Machar Drive, No 80 St Machar Drive, and Nos. 605 and 609 King Street, properties which adjoin those in St Machar Place.

It is our view that there is a clear overprovision of HMOs in this small area, and that this is particularly evident when one considers St Machar Place on its own. In this semi-circle of six cottages, two have been HMOs, and at the entrance to the cul-de-sac, adjoining it, is a third. If you consider the top of the cul-de-sac alone, that represents one third of the houses being operated as HMOs; if you include the two houses at the entrance, the number of HMOs which have been operating becomes three, and the proportion of HMOs becomes 3/8ths, or nearly one half.

B

These figures are a long way above any of the limits suggested by various local authorities, in recent consultations, as a maximum acceptable percentage of HMOs in any locality.

Government Advice published in 2012 has highlighted the “potential problems associated with high concentrations of HMOs”, and this must of course also be taken into account when considering HMO licence applications.

To summarise so far, then, the City Council clearly has the power in law to refuse an HMO licence on the grounds of overprovision in the locality. This is the unambiguous message of the 2011 legislation.

It is extremely important to note, in this regard, that there is no legal requirement for a local authority to have in place an Overprovision Policy in order for Councillors to refuse an HMO licence on grounds of overprovision. On the contrary, the law gives them the power to make an individual judgement on an individual application in the particular circumstances relating to that application. They are free to refuse that application if they judge that there is, or would be, an overprovision. However helpful a general policy might be in the big scheme of things, it is not a prerequisite for a refusal.

Old Aberdeen Heritage Society considers that there has already been a substantial overprovision of HMOs in St Machar Place, and, indeed in the immediately adjoining area, and it is our view that the granting of this new application for No 8 St Machar Place would allow the concentration in this particular locality to return to a completely unacceptable level.

It is our view that there has been much too high a concentration in this area for some years, and this has been exacerbated by the granting of an HMO licence to No 35 St Machar Drive, adjacent to St Machar Place, a year or so ago.

It is our considered view that the only way to prevent further increases in overprovision here is to refuse all new applications for HMO licences, as being well beyond an acceptable limit.

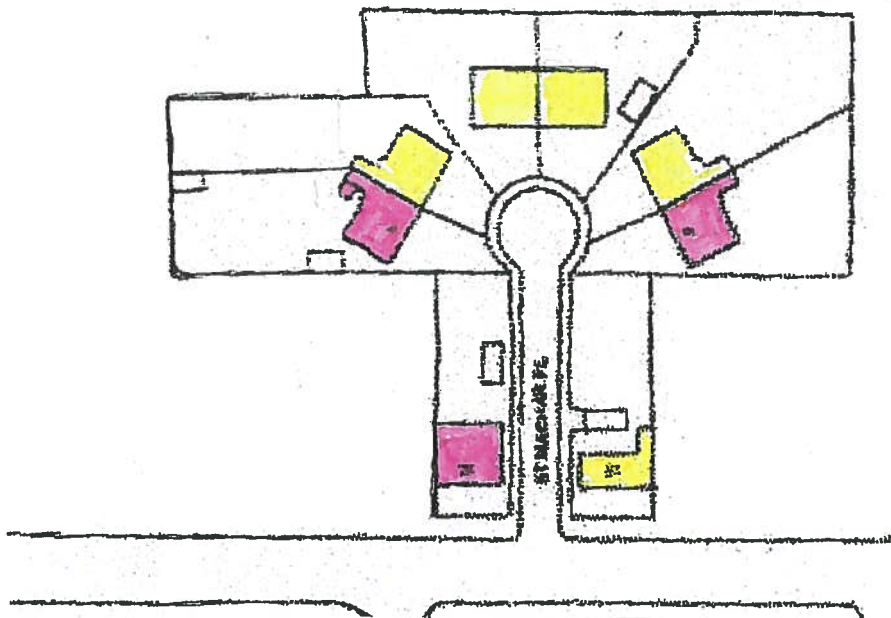
No 8 St Machar Place is a new application in an area already over-provided in terms of concentration of HMOs.

The Society accordingly reiterates its strong objection to this HMO application, and would urge Councillors to refuse to grant a licence.

Yours faithfully,

Mrs B McPetrie
Planning Secretary

Enc. Plan of HMOs in the locality



ST. MACHAR PLACE, WITH THE HOUSES WHICH
LINE THIS CUL DE SAC.

THOSE SHADED IN PINK ARE THE ONES WHICH
WOULD ALL BE HMOs IF A LICENCE WERE TO
BE GRANTED FOR NUMBER EIGHT

C

24th February 2015.

HMO Unit, Private Sector Housing Unit
Housing and Environment
Business Hub 11, Second Floor West,
Aberdeen City Council,
Marischal College,
Aberdeen

Dear Sirs

Application for HMO Licence at 8 St Machar Place

Old Aberdeen Community Council understands that 8 St Machar Place has recently been sold and has learned that the current owner has applied for a new HMO licence.

You will be well aware that the Community Council has been increasingly concerned at the ever increasing numbers of HMO properties in the Old Aberdeen area and the resultant loss of family housing and community cohesion. This is an issue we have raised on several occasions with our local councillors and the Chief Executive and a meeting with all interested parties is pending as a result of the review of HMOs throughout Old Aberdeen.

We recognise the need for student accommodation but would like to state once again that our area in several parts is at saturation point with HMO properties and we would like to object to this application on the grounds of over-provision.

We understand that the City Council has the power to refuse an HMO licence on these grounds even though it does not yet have an official overprovision policy. (Private Rented Housing (Scotland) Act 2011, Section 131 A). It was notable that the Reporter for the Scottish Government singled out the impact of HMO occupation upon the area as one of his reasons for upholding ACC's refusal of the HMO application for 39 King's Crescent. Please support the community by refusing this application.

Yours faithfully,

Dewi Morgan
On behalf of the Old Aberdeen Community Council

Cc: Cllrs Milne, Noble, Grant

Aberdeen City Council
Housing & Environment
DATE RECEIVED 24 FEB 2015
Private Sector Housing Unit

D
—

24 February 2015.

HMO Unit,
Housing and Environment,
Business Hub 11, 2nd floor West,
Marischal College,
Aberdeen.

Dear Sirs,

Application for an HMO Licence at no 8 St Machar Place

I wish to object to the application for a new HMO licence at no 8 St Machar Place on the grounds of overprovision and parking.

St Machar Place is a quiet circle and no 8 was a lovely family home. I believe this property was first granted an HMO licence in 2006 when there were far fewer family houses nearby registered as Houses of Multiple Occupation. Since then, however, no 3 St Machar Place, 35 St Machar Drive, 43 St Machar Drive and 80 St Machar Drive have all been granted licences and this has meant a substantial loss to the neighbourhood of three, four and five bedroomed family houses.

Should this new application, on account of the sale of the property, be granted, this would mean that two out of the six houses in St Machar Place would be HMOs which, in conjunction with the recent new licence at no 35 St Machar Drive at the entrance to St Machar Place, I would argue, is an unacceptable concentration.

The property lies within the Old Aberdeen Controlled Parking Zone with double yellow lines on one side of the entrance to the circle and with the only parking available for residents at nos 3, 4 and 7 St Machar Place and those houses on St Machar Drive which do not have parking provision in the front gardens, on the other side. Moreover, the assumption can not be made that students, if indeed students are the target market here, will not have cars. There are currently three cars parked in the driveway at the HMO at no 3 St Machar Place and this is let out to students.

I am aware that the Council has no parking standards for HMOs, an issue which most certainly needs to be addressed. However, in this instance I would like to point out that there is insufficient parking for residents as it is and this will be exacerbated, particularly if no 8 with its five bedrooms, is to be let out to five unrelated individuals.

So, both on the grounds of overprovision in the area and the lack of parking space, I would like to make a formal objection to this application.

Yours faithfully,

Christine Burgess

Aberdeen City Council
Housing & Environment
DATE RECEIVED
25 FEB 2015
Private Sector Housing Unit

HMO Unit,
Housing And Environment,
Business Hub 11,
Second Floor West
Marischal College

Aberdeen City Council
Housing & Environment
DATE RECEIVED
- 9 MAR 2015
Private Sector Housing Unit

6th March 2015

Dear Sirs,

**Application For A Licence For A House In Multiple Occupancy
At 8, St. Machar Place Aberdeen**

Background Information

I recently made a House In Multiple Occupancy application for 8, St Machar Place. I understand that previously the former owner held a licence continuously for approximately ten years. In addition, I believe the property was the first on St Machar Place to be granted an HMO. Prior to my ownership, the licence was "live", and, Aberdeen City Council has, at intervals undertaken periodic inspections and renewals of the licence. Accordingly, the property has been upgraded regularly in order to comply with changing requirements in terms of fire safety, electrical installations etc. In short, 8, St Machar Place is an established HMO and remains compliant to function as such.

In this submission I will highlight the case for the retention of HMO provision at my property by drawing attention to the measures I have taken so far to communicate with neighbours as well as to explain how I will address their concerns.

I have been a landlord for ten years and was instrumental in establishing a residents' association for a community of twenty four properties where I own a flat - from its inception I have been chairperson of the association. I take my responsibilities as a landlord seriously and can provide references from tenants and others, if required.

Communication With Neighbours

I have, as a matter of courtesy, visited all properties on St Machar Place in order to provide residents with information regarding my proposed application and given assurances regarding my commitment to tenants and the community (see further information). Furthermore, I offered to provide local residents with my contact details, prior to the commencement of any future tenancy (this will enable direct communication with me). My visits were well received and I was thanked for taking time to provide information about my application.

The Tenancy

I intend to exercise care in the selection of suitable tenants and in this regard will take the following measures:

I will only interview applicants who indicate their suitability in terms of their commitment to respect the quiet, residential nature of the neighbourhood. At the interview stage I will stress the importance of the conditions set out in the contract, drawing particular attention to the anti-social clause. I will provide an opportunity to prospective tenants to consider the terms of the tenancy and to respond only when they are satisfied that they will be able to honour those terms. The tenants will be selected only after I have scrutinised and approved their references.

Addressing Concerns

I am happy to address all concerns as I see them as central to the consideration of my application:

- With regard to maintenance and works at my property, I will be mindful to avoid detracting from the characterful cottage appearance whilst undertaking home improvements. I will, for example, only use materials which are suitable in terms of colour and design. Furthermore, I will refrain from extending or modifying the property so as to alter its distinctive appearance and form.
- When the house was originally prepared for rental I understand that plants were removed from the front garden and, for ease of maintenance, gravel was spread over this area. I agree with a neighbour when she suggested that this choice of landscaping does little to create a cottage ambiance. To remedy this situation, I will undertake planting within the area during the summer months.
- I am aware (from reading Community Council minutes) that there are concerns relating to the issue of property dilapidation and overgrown gardens within the area. I will personally carry out any repairs and redecoration, as required and will undertake all gardening maintenance on a regular basis.
- I will draw prospective tenants' attention to on-street parking limitations and will insist that as a condition of the tenancy available spaces shall not be occupied by the household or their visitors but should be left for the use of long standing residents. This, of course, might have the undesired consequence (to me) of deterring prospective car owning tenants; this is a price I am willing to pay in order to make a positive contribution to car parking concerns.
- I will visit the property regularly, particularly during the growing season, to undertake garden maintenance; this will also afford me opportunities to oversee tenancy matters generally. Furthermore, I will, as prescribed in my tenancy agreement, visit the property on a regular basis in order to conduct property inspections.

Overprovision

I don't believe that a simple statistical presentation of HMO property numbers in the area necessarily provides a persuasive argument for the existence of a problem of overprovision in St Machar Place. St Machar Place is a cul-de-sac, with an identity of its own, which is removed physically from the much busier thoroughfares of St Machar Drive and King Street. If it is the case that there is minimal social disturbance or negative impact on St Machar Place from HMOs on nearby streets, then, to an extent, I would suggest that perhaps the issue has been overstated. However, that aside, should it be deemed that a genuine issue of overprovision does exist, I would contend that to "prune" carelessly by objecting to every change of ownership, or routine licence renewal, regardless of previous good record, is to do a disservice to residents, tenants and good landlords alike.

In light of the foregoing submission, I trust you will appreciate that HMO letting at 8, St Machar Place will be undertaken in a way which is sensitive to the community and the character of the neighbourhood itself. I understand that tenants of this property have, for years, co-existed harmoniously with the other residents and I trust I have demonstrated that it is my intention for this to continue. Moreover, I hope to, "raise the bar", by building on this record by reaching out positively to the community in order to address its concerns and to deal promptly with any issues as they arise.

I hope you will appreciate the merits of my application and grant a license for 8, St Machar Place on the basis that, whilst this long established and compliant HMO property has undergone a change of ownership, it remains in responsible hands.

Yours faithfully,



MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Second Floor West, Marischal College

To	Eric Anderson, Team Leader, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	30 April 2015
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.37 Corthan Crescent, Aberdeen

Applicant/s: Alex Mijares

Agent: Magnolia Property Services Limited

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 12 May 2015 for the reason that 4 letters of representation/objection were received by the HMO Unit.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality (see Other Considerations below)

The premises:

The property at No.37 Corthan Crescent, is a ground floor flat with accommodation comprising of 4 letting bedrooms, one bathroom & one kitchen. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 27 February 2015 and was received by the HMO Unit on 3 March 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance submitted by the applicant declares that the public Notice of HMO Application was on display outside the property for the statutory 21-day period between 27 February 2015 – 20 March 2015.

Letter of Representation/Objection:

4 letters of representation/objection were received by the HMO Unit, all within the statutory 21-day Notice period, and must therefore be considered by the Committee. All objectors have been invited to attend the Committee meeting. Details of the letters are as follows;

- A letter dated 4 March 2015 from Karen Clark. (attached as Appendix 'B')
- A letter dated 5 March 2015 from Jennifer Gray. (Attached as Appendix 'C')
- A letter dated 5 March 2015 from Robert Clark. (attached as Appendix 'D')
- A letter dated 18 February 2015 (typo) from Brian McHardy (attached as Appendix 'E')

Letter from Licence-Applicant

The licence-applicant submitted a letter in support of his application (attached as Appendix 'F'). The licence-applicant has been invited to attend the Committee meeting.

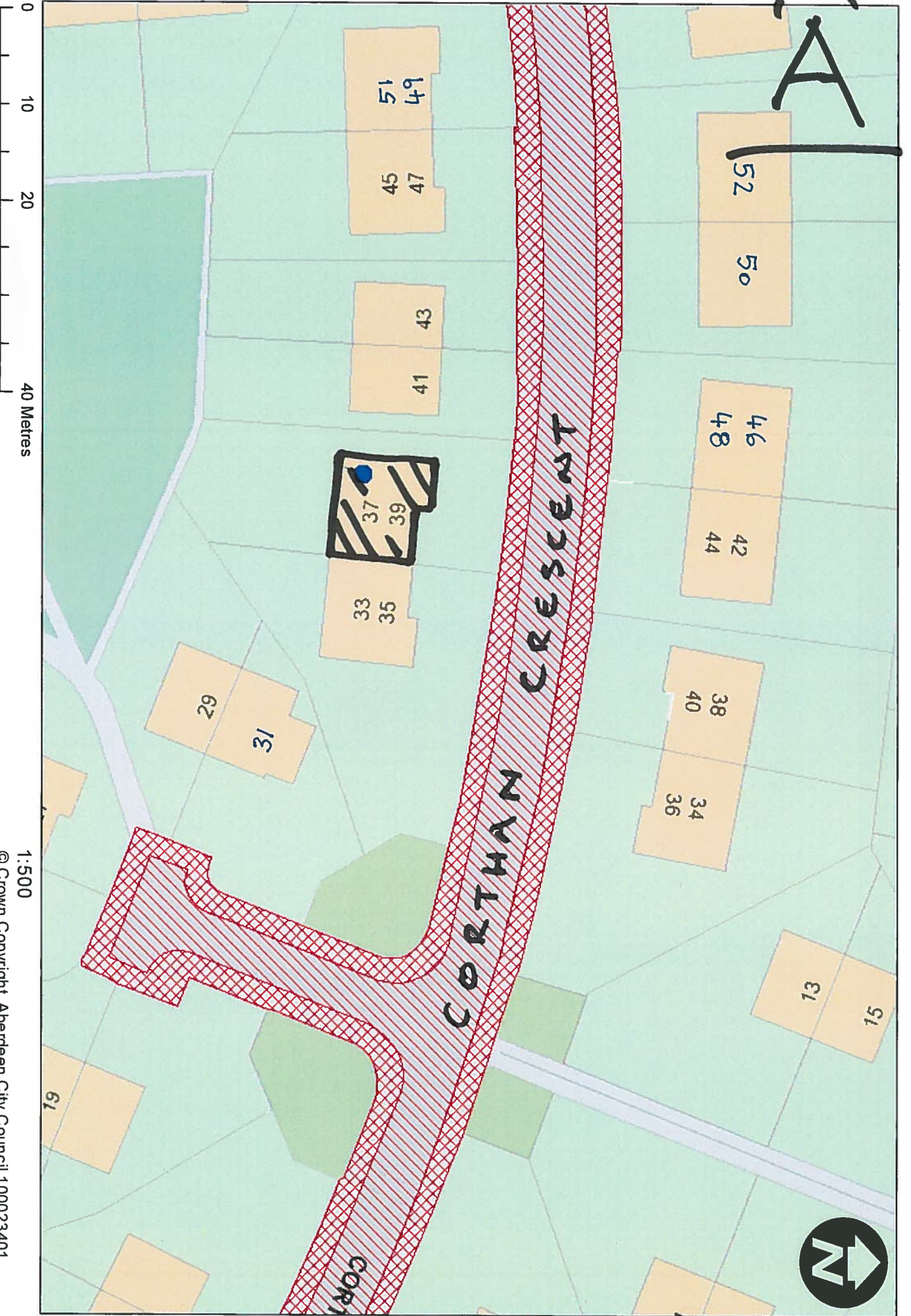
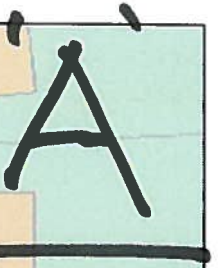
Other Considerations:

- Police Scotland has been consulted in respect of the applicant's suitability as a 'fit & proper' person, and has made no comment or objection.
- The Scottish Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.
- At the date of this report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.37 Corthan Crescent, Aberdeen.
- The applicant is currently registered with the Council and has registered another rental property which is a licensed HMO, however the property which is the subject of this report has not been registered therefore it will be necessary for the applicant to do so before letting it.
- The applicant has requested an occupancy of 4 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The applicant purchased the property in December 2014, therefore the application under consideration is a 'first-time' application.
- There are currently no licensed HMOs in Corthan Crescent.

- All HMO upgrading works & fire safety works have been satisfactorily completed therefore if the Committee are so minded, it can grant the HMO licence.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain
Private Sector Housing Manager



'B'

Karen Clark

4th March 2015

HMO Unit
Housing and Environment
Business Hub 11
Second Floor West
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Aberdeen City Council
Housing & Environment
DATE RECEIVED
06 MAR 2015
Private Sector Housing Unit

Dear Sir Madam

With Reference to Multiple Occupancy planned for 37 Corthan Crescent

As a concerned resident at number _____ I am writing following the notification of the multiple occupancy proposed for the house _____. We already have a multi let property across the road and have found that the property and garden have become unkempt and neglected. Number 39 has also been sold and previous to its sale this property was also used as a multi let with 4 occupants. Because the outside of properties 37 and 39 are shared I can also visualise that area becoming neglected over time too.

The major problem, however, is parking. It is a narrow street and already residents are struggling to park and having to mount kerbs etc. My worry regarding this is access for emergency vehicles etc. Another concern is safety for the young children staying in the street, Having brought my child up in this area I feel it is becoming unsafe for them to play outside their homes (which I am sure you agree should be every child's right)

I am sure I will be the first of many residents to object to the planned proposal for the reasons stated above.

Yours faithfully

Karen Clark

C

5th March 2015

Dear Sir / Madam,

I am writing to express my concern over the HMO license which is being considered for No 37 Corthan Crescent. While I have no concern with the property being rented out in principal, I have serious reservations about an HMO being granted.

My main concerns are as follows:

1. Corthan Crescent is a narrow road, where the majority of drivers are courteous and park down one side of the street. However, over the last few years as there are more cars per household, there are now cars regularly parking on the opposite pavement. When out with my 2 young children, I find myself having to navigate back and fore across the road or walking down the road because access on the pavement is blocked, and there is not enough room for me to pass with a buggy. I am surely not alone in this matter. Not only is this an inconvenience but also considerably more dangerous, in particular, at peak times, when commuters use the street as a short cut. An HMO license would exacerbate an already difficult situation by bringing potentially 3 or 4 more cars parking on the street.
2. There is currently an HMO next to my house, which has been a cause of concern for some time.
 - The rubbish bins and recycling bins are regularly overflowing, encouraging vermin, like seagulls to feed, and spreading rubbish and broken glass.
 - The garden, front and back are seriously neglected.
 - It feels like there is a high turnover of residents, as I rarely greet the same person twice, which leaves me with a feeling of insecurity. I have of course discussed these concerns with the resident, this frequent change of tenants means that matters like the rubbish bins need to be re-addressed frequently.In all these are unnecessary hazards for us as neighbours. On the whole I strongly feel that this is beginning to affect the appearance and reputation of the area. After all, Kincorth is the garden estate of Aberdeen, according to the ACC sign.

I trust my concerns will be taken into consideration, before an HMO license is granted for this property.

Yours sincerely

Jennifer Gray

Aberdeen City Council
Housing & Environment
DATE RECEIVED
- 9 MAR 2015
Private Sector Housing Unit

D

Mr Robert Clark

5th March 2015

HMO Unit
Housing and Environment
Business Hub 11
Second Floor West
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Dear Sir/Madam

Re – Letter of Concern about 37 Corthan Crescent, Aberdeen

I am writing on behalf of my wife and I as regard to change of tenancy of a family home at 37 Corthan Crescent which is now applying for multiple tenancy. Our concern is who is going to be responsible for upkeep of property and gardens. I know first hand that, once sold they tend to get neglected and run down.

The other issue is this street is very busy with cars trying to park, therefore they park on the pavement which is not good news for children.

Yours faithfully

Robert Clark
Aberdeen City Council
Housing & Environment
DATE RECEIVED
11 MAR 2015
Private Sector Housing Unit

Aberdeen City Council
Housing & Environment
DATE RECEIVED
- 9 MAR 2015
Private Sector Housing Unit

'E'

Mr B Mchardy

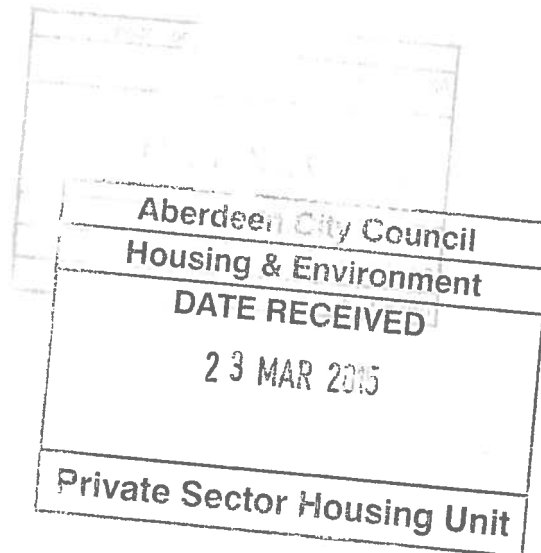
18/02/2015

I wish to Object to the change of use to 37 Corthan Crescent, Aberdeen.

For the following reasons

1. This flat is in a residential area
2. There are already issues regarding limited parking within Corthan Crescent.

Yours
Brian McHardy



Date: 27th March 2015

'E'
—

Ms Ally Thain
Private Sector Housing Manager
Private Sector Housing Unit
Aberdeen City Council
Business Hub 11
Second Floor, West Marischal College
Broad Street, Aberdeen, AB10 1AB

Dear Ms Thain,

Re: Application for Licence for a House of Multiple Occupation.

Premises: 37 Corthan Crescent, Aberdeen

Thank you for your letter dated on 9th March 2015 informing me that three letters of objection have been raised in relation to my application for a House of Multiple Occupation License of the premises described above. I shall be attending the Licensing Committee meeting on 12th May 2015 at 10am.

I understand as legitimate the concerns of my neighbours in the area. Actually, I consider Kincorth an area of the city privileged in various ways. It is excellently located, with plenty of green and open spaces, close to all amenities and, most importantly, populated with valued and conscientious neighbours.

I am a highly qualified professional who has been educated abroad. As a professional, one of the major drawbacks I found when I relocated to Aberdeen was the lack of good quality accommodation for professional workers in the city. After spending months looking for high-quality affordable accommodation for qualified workers, I gave up. My experience made me identify the need for high quality and affordable accommodation for high quality tenants, for the professional population.

To back my application, I would like to describe the strategy of management that I would introduce in order to guarantee the efficient running of the property. With the help of my partner, [redacted], who is a qualified Interior Designer, Property and Project Manager, we have designed proper contracts, policies and house rules (including but not limited to the disposal of rubbish, anti-social behaviour, respect for neighbours) designed to achieve the best possible standard of living of our tenants. We are both registered and experienced landlords and will ensure the upkeep of the

F

property, as well as carrying out regular inspections, ensuring all the statutory and safety requirements are met. Because we will manage the property ourselves, it is in our best interests to choose the best possible tenants and we are absolutely convinced that our professional tenants, supported with appropriate systems in place, will not pose any undesirable effect or diminish in any way the high standard of living in the area. Actually, we believe our tenants will bring diversity and contribute positively towards the general perception and the attractiveness of the area.

In answer to Ms Clark in the register of HMO (dated on January 2015) there are no other legally registered HMOs in the area. In addition, I cannot be held responsible for the mismanagement of others' property. I am responsible for my own property and I can assure you that my property and outside areas will be looked after appropriately. Regarding parking, a topic that has been raised by Ms Gray as well, there will never be more than four tenants in this property. It is unlikely that all of them will be car owners but I feel confident in the fact that due to the number of tenants in the property, the impact upon the on-street parking availability will not be higher than the impact of any normal British family of two working parents with two grown-up children. Our tenancy contract has a clause that strictly forbids parking on the pavement or any other area which may be a cause for concern amongst the neighbours. I would monitor this at various times throughout the tenancy. Finally regarding the parking matter, I would like to highlight that most of the houses directly across from my property have driveways to park their cars and on the occasions I visited my property I have found no problems finding a parking space at or near my property.

I am unsure what Ms Clark means in her letter by "it is becoming unsafe for them (the children) to play outside their homes". Most of the properties in the area have back gardens where the children can play, including my property. I shall make my tenants aware of the fact that there are children in the area, stressing the ban of parking vehicles on the pavement.

Ms Gray, in addition to the parking, also raises her concern in regards to another alleged illegal HMO in the area. I can only stress the fact that I am willing to abide under and follow the rules and current practices as stipulated by the Aberdeen City Council. I definitely encourage the lady in taking the matter to the authorities and if her allegations are proved to be true, then the authorities will take all relevant steps to penalise those who behave outside the rules, which with their actions are only damaging the image of those aiming to simply do things the right way.

F

Mr Clark raises his concern regarding the potential neglecting of the outside areas. As professional landlords, we know that well looked after outside areas and gardens are key to attracting good tenants to the property; therefore it is in our best interests to keep the area clean and tidy. Additionally, this particular property has a gravelled front and back garden, so it requires very low maintenance.

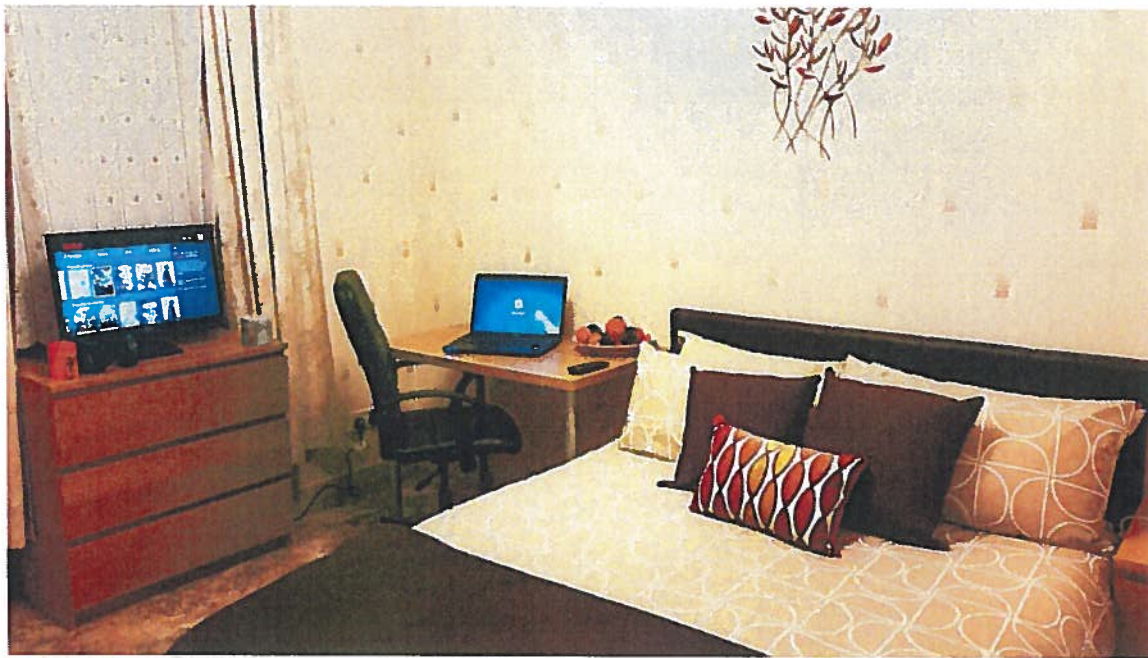
I shall leave myself and my partner's contact details with all the surrounding neighbours and we will be available to address any issue raised promptly and diligently. I would consider myself a responsible landlord and have never received any complaints regarding any of my other properties. I would like the committee to consider my application based on the current facts rather than unlikely future events if the license were granted.

Finally, I would like to include pictures of the inside of the property, so it can be seen that we dress the property in such a way that it will attract professional and responsible tenants in need of good quality accommodation for reasonable price.

Yours sincerely,

Dr Alex Mijares M.D., M.F.O.M.

PICTURES OF ROOM 2 AND COMMON AREAS AT 37 CORTHAN CRESCENT





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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Second Floor West, Marischal College

To	Eric Anderson, Team Leader, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	30 April 2015
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.3C Froghall Gardens, Aberdeen

Applicant/s: Chondon Miah

Agent: None stated

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 12 May 2015 for the reason that one letter of representation/objection was received by the HMO Unit.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality (see Other Considerations below)

The premises:

The property at No.3C Froghall Gardens, Aberdeen, is a first-floor flat with accommodation comprising of 3 letting bedrooms, one public room, one bathroom & one kitchen. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 3 March 2015 and was received by the HMO Unit on 3 March 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance has not yet been submitted by the applicant, however the date (3 March 2015) on the application form is the first day of the 21-day statutory period during which time the public Notice of HMO Application must be displayed outside the property. The 21-day statutory period ended on 24 March 2015.

Letter of Representation/Objection:

One letter of representation/objection was received by the HMO Unit on 11 March 2015, within the 21-day statutory period and must therefore be considered by the Committee. The letter is attached as Appendix 'B'.

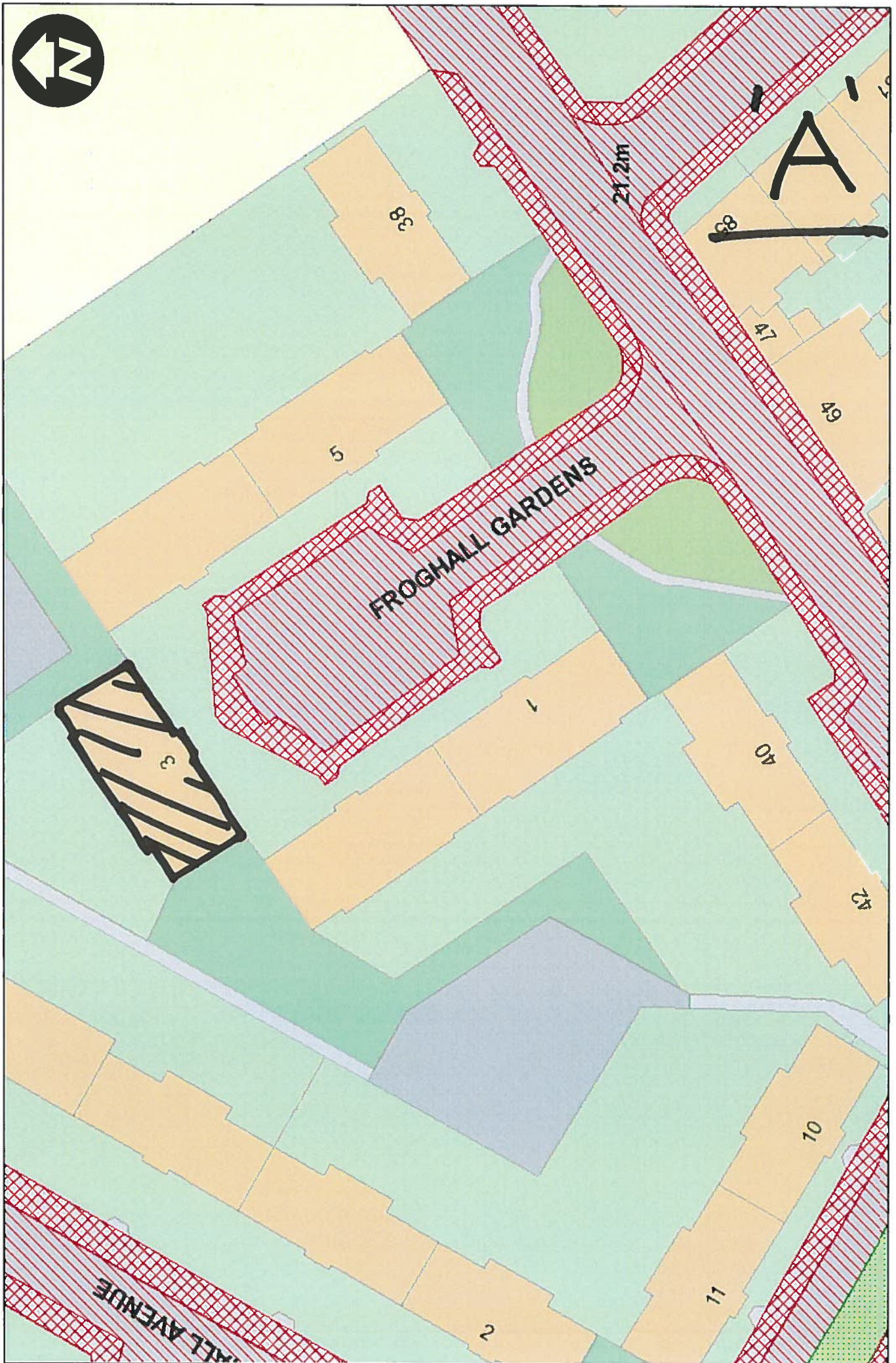
Other Considerations:

- Police Scotland has been consulted in respect of the applicant's suitability as a 'fit & proper' person, and has made no comment or objection.
- The Scottish Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.
- At the date of this report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has a record of one uncorroborated complaint in March 2015 about loud music from within No.3C Froghall Gardens, Aberdeen. The complainant was advised to contact the ASBIT team if this reoccurred.
- At the date of this report, the applicant is a registered landlord who has also registered another rental property, however the property which is the subject of this report has not been registered therefore it will be necessary for the landlord to do so immediately.
- The applicant has requested an occupancy of 4 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The landlord held an HMO licence for 3C Froghall Gardens, between August 2011 – August 2014. The landlord did not apply to renew his licence prior to the expiry date, therefore the application under consideration is treated as a first-time application.
- At the date of this report, the HMO upgrading work has not been completed.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain

Private Sector Housing Manager



1:500
© Crown Copyright Aberdeen City Council 100023401

8-3.12

MR. MRS Hadden

B

①

who
To ~~How~~ this may concern

Hi I Do not wish for 3c Froghall
Garden's to get multial. ~~Lissen~~ License.
So we Detest that mr Chendon mzah
of

To Be refused his License for 3c
Froghall Garden's Aberdeen AB24 350

Our Reason for this is??

~~was~~ noise which I have had for 7 years
Sigh I move in have spoken to landlord
many time before

List of things

loud music on till 3am

Party all the time ~~as~~

Wank clean the landing when its there turn

or when they are sick and leave us

for others to clean up after them

and throwing food out window as

I have seen this happen.

Banging all the time as my tvenroom
light moves,

next page

'B'

②

8-3-15'

the noise gets that bad my son.
Age 6 cant get any sleep sometime
has to stay of school. I have
had noise neebours out allso
Sick of them flooding my Bathroom
and when I told them the handford
said it would get it fix now bmouth
hatter still not done. also there
pals Press my buzzer to get in.
When I have spoke to the tentis
that are in there now all I get
is more noise. this is afecton our
sleep and my daughter and son's
Im writing this letter at 12 am
on Sunday as im up with the noise.
k.

Your Sincerely

P-S Please Do the ~~Right thing~~

Aberdeen City Council
Housing & Environment
DATE RECEIVED
11 MAR 2015
Private Sector Housing Unit

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MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Second Floor West, Marischal College

To	Eric Anderson, Team Leader, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Communities Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	30 April 2015
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.71 Clifton Road, Aberdeen

Applicant/s: Mark W.A.Fletcher & Dawn A.Fletcher

Agent: Grant Property Solutions

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 12 May 2015 for the reason that one letter of representation/objection was received by the HMO Unit.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality (see Other Considerations below)

The premises:

The property at No.71 Clifton Road, Aberdeen, is a ground-floor flat with accommodation comprising of 3 letting bedrooms, one bathroom & one kitchen/dining-room. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 2 March 2015 and was received by the HMO Unit on 2 March 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance submitted by the applicant, declares that the public Notice of HMO Application was displayed outside the property between 2 March 2015 – 23 March 2015.

Letter of Representation/Objection:

One letter of representation/objection was received by the HMO Unit on 20 March 2015, within the 21-day statutory period and must therefore be considered by the Committee. The letter is attached as Appendix 'B'.

Letter from Agent:

The Agent submitted a letter on behalf of the licence-applicants. The letter is attached as Appendix 'C'.

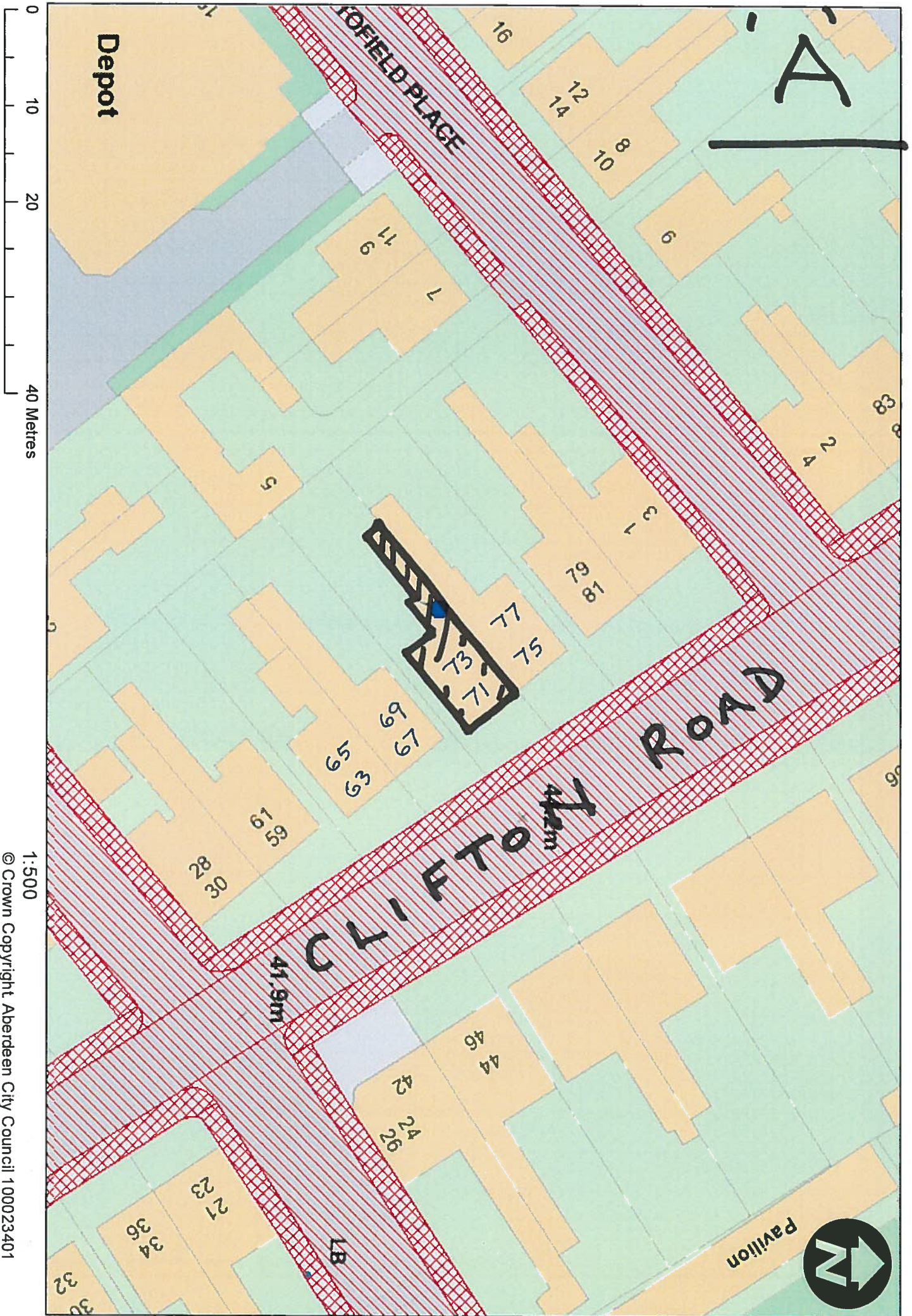
Other Considerations:

- Police Scotland has been consulted in respect of the applicants' suitability as 'fit & proper' persons, and has made no comment or objection.
- The Scottish Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.
- At the date of this report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.71 Clifton Road, Aberdeen.
- At the date of this report, the applicants and their property are registered with the Council.
- The applicant has requested an occupancy of 3 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a first-time application.
- All HMO upgrading works & fire safety works have been satisfactorily completed therefore the HMO licence may be granted, if the Committee are minded to do so.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain

Private Sector Housing Manager



Michelle Gavin

17.3.15

'B'

Dear Sirs,

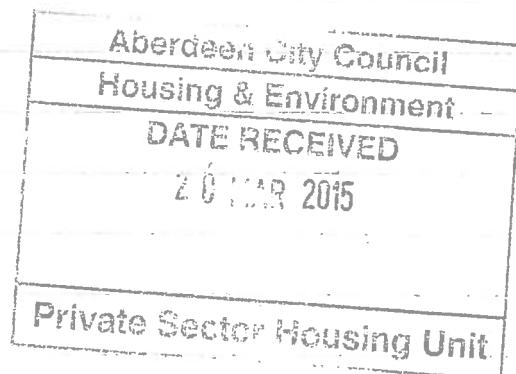
71 Clifton Road

I wish to object to the above application for an HMO Licence

There are already several HMO's in the immediate area where there have been problems with bins, etc

This road is very busy and will also be impacted by a massive new build development nearby thus almost making the area unrecognisable.

Yours sincerely





ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit
Communities, Housing & Infrastructure
Second Floor West, Marischal College

To	Eric Anderson, Team Leader, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	30 April 2015
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.632 George Street, Aberdeen

Applicant/s: Alan J.Scott & Gillian A.Scott

Agent: Easthaven Property Management

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 12 May 2015 for the reason that one letter of representation/objection was received by the HMO Unit.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality (see Other Considerations below)

The premises:

The property at No.632 George Street, Aberdeen, is an upper-floor maisonette. The accommodation on the lower floor of the maisonette comprises of 3 letting bedrooms, one bathroom & one kitchen. The top floor of the maisonette contains one room accessed via an internal staircase, and although the applicants wish to use this room as a lounge, there are concerns about the access which are currently being considered by Building Standards and the Scottish Fire & Rescue Service. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 20 March 2015 and was received by the HMO Unit on 25 March 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance has not yet been submitted, however the date (20 March 2015) on the application form is the first day of the 21-day statutory period during which time the public Notice of HMO Application must be displayed outside the property. The 21-day statutory period ended on 11 April 2015.

Letter of Representation/Objection:

One letter of representation/objection was received by the HMO Unit on 9 April 2015, within the 21-day statutory period and must therefore be considered by the Committee. The letter is attached as Appendix 'B'.

Letter from Applicants:

The applicants have submitted a letter in response to the letter of objection. Their letter is attached as Appendix 'C'.

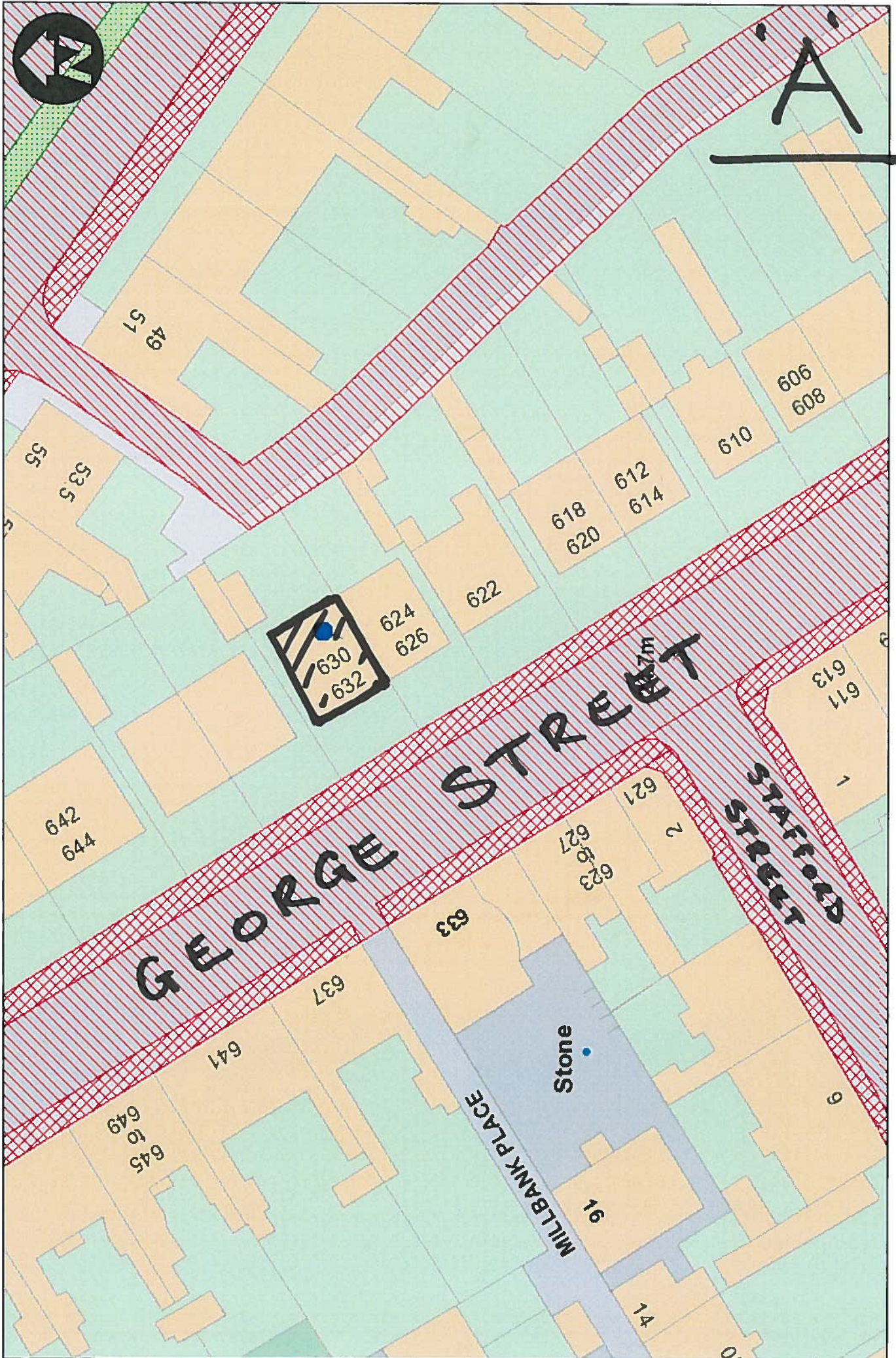
Other Considerations:

- Police Scotland has been consulted in respect of the applicants' suitability as 'fit & proper' persons, and has made no comment or objection.
- The Scottish Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.
- At the date of this report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has a record of 3 separate complaints of anti-social behaviour at No.632 George Street, Aberdeen, however these were prior to the applicants purchasing the property.
- At the date of this report, the applicants and their property are registered with the Council.
- The applicants have requested an occupancy of 4 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a first-time application.

- The property was purchased by the applicants in February 2015.
- The HMO Officer and the SFRS Officer carried out an initial inspection of the property, but a letter of requirements has not yet been issued to the applicants because of the concerns about the top-floor room. The applicants are aware of this.
- The previous owners of No.632 George Street, held an HMO licence between 2006 – 2012, then sold the property to the applicants in February 2015.
- There are currently 10 HMO-licensed properties in George Street, Aberdeen, namely 131A, 131D, 539, 559, 626, 642, 644, 650, 656 & 656E.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain
Private Sector Housing Manager



1:500

© Crown Copyright Aberdeen City Council 100023401

40 Metres

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10

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HMO Unit, Housing & Environment Dept.,
Aberdeen City Council,
Business Hub 11, 2nd Floor West,
Marischal College, Broad Street,
Aberdeen, AB10 1AB.

Aberdeen City Council
Housing & Environment
DATE RECEIVED 09 APR 2015
Private Sector Housing Unit



8th April 2015

Dear Sir or Madam,

Objection to HMO License Application: 632 George Street, Aberdeen, AB25 3XN

I understand that you are in receipt of an HMO license application for 632 George Street on behalf of a Mr Alan Scott. I have been the owner of _____ for 18 years, and I wish to register my objections to this application. I do this on two grounds.

My first concern is that this top section of George Street already has a considerable number of HMO Licenses in place. A number of other properties are effectively being run as if they are HMO Licensed, and many that were previously owner occupied are now 'buy to lets'. I would argue that we have now reached the tipping point where the existing residents will notice further changes in the character and amenity to their neighborhood. Many more tenants are now transient and properties now seem to be only maintained to an absolute minimal standard. This has also led to a number of other unfortunate consequences such as the poor upkeep of gardens and an increased strain on the already very limited parking available. I believe that ACC should examine the number of HMO licences being granted within this area. Whatever criteria is used to determine saturation, whether it be postcode, street name or geographical radius, I feel that granting more will result in a further deterioration to the area.

My second concern is that 632 is actually a 2 bedroom property turned into 3 by using the lounge as a 3rd bedroom, a common ploy by landlords to maximize return. This property is very similar to my own, and the stated 3rd bedroom is in fact very small, a box room. I fully recognize the property owners right to rent out their asset, but on a traditional short-term lease, ensuring some continuity of tenancy rather than a constant stream of short term residents.

Incidentally, this property has had a recent history of repeated disturbances involving the police. Five people were in residence but no HMO was required as they were related. These incidents resulted in broken glass and assaults during the early hours, and are on record.

In conclusion, I would appeal to the Committee to reject this application as it will lead to an unfortunate further deterioration of property and amenity values in this traditional part of Aberdeen's' housing stock. This to further the profits of investors who in the past seemed to have had scant regard for their property and the plight of the remaining owner/residents in this area. None of these landlords have ever been resident in this area.

Yours Faithfully,

Mr. A.G.McRobbie

Aberdeen City Council
Housing & Environment
DATE RECEIVED
22 APR 2015
Private Sector Housing Unit

Alan and Gillian Scott

15 April 2015

HMO Unit, Housing & Environment Dept
Aberdeen City Council
Business Hub 11, 2nd Floor West
Marischal College, Broad Street
Aberdeen AB10 1AB

By email with original in post

Dear Ms Thain

HMO application for 632 George Street, Aberdeen

Thank you for your letter dated 9 April 2015 and for giving us the opportunity to respond to Mr McRobbie's concerns. As I am unable to attend the Licensing Committee meeting on 12 May, I am writing this letter on behalf of my brother and I. My brother will attend the meeting.

Whilst I sympathise with Mr McRobbie's concern regarding the make up of George Street residents, it is a fact that nationally the demand for rented accommodation is outstripping supply and that fuels an increase in buy to let properties. I recognise that this might change the dynamics of an area but that does not mean to say that it is detrimental and in some cases could even be beneficial.

Mr McRobbie is wrong in his assumption that our property is "actually a 2 bedroom property turned into 3 by using the lounge as a 3rd bedroom". The property was sold to us as a 3 bedroom house, all doubles, and it retains a very large lounge and separate kitchen. I have no doubt that some landlords will choose to turn lounges into bedrooms but presumably if these get HMO approval, the landlords are not doing anything wrong. I can assure Mr McRobbie that it is not our intention to convert the lounge into a bedroom.

It is true that my brother and I have purchased 632 George Street as an investment and not unreasonable that we would wish to maximise our return however we wish to be responsible landlords and are mindful of our neighbours - whether owner occupied or tenants. We have already spent money on the property and our plan is to further improve the flat; it will be in our interest to get tenants who we believe will treat the flat and the neighbours with respect. I hope this goes some way to address Mr McRobbie's fears about minimal standards of upkeep to the property. Our garden is well tended by our downstairs neighbour, with whom my brother has had several convivial conversations regarding our intention with the property. Should our neighbours no longer wish to mow the lawn and cut the hedge, it's not an onerous task for either Alan to do, or a gardener.

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I feel that Mr McRobbie's comments on the actions of previous tenants are irrelevant to our application; we cannot be held responsible for the behaviours of others, which occurred before our purchase of the property. Our tenant agreement will contain appropriate terms with regards to nuisance behaviours. Similarly, the number of tenants is no measure of behaviour; one bad tenant could cause far more nuisance than five good ones (to use Mr McRobbie's numbers).

In summary, whilst I understand and sympathise with some of Mr McRobbie's concerns I hope I have been able to reassure him, and the Licensing Committee, of our intentions. We are not fly-by-night, unscrupulous landlords but ordinary people, mindful of others, whether they be our tenants or our neighbours. Finally, to Mr McRobbie's final comment, although I am not resident in Aberdeen at the moment, we are both proud Aberdonians and my brother remains resident in the city, as his address indicates.

I am happy to answer any other questions that may arise, or alternatively Alan can do so at the meeting on 12 May.

Yours faithfully

Gillian Scott

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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Second Floor West, Marischal College

To	Eric Anderson, Team Leader, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	30 April 2015
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.130 Hamilton Place, Aberdeen

Applicant/s: Peter Mearns

Agent: None stated

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 12 May 2015 for the reason the HMO Unit has concerns about the licence-applicant's conduct.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality

The premises:

The property at No.130 Hamilton Place, Aberdeen, is a 3-storey & basement semi-detached house with accommodation comprising of 9 letting bedrooms, 2 shower-rooms & one kitchen/dining room. An outhouse which is attached to the rear of the house (but not accessed through the house) contains a bedroom, a shower-room and a utility room. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 15 October 2014 and was received by the HMO Unit on 17 October 2014.

HMO Upgrading Works:

Following receipt of the licence application, the HMO Officer carried out an initial inspection of the property on 6 November 2014 and identified work & certification requirements to bring the property up to the current HMO standard. The HMO Officer wrote to the licence-applicant on the same day with a list of these requirements.

Unauthorised alterations to the basement:

Some months later, the applicant requested a final inspection of the property to be carried out so as to allow the HMO licence to be granted. In the meantime, the HMO Unit had received a complaint about basement alterations, namely that the applicant had converted the basement area into an en-suite bedroom. The inspection was carried out on 25 February 2015 by the HMO Officer, and an Officer from the Scottish Fire & Rescue Service (SFRS).

During the inspection, the Officers asked the applicant for access to the basement bedroom but were advised by the applicant that the room was only used for storage, and furthermore the door was locked and no key was available. Further, a sheet of hardboard had been screwed over the door and a large cardboard box was leaning against the door in an apparent attempt to conceal the door (see photo attached as Appendix 'B'). The Officers persisted and the applicant eventually produced a door-key and uncovered the door, which allowed access to the room. It was obvious that the room was being used as a bedroom, although the applicant advised that nobody had used it for 3 months. Officers noted a mobile phone & laptop being charged, and it was obvious to them that the room had been occupied recently. The applicant then asked Officers what measures would be required to bring the room up to the HMO & Building Warrant standard, and the SFRS Officer replied that he was of the opinion that the existing staircase access was inadequate as a means of escape. The inspection ended at that point.

Following the inspection, SFRS served a Prohibition Notice on the licence-applicant, prohibiting the use of the basement room as habitable accommodation.

In addition to the above, the conversion of a non-habitable area into a habitable room requires a Building Warrant, which at the date of this report has not been applied for or obtained.

Unauthorised alterations to the outhouse:

As mentioned in the description of the premises, the outhouse at the rear has been altered to form a letting bedroom and a shower-room. Although this outhouse cannot be accessed through the main house, there is a smoke detector in the bedroom which is linked to the smoke detectors in the main house. Similar to the basement room, the alterations to the outhouse to form habitable accommodation requires a Building Warrant, which at the date of this report has not been applied for or obtained.

Committee Invitation:

I wrote to the applicant on 17 March 2015, inviting him to attend the Committee meeting on 12 May 2015, where the Committee would consider whether in its opinion, he was a 'fit & proper' person to hold an HMO licence on the basis of:

- 1) The attempted deception by the applicant to conceal the basement room, and
- 2) The unauthorised alterations to form the basement bedroom and the bedroom in the outhouse.

Letter from the applicant:

The applicant has submitted a letter in response to my invitation to attend the Committee meeting. The letter is attached as Appendix 'C'.

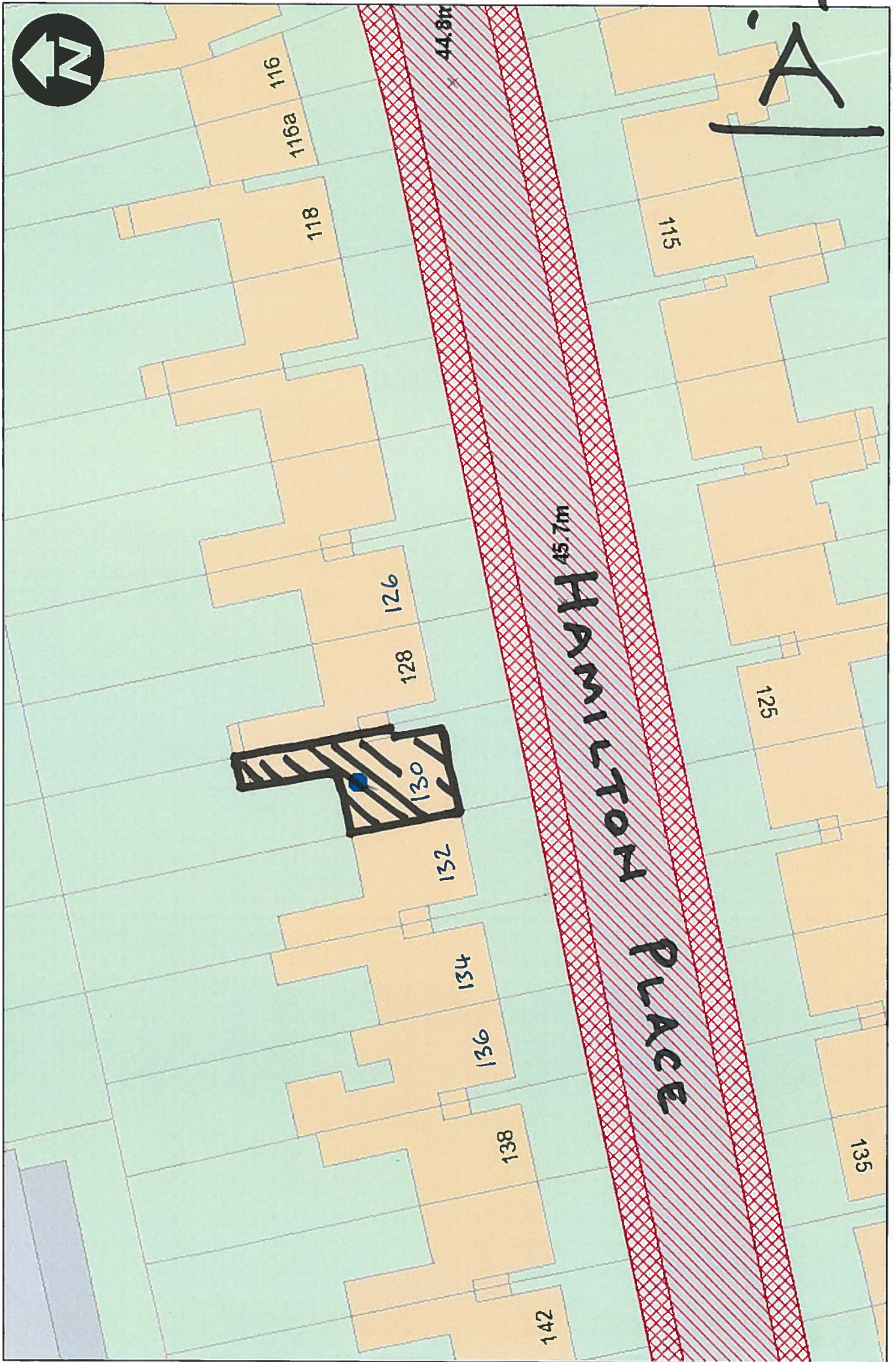
Other considerations:

- Police Scotland has been consulted in respect of the applicant's suitability as a 'fit & proper' person, and has made no comment or objection.
- At the date of this report, the Prohibition Notice in respect of the basement bedroom has not been lifted by the SFRS.
- At the date of this report, the work instructed by the HMO Officer and SFRS has not been completed.
- At the date of this report, no Building Warrant application has been submitted in respect of the basement & outhouse alterations.
- At the date of this report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.130 Hamilton Place, Aberdeen.
- The applicant is currently registered with the Council and has registered 9 rental properties, including No.130 Hamilton Place. The applicant also holds an HMO licence for another one of his properties.
- The applicant has requested an occupancy of 10 tenants which is acceptable to the HMO Unit in terms of space and layout, but subject to at least one of the 2 unauthorised bedrooms being made habitable with all necessary permissions obtained. Should the 2 unauthorised bedrooms remain uninhabitable, the maximum occupancy will be restricted to 9 tenants.
- The applicant first held an HMO licence for 130 Hamilton Place between January 2011 – January 2014, and applied to renew it before it expired. Because of a change in the HMO licensing legislation, Planning Permission Change of Use to an HMO was also required before the licence renewal application could be considered. The applicant applied for and was granted Planning Permission Change of Use, then resubmitted his HMO licence renewal application, which is the subject of this report.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain

Private Sector Housing Manager



1:500

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130 Hamilton Place

Aberdeen City Council
Housing & Environment
DATE RECEIVED
09 APR 2015
Private Sector Housing Unit

Submission by Peter Mearns to support the application for an HMO licence renewal

Brief History

The property was purchased in 1992, initially as a children's nursery and rapidly converted to rented accommodation. This however left a large legacy of outstanding requirements in order to optimize its potential in its new role.

Whilst I was still in offshore employment, this was left largely in abeyance, but as retirement approached, the choice was either to sell the property or embark on a major upgrade project. After some deliberation and consultation with the tenants, a re-financing programme was arranged which entailed the utilisation of all available space to offset the very high running costs of such a property.

To date, this has resulted in the creation of two potential new rooms but the intended first floor bathroom upgrade, a new access stairway to the basement and the addition of a lounge/conservatory are still outstanding.

Current Renewal Application

The current renewal application was firstly delayed by the requirement to get retrospective planning approval for the use of the property as an HMO. This has now been granted.

During this process, I was approached by two of my long term (Nigerian) tenants that they had a colleague who was desperately seeking accommodation and that they had observed they the conversion of the new basement room complete. On the strict understanding that the incomer would move to the second new room, once it was complete, I mistakingly allowed him to temporarily occupy the room. Whilst well intended, this was an error in judgement which I subsequently regret.

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It is also of note, that the incoming tenant returned home after only a short stay and has subsequently incurred visa problems which still to date prevented his return. In the meantime, his two colleagues were both looking after his belongings and using the better facilities in his room.

At the time of the inspection, I was aware that the intended new access stairway to the basement was still not in place, so the room should not have been occupied.

If the renewal application is denied

It will be my intention to sell the property forthwith. This would allow me to repay all outstanding loans and mortgages, invest in less demanding property elsewhere and take a major step towards retirement. I would however, deeply regret that my actions will have resulted in the premature termination of the tenancies of several long term tenants (and friends). I would also regret that the exciting upgrade project for the property would not achieve fruition. Finally I would also regret that I would not be given the opportunity to repair my tarnished reputation as an HMO landlord.

If the application renewal is approved

I would undertake to run the property in an exemplary fashion. As I am now fully free of offshore commitments, I would be in a position to give management of the property my full time attention. This would entail becoming fully versed with all building warrant and planning issues (I have already employed Raymond Simpson as architects to achieve this), not letting any rooms until approval is obtained and continue progressing the upgrade project to create the outstanding HMO which would be the result.

Conclusion

My actions in not fully communicating with the inspecting officers was an error in judgement which I regret. I could now sell the property, but in the interests

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of my long term tenants, the desire to complete the upgrade project and the opportunity to repair my reputation, I would welcome the possibility of the application being approved.

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Bill Gordon

From: John Reynolds
Sent: 07 January 2015 15:41
To: Bill Gordon
Subject: Re: Street Trader Hot Food Sunee Ross

Hi Bill

Many thanks for the email and attached application for a licence at a location identified on Broadfold Road.

This is a busy road used to access a variety of retail and commercial businesses. In the past we have encouraged applicants to locate on roads leading from Broadfold Road in order to ensure the steady flow of traffic.

I would not be supportive of an application in the location identified, but would support an application on one of the adjoining roads.

Best Wishes

John

Baillie John Reynolds OSTJ
Depute Provost
Independent Councillor for
Bridge of Don

On 7 Jan 2015, at 12:45, "Bill Gordon" <BILLG@aberdeencity.gov.uk> wrote:

Dear Member

The Licensing Committee instructed us to send all new application for hot food street trader applications to the Ward Councillors. Please find attached an application from Sunee Ross for any observations you may have.

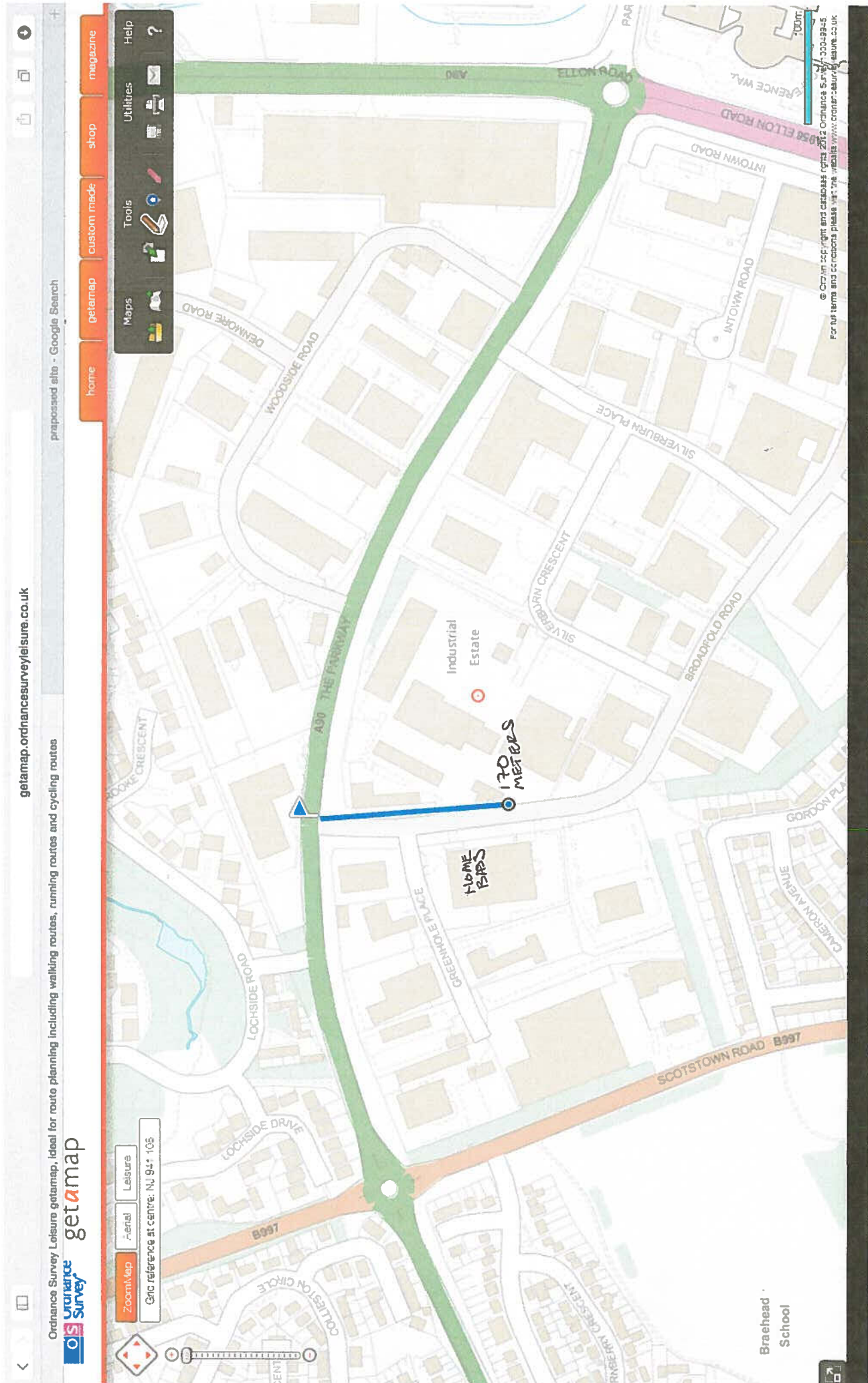
Regards

Bill

Bill Gordon
Licensing Assistant
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6 L1S
Marischal College
Aberdeen
AB10 1AQ

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Safety of Sports Grounds Act 1975 as amended

General Safety Certificate

Issued to Aberdeen Football Club Plc

In respect of Pittodrie Stadium, Aberdeen

July 2015

Contents

Clauses 1 to 37	Terms and conditions of the General Safety Certificate
Appendix 1	Specified Activities
Appendix 2	Attendance Limits
Appendix 3	Table of Inspecting, Testing and Recording of the Stadium
Appendix 4	Location of entrance and exit gates
Appendix 5	List of Deviations
Appendix 6	Calculation of P&S Factors
Appendix 7	Layout of Stadium

In exercise of the powers conferred by the Safety of Sports Grounds Act 1975 as amended, Aberdeen City Council, hereby issues to Aberdeen Football Club plc ('the Holder'), this General Safety Certificate in respect of Pittodrie Stadium, Pittodrie Street, Aberdeen, ('the stadium'), being a sports stadium so designated by the Secretary of State under The Safety of Sports Grounds (Designation) (Scotland) Order 1998/1601 as requiring a Safety Certificate.

1. This Certificate includes the Appendices and annexed Plan(s).
2. This Certificate shall be interpreted in accordance with relevant statutory provisions and the following:

<i>the Act</i>	means the Safety of Sports Grounds Act 1975 as amended
<i>Authorised Person</i>	means a person authorised in accordance with Section 11 of the Act to enter a sports ground and make inspection and enquiries relating to it as he considers necessary for the purposes of the Act
<i>Environmental Health Service</i>	means the Environmental Health Authority of Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB
<i>The Chief Constable</i>	means the Chief Constable of Police Service of Scotland or his/her authorised representative
<i>The designated Officer of the Council</i>	means the Head of Legal and Democratic Services, Aberdeen City Council, Town House, Broad Street, Aberdeen AB10 1AQ or his/her authorised representative, contactable through the Litigation and Licensing Team, Aberdeen City Council, Marischal College Broad Street, Aberdeen AB10 1AB or Licensing@aberdeencity.gov.uk
<i>the Chief Fire Officer</i>	means the Chief Fire Officer of The Scottish Fire and Rescue Service or his/ her authorised representative
<i>The Fire Authority</i>	means The Scottish Fire and Rescue Service.
<i>The General Manager</i>	means the General Manager for North Division of the Scottish Ambulance Service
<i>the Guide</i>	means the 'Guide to Safety at Sports Grounds' fifth edition, published 2008 with the permission of the Department for Culture, Media and Sport on behalf of the Controller of Her Majesty's Stationery Office
<i>the Holder</i>	means the applicant for, and the person to whom this Certificate is issued, being a qualified person for the purposes of the Act

<i>the Plan</i>	means the drawing(s) of the stadium attached to this Certificate dated April 2015 in terms of Section 2(4) of the Act.
<i>P and S factors</i>	means the mathematical formula by which both the physical condition of the stadium ('P factor') and the quality of the safety management of the stadium ('S factor') are assessed as per Clause 11
<i>specified activity</i>	means any one or more of the activities listed in Appendix 1 herein

3. **Terms and Conditions of Issue of General Safety Certificate**

- (1) This Certificate is issued under the following terms and conditions. No variation to said terms and/or conditions shall be permitted without the designated Officer of the Council's prior written approval.
- (2) The Holder shall comply with the terms and conditions of this Certificate, so far as reasonably practicable, whilst the stadium is in use for a specified activity as noted in Appendix 1 herein.
- (3) The Holder shall comply with the recommendations contained in the Guide, so far as reasonably practicable, insofar as the said recommendations are not substituted, amended, modified, extended or otherwise altered by all or any of the terms and/or conditions contained in this Certificate. The Holder shall ensure that all elements of the stadium comply with the recommendations noted in the Guide, so far as reasonably practicable.

4. **Deviations**

- (1) In the event of non-compliance with the terms of clause(s) 3(2) and/or 3(3) above, the Holder must provide a list of current deviations. The list must comprise the following:
 - (a) the expected standard to be provided in accordance with the Guide ('the required standard');
 - (b) the specific chapter(s) of the Guide to which the required standard relates;
 - (c) reason(s) why the required standard cannot be maintained ('deviations') and
 - (d) any recommended upgrading works that may require to be undertaken, so far as reasonably practicable, in relation to the deviations.
- (2) Said deviations shall only be acceptable to the designated Officer of the Council if s/he considers them, with reference to the specific circumstances of each case, to be both necessary and reasonable. Any deviations shall also require the written consent and approval of the

designated Officer of the Council. The current list of deviations forms Appendix 5 of this document.

- (3) In the event that there are any subsequent substitutions, amendments, modifications, extensions or otherwise to any deviations, the Holder shall notify the designated Officer of the Council in writing as soon as possible from the date of occurrence.

5. **Operational Control**

The Holder shall be solely responsible for, and retain operational control of, the whole and each part of the stadium including any installations and/or buildings and shall take all necessary precautions for the safety of spectators admitted to the stadium. Whilst the presence of the police may be required to maintain public order, police officers shall not be present to overcome inadequacies in safety management. Responsibility for the safety of spectators at the ground shall remain at all times with the Holder.

6. **Statement of Intent**

- (1) Following discussion(s) with the Holder, the Chief Constable must have in place, a document ('Statement of Intent') which shall clearly include details of the following:
 - (a) the demarcation of responsibility(ies) and function(s) between the police and the Holder in relation to the safety management of the stadium;
 - (b) whether particular posts are to be staffed by stewards and/or by police officers and identification of those specific posts;
 - (c) which individual(s) will assume certain responsibilities in particular circumstances and what those responsibilities and circumstances are and
 - (d) at what point operational control of the stadium shall be wholly handed over to the police.
- (2) Said Statement of Intent shall not at any time be construed as constituting an implied or explicit request for police services and shall not at any time be held to be legally binding upon any party.
- (3) In the event that any amendment(s) are made to the Statement of Intent, then the Chief Constable should, within a reasonable timeframe of the making of said amendment(s), forward to the designated Officer of the Council a copy of those updated amendment(s).

7. **Police Officer and Steward numbers**

The Chief Constable shall, in agreement with the Holder, make the final determination with regards to the total number of police officers and stewards required to ensure the safety of, and lawful and orderly conduct of, persons in attendance during a specified activity. The expense of said police officers and stewards shall be met wholly by the Holder.

The final determination regarding the total number of stewards required for each specified activity will remain with the Chief Constable. However, the Holder, following consultation with Police Service of Scotland may determine that specific football fixtures at the stadium are categorised as 'Category CS - Club Security Only', or completely 'Police Free', with no Police Officers or Police Staff deployed within the football stadium in respect of that activity. In that event, it will be the responsibility of the Holder to determine the total number of stewards required.

8. **Spectator numbers**

The Holder shall ensure that the maximum number of spectators who may be admitted at any one time to the stadium and to each part thereof shall not exceed the attendance limits as specified in Appendix 2. The maximum capacity figures detailed in Appendix 2 may be reduced by the designated Officer of the Council following receipt by and consideration by him/her of the following reports, namely, the:

- (a) deviation report as per Clause 4 of this Certificate;
- (b) the fire risk assessment as per Clause 16;
- (c) the P & S Factor report as per Clause 11 (3) and
- (d) the structural report as per Appendix 3(d) of this Certificate.

The Holder shall also retain written records of the total number of spectators admitted to each part of and to the whole of the stadium for a period of no less than five years. Said records shall also be made available for inspection to an authorised person upon his/her request.

9. **Record Keeping**

- (1) Responsibility for the keeping of comprehensive and accurate records shall at all times remain with the Holder. In addition to the record keeping obligations as detailed in Appendix 3 herein, records shall also be kept of the following:
 - (a) details of all first aid and/or medical treatment provided to persons either attending an event at the stadium or persons employed by the Holder both prior to and during any specified activity. This obligation shall include details of any onward destination of the person(s) post treatment at the stadium. Said duty shall be without prejudice to any need to maintain medical confidentiality of the person(s) being treated.

- (b) details of the total number and posts of first aiders, crowd doctor(s) and any other medical personnel in attendance during a specified activity;
 - (c) details of all pre-event briefing of stewards;
 - (d) details of all emergency drills and/or evacuation exercises plus any incident that may test the implementation of the contingency plan;
 - (e) details of any non-routine openings of an exit door, barrier or gate;
 - (f) details of all fire alarm activations and of all fires. This obligation shall be without prejudice to fire safety duties as specified in Clause 16 below;
 - (g) reports of any significant motion of the structure in accordance with Chapter 5.5 of the Guide;
 - (h) details of all defects identified during barrier tests and the action taken to rectify said defects as per Clause 31 below. This duty shall be in addition to the Chapter 11.20 barrier testing obligation in the Guide;
 - (i) details of any inspections and tests undertaken prior to, during, and post an event and the outcome of those inspections and tests;
 - (j) details of the names of both the Safety Officer and Deputy Safety Officer as per Clause 12 below including the dates both said Officers were appointed;
- (2) The foregoing records shall be kept for a period of no less than five years.

10. **Risk assessments**

The Holder shall ensure that pre-event, site specific risk assessments as are deemed necessary for the protection and promotion of public safety shall be carried out by competent persons with the appropriate skills and experience for all specified activities. Said risk assessments shall include but not necessarily be limited to those risk assessments as detailed in the Guide and shall follow those steps listed in Chapter 3.3(e) of the Guide. Records of said risk assessments shall be kept for a period of no less than five years and the Holder shall, upon request from the designated Officer of the Council, submit to the designated Officer of the Council seven copies of the same risk assessment(s) so requested by him/her.

11. **P and S Factors**

- (1) The Holder shall ensure that the 'P' and 'S' factors are reassessed annually and shall ensure that said factors consider any risk assessments that are undertaken in accordance with Clause 10 above.

- (2) The Holder shall also ensure that the 'P' and 'S' factors are additionally reassessed upon the occurrence of one or more of the following, namely:
 - (a) any physical alteration to the stadium;
 - (b) any change in the nature of the event;
 - (c) any change in the nature of safety management structure and
 - (d) any change in the nature of personnel.
- (3) Any reassessment(s) of the 'P' and 'S' factors shall be undertaken in accordance with the general provisions of the Guide. The designated Officer of the Council shall be notified immediately of a requirement to reassess in the event of the occurrence of one or more of (a) to (d) above. Details of how the P & S factors have been calculated forms Appendix 6 of this document.

12. **Safety Officer and Deputy Safety Officer**

The Holder shall appoint an occupationally competent Safety Officer and Deputy Safety Officer in accordance with Chapters 3.11 and 3.13 of the Guide. In order to discharge properly their functions, both said Officers shall meet the requirements as detailed in Chapter 3.12 of the Guide. The Holder shall also have in place a written Spectator Safety Policy Document ('Policy Document') as noted in Chapter 3.8 of the Guide. Said Policy Document shall clearly indicate those provisions listed in Chapter 3.9 of the Guide and shall include the duties of both the Safety Officer and Deputy Safety Officer. The Policy Document and/or any subsequent revision(s) to it shall be signed and dated by the Holder or his representative and five copies shall be submitted to the designated Officer of the Council within fourteen days of execution for his/her approval.

13. **Chain of command**

- (1) To ensure the implementation of the Policy Document as detailed in Clause 12 above, the Holder shall ensure that said document clearly outlines a personnel chain of command which identifies the structure of personnel within the stadium including details of one's immediate superior in that chain of command.
- (2) The substantive of the Policy Document shall also ensure that each and every member of stadium personnel have a clear understanding of the following non exhaustive list:
 - (a) his/her respective role(s) and function(s) within the chain of command;
 - (b) a clear understanding of the overall decision making process in relation to safety matters and
 - (c) the role of ground management in relation to ground managements' control and supervision over safety issues.
- (3) Ground management shall also ensure that identification of the said chain of command shall facilitate and be conducive to the following:
 - (a) the speedy and accurate monitoring of spectator safety issues;

- (b) the coordination of any follow up action on structural and/or safety management issues that may require to be taken and
- (c) communication(s) with external agencies to ensure that safety procedures are being followed effectively.

14. **Stewarding**

- (1) Whilst the stadium is in use for a specified activity, the Holder shall take all reasonable steps to ensure that, where applicable, the provisions of the Private Security Industry Act 2001 are satisfied with regards to stewarding.
- (2) In particular, the Holder shall ensure that all stewards:
 - (a) carry out their duties as specified in Chapter 4.7 of the Guide in addition to any other specified duties that may be so required of him/her;
 - (b) are able to understand and communicate verbal and written instructions in English;
 - (c) fully meet the training requirements in accordance with Chapter 4.8 of the guide in addition to any other training requirements that may be so required;
 - (d) are issued with a safety handbook which shall detail in full the duties and responsibilities that a steward may be required to undertake pre-event, during an event and post event. Said duties and responsibilities shall be summarised on a check list card which shall be carried by all stewards at all times during a specified activity. Said documentation shall be available for inspection by an authorised person upon his/her request.
- (3) The Holder shall also ensure that any contract or agreement with an external body(ies) for the supply of stewards shall include those specifications as detailed in Chapter 4.9 of the Guide.
- (4) When members of the public are admitted to the stadium for the sale of tickets only and for no other specified activity, the Holder shall ensure the attendance of sufficient Stewards throughout the period of sale to ensure the orderly behaviour of those members of the public.
- (5) **Stewarding Management**

Security service provider will be monitored throughout season for performance by club and in particular match day safety officers.

Security service provider to be provided with stewarding deployment plans pre-season by Aberdeen FC.

Security service provider to adhere to starting times for all stewards at every match, if stewards are late they must be fully briefed by a Supervisor.

Security service provider administration duties must be carried out prior to match or after match not during working hours when stewards should be familiarising themselves with the stadium and performing security checks.

Aberdeen FC to provide adequate and suitable portable public address system for Police Scotland and Security service provider briefing on match days. These important briefings must be audible at all times.

Experienced and well-informed Supervisors allocated to each stand at every match.

Experienced and well-informed Supervisors must complete a thorough safety briefing at each match.

All stewards must have knowledge and be informed at all times of Aberdeen FC stand representatives' positions, location of fire extinguishers, fire exits, evacuation plans, potential safety hazards, first aid and any other issues for the event.

Steward's objectives are to maintain clear escape routes at all times, if additional stewards are available to assist with catering queues then, and only then, are they to assist with catering queuing.

If a steward becomes aware of any incident within their stand it is often not possible for them to contact a supervisor. If their supervisor is not immediately available they must make contact with the Aberdeen FC stand representative that is based permanently in their stand. These representatives have direct contact with control room and the Security service provider management at all times.

At all games the Security service provider must provide 4 fully trained and informed stewards who are trained in the use of the combat flare kits.

This season Richard Donald Stand upper is closed to the public and the Richard Donald Stand gate stewards must be vigilant and assist with the management of this area and stairways. The top level deck will be closed off to the public and inaccessible with seating areas and any other doors on this level which will all be locked except the Fire doors at the top level which will be closed off with fire safety wraps. Security personnel should monitor this area at frequent intervals. Should any fire wraps be found broken then the Supervisor must report this to control room and investigate.

(6) Richard Donald Stand Upper Management

It is Aberdeen football club's intention to close the Richard Donald Stand Upper deck seated area.

The upper deck will remain closed throughout the season with the exception of:

Any all ticket games where crowds are expected to be over 15,000 including away support, the Richard Donald Stand upper deck will then open to home support. (i.e. Celtic, Rangers & International games)

Where any other match is expected to be more than 15,000 supporters including away fans, the Richard Donald Stand upper deck will be open to home support.

The decision to open the Richard Donald stand upper deck will be made 48hrs prior to any match at the Pre-Ops meeting and will be based on the ticket sales information to date, expected away support details from visiting team Safety Officer, Police Scotland – Match Commander and Aberdeen Football club Events Safety Officer.

Where the sales and expected crowd are less than 15,000 support including away fans, the Richard Donald Stand upper will remain closed.

15. Contingency Plan

(1) The Holder shall ensure that a contingency plan is drawn up and put in place in accordance with the general guidance in Chapters 3.17 – 3.19 (inclusive) of the Guide. Said contingency plan shall include, *inter alia*, measures designed to counter terrorism which may include but not necessarily be limited to the searching of spectators more thoroughly than usual prior to entry and the deployment of additional resources on the approach to entry points. It is recommended that spectators who may be affected by such measures are given advance notification, if possible, of any potential delays.

(a) The contingency plan shall also specify the procedure in place for the evacuation of disabled spectators in the event of an emergency. Said procedure should consider the possible need for disabled spectators to be carried by safety personnel or otherwise to a point of safety should it be impracticable or otherwise for those disabled spectators to reach a point of safety in their wheelchairs.

(b) The contingency plan shall be reviewed annually and after any incident or significant threat of an incident. Seven copies of said plan shall be submitted to the designated Officer of the Council within a reasonable timeframe of any annual or subsequent review.

(c) Exercises to test the effectiveness of aspects of the contingency plan shall also be staged at least once a year in consultation with the designated Officer of the Council and relevant emergency services

- (d) The contingency plan shall be consistent at all times with any emergency plan(s) prepared by any of the emergency services.
- (2) An exercise to test the effectiveness of an evacuation of all persons within the stadium in the event of an incident occurring shall be carried out on a minimum six monthly basis by the Holder and/or his/her authorised representative. In relation to the carrying out of said exercise, the Holder shall retain records of the following:
 - (a) the total duration of the exercise;
 - (b) detail(s) of specific instruction(s) given prior to and throughout the exercise;
 - (c) the name(s) of instructing personnel involved in the testing of the exercise;
 - (d) the outcome of the exercise and
 - (e) recommendations (if any) that require to be made to ensure the safety of all persons within the stadium in the event of a future incident occurring.
- (3) The Holder shall also give no less than fourteen days prior notice in writing of the intention to hold an exercise as per Clause 15 (2) above both to the designated Officer of the Council and to the Fire Authority.

16. **Fire Safety**

- (1) A fire safety risk assessment shall require to be carried out for the stadium at least once a year by a competent person. The outcome of the fire safety risk assessment shall be recorded in an easily retrievable manner and available for inspection by the Fire Authority and the designated Officer of the Council at all reasonable times.
 - (a) The process of risk assessment will be ongoing and hereafter where there is reason to suspect that the current fire risk assessment is:
 - (i) no longer valid, or
 - (ii) if there has been a significant change in the matters to which it relates,then the assessment should be reviewed and any required changes must be made to ensure continued compliance with the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006 No 456
 - (b) The Holder is obliged to provide a copy of the current Fire Risk Assessment to the designated officer of the Council. In the event that the Fire Risk Assessment is amended the Holder must provide a copy of the updated version to the designated officer of the Council within 7 days of the amendment having been made."

(2) Emergency Fire Action Plan

- (a) There should be a written emergency fire action plan which sets out the action that staff and other people in the premises should take in the event of a fire. It should be kept on the premises, be available in a format understood by all, as well as being known by staff and forming the basis of the training and instruction which is provided. The plan will be available for inspection by the Fire Authority and designated Officer of the Council upon request by either or both of said parties.
- (b) The purpose of the plan is:
 - (i) to ensure that the people on the premises know what to do if there is a fire and
 - (ii) to ensure that appropriate action is taken in the event of fire and that the premises can be safely evacuated.
- (c) The plan should set out details of the procedures to be followed by staff in the event of fire and by any other persons present. It should be specific to the premises and should include:
 - (i) how people will be warned if there is a fire;
 - (ii) what staff should do if they discover a fire;
 - (iii) what staff should do in the event of a fire;
 - (iv) the arrangements for calling the Fire Authority;
 - (v) the specific action to be taken by the person in charge when the fire alarm activates or a fire is discovered;
 - (vi) the procedure to be followed to evacuate the premises, taking into account any personal emergency egress plans;
 - (vii) where persons ought to assemble or be taken after they have left the premises and procedures for checking whether the premises have been evacuated;
 - (viii) arrangements for fighting fire by staff trained in the use of portable fire extinguishers;
 - (ix) processes, machines or power supplies that need to be stopped or isolated if there is a fire;
 - (x) procedures for meeting the Fire Authority on its arrival and notifying it of the circumstances of the incident, whether all persons are accounted for and the presence of any special dangers.

(3) Information and Training

- (a) A sufficient number of competent persons should be employed at all times to enable the safe and effective evacuation of the premises. The premises' fire safety risk assessment must be reviewed, in respect of staff numbers required for evacuation of the premises, in the event of the fire.
- (b) All staff (including stewards, volunteers, performers, visiting contractors, temporary and agency staff) and other relevant

persons should be given information, training and instruction on the fire safety measures to be taken or observed on the premises, including the action to be taken in case of fire. The specific fire safety training needs of any young persons employed should be considered. Training of each member of staff should take place as soon as possible after they are appointed and regularly, at predetermined intervals after that, to ensure that they remain familiar with procedures. Information should be given to staff and to other relevant persons whenever there is a change in the risk from fire, where changes have been made to the emergency fire action plan or other fire safety measures, or where working practices or individuals' responsibilities have changed.

- (c) Staff or other relevant persons who have a supervisory role (including stewards) should be given details of the findings of the fire safety risk assessments and should receive additional training which will enable them to discharge their specific responsibility.
- (d) Such training may include the use of fire fighting equipment, basic search procedures and evacuation procedures including disabled evacuation plans/personal emergency egress plan.
- (e) All training should support the fire safety strategy and emergency fire action plan, be verifiable and be supported by management records as evidence that adequate training has been given.

(4) **Maintenance and Testing**

- (a) There should be recorded details of the following maintenance and testing regime. This should be carried out to the appropriate standard:-
 - (i) the emergency lighting system;
 - (ii) the automatic fire detection system;
 - (iii) staff training - routine in case of fire;
 - (iv) fire fighting equipment;
 - (v) the fire warning system and
 - (vi) fire fighting facilities – suppression, dry risers, smoke extraction etc.

17. **Plans**

- (1) The Holder shall have in place an up to date plan(s) to the satisfaction of the designated Officer of the Council. Said plan(s) shall be of a suitable scale and shall clearly include, but may not necessarily be limited to, delineation and identification of the following:
 - (a) the boundary of the stadium;
 - (b) the location and capacity of both entrance and exit gates as specified in Appendix 4 herein;
 - (c) the location and capacity of parking facilities and
 - (d) the location and capacity of buildings in the stadium.

- (2) The Holder shall ensure that on any occasion where there may be subsequent alteration(s) to the capacity and/or layout of any part of the stadium, one original and 6 copy revised colour plans shall be submitted to the designated Officer of the Council within a reasonable timeframe of said alteration(s).

18. **Right to Inspect**

The designated Officer of the Council reserves the right, upon reasonable request by him/her, to inspect the whole of the stadium or any part thereof for any reason it so determines. This right is without prejudice to section 11 of the Act. The Holder shall comply with said request so far as reasonably practicable, and shall submit to the designated Officer of the Council, within fourteen clear days of said request, any relevant records held by him/her as specified and requested by the designated Officer of the Council.

19. **Media**

- (1) The Holder shall ensure that media companies provide him/her with risk assessment method statements and design calculations for any installations that may be in place during a specified activity in accordance with Chapter 19 of the Guide.
- (2) All media provision at the stadium will meet, so far as reasonably practicable, the required standards detailed in Chapter 19 of the Guide.
- (3) The Holder will have in place a site specific risk assessment in relation to both temporary and permanent media provision ('media risk assessment') which shall be undertaken in accordance with Chapter 19 of the Guide. Said media risk assessment shall include a layout plan detailing clearly, where applicable, the following:
 - (i) the location of parking spaces allocated for vehicles that are operated/used by media personnel;
 - (ii) the location(s) where media cable runs will be placed and those location(s) where it is anticipated that cable runs may be placed;
 - (iii) the positioning of camera gantries both temporary and permanent;
 - (iv) the positioning of temporary advertising boards;
 - (v) the location of temporary scaffolding that is intended for use in relation to media provision and
 - (vi) the location of temporary barriers that may be in use to protect, for example, various media installations.
- (4) The Holder must submit to the designated Officer of the Council the media risk assessment including layout plan as per sub clause 3 above no later than 31 July each year.

- (5) If the designated Officer of the Council requires further clarification and/or detail in respect of the media risk assessment and/or the layout plan therein, then the Holder will require to submit that information within a reasonable timeframe to the designated Officer of the Council upon reasonable request by him/her.
- (6) Any proposed alterations or extensions to any media installations that are likely to affect the safety of persons at the stadium must be notified to the designated Officer of the Council prior to the carrying out of those proposals. Also see Clause 32 of this Certificate in relation to alterations or additions to be made to any part of the stadium, its buildings, structures and/or installations.
- (7) Any proposed alterations to the layout plan as per sub clause 3 above must be notified to the Council prior to the carrying out of those alterations.
- (8) Media structures and/or equipment shall not be permitted at any time to cause any obstruction to the police or emergency services during the performance of their usual duties. The positioning of said structures and/or equipment shall not at any time compromise spectator safety.
- (9) All media personnel shall be equipped with a uniform, high visibility tabard which shall be worn at all times when spectators are admitted to and remain within the stadium. Said tabard shall clearly distinguish media personnel from stewards, the police, emergency services and any other safety personnel that may be present within the stadium during a specified activity.

20. **Equality Act 2010**

The Holder shall ensure that s/he and all relevant stadium personnel take reasonable steps to ensure compliance, so far as reasonably practicable, with the Equality Act 2010. Said steps shall include, so far as reasonably practicable, the provision of suitable accommodation for disabled spectators to a satisfactory standard acceptable to the designated Officer of the Council. The Holder shall ensure that said accommodation is designed to required safety standards and properly managed. Any alteration(s) which may require to be made to any part of the stadium should not reduce the provision of facilities for disabled spectators and shall require the prior written consent of the designated Officer of the Council.

21. **Auxiliary Power System**

- (1) The Holder shall provide an alternative electricity supply ('auxiliary power system') which shall function for a minimum period of three hours in the event of failure of the normal supply to the following installations: emergency lighting; escape lighting; emergency telephone; fire alarm; CCTV system; turnstile monitoring system; public address system; mechanical ventilation system; control room(s); evacuation lift(s) and the First Aid rooms.
- (2) The Holder shall also have in place a report specifying in full the functioning of the auxiliary power system and how it operates in relation to the failure of normal power supply. In particular, said report shall include

the circumstance(s) in which the system becomes operative and the duration of said system in the event of power failure. Any amendments made to this report subsequent to the execution of this Certificate must be notified to the designated Officer of the Council within a reasonable timeframe of the making of said amendments. In the event that the designated Officer of the Council may not be satisfied with the contents of said report, s/he reserves the right to make any recommendations to the Holder to improve the functioning or otherwise of the auxiliary system and the Holder shall, so far as reasonably practicable, implement those recommendations within a reasonable timeframe.

22. Control Room and Secondary Control Room

- (1) The Holder shall provide and maintain at his own expense, and so far as reasonably practicable, the following accommodation and facilities for use by Police Officers on duty:
 - (a) a Control Room which commands a clear view of the whole stadium, pitch and environs. Said Control Room shall be of a sufficient size to enable the Chief Constable and his/her Police Officers (the required number of which shall be determined by the Chief Constable) to operate any equipment as the police may require to enable them to discharge their functions. It is desirable that the Control Room also contain capacity for any other relevant persons who may be in attendance and
 - (b) physically separate from the Control Room, suitably heated, clean accommodation with toilet facilities for the detention and interviewing of persons; an adequate refreshment room for the use of Police Officers on duty and any other accommodation that may be so required by the Chief Constable.
 - (c) in the event that the Control Room as per Clause 22(1)(a) above becomes unusable and/or ceases to be fit for purpose for any reason, management shall provide a Secondary Control Room which shall meet the criteria detailed in Clause 22(1)(a) above so far as reasonably practicable. The location of the Secondary Control Room shall be agreed between the Chief Constable and the Holder and the designated Officer of the Council shall be the ultimate arbiter in the event of any dispute with regards to the determination of said location. The Holder shall also ensure that the Control Room team are able to discharge their required functions to full effect whilst utilising the facilities in the Secondary Control Room. Whilst the Secondary Control Room is in use for its purpose, the Holder shall ensure that at all times the safety and well being of all persons within the stadium shall not be compromised or threaten to become compromised in any way by said use.

23. **Tickets**

The Holder shall ensure that all tickets for admission to a specified activity shall not be available for sale at any place within a two hour period in the event of an all ticket activity. The number of tickets issued for each part of the stadium shall also not exceed the permitted capacities as specified in Appendix 2 herein. Every ticket shall clearly specify the turnstile or entrance gate by which the ticket holder may enter the stadium. A simple understandable plan of the stadium clearly indicating the position of turnstiles and/or entrance gates shall also be displayed on the reverse of all tickets. It is also recommended that the Holder has in place effective anti-counterfeiting features to ensure the validity of a ticket.

24. **Turnstiles/Entrance gates**

The Holder shall close all turnstiles or entrance gates to any part of the stadium when the attendance limit for that part is reached. The Holder and/or his/her authorised representative(s) shall also open and/or close any turnstile and/or entrance gate immediately upon instruction from the Chief Constable.

25. **Drink containers**

Whilst the stadium is in use for a specified activity, all containers in which permitted drinks are consumed shall be made of soft plastic or other similar material and shall be of such a construction that, if they were thrown at or propelled against any person, they would not be capable of causing any injury to that person. The Chief Constable reserves the right to determine the suitability or otherwise of said material and to direct the Holder to alter the type of material and/or the construction of the container should he be so minded. This requirement shall only apply to a relevant area as defined in section 23 Criminal Law (Consolidation) (Scotland) Act 1995.

26. **Communication systems**

The Holder shall provide effective communication systems both in accordance with Chapter 16 of the Guide and to the satisfaction of the designated Officer of the Council. In particular, the Holder shall ensure that said system provides clear communications between the police, the safety management team (in particular both the Safety Officer and Deputy Safety Officer), stewards and other safety personnel, first aid attendants, the crowd doctor, spectators both inside and outside the stadium and any other relevant person(s) that may be so determined by the Chief Constable. The Holder shall also ensure that, so far as reasonably practicable, the public address system meets the requirements of Chapter 16.14 of the Guide. CCTV facilities shall also meet the operational requirements as determined by the Chief Constable for the policing of specified activities .

27. **Maintenance**

The Holder shall comply with the requirements of Appendix 3 herein. The Holder shall also ensure that all buildings, structures, means of ingress and egress, installations including electrical, mechanical and heating are at all times kept free from any obstruction and are maintained in such repair so that they do not at any time compromise spectator safety. Said obligation may be subject to an approved deviation as detailed in Clause 4 above.

28. **Ingress and Egress**

All entry and exit points at the stadium shall be clearly marked on the plan(s) annexed to this Certificate. Means of ingress and egress shall be compliant with Chapters 7 and 10 in the Guide, so far as reasonably practicable. Advertising boards shall not at any time impede entry and/or exit onto the pitch.

29. **Identifiable Hazards**

In the event that any adverse weather conditions or otherwise give rise to a reasonable concern that any surface, whether within and/or outwith the stadium, may pose a danger to those spectators who may have reasonable cause to pass, then the Holder shall ensure that any identifiable hazard(s) are fully cleared without delay to enable the safe passage of spectators over said surface.

30. **Pre-activity notice for admission**

The Holder shall ensure that, not less than three hours before each specified activity, the Safety Officer or his authorised representative shall confirm in writing to the Chief Constable that spectators may be safely admitted to, and remain within, the stadium for the duration of that specified activity.

On any occasion when it has been determined that an activity is to be “Category CS” – Club security only or “police free” the Holder shall ensure that no later than three hours prior to the stadium being opened for the admission of spectators, the Safety Officer or his authorised representative shall confirm in writing to the Designated Officer of the Council that spectators may be safely admitted to, and remain within, the stadium for the duration of that specified activity. In this section confirmation in writing may be effected by e-mail and addressed to the Litigation and Licensing team, Aberdeen City Council. For the avoidance of doubt, the responsibility for the safety of the spectators remains solely with the Holder.

31. **Barriers**

In addition to the undertaking of the barrier risk assessment and testing obligations as specified in Appendix 3, the Holder shall ensure that a suitably qualified person re-inspect the functioning of all barriers as he may deem necessary (‘spot checks’), as part of the general maintenance and safety checking of the stadium. Upon identification of any deterioration and/or change(s) in the functioning of said barriers following spot checks, the Holder

shall ensure that any defect(s) are rectified immediately. The Holder shall also submit a written report plus two copies without delay to the designated Officer of the Council detailing in full said defect(s) and any action that he proposes to take and will take to rectify those defects.

32. **Alterations**

No alteration or addition shall be made to any part of the stadium, its buildings, structures and/or installations, whether permanent or temporary, which is likely to affect the safety of persons at the stadium, without the prior written consent of the designated Officer of the Council. Execution of any work for which consent has been granted shall require to be carried out to the reasonable satisfaction of the designated Officer of the Council.

33. **First Aid and Medical Facilities**

- (1) The Holder shall provide and maintain within the stadium, to the reasonable satisfaction of the Environmental Health Service, suitably equipped First Aid and medical facilities. There shall be a minimum of one suitably trained first aider for every one thousand spectators and a minimum of two suitably trained first aiders in attendance at each event. The Holder shall ensure that a suitably trained first aider is one who holds the certificate of first aid issued under the Health and Safety (First Aid) Regulations 1981. The role of first aiders shall include those specifications listed in Chapter 18.11 of the Guide.
- (2) The Holder shall ensure that a medical risk assessment from a competent person or organisation is undertaken in accordance with Chapters 18.1 and 18.2 of the Guide. A written medical plan shall also be produced by the Holder in accordance with Chapter 18.3 of the Guide. A copy of said medical plan shall be kept in the First Aid room(s) and shall be available for inspection by an authorised person and/or the designated Officer of the Council upon request.
- (3) When the number of spectators is expected to exceed the sum of 2,000, the Holder shall ensure the presence of at least one doctor who is qualified and experienced in pre-hospital immediate care ('the crowd doctor'). The crowd doctor should be present at the ground prior to the turnstiles/entry gates being opened, and remain until such time as all spectators have vacated the ground. The whereabouts of the crowd doctor should be known to all first aid and ambulance staff and s/he ought to be positioned at an easily identifiable site where s/he is readily accessible to first aiders and where s/he can move with ease to any part of the stadium. In the event that there are two or more crowd doctors present in the stadium, it is desirable that they are not located together but stationed at strategic points within the ground. The crowd doctor shall at all times be readily identifiable by means of a high visibility tabard with 'DOCTOR' on both the front and back. The Holder shall be responsible for supplying communications equipment to the crowd doctor to enable him/her to be immediately contacted should it be so required. The Holder shall ensure that the crowd doctor has full working knowledge of all the following:
 - (a) the layout of the stadium and location of exit and entry gates;

- (b) the location and staffing arrangements of the First Aid room;
- (c) details of ambulance cover;
- (d) the equipment that is available for treating medical cases and the location of that equipment;
- (e) the local emergency plans prepared by emergency services for dealing with major incidents and how these relate to contingency plans for the ground and
- (f) the general pattern of crowd movement during an event.

34. **Ambulance**

- (1) Subject to the written approval of the general manager of the Scottish Ambulance Service, the Holder shall ensure the provision and attendance of at least one fully equipped ambulance staffed at paramedic level at all events with an anticipated attendance of 5000 or more. The Holder shall also ensure, so far as reasonably practicable, the attendance of the ambulance(s) at the stadium prior to the admission of spectators. The role of the ambulance(s) shall also be clearly identified in the written medical plan.
- (2) The attendance of first aid, ambulance and any other type of medical personnel shall not be necessary when members of the public are admitted to the stadium for the sale of tickets only.

35. **Legislation**

Management shall take all reasonable steps to ensure that they are aware of the general impact of the following, non exhaustive list of legislation:

- (a) Building (Scotland) Act 2003;
- (b) Civil Contingencies Act 2004;
- (c) Criminal Law (Consolidation) (Scotland) Act 1995;
- (d) Equality Act 2010;
- (e) Fire Safety (Scotland) Regulations 2006;
- (f) Fire (Scotland) Act 2005;
- (g) Health and Safety at Work etc. Act 1974;
- (h) Licensing (Scotland) Act 2005
- (i) Safety of Sports Grounds Act 1975 as amended and
- (j) Any other relevant legislation that may have safety implications for spectators and relevant personnel at the stadium both pre and during a specified activity.

36. This Certificate is issued without prejudice to any legislation that may place any statutory obligation(s) upon the Holder.

37. This Certificate is a live document and may be amended at any time by the designated Officer of the Council. This Certificate shall expire on 6 July 2015.

Signed: _____

Designation: _____

Place of Signing: _____

Date: _____

Witness: _____

Designation: _____

SPECIFIED ACTIVITIES

1. Specified activities:

- (a) Association Football;
- (b) Rugby Union;
- (c) Gatherings to celebrate the winning of any honours by the Holder's football team and
- (d) Other sporting event(s) attended by more than 500 spectators.

Subject to the terms and conditions of this Certificate and to any statutory requirements, the stadium may also be used for the following activities ancillary to the specified activities above:

- (e) the playing of music or singing;
- (f) the provision of news or comment relative to the primary activities;
- (g) the sale of tickets for forthcoming activities and the sale of programmes, news sheets and souvenirs;
- (h) the sale and consumption of refreshments;
- (i) public collections of any nature; and
- (j) any other ancillary activity for which the Holder must obtain prior written approval from the designated Officer of the Council no less than 14 clear days prior to the holding of said ancillary activity.

The activities covered by this Certificate shall not include practice or training sessions for the specified activities to which not more than 500 non-paying spectators are admitted.

This page forms Appendix 1 referred to in the foregoing Safety Certificate

Date _____

**ABERDEEN FOOTBALL CLUB
PITTODRIE STADIUM
SEATING INFORMATION CAPACITY**

MAINSTAND	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	SERIOUSLY RESTRICTED VIEW ACTUAL SEAT NUMBERS	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	ACTUAL REMOVED
A	300	2	A1; B1	298	0	269	29	34
B	783	10	A46; A47; B46; B47; A36; A37; A38; B36; B37; B38	773	0	698	75	49
C	593	4	A11; B11; C11; D11	589	0	532	57	46
DIRECTORS	117	3	A21; B21; C21	114	0	103	11	0
D	473	6	A24; A25; B24; B25; C24; C25	467	0	422	45	17
E	694	12	A13; A14; A15; A42; A43; A44; B13; B14; B15; B42; B43; B44;	682	0	616	66	102
F	640	6	A29; A30; A31; B29; B30; B31	634	0	573	61	109
AFC	109			109	0	98	11	0
EXEC BOXES	192			192	0	173	19	19
TOTAL STAND CAPACITY	3901	43	{We must remove these seats before P&S factor is applied}	3858	0.903	3483	374	376
MERKLAND	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	SERIOUSLY RESTRICTED VIEW ACTUAL SEAT NUMBERS	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL REMOVED	ACTUAL REMOVED
GENERAL	3532	95	ROW 'H' SEATS 48 - 52 AND SEATS 100 - 104 INCLUSIVE	3437	0	3368	69	69
WHEELCHAIR	6		ROW 'J' SEATS 48 - 52 AND SEATS 100 - 104 INCLUSIVE	6	0	6	0	0
			ROW 'K' SEATS 47 - 51 AND SEATS 100 - 104 INCLUSIVE					
			ROW 'L' SEATS 46 - 51 AND SEATS 100 - 104 INCLUSIVE					
			ROW 'M' SEATS 43 - 51 AND SEATS 100 - 104 INCLUSIVE					
			ROW 'N' SEATS 43 - 50 AND SEATS 100 - 104 INCLUSIVE					
			ROW 'O' SEATS 42 - 50 AND SEATS 101 - 104 INCLUSIVE					
			ROW 'P' SEATS 41 - 50 AND SEATS 103- 104 INCLUSIVE					
			ROW 'Q' SEATS 49 - 50 INCLUSIVE'					
TOTAL STAND CAPACITY	3538	95	{We must remove these seats before P&S factor is applied}	3443	0.98	3374	69	69
SOUTH STAND SCENARIO #1	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	ALL AWAY SUPPORT OCCUPYING SOUTH STAND UPTO AND INCLUDING SECTION R	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	ACTUAL REMOVED
P	656	0		656	0	633	23	79
Q	783	84	x 84 Removed due to disabled seating new roof in front of section	699	0	675	24	0
WHEELCHAIR	13	0		13	0	13	0	0
R	894	0		894	0	863	31	0
S	862	0		862	0	832	30	99
T	958	0		958	0	924	34	0
V	832	0		832	0	803	29	0
W	956	0		956	0	923	33	0
X	1193	0		1193	0	1151	42	0
Y	1107	0		1107	0	1068	39	112
TOTAL STAND CAPACITY	8254	84		8170	0.965	7884	285	290

SOUTH STAND SCENARIO #2	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	HOME FANS ONLY OCCUPYING WHOLE OF SOUTH STAND	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	ACTUAL REMOVED
P	656	0		656	0	633	23	306
Q	783	84	x 84 Removed due to disabled seating new roof in front of section	699	0	675	24	0
WHEELCHAIR	13	0		13	0	13	0	0
R	894	0		894	0	863	31	0
S	862	0		862	0	832	30	0
T	958	0		958	0	924	34	0
V	832	0		832	0	803	29	0
W	956	0		956	0	923	33	0
X	1193	0		1193	0	1151	42	0
Y	1107	0		1107	0	1068	39	0
TOTAL STAND CAPACITY	8254	84		8170	0.965	7884	285	306
RICHARD DONALD STAND	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW	NO SERIOUSLY RESTRICTED VIEWS	USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	
FRONT	1700	0		1700	0	1700	0	
REAR	1216	0		1216	0	1216	0	
UPPER DECK	3164	0		3164	0	3164	0	
DISABLED	20	0		20	0	20	0	
EXEC BOXES	120	0		120	0	120	0	
TOTAL STAND CAPACITY	6220	0		6220	1	6220	0	
PITTODRIE STADIUM	SEATING CAPACITY	SERIOUSLY RESTRICTED VIEW		USEABLE SEATING CAPACITY	P&S FACTOR	TOTAL HOLDING CAPACITY	P&S TOTAL TO REMOVE	ACTUAL REMOVED
TOTAL STADIUM CAPACITY	21,913	222	REMOVE SERIOUSLY RESTRICTED TO GET USEABLE CAPACITY	21,691	APPLIED FOR HOLDING	20,961	729	735

ABERDEEN FC - PITTODRIE STADIUM
 REVISED STADIUM CAPACITIES AND DETAILS OF SEATS REMOVED FROM SALE DUE TO APPLIED P AND S FACTORS

MERKLAND STAND				MAINSTAND					MAINSTAND					MAINSTAND					MAINSTAND					MAINSTAND														
				SECTION A					SECTION B					SECTION C					SECTION D					SECTION E					SECTION F									
ROW	FROM	TO	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED	ROW	FROM	TO	Seats	COMPLETED					
J	106	105	seats held	A	1	5	5	seats held	A	46	47	2	seats held	A	11	13	3	seats held	A	24	25	2	seats held	A	11	15	5	seats held	A	23	31	9	seats held					
K	106	108	seats held	B	1	8	8	seats held	B	46	47	2	seats held	A	36	40	5	seats held	B	24	25	2	seats held	A	40	44	5	seats held	B	21	31	11	seats held					
L	107	110	seats held	C	8	11	4	seats held	C	46	47	2	seats held	B	11	14	4	seats held	C	1		1	seats held	B	8	16	9	seats held	C	21	31	11	seats held					
M	109	112	seats held	D	11	15	5	seats held	D	1	2	2	seats held	B	35	42	8	seats held	C	19	20	2	seats held	B	39	45	7	seats held	D	30	31	2	seats held					
N	110	112	seats held	E	14	17	4	seats held	D	17		1	seats held	C	11		1	seats held	C	24	25	2	seats held	C	4	17	14	seats held	E	31	32	2	seats held					
O	112	113	seats held	F	17	20	4	seats held	D	31		1	seats held	C	15	16	2	seats held	D	1	2	2	seats held	C	35	45	11	seats held	E	42	44	3	seats held					
O	114	115	seats held	G	17	20	4	seats held	D	46	47	2	seats held	C	33	45	13	seats held	D	17	19	3	seats held	D	1	4	4	seats held	F	31	32	2	seats held					
P	114	118	seats held				34		E	1	5	5	seats held	D	11		1	seats held	E	3		1	seats held	D	32	34	3	seats held	F	39	41	3	seats held					
Q	114	118	seats held						E	16		1	seats held	D	16	17	2	seats held	F	4	5	2	seats held	E	1	3	3	seats held	G	3	11	9	seats held					
R	114	121	seats held						E	31	34	4	seats held	D	32	33	2	seats held				17		K	1	45	41	seats held	H	3	11	9	seats held					
S	114	121	seats held						E	45	47	3	seats held	E	31	32	2	seats held									102		J	3	11	9	seats held					
T	114	121	seats held						F	4	6	3	seats held	F	30	31	2	seats held											J	16	18	3	seats held					
V	114	121	seats held						F	16		1	seats held	G	30		1	seats held											K	3	12	10	seats held					
W	119	121	seats held						F	35	38	4	seats held				46												K	16	18	3	seats held					
X	119	121	seats held						F	45	46	2	seats held						*****All seats removed from sale - hold codes applied*****															L	3	12	10	seats held
									G	7	10	4	seats held																					M	3	12	10	seats held
									G	15		1	seats held																					M	16	18	3	seats held
									G	39	40	2	seats held																								109	
									G	45	46	2	seats held																									
									H	41	45	5	seats held																									
												49																										

ABERDEEN FC - PITTODRIE STADIUM
 REVISED STADIUM CAPACITIES AND DETAILS OF SEATS REMOVED FROM SALE DUE TO APPLIED P AND S FACTORS

Appendix 2

SOUTH STAND				SOUTH STAND				SOUTH STAND				SOUTH STAND				SOUTH STAND			
SECTION P (ALL GAMES)				SECTION Q (ALL GAMES)				SECTION S (ALL GAMES)				SECTION Y (ALL GAMES)				SECTION P (EURO GAMES & CONCERTS)			
ROW	FROM	TO	COMPLETED	ROW	FROM	TO	COMPLETED	ROW	FROM	TO	COMPLETED	ROW	FROM	TO	COMPLETED	ROW	FROM	TO	COMPLETED
E	29	12	seats held	E	32	59	seats held	A	92	94	seats held	A	280	296	seats held	E	12	18	seats held
F	29	12	seats held	F	32	59	seats held	B	92	94	seats held	B	279	297	seats held	F	12	18	seats held
G	29	11	seats held	G	32	59	seats held	C	92	94	seats held	C	278	298	seats held	G	11	18	seats held
H	29	11	seats held					D	92	94	seats held	D	278	299	seats held	H	11	18	seats held
HH	3	7	seats held					E	92	94	seats held	E	277	300	seats held	I	11	18	seats held
								F	92	94	seats held	PP	277	285	seats held	J	10	18	seats held
								G	92	94	seats held					K	10	18	seats held
								H	92	94	seats held					L	10	18	seats held
								I	92	94	seats held					M	9	18	seats held
								J	92	94	seats held					N	9	18	seats held
								K	92	94	seats held					O	8	18	seats held
								L	92	94	seats held					P	8	18	seats held
								M	92	94	seats held					Q	8	18	seats held
								N	92	94	seats held					R	7	18	seats held
								O	92	94	seats held					S	7	18	seats held
								P	92	94	seats held					T	6	18	seats held
								Q	92	94	seats held					V	6	18	seats held
								R	92	94	seats held					W	5	18	seats held
								S	92	94	seats held					X	5	18	seats held
								T	92	94	seats held					Y	4	18	seats held
								V	92	94	seats held					Z	4	18	seats held
								W	92	94	seats held					AA	3	18	seats held
								X	92	94	seats held					BB	3	18	seats held
								Y	92	94	seats held					CC	3	18	seats held
								Z	92	94	seats held					DD	2	18	seats held
								AA	92	94	seats held					EE	2	18	seats held
								BB	92	94	seats held					FF	1	18	seats held
								CC	92	94	seats held					GG	1	18	seats held
								DD	92	94	seats held					HH	3	18	seats held
								EE	92	94	seats held								
								FF	92	94	seats held								
								GG	92	94	seats held								
74				84				HH	92	94	seats held	112							

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This and the preceding three pages form Appendix 2 referred to in the foregoing Safety Certificate.

Date: _____

TABLE OF INSPECTING, TESTING, AND KEEPING OF RECORDS FOR THE STADIUM

The Holder shall ensure that all necessary maintenance, inspections and tests are carried out in accordance with the Guide's recommendations, current British Standards and manufacturer's instructions.

Records of said maintenance, inspections and tests should be kept in a specified place at the ground or in the management's office for a minimum period of five years or longer if so required by British Standards or manufacturer's instruction. Said records shall also be kept in accordance with Chapter 5.15 of the Guide. It is also recommended that a back-up copy of these records be kept securely off site.

Notwithstanding the record keeping obligations incumbent upon the Holder as per this Appendix 3, the Holder will require to submit within a reasonable timeframe to the designated Officer of the Council, upon reasonable request by him/her, a report(s) detailing the outcome of any one or more of the inspections detailed in 'a' to 'p' below.

the Guide's Recommendations	Chapter of the Guide	Test Method	Frequency of testing	Form of Record kept
a) The operation of structures, installations and components should be inspected and tested by competent persons	5.9	Appraise as required to determine suitability for purpose	At least 24 hrs before an event	Log book signed by Safety Officer or Deputy Safety Officer at each event
b) The general condition of all facilities should be checked, and any details and/or shortfalls immediately rectified prior to public entrance	5.10	As required	Within 24 hrs prior to an event	Log book with remedial works dates signed by Safety Officer or Deputy Safety Officer at each event
c) Ground should be inspected to identify potentially dangerous damage that requires remedial action	5.12	Visual inspection	After an event	Maintenance records
d) Detailed inspection of all structures, installations and components should be carried out by competent persons with appropriate qualifications and experience. Materials	5.13 and 5.14	Appraise as required to determine suitability for purpose	every six months	Written report and manuals

defining key elements and components of the structure requiring regular inspection and maintenance of the structure should be provided. Structural dynamics for permanent structures should be appraised				
e) Ingress monitoring systems should be tested and turnstile flow rates reviewed in accordance with the Guide's recommendations	7.1 - 7.7 inclusive	Manufacturers' instructions	Annually	Computerised monitoring records
f) Highlighting of nosings to steps / stairs /change in level / gangways in a non-slip material, should be included in a continuous maintenance programme	8 .3 and 12.11	Visual inspection	As required	Maintenance records
g) Barriers should be risk assessed and tested in accordance with the newly revised procedure in the Guide	11	As specified by the Guide	Annually	Written report
h) Inspect and test fire alarm and detection systems	15	Fire alarm weekly; Maintenance every six months		Inspection certificate and log book
i) Inspect and test fire extinguishing systems	15	In accordance with the manufacturers' instructions		
j) All electrical and mechanical installations should be inspected and tested by competent persons	17.3	Manufacturers' instructions or relevant British Standard	Annually or as required by Manufacturer or British Standard	Inspection certificates and Log book
k) Inspect and test all	16.25,	BS 7671:2001	As required by	Log

auxiliary and back up power systems	17.11, 17.12, and 17.18	and any manufacturers' instructions	BS	book/maintenance records
l) (i) Inspect and test passenger lifts	17.14	BS 5655 Part 10.1986	As per chapter 12.4 of BS	Log book and periodic inspection and test certificates
(ii) Inspect and test public address system	16.14 and 16.15	24 hours prior to a specific event	24 hours prior to a specific event	Log book/maintenance records
(iii) Inspect and test CCTV system	16.16, 16.17 and 16.18	24 hours prior to a specific event	As required by designer/installer	Log book/maintenance records
m) Inspect and test ventilation, air conditioning and smoke control systems	17.18	Manufacturers' instructions or relevant British Standard	Annually	Log book/maintenance records
n) Necessary communication systems should be tested and maintained in accordance with British Standards or manufacturer's instructions.	16.1	Manufacturers' instructions or relevant British Standard	Annually	Log book/maintenance records
o) Risk assessment for media provision	19	Appraise as required to determine suitability	As required	Log book , risk assessments, structural certification
p) Assessment of capacity	2	As specified by the Guide	Annually and when there is a change as per chapter 2.4	Written report/risk assessment

This page and the two preceding pages form Appendix 3 referred to in the foregoing Safety Certificate

Date _____

LOCATION OF ENTRANCE AND EXIT GATES

(a) Location of entrance gates

STADIUM STAND	REFERENCE NUMBER/LETTER ON PLAN	POINT WHICH ACCESS IS PROVIDED	FROM TOTAL NUMBER OF TURNSTILES AT STAND
Main Stand	23-31	Pittodrie Street	9*
Richard Donald Stand	32-43	Golf Road	12
Merkland Road Stand	9-22	Merkland Lane	14
South Stand	44-53	Park Road (via private road)	10
South Stand	1-8	Merkland Lane	8

(b) Location of exit gates

STADIUM STAND	REFERENCE NUMBER ON PLAN	WIDTH OF EXIT GATE IN METRES
South Stand	1	5.00
South Stand	2	4.90
South Stand	15	5.00
Merkland Road Stand	3	6.75
Merkland Road Stand	4	4.80
Main Stand	5	3.36
Main Stand	<i>Corp boxes**</i>	1.10
Main Stand	6	2.65
Main Stand	7	2.30
Richard Donald Stand	8-14	3.20

This page forms Appendix 4 referred to in the foregoing Safety Certificate

Date _____

ABERDEEN FOOTBALL CLUB

Further Deviations from (Fifth Edition) The Green Guide

Clause	Standards Provided	Granted on the Basis that
7.8	Design and Management of Entrance and Exit Routes Automated turnstiles would appear to be a deviation	The turnstiles are continually monitored in the Control Room Turnstile Supervisors monitor a bank of turnstiles internally. They also monitor a lighting system which indicates if there is a fault on the entry system Stand Reps Steward and Turnstile Supervisors all carry over ride cards and have the authority to over ride the computerised system in the event of fault or emergency.
7.10	<u>Admission Policies</u> para g) The only section of the ground that unreserved seating is offered is the away section	Posters with instructions of how the system works will be on display at the turnstile entrance or alternatively on the turnstile top The AFC's, (in association with the Scottish Football Association) Ground Rules are displayed throughout the ground. With regards to unreserved seating, this is undertaken on a game to game basis based on intelligence from the visiting club as to number of expected supporters. Taking this into consideration and to minimise any confrontations, the visiting support are allocated specific sections of the away stand The ticket indicates the section in the away stand that they can occupy but does not give a seat number. There is always procedures in place to open up other parts of the away section should Section Q become full or overcrowded. Row 14 and the first 14 rows of Section R would be utilized. The Club would retain tickets for between 5 and 10% of the full allocated seats for the away section. This is controlled and monitored by the Stewards and Control Room Staff
8.4	<u>U Flights of Stairways</u> Pittodrie Stadium is an existing situation. Compliance with 8.4 para. b) Cannot be fully achieved particularly in the Main Stand.	Due to the stadium's age and design the stairs in the South and Merkland Stands exceed 36 risers without any landings, and without any 30° change of direction. There are varying

		<p>numbers of risers in the South Stand and in the Merkland Stand. The risers are clearly highlighted are variances in height of risers but all stairs are monitored by stewards during an event.</p> <p>Due to the stadium's age and design the risers in the interior and exterior stairs in the Main Stand have a variance in height. The risers are clearly highlighted and are monitored by stewards during an event for the smooth control and flow of the crowd. Stewards are strategically position on the stairways which are kept clear during the event. In addition, crowds should not be allowed to congregate in the walkways but should be managed and monitored by stewards.</p> <p>The Stairway width at Row A in the Main Stand in Sections D, E & F is less than the recommended 1.1m but there is sufficient room for two persons to leave the exit at the same time and within the agreed evacuation time.</p>
8.5.d	<p><u>Dimensions of Stairways Landings</u></p> <p>The going of each landing, at the foot of stairways should not be less than the width of the channel of the flight.</p> <p>Due to the addition of LED advertising boards along the Mainstand trackside compliance with 8.5 paragraph d cannot be fully achieved. The landings at the foot of the stairways of Gates 33 and 36 are restricted when the LED advertising boards are closed.</p>	<p>Management recognise this deviation and have adopted a stewarding strategy as follows:</p> <p style="padding-left: 40px;">Continually stewarded before and after gates open to the stadium and before any member of the public enter the grounds.</p> <p>The gates have a minimum clear opening width of 1.5m</p>
8.9	<p><u>Controlling the Flow at the Head of Stairways</u></p> <p>Pittodrie Stadium is an existing situation. Compliance with 8.9 para b and d, cannot be fully achieved particularly in the Main Stand.</p>	<p>It is considered that the direction of barriers to control the flow at the head of the stairs would have a detrimental effect on the spectator circulation through the concourses. These particular areas are signed accordingly and monitored by appropriately trained and qualified stewards who do not allow persons to congregate there and who control capacity and flow</p>
9.4	<p><u>Size of Concourses</u></p> <p>Pittodrie Stadium is an existing situation, and historically the concourses have been upgraded to provide spectator catering and welfare facilities. The width and spatial</p>	<p>Management have mitigated against this by the provision of stewarding and CCTV coverage. in the direction</p>

	arrangements of the concourses vary from stand to stand and from level to level.	identified
9.5	<p><u>Circulation on Concourses</u> Pittodrie Stadium is an existing situation and compliance with 9.5 para a) b) and c) cannot be fully achieved particularly in the Main, Merkland and South stands.</p>	<p>Management have mitigated against this by stewarding at particular flow problem areas within the concourses, and by delineating queuing areas for the catering and welfare facilities. Floor markings, directional arrows and the implementation of an educational policy, explaining to supporters the reason for queuing. A designated clearway for non catering personnel will be developed which will be stewarded and the spectator flow controlled.</p>
9.6	<p><u>Design of Concourses and Related Facilities</u> Management has endeavoured to upgrade the specification of the concourses to achieve compliance.</p> <p>The Main and South Stands catering facilities have manual shutters which are removed prior to the kiosks opening.</p> <p>The Main Stand is protected by smoke alarms. Fire extinguishers are available - all kiosks.</p> <p>The Merkland Stand kiosk has a pair of manually operated shutter doors which isolate the catering unit.</p>	<p>In recent years sections of the first floor concourse in the Main Stand have been lined with plasterboard to enhance the fire resistance of the existing structure.</p> <p>Only slow cooking takes place with no deep fat frying, and staff are fire trained and stewards monitor the kiosks during activities</p> <p>The staff are fire trained and the kiosk is monitored by stewards. Fire extinguishers are provided. Only slow cooking takes place with no deep fat frying.</p>
10.2	<p><u>Basic Design Principles</u> We are aware of reservoir area within the timber structure of the Main Stand.</p>	<p>At the specific narrowing of an exit route it must be preceded by an open space or reservoir area of the appropriate holding capacity otherwise this will be deemed to be a deviation. However the reservoir areas identified in the Main Stand are stewarded as the crowd exit for a steady smooth exit minimising delays. A steward to be placed at bottom of stairs to prevent any person going back up against the crowd flow.</p>
10.8	<p><u>Design and Management of Exit Systems</u> Persons queuing at the recess catering outlet in the Main Stand and Richard Donald obstruct free passage flow</p>	<p>The recessed catering outlets in the Main Stand are monitored by stewards and stand representatives during an event, the introduction of physical barriers would impede the flow to the clearly marked exits. Signage at painted floor areas is to be implemented to</p>

		encourage and educate persons to queue across the kiosk and not perpendicular to same.
10.16	<u>Exit Doors and Gates</u>	Exit Gate 5 in the Main Stand is of the sliding type and is staffed by a Steward at all times during an event. The Steward is authorised to open the gate at his discretion and without further instructions and is in radio contact with the Control Room should he request to be relieved at any time.
10.17	<u>Electronic Security Systems</u> Gate 6, Main Stand has an electronic security operating system, and management have arranged for trained stewards to be positioned there, in compliance with para b).	This gate is staffed by a Steward at all times during an event. The gate is capable of being de energized by the Steward. It is also connected to the Fire Alarm and is automatically de-energised when the Fire Alarm is actuated. The steward is authorized to open the gate at his discretion and without further instruction. The Steward is in radio contact with the Control Room should he request to be relieved at any time
12.8	<u>Provision of Cover</u> There are seating areas to the East and West of the South Stand (Sections P&Y) which are outwith the coverage of the existing stand canopy roof. Management recognise this deviation and have adopted stewarding strategies to control migration and avoid overcrowding within the covered areas.	Management recognise this deviation and have adopted stewarding strategies to control migration and avoid overcrowding within the covered area tickets sold for this area are clearly marked "Uncovered Seats" It is acknowledged that there is no opportunity for migration by disabled spectators. The persons occupying these areas are aware of this and dress accordingly.
12.9	<u>Gangways in Seated Areas - General</u> Pittodrie Stadium is an existing situation and compliance with 12.9 paras a) b) and c) cannot be fully achieved particularly in the Main Stand.	Management have mitigated against this by appropriate stewarding at particular problem areas During evacuation exercises the egress time have been unaffected
12.11	<u>Radial Gangways in Seated Areas</u> Pittodrie Stadium is an existing situation and compliance with 12.11 a) and b) cannot be achieved in the Main, Merkland and South Stands.	Management have mitigated against this by stewarding of the gangways and by painting contrasting coloured nosings to the steps to highlight them.
12.16	<u>Number of Seats in a Row</u> There are seating rows within the Main Stand which do not comply with this clause.	Aberdeen Football Club is aware of this and monitor the situation. Spectators are familiar with the situation and they self - police this by

		choosing which way to exit. Stewards in attendance will control the flow of spectators. During evacuation exercises there has been no hold up and the egress time was unaffected
15.11	<p><u>Restriction of Fire Growth and Spread</u> The Richard Donald Stand, being relatively modern complies within the Guide in respect of Restricting Fire Growth and Spread.</p> <p>The Main and South Stands catering facilities have manual shutters which are removed prior to the kiosks opening.</p> <p>The Main Stand is protected by smoke alarms. Fire extinguishers are available.</p> <p>The Merkland Stand kiosk has a pair of manually operated shutter doors which isolate the catering unit.</p>	<p>Whilst having no spectator useable accommodation under the south and Merkland Stands, there are catering facilities which open onto the spectator areas and these are protected and isolated by 30 minute fire resisting shutters.</p> <p>The Main Stand is the least compliant. AFC in consultation with Building Control. and Scottish Fire and Rescue Service has endeavoured to mitigate this by the provision of 1 hour Fire resistant doors within the concourse areas. The Richard Donald and Main Stands are fully fitted with smoke/fire detection and alarm systems</p> <p>Only slow cooking takes place with no deep fat frying, and staff are fire trained and stewards monitor the kiosks during activities</p> <p>The staff are fire trained and the kiosk is monitored by stewards. Fire extinguishers are provided. Only slow cooking takes place with no deep fat frying.</p>
15.12	<p><u>Fire Resistance in Existing Construction</u> Pittodrie Stadium is an existing situation, and the Main Stand presents particular problems</p>	<p>Management have recognised this and have carried out significant upgrading of the fire resistance elements of construction, particularly the fire lining of the underside of the upper tier of spectator accommodation, from within the first floor concourse.</p> <p>The deficiencies in the Main Stand are recognised and taken account of by BMJ Architects in the computation of the relevant 'P' factor.</p> <p>Management continually assess the fire resistance characteristics exit routes etc and the physical condition of the Main Stand, and do so in consultation with the Police and Fire Services</p>
16.6 (f)	<u>Location of Control Point</u>	This location was agreed by

	Pittodrie Stadium is an existing situation and the control room has been located adjacent to the Main Stand.	both Club and Emergency Services. The requirements of clause 16.6 have been met as far as practical on site. Police are content with the site.
19.0	<u>Media Provision</u>	Management will ensure that the non-combustibility of the gantry to the Richard Donald Stand has been provided in compliance with Building Standards Scotland Regulations Management will ensure that site specific risk assessment method statements and design calculations are provided by Media companies for all their temporary & permanent installations at Pittodrie Stadium Temporary scaffolding will be designed and erected in accordance with the recommendations of the Institute of Structural Engineers.

This page and the five preceding pages form Appendix 5 referred to in the foregoing Safety Certificate

Date _____



DONALD COUTTS

ARCHITECTURAL & PROJECT MANAGEMENT CONSULTANCY LTD

Attention of Paul Hendry
Aberdeen Football Club
Pittodrie Street
Aberdeen

01/04/2015

Dear Paul

Aberdeen Football Club
Safety Certificate for Pittodrie Stadium, Aberdeen
Final Capacity Computation

Having carried out an observational survey of the spectator stands and facilities, (which was reported to you on 9th February 2015), I consider that there has been a modest but progressive deterioration of some elements of the Stadium building fabric. However, due to Aberdeen Football Club's pro-active maintenance programmes, I do not consider that this deterioration warrants a reduction in the 'P' factors at this point in time.

The Final Capacity of each Stand , and the entire Stadium, will therefore still be based upon the Holding Capacities detailed in my letter of 26 March 2014.
The revised computation for each Stand is now as follows.

01. Richard Donald Stand.

The number of actual seats as confirmed by Aberdeen Football Club is 6220. This figure comprises 6100 seats in the open terracing which includes 20 disabled person seats in addition to 120 seats within the hospitality boxes.

There being no seriously restricted view seats , the number of useable seats is also 6220.

The P +S factors for this Stand both currently are at 1.0, as per letter of 20th May 2013.

The Holding Capacity is therefore 6220×1.0 equating to 6220.

02. South Stand

I am advised by Aberdeen Football Club that the ticketing/seating allocation for visiting supporters, is to be reduced for the forthcoming Season. Consequently the existing secondary barrier located between supporter Sections T and V , is to be removed and two additional seats are to be added to the ends of each of the Home supporter rows in Section V.

This will add a total of 66 seats to this Section.

The number of actual seats as confirmed by Aberdeen Football Club is now 8254.

Number of seriously restricted seats due to disabled section canopy is 84

The number of useable seats is therefore 8170.

The P+S factors for this Stand currently are 0.965 and 1.0 respectively, as per letter of 20th May 2013.

The Holding Capacity is therefore 8170×0.965 equating to 7884.

03. Merkland Road Stand.

The number of actual seats as confirmed by Aberdeen Football Club is 3538.

The number of seriously restricted view seats has been assessed on site as 95.

The number of useable seats is therefore 3443.

The P+S factors for this Stand currently are 0.98 and 1.0 respectively, as per letter of 20th May 2013.

The Holding Capacity is therefore 3443×0.98 equating to 3374.

04. Main Stand.

The number of actual seats as confirmed by Aberdeen Football Club is 3901.

The number of seriously restricted view seats has been assessed on site as 43.

The number of useable seats is therefore 3858.

The P+S factors for this Stand currently are 0.903 and 1.0 respectively, as per letter of 20th May 2013.

The Holding Capacity is therefore 3858×0.903 equating to 3483.

The Stadium Holding Capacity and Final Capacity based upon current P+S factors is therefore ;

Richard Donald Stand - 6220

South Stand - 7884

Merkland Road Stand - 3374

Main Stand - 3483

Stadium - 20961

I trust this re-assessment and computation will now be conveyed to Aberdeen City Council.

Yours Faithfully

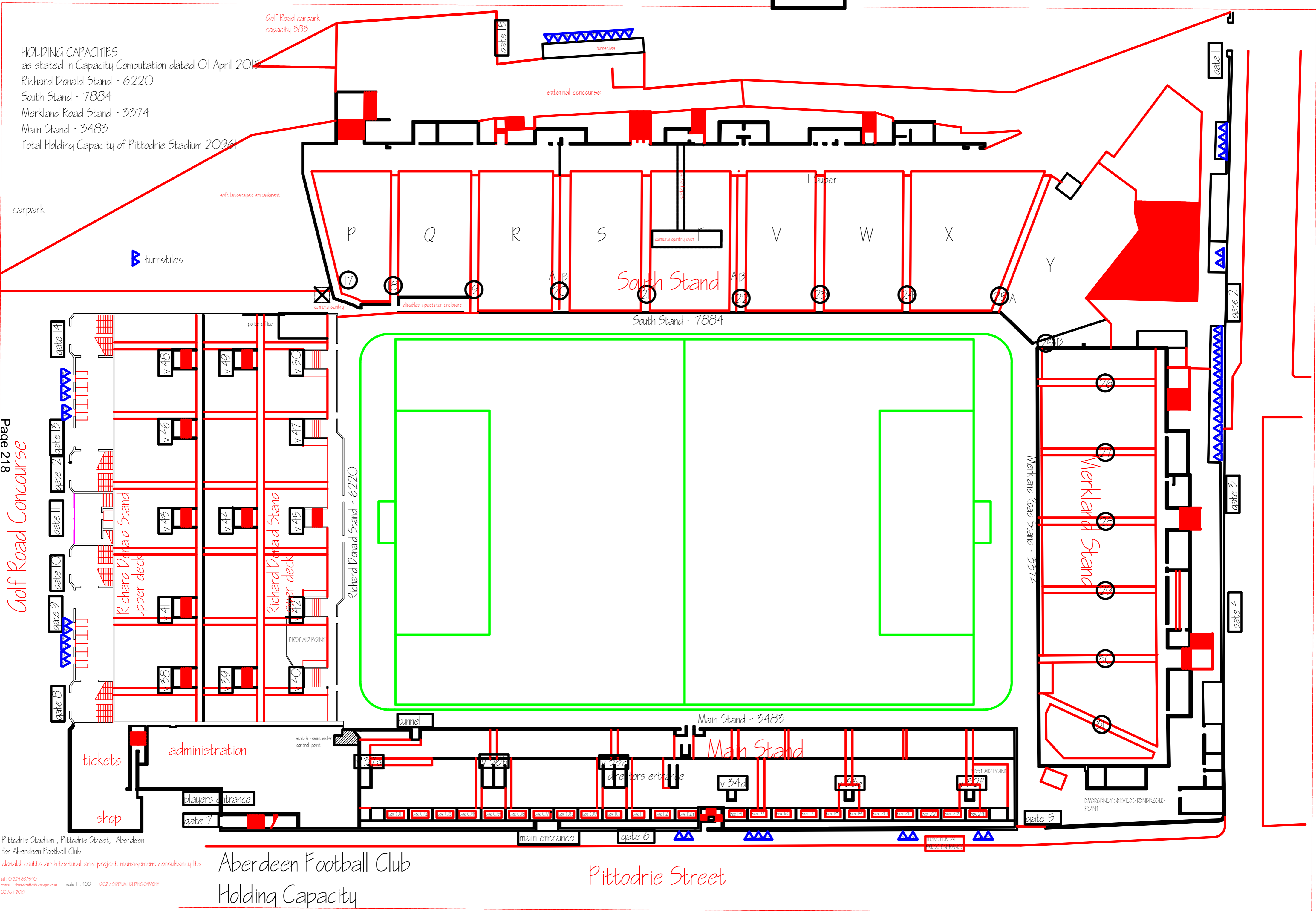


Donald Coutts RIBA ARIAS

cc. Graham Stuart BMJ Architects.

HOLDING CAPACITIES
 as stated in Capacity Computation dated 01 April 2015
 Richard Donald Stand - 6220
 South Stand - 7884
 Merkland Road Stand - 3374
 Main Stand - 3483
 Total Holding Capacity of Pittodrie Stadium 20961

Golf Road Concourse
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Pittodrie Stadium, Pittodrie Street, Aberdeen
 for Aberdeen Football Club
 donald cuttis architectural and project management consultancy ltd

Aberdeen Football Club
 Holding Capacity

Pittodrie Street

Pittodrie Street carpark, capacity 420

tel: 01224 655540
 e-mail: dcuttis@acpm.co.uk scale 1:400 002 / STADIUM HOLDING CAPACITY
 02 April 2015