

Public Document Pack



To: Councillor Carle, Convener; and Councillors Allan, Boulton, Copland, Cormie, Councillor Barney Crockett, the Lord Provost, Delaney, Lesley Dunbar, Graham, Hutchison, MacGregor, Malik, Malone, Nathan Morrison, Nicoll, Reynolds and Townson.

Town House,
ABERDEEN 11 January 2016

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in Committee Room 2 - Town House on **TUESDAY, 19 JANUARY 2016 at 10.00 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

REQUESTS FOR DEPUTATION

1.1 Requests for Deputation

- (i) Request by Mr McColl - Item 4.1 (Removal of Minimum Engine Size Requirement to Permit Vehicles with Environmentally Friendly Engines);
- (ii) Request by Mr Steve Robertson and Mr Peter Campbell, Unite Taxi Driver Representatives - Item 4.2 (Street Knowledge Testing for Private Hire Drivers)
- (iii) Request by Mr Cullen - Item 4.2 (Street Knowledge Testing for Private Hire Drivers)
- (iv) Request by Mr McColl - Item 4.2 (Street Knowledge Testing for Private Hire Drivers)

DETERMINATION OF EXEMPT BUSINESS

MINUTES AND COMMITTEE BUSINESS STATEMENT

- 2.1 Minute of Previous Meeting of 3 November 2015 (Pages 5 - 26)**

- 2.2 Minutes of Meetings of the Licensing Urgent Business Sub Committee of 24 November and 15 December 2015 (Pages 27 - 30)
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FILM CLASSIFICATION

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COMMITTEE REPORTS

- 4.1 Removal of Minimum Engine Size Requirement to Permit Vehicles with Environmentally Friendly Engines (Pages 37 - 42)
- 4.2 Street Knowledge Testing for Private Hire Drivers (Pages 43 - 62)

APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

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- 5.6 Renewal of a Licence for a House in Multiple Occupation - 30B Spital (Pages 115 - 120)
- 5.7 Renewal of a Licence for a House In Multiple Occupation - 6 Sunnyside Avenue (Pages 121 - 128)
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- 5.9 Grant of a Street Trader's Licence - Susan Law (Pages 139 - 140)
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- 5.11 Renewal of a Taxi Licence - John Noble (T059) (Pages 143 - 144)
- 5.12 Renewal of a Taxi Licence - Graham James Hansley (T883) (Pages 145 - 146)
- 5.13 Renewal of a Taxi Licence - Rainbow Cars Ltd (T836) (Pages 147 - 148)
- 5.14 Renewal of a Taxi Licence - Rainbow Cars Ltd (T916) (Pages 149 - 150)
- 5.15 Renewal of a Private Hire Car Licence - Patricia McPherson (PH262) (Pages 151 - 152)
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APPLICATIONS TO BE HEARD IN PRIVATE IN TERMS OF THE DATA PROTECTION ACT 1998 - INCLUDING LIST OF APPLICATIONS

- 6.1 Grant of a Special Events Private Hire Care Driver's Licence
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- 6.5 Grant of a Taxi Driver's Licence

ITEMS WHICH THE COMMITTEE MAY WISH TO CONSIDER IN PRIVATE

Website Address: www.aberdeencity.gov.uk

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



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground 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	7 January 2016
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.26 Balmoral Road, Aberdeen

Applicant/s: James A.Stewart

Agent: None stated

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 19 January 2016 for the reason that 6 letters of 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

The premises:

The property at No.26 Balmoral Road, Aberdeen, is a 2-storey semi-detached house providing accommodation of 3 en-suite letting bedrooms, one public room, one kitchen & one cloakroom. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 27 September 2015 and was received by the HMO Unit on 19 October 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 September 2015 – 18 October 2015 (see bullet-point below).

Letters of Objection:

6 letters of objection were received by the HMO Unit 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, and details of their letters of objection are as follows:

A letter from Robert & Helen Gill (attached as Appendix 'B')

A letter from David J. McCormac (attached as Appendix 'C')

A letter from A. Massie (attached as Appendix 'D')

A letter from Mrs C. Tough (attached as Appendix 'E')

A letter from Mrs Cecelia Davies (attached as Appendix 'F')

A letter from Alastair & Margaret King (attached as Appendix 'G')

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.26 Balmoral Road, Aberdeen.
- The applicant & his property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 3 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is a 'first-time' HMO licence application.
- At the date of this report, there are no HMO-licensed properties in Balmoral Road, Aberdeen.

- The letters of objection mention the siting of the public Notice of HMO Application. In this regard, the HMO Unit received a complaint about the Notice in early October 2015. The HMO Officer visited the property on 6 October 2015 and inspected the Notice which was fixed to a tree outside the property. At that time, no HMO licence application had been received, and the HMO Officer discussed the matter with the owner of the property. The Notice was facing the road, and the HMO Officer instructed the owner to reposition the Notice on the tree such that it could be read from the pavement side. The owner did this and subsequently submitted his HMO licence application.
- The letters of objection mention car parking difficulties in Balmoral Road. There are currently no car parking restrictions in Balmoral Road, with the result that it becomes congested, especially in the evenings. The property at No.26 Balmoral Road includes a car runway along the gable end of the house, leading to a single garage in the rear garden. However, car parking provision is not a consideration of HMO licensing.
- The letters of objection mention recent alterations within the property to create 3 en-suite letting bedrooms. During the initial joint-inspection of the property by the HMO Officer and an Officer from Scottish Fire & Rescue Service, this matter was discussed with the applicant who was advised to contact the Council's Building Standards Section for advice on whether or not a Building Warrant should have been obtained. It has since been established that a Building Warrant was not required.
- The joint-inspection also identified several other work & certification requirements, which at the date of this report have not been completed. I'll advise the Committee of the up-to-date position during the meeting on 19 January 2016.

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

5 October 2015

HMO Unit
Housing and Environment
Business Hub11
Second Floor West
Marischal College
Broad Street
Aberdeen AB10 1AB

Dear Sirs,

We wish to express our strong objections to the proposal suggested by James Stewart to alter the use of the property at 26 Balmoral Road, Aberdeen, AB10 6AN to a House of Multiple Occupation.

This is a change of use of these premises from domestic to commercial and is not appropriate for this location.

The property has already been altered internally, we believe, to include three ensuite bedrooms. We presume that permission has been granted for this, though neighbours were not informed. For most of this year the property has intermittently been occupied by a variety of people.

In addition the neighbours in close proximity to number 26 have received no notification of the present application, until the Aberdeen City Council notice appeared on a nearby tree.

There is inadequate parking in the driveway of number 26 for multiple occupants, and using the property as such will reduce the amenities and property values of the area in an inappropriate way.

Yours faithfully

Robert and Helen Gill

Aberdeen City Council
Housing & Environment
DATE RECEIVED 07 OCT 2015
Private Sector Housing Unit

HMO UNIT

HOUSING & ENVIRONMENT

BUSINESS HUB 11

2ND FLOOR WEST

MARISCHAL COLLEGE

BROAD ST

ABERDEEN

AB10 1AB

C

Re: Change of use to 26 BALMORAL ROAD, ABERDEEN AB10 6AN to a House of Multiple Occupation by JAMES STEWART,

I hereby object in the strongest possible terms to the above proposal.

This would be an unprecedented change of use in this road which is entirely made up of domestic residential properties. It is totally inappropriate as a site for a commercially run business.

Having spoken to the other close neighbours, no-one was aware of this until your notice appeared pinned to a tree outside the property. We are aware that considerable alterations have been carried out to the property already, which, if done with planning permission, has been done with no formal neighbour notification.

I am also concerned about inadequate parking at the property for multiple occupants and also the effect on local amenities, and knock-on effect on local property prices.

DAVID J. McCORMAC MS.

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

A

Dear Sir,

I strongly object to the application by Mr. Stewart of 28 Balmoral Road. He gave no notice of this alteration was given to neighbours. This is a residential area and he has deliberately altered the house and turned it into a commercial property. I understand he has managed to make three ensuite bedrooms and a sitting, eating, kitchen area in a 2 bedroom, bathroom living room house. Making space for 3 cars to be found. When he was

venting before he never left any contact numbers in case of emergency, and just returned to London area. He paid no attention to outside space with the result that right grass & weeds, tenants spill'd rubbish bags scattered throughout. I intended to sell the property but this immediate neighbour wouldn't allow me as he does not like a fuss and he got someone to help for the the bags

If by any chance these plans are passed surely some provision could be made to ensure hygienic of outside grounds
Yours faithfully,

A. MASSIE

45.

E

12 October 2015

REGISTERED

HMO Unit, Private Sector Housing Unit
Housing & Environment
Business Hub 11, Second Floor West
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Dear Sirs,

I wish to object to the granting of a licence to Mr J Stewart of 26 Balmoral Road, Aberdeen AB10 6AN to turn his address in to a house of multiple occupancy.

I have lived at _____ for 22 years and during that time multiple occupancy has never applied at No. 26. I am concerned by the fact I do not know or understand the criteria for who may reside at No. 26. With increased number of occupants in the area I am concerned about access to parking. As a widow and a pensioner, I am worried it may affect my ability to get around if I cannot park nearby. I also have concerns with regards to an increased risk of noise in the area, which at present is typically tranquil.

As Mr Stewart does not live locally, garden neglect, which has happened previously, is another concern. I share a path with number 26 and have concerns over the use and potential noise generated from more frequent use by any additional inhabitants.

This has always been a very peaceful area of Aberdeen to live in, and we wish to maintain this.

I look forward to receiving your response within 14 days in relation to my above objection.

Yours faithfully,

Mrs C. Tough

Aberdeen City Council
Housing & Environment
DATE RECEIVED 14 OCT 2015
Private Sector Housing Unit

F
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12 October 2015

Dear Sirs

26 Balmoral Road, Aberdeen

Objection to Application for HMO Licence

I write with respect to the above property which I understand may be subject to an application for an HMO licence imminently.

I am the proprietor of _____ Aberdeen where I have lived for the last 42 years. My property is a semi-detached house, _____ I am 73 years old and live on my own, having been widowed since 1998.

On Sunday 4th October 2015 Mr Gill, my neighbour from the opposite side of the street approached me to alert me to the fact that a notice had been attached to a kerb-side tree, adjacent to my house. The notice had been orientated to point into the road and therefore could not be seen from the pavement side. I had been unaware of its presence due to its position. Please find attached to the end of this letter photographs showing the position of the notice. I can confirm that the notice has not moved since I was made aware of it on 4th October.

The notice confirms that my adjoining proprietor, Mr James Stewart has made an application for an HMO Licence in relation to 26 Balmoral Road, in accordance with the Housing Scotland Act 2006. The notice further confirms that the application was made on 27 September 2015. No managing agents are named on the notice.

Aberdeen City Council
Housing & Environment
DATE RECEIVED 15 OCT 2015
Private Sector Housing Unit

F

For reasons that I will explain later in this letter, I am deeply concerned by this application and the impact that this may have on me as adjoining neighbour as well as the wider neighbourhood, should the application be successful.

Since being made aware of the notice, I have discussed this matter with a number of my neighbours, conducted online research in order to better understand the correct process for dealing with such matters and have taken counsel from my son, Mr Graeme Davies. Acting on my behalf, he in turn has had a conversation with Mr Ally Thain of Aberdeen City Council, who we understand is the council official dealing with this application. This took place yesterday (12th October 2015) and during the conversation, Mr Thain confirmed that as yet, no application has been received from Mr Stewart however, although one is expected imminently. Mr Thain further confirmed that I should I have any concerns with the application, I should act on the assumption that the above notice is competent and should submit a written objection without delay.

For clarity, please accept this letter as my formal objection to both the above mentioned notice and also any related application for an HMO licence.

The principal basis of my objection is that I have grave and well-founded concerns that Mr Stewart will not take appropriate steps to ensure that the property is properly managed should he get his licence; this based on recent experience.

By means of background, No 26 has been let out for several years (by my best recollections, since the mid-1990s).

For the majority of this time, the property has been let to sole tenants; either couples or families. During this time, there has been little trouble to speak of, with the various tenants taking responsibility for the entire premises, including external areas.

However, over the last 3-4 years, the property has been let out on a shared basis, to at least 2 or more parties – usually young men in their 20s and 30s. Over the same period, there has been a significant deterioration in the upkeep of the property (particularly those areas that might be considered as common areas) and a number of concerning management issues have arisen.

These have included:-

- Sporadic noise disturbance emanating from the property, which I have assumed is a result of late night drinking and revelry.
- The grass and gardens being left to over-grow, with little if any gardening being undertaken.
- Last year, significant amounts of household and other refuse being dumped in the back garden and left for 6-8 weeks to build up. This refuse inevitably tipped over in the wind and was scattered around both the garden of No 26 and my own garden. On this occasion, I had to enlist the help of a neighbour in order to deal with the issue. Items left dumped included soiled bedding.
- Again last year, the property being left unlocked and unattended resulting in a significant security and potential fire safety risk. Again, I had to enlist the help of a neighbour to check the property and secure it. During the inspection, the property was found to be in a very poor state of neglect.

Since letting out the premises, Mr Stewart has rarely if ever been around to manage or even monitor the state of the property or deal with issues as they arise. Up until 2 years ago, Mr Stewart enlisted the help of his late father to undertake works on an *ad hoc* basis. Mr Stewart senior was a very helpful man however sadly, he died about a year ago. For approximately 2 years, it has been clear that there has been no management regime in place whatsoever.

I should add that I have had had no means of contacting Mr Stewart until approximately 1 year ago, when he provided me with his mobile telephone number on my request.

Over the last 2 years, my enjoyment of my own property has been significantly affected to the point where I now wish I had moved out before the property became multi-let. I am in my 70s and a widow. I do not have the confidence nor the energy required to deal with the future mis-management of the property nor any tenant issues as they arises. That said, I do not wish to be forced to move out of the home that I have lived in for most of my married life and in which I have brought up my children.

Going forwards, I am deeply concerned that if the HMO Licence is granted, the property will continue in a downward spiral of neglect, which will affect the quiet enjoyment of my house and ultimately my well-being. If this is the case then I will have to move.

F
-

I wish no ill to Mr Stewart, however I find myself in the position where I must object in the strongest possible terms to him being granted an HMO licence.

Turning to the matter of the notice, I am of the opinion that Mr Stewart has not followed the due process laid down in the Council's Guidance to Applicants. The Guidance clearly states that the applicant "must display it in a public place outside (the) property in a position, where it is capable of being easily read by all neighbours and passers-by. This Notice must remain on display for 21 days starting on the day you submit your HMO application and fee".

It is clear that the notice cannot be easily read. It is fixed in a position where it can only really be noticed (not read) by those on the opposite side of the street or those passing by in a vehicle. It is not readily noticeable to immediate neighbours or those passing by on the pavement.

Moreover, as of yesterday morning, I understand that no application has been received. Mr Stewart has therefore not complied with the requirement to display it for 21 days starting on the day he submitted the application.

Finally, water has got into the plastic cover of the notice and some of the Council's contact information has become illegible, specifically the contact email address for queries.

I appreciate that the issues surrounding the notice do not in themselves provide grounds for objection to the application, however, I would ask the Council to take consideration of the above and confirm whether or not the notice is indeed competent.

I trust that the above letter clearly states my objection to the HMO application and I look forward to receiving the Council's acknowledgement in writing that they have safely received this letter within the prescribed timescales and a response, once they have had time to consider the contents of this letter and other objections that may have been received.

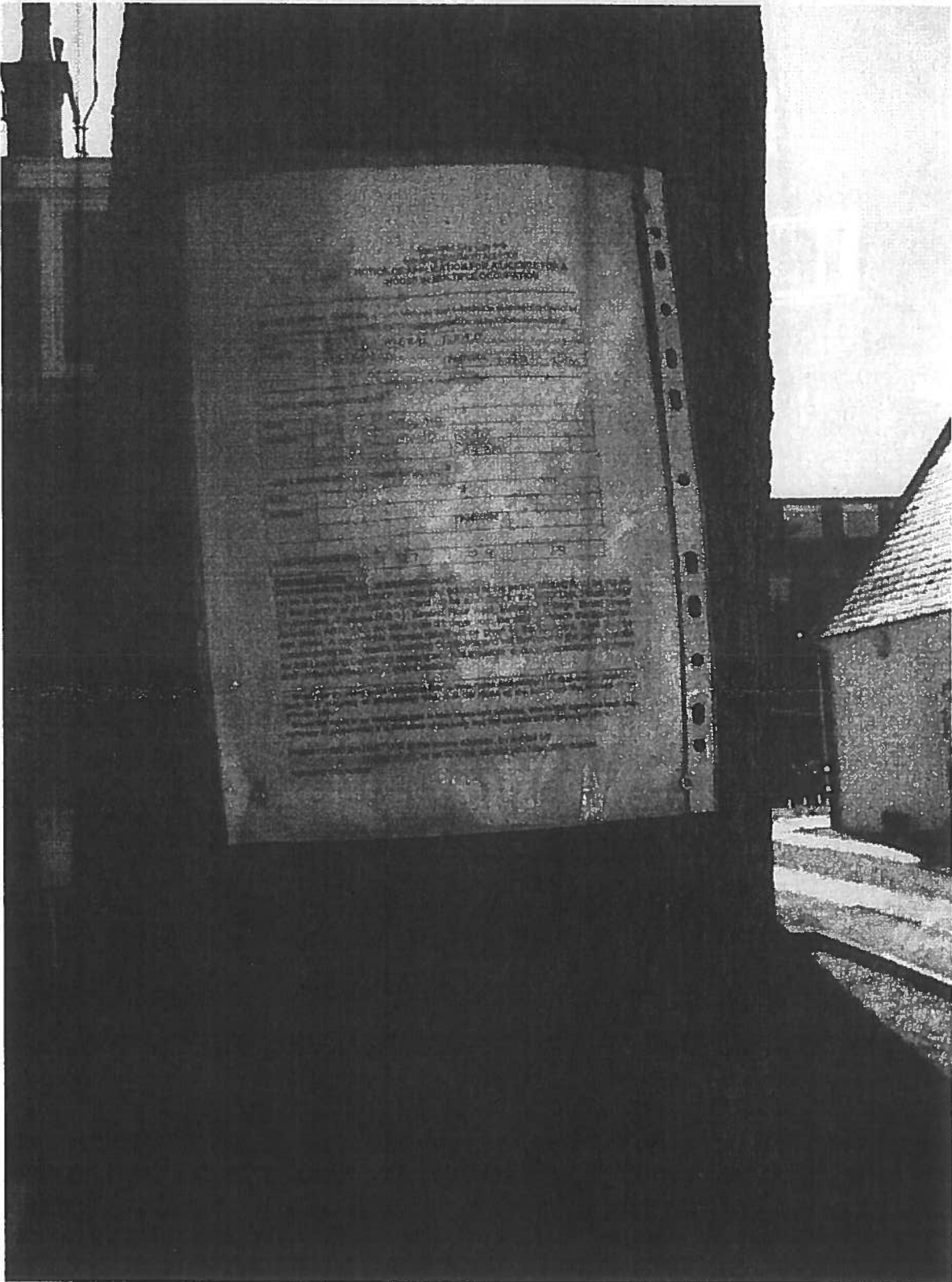
Finally, I have copied this letter into my son Graeme Davies, who has full authority to act on my behalf in this matter as required.

F

Yours faithfully

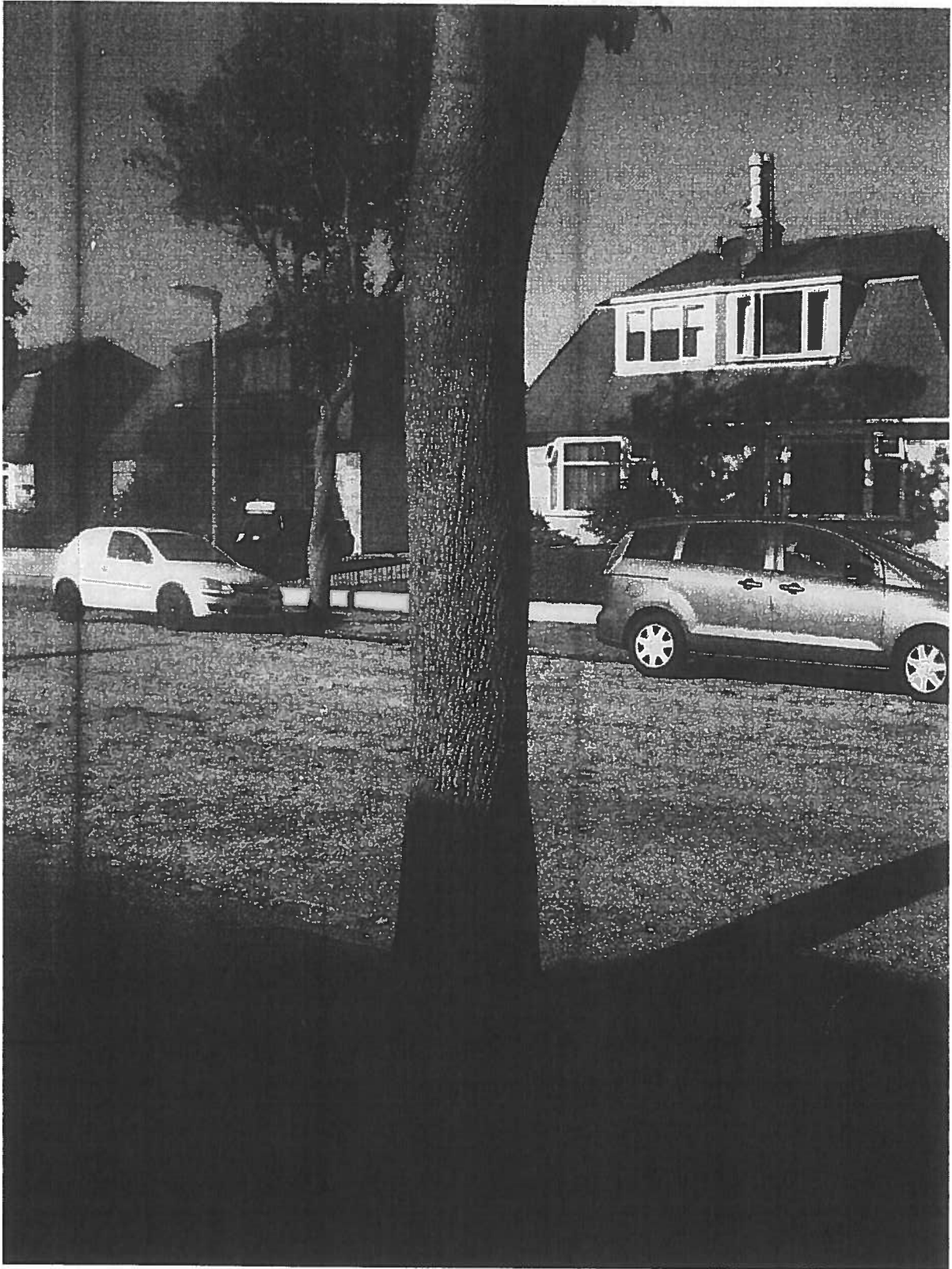
Mrs Cecilia Davies

F



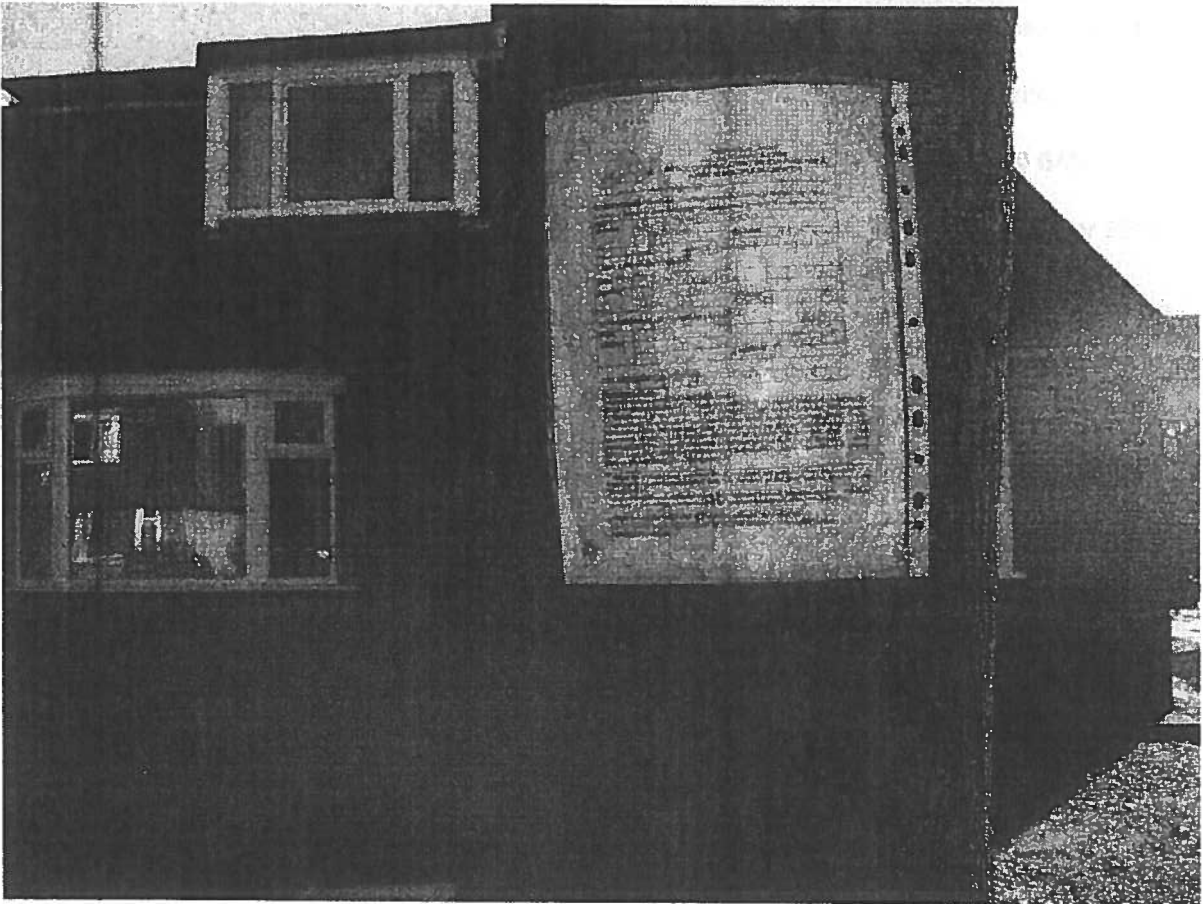
Notice displayed on tree facing on to roadway

F



Notice not visible from pavement

F



Notice with 26 (right) and 28 (left) Balmoral Road in the background

G
1

15th October 2015

HMO Unit
Housing & Environment
Business Hub 1
Second Floor West
Marischal College
Broad Street
Aberdeen

Dear Sirs

**Application for HMO Licence
26 Balmoral Road, Aberdeen**

We wish to express our concern re the above application by Mr James Stewart. This matter was only recently brought to our attention, as we were not aware an official notice had been posted on a tree outside the property.

We are owner/occupiers of _____ and have been resident here for over 40 years.

While we are aware that internal alterations may be made without neighbours being informed we feel that an application for an HMO Licence in Balmoral Road may set a precedent for a change in the residential status of our area. Parking spaces are at a premium in Balmoral Road and we are concerned this application may only add to the on-going problem.

Over the years the property has been let to various family groups and was maintained to a reasonable standard but over the last two to three years the tenancy has changed and problems have occurred affecting the houses on either side particularly No. 28. Should a licence be granted it is essential that arrangements are in place for someone to be responsible for the property who can be readily contacted should any problem arise.

We trust you take note of our objection and acknowledge receipt of this letter.

Yours faithfully

Alastair & Margaret King

Aberdeen City Council
Housing & Environment
DATE RECEIVED 19 OCT 2015
Private Sector Housing Unit

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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground 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	7 January 2016
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.12 Woodlands Walk, Aberdeen

Applicant/s: William F. Miller

Agent: None stated

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 19 January 2016 for the reason that 4 written objections 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

The premises:

The property at No.12 Woodlands Walk, Aberdeen, is an end-terraced 3-storey townhouse providing accommodation of 5 letting bedrooms, one public room, one kitchen & 2 bathrooms. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 24 September 2015 and was received by the HMO Unit on 24 September 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 between 24 September 2015 – 5 November 2015. This period is well in excess of the 21-day statutory period, however the public Notice was not originally displayed in a public place following submission of the application. The HMO Officer, during his initial inspection of the property, identified this and instructed the applicant to re-display the Notice in a public place, which was then done.

Written Objections:

2 signed e-mails and 2 signed letters were received by the HMO Unit on 5 November 2015, within the Notice period declared by the licence-applicant, and must therefore be considered by the Committee. All objectors have been invited to attend the Committee meeting, and the details of their objections are as follows:

An e-mail from Martin Skinner (attached as Appendix 'B')

An e-mail from Dr Claire Johnston (attached as Appendix 'C')

A letter from Mr & Mrs C.Hopkins (attached as Appendix 'D')

A letter from Mr & Mrs C.Hopkins (attached as Appendix 'E')

Letter from Licence-Applicant

The applicant, who has also been invited to attend the Committee meeting, submitted a letter in support of his application. The letter is attached as Appendix 'F'.

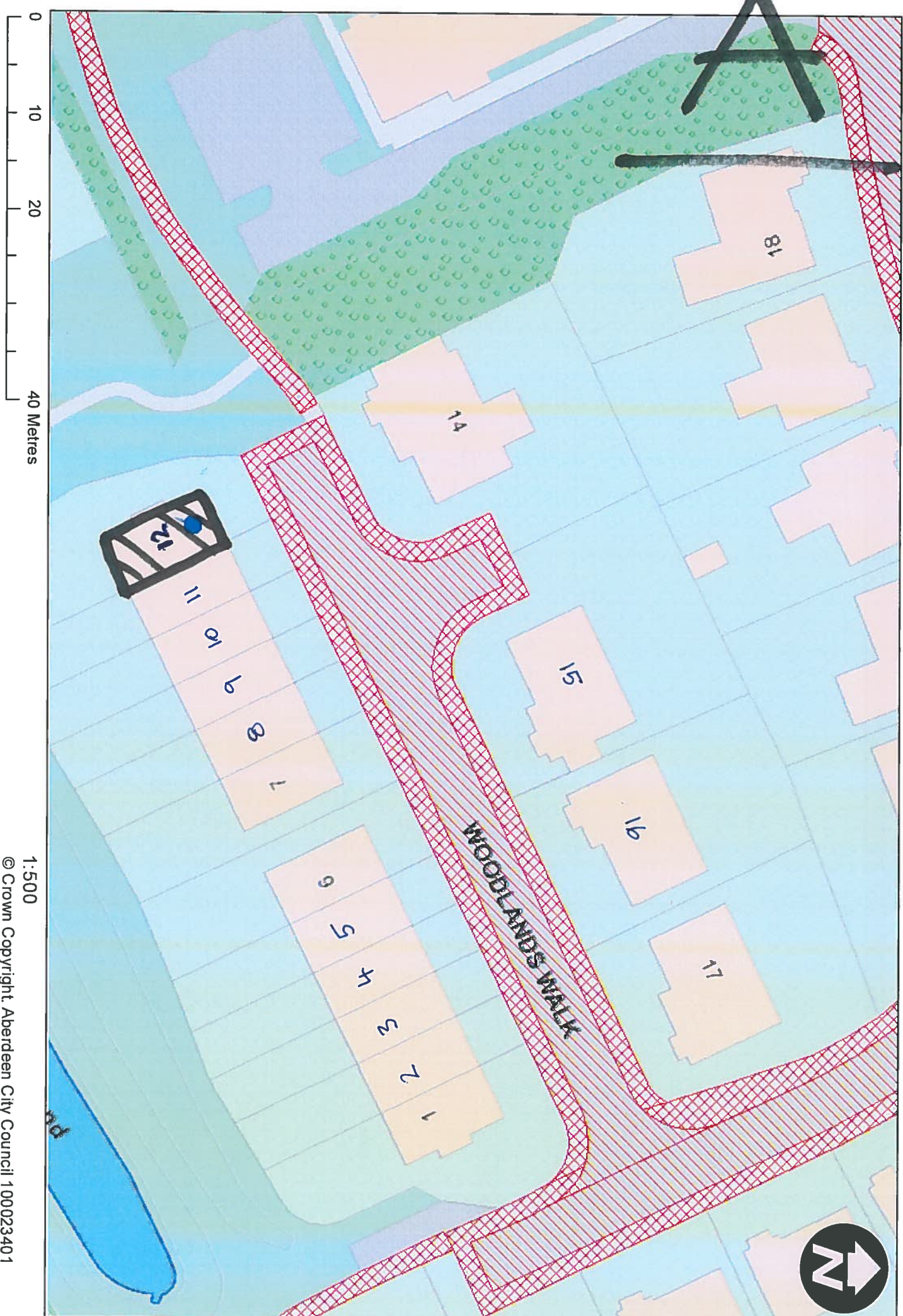
Other Considerations:

- 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.12 Woodlands Walk, Aberdeen.
- The applicant & his property are registered with the Landlord Registration database. The applicant also holds HMO licences in respect of 2 other rental properties in Aberdeen City.
- The applicant has requested an occupancy of 5 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is a 'first-time' HMO licence application.
- At the date of this report, there are no HMO-licenced properties in Woodlands Walk, Aberdeen.

- All objections mention difficulties associated with on-street car parking. Two of the objections mention a clause in the Title Deeds which restricts the amount of cars per household which may be parked on the street, however this is at odds with the street being an 'adopted-road' which has no car parking restrictions. In any case, Title Deed burdens cannot be considered by the Licensing Committee for the reason that the objectors may choose to take their own legal action against the licence-applicant in terms of a breach of the Title Deeds. Further, car parking provision is not a consideration of HMO licensing.
- At the HMO upgrading works & fire-safety works have been satisfactorily completed, therefore if the Committee is minded to grant the HMO licence, it may do so at the meeting on 19 January 2016.

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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From: Skinner, Martin
Sent: 05 November 2015 12:20
To: HMOUnit
Cc:

Subject: Objection to HMO Application for 12 Woodlands Walk

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir / Madam,

I am writing in relation to the HMO application at 12 Woodlands Walk, Cults, Aberdeen, AB15 9DN.

I would like to object to the application based on the following:

- There is currently a problem with parking in this street. There is very limited space for parking, which results in cars parking on pavements due to the narrow road. Increasing the occupants of a property exacerbates the parking problem by adding more cars parking on the pavements. This area is resident predominantly to families with young children, many of which enjoy playing safely in their street with their neighbours. I am concerned that the increased potential for concealed areas (in-between parked cars on the pavements) adds unnecessary risk to young children of existing residents. There is also an additional risk to young children due to the increase of traffic due to additional vehicles.

I personally have had two negative experiences with HMO's in my last property, and was a contributing factor to moving.

We had two properties which had HMO's approved in close proximity, one was leased to students, and the other was to local trade workers.

Both caused different kinds of problems, but all impacted the quality of our daily lives.

From the students we were exposed to excessive noise, antisocial behaviour, late night parties and petty vandalism to gardens and cars.

From the local workers there was mass over occupation (some 10+ adults living in the property), speeding in the street, parking problems (including lorries), excessive noise and intimidation.

This was very stressful and caused a nuisance to the majority of existing local residents, and I don't wish to undergo a similar situation again.

I would appreciate that you take my comments / concerns into consideration during the review of the application.

Kind regards,

Martin Skinner

From: Johnston Claire
Sent: 05 November 2015 16:10
To: HMOUnit
Subject: Application for House of multiple occupation 12 woodlands Walk Aberdeen AB15 9DW

Follow Up Flag: Follow up
Flag Status: Completed

Dear sir/madam

I would like to formally object to the above application.

I live at : (just along from the house in question) and used to live at to have experience on living on the street. My main reasons for objecting are;

Parking issues (already a problem on the street) and with multiple people in the house this is likely to be worsened. Potential noise issues especially if students / young people residing in the house.

This is a quiet family residential area and we would like to keep it that way. We pay a premium on council taxes to live here.

Thank you for considering this

Dr Claire Johnston

This message may contain confidential information. If you are not the intended recipient please inform the sender that you have received the message in error before deleting it. Please do not disclose, copy or distribute information in this e-mail or take any action in reliance on its contents: to do so is strictly prohibited and may be unlawful.

Thank you for your co-operation.

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NHSmail is approved for exchanging patient data and other sensitive information with NHSmail and GSi recipients
NHSmail provides an email address for your career in the NHS and can be accessed anywhere

Mr & Mrs C Hopkins

D
1

05/11/2015

Ref: Notice of application for a license for a house in multiple occupations, 12 Woodlands Walk, Cults Aberdeen AB15 9DW.

We write in connection with the above application. We wish to object strongly to the multiple occupations for this site.

This is not in keeping with the areas and occupancies within the Woodlands development which is a lovely family area. This type of license is generally associated with students and groups of adults living together, which will most definitely create disruption, and overcrowding within the street with respect to car parking and general traffic in the street.

As stipulated in the deeds of the property, on street parking per household is limited to one car only and this is already an ongoing issue with respect to the volume of cars parked on the street. The multiple occupancy will undoubtedly make this even worse, whereby restricting use for other residents parking. The safety of children and the general neighbours will also be of greater concern due to these issues.

General overcrowding will undoubtedly be an issue, albeit temporary because someone has come to visit the property for a short period but this is also a concern, again related to parking.

We have also had student occupants in the townhouses on this street, when on a number of occasion we have had called the police due to excessive noise, partying and disruption in the street, and not observing the street speeding restrictions in this area. With this type of occupancy, this will undoubtedly be an issue longer term.

We are very disappointed in the way the signage was displayed on a lamppost as opposed to a formal notification via post.

Regards

~~Mr and~~ Mrs Colin Hopkins

Mr & Mrs C Hopkins

E

05/11/2015

Ref: Notice of application for a license for a house in multiple occupations, 12 Woodlands Walk, Cults Aberdeen AB15 9DW.

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This is not in keeping with the areas and occupancies within the Woodlands development which is a lovely family area. This type of license is generally associated with students and groups of adults living together, which will most definitely create disruption, and overcrowding within the street with respect to car parking and general traffic in the street.

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We have also had student occupants in the townhouses on this street, when on a number of occasion we have had called the police due to excessive noise, partying and disruption in the street, and not observing the street speeding restrictions in this area. With this type of occupancy, this will undoubtedly be an issue longer term.

We are very disappointed in the way the signage was displayed on a lamppost as opposed to a formal notification via post.

Regards

~~Mr and Mrs~~ Colin Hopkins

F

Mr W Miller

8/12/15

Ally Thain
Private Sector Housing Manager
Private Sector Housing Unit
Business Hub 1
Lower Ground Floor West
Marischal Collage
Aberdeen City Council
Broad Street
Aberdeen
AB10 1AB

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

Dear Mr Thain

With regards to your letter dated 27th November

I can confirm that I will be in attendance at the Licencing Board Committee meeting on 19th January with my solicitor

I would put the following points forward in support of my application for an HMO Licence for a maximum of 5 tenants at 12 Wodlands Walk Aberdeen and try to answer the points put by objectors to the application

I am a responsible landlord and I have been registered with Aberdeen City Council for many years reg no [redacted] and have successfully held two HMO Licences for a number of years the licence numbers are [redacted]. Having been a landlord for some time I am well aware of my responsibilities as far as antisocial behaviour of my tenants are concerned

The property is a substantial 4 bedrooms, lounge, dining/kitchen area, utility room, bathroom with shower, shower room and two WCs it is easily capable of comfortably residing five adults irrespective of whether it has an HMO Licence or not ie a family with three grown up children so I

can't see any reason to assume that an HMO Licence will cause any disruption or overcrowding I have rented the property since 2008 with no complaints against it in that time

The target market for residents for the HMO is the professional workers market in particular I have had a number of meetings with AWPR housing personnel who have assured me that there is a local demand for this type of accommodation during the building of the road, I have at present one of their engineers in residence. The professional let residents that I am targeting usually work in Aberdeen and go home at weekends but not all will fit this criteria. These types of tenants are not friends but simply require a room and communal facilities for their day to day needs and tend to be responsible people

I can assure you I am not targeting the student market and the property won't be let to groups of people it will be let on a room by room basis to professional workers

12 Woodlands Walk is the very last house in a cul-de-sac street and is an Aberdeen City Council adopted road and therefore a public not private one it has speed bumps fitted it is a fairly short street and I can see no reason for any excessive car speeds

I have conducted various drive by surveys at various times of the day and have yet to find an issue with parking and there seems to be adequate parking within the development I jointly own another property within the development that is rented and have had no concerns raised by any of my tenants over the years regarding parking issues. I'm sure however like many other developments at peak times ie weekend and holidays there could be some parking issues but I expect most of my tenants will be at home with their families at these times. I can assure you that I will insure that none of my tenants will be allowed to park on pavements at any time and residents will have the option of complaining to myself directly (I am happy to supply my direct telephone number to them on request) or the Private Rented Housing Unit to which the HMO Licence will be supervised an option perhaps not open to them if it was a non-licenced property that was causing issues

Yours sincerely

W Miller



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground 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	7 January 2016
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.25 Bonnymuir Place, Aberdeen

Applicant/s: Hazel McPherson

Agent: Calum J.McPherson

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 19 January 2016 for the reason that one letter of 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 property at No.25 Bonnymuir Place, Aberdeen, is an upper-floor maisonette flat providing accommodation of 3 letting bedrooms, 2 public rooms, one kitchen & 2 bathrooms. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 30 October 2015 and was received by the HMO Unit on 9 November 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance submitted by the applicants declares that the public Notice of HMO Application was on display outside the property for the statutory 21-day period between 30 October 2015 – 21 November 2015.

Letter of Objection:

One letter of objection was received by the HMO Unit on 18 November 2015, within the statutory 21-day Notice period, and must therefore be considered by the Committee. The objector has been invited to attend the Committee meeting, and the letter of objection is attached as Appendix 'B'.

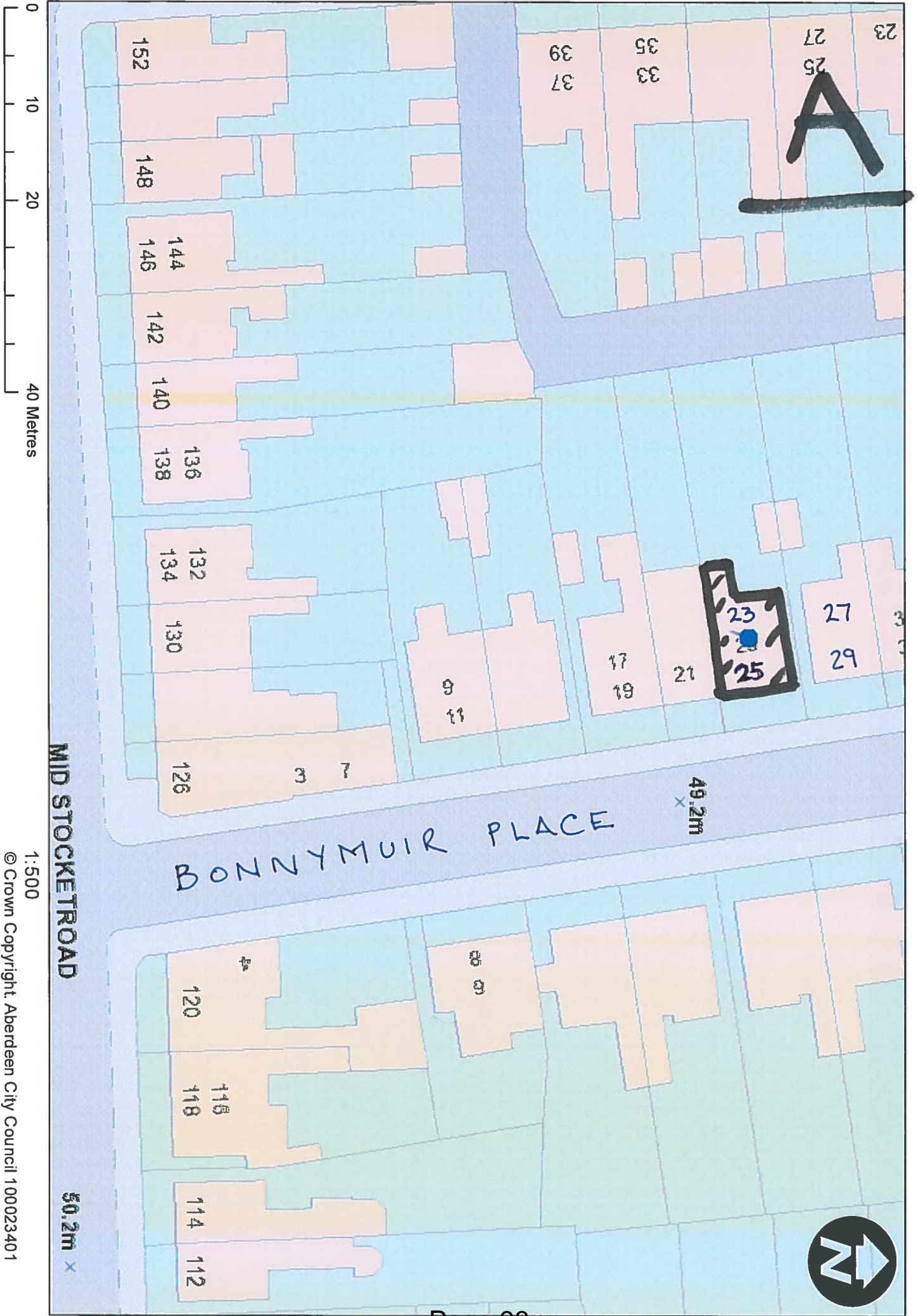
Other Considerations:

- 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 no record of any complaints of anti-social behaviour at No.25 Bonnymuir Place, Aberdeen.
- The applicant & her property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 4 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is an application to renew the current HMO licence.
- I am currently dealing with an HMO licence renewal application in respect of No.27 Bonnymuir Place, Aberdeen. There are no other HMO-licensed properties in Bonnymuir Place, Aberdeen.
- The letter of objection mentions car parking in Bonnymuir Place, which is a Controlled Parking Zone. Every household is entitled to a maximum of 2 parking permits, regardless of the size of the household. Parking is restricted to permit-holders between 10am – 4pm, and outwith these times, car parking is unrestricted (Note: Car parking is not a consideration of HMO licensing).

- The letter of objection mentions “a potential fire hazard’. The Scottish Fire & Rescue Service (SFRS) are responsible for the enforcement of fire safety in HMO properties. Following receipt of the original HMO licence application in 2012, SFRS carried out a fire safety audit of No.25 Bonnymuir Place, which highlighted a number of matters requiring attention. The applicant attended to these matters to the satisfaction of SFRS, which allowed the HMO licence to be granted. The licence-holder must by law hold a Fire Safety Risk Assessment for the property, which must be available for inspection by SFRS at any time.
- The only outstanding HMO requirement is an electrical safety certificate, which the agent will submit. At the date of this report, the certificate has not been submitted, but I will advise the Committee of the up-to-date position at the meeting on 19 January 2016.

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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B

16th November 2015

HMO Unit
Housing and Environment
Business Hub 1
Lower Ground Floor West
Marischal College
Broad Street
Aberdeen
AB10 1AB

Aberdeen City Council
Housing & Environment
DATE RECEIVED 18 NOV 2015
Private Sector Housing Unit

Dear Sir/Madam

PROPOSED APPLICATION FOR CHANGE OF USE FROM RESIDENTIAL PROPERTY TO AN HMO – 25 BONNYMUIR PLACE, ABERDEEN

I wish to object to an HMO Licence being granted for the above property in respect of the undernoted grounds.

I have a number of key concerns with regard to the award of an HMO Licence at this property.

1. Parking in Bonnymuir Place is already extremely difficult. As you may be aware, restricted parking was implemented in the area a number of years ago in recognition of the volume of traffic. If permission is granted for the HMO, it can only exacerbate this problem (potentially six additional cars plus visitors etc). Perhaps a member of the Licencing Board could inspect the street one evening to see firsthand the existing problems relating to parking. Presently we have to pay an annual charge for parking permits in this street.
2. The aforementioned property is going to be run as a business and therefore profitmaking. If an HMO licence is allowed would I, equally, be allowed to run a shop from my front room or open a market garden selling plants and vegetables? My application for change of use would surely be no different from operating an HMO, as this would also be a business in a residential area and purely operating to make a profit. This is important as a 'business' precedent would be set, if the HMO licence were to be granted.
3. I am aware that a resident in Rosebery Street (next street along) applied for planning permission to alter their property and was advised that permission would only be granted if they could provide parking provision for three cars. If this resident was required to provide three parking spaces for a family home, how can the Council justify granting an HMO licence to accommodate multiple unrelated individuals with no parking provision provided. This is a total contradiction and must surely make the granting of an HMO Licence untenable.
4. HMOs are out of keeping with the area and the community. This is an attractive and residential area accommodating many families with children. It is very popular because of the close proximity to good high achieving schools. The west end is a desirable place to live with high property prices, rightly or wrongly making it out of reach of many people. As you are again aware, Council Tax is accordingly higher in the area than in other parts of the city. If this sort of arrangement is permitted

and is economically effective for landlords/management companies, whose only objective is to make money, the character and the surroundings of the area will likely change considerably and irretrievably. The impact on property prices may be considerable and to the detriment of the present owners.

5. We live here peacefully and the granting of an HMO Licence threatens our family orientated community as HMO properties are associated with increased levels of noise and antisocial behaviour.

6. There is the problem of a potential fire hazard as it is a terraced block. Although fire doors may be installed in the affected property, they have not, to my knowledge, been installed in any of the surrounding properties. Further, these old houses were built at a time when much more inflammable materials were used in construction. Clearly, there is also a much higher risk of fire due to the fact that multiple unrelated people will be using a very small kitchen and a greater number of electrical appliances.

7. HMO properties, in general, tend to have very neglected gardens, with short-term tenants, understandably, being less likely to take responsibility for maintenance and upkeep.

8. There will obviously be considerably more refuse generated than from a normal family home. Steps will need to be taken to ensure this will be addressed.

Finally, as a resident of Aberdeen, who has a vested interest in the wellbeing of this community, unlike agents/landlords, whose only interest is in maximising profits and do not have any interest in the community, I would request that this HMO application be declined on the aforementioned grounds.

Please confirm receipt of my objection.

Yours faithfully,

Mrs Claire Melvin



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground 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	7 January 2016
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.2 Roslin Terrace, Aberdeen

Applicant/s: Fiona D.Mitchell

Agent: Patricia Sutherland

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 19 January 2016 for the reason that one letter of 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 property at No.2 Roslin Terrace, Aberdeen, is a two-storey & basement semi-detached house providing accommodation of 5 letting bedrooms (each bedroom has a kitchenette), one bathroom & one toilet. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 28 October 2015, and was received by the HMO Unit on 29 October 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance submitted by the applicants declares that the public Notice of HMO Application was on display outside the property for the statutory 21-day period between 29 October 2015 – 19 November 2015.

Letter of Objection:

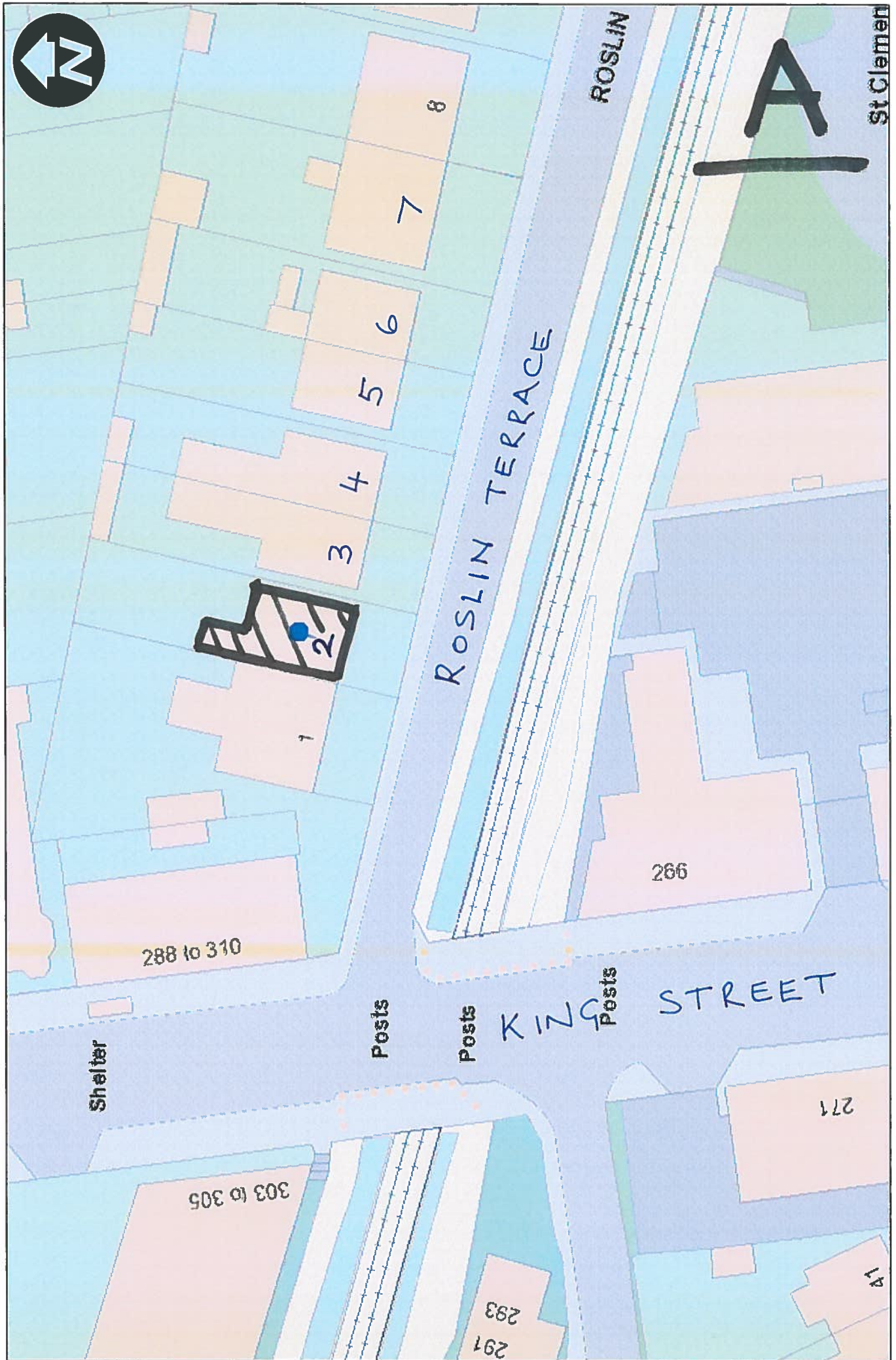
One letter of objection was received by the HMO Unit on 19 November 2015, within the statutory 21-day Notice period, and must therefore be considered by the Committee. The objector has been invited to attend the Committee meeting, and the letter of objection is attached as Appendix 'B'.

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 no record of any complaints of anti-social behaviour at No.2 Roslin Terrace, Aberdeen.
- The applicant & her property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 5 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is an application to renew the current HMO licence.
- A copy of the letter of objection was issued to Police Scotland.
- Garden maintenance is not relevant to HMO licensing, however upon receipt of the letter of objection, the licence-applicant organised for her gardener to tidy the hedge. A photograph of the hedge in its condition when the letter of objection was received is attached as Appendix 'C', and a photograph of the hedge in its current condition is attached as Appendix 'D'
- At the date of this report, the HMO upgrading works have 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

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B

HMO Unit, Private Sector Housing Unit

Housing and Environment

Business Hub 11, Second Floor West

Marischal College

Broad Street

Aberdeen, AB10 1AB

HMO Unit@aberdeencity.gov.uk

01224 522299

19/11/2015

Dear HMO Unit

Aberdeen City Council
Housing & Environment
DATE RECEIVED 19 NOV 2015
Private Sector Housing Unit

Regarding application at no 2 Roslin Terrace, Aberdeen AB24 close date 19th November 2015

From Kirsteen Coutts

As the property at no 2 Roslin Terrace is re-applying for their HMO Licence, I would like to bring it to your attention that the hedge in front of this property is causing a number of problems to our street. This hedge is at least 10 feet tall and is often left unmaintained for months at a time. The problem lies with the height of the hedge, a few years ago an elderly neighbour was mugged when a man hid behind it, completely out of sight. She was left bruised and her purse stolen. This could happen again at anytime as the hedge is an ideal hiding place and there is not a gate to stop anyone going behind it.

Again because of its height we now have a major problem with drug dealing in front of it. I have contacted the police regarding this on numerous occasions. Cars are stopping behind the hedge, then wait for the dealer/dealers to come round with their goods. Today alone I have seen 7 cars there and of course the dealer arrives soon after. I have two young sons and my mother is a pensioner, and they have to walk past this hedge daily. It is not acceptable for them to be put in an unsafe position because of the height of this hedge. For safety, the hedge should not be any higher than the wall alongside it, this would certainly hinder a lot of this criminal behaviour. There is not a contact number for the licence holder, to make them aware of these problems, hence I am contacting yourselves. And when a HMO Property affects the neighbourhood, albeit unwittingly, I believe the HMO Unit should get involved in addressing the problem. It is a matter of peoples safety.

I would greatly appreciate your support with this problem.

Yours Faithfully

Klrsteen Coutts



11D





ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground 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	7 January 2016
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.30A Spital, Aberdeen

Applicant/s: Glencairn Property Management

Agent: Aberdein Considine & Co.

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 19 January 2016 for the reason that one letter of 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 property at No.30A Spital, Aberdeen, is a ground-floor flat providing accommodation of 3 letting bedrooms, one public room, one kitchen & one bathroom. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 18 November 2015 and was received by the HMO Unit on 23 November 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance submitted by the applicants declares that the public Notice of HMO Application was on display outside the property for the statutory 21-day period between 18 November 2015 – 14 December 2015.

Letter of Objection:

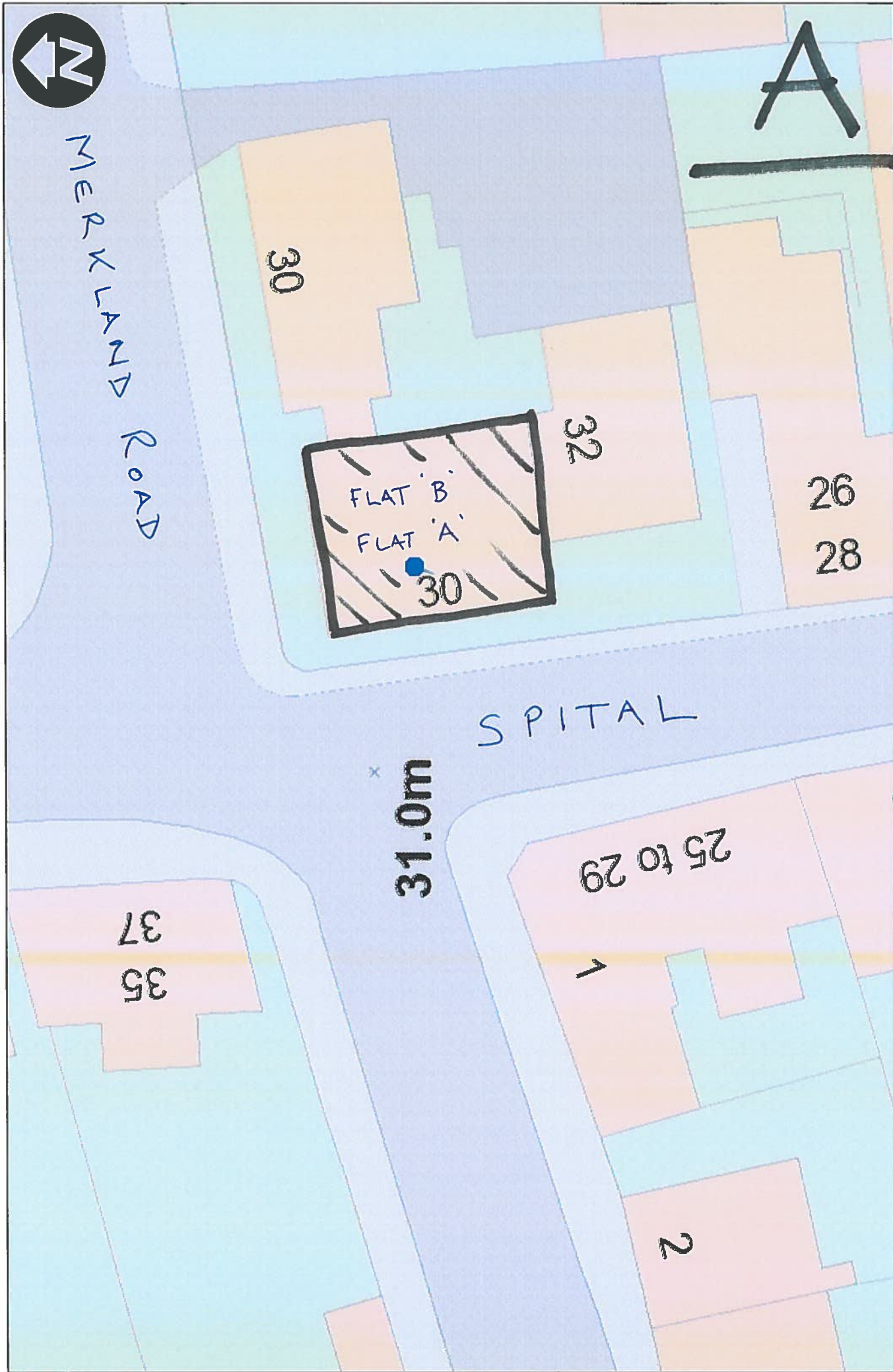
One letter of objection was received by the HMO Unit on 30 November 2015, within the statutory 21-day Notice period, and must therefore be considered by the Committee. The objector has been invited to attend the Committee meeting, and the letter of objection is attached as Appendix 'B'.

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 no record of any complaints of anti-social behaviour at No.30A Spital, Aberdeen.
- The applicant & their property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 6 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is an application to renew the current HMO licence.
- The licence-applicant also owns the adjacent properties at Nos.30A, 30B & 32 Merkland Road, & 30B Spital, Aberdeen. These properties are also the subjects of current HMO licence renewal applications.
- A copy of the letter of objection was forwarded to the Council's Waste & Recycling Team for their records.
- The agents have advised me that they have ordered 3 additional wheelie-bins for the tenants to use, in an effort to improve the refuse storage and disposal issues highlighted by the objector.
- At the date of this report, the HMO upgrading works have not been completed. I will advise the Committee of progress at the meeting on 19 January 2016.

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



1:250

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B

Aberdeen City Council
Housing & Environment
DATE RECEIVED
30 NOV 2015
Private Sector Housing Unit

27 November 2015

HMO Unit
 Private Sector Housing Unit
 Communities, Housing & Infrastructure
 Business Hub 1, Lower Ground Floor West
 Aberdeen City Council
 Broad St
 Aberdeen
 AB10 1AB

Aberdeen City Council
Housing & Environment
DATE RECEIVED
30 NOV 2015
Private Sector Housing Unit

Dear Sir/Madam

**30A and 30B Spital Aberdeen
 HMO Licence renewal by Glencairn Property Development of Edinburgh**

This property, which has a number of HMO's within the one address other than the above, requires a robust rubbish management plan. Often at the Spital entrance there are black bags left on the ground out of the bins as the bins are full. This may be because the bins have not been put out on the correct date and so missed the fortnightly collection and/or there are not enough bins for the amount of rubbish produced. This situation, as well as being unsightly often attracts seagulls which peck the bags and spill the rubbish. Seagulls are a major problem in this area and I know Aberdeen City Council recommends that rubbish is not left exposed.

I have contacted the landlord on a few occasions about this matter. I feel until this rubbish issue is taken seriously the licence should not be renewed. There also needs to be a person/management within Aberdeen monitoring this.

Yours sincerely

Patrick Jacinta Birchley

Aberdeen City Council
Housing & Environment
DATE RECEIVED
30 NOV 2015
Private Sector Housing Unit

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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground 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	7 January 2016
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.30B Spital, Aberdeen

Applicant/s: Glencairn Property Management

Agent: Aberdein Considine & Co.

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 19 January 2016 for the reason that one letter of 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 property at No.30B Spital, Aberdeen, is a first-floor maisonette flat providing accommodation of 6 letting bedrooms, one public room, one kitchen & 2 bathrooms. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 18 November 2015 and was received by the HMO Unit on 23 November 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance submitted by the applicants declares that the public Notice of HMO Application was on display outside the property for the statutory 21-day period between 18 November 2015 – 14 December 2015.

Letter of Objection:

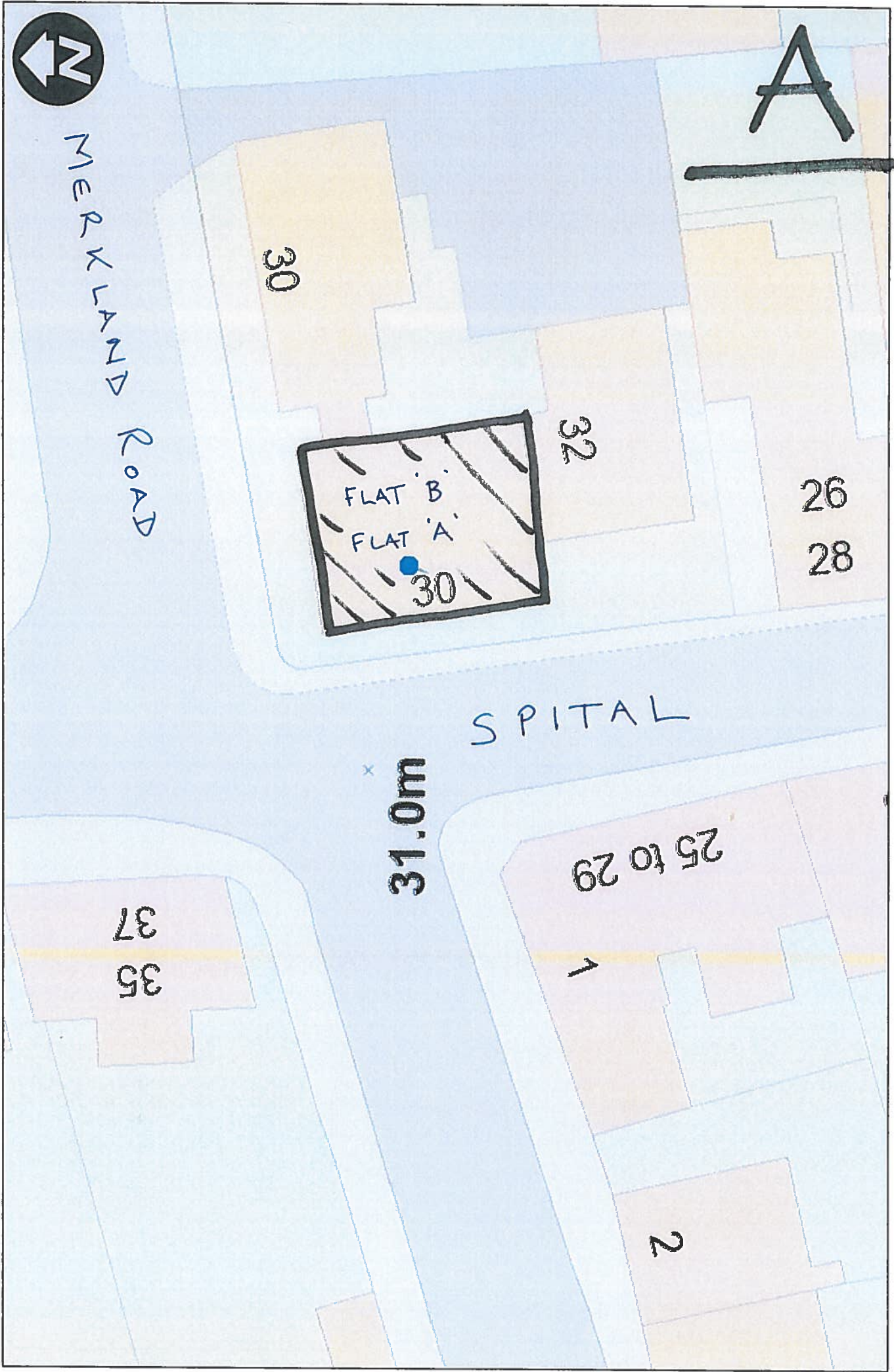
One letter of objection was received by the HMO Unit on 30 November 2015, within the statutory 21-day Notice period, and must therefore be considered by the Committee. The objector has been invited to attend the Committee meeting, and the letter of objection is attached as Appendix 'B'.

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.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has one record of a corroborated complaint of anti-social behaviour at No.30B Spital, Aberdeen, in May 2014, concerning a party where excessively loud music was being played. To date, no further complaints have been received.
- The applicant & their property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 6 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is an application to renew the current HMO licence.
- The licence-applicant also owns the adjacent properties at Nos.30A, 30B & 32 Merkland Road, & 30A Spital, Aberdeen. These properties are also the subjects of current HMO licence renewal applications.
- A copy of the letter of objection was forwarded to the Council's Waste & Recycling Team for their records.
- The agents have advised me that they have ordered 3 additional wheelie-bins for the tenants to use, in an effort to improve the refuse storage and disposal issues highlighted by the objector.
- At the date of this report, the HMO upgrading works have not been completed. I will advise the Committee of progress at the meeting on 19 January 2016.

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

Aberdeen City Council
Housing & Environment
DATE RECEIVED
30 NOV 2015
Private Sector Housing Unit
Aberdeen City Council
Housing & Environment
DATE RECEIVED
30 NOV 2015
Private Sector Housing Unit

27 November 2015

HMO Unit
 Private Sector Housing Unit
 Communities, Housing & Infrastructure
 Business Hub 1, Lower Ground Floor West
 Aberdeen City Council
 Broad St
 Aberdeen
 AB10 1AB

Dear Sir/Madam

**30A and 30B Spital Aberdeen
 HMO Licence renewal by Glencairn Property Development of Edinburgh**

This property, which has a number of HMO's within the one address other than the above, requires a robust rubbish management plan. Often at the Spital entrance there are black bags left on the ground out of the bins as the bins are full. This may be because the bins have not been put out on the correct date and so missed the fortnightly collection and/or there are not enough bins for the amount of rubbish produced. This situation, as well as being unsightly often attracts seagulls which peck the bags and spill the rubbish. Seagulls are a major problem in this area and I know Aberdeen City Council recommends that rubbish is not left exposed.

I have contacted the landlord on a few occasions about this matter. I feel until this rubbish issue is taken seriously the licence should not be renewed. There also needs to be a person/management within Aberdeen monitoring this.

Yours sincerely

Patrick Jacinta Birchley

Aberdeen City Council
Housing & Environment
DATE RECEIVED
30 NOV 2015
Private Sector Housing Unit

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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground 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	7 January 2016
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.6 Sunnyside Avenue, Aberdeen

Applicant/s: Claire Macdonald & Fiona McDonald

Agent: None stated

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 19 January 2016 for the reason that one letter of 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 property at No.6 Sunnyside Avenue, Aberdeen, is a mid-terraced 2 storey house providing accommodation of 3 letting bedrooms, one kitchen & one bathroom. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 27 November 2015 and was received by the HMO Unit on 30 November 2015.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance submitted by the applicants declares that the public Notice of HMO Application was on display outside the property for the period between 27 November 2015 – 21 December 2015. The first 21 days are the statutory period which expired at midnight on 18 December 2015.

Letter of Objection:

One letter of objection was received by the HMO Unit on 18 December 2015, within the statutory 21-day Notice period, and must therefore be considered by the Committee. The objector has been invited to attend the Committee meeting, and the letter of objection is attached as Appendix 'B'.

Letter from licence-applicants:

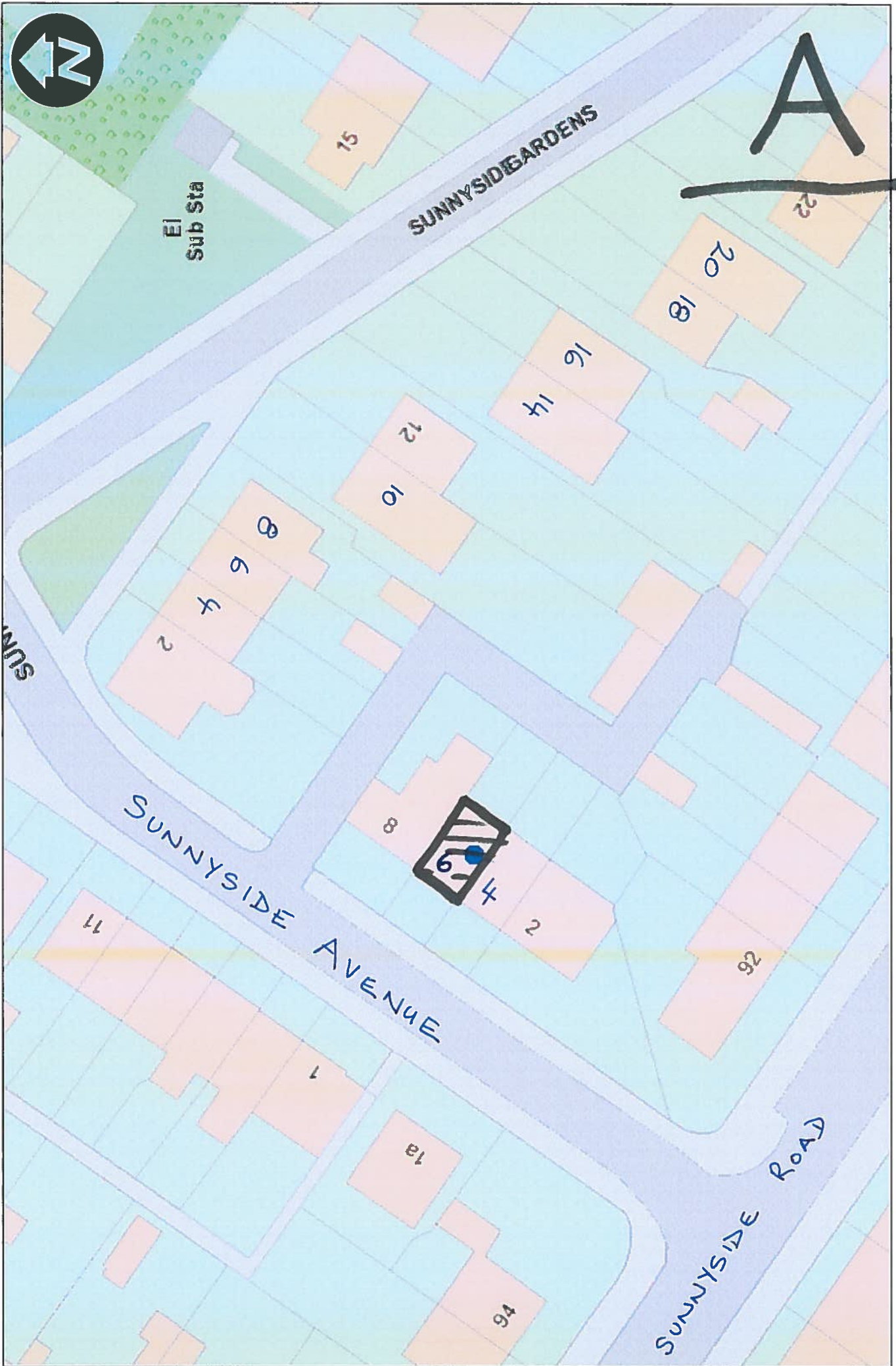
The applicants submitted a letter in response to the objections. The applicants have been invited to attend the Committee meeting, and their letter is attached as Appendix 'C'.

Other Considerations:

- Police Scotland has been consulted in respect of the applicants' 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.6 Sunnyside Avenue, Aberdeen.
- The applicants & their property are registered with the Landlord Registration database.
- The applicants have requested an occupancy of 3 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is an application to renew the current HMO licence.
- The houses at Nos.8, 20, 24 & 31 Sunnyside Avenue, are all HMO-licensed.
- The HMO Officer has advised the applicants of certain work & certification requirements to bring the property up to the current HMO standard. At the date of this report, these requirements have not been completed, but I will advise the Committee of the up-to-date position at the meeting on 19 January 2016.

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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B



15 December 2015

HMO Unit

Housing and Environmental Business Hub 11

Marischal College, Aberdeen

Dear Sirs,

**6 Sunnyside Avenue, Aberdeen AB24 3LY
Application for a License for House in Multiple Occupation**

I refer to the notice for a license for the above property. I would like as the owner of house to express my objections to the Multiple Occupancy License.

As you will be aware, there are several houses in the Sunnyside area, which are already let for multiple occupancy and this has caused problems. They seem to be more interested in the rents they receive, than looking after their properties.

In this particular case the gardens at the front and the back are neglected, and although the front is covered with granite chips the weeds grow through. The back garden is overgrown with weeds, and the grass is only cut when there is a new tenant. This makes the area look scruffy and the weeds spread to the other gardens. i find it discouraging when we are trying our best to make the area nice. It is unfair to the existing residents.

Yours sincerely,

Douglas Thain

Aberdeen City Council
Housing & Environment
DATE RECEIVED 18 DEC 2015
Private Sector Housing Unit

Mr Ally Thain,
Private Sector Housing Manager
Private Sector Housing Unit
Communities, Housing & Infrastructure
Business Hub 1, Lower ground floor west
Marischal College
Broad Street
Aberdeen
AB10 1AB

C

Aberdeen City Council
Housing & Environment
DATE RECEIVED 05 JAN 2016
Private Sector Housing Unit

Dear Mr Thain,

HMO LICENCE RENEWAL APPLICATION - 6 SUNNYSIDE AVENUE,
ABERDEEN

I refer to the above application, and your letter of 23 December, inviting me to attend the Licensing Committee meeting on 19 January, and enclosing a letter of objection to our application.

I am co-owner of the above property with Mrs. Fiona McDonald. Both of us are extremely concerned that there has been an objection to the application, and are disappointed that the matter now requires to take the Committee's time at the meeting.

By way of background, we have jointly owned the property since 1997, and for the period of almost 20 years the house has been regularly let. In that period, we have carefully vetted incoming tenants, we have complied fully with all of our legal obligations as owners and landlords, including compliance with the Council's HMO licensing requirements. During that period, we have had no complaints from the Council, no Police incidents and no disputes with any neighbours.

We provide a good quality of accommodation to tenants in housing need, and have regularly re-invested rental income from the property in its upkeep. Recent work (costing several thousands of pounds) includes the repair of a flat roof at the rear of the property, attention to outside woodwork and internal re-carpeting and re-decoration. We have also incurred considerable expense in

modifying the house to meet the Council's requirements for the granting of our HMO Licence.

The letter of objection appears to be generic rather than specific, complaining about the principle of property leasing rather than any specific objection to the use of our property. As noted in the letter of objection, the front garden has been designed to be of low maintenance to protect the amenity of the neighbourhood, and inspection within the last week indicates that it is meantime in good order. The back garden can only be seen from a rear (private) lane, and is mainly in grass. As part of our lease with our tenants they are required to maintain the garden and gardening equipment is provided (at our cost) for use by them. We regularly check the house and garden and advise our tenants if work to the garden is required.

We note that the objector is not an immediate neighbour but lives some distance from our property, and is separated from the house by two roads. There is no allegation of offensive or anti-social behaviour from our tenants, and we find it difficult to understand if the objector is suggesting that weeds from our garden are affecting his property at such distance. We respectfully ask the Committee to reject the letter of objection, and instead consider our record as landlords, and agree to grant our application for renewal of the licence.

I will be unable to attend the Committee meeting. My co-owner, Mrs Fiona McDonald, is however able to attend.

Yours sincerely,

Claire Macdonald

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ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground 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	7 January 2016
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.2 Aboyne Place, Aberdeen

Applicant/s: Matthew D.Reece

Agent: Stonehouse Lettings

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 19 January 2016 for the reason that one letter of 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.2 Aboyne Place, Aberdeen, is an upper-floor flat providing accommodation of 4 letting bedrooms, one kitchen & one bathroom. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application is dated 3 December 2015 and was received by the HMO Unit on 4 December 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 3 December 2015 – 26 December 2015.

Letter of Objection:

One letter of objection was received by the HMO Unit on 21 December 2015, within the statutory 21-day Notice period, and must therefore be considered by the Committee. The objector has been invited to attend the Committee meeting, and the letter of objection is attached as Appendix 'B'.

Letter from licence-applicant:

The applicant submitted a letter in response to the objections. The applicant has been invited to attend the Committee meeting, and his 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.
- 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 anti-social behaviour at No.2 Aboyne Place, Aberdeen.
- The applicant & his property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 4 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is a 'first-time' HMO licence application.
- One property in Aboyne Place is currently HMO-licensed, ie. No.14 Aboyne Place.
- The letter of objection mentions car parking in Aboyne Place, which is a Controlled Parking Zone. Every household is entitled to a maximum of 2 parking permits, regardless of the size of the household. On-street car parking is restricted to permit-holders between 10am – 4pm, and outwith these times, car parking is unrestricted. Car parking in Aboyne Place is within marked parking bays. (Note: Car parking is not a consideration of HMO licensing).

- The letter of objection mentions "...many HMO licences granted in the Garthdee & Kaimhill area.". This perhaps infers 'overprovision' of HMOs in the area, which is a ground of refusal available to local authorities when considering HMO licence applications.

The C, H & I Committee of this Council, at its meeting on 27 August 2015, considered a report about HMO Overprovision and resolved:
To instruct the Director of Communities, Housing and Infrastructure to carry out a full public consultation on the proposed introduction of an HMO overprovision policy for Aberdeen, with consultation of a 15% threshold as proposed by the Head of Communities and Housing and that a further report be submitted to the January 2016 committee.

Until such time as the Council implements a policy on HMO Overprovision, that particular ground of refusal is not available to the Committee.

- At the date of this report, an initial inspection of the property has not yet been carried out. The inspection, when scheduled, will involve an HMO Officer and an Officer from Scottish Fire & Rescue Service, and it is likely that they will identify works & certification requirements to bring the property up to the current HMO standard. I will advise the Committee of the up-to-date position at the meeting on 19 January 2016.

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

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10
20
40 Metres

A

ABOYNE PLACE

LB

ABOYNE TER

32

2

8
7

5

12

9

1

61

81

11

26
28

30

PITMEDDEN ROAD



1:500
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FAO.

HMO UNIT
HOUSING & ENVIRONMENT

BUSINESS HUB 1

Lower Ground Floor WEST 15

MARISMAN COLLEGE

DATE: 21 DECEMBER 2015

OBJECTION TO HOUSE IN MULTIPLE OCCUPATIONS (H.M.O.)

THIS IS MY OBJECTION TO GRANTING AN HMO LICENCE FOR

PROPERTY: 2 ABOYNE PLACE, ABERDEEN AB10 7DR

PERSON MAKING APPLICATION FOR H.M.O.

PROPERTY: MATTHEW REECE,

DETAILS ABOVE UPDATED FROM NOTIFICATION ON PROPERTY FILE
MY OBJECTION DATE: 3 DECEMBER 2015

(1) I OCCUPY A MID TERRACED HOUSE

THE H.M.O. HAS BEEN MADE FOR.

MY RESIDENCE IS SHELTERED HOUSING.

I HAVE CONCERNS ABOUT ANTI-SOCIAL BEHAVIOUR FROM ANY FUTURE TENANTS.

THERE MAY BE NOISE ISSUES, THERE MAY BE ENVIRONMENTAL ISSUES WITH 3 PEOPLE OR MORE OCCUPYING THE TOP FLOOR FLAT. FOR EXAMPLE: ADDITIONAL RUBBISH IN OVERFLOWING BINS, TAKEAWAY CONTAINERS

(2) FIRE HAZARDS: ABOYNE PLACE IS A ~~VERY~~ VERY NARROW ROAD, THERE ARE ALREADY PARKING RESTRICTIONS

H.M.O. OBJECTIONFIRE HAZARDS ~~FOSTERING~~ (CONTINUATION)

(2) IN PLACE IN ABOYNE PLACE. FIRE APPLIANCES ALREADY HAVE PROBLEMS ACCESSING THIS ROAD AND ~~ARE~~ ^{ARE} OFTEN ~~CARRIED~~ ^{CARRIED} ~~OUT~~ HAVE TO CARRY OUT CHECKS AS THERE IS SHELTERED HOUSING IN PITMEDDEN ROAD, ABOYNE PLACE AND ABOYNE TERRACE AND THESE ARE MANDATORY SAFETY CHECKS. IN ADDITION HAS ANY CONSIDERATION BEEN MADE TO ACCESS TO AMBULANCES WHICH OFTEN CALL AT THE SHELTERED HOUSE PROPERTIES AS THEY ARE OLDER PEOPLE STAYING THERE. PLEASE CHECK WITH THE APPROPRIATE FIRE AND AMBULANCE SERVICES.

(3) SUB LET

DOES THE PERSON APPLYING FOR THE H.M.O. LICENCE HAVE THE RIGHT TO SUB-LET? I UNDERSTAND THE GROUND FLOOR FLAT IS COUNCIL OWNED BY ABERDEEN COUNCIL. THIS IS A TENANTED FLAT

(4) THERE ARE ALREADY MANY H.M.O. LICENCES GRANTED IN THE GARTHSEE & KAIMHILL AREA. I UNDERSTAND THAT THE COUNCIL CAN OBJECT IF THERE ARE TOO MANY ALREADY. IS ANOTHER H.M.O. IN PROPORTION TO THIS RESIDENTIAL AREA?

PARKING

THE PROPERTY HAS ALREADY ONE PARKING SPACE SITUATED IN THE SIDE GARDEN. THE NEIGHBOUR WHO STAYS IN THE FLAT BELOW THE PROPERTY APPLIED TO CREATE A PARKING SPACE IN HIS GARDEN AND WAS TURNED DOWN BY ABERDEEN COUNCIL DUE TO THE PARKING ISSUES IN THE AREA.

THERE IS NOT SUFFICIENT SPACE IN THE GARDEN BELONGING TO THE FLAT THE HMO IS BEING APPLIED FOR TO CREATE AN ADDITIONAL 2 OR MORE PARKING SPACES. THERE ARE ALREADY PARKING SPACES FOR DISABLED PEOPLE ON STREET. PARKING IS AN ISSUE.
HUMAN RIGHTS ACT.

MY OBJECTIONS TO GRANTING THE H.M.O. LICENCE ARE DETAILED IN WRITING IN THIS LETTER.

MY OBJECTIONS ARE ALSO MADE ON "THE RIGHT TO A PRIVATE LIFE" UNDER THE HUMAN RIGHTS ACT. AS I BELIEVE THE GRANTING OF ~~AN~~ ^{OF} A H.M.O. LICENCE WILL BE AN INTRUSION INTO MY PRIVATE LIFE UNDER ARTICLE 8(1) OF HUMAN RIGHTS ACT 1998.

Yours faithfully

CAROLIN REID

DATE: 21 DECEMBER 2015
Page 135

Aberdeen City Council
Housing & Environment
DATE RECEIVED 05 JAN 2016
Private Sector Housing Unit



Matthew Reece

3rd January 2016

Ally Thain
Private Sector Housing Unit
Aberdeen City Council
Business Hub 1
Lower Ground Floor West
Marischal College
Broad Street
AB10 1AB

Dear Mr Thain

LICENSING COMMITTEE: TUESDAY, 19th JANUARY 2016

APPLICATION FOR HMO LICENSE

PREMISES: 2 ABOYNE PLACE, ABERDEEN

In reference to the letter of objection to the above HMO license application, dated 21st December, below are responses addressing the individual concerns raised.

1) Anti-social behaviour

The standard tenancy agreement issued by our leasing agent (Stonehouse Lettings) has a specific antisocial clause which if not adhered to would put the tenant in breach of contract and could result in their eviction.

2) Fire Hazards

Whether the property would be occupied by a family or HMO tenants, there would be no difference to the street access for the emergency services.
As part of the HMO regulations additional electrical checks, risk assessments, fire doors, smoke alarms and inspections are required giving the property an overall higher level of safety over that of a standard rental.

3) Right To Sub-let

As the property owner and a registered landlord I am entitled to rent the property out. A reputable letting agent will be used and social and financial checks will be carried out on each prospective tenant.

4) Number of HMO licences

There is currently a high demand for HMO properties in the local area. If the council had changed its policy to reduce the number of HMO licenses, I would have expected to be advised of this by the council at the time of application, rather than on the basis of a local residents objection.

5) Parking

The property has off street parking sufficient for three cars, more than any other property in the street. Coupled with the fact that the immediate neighbours have off street parking and the properties across the road have dedicated spaces, parking in the local area is very well catered for.

To try and mitigate for any future parking issues, a secure shed is provided to the tenants to encourage the use of bicycles and it will be highlighted to the tenants that the property is located close to public transport links.

6) Human Rights Act Article 8 (1)

Article 8 of the human rights act is there to protect your right to a private and family life. If the property was occupied by either a family or HMO occupants there would be no difference to anybody's human rights.

Yours sincerely

Matthew Reece

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