

Public Document Pack



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

Town House,
ABERDEEN Date Not Specified

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in Committee Room 2 - Town House on **TUESDAY, 26 APRIL 2016 at 10.00 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

REQUESTS FOR DEPUTATION

1.1 None received at this stage

MINUTES

2.1 Minute of Meeting of the Licensing Committee of 8 March 2016 (Pages 5 - 16)

3 Minute of Meeting of the Licensing Committee of 6 April 2016 (Pages 17 - 20)

3.1 Minute of Meeting of the Licensing Evidential Hearings Sub Committee of 10 March 2016 (Pages 21 - 22)

3.2 Minute of Meeting of the Taxi Consultation Group of 1 March 2016 (Pages 23 - 32)

COMMITTEE BUSINESS STATEMENT AND MOTIONS LIST

- 4.1 Committee Business Statement (Pages 33 - 36)
- 4.2 Motions List (Pages 37 - 38)

COMMITTEE REPORTS

- 5.1 Licensing Application Fees 2016 - 2017 (Pages 39 - 50)

APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

- 6.1 Grant of a Licence for a House in Multiple Occupation - 1 Seaview Road, Bridge of Don, Aberdeen (Pages 53 - 56)
- 6.2 Grant of a Licence for a House in Multiple Occupation - 56 Montrose Drive, Aberdeen (Pages 57 - 60)
- 6.3 Grant of a Licence for a House in Multiple Occupation - 27 Bothwell Road, Aberdeen (Pages 61 - 64)
- 6.4 Grant of a Licence for a House in Multiple Occupation - 30E Bedford Road, Aberdeen (Pages 65 - 68)
- 6.5 Grant of a Licence for a House in Multiple Occupation - 45G Kingsgate, Aberdeen (Pages 69 - 86)
- 6.6 Renewal of an Indoor Sports Entertainment Licence - Aberdeen Sports Village (Pages 87 - 88)
- 6.7 Renewal of a Street Trader's Licence (Hot Food) - Tuanjai Mearns (Pages 89 - 90)
- 6.8 Grant of a Street Trader's Licence - David A Thomas (Pages 91 - 96)
- 6.9 Renewal of a Taxi Licence - Alexis Murray (T663) (Pages 97 - 98)
- 6.10 Renewal of a Taxi Licence - Rainbow Cars Limited (T705) (Pages 99 - 100)
- 6.11 Renewal of a Taxi Licence - Graham McLeod (T524) (Pages 101 - 102)
- 6.12 Renewal of a Taxi Licence - Eric Lawrie (T281) (Pages 103 - 104)

- 6.13 Renewal of a Taxi Licence - Brian Fenty (T381) (Pages 105 - 106)
- 6.14 Renewal of a Taxi Licence - Brian Wood (T782) (Pages 107 - 108)
- 6.15 Renewal of a Taxi Licence - Graham McLeod (T164) (Pages 109 - 110)
- 6.16 Renewal of a Taxi Licence - Rainbow Cars Limited (T322) (Pages 111 - 112)
- 6.17 Renewal of a Taxi Licence - Rainbow Cars Limited (T701) (Pages 113 - 114)
- 6.18 Renewal of a Taxi Licence - William Robertson (T543) (Pages 115 - 116)
- 6.19 Renewal of a Private Hire Car Licence - Rainbow Cars Limited (PH275) (Pages 117 - 118)
- 6.20 Renewal of a Private Hire Car Licence - Rainbow Cars Limited (PH177) (Pages 119 - 120)
- 6.21 Grant of a Taxi Driver's Licence - Shaun Wyness (Pages 121 - 122)

**APPLICATIONS TO BE HEARD IN PRIVATE IN TERMS OF THE DATA
PROTECTION ACT 1998 - INCLUDING LIST OF APPLICATIONS**

- 7.1 Landlord Registration
- 7.2 Landlord Registration
- 7.3 Renewal of a Taxi Driver's Licence
- 7.4 Renewal of a Taxi Driver's Licence
- 7.5 Grant of a Taxi Driver's Licence
- 7.6 Grant of a Taxi Driver's Licence
- 7.7 Grant of a Taxi Driver's Licence
- 7.8 Grant of a Private Hire Car Driver's Licence
- 7.9 Grant of a Private Hire Car Driver's Licence

7.10 Grant of a Private Hire Car Driver's Licence

7.11 Grant of a Private Hire Car Driver's Licence

7.12 Grant of a Private Hire Car Driver's Licence

7.13 Grant of a Private Hire Car Driver's Licence

Website Address: www.aberdeencity.gov.uk

To access the Information Bulletins for this Committee please use the following link:

<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



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	8 April 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.1 Seaview Road, Bridge of Don, Aberdeen

Applicant/s: Veeresh Patil & Chetana Patil

Agent: None stated

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 26 April 2016 for the reason that the upgrading work instructed by the HMO Unit and the Scottish Fire & Rescue Service has not been completed.

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 a two-storey detached house providing accommodation comprising 10 letting bedrooms (all en-suite), one bathroom & one open-plan kitchen/dining/living area. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 1 May 2015.

HMO upgrading works and certification:

Following submission of the licence application, the HMO Officer carried out an initial joint-inspection of the property with an Officer from Scottish Fire & Rescue Service and the applicants' contractor. At that time (see bullet-point 6 below) there was only a relatively small amount of upgrading work still to be completed however, at the date of this report, the work has still not been completed.

Scottish Fire & Rescue Service (SFRS):

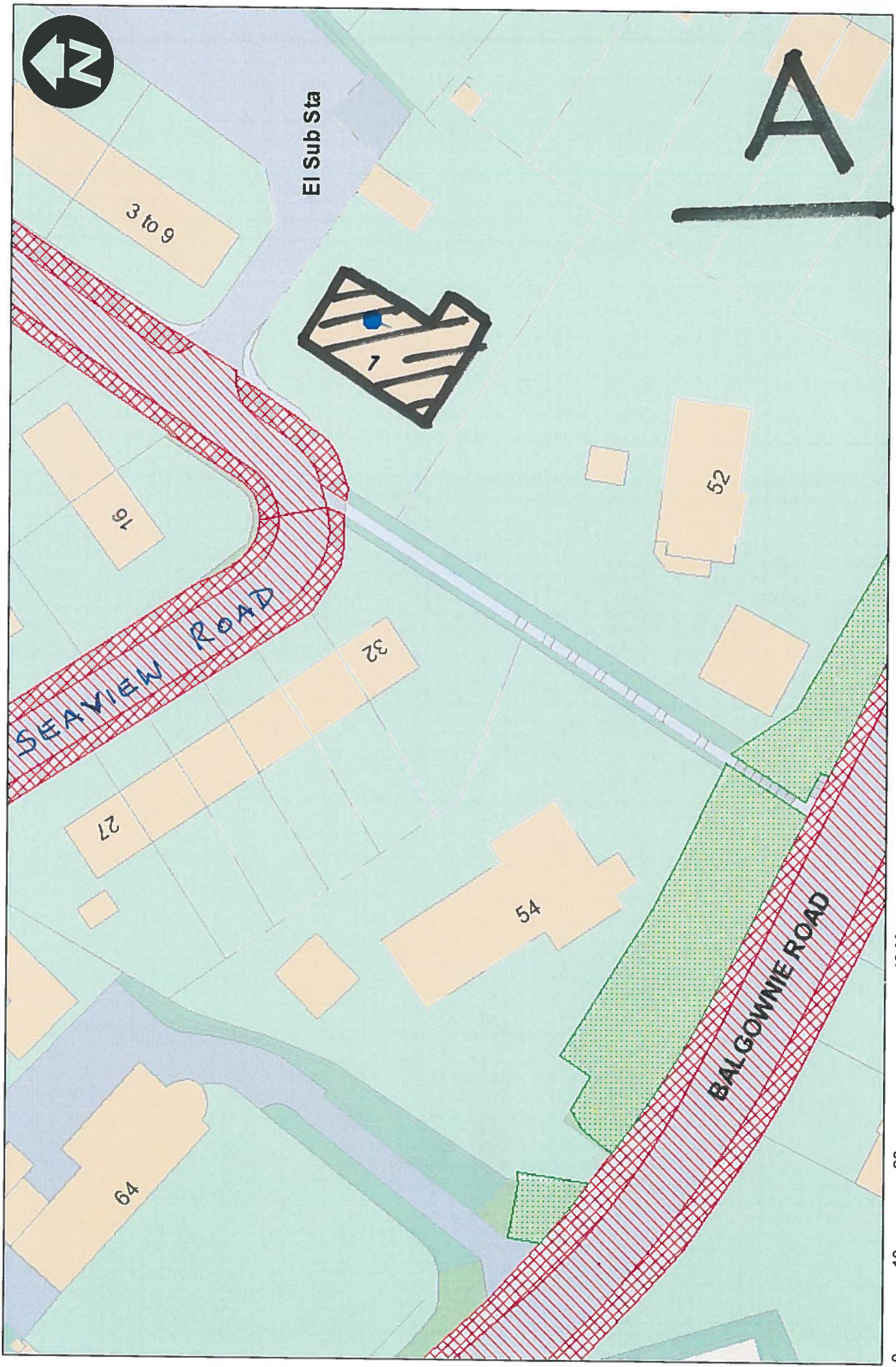
At the date of this report, SFRS has yet to confirm that they are satisfied with the fire safety arrangements within the property.

Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicants' suitability as 'fit & proper' persons, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and 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.1 Seaview Road, Aberdeen.
- The applicants are registered as landlords with the Council and have registered two other rental properties, but not No.1 Seaview Road. Prior to letting this property, they must add it to their current Registrations.
- The applicants have requested an occupancy of 10 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The previous owner was granted an HMO licence for No.1 Seaview Road, in August 2012, however the property changed hands in November 2013 when it was purchased by the current licence-applicants. The applicants first applied for an HMO licence in May 2014, but could not complete the upgrading work within the statutory one-year period and they withdrew their application in April 2015. They immediately reapplied for an HMO licence, which is the subject of this report and is a 'first-time' application.
- The meeting of the Licensing Committee on 26 April 2016, is the last meeting before the one-year deadline therefore if the above-mentioned HMO & SFRS requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 26 April 2016. I will advise the Committee whether or not all upgrading requirements have 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



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	8 April 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.56 Montrose Drive, Aberdeen

Applicant/s: Paul H.Ross & Fiona J.Ross

Agent: AM-PM Leasing

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 26 April 2016 for the reason that the upgrading work instructed by the HMO Unit and the Scottish Fire & Rescue Service has not been completed.

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 a two-storey end-terraced house providing accommodation comprising 3 letting bedrooms, one public room, one kitchen & one bathroom. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 13 May 2015.

HMO upgrading works and certification:

The HMO Officer carried out a joint initial inspection of the property with an Officer from Scottish Fire & Rescue Service on 21 May 2015, then he wrote to the agent listing the following requirements to bring the property up to the current HMO standard:-

1. Flooring in bedrooms to be repaired or replaced as necessary.
2. Polystyrene ceiling tiles to be removed and ceilings made good.
3. The sealant around the bath/shower to be replaced.
4. The public room must be redecorated.
5. The kitchen door must be replaced.
6. Faulty or missing lightbulbs to be replaced.
7. Additional electrical sockets to be installed throughout the premises.
8. Carbon Monoxide detectors to be installed in every room containing a gas appliance.
9. Portable heaters must be permanently removed from the property.
10. The locks on the house exit doors must be replaced with locks of a type that are able to be opened from the inside without the use of a key.
11. Any locks in the doors of the letting bedrooms must be of a type that are able to be opened from the inside without the use of a key.
12. A fresh Notice of HMO Application to be displayed outside the property for a further 21-day statutory period..
13. The Certificate of Compliance, Gas Safe Certificate, Electrical Installation Condition Report, PAT certificate & a copy of the Tenancy Agreement to be submitted to the HMO Unit.

At the date of this report, the above works & certification requirements have not been completed.

Scottish Fire & Rescue Service (SFRS):

At the date of this report, SFRS has yet to confirm that they are satisfied with the fire safety arrangements within the property.

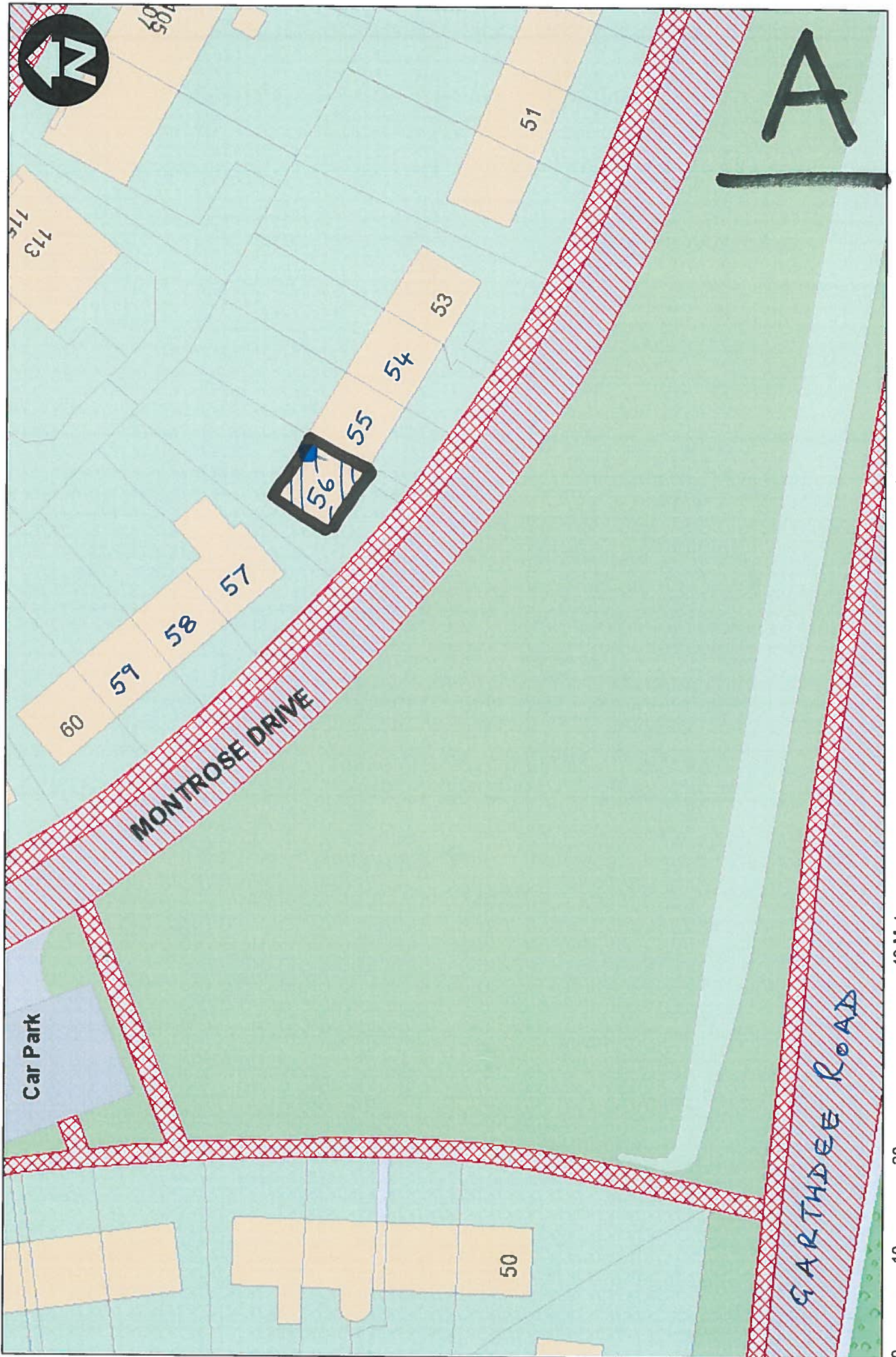
Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicants' suitability as 'fit & proper' persons, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.56 Montrose Drive, Aberdeen.

- The applicants and 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 HMO licence application under consideration is a 'first-time' application.
- The meeting of the Licensing Committee on 26 April 2016, is the last meeting before the one-year deadline therefore if the above-mentioned HMO requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 26 April 2016. I will advise the Committee whether or not all our requirements have 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



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	8 April 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.27 Bothwell Road, Aberdeen

Applicant/s: Angus W.Kerr

Agent: AM-PM Leasing

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 26 April 2016 for the reason that the upgrading work instructed by the HMO Unit has not been completed.

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 providing accommodation comprising 5 letting bedrooms, one dining/kitchen & 3 bathrooms. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 1 June 2015.

HMO upgrading works and certification:

The HMO Officer carried out an initial inspection of the property on 16 June 2015, then he wrote to the agent listing the following requirements to bring the property up to the current HMO standard:-

1. Faulty or missing lightbulbs to be replaced.
2. Portable heaters must be permanently removed from the property.
3. A fresh Notice of HMO Application to be displayed outside the property for a further 21-day statutory period.
4. The Certificate of Compliance, Gas Safe Certificate and the PAT certificate to be submitted to the HMO Unit.

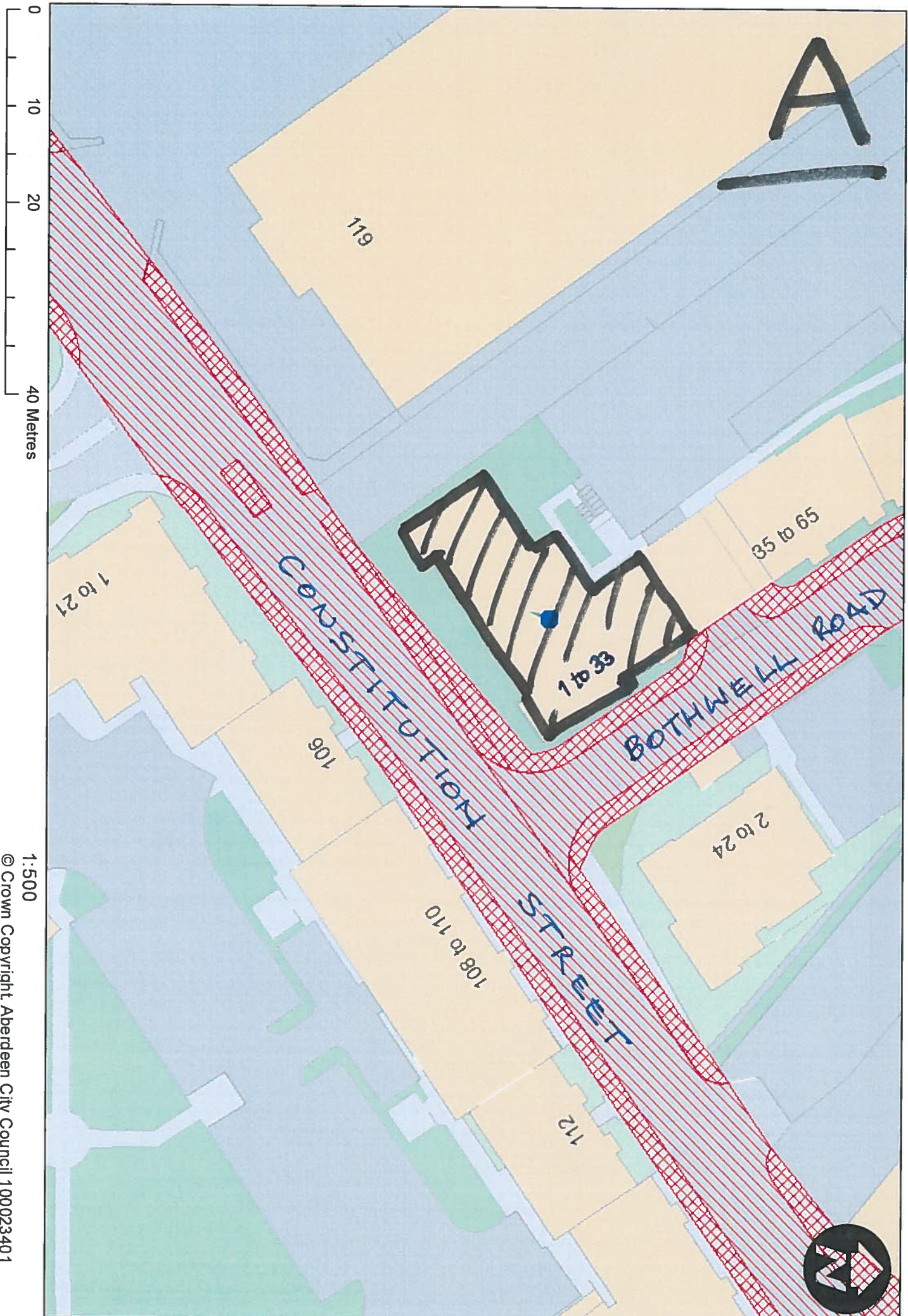
At the date of this report, the above requirements have not been completed.

Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.27 Bothwell Road, Aberdeen.
- The applicant and his property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 5 persons 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.
- The meeting of the Licensing Committee on 26 April 2016, is the last meeting before the one-year deadline therefore if the above-mentioned HMO requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 26 April 2016. I will advise the Committee whether or not all our requirements have 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 1 00023401



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	8 April 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.30E Bedford Road, Aberdeen

Applicant/s: Hamish R.Low & Gillian Low

Agent: AM-PM Leasing

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 26 April 2016 for the reason that the upgrading work instructed by the HMO Unit and the Scottish Fire & Rescue Service has not been completed.

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 a top-floor tenement flat providing accommodation comprising 3 letting bedrooms, one public room, one kitchen & one bathroom. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application was received by the HMO Unit on 1 June 2015.

HMO upgrading works and certification:

The HMO Officer carried out a joint initial inspection of the property with an Officer from Scottish Fire & Rescue Service on 9 June 2015, then he wrote to the applicant listing the following requirements to bring the property up to the current HMO standard:-

1. The light fitting in the bathroom to be replaced with an IP44 rated Fitting.
2. All faulty or missing lightbulbs to be replaced.
3. Additional electrical sockets to be installed throughout the premises.
4. Carbon Monoxide detectors to be installed in every room containing a gas appliance.
5. The flat entrance door to be fitted with a lock which can be opened from the inside without the use of a key.
6. Any door-lock to a letting bedroom must be of a type which can be opened from the inside without the use of a key.
7. All self-closing fire doors to be checked and adjusted where necessary to ensure that they fully close against their stops.
8. All windows to be adjusted as necessary for easy opening to provide ventilation.
9. The Certificate of Compliance, Gas Safe Certificate, Electrical Installation Condition Report, PAT certificate, copy of the Tenancy Agreement & a copy of the Building Warrant Completion Certificate to be submitted to the HMO Unit.

At the date of this report, the above works & certification requirements have not been completed.

Scottish Fire & Rescue Service (SFRS):

At the date of this report, SFRS has yet to confirm that they are satisfied with the fire safety arrangements within the property.

Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicants' suitability as 'fit & proper' persons, and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.30E Bedford Road, Aberdeen.
- The applicants are registered as landlords with this Council and have registered another of their rental properties, but not No.30E Bedford Road. It will therefore be necessary for the applicants to add this property to their Registrations prior to letting it.

- The applicants have 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.
- The meeting of the Licensing Committee on 28 April 2016, is the last meeting before the one-year deadline therefore if the above-mentioned HMO requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 28 April 2016. I will advise the Committee whether or not all our requirements have 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

40 Metres

20

10

0



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	14 April 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.45G Kings Gate, Aberdeen

Applicant/s: James Ritchie

Agent: J.O.R.Property Limited

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 26 April 2016 for the reason that two letters of representation 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.45G Kings Gate, Aberdeen, is a second-floor 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 15 February 2016 and was received by the HMO Unit on 16 February 2016.

Certificate of Compliance – Notice of HMO Application:

At the date of this report, the Certificate of Compliance has not been submitted, however the licence application form is dated 15 February 2016 which should be the first day of the statutory 21-day period for display of the public Notice of HMO Application.

Letter of Objection:

Two letters of representation were received by the HMO Unit within the statutory 21-day Notice period, and must therefore be considered by the Committee. Details of the letters are as follows:

- A letter from Kenneth Armour (attached as Appendix 'B')
- A letter from F.G.Burnett (attached as Appendix 'C')

Letter from licence-applicant:

The applicant's agent submitted a letter in response to representations, and the letter is attached as Appendix 'D'.

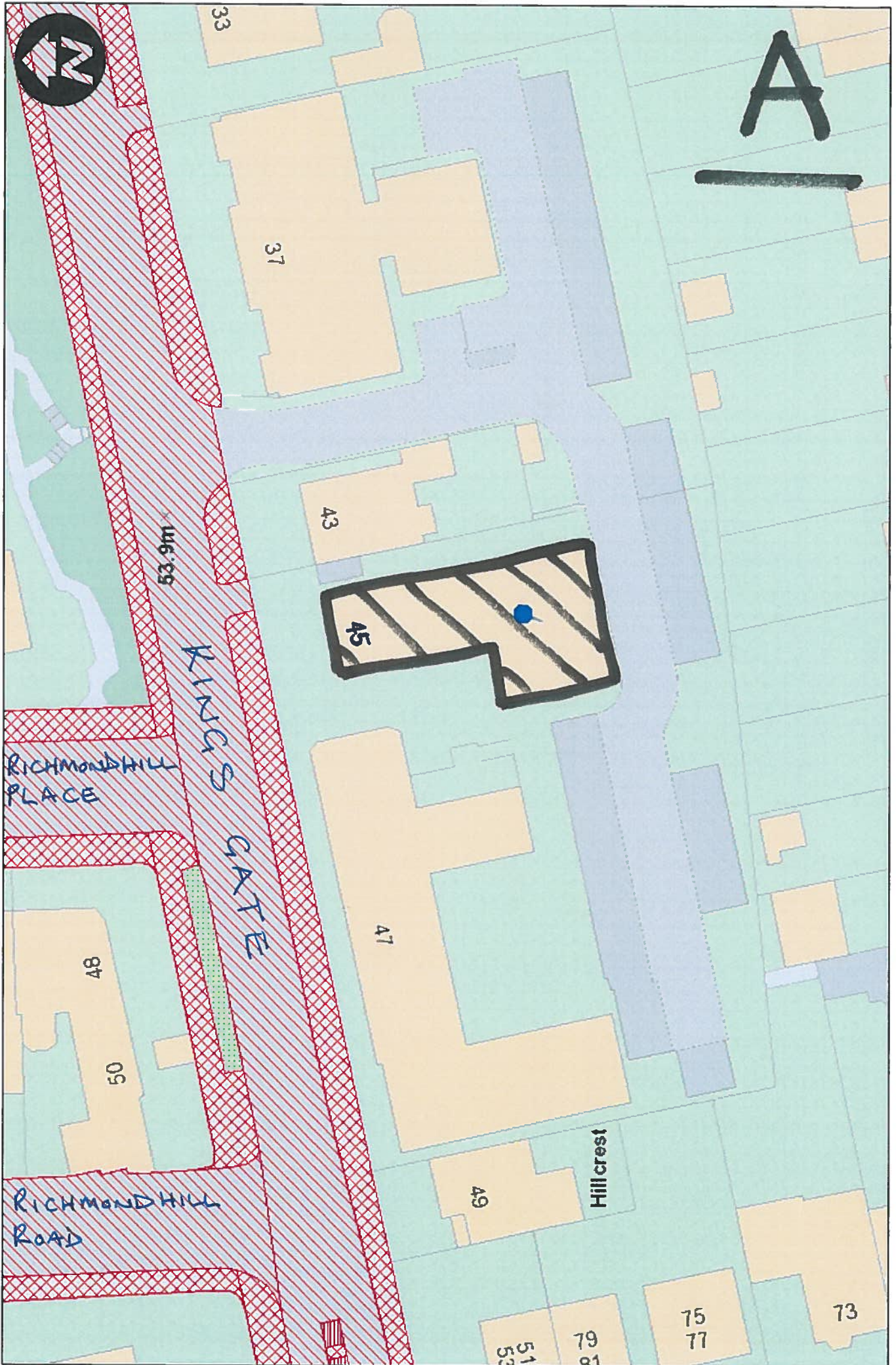
Other Considerations:

- 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.45G Kings Gate, Aberdeen.
- The applicant & his property are registered as landlords with the Council.
- 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.
- The application under consideration is the first recorded HMO application in Kings Gate, Aberdeen.
- The building at No.45 Kings Gate, Aberdeen, contains 9 flats, of which 5 flats are currently registered as rental properties with the Council.

- 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 26 April 2016.
- The letter of representation (Appendix B) refers to the construction of the building as not being suitable for an HMO, for reasons of sound-proofing. Whilst I have no knowledge of the actual extent and type of sound-proofing, the building was completed in 2005 and would have been constructed in accordance with the Building Standards in force at that time, which would have included sound-proofing between flats.

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



B

NOTICE OF APPLICATION FOR LICENCE FOR HMO

Dear Sir/Madam,

I write to make representation to the application for HMO license in the name of RITCHIE PROPERTY, for property at 45G Kings Gate, Aberdeen.

Reasons being

- The 3-storey building houses a mix of owner-occupied and tenanted flats and I do not believe that HMO license is appropriate
- Granting of HMO licence will, in my opinion, affect the re-saleability of the other dwellings in the building
- The construction of the building, being timber framed, is not fit for this purpose, from a sound-proofing point of view.

Yours faithfully,

Kenneth Armour

Aberdeen City Council
Housing & Environment
DATE RECEIVED
04 MAR 2016
Private Sector Housing Unit

Our Ref:

7 March 2016

The HMO Unit
Private Sector Housing Unit
Communities, Housing & Infrastructure
Business HUB 1
Lower Ground Floor West
Marischal College
Broad Street
Aberdeen
AB10 1AB



Sent by Post & by Email to: hmounit@aberdeencity.gov.uk

Dear Sirs

The Co-Proprietors**Kings Lea, 45 – 47 Kings Gate, Aberdeen****Application for House in Multiple Occupation – 45G Kings Gate, Aberdeen**

FG Burnett act for and on behalf of the Co-Proprietors of Kings Lea. It has been brought to our attention that there is currently an application for a House in Multiple Occupation at 45G Kings Gate, Aberdeen, AB15 4EL.

We write to advise that under the Deed of Conditions pertaining to this development, the proprietors are not entitled to have a house occupied other than by one family. We therefore assert that this application should be declined on these grounds.

Should you require site of the relevant part of the Deeds, then please contact the writer immediately.

Thank you for your consideration of this matter and I look forward to your determination of this application.

Yours faithfully

Bryan Robson
Property Manager

Direct Dial:
E-mail:

Aberdeen City Council
Housing & Environment
DATE RECEIVED 07 MAR 2016
Private Sector Housing Unit

more space and time for you™





D

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



6th April 2016

Dear Sir/Madam

**APPLICATION FOR LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION (HMO)
PREMISES: 45G KINGS GATE, ABERDEEN**

This letter relates to the upcoming licence application date. We have spoken to [redacted] at FG Burnett managing agents and he has confirmed that their letter was sent on behalf of the concerned party on the ground floor. His then would be the only official letter of objection.

With regard to Mr Armour's concerns we do believe he may have misunderstood the nature of our application. It is not our intention to pack the property with various families. The HMO licence would allow us to fully utilise the third bedroom in the property. As a high end location, with a high top finish inside (photos enclosed with examples of marble floors in bathroom, slate in kitchen and 22m solid oak floors throughout) we intend to vet very strictly the potential 3 tenants. Ideally, our tenants will be three junior doctors and given the close proximity, of the property, to the hospital we feel this is realistic.

On the first point of objection the building is a mix of owned and tenanted properties, so we do not believe that there is any movement from the status quo with my application. We have had the property rented from date of build completion/purchase with no problems.

The current tenant, being [redacted] who do actually have the flat set up to take 4 persons. They have had the flat for the past three years and we do not believe there have

been any noise complaints regarding tenants or because of the timber framed construction of the buildings.

We can confirm that as part of the sale Gala Homes has paid for me to install the highest grade under lay available on the market costing £100 per square metre. It is approximately 15mm thick with rubber top and bottom with an accoustic layer between. This really is a fantastic product; the best we have worked with in our twenty years in the property industry. With the underlay, the subfloor of 22mm chipboard and 22mm solid oak as above, therefore we have taken every precaution necessary to eliminate noise travelling through the building.

We find ourselves in this position due to the current local economic climate. The rental, once consistently at £1250 pcm, now down to £650 pcm, has unfortunately does not come close to covering mortgage repayments.

We do anticipate going back to a 2 professional person let, or continue with Oakhill at an increased rate once the oil price returns to an economically stable point.

Finally, we have contacted [redacted] at Atholl Associates, property surveyor/professional with over 40 years experience. He has disagreed with Mr Armour's opinion that the granting of the HMO licence will affect the value of the property or re-saleability.

Yours faithfully

Murray Ritchie
Director, JOR Property Ltd

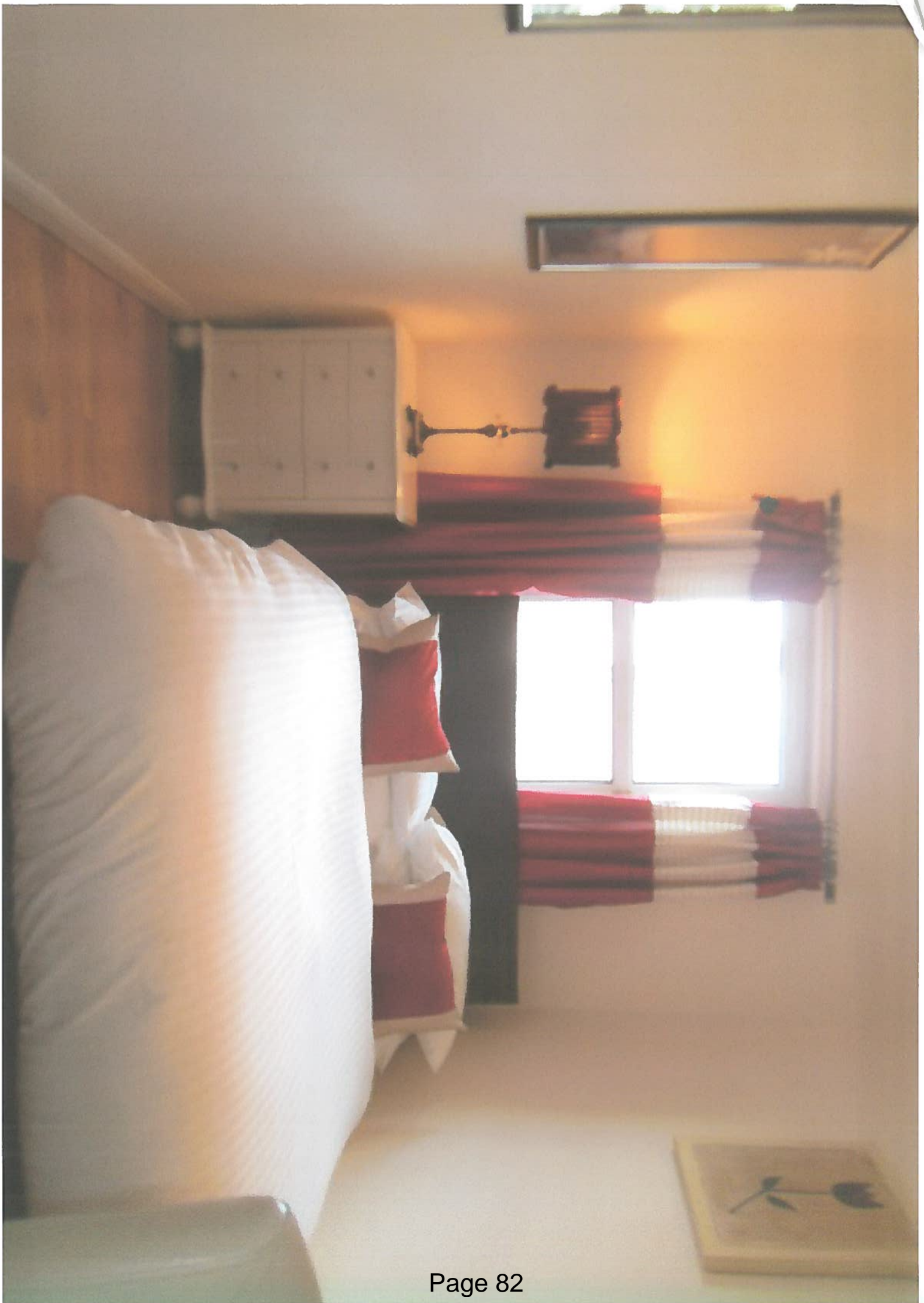










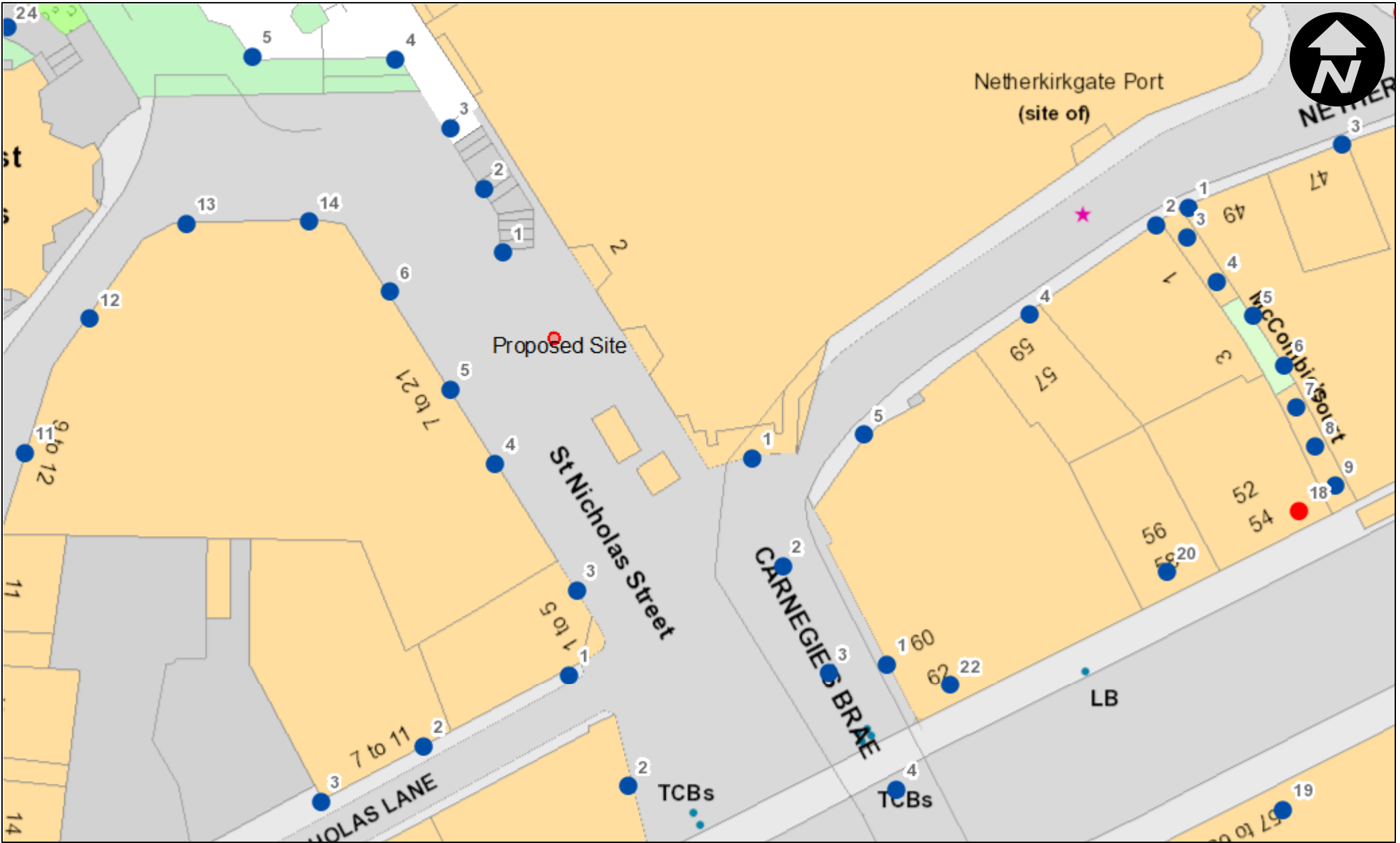








This page is intentionally left blank



ST- DAT
Proposed Site



1:500

© Crown Copyright. Aberdeen City Council 100023401

This page is intentionally left blank

David Thomas

23rd November 2015

Bill Gordon
Administrative Assistant
Licensing Team
Aberdeen City Council
Business Hub 6 L1S
Marischal College
Aberdeen
AB10 1AQ

Dear Bill,

Application For Grant Of Street Traders License:

Firstly I would like to thank you for taking the time to consider my enclosed application. I have supplemented my application for a street traders license with this covering letter, highlighting why I am applying for a site in the centre of Aberdeen.

I am starting a Mexican street food business and will use a beautiful vintage van that has been converted into a commercial catering kitchen from which to prepare and sell my food. The van would be located on St Nicholas Street and I have provided details of the exact location in my application, as well as a map providing further clarification of my desired site. I have chosen this site because the footfall each day is large enough to sustain a business of this kind in this one location. The benefit of being located in the city centre is that I would be far more accessible to potential customers who walk, cycle, or use public transport, helping to lower congestion and emission levels in the city and also lowering the overall carbon footprint of the business. By using almost entirely biodegradable packaging, I will also ensure that we do not leave a negative impact on the environment and surrounding area.

I have chosen to specialise in Mexican street food, as I am obsessively passionate about this style of cooking and am adamant that it is a fantastic way of serving fresh and healthy food, that people really enjoy eating. There will be a strong focus on using fresh and local suppliers wherever possible, as well as providing fat free, vegetarian, and gluten free options. I will also provide fresh fruit, freshly made fruit smoothies and natural soft drinks. The result will be a food offering that is locally sourced, fresh, delicious, and most importantly, healthy. This really is of huge significance, as consumer attitudes towards health and diet have altered dramatically in the past decade, and they now expect healthy and nutritious food to be far more readily available. Having researched the food and drink market in the centre of Aberdeen, there is a clearly a very strong demand for this kind of food offering and to provide a genuine alternative to traditional fast food. I also believe that the street food scene that is so vibrant in other UK and international cities, would be hugely popular in Aberdeen, adding a unique and vibrant new side to the food and drink industry in the city.

As a nation we throw away a quarter of the food we buy and yet research shows that we are relying on food banks more than ever. Therefore, it is extremely important to me that we ensure that we have a zero food waste policy. Complementing this strategy, I will seek to employ individuals who have struggled to secure regular employment and provide them with the opportunity of a genuine career in the food industry. This can be achieved by working with charities like Food Cycle in the UK, a community based group jointly tackling both food waste and unemployment, as well as local Aberdeen charities.

Thank you for taking the time to consider my application and I look forward to hearing from you soon.

Yours sincerely

David Thomas

This page is intentionally left blank