

# LICENSING COMMITTEE INFORMATION SHEET

1 September 2020

## Public Application

**TYPE OF APPLICATION:** HMO LICENCE APPLICATION (RENEWAL)

**APPLICANT:** MARK BRAGG

**ADDRESS:** 25 SOUTH MOUNT STREET, ABERDEEN

### INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 1 September 2020, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 1 September 2020. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

### DESCRIPTION

The premises at No.25 South Mount Street, Aberdeen, is a top-floor flat providing accommodation of 4 letting bedrooms, one public room, one kitchen & 2 bathrooms. The applicant has requested an occupancy of 5 tenants, which is acceptable in terms of space and layout. The application under consideration is to renew an existing HMO licence.

### CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

### OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

## COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:  
*'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'*

## GROUNDINGS FOR REFUSAL

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

## OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and his registration includes the top-floor flat at No.25 South Mount Street.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of the top-floor flat at No.25 South Mount Street.
- The extent of the above-mentioned work & certification requirements is as follows:
  - 1) All faulty or missing lightbulbs to be replaced immediately and lightshades fitted.
  - 2) CO detectors to be fitted in any room containing a gas appliance and/or flue.
  - 3) The flat entrance door to be fitted with a lock which can be opened from the inside without the use of a key.
  - 4) All door handles to be repaired/replaced as necessary.
  - 5) All self-closing doors to be checked and adjusted as necessary to ensure that they fully close against their stops.
  - 6) All windows to be checked and adjusted as necessary to ensure that they open for ventilation.
  - 7) The mould growth in the shower-room to be treated with fungicidal wash then redecorated.

- 8) A prohibition Notice to be permanently displayed next to the open fireplaces.
- 9) A Certificate of Compliance, Landlords Gas Safe certificate, Electrical Installation Condition Report (including Portable Appliance Test certificate) and a copy of the Tenancy Agreement to be submitted to the HMO Unit.