

LICENSING COMMITTEE INFORMATION SHEET

21 February 2024

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: STARR UNION STREET LIMITED

ADDRESS: 406 UNION STREET, ABERDEEN

AGENT: WINCHESTERS LETTINGS

INFORMATION NOTE

- Application Submitted 14/04/2023
- Determination Date 13/04/2024

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that work and certification requirements to bring the property up to the current HMO standard have not been completed. The meeting of the Licensing Committee on 21 February 2024, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 21 February 2024. I will advise the Committee whether the applicant has satisfactorily completed the necessary work and certification.

DESCRIPTION

The property at No.406 Union Street, Aberdeen, a 1st & 2nd floor, flatted property, providing accommodation of 5 letting bedrooms, open plan kitchen/lounge, utility room, and shower room. The applicant has requested an occupancy of 5 tenants, which is acceptable in terms of space and layout.

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 the registration includes No. 406 Union Street, Aberdeen.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No. 406 Union Street, Aberdeen.
- The extent of the above-mentioned work requirements are as follows:
 - All faulty/missing light bulbs must be immediately replaced.
 - The number of electrical sockets must meet the following minimum Standard: 6 in the kitchen – 6 in the bedrooms – 6 in the living room – 4 Additional sockets elsewhere in the premises. In this regard ensure that the required number of sockets in each room is readily accessible.
 - A Carbon Monoxide Detector (operated by a long-life sealed battery) must be installed within any room where a gas appliance or a flue from such an appliance is located and must be installed in accordance with the manufacturer's instructions.
 - All room and final exit door locks must be capable of being opened from the inside, without the use of a key. Any door lock not normally

in use must be permanently disabled. In this regard a lock with a turn button would be suitable on the vestibule door.

- Handles are to be fitted to the bedroom 3 and 4 fitted wardrobes.
- A window in each room must be capable of being easily opened for ventilation. In this regard the bedroom 3 and 4 window safety catches are to be repaired to operate correctly.
- The tall larder unit located in the upper floor utility room is to be securely re-fixed to the wall.
- There is evidence of mould growth to the bedroom 3 windows; this should be treated with an anti-fungicidal wash as per manufactures instructions.
- The floor coverings located in the utility room and bedrooms 3 & 5, are to be thoroughly cleaned, as discussed on site.

The following certificates are outstanding:

1. Certificate of Compliance
2. Gas Safety Certificate, detailing all gas appliances and carbon monoxide detectors (annually).
3. Itemised Portable Appliance Testing (PAT) Certificates, for all electrical appliances provided by the owner (annually).
5. Private Residential Tenancy Agreement, an anti- social behaviour clause must be detailed.
6. Scottish Fire and Safety Service letter