

LICENSING COMMITTEE INFORMATION SHEET

05 June 2024

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION

EXISTING HOST-SECONDARY LETTING

APPLICANT: KIRK HARRISON

PROPERTY MANAGER: RJH ACCOMMODATION LTD

PROPERTY ADDRESS: 43 QUEEN'S HIGHLANDS, ABERDEEN

INFORMATION NOTE

- Application Submitted 05/08/2023
- Determination Date 04/08/2024

At the date of drafting this Information Note, a new Short Term Let licence cannot be granted for the reason that:

- 1) The work requirements to bring the property up to the current Short Term Let standard have not been completed.

The meeting of the Licensing Committee on 05 June 2024, is the last meeting before the one-year statutory deadline for determining this Short Term Let licence application. If Committee are minded to refuse the application, they must do so at the meeting on 05 June 2024. I will advise the Committee whether the applicant has satisfactorily completed the certification requirements.

DESCRIPTION

The property at No.43 Queen's Highlands, Aberdeen, is a 4th floor, flatted property, providing accommodation of 2 letting bedrooms, open plan kitchen/lounge, bathroom, and bedroom en-suite. The applicant has requested an occupancy of 4 guests, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- Aberdeen City Council's Planning Team

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- Aberdeen City Council's Planning Team – not required.

COMMITTEE GUIDELINES/POLICY

All applications for Short Term Let licences are dealt with in accordance with the Scottish Government's document:

[Short term lets - licensing scheme part 2: supplementary guidance for licensing authorities, letting agencies and platforms](#)

GROUNDS FOR REFUSAL

This application is being dealt with under the provisions of '[Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets\) Order 2022](#)' (the 2022 Order)

Available [grounds of refusal](#) are as follows:

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified under section 7(6) of this Act, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

OTHER CONSIDERATIONS

- Landlord Registration is not a requirement of Short Term Let licensing.
- The Council's Community Safety Team has no records of any complaints of anti-social behaviour involving the guests of No.43 Queen's Highlands.
- The property is currently unlicensed. However as the applicant was an existing operator before 01 October 2022, the property is currently operating as a Short Term Let until the Licence application is determined.
- The extent of the above-mentioned work requirements are as follows:
 - All faulty/missing light bulbs must be immediately replaced.
 - In regard to the kitchen and bathroom areas they must have adequate ventilation, natural or mechanical. The mechanical air extraction is to be checked for correct operation, as discussed on site.
 - 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 manufactures instructions (Hall).
 - All portable heaters must be permanently removed from the premises.
 - All self-closing doors must be capable of closing fully against their stops from all angles of swing. In this regards the kitchen door is to be eased to operate correctly.
 - The lounge sliding door is to be repaired to operate correctly, as discussed on site, with the handle to be securely re-fix to the door also.
 - The bedroom 1 & 2 door handles are required to be securely re-fixed to the door and the missing tubular latch on the bedroom 2 door replaced.
 - Supply a Guest Information Folder:
A certified copy of the licence and licence conditions.
Fire, Gas and Electrical Safety Information.
Details of How to summon the assistance of the emergency services.
A copy of the Gas Safety certificate.
A copy of the Electrical Installation Condition Report.
A copy of the PAT certificate.
 - The following certificates must be submitted:
 - 1, Notice of STL Application - Certificate of Compliance – Online STL application confirmation required.
 - 2, PAT
 - 3, Legionella Risk Assessment.
 - 4, Public Liability Insurance.

