

LICENSING COMMITTEE INFORMATION SHEET

05 June 2024

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION
EXISTING OPERATOR-SECONDARY LETTING

APPLICANT: OUT OF TOWN APARTMENTS LTD

PROPERTY MANAGER: OUT OF TOWN APARTMENTS LTD

ADDRESS: 30 ALBURY ROAD, ABERDEEN

INFORMATION NOTE

- Application Submitted 30/09/2023
- Determination Date 29/09/2024

This Short Term Let licence application is on the agenda of the Licensing Committee for the reason that 1 late representation/objection was submitted to the Private Sector Housing Team.

If, after consideration of the representation/objection, the Committee is minded to grant the Short Term Let licence, it may do so under delegated powers since at the time of drafting this information note, the necessary certification has not been completed.

DESCRIPTION

The property at 30 Albury Road, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises of a Ground Floor, flatted property, providing accommodation of 2 letting bedrooms, kitchen, lounge, and shower room. The applicant wishes to accommodate a maximum of 4 guests, which is acceptable in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- Aberdeen City Council's Planning Team
- A public Notice of Short Term Let Application was displayed outside the building, alerting the public to the licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- Aberdeen City Council's Planning Team – Planning Granted 14/04/2024

- One objection email from Kathryn McCormick (Attached as Appendix B)

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](#)

GROUND 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 2 records of noise complaints in respect of 30 Albury Road, Aberdeen:

9th May 2023 - Loud music and shouting reported.

06 August 2023 - Loud music reported along with the smell of drugs.

- There no Granted Short Term Let licenses on Albury Road.
- 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.

'A'



'B'

From: Kathryn McCormick
Sent: Saturday, February 3, 2024 2:03 PM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: 30 Albury Road Aberdeen

I'm writing to object to my neighbour renting out his property for short term let's. I feel that the temporary tenants won't be vetted and may cause noise and disruption.

There is limited parking space and there is no drive at that address.

I'm aware that short term let's can attract hen and stag parties who will not care about the noise they make and my grandchild resides with us every weekend and she is only 5.

This street is always peaceful and quiet and a lovely area to stay and I feel this may disrupt that.

The property I object to becoming a short term let is 30 Albury Road, Aberdeen, AB11 6TL

I Kathryn Elphinstone reside with Ewan Kirk at ■ Albury Road, Aberdeen, AB11 6TL

Kind regards

Kathryn Elphinstone