

LICENSING COMMITTEE INFORMATION SHEET

05 June 2024

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION

NEW OPERATOR-SECONDARY LETTING

APPLICANT: LMD DEVELOPMENTS LTD

PROPERTY MANAGER: SJA PLATINUM PROPERTY GROUP LTD

ADDRESS: FLAT 10, 6 UNION ROW, ABERDEEN

INFORMATION NOTE

- Application Submitted 28/02/2024
- Determination Date 27/11/2024

This Short Term Let licence application is on the agenda of the Licensing Committee for the reason that 1 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 Flat 10, 6 Union Row, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises of a flatted property consisting of 2 letting bedrooms, open plan lounge kitchen and bathroom. The applicant wishes to accommodate a maximum of 2 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 not required
- One objection email from Matthew Smith (Attached as Appendix B)

- One representation letter from SJA Platinum Property Group Ltd (Attached as Appendix C)

The objection was received within the statutory time period therefore the Council must consider.

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

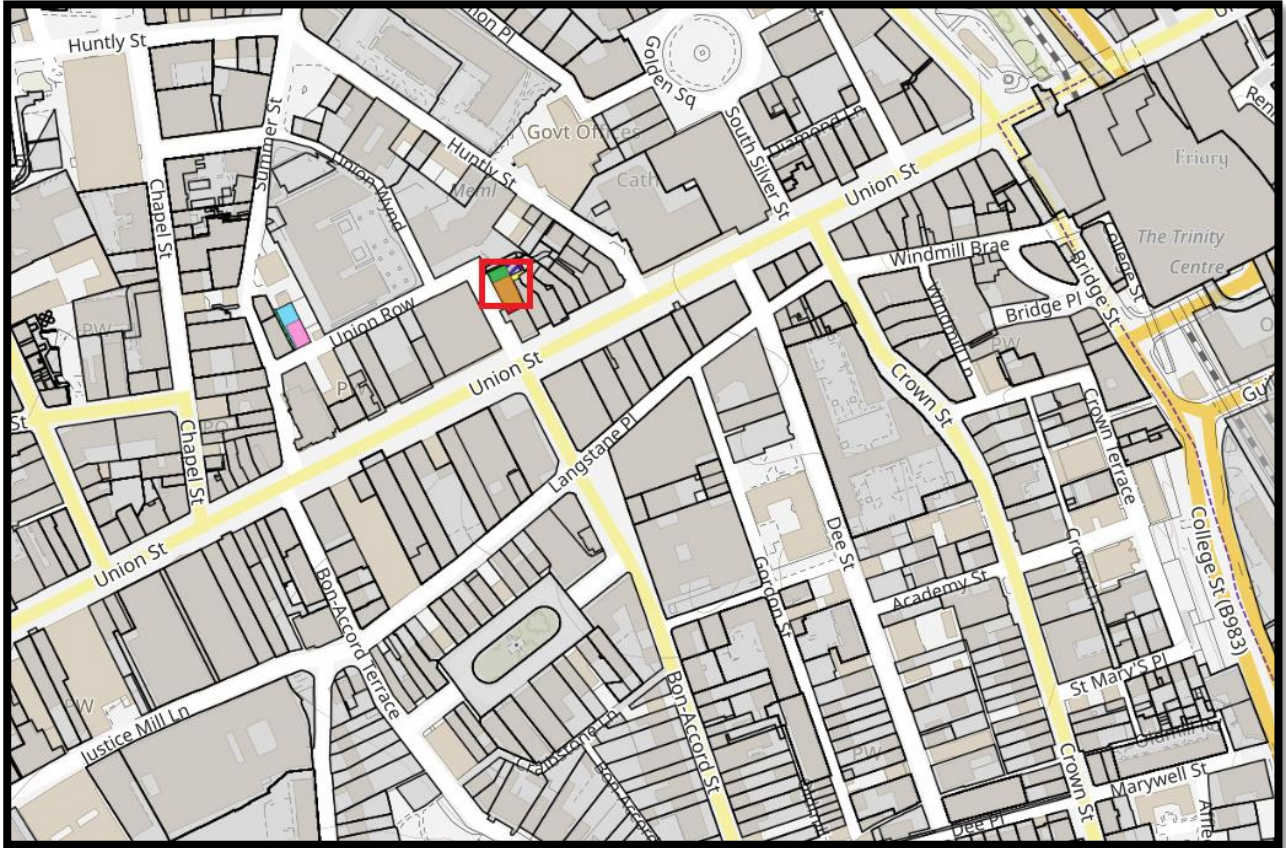
(v)public order or public safety; or

(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 record of any anti-social behaviour complaints in respect of Flat 10, 6 Union Row, Aberdeen.
- There are no Granted Short Term Let licenses on Union Row.
- The property is currently unlicensed. As the applicant is a new operator, the property cannot operate as a Short Term Let until the Licence application is determined.

'A'



'B'

From: Matthew Smith

Sent: Wednesday, March 6, 2024 11:33 AM

To: LandlordRegistration <LandlordRegistration@aberdeencity.gov.uk>

Subject: Objection to Short-Term Let License Application HSTL590898487 for Flat 10, 6 Union Row

Dear Aberdeen City Council,

I am writing to express my objection to the application for a short-term let license for Flat 10, 6 Union Row, Aberdeen.

My objection stems from several concerns regarding the current state of the building and its impact on the residents. Firstly, there has been an increasing number of rental properties within the building, which has led to various issues, including overcrowding and a transient population. This not only disrupts the sense of community but also raises concerns about the long-term stability of the neighborhood.

Furthermore, there is a recurring problem with cleaning trucks parking on the double yellow lines near the building. This not only obstructs traffic flow but also poses a safety hazard to pedestrians and other road users. The constant presence of these trucks adds to the overall inconvenience experienced by residents.

It is essential to note that we should be actively encouraging residents to return to the city centre, fostering a sense of permanence and community rather than facilitating short-term rentals that contribute to instability and disruption.

Therefore, I strongly oppose the application for a short-term let license for Flat 10, 6 Union Row. I urge the council to consider the well-being and concerns of the residents and deny this application.

Thank you for your attention to this matter.

Sincerely,

Matthew Smith

'C'

To whom it may concern,

I am writing in support of the Short-Term Let (STL) License Application for Flat 10, 6 Union Row, Aberdeen, submitted by SJA Platinum Property Group LTD. We acknowledge the concerns expressed by Mr. Matthew Smith and appreciate the opportunity to address them in the context of our application.

Firstly, I would like to highlight that we understand the importance of fostering a stable and cohesive community environment within the building and the surrounding neighbourhood. It's crucial for us to ensure that our operations contribute positively to the well-being and quality of life of all residents.

Regarding the concern about overcrowding, we want to assure the committee that our approach to short-term let management prioritizes responsible tenancy and respect for the community. We enforce strict occupancy limits to mitigate any potential issues related to overcrowding. It is also worth noting that the max occupancy of this apartment is 2 which likely would not be an increased number of occupants from a typical residential apartment. Additionally, the target market for this property is working professionals so its likely most guests will be alone.

With regards to concerns about parking its important to note that the apartment would not be advertised with parking and the operation of a STL would not effect the ongoing issue with the cleaning trucks which do not have anything to do with our operation.

Moreover, we share Mr. Smith's desire to encourage a sense of community within the city centre. However, we firmly believe that short-term lets can coexist harmoniously with long-term residents, contributing significantly to the local economy and cultural diversity. Short-term lets often serve as essential accommodation options for tourists and business travellers, providing them with comfortable and quiet accommodation during their visit to the city. These visitors often inject additional spending into local businesses such as restaurants, shops, and cultural attractions highlighting the importance of STLs for local businesses in the city centre.

In conclusion, we respectfully request that the committee consider our application for Flat 10, 6 Union Row, Aberdeen, taking into account our commitment to responsible management practices and our dedication to enhancing the overall living experience for residents. We believe that with the right safeguards in place, short-term lets can be an asset to the community, promoting tourism and economic growth without compromising the well-being of residents.

Thank you for your attention to this matter.

Sincerely,

Mitchell Clark
SJA Property Group