

MEMO

Shelter & Environment

Housing & Environment

Lower Ground Floor West, Marischal College



ABERDEEN
CITY COUNCIL

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	1 November 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Civic Government (Scotland) Act 1982

(Licensing of Houses in Multiple Occupation) Order 2000

Application for the Grant of a Licence to Operate a House in Multiple Occupation (HMO) at Top floor flat, 23 Huntly Street, Aberdeen

Applicant/s: Endowment Trust of the Roman Catholic Diocese of Aberdeen

Agent: Craigens, Solicitors

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 23 November 2011, for the reason that the works and certification requirements have not been completed.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is a top floor maisonette flat with accommodation comprising of four letting bedrooms, one public room, one kitchen, one bathroom and one toilet. The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was submitted to the Council on 25 March 2011. The HMO Officer visited the premises on 17 June 2011, then he wrote to the applicant on 21 June 2011, listing the following requirements to bring the premises up to the current HMO standard:-

1. The use of the hallway and stairway as a clothes-drying area must immediately stop, and these areas must be permanently kept clear of obstructions, especially combustible materials.
2. All fire-doors must be checked and adjusted where necessary to ensure that they fully close against their stops.
3. All fire-safety provisions within the property must be fully explained to the tenants, including an instruction not to wedge open fire doors.
4. All doorlocks to be replaced with keyless locks.
5. A Fire Action Plan to be discussed with staff and a Fire Action Notice to be displayed within the premises.
6. The water damage to the toilet wall & ceiling to be repaired, and the cause of the water ingress to be investigated and repaired.
7. All windows to be checked and adjusted to ensure that they open for ventilation.

The applicant's Agent has submitted a letter detailing the reasons why the HMO requirements have not been completed. The letter is attached as Appendix 'B'.

Other considerations:-

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team has no record of any complaint in respect of No.23 Huntly Street, Aberdeen.
- At the date of this memo, the applicant and the premises are not registered with the Landlord Registration database. Both were previously registered however the registration expired in March 2011 and was not renewed. It will therefore be necessary for the applicant to reregister.
- The applicant has requested an occupancy of 4 tenants, which is acceptable to the HMO Unit.
- As mentioned above, the Council received the HMO Licence application on 25 March 2011. The Council must determine the application no later than 24 March 2011, otherwise the application will become deemed to be approved, which the Council must strive to avoid. If necessary, the application can be deferred until the Licensing Committee meets again on 21 February 2012, at the latest.

I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

Ally Thain
Private Sector Housing Manager

APPENDIX 'A'

Housing

SEARCH
23 Huntly Street
Address

LOCATION
Location
X 390571
Y 806075

Scale
1:500

TOOLS
Point Line
Bookmarks
Belgownie and
War Meml

SHARE
Link
Identify
Default
Clear all
Areas

SUPPORT
Print
Help

Legend
All Layers
Background Mapping
Housing
Civic Boundaries

26.3m
26.3m
25.3m

HUNTLY STREET
HUNTLY STREET
STREET
UNION WYND
Grampian House
Cathedral of St Mary of the Assumption
TCBs
PH
Bank

206
204
210
208
216
212
218
220
27
27
27
39
37
35
45

25.3m
Crown Copyright. Aberdeen City Council. 1000023401 (LB.1)

APPLICATION FOR HMO LICENCE
23 HUNTLY STREET ABERDEEN

APPENDIX 'B'

Craigens

Solicitors and Estate Agents
Notaries
Advocates in Aberdeen

13 Bon-Accord Crescent, Aberdeen AB11 6NN

Telephone: (01224) 588295

Fax: (01224) 575400

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ABERDEEN 1.

Alison M. Mann
Douglas J. Crombie
Partners

Brian McEwan Esq
Private Sector Housing Officer
HMO Unit
Aberdeen City Council
Marischal College
Broad Street
ABERDEEN

Our Ref:

Your Ref:

Date:

e-mail:djc@craigens.com

D.J. Crombie.MT

24584/BM

3 November 2011

Dear Mr McEwan

**Endowment Trust of R C Diocese of Aberdeen
Second Floor Flat, 23 Huntly Street, Aberdeen
HMO Licence Application**

I refer to our telephone conversation on 1 November 2011, and as discussed I write to explain the situation regarding the works necessary to ensure that the above property complies with all relevant HMO Regulations, and would be grateful if the following could be placed before the Licensing Committee when the matter is dealt with.

As indicated in my letter of 29 July 2011, all issues raised in your letter of 21 June 2011 are being addressed and attended to as a matter of priority. In light of the nature of the problems identified with the property, my clients instructed their Architects to supervise the works, and the Architects in turn put the works out to tender. Tenders have now been received, and the extent of the property repairs is considerably more than originally anticipated. In addition as the property forms part of a larger building, and as some of the repairs involve mutual parts, it is necessary to involve co-owners within the building and obtain their consent and undertakings regarding the mutual works.

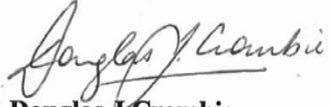
Having obtained Tenders, these have now been submitted to my clients' Property Committee for approval, and the works will be carried out as soon as such approval has been issued, and the consent of all affected co-owners is obtained.

I hope that you will appreciate that my clients are fully addressing the issues of concern raised by you, but as a result of the nature of the issues, it will take some time to complete all of the work necessary. In the circumstances I would be grateful if the Council's HMO Licensing Committee could be asked to allow my clients additional time beyond the usual time scale, to complete all necessary works to your satisfaction.

In the meantime I can confirm that the property is currently vacant and untenanted.

I look forward to hearing from you.

Yours sincerely

A handwritten signature in cursive script that reads "Douglas J. Crombie". The signature is written in black ink and is positioned above the printed name.

Douglas J Crombie