

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	28 November 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of the Housing (Scotland) Act 2006

Application for the Grant of a Licence to Operate a House in Multiple Occupation (HMO) at Tullos School Lodge, Kirkhill Place, Aberdeen

Applicant/s: Aberdeen City Council

Agent: Edward Thomas

I refer to the above HMO Licence application, which is due be considered by the Licensing Committee at its meeting on 7 December 2011, for the reason that objections have been received by the HMO Unit.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is a former janitor's house serving Tullos Primary School. The school janitor service changed some years ago and the house has been empty since then, with the result that it has been vandalised and become dilapidated. The house requires major refurbishment which, when completed, will provide accommodation comprising of five letting bedrooms, one kitchen/dining area and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was received by the Council on 18 October 2011. The HMO Officer, who had visited the premises previous to the submission of the application, wrote to the applicant on 3 November 2011, listing the following requirements to bring the premises up to the current HMO standard:-

1. The installation of a fire alarm/fire detection system.
2. The installation of a hard-wired carbon monoxide detector beside the boiler cupboard, lined to the fire alarm system.
3. The installation of 30-minute fire doors fitted with self-closing devices throughout the property.
4. Any doorlocks fitted to the bedroom doors and the house exit doors must be of the keyless type.
5. A Fire Blanket to be installed in the kitchen.
6. Installation of additional electrical sockets in the kitchen and bedrooms.
7. A Fire Action Notice to be displayed within the property.

8. A Fire Action Plan to be discussed with the tenants, detailing the actions they must take in the event of a fire. Tenants also to be instructed not to interfere with any fire-safety installation.
9. The Notice for Display – Certificate of Compliance, electrical & gas safety certificates and a typical Tenancy Agreement to be submitted to the HMO Unit.

At the date of this memo, all work & certification requirements have not been met, although this is not the reason for referral to the Licensing Committee.

Objections Received:-

A petition containing 235 names, addresses & signatures, was received by the HMO Unit within the statutory period and is therefore competent. The petition is attached as Appendix 'B' and the addresses & signatures have been redacted because of the Data Protection legislation. 17 addresses on the petition are incomplete to the extent that I cannot issue invitations to the meeting, therefore 218 signatories on the petition whose addresses are complete have been invited to attend the meeting.

One letter of objection was received by the HMO Unit within the statutory period and is therefore competent. The objector also signed the petition, and has been invited to attend the meeting. The letter of objection is attached as Appendix 'C'.

Applicant's Response:-

The applicant has responded to the objections, attached as Appendix 'D'.

Part 5 of the Housing (Scotland) Act 2006:-

This HMO Licence application is the first such application to come before the Committee, which requires to be dealt with under Part 5 of the Housing (Scotland) Act 2006.

Section 129 of Part 5 concerns "*Application for HMO Licence*", and states:

- (2) *The local authority may determine an application for an HMO Licence by-*
- (a) *granting the HMO Licence (with or without conditions), or*
 - (b) *refusing to grant the HMO Licence.*

Section 131 of Part 5 concerns "*Suitability of Living Accommodation*", and states:

- (2) *In determining whether any living accommodation is, or can be made to be, suitable for use as an HMO, the local authority must consider-*
- (a) *its location,*
 - (b) *its condition,*
 - (c) *any amenities it contains,*
 - (d) *the type and number of persons likely to occupy it,*
 - (da) *whether any rooms within it have been subdivided,*
 - (db) *whether any rooms within it have been adapted and that has resulted in an alteration to the situation of the water and drainage pipes within it,*
 - (e) *the safety and security of the persons likely to occupy it, and,*
 - (f) *the possibility of undue public nuisance.*

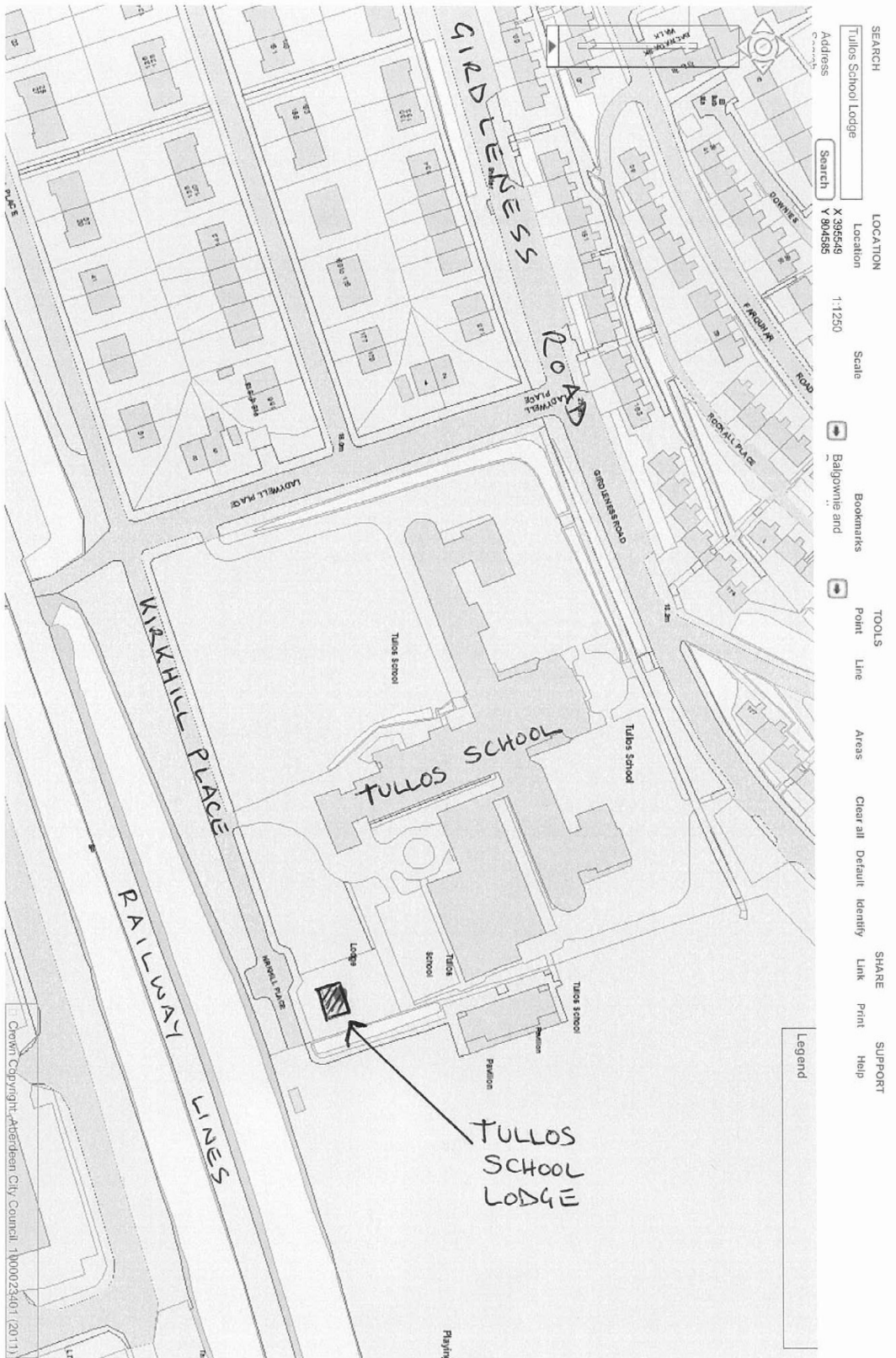
Other considerations:-

- 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 (ASBIT) has no record of any complaint in respect of Tullos School Lodge, Kirkhill Place, Aberdeen.
- The Local Authority is exempt from the Private Landlord Registration scheme.
- The applicant has requested an occupancy of 5 persons, which is acceptable to the HMO Unit in terms of space and layout.

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'



APPLICATION FOR HMO LICENCE
PREMISES: TULLOS SCHOOL LODGE KIRK HILL PLACE

APPENDIX 'B'

AGAINST THE OLD JANITOR'S HOUSE AT TULLOS SCHOOL BEING TURNED INTO A HOSTEL. (Homeless refuge)

WE NEED YOU.....

NAME	ADDRESS	SIGNITURE
/ Karen Simpson		
/ Michelle Stewart		
/ Bew - Lorne		
/ Zoe "		
/ Terry Crook sn		
/ Tem Crook JR		
/ J MAURZ WZK		
/ C M MAURZ WZK		
/ J Brown.		
/ A Brown		
/ C SAMMONS		
/ D. FORSYTH		
/ M. GOLL		
/ C. Reid		
/ E McKernan		
/ D McKernan		
/ Sarah Fraser		
/ TAN HALLETT		
/ Mrs March Culley		
/ Craig Stevenson		
/ Joe Stevenson		
/ C Wright		

Date Received:	7 NOV 2011
Date Logged on Flare	

AGAINST THE OLD JANITOR'S HOUSE AT TULLOS
SCHOOL BEING TURNED INTO A HOSTEL. (homeless Refuge)

WE NEED YOU.....

NAME	ADDRESS	SIGNITURE
/ A. Greig		
/ J. Kynoch		
/ S. Fyfe		
/ D. Williams		
/ B. Mann		
/ K. Adams		
/ W. Green		
/ J. Iwen		
/ J. CRAIG		
/ P. Marshall		
/ S. Langbein		
/ M. Flood		
/ P. Wood		
/ J. Szabo		
/ D. Pirie		
/ K. Gordon		
/ G. Booth		
/ S. ADDISON		
/ B. Merson		

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	7 NOV 2011
Date Logged on Flare	

AGAINST THE OLD JANITOR'S HOUSE AT TULLOS
SCHOOL BEING TURNED INTO A HOSTEL. (Homeless Refuge)

WE NEED YOU.....

NAME	ADDRESS	SIGNITURE
/ Kenneth Anne Henderson		
/ Kelly Stewart		
/ Jemma Inglis		
/ Matthew Williams		
/ Beth Finch		
/ Charles McGregor		
/ Audrey McGregor		
/ Paula Jamieson		
/ Shaun Jamieson		
/ Stephanie Jamieson		
/ Dave Allison		
/ Jodie Allison		
/ Gary Millie		
/ Isabella Allison		
/ ERIC ALLISON		
/ ERIC ALLISON		
/ Kerry Bain		
/ Mark Bain		
/ Lisa Bari		

ABERDEEN CITY COUNCIL	
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AGAINST THE OLD JANITOR'S HOUSE AT TULLOS SCHOOL BEING TURNED INTO A HOSTEL.

WE NEED YOU.....

NAME	ADDRESS	SIGNATURE
/Michelle Pratt		
/Anna Gall		
/Muriel Pitt		
/S Milne		
/P Milne		
/I. MacDonald		
/M. Brown		
/A Johnstone		
/D Fraser		
/Derek Fraser		
/Keanne Williams		
/Kathleen Rust		
/Jim Rust		
/IRENE LEIGHTON		
/A Leighton		
/Ann Jane Cranston		
/Lisa Hammar		
/BRUCE HARRISON		
/LAURENCE OFFICER		

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
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AGAINST THE OLD JANITOR'S HOUSE AT TULLOS
SCHOOL BEING TURNED INTO A HOSTEL.

WE NEED YOU.....

NAME	ADDRESS	SIGNATURE
✓ Steven Grubb		
✓ LOUISA HOWARTH		
✓ Jonathan Howarth		
✓ Margaret Shercl		
✓ George Bell		
✓ MRS JEAN MERSON		
✓ MR. Robert Merson		
✓ MR MRS MALLOY		
✓ EDITH McALLISTER		
✓ Karen McLean		
✓ Christopher Bruce		
✓ Mrs E Gane		
✓ Edward Wilson		
✓ Christine McKelvie		
✓ Andrew McKelvie		
✓ Elaine Lyon		
✓ Douglas Lyon		
✓ C Felber		

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	7 NOV 2011
Date Logged on File:	

AGAINST THE OLD JANITOR'S HOUSE AT TULLOS
SCHOOL BEING TURNED INTO A HOSTEL.

WE NEED YOU.....

NAME	ADDRESS	SIGNATURE
/ G. FREELAND		
/ J GOWIE		
/ <i>[Signature]</i>		
/ A. JOHNSTON		
/ M. CHRISTIE		
/ F. CHRISTIE		
/ B. CHARLES		
/ <i>[Signature]</i>		
/ M. GUNN		
/ J. YOUNG		
/ P. YOUNG		
/ M. SINDEN		
/ P. FRASER		
/ A. BARBOUR		
/ I. BARBOUR		

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
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AGAINST THE OLD JANITOR'S HOUSE AT TULLOS
SCHOOL BEING TURNED INTO A HOSTEL. (homeless Refuge)

WE NEED YOU.....

NAME	ADDRESS	SIGNITURE
/ A PRIE .		
/ MacCormick .		
/ C Macphie .		
/ J Simpson .		
/ D Meyer .		
/ B Thompson .		
/ G MILNE .		
/ C Milne .		
/ S Wetherdy .		
/ L h b .		
/ A Stewart .		
/ H Stewart .		
/ K Stewart .		
/ D matthaw .		
/ S MacLellan .		
/ E Scott .		
/ T Stewart .		
/ S GOLDFG .		
MR MRS Stevenson		

ABERDEEN CITY COUNCIL	
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SCHOOL BEING TURNED INTO A HOSTEL. (Homeless refuge)

WE NEED YOU.....

NAME	ADDRESS	SIGNITURE
/ A Patterson		
/ J. FINDLAY		
/ Leanne		
/ K Scott		
/ Miss Scott		
/ L Duthart		
/ S Duthart		
/ Peterson		
/ C Peterson		
/ SCARROW		
/ IEMIE KOOYMAN		
/ CARMEN FORBES		
/ HUTCHESON		
/ C de Jfeus		
/ R de Jfeus		
/ M Dunderwehl		
/ Thomas GNR		
/ Ewen Byrne		
/ Matthew Leys		

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
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AGAINST THE OLD JANITOR'S HOUSE AT TULLOS

SCHOOL BEING TURNED INTO A HOSTEL. (homeless refuge)

WE NEED YOU.....

NAME	ADDRESS	SIGNATURE
/ Skeeper .		
/ B Leiper .		
/ E Leiper .		
/ P. MacDow .		
/ I. MacDow .		
/ A. Morlin .		
/ P Auld .		
/ S. Wether .		
/ A BEAULIEU .		
/ G BEAULIEU .		
/ P SAVILLE .		
/ Cheryl Cantab .		
/ Alison Thomson .		
/ Ricky Cantab .		
/ M Gray .		
/ Deborah Roberts .		
/ AnnMarie Burns .		
/ Angela Paterson .		
/ Pauline Forbes .		

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
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AGAINST THE OLD JANITOR'S HOUSE AT TULLOS
SCHOOL BEING TURNED INTO A HOSTEL. (Homeless refuge)

WE NEED YOU.....

NAME	ADDRESS	SIGNITURE
/ D. TONES		
/ A. DAUNSON		
/ A. MACKIE		
/ N SIM		
/ N Sim		
/ D WINTER		
/ M STUART		
/ H. Winton		
/ K. Winton		
/ A. STUART		
/ WALTER KILROE		
/ MARGARET KILROE		
/ S. Douglas		
/ James Winton		
/ melissa Quigley		
/ BARRY STEWART		
/ R. Sherrin		
/ Catherine Cowe		
/ S. LIVINGSTONE		
/ S. McCubbin		
/ C. Livingstone		
/ D. Stewart		
/ J. P. McGlaulin		
S. Carril		
Sarah Lyon		
Rudi De Joux		

AGAINST THE OLD JANITOR'S HOUSE AT TULLOS
SCHOOL BEING TURNED INTO A HOSTEL. (Homeless refuge)

WE NEED YOU.....

NAME	ADDRESS	SIGNATURE
Rosin Murray		
Philip Kelly		
Les Lamb		
Kelly Sammut		
Shona Lawson		
Tracey Craig		
T. Gray		
Katween Mulla		
Sara Kennedy		
BRYCE HOPE		
Sam Drysdale		
Amy Causer		
BARTOSZ WAS		
JUSTYNA KOZAN		
Lina Kerynie		
David Wood		
Lesley Love		
Louise Cain		
Keith Walker		
Franca Wallace		
Wendy Wallace		
Priscilla		
Sheryl Hay		
Diane Thomas		
David Logie		

97

Name

LEE MORRICE

JONATHAN MILNE

~~Ms Robertson~~

MIKE HAY

I F TAIT

I A DAVIDSON

D PAUGH

KRISTINA GOLD

~~JA~~ JAMIE GRAY

PADDY ROBERTSON

DIANE DRYSDALE

HUGH DRYSDALE

STEPH RITCHIE

CRAIG CAMPBELL

DAVID ROUSSEAU

ABE
Neight
Date Received:
Date Logged on Flare

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	8 NOV 2011
Date Logged on Flare	

To whom it may concern,

I am writing to object to the current proposal which involves Tullos School Lodge being used as homeless premises for 5 people.

As a parent of a child who currently attends Tullos Primary School I am both disappointed and concerned about this proposal. As usual no consultation or information was passed on to the parents of the school. The parents were informed by letter last week giving little or no time for us to discuss as a group any fears or concerns we have. It seems the notice was posted during the school holidays and as a group we were oblivious to this. I feel this was very under hand and ensured that as a group/community we were given no time to prepare any objections that we may have.

Two representatives from the council came to the Parent Council Meeting today to give us more information about this proposal. Unfortunately not many parents were able to attend due to the short notice and had commitments/child care issues.

I continue to have many concerns regarding the use of the lodge as homeless accommodation despite their reassurances. They include the following:

1. The location is a prime issue. To have a homeless shelter on the same site as a school is a risk. There are many vulnerable children in the area and the representative was quite vague on supervision issues and what type of checks that would be carried out. I am aware that the occupants will be out at work during schools hours but there are after school activities to be taken into account as well. Children may be wandering about the school with little supervision.

2. CCTV was also mentioned as a monitoring means. I find this alarming as we are being assured the occupants pose no risk to the children. SO WHY IS THIS NECESSARY! I am sure there are also cost issues involved.

3. The school is also used for evening activities which involve children of varying ages. I presume the occupants of the house will be home and will they have friends/colleagues visiting the premises. Will this be monitored and by whom?

4. What types of checks are being done on the potential occupants? I am led to believe the age group will be up to approx 35 years and may be of mixed sexes. I am not being judgemental but there are a high proportion of homeless people who do have underlying issues, whether it is alcohol or drugs. I know this from my experience of 20 years nursing in acute medicine.

We teach our children about stranger danger on a daily basis, yet the Council find it acceptable to house 5 strangers on school grounds.

This lodge would be put to better use in housing a homeless family which there are many in the city. I know of several large families within the school who are currently looking for larger premises and this property would be ideal.

I feel yet again let down by the Aberdeen Council due to its poor communication and lack of respect to its constituents. We have been given no time to place our objections and thus it appears that we agree with the proposal and nothing could be further from the truth. I am sure because of this my letter will be one of only a few that you will receive!

Yours sincerely
Lisa Harrison

ABERDEEN CITY COUNCIL

**PROPOSAL – TULLOS SCHOOL LODGE
KIRKHILL PLACE, TORRY AB11 8FQ**

1. Background

- 1.1 Tullos Primary School Lodge was formerly a janitor's residence and has been vacant for several months since the last occupant moved out.
- 1.2 In the months since the janitor left the vacant property has incurred considerable damage due to vandalism.
- 1.3 The property is situated on the far corner plot of the school site, with dedicated access from Kirkhill Place. As such it has no interdependency with the school and the perimeter of the plot is lined by mature hedgerows which screen the property from the school.
- 1.4 There are often barriers to accessing ongoing housing options for Homelessness Service clients. The highest demand is for single people, with resultant pressure on temporary and permanent accommodation.

2. Proposal

- 2.1 The Homelessness Service proposes to lease the property from Asset Management and schedule the works required to refurbish the property to an appropriate letting standard.
- 2.2 The property will be managed by the Temporary Accommodation & Private Sector Leasing team, which has responsibility for managing dispersed properties. The team consists of:
 - Team Leader
 - 2 Assistant Team Leaders
 - 8 Resettlement Workers
 - 2 Property Workers
- 2.3 Vacancies would be allocated to tenants identified as being in need of housing. This may be to prevent homelessness occurring, to provide an accessible housing outcome to homeless households or to meet interim statutory duty.
- 2.4 Whereas the property has previously been let as a three bedroom house for the school janitor and his family, the Service is in greater need of accommodation for single person households. Accordingly the proposal is to let the property as a House in Multiple Occupation (HMO), with the two public rooms constituting a total of five units of accommodation for single person households.

2.5 In particular the service presently has no dedicated provision for applicants who are working and looking to resolve their homelessness by saving a deposit for private rented accommodation. Typically these households are assessed as low risk however the options within current stock are either 24 hour staffed 'hostel' premises or Bed & Breakfast, both of which are very expensive to provide. Accordingly the means tested contributions from applicants seriously limit the amount which can realistically be saved towards a deposit, thus prolonging homelessness.

2.6 This property would be ideal provision as low cost accommodation for applicants who are working, typically for a period of around two months to enable them to resolve homelessness by saving for a deposit. Approval from Housing & Environment Committee makes allocation conditional on the tenant being in work at that time. The service is in contact with local credit unions and proposals are being considered for a structured savings model aligned with rental contributions to ensure applicants can resolve their homelessness at the earliest opportunity.

2.7 In addition to the staffing commitment, a 24 hour concierge service is being introduced for the Council's multi-storey blocks. We will be looking to include this property within the project to allow for additional monitoring.

2.8 The service also has a contract in place with a security company, with personnel currently serving the Accommodation Unit at St. Fittick's House, Crombie Road. If required mobile patrols could also be arranged to cover Tullos Lodge.

2.9 In general the situation of the property should have minimal impact on the school or other residents of the area.

3. Consultation

3.1 We have consulted with parties who may have an interest in the proposal, specifically:

- Elected members for the Torry/Ferryhill ward;
- The Head Teacher & Parent Council for Tullos Primary School; and
- Torry Community Council.

4. Report Author Details

Edward Thomas, Assistant Homelessness Manager

ETHomas@aberdeencity.gov.uk

01224 52(3127)