

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	20 March 2012
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of the Housing (Scotland) Act 2006

Application for a Licence to Operate a House in Multiple Occupation (HMO) at No.92C Bedford Place, Aberdeen

Applicant/s: Peter Brown

Agent: Barbara Ellis Leasing

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 17 April 2012, for the reason that two letters of objection have been received by the HMO Unit.

I can advise you as follows:-

The HMO legislation:-

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, which came into effect on 31 August 2011. Available grounds of refusal are as follows:

- 1) The applicant and/or agent are not considered to be 'fit & proper' persons.
- 2) The property is unsuitable for occupation as an HMO for the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Whether any rooms within it have been subdivided
 - iv) Whether any rooms within it have been adapted
 - v) Any amenities it contains
 - vi) They type and number of persons likely to occupy it
 - vii) The safety and security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, overprovision of HMOs in the locality

The premises:-

The premises to which this HMO Licence application relates is terraced house with accommodation comprising of four letting bedrooms, one kitchen/diningroom one bathroom. The location of the premises is shown on the plan attached as Appendix 'A'.

The HMO application:-

The HMO Licence application is dated 6 March 2012, and was received by the Council on 7 March 2012.

Works / Certification Requirements:-

The HMO Officer carried out an initial inspection of the property, identifying upgrading work and certification requirements to bring the property up to the current HMO standard. At the date of this memo, all requirements have not been met, although this is not the reason for referral to the Licensing Committee.

Letter of objection:-

Two letters of objection were received by the HMO Unit within the statutory 21-day period for lodging objections or representations, and are therefore competent. The letter of objection, dated 9 March 2012, is attached as Appendix 'B', and the undated letter of objection is attached as Appendix 'C'.

Other considerations:-

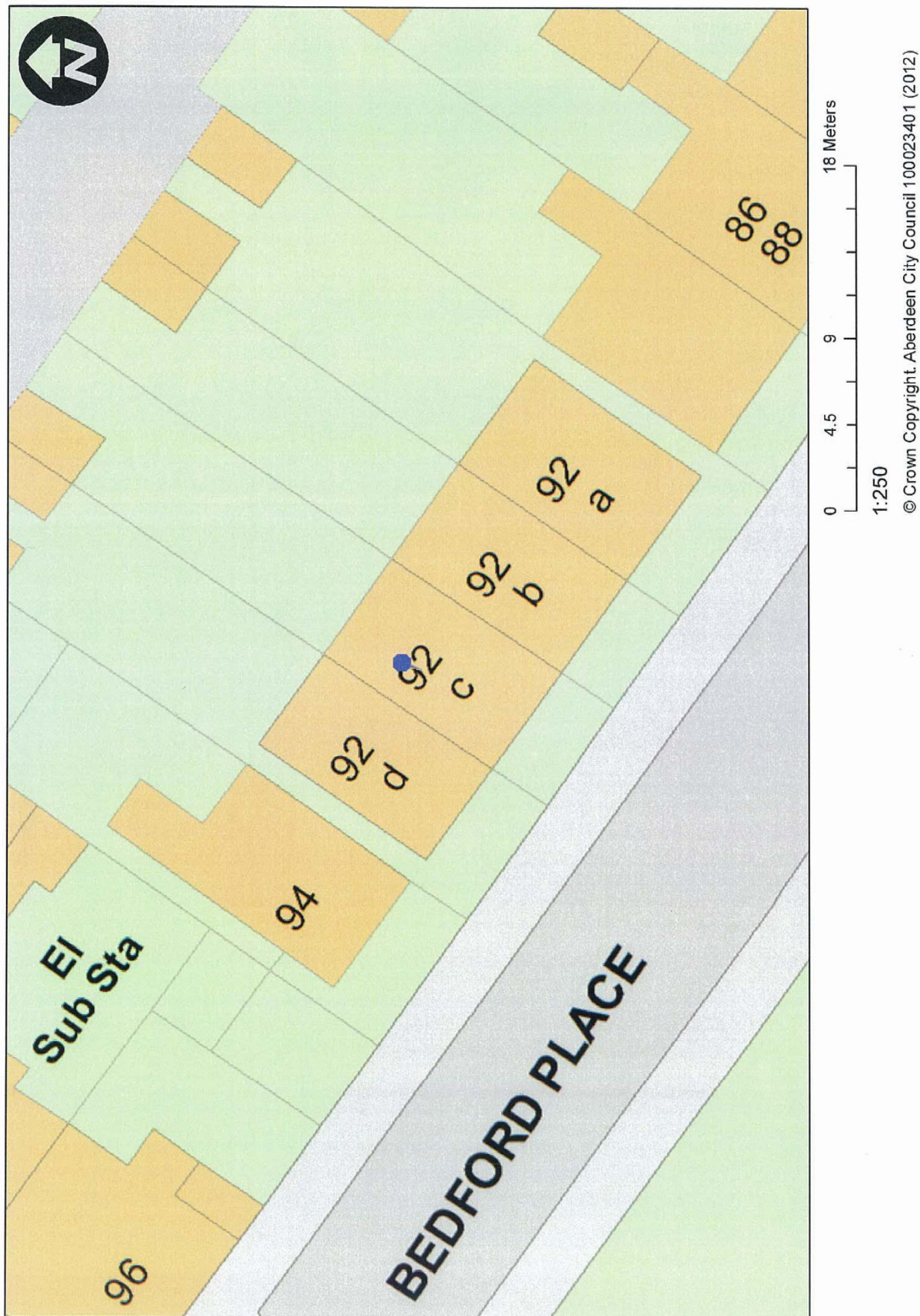
- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- **At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.92C Bedford Place, Aberdeen.**
- The applicant and several other of his rental properties are currently registered with the Landlord Registration database, however No.92C Bedford Place is not registered. The applicant must therefore add the property to his registration.
- The applicant has requested an occupancy of 4 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



APPENDIX B

Housing and Environment
Business Hub 1
Lower Ground Floor West
Marischal College
Broad Street
Aberdeen
AB10 1AB

9th March 2012

**Ref: Notice of Application for Multiple Occupation Licence
For
92 C Bedford Place Aberdeen**

Dear Sir or Madam,

I write to you after seeing the Notice of Application for House in Multiple Occupation adjacent to the property 92C Bedford Place.

I wish to request that this licence not be approved. My family and I have lived on Bedford Place for 26 years, and have over that time seen this area slowly turn into a Student residential area.

My surrounding neighbours and I who have lived here for many years are now getting totally fed up with the situation.

What we find is that the properties are not kept tidy, lack of maintenance to the property, and noise from the properties i.e. music, shouting, and the occasional fighting of students on the street, then in the summer time you have the get together rear garden parties, which can turn very noisy.

I have on many occasions had to go out to stop fights, ask students to cut the noise down and on one occasion ask a number of them to go back into their property as they were playing Rugby on the street/road just in their Y Fronts. (That was 92B Bedford Place). During this episode they had no respect for the parked vehicles on the street; they had glasses and cans of beer on the roofs of parked cars.

So due to the above explanation, I think you will now understand why I do not want the HMO Licence to be approved, because all I can see is more Students coming into the area and more aggravation.

Yours faithfully,

Gordon Duffus

Aberdeen City Council
Housing & Environment
DATE RECEIVED
12 MAR 2012
Private Sector Housing Unit

APPENDIX C

Aberdeen City Council
Housing & Environment
DATE RECEIVED
20 MAR 2012
Private Sector Housing Unit

Ref: Notice of application for
HMO 92^c Bedford Place

Dear Sir/Madam

I am writing to you
with regards to the above property.

I wish to object to the licence being
granted. I base this on my experience of
92^B Bedford Place. I have found there to
be numerous tenants who have little regard
for their neighbours or their properties. There
have been windows and front doors smashed &
household furniture left in the garden; (I have
for rats & mice. for the first time ever (I have
had evidence of mice in my property). The
rubbish bins are overflowing and
very rarely put out for collection.)

APPENDIX C cont..

this is only done when my ~~other~~ neighbour
has had enough of the unsightly mess.

yours sincerely

APPENDIX D