

MEMO

Shelter & Environment

Housing & Environment

Second Floor West, Marischal College



ABERDEEN
CITY COUNCIL

To	Eric Anderson, Senior Solicitor, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	17 January 2013
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.31 Auchinyell Road, Aberdeen

Applicant/s: Aberlour Childcare Trust

Agent: Noel Paterson

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 29 January 2013 for the reason that HMO upgrading work & certification has not been completed.

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, as amended. Available grounds of refusal are as follows:

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

The premises:

The premises to which this HMO Licence application relates is a detached purpose-built property with accommodation comprising of four letting bedrooms, four public room, one kitchen, two bathrooms 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 1 March 2012, and the HMO Officer wrote to the applicants on 28 April 2012, listing certain upgrading works & certification requirements to bring the premises up to the current HMO standard.

Upgrading works & certification:

At the date of this memo, the only outstanding area of work is some remedial electrical work identified by the electrician who carried out the Electrical Installation Condition Report. I have been given an assurance that the work is in the process of being carried out which, following satisfactory completion, should allow the issue of the HMO Licence prior to the Committee meeting on 29 January 2013.

Other considerations:

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a 'fit & proper' person, and has made no comment or objection.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour.
- The applicant and property are not registered with the Landlord Registration database. The applicant must therefore register.
- The applicant has requested an occupancy of 4 persons which is acceptable to the HMO Unit in terms of space and layout.

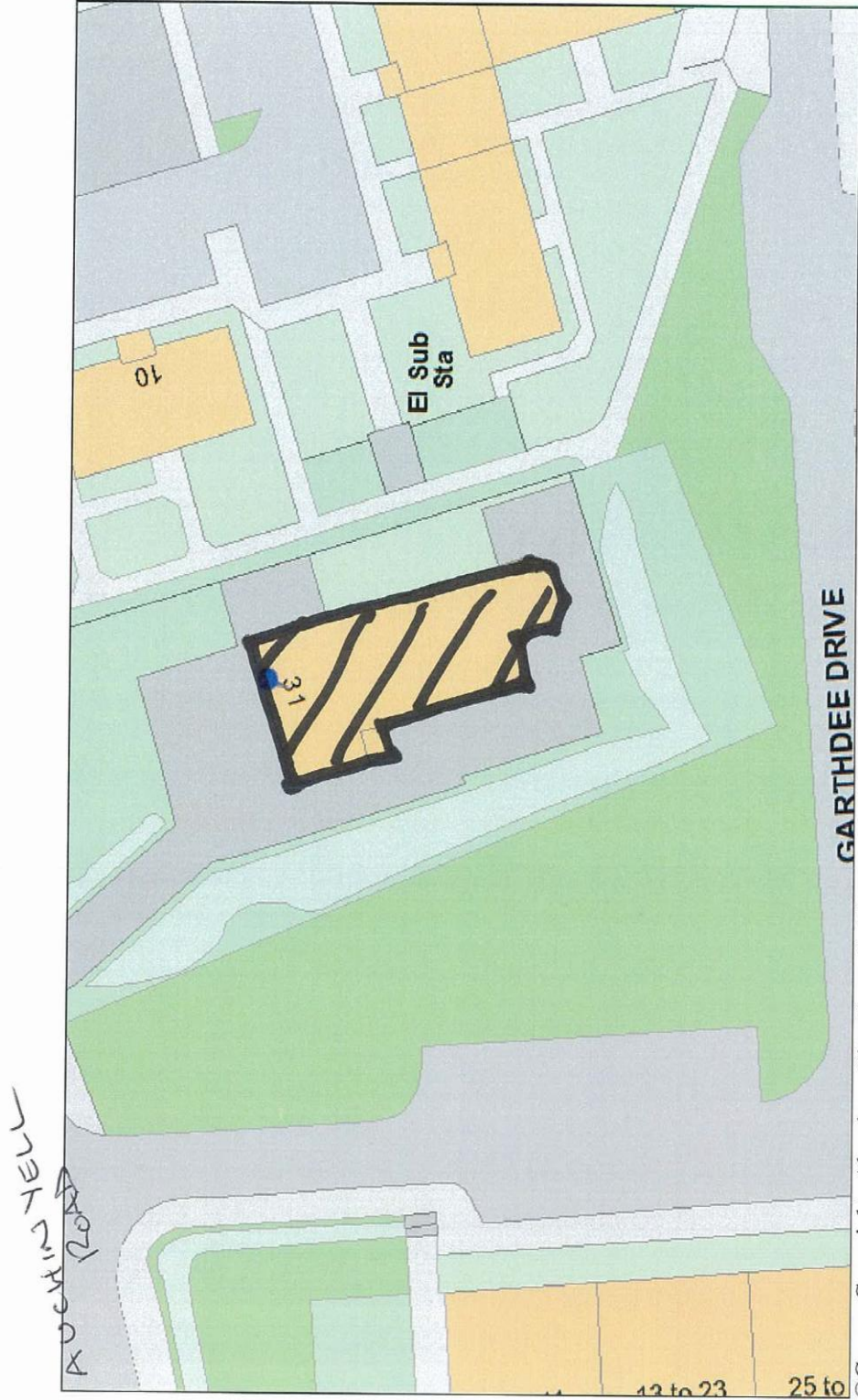
I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain

Private Sector Housing Manager

APPENDIX A

HMO LICENCE APPLICATION
PREMISES : 31 AUCHWYELL ROAD



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