

LICENSING COMMITTEE INFORMATION SHEET

10 November 2020

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (FIRST TIME)

APPLICANT: CAMPHILL ESTATES LIMITED

ADDRESS: MIGNON MURTL ESTATE, NORTH DEESIDE ROAD, ABERDEEN

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 10 November 2020, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 10 November 2020. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The premises at Mignon House is a large detached 2-storey purpose-built building in the Murtle Estate. Part of the ground floor of the building provides accommodation for families and is not included in the HMO licence application. The remainder of the ground floor and the whole upper floor of the building is the subject of the HMO licence application and provides accommodation as follows:
Ground floor: 4 bedrooms, 1 kitchen/larder, 1 living/dining room, 1 bathroom, 1 washroom, 2 WCs
First Floor: 15 bedrooms, 4 bathrooms, 1 shower room, 1 washroom and 3 WCs.
The applicant has requested an occupancy of 10 tenants, which is acceptable in terms of space and layout. The application under consideration is a first-time application.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:
'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'

GROUNDS FOR REFUSAL

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

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and the registration includes 11 rental properties, one of which being Mignon Murtle Estate North Deeside Road.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of Mignon Murtle Estate North Deeside Road, Aberdeen.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) The number of electrical sockets must meet the following minimum Standard: 6 in the kitchen – 6 in the bedrooms – 6 in the living room – 4 Additional sockets elsewhere in the premises. In this regard ensure that the required number of sockets in each room is readily accessible.
 - 2) A Carbon Monoxide Detector (operated by a long-life sealed battery) must be installed within any room where a gas or oil burning appliance or a flue from such an appliance is located and must be installed in accordance with the manufacturer's instructions. In this regard a detector is required in the kitchen, lounge and boiler room.
 - 3) All room and final exit door locks must be capable of being opened from the inside, without the use of a key. Any door lock not normally in use must be permanently disabled. In this regard a lock with a turn button would be suitable on the final exit doors and bedroom doors if they are to be fitted with locks.

- 4) All self-closing doors must be capable of closing fully against their stops from all angles of swing and must latch off when closed.
- 5) All bath and shower areas should be checked, and the silicon seal replaced where necessary.
- 6) One reasonable size freezer for each 5 persons must be supplied.
- 7) A suitable microwave should be supplied in the kitchen area.
- 8) The following certificates must be submitted:
 - Notice of HMO Application - Certificate of Compliance
 - Electrical Installation Condition Report, which meets the requirements of BS 7671
 - Itemised Portable Appliance Testing (PAT) Certificates, for all electrical appliances provided by the owner (annually).
 - Private Residential Tenancy Agreement, an anti- social behaviour clause must be detailed.
 - A Gas installation certificate must be supplied for the new gas Cooker and supply confirming that it is safe for use.