

LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: SUSAN MCGOWAN

ADDRESS: 55 SPITAL, ABERDEEN

AGENT: CAPITAL LETTERS

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 29 June 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 29 June 2021. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

DESCRIPTION

The premises at No.55 Spital, Aberdeen, is an upper-floor maisonette flat providing accommodation of 4 letting bedrooms (one en-suite), one public room, one kitchen & one bathroom. The applicant has requested an occupancy of 4 tenants, which is acceptable in terms of space and layout.

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 her registration includes No.55 Spital.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.55 Spital.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All faulty or missing lightbulbs to be replaced immediately.
 - 2) An IP44 light-fitting to be installed in the bathroom to replace the existing light-fitting.
 - 3) At the time of inspection there was no electricity supply as a result of the coin meter showing debt. The electrical supply must be reinstated to allow all electrical systems to be tested.
 - 4) There is evidence of rainwater penetration at the rear of the flat. The source of the penetration to be investigated and the necessary internal and external repairs to be carried out immediately.
 - 5) All self-closing doors to be inspected and adjusted as necessary to ensure that they fully close against their stops from all angles of swing.
 - 6) All windows to be inspected and adjusted as necessary to ensure that they open and close securely.

- 7) An upstand must be formed between the kitchen worktops and adjacent walls, then the upstand to be sealed.
- 8) The uneven flooring on the second-floor landing to be repaired as necessary.
- 9) There is evidence of mould throughout the flat. All affected areas to be treated with anti-fungicidal wash then painted with anti-fungicidal paint then finally redecorated.
- 10) The existing lounge furniture, which is covered in mould, must be replaced.
- 11) The flat to be redecorated as necessary.
- 12) SFRS were advised that the fire detection system was inoperable at the time of inspection, also that a smoke seal on one of the bedroom doors was loose.
- 13) The following documentation to be submitted to the HMO Unit for inspection:
 - Notice of HMO Application – Certificate of Compliance
 - Gas Safe certificate
 - Electrical Installation Condition Report (EICR)
 - Portable Appliance Test (PAT) certificate
 - Copy of the Tenancy agreement that will be used