

LICENSING COMMITTEE INFORMATION SHEET

29 June 2021

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: HAMILTON RESIDENTIAL LIMITED

ADDRESS: FLAT E, 1 CASTLE TERRACE, ABERDEEN

AGENT: LETTS & CO. PROPERTIES LIMITED

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.1E Castle Terrace, Aberdeen, is a top-floor flat providing accommodation of 3 letting bedrooms, open-plan lounge/kitchen & one bathroom. The applicant has requested an occupancy of 5 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 whilst their registration includes an extensive property portfolio, it does not include No.1E Castle Terrace at this time. It will therefore be necessary for the applicant to add the property to their registration prior to letting it.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.1E Castle Terrace.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All faulty or missing lightbulbs to be replaced immediately.
 - 2) Additional electrical sockets to be installed throughout the flat.
 - 3) CO detectors to be installed in rooms which contain gas appliances and flues from gas appliances.
 - 4) 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.
 - 5) If the letting bedroom doors are to be fitted with locks, the locks must be of a type that can be opened from the inside without the use of a key. The same applies to the flat entrance door.
 - 6) All windows to be inspected and adjusted as necessary to ensure that they open and close securely.

7) 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