

# LICENSING COMMITTEE INFORMATION SHEET

22 March 2022

## Public Application

**TYPE OF APPLICATION:** HMO LICENCE APPLICATION (RENEWAL)

**APPLICANT:** ANDREW MCGOWAN

**ADDRESS:** 123A SPITAL, ABERDEEN

**AGENT:** CAPITAL LETTERS PROPERTY MANAGEMENT

### 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 22 March 2022, 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 22 March 2022. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

### DESCRIPTION

The premises at No.123A Spital, Aberdeen, is a 2-storey, detached house providing accommodation of 4 letting bedrooms, lounge, kitchen, bathroom and shower room. 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 his registration includes No.123A 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.123A Spital.
- The extent of the above-mentioned work & certification requirements is as follows:
  - 1) All faulty/missing lightbulbs to be replaced immediately and missing lightshades to be replaced
  - 2) All windows to be adjusted as necessary to ensure easy opening for ventilation. Particular attention to be paid to the window in bedroom 1.
  - 3) The 3 damaged doors to the kitchen base units to be replaced and the remaining base unit doors to be realigned.
  - 4) The shower tray in the shower-room to be resealed.
  - 5) The disused shower cubicle in bedroom 1 to be removed and the flooring and walls to be made good.
  - 6) The holes in the ceilings in bedroom 1 and the hallway, also the hole in the staircase wall to be made good and decorated.
  - 7) A shower curtain to be fitted to the bathroom on the ground floor.

8) The Notice of HMO Application – Certificate of Compliance to be submitted