

LICENSING COMMITTEE INFORMATION SHEET

22 March 2022

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: COLIN DEY

ADDRESS: 11 SUNNYSIDE TERRACE, ABERDEEN

AGENT: O'NEILL PROPERTY

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.11 Sunnyside Terrace, Aberdeen, is a 2-storey, semi-detached house providing accommodation of 4 letting bedrooms, open plan lounge/kitchen and 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'

GROUNDINGS 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.11 Sunnyside Terrace.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.11 Sunnyside Terrace.
- The extent of the above-mentioned work & certification requirements is as follows:
 - 1) All faulty/missing lightbulbs to be replaced immediately and a lightshade fitted to the pendant in bedroom 1.
 - 2) All portable heaters to be permanently removed from the premises.
 - 3) 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. Particular attention to be paid to the doors to bedrooms 3 & 4.
 - 4) A latch & handles to be fitted to the lounge door.
 - 5) The mould growth on the kitchen cupboard window to be treated with anti-fungicidal wash.
 - 6) The damaged kitchen unit to be repaired or replaced as necessary.
 - 7) The trailing internet cable in the hallway and lounge to be made safe.

- 8) The missing self-closing device on bedroom 4 has been reported to Scottish Fire & Rescue Service.
- 9) The following documentation to be submitted for inspection:
 - Notice of HMO Application – Certificate of Compliance
 - Portable Appliance Test certificate