

LICENSING COMMITTEE INFORMATION SHEET

03 May 2023

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: ADAM BONNEY

ADDRESS: 12 FAULDS GATE, ABERDEEN

AGENT: NONE

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that certification requirements to bring the property up to the current HMO standard has not been completed. The meeting of the Licensing Committee on 03 May 2023, 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 03 May 2023. I will advise the Committee whether the applicant has satisfactorily completed the necessary certification requirements.

DESCRIPTION

The property at No.12 Faulds Gate, Aberdeen, is an upper flat with 3 bedrooms, lounge, kitchen and bathroom. The applicant has requested an occupancy of 3 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 does not yet include No.12 Faulds Gate.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No. No.12 Faulds Gate.
- The extent of the above-mentioned certification requirements is as follows:
 - 1) The following documentation to be submitted for inspection:
 - Electrical Installation Condition Report, which meets the requirements of BS 7671