

LICENSING COMMITTEE INFORMATION SHEET
03 May 2023

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: PANTONE300 PROPERTIES LIMITED

ADDRESS: 188 GREAT WESTERN ROAD, ABERDEEN

AGENT: WINCHESTERS LETTINGS

INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that work and 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 work and certification requirements.

DESCRIPTION

The property at No.188 Great Western Road, Aberdeen, is a double upper flat with 4 bedrooms with no communal kitchen or lounge. Two bedrooms have separate individual kitchen rooms and the other two have large bedrooms with inbuilt kitchen areas. There is also a communal 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'

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 the registration includes No.188 Great Western Road.
- 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.188 Great Western Road.
- The extent of the above-mentioned certification requirements is as follows:
 - 1) If the new central heating system is commissioned and in use before the HMO licence is granted, then a Carbon Monoxide Detector (operated by a long - life sealed battery) must be installed in accordance with the manufacturer's instructions.
 - 2) All portable heaters must be permanently removed from the premises.
 - 3) All self-closing doors must be capable of closing fully against their stops from all angles of swing and must latch off when closed.
 - 4) The safety locking chain must be removed from the door frame at bedroom number 2.
 - 5) If the current situation is to remain where cooking facilities are provided in either the bedrooms or in a room adjacent, then the Statutory Guidance requirements must be met.

- 6) The door post at bedroom number 4 requires being repaired.
- 7) A window in each room must be capable of being easily opened for ventilation. In this regard the windows in bedroom number 2 require attention. They have all been taped shut.
- 8) Any Damp/Mould growth should be treated with an anti-fungicidal wash as per manufactures instructions. The affected areas should then be coated with an anti-fungicidal paint and then decorated. In this regard the mould at the window area of bedroom number 2 requires being treated. The bathroom ceiling also requires attention.
- 9) The following documentation to be submitted for inspection:
 - Electrical Installation Condition Report, which meets the requirements of BS 7671
 - Notice of HMO Application - Certificate of Compliance
 - Gas Safety Certificate, detailing all gas appliances and carbon monoxide detectors (annually).
 - Itemised Portable Appliance Testing (PAT) Certificates, for all electrical appliances provided by the owner (annually).
 - Private Residential Tenancy Agreement, an anti- social behaviour clause must be detailed.