

# LICENSING COMMITTEE INFORMATION SHEET

12 December 2023

## Public Application

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

**APPLICANT:** GORDON BROWN

**ADDRESS:** 13 AFFLECK STREET, ABERDEEN

**AGENT:** NONE

### INFORMATION NOTE

- Application Submitted 19/01/2023
- Determination Date 18/01/2024

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the certification and work requirements to bring the property up to the current HMO standard have not been completed. The meeting of the Licensing Committee on 12 December 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 12 December 2023. I will advise the Committee whether the applicant has satisfactorily completed the necessary work and certification requirements.

### DESCRIPTION

The property at No.13 Affleck Street, Aberdeen, is a mid-terraced property on three floors, providing accommodation of 8 letting bedrooms, kitchen, kitchen/lounge, shower room x 2, 1-bedroom ensuite and bathroom. The applicant has requested an occupancy of 8 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 the registration includes No. 13 Affleck Street, Aberdeen.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No. 13 Affleck Street, Aberdeen.
- The extent of the above-mentioned work and certification requirements are as follows:
  - 1) A window in each room must be capable of being easily opened for ventilation. In this regard bedroom 6 tilt and turn window to be adjusted to operate correctly.
  - 2) Bedroom 8 door is to be adjusted to latch correctly.
  - 3) The failed double-glazed units located in bedroom4, bedroom 5 (x2) and kitchen located in the lower ground floor are to be renewed.
  - 4) The broken window handle located on the right-hand mezzanine floor shower room window is to be replaced.
  - 5) The following documentation to be submitted for inspection:
    - Electrical Installation Condition Report, which meets the requirements of BS 7671.

- Gas Safety Certificate, detailing all gas appliances and carbon monoxide detectors (annually).