

LICENSING COMMITTEE INFORMATION SHEET
21 February 2024

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION
EXISTING OPERATOR -SECONDARY LETTING

APPLICANT: LAURA THAIN

PROPERTY MANAGER: MYCOSY APARTMENTS LIMITED

ADDRESS: 170 OCEAN APARTMENTS, 52-54 PARK ROAD, ABERDEEN

INFORMATION NOTE

- Application Submitted 28/09/2023
- Determination Date 27/09/2024

This Short Term Let licence application is on the agenda of the Licensing Committee for the reason that 1 representation/objection was submitted to the Private Sector Housing Team.

If, after consideration of the representations/objections, the Committee is minded to grant the Short Term Let licence, it may do so under delegated powers since at the time of drafting this information note, the necessary upgrading works have not been completed.

DESCRIPTION

The property at 170 Ocean Apartments, 52-54 Park Road, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises of a 2 Bedroom self-contained flat, open plan Lounge and Kitchen, Bathroom and ensuite. The applicant wishes to accommodate a maximum of 4 guests, which is acceptable in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- Aberdeen City Council's Planning Team
- A public Notice of Short Term Let Application was displayed outside the building, alerting the public to the licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- Aberdeen City Council's Planning Team – no objections
- One objection email from Trinity Factors (Attached as Appendix B)

- One representation letter from Mycosy Apartments Limited (Attached as Appendix C)

The objections were received within the statutory time period therefore the Council must consider.

COMMITTEE GUIDELINES/POLICY

All applications for Short Term Let licences are dealt with in accordance with the Scottish Government's document:

[Short term lets - licensing scheme part 2: supplementary guidance for licensing authorities, letting agencies and platforms](#)

GROUND FOR REFUSAL

This application is being dealt with under the provisions of '[Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets\) Order 2022](#)' (the 2022 Order)

Available [grounds of refusal](#) are as follows:

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified under section 7(6) of this Act, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

OTHER CONSIDERATIONS

- Landlord Registration is not a requirement of Short Term Let licensing.
- All upgrading work required by the Private Sector Housing Officer, has not yet been completed.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has one record of complaint in respect of 170 Ocean Apartments, 52-54 Park Road, Aberdeen:
 - 16/11/2021 – An email reporting that the occupant was working as a prostitute from the property.
- There are no Granted Short Term Let licenses at Park Road.
- The property is currently unlicensed. However as the applicant was an existing operator before 01 October 2022, the property is currently operating as a Short Term Let until the Licence application is determined.

'A'



'B'

From: Paula Roberts - Trinity Factors
Sent: Wednesday, October 4, 2023 2:55 PM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: 170 Ocean apts

Good afternoon,

As owners at this development we are looking to object to the licence for the short term let at this address.

The communal areas are being littered with debris. Late night noise, parties and a high volume of non-residents are creating a nuisance and detracting from the peace and safety of the development.

Kind regards

Paula



Paula Roberts MA (Hons) AIRPM
Aberdeen Branch Manager
Head of Property Management - Aberdeen



Mycosy at the Ocean (170 Ocean 52/54 Park Road)

This apartment has been operating as a self-catering unit since January 2020 and during that time it has accommodated 186 bookings staying a total of 803 nights to October 2023.

It is professionally managed by Mycosy Partners Ltd on behalf of the owner Mrs Laura Thain.

It has 2 bedrooms and two bathrooms and is ideally suited to couples and families who prefer to have their own space and facilities.

The guest profile varies throughout the year, being popular with tourists exploring Aberdeen and the North East in the summer months, families starting their children at university in Autumn, and people travelling on business throughout the year. It is a year-round operation and guests have come from all over the world.

It has strict policies on guest behaviour, no parties and is a minimum stay of 3 nights to deter any bookings who plan to invite groups and hold parties.

The guests have instructions on disposing of recycling and general waste and the cleaner ensures that everything is disposed of and there is nothing left in the communal areas.

We have never been made aware of any rubbish being left in communal areas and have instituted a policy of the cleaner taking a picture of the communal areas on her arrival, to ensure this does not become an issue.

A neighbour has contacted us twice in the 4 years advising that the apartment was being used inappropriately with a sequence of visits by males. On becoming aware of these instances we immediately evicted the guests. We also updated our booking acknowledgement, advising guests that the entrance is overlooked by neighbours and any behaviour in contravention of the published house rules will result in immediate eviction with no refund.

The property is advertised on Booking.com, Airbnb, VRBO, Hotels.com and our own website.

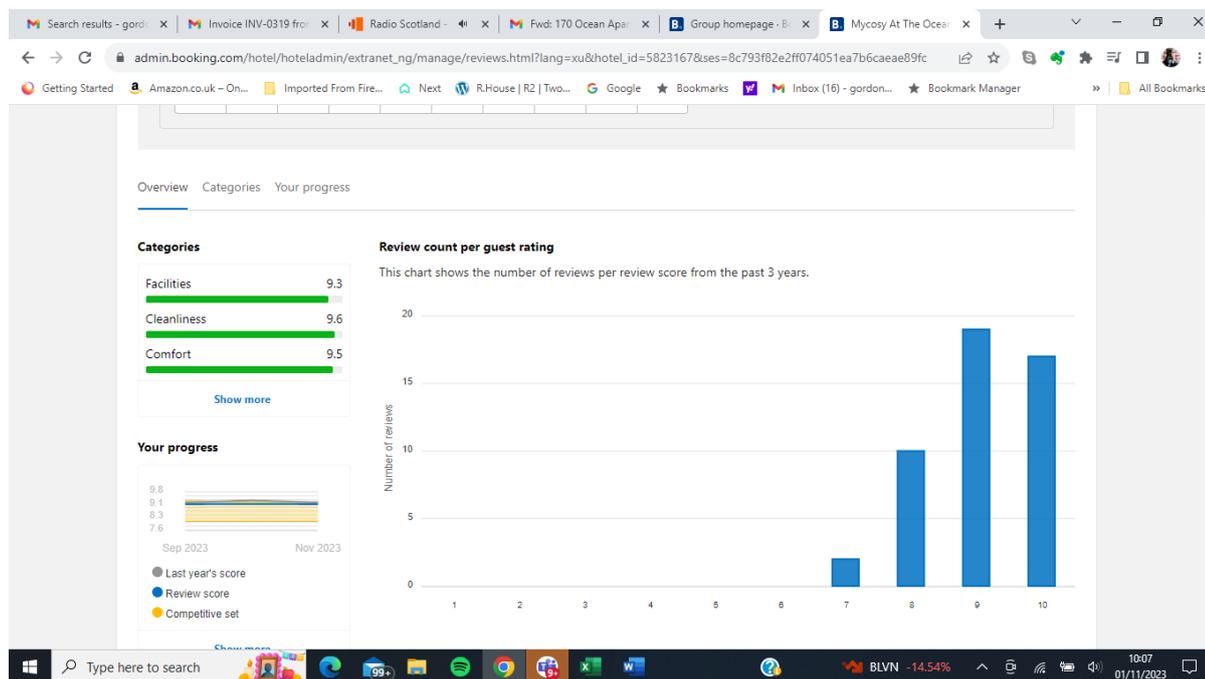
There is obviously a demand for this type of accommodation in Aberdeen and we believe that we are providing a quality service at an attractive price in a great location.

The hyper link to the listing is

<https://www.mycosyapartments.co.uk/properties/serviced-apartments-to-let-in-aberdeen/mycosy-at-the-ocean>

Below is an extract from Booking.com showing the overall rating and a cross section of guest comments appreciating the apartment and how it has enhanced their experience of visiting Aberdeen.

Booking.com score 9.1 from 48 reviews over nearly 4 years.



A selection of reviews

██████████ stayed Oct 2023

“Super apartment in an excellent quiet location. The apartment is large, well laid out and very comfortable. The wi-fi was very good and the TV had Freeview and Netflix. There were good cooking facilities plenty of plates and pots and pans. There is a reserved parking space in a gated car park so all very secure. Highly recommended and would definitely stay again”.

██████████ stayed Sept 2023

“Very clean, very quiet, nicely and comfortably furnished, great view of Castlegate and Marschall College, the landlords have thought of many small details (scissors, bottle opener, iron, USB plugs, etc). The proximity to the beach is also great”.

██████████ stayed Sept 2022

“I liked the space of the flat and the ease to obtain the keys. It was well appointed and comfortable with lots of directions provided to help with anything you needed in the flat and the surrounding area”.

