

LICENSING COMMITTEE INFORMATION SHEET

19 March 2024

Public Application

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

APPLICANT: JANET PARK

PROPERTY MANAGER: GRAMPIAN LETTINGS LIMITED

ADDRESS: 29 BANNERMILL PLACE, ABERDEEN

INFORMATION NOTE

- Application Submitted 27/09/2023
- Determination Date 26/09/2024

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 since at the time of drafting this report, the necessary upgrading works and certification have been completed.

DESCRIPTION

The property at 29 Bannermill Place, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises of a top floor flat on two levels. The upper level comprises 3 bedrooms one with an en-suite and a separate bathroom. The lower floor comprises of a lounge, kitchen, toilet and bedroom. 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 – Planning approved 14/12/2023

- One objection email from Patricia Stout (Attached as Appendix B)
- One representation from Grampian Lettings (Attached as Appendix C)

The objection was 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](#)

GROUNDS 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

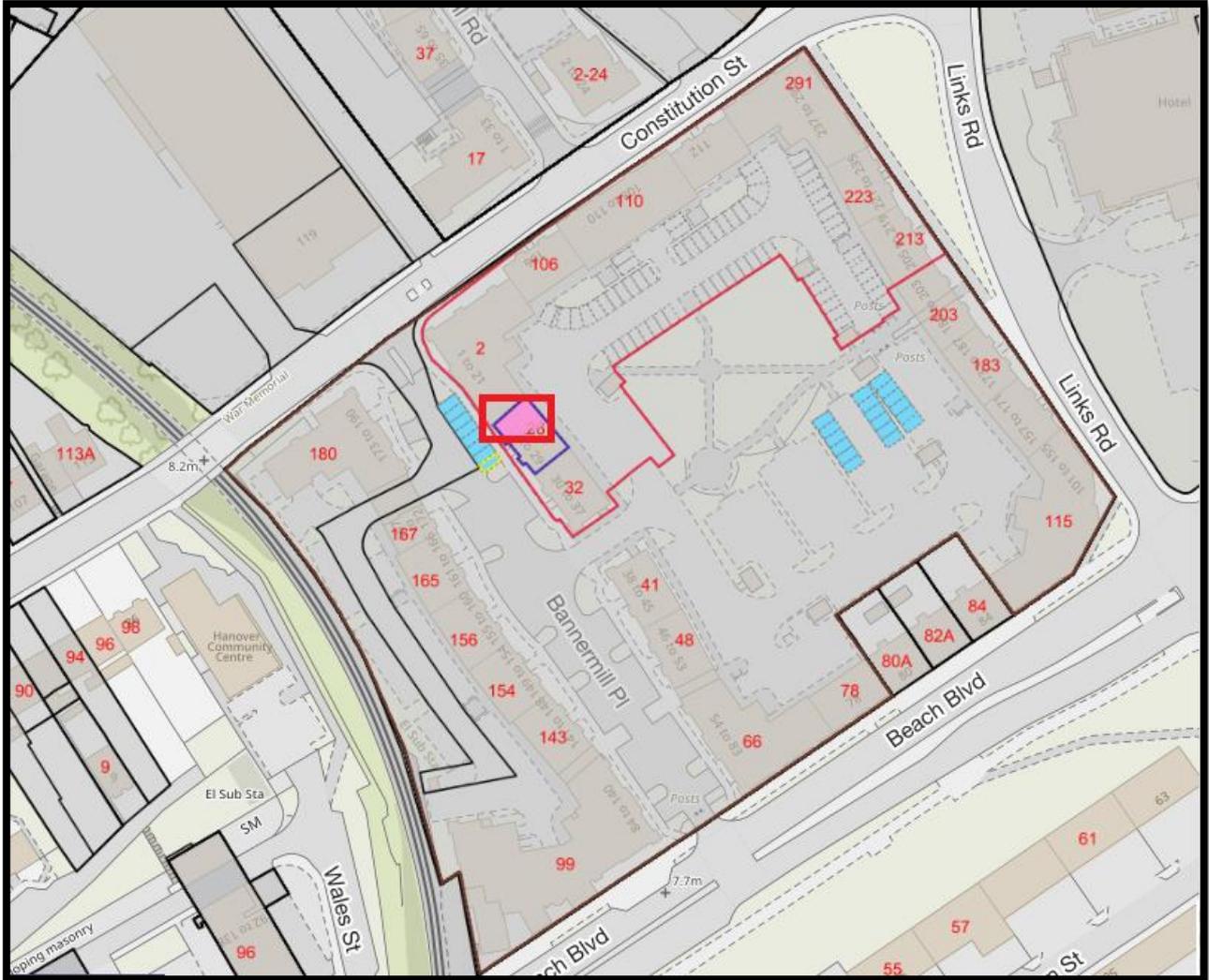
(v)public order or public safety; or

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

OTHER CONSIDERATIONS

- Landlord Registration is not a requirement of Short Term Let licensing.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints in respect of 29 Bannermill Place, Aberdeen.
- There are 5 Granted Short Term Let licenses at Bannermill Place, numbers: 2, 12, 41, 47 and 77.
- 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: Patricia Stout
Sent: Tuesday, October 24, 2023 5:36 PM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: 29 Bannermill Place AC31525P & [REDACTED]

Dear Sir/Madam,

Please be advised that I strongly object to the above applications, as follows:

Scottish Government Legislation:

The premises are not suitable or convenient having regard to -

- a) the location, character or condition of the premises;
- b) the nature and extent of the proposed activity;
- c) the kind of persons likely to be in the premises;
- d) the possibility of undue public nuisance; or
- e) public order or public safety; or

4.13 The primary purpose of the licensing scheme is to ensure short-term lets are safe and take account of local needs and circumstances. Competent grounds for objection to a licensing application may include:

- * concerns that the application is inaccurate or misleading;
- * concerns about the safety of guests, neighbours or others;
- * concerns about noise or nuisance; and
- * concerns that the application runs contrary to other legal or contractual requirements.

I hope I am not too late to object to these Applications.

Yours faithfully,

[REDACTED]
A Concerned Resident
[REDACTED] Bannermill Place

‘C’

Response to objection to Licence for Short Term Let for 29 Bannermill Place

It is noted that 1 objection has been lodged.

Patricia Stout

In response to this objection, we would like to point out that this property has been used for Short Term Lets for more than a year and we have not had any reports of issues.

The property is a 4-bedroom apartment with 3 bathrooms. Advertised for up to 4 guests.

The apartment has allocated parking space which fully satisfies our guests needs.

As the objectors only copied and pasted the part of the legislation we are not able to comment.

In conclusion, we sincerely hope that the responses provided adequately address any concerns or objections raised. And we are available for further discussion or clarification if needed. Thank you for your attention to this matter.

Kind regards,
Grampian Lettings

