

LICENSING COMMITTEE INFORMATION SHEET
25 February 2026

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: WESTON MAIN

AGENT: TRINITY FACTORS

ADDRESS: 12 ORCHARD ROAD, ABERDEEN

INFORMATION NOTE

- Application submitted 09/11/2025
- Determination date 08/11/2026

This HMO licence application is on the agenda of the Licensing Committee for the reason that 1 representation/objection letter was submitted to the HMO Unit.

If, after consideration of the representation/objection, the Committee is minded to grant the HMO 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 12 Orchard Road, Aberdeen, is the subject of this renewal HMO licence application and its accommodation is a 3 storey, mid-terraced property comprising, 5 letting bedrooms. The property also contains an open plan kitchen/lounge, 2 shower rooms and a drying room. The applicant wishes to accommodate a maximum of 5 tenants, which is acceptable to the HMO Team 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
- A public Notice of HMO Application was displayed outside the building, alerting the public to the HMO licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- One objection from Objector A (Attached as Appendix B)
- One representation from the Applicant (Attached as Appendix C)

The objection was received within the statutory time period therefore the Council must consider.

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 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
 - ix) There is, or would be, an overprovision of HMOs in the locality

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and their registration includes No.12 Orchard Road, Aberdeen.
- The Council's Community Safety Team has no record of noise complaints in relation to No.12 Orchard Road.
- There are currently 3 other HMO licensed properties at Orchard Road.
- 'Overprovision' is a statutory ground of refusal of an HMO licence application, however this ground of refusal is not available to the Committee for the reason that an 'Overprovision' policy is not currently in force at Aberdeen City Council.



For the attention of the Licensing Committee of Aberdeen City Council

My name is [REDACTED], of [REDACTED]

I write to object to a current application for a House of Multiple Occupation (HMO) License at 12 Orchard Road, Aberdeen AB24 3DP, dated 09/11/2025, and put forward by one Weston Main.

I also write to object to a current application for a HMO at [REDACTED], and put forward by one [REDACTED].

I note there are also applications listed as 'pending' for [REDACTED], [REDACTED], and [REDACTED], to all of which I also object. However, I appreciate my objection in these cases falls more than 21 days after the applications have been submitted, and is thus late, though the applications are still listed as pending.

My objection is due to grave concerns about the overwhelming concentration of existing and proposed HMOs in the immediate vicinity of my home and their substantial impacts on antisocial behaviour and public nuisance in the area. This relates to the following relevant grounds for objection, referring to Aberdeen City Council's 'Guidance Notes for Objections':

- "2) The property is unsuitable for occupation as an HMO for one, some or all the following reasons:
 - o IV) The type & number of persons likely to occupy it.
 - o VIII) The possibility of undue public nuisance.
 - o IX) There is, or would be, an overprovision of HMOs in the locality."

I provide further details below.

There is an overwhelming overprovision of HMOs in the locality, and this will only be exacerbated by these new applications. My wife and I purchased our home at [REDACTED] in August 2024. Shortly before we completed the purchase, a HMO license was granted for [REDACTED], and in the 15 subsequent months, HMO licenses have been granted to [REDACTED] and [REDACTED], as well as properties behind our home, on King Street, namely [REDACTED], [REDACTED], and [REDACTED], while [REDACTED] was granted a license in early 2024. Further applications have been made for [REDACTED], [REDACTED], [REDACTED], and most recently 12 Orchard Road and [REDACTED]. If the current applications are granted, this would mean that our [REDACTED] will be completely surrounded by HMOs, leaving us with few permanent neighbours, and causing grave concerns about antisocial behaviour and public nuisance.

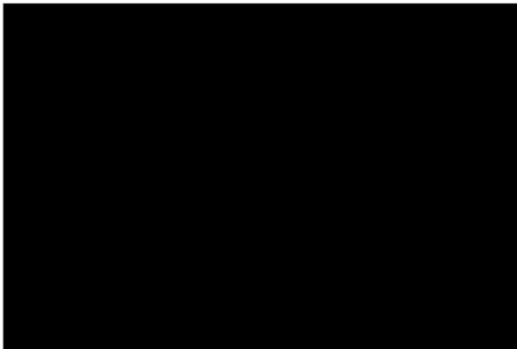
Being located close to the University of Aberdeen, the occupants of the existing HMOs are almost exclusively students. It is highly likely this would also be the case for any new HMOs granted a license. In the past 15 months, we have suffered regular antisocial

behaviour and public nuisance by the student occupants of HMOs in the locality. To provide a taste, examples include:

- Destruction of a plant in our front yard, accompanied by loud shouting of 'wake up, wake up', in the early hours of 7th November 2025 (which we have reported to the police).
- [REDACTED]
- [REDACTED]
- [REDACTED]
- Regular parties with loud music, using an outdoor event speaker, by the previous student occupants of [REDACTED] and 12 Orchard Road, which resulted in reports to the police during a particular severe occasion at 1:30am on 2nd March 2025, and a direct complaint to the landlord of [REDACTED] on 16th May 2025.
- Regular littering, fly tipping of shopping trolleys, traffic cones and other paraphernalia, as well as widespread smashed glass on pavements, which pose health hazards for humans and animals in the locality, as well as encouraging rats.

Living close to the University, we will of course be sharing the neighbourhood with students. However, the excessive concentration of HMO student housing in our immediate vicinity means the impacts of antisocial behaviour and public nuisance are unfairly concentrated around our property. We frequently suffer from disturbance to our sleep, as well as anxiety at the sometimes quite alarming volume of music, shouting and screaming, and drunken behaviour. Generally, the area is also increasingly deprived of community spirit and sense of place, due to the high turnover of temporary residents, and the domination of student residents, making non-students feel like they don't belong in this place.

To help visualise this problem, I include a basic map showing the concentration of HMOs in the immediate vicinity of our home, below:



For these reasons, I am compelled to object to the granting of any further HMO licenses in this vicinity. At the present time, this relates to the current applications for 12 Orchard Road and [REDACTED], and I would also ask for late consideration of objections to [REDACTED], [REDACTED], and [REDACTED].

Thank you very much for your consideration, and I look forward to hearing from you.

With best wishes

[REDACTED]

Signed below

[REDACTED]

Weston Main



2nd February 2026

Dear Licensing Committee Members,

Property: 12 Orchard Road, Aberdeen.

Licence first granted: January 2017

Application type: Renewal

I am making this submission in support of the renewal of the HMO licence for the above property. The use of the property has been as a licenced HMO continuously since at least January 2017, without revocation or enforcement action so far as I am aware.

The property has been accepted by Aberdeen City Council as a compliant HMO for over eight years. During that period:

- The licence has been maintained and renewed
- Licence conditions have been complied with
- No action has been taken to revoke or suspend the licence

A refusal to renew the Licence would amount to the effective removal of a long-established lawful use. It is hoped that such drastic action would only be considered appropriate if there were compelling reasons to justify it.

The objection refers to the number of HMOs in the locality.

However:

- The property became an HMO in 2017 or before, long before the current levels of concentration
- It is hoped that overprovision policies would be intended to guide new applications, rather than retrospectively penalising compliant, established HMOs
- I would hope the Council's policy framework does not support the removal of existing licences solely on overprovision grounds

The sole objector moved into the street in 2024, several years after:

- The property became an HMO
- The character of the area as mixed residential/student accommodation was well established due to proximity to the University

The objector chose to move into an area where HMOs were already present. For licensing to be used retrospectively to seek to alter the character of an area at the expense of long-standing lawful uses would seem unfair.

The objection raises general concerns about noise, but:

- Only one objection has been received
- I am not aware of any of the following affecting the property:
 - Statutory nuisance findings
 - Noise abatement notices
 - Police involvement at the property
 - Environmental Health enforcement

I live within Aberdeenshire and have regular contact with my tenants regarding maintenance and property checks and they all have access to my phone number. There was reason last year when the property management company, Trinity Factors, contacted me to advise they had been contacted by ██████ regarding a party that had allegedly been held at my property. Immediately upon receiving notification of this disturbance, I contacted my tenants for an explanation. As it turned out only one of my tenants was at home that evening and was not at the party which had been held in the property next door. I relayed this information to Trinity Factors who in turn communicated with ██████. My tenants and myself received an acknowledgement from ██████ of ██████ mistake and I have had no further complaints or notifications of disturbances from ██████ or any other residents on Orchard Road. I do take the amenity of my neighbours seriously and do ask my tenants to be respectful of local residents.

I would hope as licence holder I have demonstrated:

- Ongoing compliance with licence conditions
- Responsible management of tenants
- No pattern of complaint or enforcement

In all the circumstances I would ask that the Committee grant the renewal of my HMO licence for 12 Orchard Road, Aberdeen.

I will be attending the Committee meeting on 25th February and will be happy to respond to any further questions that may arise.

Yours Faithfully

Weston Main

From: Weston Main [REDACTED]
Sent: 25 January 2026 13:35
To: HMOUnit <HMOUnit@aberdeencity.gov.uk>
Subject: Fwd: Party

Dear Rachel,

Thank you for your email regarding my renewal application of HMO licence for 12 Orchard Road, Aberdeen.

As per my previous communication I am forwarding the communications between [REDACTED], the objector, and my property managers Trinity Factors. As I hope you will agree from the immediate action I took to investigate the complaint I take the wellbeing and contentment of the neighbouring properties seriously. As the communications will confirm the tenants of 12 Orchard Road were in no way involved with the party and I and the tenants appreciated [REDACTED] apology for the wrongful accusation.

I can confirm I will be able to attend the meeting on Wednesday 25th February to defend my position.

Regards
Weston Main

----- Forwarded message -----

From: Weston Main [REDACTED]
Date: Fri, Dec 12, 2025 at 5:23 PM
Subject: Fwd: Party
To: HMOUnit <HMOUnit@aberdeencity.gov.uk>

Dear Rachel,

Thank you for your correspondence regarding the objection to my renewal HMO application for 12 Orchard Road. I have a good relationship with my tenants and ask them to respect their neighbours and not to partake in any behavior that would lead to their tenancy being terminated. As you will see from the correspondence from [REDACTED] [REDACTED] apologises for accusing the tenants from 12 Orchard Road and confirms it was [REDACTED] that had caused the disruption. I do take the contentment of the neighbours seriously and will immediately act upon any complaints as has been shown by the email correspondence below.

I look forward to hearing from you in due course.

Regards
Weston Main

----- Forwarded message -----

From: [REDACTED] - Trinity Factors [REDACTED]
Date: Tue, Mar 4, 2025 at 4:42 PM
Subject: Re: Party
To: Weston Main [REDACTED]

Hi Weston,

It appears that [REDACTED] have been mistaken and have passed along their apologies. You may also want to let the tenants know. See below:

Thank you very much for getting back to me, and for your support on this. I have checked with [REDACTED], who went out to see where the noise was coming from on Saturday, and [REDACTED] does indeed think [REDACTED] made a mistake and got Number 12 mixed up with [REDACTED]. Please accept our apologies for the mistake and do pass on our apologies to the landlord and tenants. We will look to get in touch with the landlord for [REDACTED] with regards to their tenants.

Thank you very much for your help with this.

Many thanks again Weston.

Kind regards,

[REDACTED]



[REDACTED]
Lettings Manager - Aberdeen

FACTORING

LETTING

INSURANCE

0122 464 1010
Online Payments - [click here](#)
Property Factor Registration No. PF000170



www.trinityfactors.co.uk
Report-a-Repair - [click here](#)
Letting Agent Registration No L



[REDACTED]

From: Weston Main [REDACTED]
Sent: Tuesday, March 4, 2025 11:08 AM
To: [REDACTED] - Trinity Factors [REDACTED]
Subject: Re: Party

CAUTION: This email chain contains external participants to Trinity Factors. The content of this email could be dangerous and you shouldn't click on links you aren't expecting. If you feel suspicious of its contents, please contact your IT support provider.

Hi [REDACTED]
Many thanks.
Best
Weston

[REDACTED]
On Mar 4, 2025, at 8:37 AM, [REDACTED] - Trinity Factors <[REDACTED]>
wrote:

Good morning Weston,

Many thanks for your helpful response. It may be that [REDACTED] is mistaken as inevitably there will be a lot of student lets in the area and a lot of gatherings! I shall respond to [REDACTED] this morning to state that we have spoken with the tenants of number 12 who have advised that the party referred to on Sunday night appears to be held by [REDACTED]

I'll assure [REDACTED] that, in any case, we have asked our tenants to be respectful in future.

Many thanks for your assistance with this.

Kind regards,
[REDACTED]



[REDACTED]
Lettings Manager - Aberdeen

0122 464 1010
Online Payments - [click here](#)
Property Factor Registration No. PF000170

www.trinityfactors.co.uk
Report-a-Repair - [click here](#)
Letting Agent Registration No LA



[REDACTED]
[REDACTED]
[REDACTED]

From: Weston Main [REDACTED]
Sent: Monday, March 3, 2025 7:47 PM
To: [REDACTED] - Trinity Factors [REDACTED]
Subject: Party
CAUTION: This email chain contains external participants to Trinity Factors. The content of this email could be dangerous and you shouldn't click on links you aren't expecting. If you feel

suspicious of its contents, please contact your IT support provider.

Hi [REDACTED]

I have spoken with [REDACTED] from 12 Orchard Road.

The party was held at [REDACTED] and none of my tenants were at the party so it would appear [REDACTED] is mistaken with [REDACTED] information. I am not saying that [REDACTED] and the [REDACTED] haven't had parties in the past however on this occasion they are innocent. I am sure from my communication with them they will certainly be respectful regarding any future parties regarding noise levels.

I would be grateful if you could respond to [REDACTED] accordingly unless you would like me to do so.

Best

Weston