

# Licensing Sub-Committee of the Regulatory Committee

9.00am, Tuesday, 12 January 2021

## Applications for Grant of House in Multiple Occupation Licences – 4-5 Parliament Street

**Executive/routine**

**Wards**

All

**Council Commitments**

N/A

### Executive Summary

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Applications for the grant of House in Multiple Occupation ('HMO') Licences have been received for five properties at 4-5 Parliament Street, Edinburgh. These properties are used by the Council as supported homeless accommodation, and this would normally be a routine application.

These properties have previously been licensed but the licences have lapsed during the lockdown period. The applications are therefore applications for new licences, and the applicants request an exemption from policy in order to allow the accommodation to continue to operate. The report sets out relevant sections of the policy background which should be considered when determining these applications.

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## Applications for Grant of House in Multiple Occupation Licences – 4-5 Parliament Street

### 1. Recommendations

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- 1.1 It is recommended that the committee:
  - 1.1.1 notes the contents of this report; and
  - 1.1.2 grants the applications and the requests for exemption, and attaches standard conditions to the licences.

### 2. Background

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- 2.1 The requirement to hold a House in Multiple Occupation ('HMO') Licence is set out in the Housing (Scotland) Act 2006 ('the Act'). The procedures for processing such applications and considering objections etc. are set out in the Act.
- 2.2 The committee can add other reasonable conditions as it sees fit, if it is minded to grant the licences.

### 3. Main report

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- 3.1 Applications for the grant of HMO Licences for five properties have been received from Dunedin Canmore Housing Ltd. These properties have previously been licensed by the Council as HMOs for many years. The licences were allowed to lapse during the lockdown period, and therefore the applications must now be dealt with as new applications,
- 3.2 These properties are used by the Council as supported homeless accommodation and have been licensed as HMOs for several years. Historically the Council has granted these licences with some exemptions to the physical standards requirements for HMOs. The points in question are considered by the Directorate to be relatively minor, for example work surfaces in kitchens or room sizes being slightly smaller than the required standards. The properties have operated satisfactorily for a number of years, providing the Council with important accommodation for homelessness services.
- 3.3 The properties have been inspected by Council officers regarding their suitability for use as HMOs. Nonconformities are highlighted in Appendix 1. It is recommended

that the Committee grants these licences with exemptions as sought, on the basis that the use of the accommodation is temporary in nature and it would not be proportionate to insist on modifications to bring these properties in line with current physical specification.

- 3.4 Officers have no concerns about this application, and had it been a renewal application it would normally be granted under delegated powers.
- 3.5 The applicants request an exemption from policy in order to allow the accommodation to continue to operate. The applicant or his representative have been invited to address the committee
- 3.6 After hearing from Executive Director of Place or his representative regarding this report., it is recommended that members of the committee then hear from the applicant.

## **4 Measures of success**

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- 4.1 Not relevant, as decisions on individual licences must be considered on their own merits.

## **5 Financial impact**

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- 5.1 All associated costs are contained within the existing Licensing budget.

## **6 Risk, policy, compliance and governance impact**

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- 6.1 The process outlined takes account of the relevant statutory provisions.
- 6.2 The applicant has a right of appeal against any decision made. The appeal would be made to the Sheriff Court.

## **7 Equalities impact**

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- 7.1 There is no equalities impact arising from the contents of this report.

## **8 Sustainability impact**

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- 8.1 There is no environmental impact arising from the contents of this report.

## **9 Consultation and engagement**

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- 9.1 None.

## **10 Background reading/external references**

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## **11 Appendices**

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11.1 Appendix 1 – Inspection reports dated 11 December 2020