

Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday, 5 December 2022

Application for House in Multiple Occupation Licence – 543 Gorgie Road

Executive/routine

Wards	All
Council Commitments	N/A

Executive Summary

Several applications for House in Multiple Occupation ('HMO') Licences have been received for a property at 543 Gorgie Road, Edinburgh.

The applicant requests an exemption from policy in order to allow the licences to be granted.

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Application for House in Multiple Occupation Licence – 543 Gorgie Road

1. Recommendations

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

2. Background

- 2.1 The requirement to hold a House in Multiple Occupation ('HMO') Licence is set out in the Housing (Scotland) Act 2006 ('the Act').
- 2.2 The procedures for processing such applications and considering objections etc. are set out in the Act and the associated statutory guidance issued by the Scottish Government.
- 2.3 The statutory guidance also provides model standards for HMO properties. The Regulatory Committee adopted revised property standards on 9 March 2012 and these came into force on 31 December 2012.
- 2.4 The Act introduced the concept of the 'tolerable standard', which all homes must meet in order to be considered fit for habitation. Subsequent Acts amended these requirements.
- 2.5 The Committee can add reasonable conditions as it sees fit, if it is minded to grant the licences.

3. Main report

- 3.1 Applications for the grant of HMO Licences for several properties has been received from WG (Propco) Limited trading under the name 'Capitol Students'.
- 3.2 This consists of two blocks of purpose-built student flats. The properties have been built to current building standards.
- 3.3 The HMO standards require a hob to have 300mm of worktop space either side of the hob. In 18 of the 30 flats one of the hobs has less than the required space.

- 3.4 The Directorate considers the relevant point to be relatively minor. The space requirement for 300mm on either side of the hob originates from standards on the installation of gas hobs which require 300mm of space due to them having an open flame. The hobs in these flats are electric and have been installed in line with the manufacturer's instructions and clearances.
- 3.5 The properties have been inspected by Council officers regarding their suitability for use as HMOs. The properties are otherwise compliant with HMO standards. It is recommended that the Committee grants these licences with exemptions as sought, on the basis that it would not be proportionate to insist on modifications given the context explained in paragraph 3.4 above.
- 3.6 The Scottish Fire and Rescue Service has inspected the properties and has no objection to the grant of the licences.
- 3.7 The applicant or their representative have been invited to address the Committee. 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

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

5 Financial impact

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

6 Risk, policy, compliance and governance impact

- 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

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

8 Sustainability impact

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

9 Consultation and engagement

9.1 None.

10 Background reading/external references

10.1 None

11 Appendices

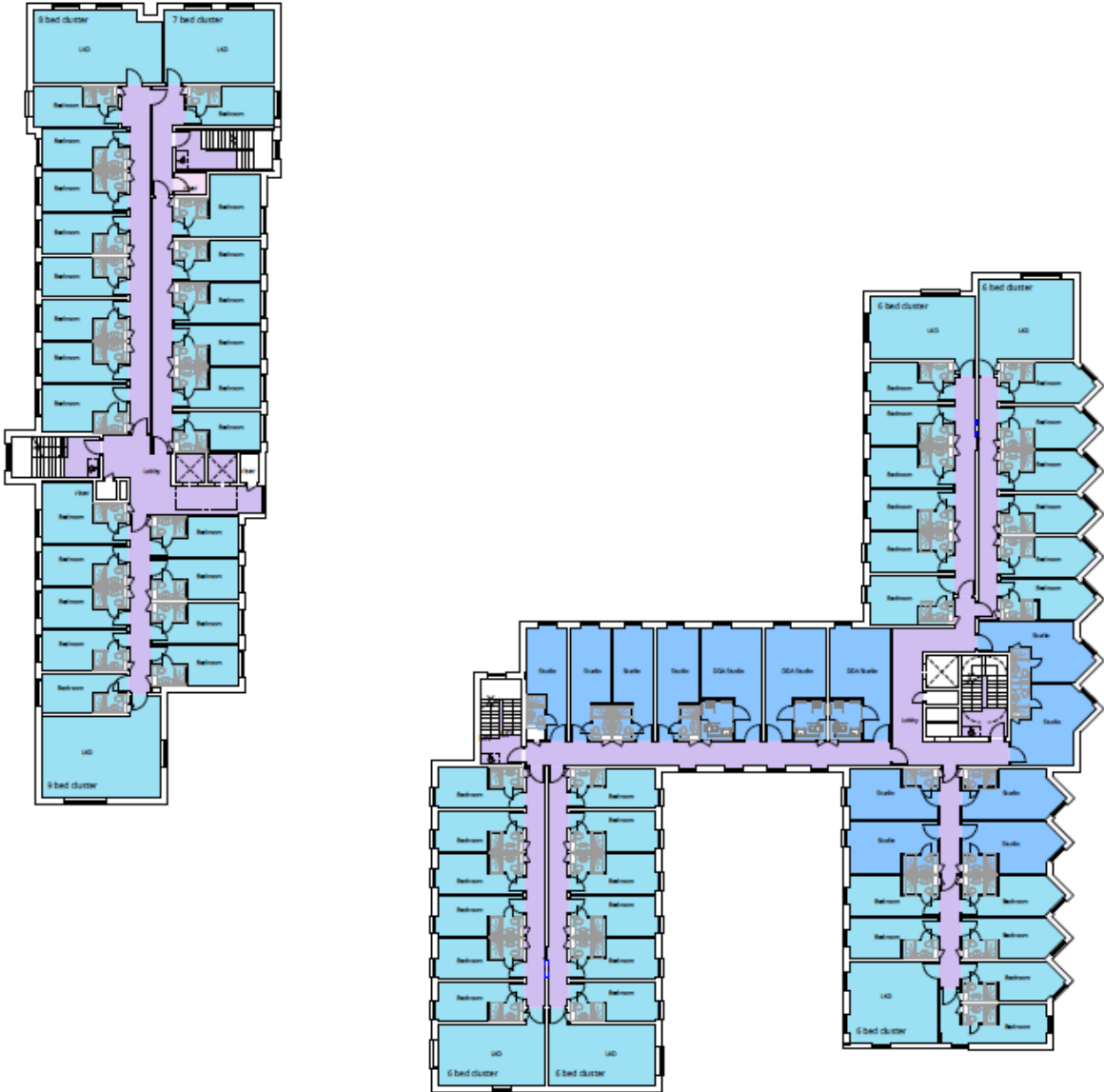
11.1 Appendix 1 – Layout Plans

Appendix 1

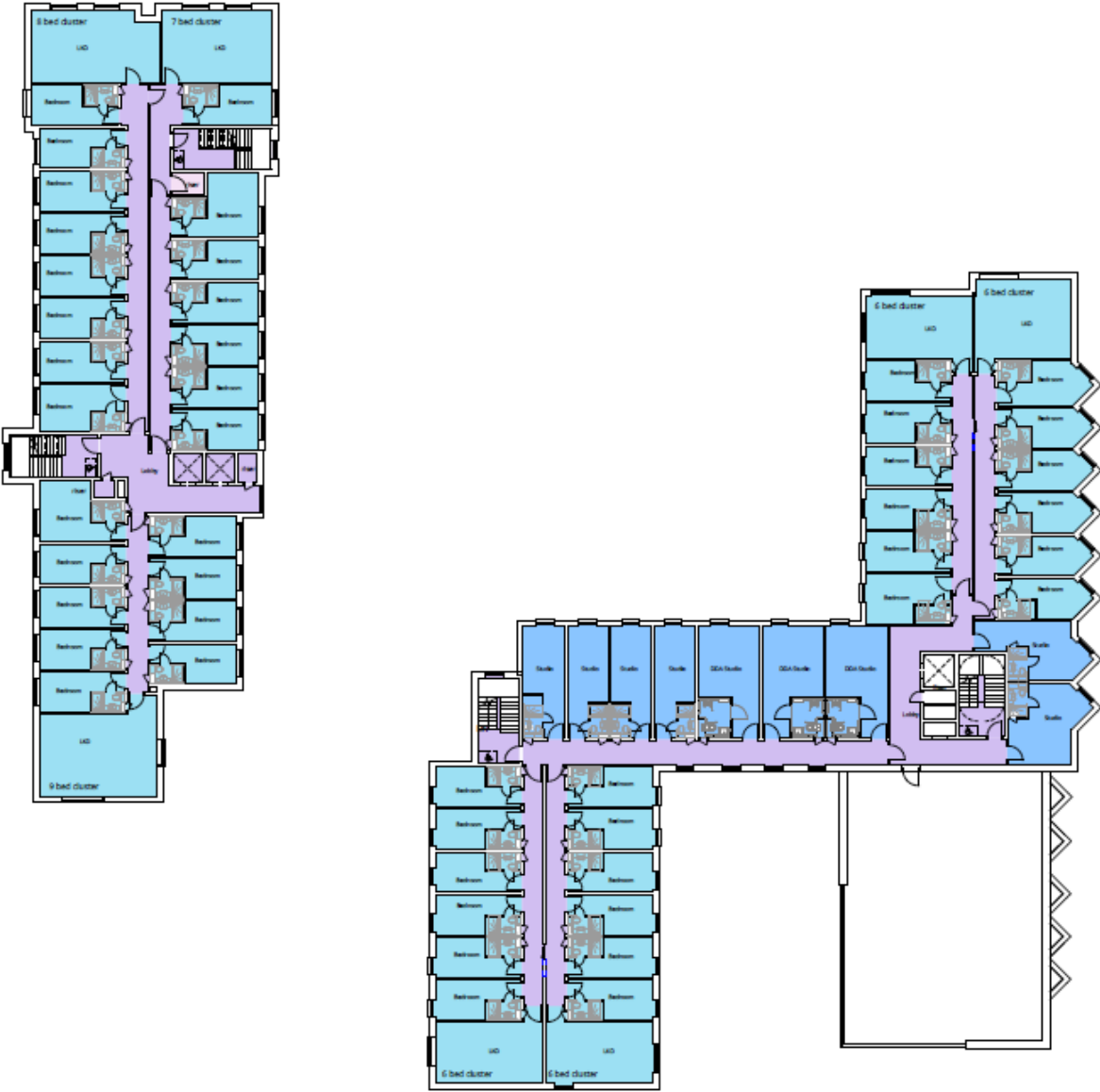
Ground Floor



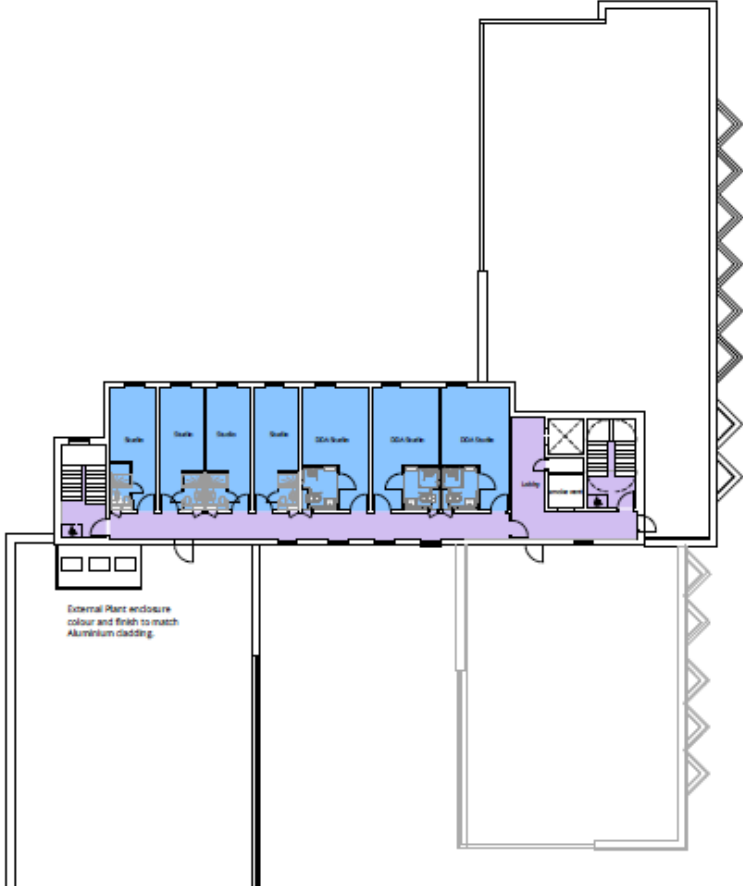
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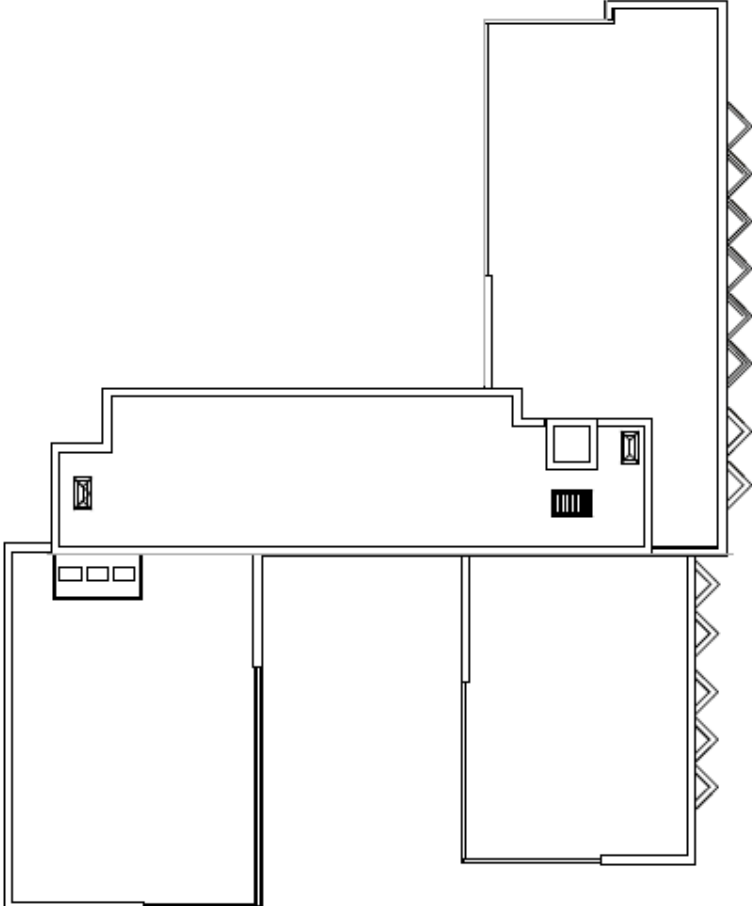
Second Floor



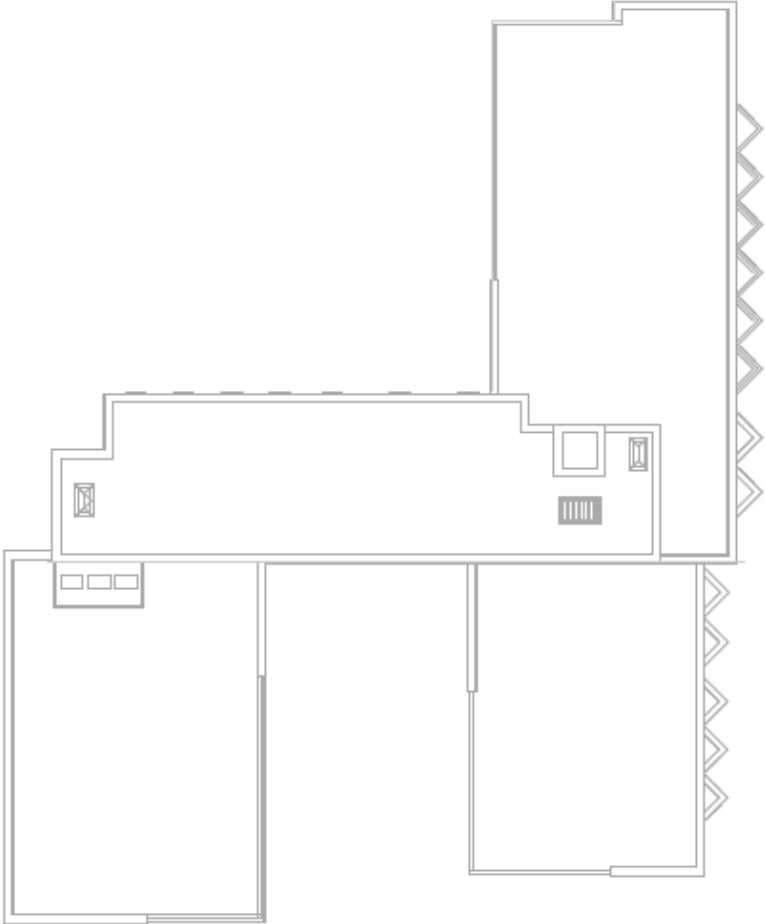
Third Floor



Fourth Floor



Fifth Floor



Sixth Floor

