

**Housing (Scotland) Act 2006 – 54 Main Street Gorebridge
Application for House in Multiple Occupation (HMO) Licence**

Report by Director, Corporate Resources

1 Purpose of Report

This report provides further information concerning the application for a House in Multiple Occupation (HMO) licence for 54 Main Street, Gorebridge.

2 Background

The views of the Applicant on the proposed qualified grant of the application were sought. The Applicant has agreed to appoint a night warden. The views of the spokesperson for the Objectors are awaited.

The applicant has been asked to confirm which properties the warden will cover and that she owns the property at 54 Main Street, Gorebridge.

3 Resumption of Hearing

Only those Members who were present at the last Hearing, namely:-

Councillors Russell (Chair), Baxter, Bennett, Bryant, Coventry, Johnstone, Milligan, Montgomery, Muirhead, Pottinger, Rosie, Thompson, de Vink and Wallace can participate in the resumed Hearing.

The applicant has advised that she will attend and be represented. Whether the objectors are in attendance and are represented will depend on their view. For the sake of natural justice, if they wish to comment on the qualification of the licence, they should be heard.

On the basis of the response from Mrs Collins, the Committee is asked to consider adding the following conditions of licensing (in addition to the standard conditions (and those contained in the Tenancy Agreement)), viz:-

- (a) a resident night warden shall be appointed and the licence will commence when confirmation that appropriate arrangements are in place;
- (b) the warden shall be on site from 8.00pm until 8.00am; and
- (c) in consultation with the Head of Housing and Community Safety, the arrangement shall be monitored; appropriate training shall be provided; and any other guidance shall be implemented.

In terms of the Occupancy Agreement, the licence-holder will be required *inter alia*, to provide details of out – of – hours contact details to neighbours; and advised that good management by the landlord is vital in order to achieve the aims of HMO licensing; physical standards must be maintained, tenants' rights must be respected and any problems which arise during the period of the licence must be effectively addressed. The Agreement will meet the statutory requirements and contain the required conditions for rights and responsibilities of the parties concerned.

A list of the standard conditions is shown in the Appendix to the report on Overprovision (Pages 43 – 51).

7 Conclusions

The Applicant has agreed to provide the out of hours service.

The views of the spokesperson for the Objectors are awaited.

Potential conditions are suggested for consideration.

The period of the licence can be three years or such shorter period of not less than six months, as the Committee may determine.

8 Recommendations

The Committee is recommended:-

- (a) to consider the terms of the report;
- (b) to consider the terms of the conditions that may be applied.

8 January 2013

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Background Papers:	File CG 10.7 (RGA)	Housing (Scotland) Act 2006
Application for Licence		

