

**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 provide out – of hours cover for the property and also those at 12, 20 A, B and C and 24 and Main Street on the basis that the person on duty will be based at one of the properties and when not at the property will be contactable when required by mobile phone which number(s) will be made available to neighbours. The applicant has confirmed that she owns the property at 54 Main Street, Gorebridge.

The spokesperson for the objectors has confirmed that provided the out of hours service is satisfactory, the proposal meets the concerns that have been expressed.

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. It is thought that the Objectors may be present and observe.

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) An out – of hours service shall be provided and the licence will commence when confirmation that appropriate arrangements are in place;
- (b) 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).

4 Conclusions

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

The spokesperson for the Objectors has confirmed that the proposal meets the immediate concerns.

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.

5 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

Contact Person:	R G Atack	Tel No: 0131 271 3161
Background Papers:	File CG 10.7 (RGA)	Housing (Scotland) Act 2006
Application for Licence		