

## **House in Multiple Occupation Licence Management Arrangements – 47 Polwarth Gardens**

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### **Licensing Sub-Committee of the Regulatory Committee**

**4 March 2011**

#### **1 Purpose of report**

- 1.1 The Licensing Sub-Committee of the Regulatory Committee at its meeting on 8 October 2010 considered a renewal application for an HMO licence at 47 (3f1) Polwarth Gardens. One objection was received.
- 1.2 The Committee repelled the objection and granted the application subject to the Council's standard conditions for this category of licence.
- 1.3 The Committee requested the Director of Services for Communities to report on tenancy management arrangements for the HMO properties in the tenement.
- 1.4 This report informs the Committee of the findings of officers in Services for Communities (SfC).

#### **2 Summary**

- 2.1 47 Polwarth Gardens is a tenement with six flats accessed from a common stair. There are two main door flats at 45 and 49 Polwarth Gardens. There are 5 licensed HMOs in the stair:
  - Flat 1f1 is owned by Paul Davidson and managed by Grant Management.
  - Flat 1f2 is owned and managed by John Fergusson.
  - Flat 2f2 is owned by Heather Burnside & Hazel Wilson and managed by Capital Lettings.
  - Flat 3f1 is owned by Jason Malone and managed by Hadden Rankin Property Management.
  - Flat 3f2 is owned by John McQuade and managed by The Letting Service.

2.2 Objections to HMO applications at 47 Polwarth Gardens have been raised by residents since 2008. The main concerns raised by objectors have been:

- a history of anti-social behaviour of tenants of HMO flats;
- noisy parties;
- repeated banging of the stair door at unsociable hours.

### **3 Main report**

3.1 Two complaints have been received by the Council since March 2010.

3.2 On 15 April 2010 a complaint was received about excessive noise from flat 1f1, including loud voices and slamming doors. This was investigated by officers in SfC. The managing agent adjusted the door closers in the flat to reduce the noise and advice was provided to the neighbour who had raised the complaint about reporting future concerns.

3.3 On 24 June 2010 a complaint was made to the managing agent and the Council about the behaviour of tenants in flat 3f2. The complainant stated that the tenants were being loud and inconsiderate towards neighbours. Officers discussed this directly with the tenants who denied they had behaved in the manner reported by the complainant.

3.4 The issue was also raised with the managing agent who took action by reminding the tenants of their responsibilities to be considerate towards neighbours. Officers consider that the action taken by the managing agent was appropriate to the issues raised and no further complaints have been received.

3.5 All of the occupants in the stair have been given advice about how to report problems with noise and anti-social behaviour to the Council.

3.6 Officers in SfC have confirmed that all agents have satisfactory procedures in place to manage anti-social behaviour. The agents have reminded tenants of their responsibility to be considerate to their neighbours.

### **4 Financial Implications**

4.1 There are no financial implications flowing directly from this report.

### **5 Environmental Impact**

5.1 The regulation of HMOs improves the physical and management standards of property in the city and so minimises the impact of high density living.

### **6 Conclusions**

6.1 There have been two reported incidents of anti-social behaviour since March 2010, the most recent of which occurred in June 2010. The managing agents took appropriate action in response to these complaints.

6.2 Officers are satisfied with the tenancy management arrangements that the managing agents of all of the HMO flats have in place.

## 7 Recommendations

7.1 Committee is requested to note the contents of this report.

**Mark Turley**  
Director of Services for Communities

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Appendices	None
Contact/tel/Email	Alistair Somerville, Private Rented Services 0131 469 5787 <a href="mailto:alistair.somerville@edinburgh.gov.uk">alistair.somerville@edinburgh.gov.uk</a>
Wards affected	9 - Fountainbridge/Craiglockhart
Single Outcome Agreement	Supports National Outcome 11 – “We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.”  Supports National Outcome 10 – “We live in well-designed, sustainable places where we are able to access the amenities and services we need.”
Background Papers	Inspection reports for all the properties are held by the author of the report.

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