

House in Multiple Occupation Licence Monitoring Report – 51 (3f1) Morningside Road

Licensing Sub-Committee of the Regulatory Committee

18 November 2011

Purpose of report

- 1 To inform the Licensing Sub-Committee of the Regulatory Committee of the results of the monitoring period of 51 (3f1) Morningside Road as requested by Committee on 18 March 2011.

Main report

- 2 On 18 March 2011, Committee considered an application for an HMO licence at 51 (3f1) Morningside Road to accommodate a maximum of 6 people.
- 3 Committee granted the licence subject to the fitting of carpeting and good quality underlay on the lower level of the property by 30 April 2011. Committee also requested a monitoring period of six months with results to be reported at the end of the period.
- 4 51 Morningside Road is a traditional tenement with six flats accessed from a common stair. The ground floor properties at 47–49 and 55–57 Morningside Road are commercial premises. Flat 3f1 is the only licensed HMO flat and is owned and managed by Mr. Kevin Thomson.
- 5 The objectors were informed in writing on 23 March 2011 of the Committee's decision and were provided with the contact details of the landlord. The objectors were also asked to report any concerns, should they arise, to the Council.
- 6 On 7 April 2011 the landlord met with officers to discuss the fitting of carpet and good quality underlay and his tenancy management practices. It was found that satisfactory procedures were in place. A further visit on 3 May 2011 confirmed that appropriate carpet and underlay had been fitted.
- 7 Contact was made on 3 May 2011 with the previous tenants. One current tenant was contacted on 20 September 2011. All confirmed they had no concerns about the tenancy management of the flat.
- 8 No contact was made with the Police nor the Council's Noise Team by neighbours during the monitoring period.
- 9 Two complaints were received by the HMO enforcement team.
- 10 In a complaint dated 8 June, a neighbour described noise and disturbances from flat 3f1 on 1 June when tenants were moving into the flat and that two

parties had taken place on 4 June and 7 June. An officer contacted the landlord and found he had investigated these reports. When he met with the tenants on 12 June he advised his tenants to limit potential noise and disruption. The same neighbour later contacted officers about noise and vibration disturbance occurring on 4 July. Officers found this had also been investigated by the landlord. On each occasion the landlord reported the outcome of his investigations and actions to the neighbour. The landlord has provided officers with copies of written correspondence to the neighbour evidencing his actions.

- 11 On 17 August 2011 a second letter was sent to the objectors advising them the monitoring period was coming to an end and to invite comments. One response was received from a neighbour regarding impact noise. A subjective noise test was carried out by officers on 20 September 2011. Officers found the door closers were operating effectively and no excessive impact noise was identified. No action was required by the landlord.
- 12 A licence renewal application was received on 16 June 2011. Two objections have been received.
- 13 Officers note that no substantiated noise issues occurred during the monitoring period. Where the landlord was contacted by neighbours the complaint was managed appropriately.
- 14 The landlord proactively engaged with officers during the monitoring period. Officers are confident that there are appropriate tenancy management arrangements in place.

Financial Implications

- 15 HMO inspection and enforcement services are funded directly from HMO fee income. There are no financial implications flowing directly from this report.

Equalities Impact

- 16 There is no relationship to the public sector general equality duty to the matters described in this report.

Environmental Impact

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

Recommendations

- 18 Committee is requested to note the content of this report.

Mark Turley
Director of Services for Communities

Appendices None

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Wards affected	10 – Meadows/Morningside
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	Background papers and reports are available from the author. *