
Report To:	General Purposes Board	Date:	12 February 2020
Report By:	Head of Legal & Property Services	Report No:	LP/013/20
Contact Officer:	Lindsay Carrick	Contact No:	01475 712114
Subject:	Application for a House in Multiple Occupation Licence Turning Point Scotland Premises at 'Redholm', 15 Alderwood Road, Port Glasgow		

1.0 PURPOSE

1.1 The purpose of this report is to advise the Board that an application has been received from Turning Point Scotland to allow it to operate the property at 15 Alderwood Road, Port Glasgow as a House in Multiple Occupation (HMO).

2.0 SUMMARY

- 2.1 Letters of objection have been received from Mrs. Betty Dunnachie and Ms Ann Munro, copies of which form Appendix 1 to this report.
- 2.2 The Applicant has been given the opportunity in terms of the Act to make representations in writing to the objections, although at the time of preparing this report no representations have been received.
- 2.3 The Applicant has also been advised that it may be present or represented at this meeting to be heard in support of his application should the Board decided to hear it.
- 2.4 An application for a HMO licence must be determined within 12 months of receiving it, failing which the licence is automatically deemed granted without conditions. The 2006 Act allows for HMO licence durations between a minimum of 6 months and a maximum of 3 years.

3.0 RECOMMENDATIONS

- 3.1 The Board is asked to decide whether or not they wish to hear the Applicant in support of the application.
- 3.2 The Board is asked to determine the application in light of the objections and to determine whether Turning Point's application for a House in Multiple Occupation licence should be granted.

4.0 BACKGROUND

- 4.1 The Housing (Scotland) Act 2006, Part 5 requires that where a property is to be occupied by three or more persons or three or more families who share use of sanitary convenience, personal washing facilities and cooking facilities, the owner must apply to the Local Authority for a licence to operate a House in Multiple Occupation (HMO).
- 4.2 Inverclyde Council records show that Turning Point Scotland has held a House in Multiple Occupation Licence since 23 November 2016 at the dwelling house known as 'Redholm', 15 Alderwood Road, Port Glasgow. The application states that the maximum number of persons proposed to be accommodated at any one time is 4.
- 4.3 The application was received on 18 October 2019. A notice under section 2 of schedule 24 of the Housing (Scotland) Act 2006 should be displayed at or around the property and remain in place for the statutory minimum 21 days. The notice informs local residents of the licence application and provides information regarding their right to submit objections and/or make representations in relation to the application. Licensing Standards Officers of the Council visit premises to ensure that the site notice is completed correctly and displayed for passing member of the public to see. Officers visited the premises on numerous occasions after the application was lodged and reported that on each occasion the site notice was not on display. The notice was finally displayed on 21 November 2019 and was displayed for the statutory notice period. The Council also placed a notice in the Greenock Telegraph on 5 November 2019 which confirmed details of the application, details of where objections should be sent and timescales within which objections should be submitted.

5.0 IMPLICATIONS

Finance

- 5.1 There are no financial implications.

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

Legal

- 5.2 Under the 2006 Act, a local authority may determine an application for a HMO licence by granting the HMO with or without conditions, or refusing to grant the licence. The grounds of refusal are as follows:
- The applicant and/or the agent specified by the applicant are not fit and proper to be authorised to permit persons to occupy any living accommodation as a HMO.
 - The property is unsuitable for occupation as a HMO for any or all of the following reasons:
 - (i) Its location

- (ii) Its condition
- (iii) Any amenities it contains
- (iv) The type and number of persons likely to occupy it
- (v) Whether any rooms within it have been subdivided
- (vi) Whether any rooms within it have been adapted, resulting in an alteration to the water and drainage pipes within it
- (vii) The safety and security of persons likely to occupy it
- (viii) The possibility of undue nuisance
- (ix) There is, or would be, an overprovision of HMOs in the locality

Turning Point Scotland has recourse to the Sheriff Court in the event it wishes to appeal any decision of the Board.

Human Resources

5.3 There are no Human Resources implications.

Equalities

5.4 Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
x	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
x	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
x	NO

Repopulation

5.5 There are no repopulation implications.

6.0 CONSULTATIONS

6.1 The proposals have been advertised in the Greenock Telegraph.

Consultations have been undertaken with Police Scotland, Scottish Fire & Rescue Service, Head of Regeneration and Planning Services and Head of Environmental and Public Protection, none of whom has made any objection to the application.

7.0 BACKGROUND PAPERS

7.1 None



2nd December 2019

Customer Services,
Inverclyde Council,
Municipal Buildings,
Clyde Square,
GREENOCK. PA15 1LY

Dear Sirs,

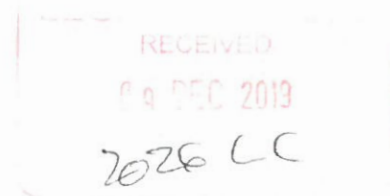
Application for Renewal of Licence
Turning Point Scotland
Redholm, Alderwood Road, Port Glasgow

With regard to the renewal of the above Licence I wish to object for the following reasons:-

- **This is a residential area.**
- Turning Point Scotland have ignored reasonable requests to tidy the trees in the garden. They did have three trees cut back a few years ago but new trees have grown in their place. The trees have now multiplied and grown much taller and it is like living behind a wall. This is a residential area and the garden is vastly overgrown and looks more akin to a forest than a residential garden. Turning Point Scotland have shown they are not fit and proper for this area.
- The trees are so big and so close to the house. The density of the trees is a fire hazard.
- Turning Point Scotland have fenced off the garden all round the house and do not want to know about the trees, however, the trees belong to them and it is their responsibility to keep the garden neat and tidy.
- There is also a hedge at the back of their property which they do not maintain. My husband and my next door neighbour have been cutting this hedge and keeping it under control. However, it is the responsibility of Turning Point Scotland to control their garden and not for neighbours to be doing it.
- Mr. Willie Rennie who is in overall charge is certainly not a civilised person to deal with as he is very rude and not willing to do anything about the state of the garden. Why did they buy a house with a big garden when they had no intention of looking after it?
- Further, there is a car being parked on a blind corner at the bottom of the driveway up to Redholm. This is causing problems for drivers coming up Alderwood Road as they have to move over to the other side of the road and, as it is impossible to see round the corner, trust that there is no vehicle coming down. This is dangerous.
- **This is a residential area and I would strongly request that this Licence should not be renewed unless and until they do something about the trees.**

Yours faithfully,


Elizabeth Dunnachie



2nd November 2019

Customer Services,
Inverclyde Council,
Municipal Buildings,
GREENOCK.

Dear Sirs,

I have just been made aware that Turning Point Scotland have applied for a new Licence for Redholm in Port Glasgow.

I live on Bogiewood Road directly behind Redholm and with regard to this Licence being renewed I would like to object to it for these reasons:-

When Turning Point Scotland was given this Licence the community were not happy.

Turning Point told us there was ample parking at Redholm's driveway for staff and visitors therefore there would be no need to park on Hillside Drive and the surrounding area, but this has been happening since Inverclyde Council granted them this Licence.

The other objection I have is the unkempt garden. They tidied up the area around the house and fenced it off so they do not look at the overgrown trees which are getting larger and larger and which have now become a wall which is a horrible eyesore and I would say dangerous. They have a gardener who comes in now and again but he only cuts the grass and that is it.

We invited Willie Rennie to visit us for a look at the garden and the huge trees which have grown into the eyesore of a wall. We asked him if they could cut them down or tidy them up like all good neighbours do in this area. His attitude towards us changed and he became very aggressive towards us and said they did not have the finances for that – not very good neighbours.

This is a lovely selective residential area where people have a pride in their houses and gardens. I strongly recommend this Licence should be revoked until they become good neighbours and cut or removed these trees which are turning into a wall.

Yours faithfully,



Ann Munro

