

AGENDA ITEM No. 2
NORTH LANARKSHIRE COUNCIL
 Civic Government (Scotland) Act 1982

Application for Grant/Renewal of A Housing in Multiple Occupation Licence

FEE: £300

Date Received: 8/3/02
 Received by: R.S.
 Receipt No: _____
 Fee Paid: £300.

EACH QUESTION IN RELEVANT SECTIONS MUST BE ANSWERED (IN BLOCK CAPITALS AND BLACK INK)

SECTION 1 - TO BE COMPLETED IF A NATURAL PERSON	
FULL NAME: <u>SHARON JANET LOW</u>	STATUS: <u>MR/MRS/MS</u>
HOME ADDRESS: <u>501-503 CAMBUSNETHAN ST</u> <u>WISHAW</u> <u>NORTH LANARKSHIRE</u>	AGE: <u>46</u>
POSTCODE: <u>ML2 8QA</u>	DATE OF BIRTH: <u>23.06.55</u>
DAYTIME TELEPHONE NUMBER: <u>01698 387356</u>	PLACE OF BIRTH: <u>ENGLAND</u>
HOME TELEPHONE NUMBER: <u>01698 387356</u>	
IS THE APPLICANT TO CARRY OUT DAY TO DAY MANAGEMENT OF THE ACTIVITY? YES/NO <u>Yes</u>	IF NO, GIVE FULL NAME, ADDRESS AND DATE OF BIRTH OF ANY EMPLOYEE OR AGENT SO ENGAGED.

SECTION 2 - TO BE COMPLETED IF NOT A NATURAL PERSON (e.g. COMPANY OR PARTNERSHIP)	
FULL NAME:	ADDRESS OF PRINCIPAL OR REGISTERED OFFICE:
DAYTIME TELEPHONE NUMBER:	
FULL NAMES, PRIVATE ADDRESSES AND DATES OF BIRTH OF DIRECTORS, PARTNERS OR OTHER PERSONS RESPONSIBLE FOR ITS MANAGEMENT (USE SEPARATE SHEET IF NECESSARY).	
FULL NAME, PRIVATE ADDRESS AND DATE OF BIRTH OF EMPLOYEE OR AGENT TO CARRY OUT DAY TO DAY MANAGEMENT OF THE ACTIVITY.	

SECTION 3 - TO BE COMPLETED BY THE OF APPLICANT

ADDRESS OF PREMISES TO BE USED AS A HOUSE IN MULTIPLE OCCUPATION

501-503 CAMBUSNETHAN ST.
 WISHAW
 NORTH LANARKSHIRE
 POST CODE ML2 8QA

DESCRIPTION OF ACCOMMODATION:

FLAT

NO. OF APARTMENTS 7

SEMI-DETACHED HOUSE

NO. OF STOREYS 2

DETACHED HOUSE

TERRACED HOUSE

NO. OF ROOMS TO BE USED FOR LETTING PURPOSES 4

MAISONETTE

TOTAL NUMBER IN PREMISES OF -

WATER CLOSETS 2

SINKS 2

BATH OR SHOWER 1+1

WASH HAND BASINS 2

COOKERS 1

REFRIGERATORS 1 + FREEZER

PLEASE PROVIDE DETAILS OF HEATING FACILITIES:

FULL GAS CENTRAL HEATING
 RAD = IN EVERY ROOM.

NO. OF PERSONS OCCUPYING: HOUSE AT DATE OF APPLICATION

MALES

~~4~~ 6

FEMALES

1

ARE ANY OF THESE PERSONS MEMBERS OF THE SAME FAMILY?

YES / NO

IF YES, PLEASE PROVIDE FURTHER DETAILS.

SECTION 4 - TO BE COMPLETED BY ALL CATEGORIES OF APPLICANT

HAS ANY PARTY NAMED IN SECTIONS 1 OR 2 EVER BEEN CONVICTED OF ANY CRIME OR OFFENCE (THIS INCLUDES CONTRAVENTIONS OF BYE-LAWS, ENVIRONMENTAL HEALTH/FOOD HYGIENE REGULATIONS AND ROAD TRAFFIC OFFENCES AND ANY OTHER CONVICTION OF ANY KIND)? IF SO, SUBJECT TO THE PROVISIONS OF THE REHABILITATION OF OFFENDERS ACT 1974, PLEASE GIVE PARTICULARS BELOW. INCLUDE OFFENCES FOR WHICH YOU WERE ADMONISHED (CONTINUE ON SEPARATE SHEET IF NECESSARY).

PLEASE ANSWER YES OR NO _____

NAME	DATE	COURT	OFFENCE	SENTENCE

NOTE: ALL CRIMINAL OFFENCES MUST BE DECLARED

<p>HAVE YOU EVER APPLIED FOR AND BEEN REFUSED A LICENCE FOR THE SAME OR SIMILAR TYPE OF ACTIVITY?</p> <p>YES/NO</p> <p style="text-align: center;">No</p>	<p>IF YES WHEN WERE YOU REFUSED?</p> <p>FOR WHICH TYPE OF ACTIVITY WERE YOU REFUSED?</p> <p>WHICH AUTHORITY REFUSED YOU A LICENCE/PERMIT?</p>
<p>DO YOU CURRENTLY OR HAVE YOU PREVIOUSLY HELD ANY LICENCE UNDER THE PROVISION OF THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982?</p> <p>YES/NO</p> <p style="text-align: center;">No</p>	<p>IF YES, FOR WHICH TYPE OF ACTIVITY?</p> <p>WHEN WAS THE LICENCE GRANTED?</p> <p>WHICH AUTHORITY GRANTED THE LICENCE?</p>

- (A) I DECLARE THAT I SHALL, FOR A PERIOD OF 21 DAYS COMMENCING WITH DATE HEREOF, DISPLAY AT OR NEAR THE PREMISES SO THAT IT CAN CONVENIENTLY BE READ BY THE PUBLIC, A NOTICE COMPLYING WITH THE REQUIREMENTS OF PARAGRAPH 2(3) OF SCHEDULE 1 OF THE CIVIC GOVERNMENT (SCOTLAND) ACT, 1982.
- (B) I DECLARE THAT ALL PARTICULARS GIVEN BY ME ON THIS FORM ARE TRUE AND HEREBY CONSENT TO THE COUNCIL CARRYING OUT SUCH BACKGROUND INQUIRIES AS THEY CONSIDER NECESSARY TO ASCERTAIN MY SUITABILITY AS AN APPLICANT.

ANY PERSON WHO IN OR IN CONNECTION WITH THE MAKING OF THIS APPLICATION MAKES ANY STATEMENT WHICH HE KNOWS TO BE FALSE OR RECKLESSLY MAKES ANY STATEMENT WHICH IS FALSE IN A MATERIAL PARTICULAR SHALL BE GUILTY OF AN OFFENCE AND LIABLE, ON SUMMARY CONVICTION, TO A FINE NOT EXCEEDING £2,500

SIGNATURES: Sharon J Low _____

DATE: 24.01.02 _____

(WHERE A CO-PARTNERSHIP, EACH PARTNER SHOULD SIGN. IF A FIRM, STATE POSITION OF SIGNATORY)

DATA PROTECTION ACT 1998

THE INFORMATION SUPPLIED WILL BE USED FOR THE PURPOSES OF THIS APPLICATION AND IN ACCORDANCE WITH THE DATA PROTECTION ACT 1998

IMPORTANT NOTES

- (1) YOU MUST ENCLOSE THE FOLLOWING WITH THE APPLICATION FORM: -
- (a) THE RELEVANT FEE. (PLEASE NOTE THAT THE FEE IS TO COVER THE COSTS OF PROCESSING THE APPLICATION AND IS NOT REFUNDABLE).
 - (b) TWO COLOUR PHOTOGRAPHS, PASSPORT SIZE, COMPRISING A RECENT LIKENESS OF THE APPLICANT.
 - (c) A COPY OF THE LEASE WITH TENANTS.
 - (d) A COPY OF ANY WRITTEN TENANCY AGREEMENT.
 - (e) SIX SETS OF PLANS OF THE PREMISES.
2. IN THE EVENT OF ANY FURTHER ENQUIRIES PLEASE TELEPHONE 01236 616548.

TO BE COMPLETED AND RETURNED TO THE ENVIRONMENTAL HEALTH MANAGER
NORTH LANARKSHIRE COUNCIL, PLANNING AND ENVIRONMENT DEPARTMENT,
PROTECTIVE SERVICES DIVISION, FLEMING HOUSE, 2 TRYST ROAD, CUMBERNAULD G67 1JW

Report by Director of Planning & Environment, Building Control Section

Report To: N McGeachy, Protective Services Division, Central Area Office
453 Main Street, Coatbridge, ML5 3RS

Date: Thursday May 2nd 2002

Report No: S/BC/87.05/005

Contact Officer: S McGregor 01698 302124

Subject: 501-503 Cambusnethan Street, Wishaw
Civic Government (Scotland) Act 1982
Application for the Grant of a Licence
Houses in Multiple Occupation

It should be noted that adoption of the following recommendations, which have as their basis the Scottish Executive Document 'Guidance on the Mandatory Licensing of Houses in Multiple Occupation', is considered to provide an appropriate level of fire safety.

Purpose of Report: To advise Head of Protected Services on Planning and Environment's Building Control Section means of escape and fire safety recommendations with respect to a House in Multiple Occupation.

Note: In compiling this report this Section has referred to storeys of the building in accordance with the Building Standards (Scotland) Regulations 1990.

Information: The property consists of a two storey traditional built residential care facility, comprised from the incorporation of the two semi-detached dwellings into one. The inspection was carried out on 2nd May 2002 in the presence of the owner.

Recommendation: It is this Section's view that the following works require to be completed and where relevant, certificates forwarded to this authority to permit a recommendation of approval to be given.

1. All doors leading into the common hallways on both floors should be 30 minutes fire rated and should be fitted with intumescent fire and smoke seals, and all doors should be fitted with suitable self closing devices that return the door to the fully closed position upon release.
2. The store doors within the common hallways should be fitted with a suitable sign indicating that the door must be kept locked shut at all times when not in use. Such a sign should read "Fire Door Keep Locked" in white lettering not less than 5mm in height on a blue circular background affixed at a height 1.4m from finished floor level, to the door face open to the hallway.
3. The door leading from bedroom first left on the ground floor to the kitchen should provide 30 minutes fire resistance, and should be fitted with intumescent fire and smoke seals. The door should be fitted with a suitable self closing device that returns the door to the fully closed position upon release. Alternatively, the door opening should be infilled with construction that provides 30 minutes fire resistance.
4. The door leading from the stair on the ground floor to the living room should provide 30 minutes fire resistance, and should be fitted with intumescent fire and smoke seals. The door should be fitted with a suitable self closing devices that return the door to the fully closed position upon release.
5. All final exit doors should be fitted with locks that can be overridden without the use of a key.
6. The stair leading to the upper floor should be underlined with 12.7mm plasterboard to achieve 30 minutes fire resistance.
7. The bedroom second left on the upper floor should be provided with a window such that it should have an openable area of not less than 0.33m². Neither the width nor the height of the opening shall be less than 450mm and should have the bottom of the opening part not more than 1100mm above the floor. The window will require to be easily openable, have no built-in obstructions in front of it and must not be fitted with security bars or grilles.
8. A system of interconnected smoke detection should be installed as per the requirements of BS 5839: Part 6: 1995, throughout the premises.
9. Upon completion of the said installation a certificate of installation and commissioning of the fire alarm system as given in appendix B of BS 5839: Part 1: 1988, should be completed and forwarded to this authority.
10. The stair serving the first floor should have the handrails wreathed back to the walls to prevent the risk of accident.

Conditions:

The following conditions would seem appropriate in the circumstances:

1. The complete smoke detection/alarm system should be maintained to the appropriate standard. The system should be inspected and tested by a competent engineer, with any defects rectified and an appropriate certificate stating its condition obtained annually.
2. Proper fire safety management practices should be adopted to include the regular maintenance of fire safety equipment and safety systems and the giving of fire safety instructions to all residents and employees. Information on this and other related fire safety matters can be obtained from guidance contained in: Fire Safety – an employers guide (ISBN 0-11-341229-0) or from the Fire Authority.

Notes:

1. The original certificates mentioned above, should be retained by the owner, to be produced on request

Report prepared by: S McGregor, Wednesday, May 29, 2002

Please also find enclosed a report prepared by Strathclyde Fire Brigade. Some of the comments are duplicated, however compliance with both reports should be achieved.

John McE Gilman
.....
PP Building Control Manager,
BUILDING CONTROL

Contact: Mr D Calder
Tel: 01698 302589
Fax: 01698 300212
E-mail: proservs@northlan.gov.uk
Date: 14 August 2002
Our Ref: DC/MW
Your Ref:

AGENDA ITEM No. 2 (2)

*Original
hand delivered
on 14/8/02 by JM.*



Ms. Sharon Low
501/503 Cambusnethan Street
WISHAW

Planning & Environment
David M Porch, Director
Protective Services, Scomag
House, Crosshill Street,
Motherwell ML1 1RU
www.northlan.gov.uk

Dear Ms Low

**CIVIC GOVERNMENT (SCOTLAND) ACT, 1982 (LICENSING OF HOUSES IN MULTIPLE OCCUPATION)
ORDER 2000 (AS AMENDED)
HMO LICENCE APPLICATION; 501/503 CAMBUSNETHAN STREET, WISHAW**

I refer to the above application, previous correspondence and the site visit carried out on 3 April, 2002 and write to confirm that copies of the Building Control and Fire Authority reports which detail remedial work which requires to be carried out before the licence can be issued were given to you on 9th August, 2002.

In addition to this work the following matters require to be attended to;

1. According to the development control section of the Planning and Environment Department planning permission requires to be given for 6 or more persons in total living in the premises. You will therefore require to apply for planning permission or reduce the number of residents including yourself to 5.
2. The corrective actions listed in the electrical certificate dated 22nd April, 2002 (copy of certificate enclosed) require to be carried out. If already done so, an amended certificate requires to be provided.
3. The aforementioned electrical certificate only relates to the fixed wire installation. All appliances also require to be examined by a competent person to ensure they are functioning properly and are safe. The results of these examinations must be included in the certification provided.
4. Carbon monoxide detectors connected to the main electrical system require to be provided in the kitchen and in the boiler cupboard off the dining room.
5. Proof of comprehensive buildings insurance requires to be provided.
6. Proof of public liability insurance requires to be provided.
7. Appropriate and suitable tenancy management documents require to be provided and basic compliance with the Tenancy Management Standards is required. The Legal Services and Housing and Property Services of the Council are currently producing further guidance on this subject and this will be issued to you for your assistance as soon as possible.

You may wish to contact the grants section of the Council to discuss whether financial assistance to carry out any of the aforementioned work is available.

I would be pleased if after perusal of this correspondence you would contact me to arrange a suitable time to meet and discuss suitable and appropriate timescales for the completion of the remedial work.

Yours faithfully

A handwritten signature in black ink, appearing to read "D Calder".

D. Calder
SENIOR ENVIRONMENTAL HEALTH OFFICER

East Command Headquarters
389 Windmillhill Street
Motherwell ML1 2UG

Firemaster
J Ord OSTJ QFSM GIFireE JP



Strathclyde Fire Brigade

North Lanarkshire Council
Department of Planning & Environment
Building Control Department
303 Brandon Street
MOTHERWELL
ML1 1RS

FAO. Mr S. McGregor

Dear Sir

HMO INSPECTION

Premises: 501-503 Cambusnethan Street Wishaw

Please find enclosed a report detailing this Brigade's observations and recommendations regarding the inspection of the above premises carried out by Station Officer Power, from my Fire Safety Department, on 2nd May 2002.

Yours faithfully

Smith AD

COMMANDER

Direct Line 01698 338154
Switchboard 01698 338100
Fax 01698 338155
Our Ref CP/E02/CS/LVB
Your Ref --
If phoning or calling ask for Station Officer C Power
Date 10 MAY 2002

NORTH LANARKSHIRE COUNCIL PLANNING & ENVIRONMENT DEPARTMENT RECEIVED 13 MAY 2002		
Action	Smith	
Acknowledged		

STRATHCLYDE FIRE BRIGADE

Name & Address of Premises:

**501-503 Cambusnethan Street
Wishaw**

Legislation Applicable:

**Civic Government (Scotland) Act, 1982
(Licensing of Houses in Multiple
Occupation) Order 2000**

Inspecting Officer:

Station Officer C. Power

Date of Inspection:

OBSERVATIONS AND RECOMMENDATIONS

1.
 - a) Door openings indicated **SC** in red on the attached plan should be protected by approved self closing fire resisting doorsets which provide a minimum fire resistance of FD30S standard.
 - b) The doors to the 2 stores need not be self closing if the doors are kept locked shut when not in use.
 - c) The door between the ground floor bedroom and the kitchen need not be replaced by a self closing fire door, if the opening is infilled with a non-combustible material which provides a minimum fire resistance of 30 minutes.
2. The existing stairway indicated in red on the attached plan should be underdrawn with a non combustible material having a minimum fire resistance of 30 minutes which should be imperforate and close fitting to floor, walls and ceiling.
3. The 2 final exit doors, indicated in red on the attached plan, should be easily openable from the inside without resorting to the use of a key.
4. An emergency escape window should be provided in the first floor bedroom as indicated in red on the attached plan.

The window should have an unobstructed openable area of 0.33m², at least 450mm high and 450mm wide, and the bottom of the window not more than 1100mm above the floor.
5. An approved automatic fire detection system complying with the specification in BS 5839 : Part 6 : 1995, for a type LD2 system should be installed and maintained within the premises.

The areas to be covered by automatic heat/smoke detectors are indicated in red on the attached plan.

6. An emergency lighting system, installed in accordance with BS 5266: Part 1: 1999, should be provided so as to adequately illuminate all exit routes, passageways and stairways forming part of or comprising the means of escape from the premises.
7.
 - a) Arrangements should be made to have the existing fire extinguisher tested and serviced by a competent firm of Fire Engineers. Thereafter all extinguishers must be tested and serviced annually. The date and result of such tests should be clearly indicated on each extinguisher or on attached tabs or labels.
 - b) The existing fire extinguisher should be re-sited as indicated in red on the attached plan so as to be readily available for use in the event of fire.
 - c) An additional 9 litre Water type extinguisher should be provided and sited as indicated in red on the attached plan.
8. All furnishings should be fit for the purpose and comply with the "Furniture & Furnishings (Fire)(Safety) Regulations 1988".
9. Adequate fire safety management practices should be adopted, which include the regular maintenance of fire safety equipment and systems and the giving of fire safety instruction to all residents and employees.

Guidance on this and other related matter can be obtained from the publication "Fire Safety - An Employers Guide " (ISBN 0-11-341229 - 0).

505 Cambusnethan Street
Wishaw

ML2 80A	
NORTH LANARKSHIRE COUNCIL	
PLANNING & DEVELOPMENT DEPT	
NORTHERN DIVISION	
10 MAY 2002	
Action by	
Service Manager-Roads/Transport	
Development Control Manager	
Building Control Manager	
Support Services	
Road Network Team Leader	
Planning Team Leader	
Public Transport Team	

7th May 2002

North Lanarkshire Council
Protective Services Division
Fleming House
2 Tryst Road
Cumbernauld

Dear Sir

Further to my letter dated 7th April 2002 re the objection to 501/503 Cambusnethan Street Wishaw receiving a Multiple Occupation License. I as yet have not received any formal acknowledgement of my objection and wonder if this is normal procedure, as when I brought it to the attention of my MP/MSP's office were more than a little surprised. However I enclose another copy of my letter and would appreciate receipt of this.

I look forward to hearing from you on this matter.

Yours Sincerely



50189

NORTH LANARKSHIRE COUNCIL		
DEPT OF PLANNING AND ENVIRONMENT		
HEADQUARTERS		
10 MAY 2002		
DPE	HPT	HPS
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SMPD	SMRT	SMPED
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SSM		
<input type="checkbox"/>		
REDIRECT TO:		
<input type="text"/>		
SERVICE CHARTER MAIL YES/NO		

505 Cambusnethan street
Wishaw
ML2 8QA

Dear Sir

I forward to you my objection to Mrs Sharon Janet Low residing at 501/503
Cambusnethan Street Wishaw receiving a Multiple Occupation License.

This I do on the grounds that having resided at my present address for 19years it is only since Mrs Low has been letting rooms that any cause for concern has arisen examples of which follow: -

1. Running through my garden.
2. Running down my drive and jumping over the wall
3. Loitering at the top of my drive using intimidating gestures to my children while they were playing. Causing awkwardness on entering and leaving my premises, also standing in such a manner as to block the line of sight, and when asked politely to move either ignored us or were obnoxious.
4. Parking across my drive (Social work especially).
5. Staring across from Mrs. Low's kitchen into mine and using intimidating gestures to my family and myself.
6. Depositing bottles of cider at my gate, which led to a confrontation, which distressed my children considerably and resulted in the Police being called.
7. Hiding of alcohol where my children were able to access it.
8. Throwing of tins over to my side of the wall, which covered my car & my works van with its contents.
9. Mrs. Low has also had a Pedophile in residence, which caused a great deal of anxiety to my family and myself for the safety of my children.

This I feel justifies the refusal of the license, as prior to this we had no cause for complaint with Mrs. Low or anyone else resident there.

Yours Sincerely

49676

NORTH LANARKSHIRE COUNCIL
DEPT OF PLANNING AND ENVIRONMENT
HEADQUARTERS

22 APR 2002

DPE	EST	HPS
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SMPD		SMPED
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SSM		
<input type="checkbox"/>		
REDIRECT TO:		
<input type="text"/>		
SERVICE CHARTER MAIL YES/NO		

16 April 2002

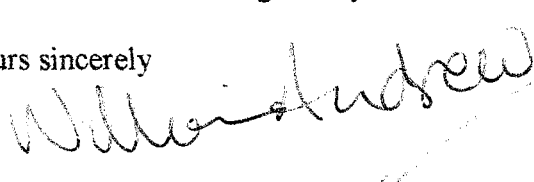
North Lanarkshire Council
Protective Services Division
Fleming House
2 Tryst Road
Cumbernauld

Dear Sir

Further to my letter dated 27th March 2002 re the objection for 501/503 Cambusnethan Street, Wishaw receiving a Multiple Occupation Licence. I have not to date received any acknowledgement of my objection and wonder if this is normal procedure, however I enclose another copy of my letter and would appreciate receipt of this.

I look forward to hearing from you on this matter.

Yours sincerely



William Andrew

NORTH LANARKSHIRE COUNCIL
PLANNING & DEVELOPMENT DEPT
NORTHERN DIVISION
80341
25 APR 2002

Authorised by	
Services Manager-Roads/Transport	
Development Control Manager	
Planning Control Manager	
Support Services	
Road Network Team Leader	
Planning Team Leader	
Vehicle/Transport Team	
Forwarded to	
Signature	
Name Area	
Dept	

✓
H48

27TH March 2002

507 Cambusnethan Street
WISHAW
ML2 8QA

Dear Sir

I forward to you my objection to Mrs Sharon Low residing at 501/503 Cambusnethan Street, Wishaw receiving a Multiple Occupation Licence.

This I do on the grounds that having resided at my present address for 8 years it is only since Mrs Low has been letting rooms that any cause for concern has arisen examples of which follow: -

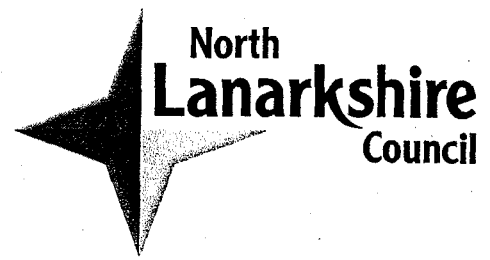
1. Drunken person running through the garden seen entering the above address, taxi driver then at my door looking for payment as the person was seen entering my drive.
2. Drinking and staring over the wall at my family, making us feel uncomfortable to sit in our own back garden in the summer months.
3. The front garden covered with litter on occasion's e.g. empty beer cans and broken Buckfast bottles.

All of the above did not happen until Mrs Low started to let rooms. Therefore I think this should be taken into consideration before the licence should be granted.

Yours faithfully

William Andrew

Telephone/Fax No Cambusnethan (01698) 382087
Councillor David McKendrick
28 Clark Street
Newmains
Wishaw
ML2 9DS



My Ref: DMcK
Date: 8 August, 2002

Mr Crawford Morgan
Head of Protective Services
Department of Planning and Environment
Fleming House
Tryst Road
CUMBERNAULD

COPY

Dear Mr Morgan

Mrs Sharon Low, 501/503 Cambusnethan Street, Wishaw

I have visited this house on many occasions over the past years and I can highly commend the above-named person for keeping the house in order. The manner that it is furnished and the arrangements made for the persons in multiple occupation are second to none. The house is also run on a very stringent basis and I could highly recommend this to anyone.

I respectfully request that you take my views into consideration when any dealings or decisions are to be made and I highly recommend the premises and the owner to you.

Should you require any further information please do not hesitate to contact me and certainly I am more than willing to appear before any Committee regarding this matter.

Yours sincerely

Councillor David McKendrick

c.c. Mr D Calder, Senior Environmental Health Officer, Protective Services, Scomag House, Crosshill Street, Motherwell ML1 1RU

