**Mandatory Licence Conditions**

**Agents**

**1.** Only those named as a holder of the licence can carry out the day-to-day management of the

short-term let of the premises

**Type of Licence**

**2.** The holder of the licence may only offer the type of short-term let for which the licence has been

granted.

**Fire Safety**

**3.** The holder of the licence must ensure the premises has satisfactory equipment installed for detecting,

and for giving warning of—

(a) fire or suspected fire, and

(b) the presence of carbon monoxide in a concentration that is hazardous to health.

**4.** The holder of the licence must keep records showing that all upholstered furnishings and mattresses

within the parts of the premises which are for guest use, or to which the guests are otherwise

permitted to have access, comply with the Furniture and Furnishings (Fire Safety) Regulations

1988.

**Gas Safety**

**5.** Where the premises has a gas supply—

(a) the holder of the licence must arrange for an annual gas safety inspection of all gas

 pipes, flues and appliances in the premises,

(b) if, after an annual inspection, any appliance does not meet the required safety standard,

 the holder of the licence must not allow a short-term let of the premises until the works

 necessary to bring the appliance to the required safety standard have been carried out.

**Electrical Safety**

**6.** Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which the guests are permitted to have access, the holder of the licence must—

(a) ensure that any electrical fittings and items are in—

 (i) a reasonable state of repair, and

(ii) proper and safe working order,

(b) arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person,

(c) ensure that, following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,

(d) arrange for a competent person to—

(i) produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and

(ii) date label and sign all moveable appliances which have been inspected

**7.** In determining who is competent, the holder of the licence must have regard to guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006.

**Water Safety: private water supplies**

**8.** Where the premises are served by a private water supply, the licence holder must comply with the requirements on the owners of private dwellings set out in the Water Intended for Human

Consumption (Private Supplies) (Scotland) Regulations 2017.

**Water Safety: legionella**

**9.** The holder of the licence must assess the risk from exposure to legionella within the premises,

whether or not the premises are served by a private water supply.

**Safety & Repair Standards**

**10.**—

(1) The holder of the licence must take all reasonable steps to ensure the premises are safe for

residential use.

(2) Where the premises are subject to the requirements of Chapter 4 of Part 1 of the Housing

(Scotland) Act 2006, the holder of the licence must ensure that the premises meet the repairing

Standard.

**Maximum Occupancy**

**11.** The licence holder must ensure that the number of guests residing on the premises does not exceed the number specified in the licence.

**Information to be Displayed**

**12.** The holder of the licence must make the following information available within the premises in a place where it is accessible to all guests—

(a) a certified copy of the licence and the licence conditions,

(b) fire, gas and electrical safety information,

(c) details of how to summon the assistance of emergency services,

(d) a copy of the gas safety report,

(e) a copy of the Electrical Installation Condition Report, and

(f) a copy of the Portable Appliance Testing Report.

**Planning Permission**

**13.** Where the premises is in a short-term let control area for the purposes of section 26B of the Town and Country Planning (Scotland) Act 1997 ("the 1997 Act"), the holder of the licence must, where the use of the premises for a short-term let requires planning permission under the 1997 Act, ensure that either—

(a) an application has been made for planning permission under the 1997 Act and has not yet been determined, or

(b) planning permission under the 1997 Act is in force.

**Listings**

**14.**—

(1) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise)

for the short-term let of the premises includes—

(a) the licence number, and

(b) a valid Energy Performance Certificate rating if an Energy Performance Certificate is

 required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008.

(2) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises is consistent with the terms of the short-term let licence.

**Insurance**

**15.** The holder of the licence must ensure that there is in place for the premises—

(a) valid buildings insurance for the duration of the licence, and

(b) valid public liability insurance for the duration of each short-term let agreement.

**Payment of Fees**

**16.** The holder of the licence must pay any fees due to the licensing authority in respect of the licence on demand.

**False or Misleading Information**

**17.** The holder of the licence must not provide any false or misleading information to the licensing

authority.

**Additional Licence Conditions**

**Anti-Social Behaviour**

**18.** The licence holder must take reasonable steps to manage the premises in such a way as to seek to prevent and deal effectively with any antisocial behaviour by guests to anyone else in the short-term let and in the locality of the short-term let.

The licence holder must take reasonable steps to:

• ensure that no disturbance or nuisance arises within or from the premises, for example by explaining the house rules to the guests;

• deal effectively with any disturbance or nuisance arising within or from the premises, as soon as reasonably practicable after the licence holder is made aware of it; and

• ensure any vehicles belonging to guests are parked lawfully, for example explaining where any designated parking spaces are to be found and highlighting any local rules.

**Waste Disposal**

**19.** The licence holder must provide adequate information on, and facilities for, the storage, recycling and disposal of waste.

The licence holder must advise guests of:

• their responsibilities;

• the use of the bins / sacks provided for the premises; and

• the location of the nearest recycling centre or recycling point.

The licence holder must:

• clearly label bins as belonging to the premises;

• ensure that guests manage their waste in compliance with the above including when they depart; and

• maintain the bin storage area and the exterior of the premises in a clean and tidy condition.