

Renfrewshire Council Short-Term Let Licence Conditions

Mandatory conditions of licence set out in the licensing order

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
- 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:
 - a reasonable state of repair
 - 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
 - produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and
 - 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 and 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
- 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
- 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.

14. (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
- 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.

Interpretation

18. In this schedule:

Electrical Installation Condition Report means a report containing the following information:

- a) the date on which the inspection was carried out
- b) the address of the premises inspected
- c) the name, address and relevant qualifications of the person who carried out the inspection

- d) a description, and the location, of each installation, fixture, fitting and appliance inspected,
- e) any defect identified,
- f) any action taken to remedy a defect

Energy Performance Certificate means a certificate which complies with regulation 6 of the Energy Performance of Buildings (Scotland) Regulations 2008.

Gas safety report means a report containing the following information:

- a) the date on which the appliance or flue was checked
- b) the address of the premises at which the appliance or flue is installed
- c) a description of and the location of each appliance or flue checked
- d) any safety defect identified
- e) any remedial action taken
- f) confirmation that the check undertaken complies with the requirements of an examination of:
 - the effectiveness of any flue
 - the supply of combustion air
 - subject to head (iv), its operating pressure or heat input or, where necessary, both
 - if it is not reasonably practicable to examine its operating pressure or heat input (or, where necessary, both), its combustion performance
 - its operation so as to ensure its safe functioning
- g) the name and signature of the individual carrying out the check
- h) the registration number with which that individual, or that individual's employer, is registered with a body approved by the Health and Safety Executive for the purposes of regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998.

Holder of the licence means any person to whom a short-term let licence has been granted or jointly granted.

Home letting means a short-term let consisting of the entering into of an agreement for the use, while the host is absent, of accommodation which is, or is part of, the host's only or principal home,

Home sharing means a short-term let consisting of the entering into of an agreement for the use, while the host is present, of accommodation which is, or is part of, the host's only or principal home,

Premises means the accommodation which is the subject of an application for a short-term licence or the subject of a short-term licence,

Repairing standard means the steps which the holder of the licence is required to take to comply with the obligations placed on the holder by Chapter 4 of Part 1 of the Housing (Scotland) Act 2006,

Secondary letting means a short-term let consisting of the entering into of an agreement for the use of accommodation, which is not or not part of the licence holder's only or principal home.

Short-term let has the same meaning as in article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022.

Short-term let licence means a licence for a short-term let.

Type of short-term let means one of the following purposes:

- e) secondary letting
- f) home letting
- g) home sharing
- h) home letting and home sharing.

Additional conditions for short-term lets in Renfrewshire

Type of short-term let

19. The type of short-term let for which the licence has been granted is (delete as inapplicable):
home sharing / home letting / home sharing and home letting / secondary letting

Numbers of Guests

20. The maximum number of guests which is permitted by this licence, as referred to at Condition 11, is **[specify]**. In determining the number of guests at any time occupying a short-term let, no regard will be given to children under the age of 10 years.
21. The holder of the licence shall ensure that the premises, including gardens, are not used for hosting additional guests in tents, caravans or mobile homes.

Noise and Antisocial Behaviour

22. The licence holder shall 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. Without prejudice to the generality of the foregoing, 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; and 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.
23. The licence holder shall also take reasonable steps to ensure that guests do not first arrive or finally depart from the premises between the hours of 11 pm to 7 am. The licence holder must advise guests of this as part of their booking terms and conditions.

Tidiness of Communal Areas

24. Where premises are licensed for secondary lettings, the licence holder must at all times have in place a commercial waste uplift contract with an appropriate service provider, including having suitable and sufficient numbers of waste receptacles and uplifts to service these receptacles.
25. For all short-term let licences, the licence holder must: (i) clearly label bins as belonging to the premises; (ii) ensure so far as reasonably practicable that guests manage their waste in compliance with Condition 26 below, including when they depart; and (iii) maintain the bin storage area and the exterior of the premises in a clean and tidy condition.
26. At the end of each letting period, all litter and waste (including, without prejudice to the generality of the foregoing, any bulk items such as old sofas and mattresses) arising from the premises must be removed and disposed of appropriately.

Maintenance

27. The licence holder shall ensure, so far as reasonably practicable, that the premises, including any communal and external areas, are maintained in a reasonable state of repair and upkeep.

Fixings

28. The licence holder must not affix a key box, or other device to facilitate guest entry to the property, to any public or jointly owned private infrastructure without prior written permission of the relevant authority or owner(s). The licence holder must be able to produce the permission to the licensing authority on request.