

Housing (Scotland) Act 2006

Application for the grant or renewal of a licence for a House in Multiple Occupation

Please answer each question in black ink and capital letters or typescript

To be completed if applicant is individual natural person.			
1	Full name		
	Address and postcode		
	Home phone number:	Business phone number	
	Age, Date & Place of Birth:	Age:	Date of Birth
			Place of Birth
		Is applicant to carry out the day-to-day management of the activity?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	If No , please state full name, address and date of birth of any employee or agent so engaged.		
To be completed if applicant is not an individual natural person (eg a company / partnership)			
2	Full company name		
	Company address and postcode		
	Company phone number		
	Full name, address and date of birth of directors, partners or any other persons responsible for its management.		
	Full name, address and date of birth of employee or agent who is to carry on day to day supervision of the premises to be licensed.		
3	Name (if any) and address of premises for which a licence is required (hereinafter called "the premises")		

4 Number of Occupants a) Total number of residents who can be accommodated at any one time.	
b) Total number of owner/s family or family of person/s managing premises, normally resident at one time.	
Number of Rooms a) Total number of habitable rooms in house (include kitchen).	
b) Total number of rooms which could be let.	
c) Total number of public rooms available for use by residents which are not private bedrooms ie lounge, dining room etc	
d) Number of WCs.	
Residents <i>Please tick where appropriate</i> Do you intend to cater for long term residents including students who will occupy the premises at their main home whilst resident in Renfrewshire	Yes <input type="checkbox"/> No <input type="checkbox"/>
Rental Charge Give an indication of the normal rental charge for residents.	
Catering Arrangements <i>Please tick where appropriate</i> a) Do you offer bed and breakfast accommodation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
b) Do you offer full board accommodation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
c) Do you offer self catering accommodation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
d) Do you offer self contained accommodation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
e) Do you offer bed only accommodation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Relevant Permissions If appropriate, has planning permission under the terms of the Town & Country (Scotland) Acts been applied for in respect of the use of the premises as a house in multiple occupation? If Yes, give details and date of lodging applicant and, if applicable, date planning permission granted.	Yes <input type="checkbox"/> No <input type="checkbox"/>

5 Has / have the applicant(s) / director(s) or any other person named in this application ever been convicted of any crime or offence, If so, subject to the provisions of the Rehabilitation of Offenders Act 1974, give details below. Please note that a police check will be carried out in order to obtain further information.

Offence	Court	Date	Sentence

6 a) Specify the insurance in force covering details of insurance company and amount of cover.

b) Enclose with application insurance certificate or other proof of insurance cover.

7 a) If the application is for renewal of a licence, have any material changes been made to the premises?

If **yes**, please give details

b) Certificates of compliance must be submitted from competent and qualified individuals confirming that the necessary standards are being maintained and that no material changes have been made to the premises.

c) An application for renewal must also be accompanied by a safety certificate.

8 * a) I/We declare that I/we shall, for a period of 21 days commencing with the date hereof, display on or near the premises mentioned at Question 3 so that it can conveniently be read by the public, a notice complying with the requirements of Paragraph 2 (1) of Schedule 4 to the Housing (Scotland) Act 2006. A form which may be used for this purposes is attached.

OR

b) I/We declare that I am/we are unable to display a notice of this application at or near the premises because :

(i) I/we have no rights of access or other rights enabling me/us to do so, but that I /we have taken the following steps to acquire the necessary rights, namely: (specify steps taken)

.....
but have been unable to acquire those rights.

or

(ii) displaying a notice would likely jeopardise safety or welfare of persons or security of the premises

c) I declare that the particulars given by me on this form are correct to the best of my knowledge and belief.

d) Data Protection Act 1988 - I understand the information provided in this form will be used for the purposes of processing this application. Some of the information may be stored on computer file. The Council may check information provided with other information held. The information may need to be shared with other Council departments or passed to Strathclyde Police or Strathclyde Fire Brigade to check the accuracy of the information, to obtain further information pertinent to the application or to prevent or detect fraud or crime.

Date Signature of Applicant or Agent

Agent's Address

Position of Applicant in Company/Partnership if not otherwise stated:-

IMPORTANT

* Delete a) or b)(i) or (ii) as appropriate. Where declaration a) is made there must be produced in due course a certificate of compliance under paragraph 2(5) of Schedule 4 to the Housing (Scotland) Act 2006

Any house:-

- a) Which is or requires to be registered -
 - i) as a nursing home under the Nursing Homes Registration (Scotland) Act 1938;
 - ii) as a residential establishment under S62 of the Social Work (Scotland) Act 1968; or
 - iii) as a private hospital under the Mental Health (Scotland) Act 1984;
- b) Which is occupied primarily for the purpose for the provision of school students of residential accommodation by an education authority, the board of management of a self-governing school or the managers of a grant aided or independent school (or by any other person in pursuance of such arrangements made by an education authority or any such board of management or managers);
- c) Which is occupied by a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering;
- d) Which is occupied only -
 - i) by qualifying persons, each of whom has a heritable right of ownership of the house; or
 - ii) by a person who is a member of the same family as such a qualifying person; or
- e) In respect of which a control under Section 178 of the Housing (Scotland) Act 1987 is in force

shall not constitute a house in multiple occupation.

Housing (Scotland) Act 2006

Application for the Grant or Renewal of Licence for a House in Multiple Occupation

Notes for Guidance

1. Licences will normally be granted for three years.
2. If the property is a tenement please give the flat number.
3. For new applications a detailed single line plan of the premises (one principal and four copies) must be lodged with the application. Plans should be on scale 1:50.
4. A copy of any standard lease used at the premises must also be submitted.
5. Application for renewal of a licence must be accompanied by certificates of compliance from competent and qualified individuals certifying that the necessary standards are being maintained and no material changes have been made without the Council's consent. A safety certificate must also be produced. In respect of gas appliances from a Gas Safe registered individual and in respect of electrical installations/appliances from a registered member of The National Inspection Council for Electrical Installation Contracting (NICEIC), a member firm of the Electrical Contractors' Association of Scotland (SELECT), or a member of the National Association of Professional Inspectors and Testers (NAPIT).
6. An appropriate certificate of insurance or proof of insurance cover must accompany any application, showing public liability cover of £5 million.
7. Paragraph 2(1) of Schedule 4 to the Housing (Scotland) Act 2006 deals with the advertisement of your application. A style of notice is attached. The notice must be displayed on or near your premises in a position where it can be easily read for at least 21 days from the date of your application and you must return to the Council at the expiry of the 21 days, a copy of the notice with the certificate completed. There are certain exceptions from this requirement. Please check with the licensing section.
Telephone 0300 300 0300 for further details.

Application fees are non-refundable.

Contact Details

Tel: 0300 300 0300

E-mail: licensing.cs@renfrewshire.gov.uk

Office Hours

Monday to Thursday 8.45am - 4.45pm

Friday: 8.45am - 3.55pm

Or write to:

Renfrewshire Council
Licensing Section
Headquarters
Cotton Street
Paisley
PA1 1TT



Renfrewshire
Council

Display Notice

Housing (Scotland) Act 2006

Application for the

(insert grant or renewal)

of a

(insert type of licence applied for)

licence

I declare that an application as detailed above has been made to Renfrewshire Council A copy of the application form lodged with Renfrewshire Council is displayed opposite.

Any written representation relating to the application should be made to the Head of Corporate Governance, Renfrewshire Council, Licensing Section, Headquarters, Cotton Street, Paisley, PA1 1TT

before

(insert 21 days from the date the application is lodged with Renfrewshire Council)

Any objection or representation must be in writing and:

- must specify the ground of the objection or the nature of the representation,
- must specify the name and address of the person making it,
- must be signed by him/her or on his behalf, made within 21 days

Such a representation shall be considered to have been made within the period referred to if it is delivered by hand within that period or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered within that period.

The Board is entitled to consider a late written representation if it is satisfied that it was reasonable for it to be made after the 21 day period

Signed (by applicant)

PLEASE PRINT NAME:

This site notice must be displayed for the whole of the period of 21 days at, or near, the premises so that it can be conveniently read by the public.

Renfrewshire Council, Licensing Section, Headquarters, Cotton Street, Paisley, PA1 1TT

Certificate of Compliance

Housing (Scotland) Act 2006

I,

applicant for a licence

hereby certify that the Notice (as per overleaf) has been posted at or near the premises at:

from: to:

containing such information as is required by paragraph 2(5) of Schedule 4 to the above Act.

* Where the said Notice was removed, obscured or defaced during the abovementioned period, I took reasonable steps for its protection and replacement as follows:- (give details and circumstances)

Date:	<input type="text"/>	Signature:	<input type="text"/>
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Please complete this side of the form **after** the 21 days date and return to this office:

Renfrewshire Council
Licensing Section
Headquarters
Cotton Street
Paisley
PA1 1TT

* Please delete if inapplicable



Assistance for completing display notice and certificate of compliance

The DISPLAY NOTICE and the CERTIFICATE OF COMPLIANCE should be printed back to back.

The **DISPLAY NOTICE** must be completed and displayed at the premises to which the licence relates. Please note that the date on the display notice must be exactly 21 days from the date the application is lodged with the licensing section. (If posting your application please remember the 21 days will not commence until the application has been received at this office).

After the 21 days date has passed the **CERTIFICATE OF COMPLIANCE** (on the reverse of the display notice) requires to be completed and returned to the licensing office. The dates on this certificate must reflect the date the application is lodged and the 21 days thereafter.

Once the 21 days date has passed and both sides of this form have been completed correctly you must ensure that you submit the original to the licensing office.

If you are in any doubt about these dates, please contact the licensing office at the undernoted address for clarification.

Contact Details

Tel: 0300 300 0300

E-mail: licensing.cs@renfrewshire.gov.uk

Office Hours

Monday to Thursday 8.45am - 4.45pm

Friday 8.45am - 3.55pm

Or write to:

Renfrewshire Council
Licensing Section
Headquarters
Cotton Street
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PA1 1TT

This is the schedule annexed to the foregoing licence.

Housing (Scotland) Act 2006

Licensing Conditions for Houses in Multiple Occupation

1. The licence holder must take steps to ensure that the premises, fittings and furniture, including fire precautions, equipment, plumbing, gas, electrical installations, and appliances are maintained throughout the period of the licence to standard required by Renfrewshire Council Benchmark Standards for Houses in Multiple Occupation (the “Benchmark Standards”) and that the property remains at all times wind and water tight.
2. The licence holder must hold certificates required by the Benchmark Standards including safety certificates for heaters, certificates for the electrical system, PAT certificates, and gas safety certificates. The licence holder shall at all times be in a position to exhibit such documents on demand to the licensing authority. Where any certificate is due to expire during the term of the licence this must be renewed so that there is no break in continuity of certification.
3. The premises shall be provided with:
 - a. adequate means of escape in case of fire;
 - b. adequate means of ensuring that the means of escape can be safely and effectively used at all times;
 - c. adequate and suitable firefighting equipment;
 - d. a suitable fire detection and alarm system complying with relevant legislative standards;
4. The licence holder must ensure that advice to occupiers on action to be taken in the event of an emergency is clearly and prominently displayed within the premises.
5. The licence holder shall ensure that the premises at all times be structurally sound and by their nature be capable of carrying all loads imposed on them in compliance with the relevant British Standards in relation to loading of buildings.
6. All battery operated CO alarms installed in the premises must be replaced every five years.
7. Liquid Petroleum Gas (LPG) must not be used or stored in the premises.
8. The licence holder shall ensure that there is adequate insurance cover in place in respect of the premises. The property must be insured for its full reinstatement value. Public liability insurance cover should be held in the sum of £5 million.
9. The licence holder shall ensure that no alterations be permitted to the premises without the written permission of the licensing authority.

10. When there is any change to the information supplied to the licensing authority, including home address and contact details, the licence holder must notify Renfrewshire Council within 7 days of the change.
11. The licence holder must maintain the property so it meets the repairing standard as defined by the Housing (Scotland) Act 2006 and must keep the following maintained:
 - a. the structural fire precautions;
 - b. exterior routes to a place of safety (including routes from below emergency escape windows); and
 - c. installations for gas, electricity and other service and utility provisions.
12. The tenancy agreement for all residents must contain the statutory terms as prescribed by the Private Residential Tenancies (Statutory Terms) (Scotland) Regulations 2017 or any successor legislation, unless the tenancy agreement was entered into prior to 1 December 2017 or a statutory exemption applies. Copies of all current tenancy agreements must be exhibited on demand to the Licensing Authority.
13. The licence holder, when requested, must exhibit to the licensing authority any records retained in relation to the following:
 - a. The number of residents occupying the property; and
 - b. Dates of entry and departure of each resident.
14. The licence holder shall use all available means to ensure that no disturbance or anti-social behaviour arises within or from the premises.
15. The licence holder must ensure that actions to secure repossession must only be by lawful means.
16. The licence holder shall comply with the current regulations regarding the maximum resale price of gas and electricity supplied, as appropriate.
17. Adequate facilities must be provided for the storage and disposal of refuse and include adequate recycling facilities.
18. The licence holder shall ensure that residents' mail is available to residents on a daily basis.
19. The licence holder shall ensure that telephone socket is installed in the premises which residents can connect a telephone to for the purpose of calling the emergency services.
20. The number of persons residing at the premises at any one time shall not exceed the maximum number stated in the licence.

21. The licence holder shall allow free access to the premises for the following officials for licensing purposes:
 - a. any authorised officer of Renfrewshire Council;
 - b. any officer of Police Scotland; and
 - c. any officer of Scottish Fire and Rescue Service.
22. The licence holder shall display the licence and these conditions in a prominent position where it can be conveniently read by residents.
23. The licence holder shall deliver this licence document to Renfrewshire Council within seven days of the cancellation by the licence holder, or variation or revocation of the licence by Renfrewshire Council.

Housing (Scotland) Act 2006

Benchmark Standards for Houses in Multiple Occupation

- BS1. Prior to the granting or renewal of a house in multiple occupation (“HMO”) licence, all newly constructed, altered, converted or extended premises intended to be used as a HMO living accommodation will be inspected by Council Officers to ensure the HMO living accommodation complies with building standards applicable to the building as provided in the Buildings (Scotland) Act 2003 (as amended), the Buildings (Scotland) Regulations Act 2004 (as amended) or any successor legislation.
- BS2. The Health and Safety Act 1974 and accompanying regulations apply to HMO living accommodation where persons are employed on the premises. When applicable, the licence holder must be aware of their statutory obligations.
- BS3. Current legislative food standards apply to HMO living accommodation where food is provided as part of the living arrangements. When applicable, the licence holder must be aware of their statutory obligations.
- BS4. Enforcement of fire safety in licensable HMO living accommodation is the responsibility of the Scottish Fire and Rescue Service. Council officers will however take into account fire safety when inspecting the HMO living accommodation to ensure that it constitutes suitable living accommodation. Where any concerns are noted, these will be passed to the Scottish Fire and Rescue Service for their consideration as appropriate. Licence holders must be aware of their obligations under the Fire (Scotland) Act 2005 to conduct fire risk assessments and provide appropriate fire safety measures to ensure the safety of occupants. Licence holders should also be aware of any statutory guidance issued by the Scottish Government, which provides benchmarks for fire safety within relevant premises. When in doubt, advice should be obtained from a competent fire safety specialist. Both the Scottish Government and the Scottish Fire and Rescue Service recommend that duty holders who wish to contract the services of external fire safety risk assessors verify that the assessor is competent in fire risk assessment. Further information on risk assessor competence can be found at http://www.firescotland.gov.uk/media/1173445/sfrs_advice_on_fire_safety.pdf
- BS5. If furnishing or products are provided to occupants of the HMO living accommodation then the licence holder must be aware of their statutory obligations in relation to product safety.
- BS6. HMO living accommodation must, unless otherwise agreed in writing with the licensing authority, comply with the standards and recommendations provided for in relation to the suitability of HMO living accommodation in the Statutory Guidance for Scottish Local Authorities issued under section 163 of the Housing (Scotland) Act 2006 or any successor statutory guidance.

In addition, HMO living accommodation must, unless otherwise agreed in writing with the Licensing Authority, comply with the following additional standards:

AS1. Space and Layout

Every stair for a change in level of more than 600mm must have a handrail on at least one side, fixed at a height of at least 840mm and not more than 1m above the pitch line of a flight or surface of a landing.

AS2. Security

Secure locks must be placed on all access doors. All door locks must be capable of being opened from the inside without a key. The licensing authority may require additional security, including locks on accessible windows which may present a security risk.

AS3. Sanitary facilities, water and drainage

Any WC compartment must be suitably ventilated and, as a minimum, any ventilator must have an opening area of 1/30th of the floor area of the WC compartment it serves or a mechanical extraction capable of at least 3 air changes per hour.

AS4. Provision of heating

- A. Solid fuel appliances must be certified for safe use by a HETAS approved engineer or equivalent. Inspection and certification of solid fuel appliances are to be carried out at a frequency determined by the HETAS approved engineer.
- B. Any living accommodation in a smoke controlled area of Renfrewshire must ensure that any solid fuel appliance being used is exempt or that authorised fuels are used.
- C. Oil fired heaters must be certified safe for use by an OFTEC Registered Technician or equivalent. Inspection and certification of solid fuel appliances are to be carried out at a frequency determined by the OFTEC Registered Technician.
- D. Inspection and certification of solid fuel and oiled heaters are to be carried out at a frequency determined by the HETAS approved engineer (or equivalent) or OFTEC Registered Technician (or equivalent) as applicable.

AS5. Chimneys and Flues

- A. All chimneys/flues that are in use must be cleaned annually and a valid certificate provided by a member of The Guild of Master Chimney Sweeps or The National Association of Chimney Sweeps or equivalent. The licence holder must retain the current certificate and those of the previous two years.
- B. Open-flued combustion appliances should not be fitted in the same room (or in an adjoining room) as an extract fan. If no reasonable alternative is available, a spillage test must be carried out on the appliance. If the appliance is to burn solid fuel, the spillage test must be carried out by a HETAS approved engineer or equivalent. If the appliance is a gas appliance, the test must be carried out by a Gas Safe engineer or equivalent. The appliance must comply with all current relevant legislative standards.

AS6. Electrical Safety

- A. Any work to electrical installations must be carried out by an appropriately qualified person and in accordance with the relevant regulations, statutory guidance and all current legislative standards.

All bathrooms and shower rooms must be provided with an IP44 rated light fitting.