Mandatory 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(2).

**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 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.

**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—

(i)the effectiveness of any flue,

(ii)the supply of combustion air,

(iii)subject to head

(iv), its operating pressure or heat input or, where necessary, both,

(iv)if it is not reasonably practicable to examine its operating pressure or heat input

(or, where necessary, both), its combustion performance,

(v)its operation so as to ensure its safe functioning,

(g)the name and signature of the individual carrying out the check, and

(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,

Additional Conditions

**Anti-Social Behaviour**

1. 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 shortterm let and in the locality of the short-term let.

2. 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.

**Privacy and Security**

1. The licence holder must manage the premises in such a way as to respect and protect the privacy

and security of neighbours.

2. The licence holder must ensure:

• guests know and understand any rules applying to shared areas and entrances.

• guests understand that shared doors should be properly and securely closed after use; and

the provision of access codes or keys to guests cannot be used by guests to gain access to shared areas after they have finally departed.

• Guests are aware if private parking bays are in use and avoid using other spaces than those

dedicated to the short term let.

**Noise**

1. The licence holder must ensure that the bedrooms, living room and hallway in the premises are

carpeted. **(This condition may be imposed in instances of flatted accommodation with pre-existing**

**laminate flooring where complaints received regarding noise**)

2. The licence holder must ensure that noise monitoring equipment [of type x] is maintained in full

working order [in location y] and that the maximum reading does not exceed [a] decibels between 7

am and 11 pm, nor [b] decibels between 11 pm and 7 am. (**this condition may be imposed following**

**investigation or through representation at application stage of issues of noise from a particular**

**property**)

3. The licence holder must take reasonable steps to ensure that guests do not first arrive or finally

depart from the property 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.

(Note: “reasonable steps” allows for exceptions, such as significantly delayed transport.)

4. Where properties are located in blocks of accommodation, with shared access and communal

areas, steps should be taken to install door closures to reduce noise from doors unduly causing a

disturbance.

5. Licence holders must take steps to ensure guests to not play amplified music after the hours of

11pm within the property and any external garden areas if provided. (this condition may be imposed

following investigations into noise complaints or at application stage of a particular property.)

**Littering and Waste Disposal**

1. The licence holder must provide adequate information on, and facilities for, the storage,

recycling, and disposal of waste.

2. 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.

3. The licence holder must:

• clearly label bins as belonging to the premises.

• ensure that guests manage their waste in compliance with (2), including when they depart;

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

**Damage to Property**

1. 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.

**Maintenance of Property**.

1.Where there is a solid fuel appliance within the premises (i.e., wood burning stove), the holder of

the licence shall ensure:

- i. the chimney/flue associated with the appliance is inspected and cleaned annually by a

suitably competent person.

ii. a record of the annual inspection and cleaning of the flue can be produced, on request by

the Council

2. Where there is a hot tub provided at the premises, the holder of the licence shall ensure:

i. that it is suitably located and maintained to ensure it can be safely operated and used by

guests.

ii. that suitable and sufficient cleaning and disinfection procedures are in place.

iii. that guests are provided with clear instructions on its safe use and any restrictions on its

use.

iv. that it is kept securely covered when not in use.