

HOUSES IN MULTIPLE OCCUPATION LICENSING CONDITIONS

1. The Premises shall comply with the Scottish Borders Council's "Standards for Shared Accommodation".
2. Where appropriate the Licenceholder shall comply with The Food Safety Act 1990, The Food Hygiene Regulations, The Health and Safety at Work Act 1974, and the Furniture and Furnishings (Fire) (Safety) Regulations 1988 as amended from time to time.
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 fire-fighting equipment;
 - (d) an adequate fire alarm system;
 - (e) an adequate number of smoke detectors;
 - (f) an adequate number of Notices detailing procedures in the event of fire;
 - (g) adequate heating, lighting and ventilation.

The equipment required to comply with this Condition shall be adequately maintained at all times, and it shall be the responsibility of the Licenceholder to ensure adequate instruction is given to residents/occupants of the premises in the said procedures.

4. The use of the premises must comply with the terms of any planning permission and/or listed building consent issued by the Scottish Borders Council's Planning and Development Committee from time to time.
5. The use of the premises shall be as authorised from time to time by the Scottish Borders Council in terms of The Building (Scotland) Acts 1959 and 1970.
6. The number of persons residing in the premises at any one time shall not exceed the maximum number stated on the Licence.
7. Liquefied Petroleum Gas (LPG) shall not be used or stored in any part of the premises.
8. The Licenceholder shall allow access to the premises for the following officials for licensing purposes:-
 - (i) Any officer of The Scottish Borders Council;
 - (ii) Any officer of Lothian and Borders Police;
 - (iii) Any officer of Lothian and Borders Fire Brigade.
9. The Licenceholder shall be responsible for the day-to-day running of the premises and shall use all available means to ensure that no disturbance arises within or from the premises.
10. The Licenceholder shall ensure that adequate and up-to-date records are maintained for all residents. These records shall be made available on request to officers of The Scottish Borders Council and shall include the following details:-
 - (i) Each resident's full name;
 - (ii) Dates of entry and departure of each resident;
 - (iii) Each resident's record of rental payments/arrears.

11. Where the rent is payable weekly, the Licenceholder shall record all payments of rent in a Rent book which shall be retained by the resident. Otherwise, a written receipt of each rental payment shall be issued to residents.
12. The Licenceholder shall issue receipts for any rental deposits received.
13. The Licenceholder shall refund the rental deposit, or part thereof, within fourteen days of any agreed occupancy termination date or as soon as is practicable thereafter.
14. The Licenceholder shall comply with all relevant legislation affecting private sector residential tenancies, including any regulations made thereunder.
15. Occupancy agreements must meet with the approval of The Scottish Borders Council, and once approved must not be altered unless the Licenceholder obtains further Council approval.
16. The Licenceholder shall be responsible for ensuring that all electrical installations are in accordance with the current EE Wiring Regulations, and that electrical appliances provided by the Licenceholder are maintained in a safe and satisfactory condition. The Licenceholder shall be responsible for ensuring that a certificate of compliance and test, as appropriate, shall be submitted to the Council at least once every three years. A registered electrical contractor shall provide the certification of compliance.
17. The Licenceholder shall be responsible for ensuring that all gas-fired, oil fired and solid fuel installations are in accordance with the current British Standards, and that all appliances provided by the Licenceholder are maintained in a safe and satisfactory condition, including any chimney and/or flueing arrangement. The Licenceholder shall be responsible for ensuring that a certificate of compliance and test, as appropriate, shall be submitted to the Council at least once every three years. A registered competent contractor shall provide the certificate of compliance.
18. The Licenceholder shall comply with the current regulations regarding the maximum re-sale prices of gas and electricity supplied, where appropriate.
19. The Licenceholder shall ensure that residents' mail is available to residents on a daily basis.
20. A telephone to which the residents have access shall be installed in the premises for the purpose of calling the Emergency Services, and shall be maintained in good working order by the Licenceholder.
21. Adequate facilities must be provided for the storage and disposal of refuse.
22. Where appropriate the Licensee shall ensure that let rooms are secure with a suitable lock. The type of lock used must ensure that immediate exit from the room can be achieved without using a key.
23. The Licenceholder shall display the Licence and these Conditions in a prominent position within the premises.

STANDARDS FOR SHARED ACCOMMODATION

1.0 Fire Safety and Means of Escape from Fire

- 1.1 All premises must have adequate fire safety precautions and means of escape from fire. *(Note: Scottish Borders Council will consult with Lothian and Borders Fire Brigade on this matter and will take action to ensure compliance with their recommendations).*

2.0 Space Standards for Sleeping Accommodation

- 2.1 Sleeping accommodation should be single or double rooms. Minimum space standards are as follows:
8 square metres per person, where the room is only used as a bedroom
10 square metres per person, for a bed-sitting room

3.0 Cooking Facilities

- 3.1 Where board is not provided, each letting unit must contain a cooker (with rings, grill and oven) or a combination microwave. Where a common kitchen is provided it must contain a cooker (with rings, grill and oven) and sink for each five people or part thereof. No common kitchen shall be used by more than ten people.
- 3.2 Each sink must be provided with a hot and cold mains water supply and drainer.
- 3.3 Each letting unit or common kitchen must have suitable and sufficient facilities for preparing and storing food and for storing and disposing of refuse.

4.0 Sanitary Facilities

- 4.1 For each five people or part thereof there must be provided a bath or shower, water closet and wash-hand basin.
- 4.2 Each bath, shower and wash-hand basin must have hot and cold running water available at all times.
- 4.3 Each letting unit to be no more than one floor from any sanitary fitting. *(Note: These standards apply to the total number of people living in the premises, including owners, staff and residents).*

5.0 Other Facilities

- 5.1 Each premise must have a fixed space heating appliance or a central heating system, capable of either:-
(a) maintaining a temperature of 18 centigrade throughout the premises when the outside temperature is minus 1 centigrade, or
(b) making available not less than 3KW of heating in a living room.
- 5.2 Every bedroom, bed-sitting room and living room must have an openable window of an aggregate glazed area equal to at least 1/15th of the floor area of the room and situated in an external wall or roof.
- 5.3 Every kitchen, bathroom and wc compartment must have an openable window of an aggregate glazed area equal to at least 1/15th of the floor area of the room or a mechanical ventilation system capable of providing at least 3 air changes per hour.
- 5.4 Every bedroom or bed-sitting room must be located so that it is not necessary to pass through a kitchen or a bedroom in order to reach a bathroom, wc compartment or hall.
- 5.5 There must be an electric lighting system providing at least one lighting point to every room, kitchen, bathroom or wc compartment.

- 5.6 In every kitchen and bed-sitting room there must be provided at least 6 electric socket outlets: and in every bedroom and living room there must be provided at least 4 electric socket outlets.
- 5.7 The fabric of the premises must be maintained in a good state of repair. All fixtures and fittings within the premises must be maintained in a good state of repair and working order.
- 6.0 **General**
- 6.1 The Health and Safety at Work Act 1974 and the Food Hygiene Regulations will apply in any premises where persons are employed or where board is provided.