

ANGUS COUNCIL

HOUSES IN MULTIPLE OCCUPATION - LICENSING CONDITIONS

1. Where appropriate the licence holder shall comply with all relevant Statutes or Legislation and any Standards approved by Angus Council for the operation of HMO's.
2. The use of the premises must comply with the terms of any planning permission and/or listed building consent issued by Angus Council's Planning and Transport Committee from time to time.
3. The use of the premises shall be authorised from time to time by Angus Council in terms of The Building (Scotland) Acts 1959 and 1970 as amended or re-enacted from time to time.
4. The number of persons residing in the premises at any one time shall not exceed the maximum number stated on the licence.
5. The licence holder shall allow access to the premises for the following officials for licensing purposes:-
 - (a) any officer of Angus Council
 - (b) any officer of Tayside Police
 - (c) any officer of Tayside Fire and Rescue
6. The licence holder 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.
7. The licence holder shall ensure that the premises are 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
8. The licence holder shall ensure that the equipment required to comply with 7 above shall be adequately maintained at all times and it shall be the responsibility of the licence holder to ensure sufficient instructions are given to the residents of the licenced premises regarding the procedures to be followed in the event of a fire.
9. The licence holder shall keep appropriate records (to be determined by the Firemaster) of safety tests and inspections on all equipment referred to in 7 above which records shall be available for inspection by any officer referred to in 5 above.

10. The licence holder shall ensure that adequate and up-to-date records are maintained for all residents. These records shall be made available within 3 days upon request by an officer of Angus Council and shall include the following details:-
 - (a) each residents full name
 - (b) dates of entry and departure of each resident
 - (c) each residents record of rental payment/arrears
11. Where the rent is payable weekly, the licence holder 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 licence holder shall issue receipts for any rental deposits received.
13. The licence holder 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 licence holder shall comply with all relevant legislation affecting private sector residential tenancies, including any regulations made thereunder.
15. Occupancy agreements must meet with the written approval of Angus Council, and once approved must not be altered without the prior approval of Angus Council.
16. The licence holder shall comply with the current regulations regarding the maximum re-sale price of gas and electricity supplied, where appropriate.
17. All gas and electrical appliances should be submitted for test at least once every 12 months. Work should be carried out by a qualified personnel (CORGI registered fitter in the case of gas appliances).
18. All articles supplied by the licence holder to the leaseholder as part of the accommodation must comply with the requirements of the Consumer Protection Act 1987.

A non-exhaustive list of relevant Regulations made under the Act covering goods found in the average home is reproduced below:-

- (a) Furniture and Furnishing (Fire) (Safety) Regulations 1988

All upholstered furniture and soft furnishings must comply with the fire resistant standards required by the Regulations. This also includes mattresses. Furniture manufactured before 1 January 1950 is exempt.

- (b) Electrical Equipment (Safety) Regulations 1994

These Regulations state that all electrical equipment supplied to a leaseholder must be safe.

- (c) Plugs and Sockets Etc (Safety) Regulations 1994

Electrical Equipment must be supplied with a plug already attached. That plug must meet the requirement of BS.1363.

(d) The Heating Appliances (Fireguards) (Safety) Regulations 1991

Fireguards on heating appliances must conform to BS. 1945. Essentially this means that the gaps in any guard should not be so wide that a child could touch the heating element.

(e) Gas Appliances (Safety) Regulations 1995

All appliances must comply with these Regulations which state that appliances must be safe.

(f) The Bunk Beds (Entrapment Hazards) (Safety) Regulations 1987

These Regulations apply to bunk-beds supplied for the use of children under the age of six and relate to the gaps usually found in bunk-beds. They must be no greater than 75 millimetres on the part of the bed that the mattress rests on. Any other gap on the bunk-bed shall not be less than 60 millimetres nor more than 75 millimetres.

(g) The General Product Safety Regulations 1994

These Regulations apply to any item not specifically covered by Regulations. Essentially they state that goods supplied to a tenant shall be safe.

For advice on the specific detail of those Regulations the licence holder should contact Angus Council's Trading Standards Officers at Ravenswood, 8 New Road, Forfar, DD8 2WD. Tele (01307) 461460.

19. The licence holder shall display the licence, these Conditions and "Standards for Licensed Houses in Multiple Occupation" in a prominent place within the premises.
20. The accommodation and use as indicated on the plan must not be altered without prior approval.