|  |  |
| --- | --- |
| Falkirk Council Crest | **Falkirk Council** Licensing Unit The Foundry4 Central Boulevard Central Park LarbertFK5 4RUTelephone: 01324 501575E- mail: licensing@falkirk.gov.uk |

**Civic Government (Scotland) Act 1982 (Licensing of Short term lets) Order 2022**

**Type of Application**

**for the grant of a temporary/new/renewal/variation of a Short Term Lets Licence**

# SECTION 1 - APPLICATION AND LICENCE TYPE

**Question 1**

|  |  |
| --- | --- |
| Is the application in respect of a new grant, renewal or variation? | TEMPORARY / NEW / RENEWAL / VARIATION |
| If existing give details | Licence No.:Expiry Date: |

**Question 2**

Nature of Business / Activity to be licenced.

|  |  |
| --- | --- |
|  | **Tick all which apply** |
| Home sharing | [ ]  |
| Home letting | [ ]  |
| Home sharing & home letting | [ ]  |
| Secondary letting | [ ]  |

**Question 3**

If you do not own the property which is the subject of this licence application, do you have proof of permission from the owner(s):

Yes [ ]  No [ ]  N/A [ ]

**SECTION 2** - **PROPERTY DETAILS**

**Question 4**

|  |  |
| --- | --- |
| Property Address (including postcode) |  |
| Unique Property Reference Number (if applicable) |  |
| Maximum number of occupants |  |
| Number of bedrooms |  |
| EPC rating (if applicable – notrequired for home sharing or unconventional accommodation*)* |  |

**Question 5**

Please select the type of property:

Detached House [ ]  Semi-detached house [ ]  Terraced House [ ]  Flat [ ]  Unconventional accommodation (Please specify) [ ]

..................................................................................................................................................

..................................................................................................................................................

..................................................................................................................................................

**Question 6**

From the following options, please select the description that best describes your short-term let:

|  |  |
| --- | --- |
| Self-Catering |[ ]  B&B |[ ]
| Guest House |[ ]  Other form of home sharing |[ ]
| Home Letting |[ ]   |  |

**Question 7**

|  |  |
| --- | --- |
| Have any alterations, extensions or conversion works been carried out to the property? | YES/NO |

If yes, provide details of any Building Warrant obtained including reference (if known):

..................................................................................................................................................

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..................................................................................................................................................

..................................................................................................................................................

**Question 8**

|  |  |
| --- | --- |
| Do you intend on carrying out alterations, extension or conversion works to the property? | YES/NO |

# SECTION 3 – APPLICANT DETAILS

**Question 9**

To be completed only if the application is being made by a natural person (i.e., Individual)

|  |  |
| --- | --- |
| (a) Full name of applicant |  |
| (b) Home Address (including postcode) |  |
| (c) Date of Birth |  |
| (d) Town and Country of Birth |  |
| (e) Email Address |  |
| (f) Mobile Telephone Number |  |
| (g) Home Telephone Number |  |
| (h) Works Telephone Number |  |

Please provide your home address history for the last 5 years with no gaps or overlaps, starting with the most recent. Please confirm the dates you resided at these properties:

|  |  |  |  |
| --- | --- | --- | --- |
| Address (history for last 5 years) | Postcode | Date from (month/year) | Date to (month/year) |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**Question 10**

|  |  |
| --- | --- |
| Is your property jointly owned? | YES/NO |

If you answered yes to question 10, please provide details for all joint owners. Joint owner(s):

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Full name | 5-year address history | Date and Place of Birth | Email address | Telephone number |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

*Individuals, please go to Section 4.*

*Corporate entities, please complete the relevant sections on the following pages.*

**Question 11**

To be completed only if the application is by a non-natural person (i.e., partnership, company, trust, or charity).

|  |  |
| --- | --- |
| (a) Full name of partnership, company, trust or charity. (If a partnership a copy of theagreement must be submitted with the application). |  |
| (b) Limited company number (if applicable) |  |
| (c) Address of principal/registered office including postcode. |  |
| (d) Telephone number of principal/registered office. |  |
| (e) E-mail Address |  |

(f) Names, private addresses and place and date of birth of its directors, partners, or other persons responsible for its management including trustees in the case of charities. (Continue on a separate sheet if necessary).

|  |  |  |
| --- | --- | --- |
| Full Name | Private Address | Date and Place of Birth |
|  |  |  |
|  |  |  |
|  |  |  |

**Question 12**

|  |  |
| --- | --- |
| Do you have or intend to appoint any agent or day-to-day manager for the property? | YES/NO |

If you have answered yes to the above question please provide details of your agent or day to day manager. Please also include all other named persons to be on the licence.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Full name | Role | 5-year address history | Date and Place of Birth | Email address | Telephone number |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
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|  |  |  |  |  |  |

# SECTION 4 - CONVICTIONS

**Question 13**

Has anybody named on the application been convicted of any offence? Please include details of any unspent convictions in the table below:

Failure to disclose all current convictions/conditional offers etc may result in the application being returned to the applicant. (Continue on a separate sheet if necessary).

1. **Convictions**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Date | Offence | Court or Country outwith UK | Sentence/Penalty |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

1. **Conditional Offers and Fixed Penalties**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Date | Offence | Court or Country outwith UK | Sentence/Penalty |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**If an application for a Short Term Lets licence was refused by this authority within the last year a further application will only be accepted if there has been a material change in circumstance. This information must be provided with the application.**

# SECTION 5 – CHECKLIST OF PAPERWORK SUPPORTING THIS APPLICATION

The following relevant documentation must be submitted with the application otherwise the application will not be accepted. We will accept copies of original documentation.

|  |
| --- |
| **I have enclosed the following –** please tick to confirm (or enter N/A) |
| Completed application form | [ ]  |  |
| Completed Fire Risk Assessment | [ ]  |  |
| Annual gas certificate (for premises with a gas supply) | [ ]  | Valid to: |
| Electrical Installation Condition Report | [ ]  | Valid to: |
| Portable Appliance Testing Report | [ ]  | Valid to: |
| Legionella Risk Assessment | [ ]  |  |
| Planning permission (If required) | [ ]  | Planning application reference number: |
| Floor plan (if required) | [ ]  |  |
| EPC Certificate (for premises which are dwellinghouses) | [ ]  | Valid to: |
| Buildings Insurance Certificate | [ ]  | Valid to: |
| Public Liability Insurance to the value of£2million. | [ ]  | Valid to: |
| Proof of consent from owner (if applicable) | [ ]  |  |
| Proof that furniture and furnishings/the furniture and furnishings guests have accessto comply with fire safety regulations | [ ]  | (Photos of fire retardant labels are acceptable) |
|  |
| **I have:** – please tick to confirm (or enter N/A) |
| Identified the owners and those involved in the day-to-day management of my premises | [ ]  |
| Ensured that to the best of my knowledge all those named on my application are fit and proper persons | [ ]  |
| Prepared information that will be available to guests at the premises including:1. a certified copy of the licence and the licence conditions,
2. fire, gas, and electrical safety information,
3. details of how to summon the assistance of emergency services,
4. a copy of the gas safety report,
5. a copy of the Electrical Installation Condition Report, and
6. a copy of the Portable Appliance Testing Report.
 | [ ]  |
| Applied for planning permission (if required) | [ ]  |
| Noted the requirement to display my licence number and EPC rating on listings for my premises | [ ]  |
| Read and understood the mandatory conditions that will apply to my licence | [ ]  |
|  |
| **My premises:** – please tick to confirm (or enter N/A) |
| Meets current statutory guidance for provision of fire, smoke, and heat detection | [ ]  |
| Meets statutory guidance for carbon monoxide alarms | [ ]  |
| Meets the required regulations for private water supplies (for premises with a private water supply i.e., not provided by Scottish Water) | [ ]  |
| Meets obligations regarding the Tolerable and Repairing standard (applicable to dwellinghouses) | [ ]  |

# SECTION 6 – SITE NOTICE

TO BE COMPLETED BY INDVIDUAL, PARTNERSHIP, TRUST, CHARITY OR COMPANY

Complete (A) or (B) as appropriate. Where declaration (A) is made there must be produced in due course a Certificate of Compliance with Paragraph 2 of Schedule 1 to the Civic Government (Scotland) Act 1982.

* 1. I/We declare that I/We shall for a period of 21 days commencing with the date hereof, display at or near the premises location so that it can conveniently be read by the public, a notice complying with the requirements of Paragraph 2 of Schedule 1 to the Civic Government (Scotland) Act 1982.

Or

* 1. I/We declare that I am/we are unable to display a notice of this application at or near the premises location because 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: (Here specify steps taken)

…………………………………………………………………………………………………

………………………………………………………………………………………………… But have been unable to acquire those rights.

**DO NOT DISPLAY THE NOTICE UNTIL THE APPLICATION FEE HAS BEEN PAID**

# SECTION 7 - DECLARATION

**Falkirk Council, as licensing authority, will use information it holds about you to determine whether you are a fit and proper person to operate a short-term let. In addition, licensing authorities to which you apply may share relevant information they hold about you with one another to help those authorities determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. They may also share and seek relevant information with Police Scotland and, if appropriate, other relevant authorities.**

**Anyone who gives false information on this form or fails to provide the information required by this form, is committing an offence which could lead to prosecution.**

I (print full name) declare that I have read and

understood the mandatory conditions that apply to short term let licences.

Date:…………………………………Signed……………………………………………………….

**INDIVIDUAL PERSON**

I declare that the information given in this application is correct.

Date:

Signature of applicant/agent:

Or Agent address:

**COMPANY / PARTNERSHIP, (\*Insert company / partnership name)**

On behalf of \* , I declare that the information given in this application is correct.

Date: Signature of person authorised to sign on behalf of company/partnership/trust/charity:

Address of Signatory (if not already specified in the application form)

Please indicate where all correspondence should be sent to applicant/agent/manager. Also, where possible provide an e-mail address for correspondence where appropriate.

Applicant [ ]

Agent [ ]

Manager

[ ] E-mail address:

**This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form within this authority for the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes.**

N.B. Any person who in, or in connection with, the making of this application makes any statement which he/she knows to be false or recklessly makes any statement which is false in a material matter shall be guilty of an offence and liable, on summary conviction, to a fine.

Your privacy is important to us. You can find out how we deal with your personal information here <http://www.falkirk.gov.uk/privacy/law-licensing/licensing/>

Annex 1

Short Term Lets Mandatory Licence 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.

**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 & 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.

(g) instructions as to what guests should do in the event that the carbon monoxide alarm sounds, and

(h) if there is a mobile gas cabinet heater in the premises, safety instructions as to the operation and movement of that mobile heater.

**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,

“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 is 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, and

“type of short-term let” means one of the following purposes—

1. secondary letting,
2. home letting,

(c) home sharing, or

(d) home letting and home sharing.



**FALKIRK COUNCIL**

**CIVIC GOVERNMENT (SCOTLAND) ACT,1982 CERTIFICATE OF COMPLIANCE**

**I,…………………………………………………………………………….**

**Applicant for a Short Term Lets Licence hereby certify that a Notice was posted at or near the premises at**

**……………………………………………………….………….......................................**

**……………………………………………………………………………………………… from…………………………………………….. to…………..…………………………..**

**containing such information as required by paragraph 2 of Schedule 1 to the above Act.**

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

**………………………………………………………………………………………………**

**………………………………………………………………………………………………**

**………………………………………………………………………………………………**

**………………………………………………………………………………………………**

**Date………………………………….. Signature………………………………..**

**\*Delete if not applicable**

**PUBLIC NOTICE OF APPLICATION FOR SHORT-TERM LETS LICENCE**

**The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022**

## [ ]  New application [ ]  Renewal

|  |  |
| --- | --- |
| Applicant name |  |
| Applicant’s address |  |
| Postcode |  |

Has applied to **Falkirk Council** for a Short-term lets licence.

|  |  |
| --- | --- |
| Short-term let premises address*(if different from applicant’s address)* |  |
| Type of licence applied for | Home sharing / home letting / home sharing & home letting / secondary letting***[DELETE as appropriate]*** |
| Day-to-day manager / agent details*(If different from applicant)* | Name: Address: |

**Representations**

Representations about the application may be made by any member of the public. Representations must:

* + be in writing;
	+ specify the grounds of the objection or, as the case may be, the nature of the representation;
	+ set out the name and address of the person making it;
	+ must be signed by the person, or on their behalf; and
	+ be made within 28 days of public notice of the application being given.

Copies of any representations will be given to the applicant. If a representation is made to the Licencing Authority after this date but before a final decision is taken on the application, then the Licensing Authority may consider the late representation if it is satisfied that it was reasonable for the representation to have been made after the deadline.

Representations should be sent to **Falkirk Council Licensing Section** via email licensing@falkirk.gov.uk or alternatively by post -Falkirk Council, Licensing Section, The Foundry, 4 Central Boulevard, Central Park, Larbert, FK5 4RU

|  |  |
| --- | --- |
| Date application lodged / public notice given | / / |
| Last date for representations | / / |

* This notice must be displayed on or near the short-term let property in a position where it can be easily read by the public.
* This notice must be displayed for a period of 21 days from the date the application was lodged with the Licensing Authority.
* After the notice has been displayed for 21 days, a certificate of compliance must be completed and the whole notice returned to the Licensing Authority at the address above, alternatively confirmation of display can be submitted in writing and signed, together with full applicant and property details.

## Application Checklist

This list helps you check you have the relevant information to submit an application for a licence. Getting your application right first time will help you to get a decision more quickly.

|  |
| --- |
| **Preliminary** |
| I am providing or intend to provide short-term lets |  |
| I know which type of licence I want to apply for:* home letting
* home sharing
* home sharing and home letting; or
* secondary letting.
 |  |
| I have identified my licensing authority based on the address of my premises. You can find out which local authority your property is located in by entering the postcode at the following webpage: [Find your local council](https://www.gov.uk/find-local-council) [-](https://www.gov.uk/find-local-council) [GOV.UK (www.gov.uk)](https://www.gov.uk/find-local-council) |  |
| I have checked whether my licensing authority considers applications for temporary exemptions and, if so, whether I should apply for one. |  |
| I have checked whether my licensing authority considers applications for temporary licences and, if so, whether I should apply for one. |  |

|  |
| --- |
| **Applicants** |
| I have identified the owners and those involved with the day-to-day management of my premises. |  |
| I have the permission of the owners of the premises (or their representative) in writing to use it for this purpose. |  |
| To the best of my knowledge, I, and the other people I will name on my application are fit and proper persons. |  |
| I have contact details for the people and organisations I will name on my application form. |  |

|  |  |
| --- | --- |
| **Mandatory conditions** |  |
| **Responsibility for the property** | **Agents** – I have identified those involved with the day-to-day management of my premises and know that I cannot change them without the licensing authority’s approval. |  |
| **General safety and standards** | **General safety** – I have taken all reasonable steps to ensure the property is safe for residential use. |  |
| **Occupancy** - I know how many guests I want to accommodate, and I consider that I can do this safely. I have checked what the licensing authority will need to see regarding floor plans. |  |
| **Repairing standard** – I have worked out whether my premises is a dwelling-house and whether the repairing standard applies to me.[*If relevant*] My premises meets the repairing standard. |  |
| [*If relevant*] **EPC** – my premises has a valid EPC certificate issued within the last 10 years. |  |
| **Fire safety** | **Fire safety: premises** – I have installed satisfactory equipment to detect and warn against fire or suspected fire, and carbon monoxide. |  |
| **Fire safety: furniture and furnishings** - my furniture and furnishings / furniture and furnishing guests have access to comply with fire safety regulations and I have records that demonstrate compliance. |  |
| **Gas safety** | **Gas safety** – I have an up-to-date Gas Safety Certificate (dated within the last 12 months). |  |
| **Electrical safety** | **Electrical safety –** I have made sure my electrical fittings and items are in good working order; |  |
| arranged for an **electrical safety inspection** to be carried out by a competent person; |  |
| obtained an **Electrical Installation Condition Report** on any fixed installations; and |  |
| obtained a **Portable Appliance Testing Report** on moveable appliances to which my guests have access and labelled inspected items. |  |

|  |  |  |
| --- | --- | --- |
| **Water safety** | **Water supply** – I have established that my premises are supplied with water by Scottish Water **or** I have established that my premises has a private water supply and I comply with the relevant regulations. |  |
| I have completed a **legionella risk assessment** for the premises |  |
| I have completed a separate **legionella risk assessment** for a hot tub / spa pool |  |
| **Other** | **Information for guests** – I have prepared information for guests and know where I will put it for them on the premises. |  |
| **Planning permission** – I have established whether I need to submit evidence that I have planning permission (or a certificate of lawful use of development) or have made an application. |  |
| **Listings: licence number** – I have made plans to display my licence number on adverts and listings. |  |
| *[If relevant]* **Listings: EPC rating**– I have made plans to display my EPC rating on adverts and listings. |  |
| **Buildings insurance** – I have checked that there is valid buildings insurance in place for the premises. |  |
| **Public liability insurance** - I have checked that there is valid public liability insurance in place whilst my premises is let as a short-term let. |  |

|  |
| --- |
| **Other matters to consider** |
| **Food safety** - I understand the food hygiene and safety rules that apply to me. |  |
| **Alcohol Licensing** – [if relevant] I understand the requirements if I wish to sell alcohol on my premises and have a valid licence with Falkirk Council.Further information is available here: [Alcohol - Premises licence | Falkirk Council](https://www.falkirk.gov.uk/services/law-licensing/licensing/alcohol/premises-licence.aspx) |  |
| I comply with legal requirements that relate to **fire safety** set out in the Fire (Scotland) Act 2005. |  |
| I have checked the **title deeds** of my premises. |  |
| I will declare my income from my short-term let activity for **tax** purposes. |  |
| I have checked with my **lender** that I am allowed to use my premises for this purpose. |  |
| I am complying with **other legal requirements** that affect me, my business or my premises. |  |
| I have considered **engaging with my neighbours** |  |

|  |  |
| --- | --- |
| Scottish Fire and Rescue Service Logo. | **SHORT TERM LET (STL) LICENSING FIRE SAFETY CHECKLIST** |

|  |  |
| --- | --- |
| **Address** |  |
|  |
|  | **Postcode** |  |
| **Dutyholder** |  | **Contact Tel No** |  |
| **Contact Email** |  |
| **Premises STL Reference** |  |
| **Section A: Premises Profile** | **Yes** | **No** |
|  |
| **1. Is the maximum occupancy of the premises for 10 persons or less (including children); or Is the premises being used for home letting / home sharing / secondary letting for 8 guests or less (including children)?** | [ ]  | [ ]  |
| **2. Does the premises have an escape route from each short term let bedroom via a traditional hall and/or stair to at least one final exit door (which has direct access to the outside)?** | [ ]  | [ ]  |
| **3. Does the premises have letting accommodation consisting of one or two floors only, with no provision below ground floor level?** | [ ]  | [ ]  |
| **4. Does the premises have a storey area less than 200 m2 internal floor space?** | [ ]  | [ ]  |
|  |
| **Section B:** | **Yes** | **No** |
|  |
| **5. Have you carried out and recorded a Fire Safety Risk Assessment which is available for inspection?** | [ ]  | [ ]  |
| **6. Has the Fire Safety Risk Assessment fully considered the diverse range of needs that guests may have in relation to fire safety?** | [ ]  | [ ]  |
| **7.** Has the Fire Safety Risk Assessment been reviewed in the previous 12 months?*Where answer is “No” see guidance below for further advice* | [ ]  | [ ]  |
|  | **Have escape routes (fire resisting construction and self-closing fire doors where appropriate) been assessed as adequate for the property type through the premises Fire Safety Risk Assessment?** | [ ]  | [ ]  |
| **Can you confirm that no inner rooms are used as sleeping accommodation?** | [ ]  | [ ]  |
| **Are escape routes (including communal areas, where present) clearly signed as such and kept free from obstruction at all times?** | [ ]  | [ ]  |
| Have you recorded the evacuation procedures and ensured that guests are aware of them? E.g. have they been provided with the information in the form of a fire action notice or via a welcome folder? *Where answer is “No” see guidance below for further advice* | [ ]  | [ ]  |

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|  |  |  |
| --- | --- | --- |
|  | **Yes** | **No** |
| **8. Doors and Exits** | Do all final exit doors, including the main entrance used by guests, open from the inside without use of a key?*Where answer is “No” see guidance below for further advice and engage with your Local Authority Licensing section.* | [ ]  | [ ]  |
| **9. Firefighting Equipment (Extinguishers)** | Is the firefighting equipment adequate for the risk in the premises (number, type, location)? \*\* as assessed through the premises Fire Safety Risk Assessment?*Where answer is “No” see guidance below for further advice* | [ ]  | [ ]  |
| Is firefighting equipment maintained annually and recorded on the test labels and/or log book?*Where answer is “No” see guidance below for further advice* | [ ]  | [ ]  |
| **10. Automatic Fire Detection** | **Is the level of automatic fire detection adequate within the premises as assessed through the premises Fire Safety Risk Assessment?** | [ ]  | [ ]  |
| Is the system tested weekly/monthly/annually and the results recorded in a Log Book?*Where answer is “No” see guidance below for further advice* | [ ]  | [ ]  |
| **11. Emergency Lighting** | **Is there adequate provision for the lighting of emergency routes in the event of a mains failure as assessed through the premises Fire Safety Risk Assessment?** | [ ]  | [ ]  |
| Is any equipment provided tested and maintained with the results of tests recorded in a Log Book?*Where answer is “No” see guidance below for further advice* | [ ]  | [ ]  |
| **12. General** | Is there an up to date Fire Log Book including test certificates available for audit?*Where answer is “No” see guidance below for further advice* | [ ]  | [ ]  |
| **Declaration** (See Dutyholder Responsibilities below) | **I understand I have legal responsibilities under the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006.****I confirm that I have read, understood and accurately answered the questions in this Fire Safety Checklist** |  [ ]  Yes |

**Dutyholder Responsibilities**

The Dutyholder has legal responsibilities under the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006 for ensuring fire safety in their premises. Accurate completion of this Fire Safety Checklist is the responsibility of the Dutyholder. As Dutyholder, you must ensure that you read, understand and accurately answer each question. If you do not understand a question, or do not have the information available to answer any of the questions, you should not complete or submit the Fire Safety Checklist until you do.

**Further Guidance and Advice for Dutyholders**

You can find further guidance at [www.firescotland.gov.uk/your-safety/business-advice/](http://www.firescotland.gov.uk/your-safety/business-advice/) and at the links below:

1. [Practical Fire Safety Guidance for Existing Premises with Sleeping Accommodation](https://www.gov.scot/publications/practical-fire-safety-guidance-existing-premises-sleeping-accommodation-2/) (Where answers are yes in all of section A Annex 2 may be used.)
2. [Non-domestic fire safety](https://www.gov.scot/policies/fire-and-rescue/non-domestic-fire-safety/)

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