

For Official Use:-	
Date Received:	
Fee Paid £:	
Expiring:	

**ORKNEY ISLANDS COUNCIL
HOUSING (SCOTLAND) ACT 2006**

**APPLICATION FOR THE GRANT OR RENEWAL OF A LICENCE FOR A
HOUSE IN MULTIPLE OCCUPATION**

Please answer Question 1 or 2, and **all** other questions

1. To be completed if a natural person (i.e. individual) (a) Full Name (Block Letters)	Surname:		Forename(s):
(b) Home Address and Telephone No.			
(c) Age, Date and Place of Birth	Age	Date of Birth	Place of Birth
(d) Does applicant propose to operate the HMO? If not, give full name, address and date and place of birth of any employee or agent who will manage the operation of the premises.			
2. To be completed if not a natural person (eg Company or Partnership)			
(a) Full Name			
(b) Address of Principal Registered Office and Telephone No.			
(c) Full names, private addresses and dates and places of birth of all directors, partners or other persons responsible for the management of the business.			
(d) Full name, address and date and place of birth of employee or agent to carry on day-to-day management of the business.			
3. Will the activity be operated for the benefit of a person other than the applicant? If so, give the full name, address and date and place of birth of that person	YES/NO		

<p>4. (a) Have you previously held or do you hold a House in Multiple Occupation Licence.</p>	<p>YES / NO</p>
<p>If YES, when was the licence granted? When did / does it expire? Which Authority granted the licence?</p> <p>(b) Have you ever applied for and been refused a House in Multiple Occupation Licence?</p> <p>If YES, when were you refused? Which Authority refused the licence?</p>	<p>YES / NO</p>
<p>5. Name (if any) and address of the premises for which a licence is required</p>	
<p>6. Please give a general description of the type of premises (e.g bungalow, flat (specify floor(s)) etc.)</p>	
<p>7. Please specify the number of rooms used as</p> <p>(a) Bedrooms (b) Bed Sitting Rooms (c) Bathrooms (d) Kitchens (e) Lounges (f) Others (please specify)</p>	
<p>8. Specify the maximum Number of persons to be accommodated on the premises at any one time.</p>	
<p>9. Does the applicant propose to prepare meals for tenants on the premises?</p> <p>If YES what meals are to be prepared</p>	<p>YES / NO</p>
<p>10. If appropriate, has planning permission under the terms of the Town and Country Planning (Scotland) Acts been applied for in respect of the use of the premises for Houses in Multiple Occupation?</p> <p>Has a Building Warrant been obtained for alterations to the premises ?</p> <p>If YES, give details and date of lodging of applications and, if applicable, date of planning permission granted / completion certificate obtained.</p>	<p>YES / NO</p>

11. Subject to the provisions of the Rehabilitation of Offenders Act 1974, has any party named in Question 1 or 2 above ever been convicted of any crime or offence? (continue on a separate sheet if necessary). Please read the guidance notes accompanying this form before completing this section.

Name of Person	Date	Court	Offence	Sentence

DECLARATION:

***(A1)** I/We declare that I/We shall, for a period of 21 days commencing with the date hereof, display at or near the premises so that it can conveniently be read by the public, a notice complying with the requirements of Paragraph 2(2) of Schedule 4 of the Housing (Scotland) Act 2006.

OR

***(A2)** I/We declare that I/We are unable to display a notice of this application at or near the premises because I/We have no rights of access or other rights enabling me/us to do so, but I/We have taken the following steps to acquire the necessary rights, namely: (specify steps taken) but have been unable to acquire those rights.

***Delete (A1) or (A2) as appropriate.** Where declaration (A1) is made there must be produced as soon as possible after the 21 days a Certificate that the Applicant has displayed the Notice.

***(B)** I am/We are not required to display a notice as to do so would jeopardise the safety or welfare of any person(s) or the security of the premises.

***Delete (A) or (B) as appropriate.**

(C) I/We declare that the particulars given by me/us on this form are correct to the best of my/our knowledge and belief.

(D) I/We understand that the fee for this application does not incorporate a fee for the inspection of the premises by the Highland & Islands Fire & Rescue Service and that I/We will pay a separate fee for such an inspection, if required.

(E) I/We understand that the information supplied by me/us as detailed in this form may be stored on a computer system by the Authority for the purpose of Registration of Premises and that information may be disclosed to the Police and other relevant parties for vetting and background enquiries whilst processing and determining the application.

(F) I/We understand that the Authority is under a duty to protect the public funds it administers and to this end may use the information I/We have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Signature of Applicant: **Date:**

Signature of Agent:
(if applicable) **Date:**

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 particular may be guilty of an offence and liable, on summary conviction, to a fine.

TO BE LODGED WITH THE ENVIRONMENTAL HEALTH MANAGER, ORKNEY ISLANDS COUNCIL, SCHOOL PLACE, KIRKWALL, KW15 1NY, TOGETHER WITH THE APPROPRIATE FEE

Orkney Islands Council

HMO Building Standards Pro Forma

Name: _____.

Address of Property: _____.

VENTILATION REQUIRED FOR COMBUSTION

Please tick (✓) as appropriate:

	<u>SOLID FUEL</u>	YES	NO	N/A
<u>SUPPLY AIR</u>	Has an annual inspection/cleaning of chimney and flues been carried out and has certification been obtained?			
	<p>Does any solid fuel appliance within the HMO have adequate supply of air for combustion by way of permanent ventilation, either direct to open air or to an adjoining space (including a sub-floor space) that is itself permanently ventilated direct to open air? NB An air supply provided as follow will satisfy this requirement:-</p> <p>i) Traditional open fuel fire: 50% of the cross-sectional area of the throat or the flue as appropriate; or</p> <p>ii) Any other solid fuel appliance: a permanent air opening or openings with a total free area of 550mm² for each KW of combustion appliance ratio output over 5KW.</p>			
	<u>OIL FIRED</u>			
<u>SUPPLY AIR</u>	Does any oil fired appliance within the HMO, other than a room sealed appliance, have adequate supply air for combustion by way of permanent ventilation either direct to open air or to an adjoining space (including a sub-floor space) which is itself directly ventilated to open air? NB: Compliance to with Section 4 of BS 5410: Part 1: 1997 or OFTEC Technical Information Sheet T1/112 and T1/132 will satisfy this requirement.			

		YES	NO	N/A
<u>AIR FOR COOLING</u>	Does any oil fired appliance installed within a confined space within the HMO have an adequate supply of air for cooling by way of permanent ventilation, in addition to air for combustion, either direct to the open air or to an adjoining space (including a sub-floor space)? NB Compliance with Clause 4.4.3 of BS 5410: Part 1: 1997 will satisfy this requirement.			
	<u>GAS FIRED</u>			
<u>SUPPLY AIR</u>	Does any gas-fired appliance within the HMO have adequate supply air for combustion? NB: Compliance with the following British Standards will satisfy this requirement:- i) BS 5871: Part 3: 2001 for fuel effect gas appliances; ii) BS 5871: Part 2: 2001 for an inset live fuel effect gas appliance; iii) BS 5440: Part 2: 2000 for any other gas fired appliance.			
<u>AIR FOR COOLING</u>	Does any gas-fired appliance within a confined space within the HMO have an adequate supply of air for cooling? NB: Compliance with BS 5440: Part 2: 2000 will satisfy this requirement.			
<u>EXTRACT FANS</u>	If an extract fan is fitted within the same room (or in an adjoining room) as an open flued appliance has a spillage test been carried out to ensure the combustion appliance is operation safely? NB: Testing to the following guidance will satisfy this requirement. a) for a solid fuel appliance, BRE Information Paper IP 7/94 (Note an extract form shall not be fitted in the same room as an open-flued solid fuel appliance). b) for an oil fired appliance, Clause 4.4.7 of BS 5410: Part 1 – 1997 and OFTEC Technical Information Note T/112 c) for a gas-fired appliance, Clause 4.3.2.3 of BS 5440: Part 1: 2000.			

FIRE SAFETY CHECKLIST PERMANENT STRUCTURES
See www.infoscotland.com/firelaw for details of fire laws

Name of Applicant		Application Ref. No.	____/____	
<u>Name and Address of Premises</u> (inc. postcode)				
<u>Type of Licence</u>				
Please tick (✓) as appropriate		Yes	No	N/A
Have you carried out a Fire Safety Risk Assessment for your premises? (See guidance notes including reference to sector specific guide which should be kept on the premises)				
Escape Routes	Are all your escape routes clear of obstruction?			
	Are all fire exit signs and notices clearly visible?			
Doors	Do your emergency exits open without use of a key?			
	Do push bars/pads operate easily (where fitted)?			
	Are self-closing doors kept closed and self-closers working?			
Firefighting Equipment (Extinguishers)	Is firefighting equipment adequate for the risk in your premises (number, type, location)? (see guidance notes)			
	Is firefighting equipment maintained annually (see guidance notes) and recorded on the test labels and in your Log Book?			
Fire Warning System (Fire Alarm)	Is the system tested weekly using a different call point each week and recorded in your Log Book?			
	Can the system be heard throughout your premises particularly by sleeping residents?			
	Are break glass call points visible and free from obstruction?			
Automatic fire detection (if fitted)	Is the AFD system suitable for the risk in your premises (type, location of heads)?			
	Is the system maintained six-monthly and recorded in your Log Book (see guidance notes)?			
Emergency lighting	Is the system tested (see guidance notes) and the results of tests recorded in your Log Book?			
	Are all light fittings in place and undamaged?			
Emergency Fire Action Plan	Is the emergency fire action plan adequate for your premises (see guidance notes)?			
	Are fire routine notices clearly visible and accurate?			
Staff Training	Does your staff know what to do if a fire occurs (see guidance notes)? Have you considered how to evacuate disabled persons WITHOUT relying on the Fire & Rescue Service?			
	Is staff fire training recorded in your Log Book?			
General	Have you reviewed your Fire Safety Risk Assessment in the last year?			
	Is your Log Book up to date and any test certificates available?			

IF YOU HAVE ANSWERED NO TO ANY QUESTION THEN YOUR FIRE SAFETY PROVISIONS ARE INADEQUATE AND REQUIRE IMMEDIATE ATTENTION

I agree to the information provided in this form being shared with the Fire Authority.

DECLARATION: I declare that the above Fire Safety Checklist has been completed accurately and that all inadequate provisions have been rectified.

Signed.....(Applicant)

Date.....

Print name.....

**Complete and return this form to Environmental Health Manager,
Environmental Health, Development and Infrastructure Services,
Orkney Islands Council, School Place, Kirkwall, KW15 1NY**

GUIDANCE NOTES

For FIRE SAFETY CHECKLIST

For compliance with

The Fire (Scotland) Act 2005 Part 3

The Fire Safety (Scotland) Regulations 2006

To the Applicant: You have received a Fire Safety Checklist form as part of the application pack for your licence/renewal. Please complete the form and sign the declaration at the end. By doing so you will declare that your premises are safe for your customers and staff, and you have complied with the fire safety regulations above. *Please note:*

- ***The Fire and Rescue Service may inspect your premises to confirm your compliance, or to enforce the regulations if necessary***
- ***Your application will not be processed without a completed Fire Safety Checklist.***

These guidance notes are intended as a basic guide to help you complete the Fire Safety Checklist. The notes contain basic guidance only. For guidance that is more detailed you should read the sector specific guidance within the information on (www.infoscotland.com/firelaw) or ask your local Fire Safety Enforcement Officer for advice.

Who should complete the Fire Safety Checklist?

You, the applicant, should complete the form. Within the regulations above you are considered the Responsible Person, as you will have responsibility for the management, including fire safety management, of the premises. You should also be the person most able to complete the Fire Safety Checklist (Appendix 1 or 1(a)) due to your knowledge of your premises, and to rectify any deficiencies before submitting your application. If you choose to nominate someone else to complete out the Checklist, you must still sign the declaration and take responsibility for any deficiencies.

How should the Fire Safety Checklist be completed?

The Fire Safety Checklist is a basic survey of the fire safety measures in your premises. It asks the same questions that you should ask when carrying out a full risk assessment. Answers are limited to Yes, No or Not Applicable (N/A) and you simply tick the relevant box. To help you, some boxes are blanked out, as these answers would be incorrect.

Take time to read these guidance notes and the form and then inspect/review the Fire Safety provision within the premises. Review your fire safety risk assessment (you could review it at the same time), log book and other relevant records. If you do not personally carry out any tests or training, speak to the person who does. These simple steps should give you all the information you need.

How do I know what is inadequate?

Most fire safety precautions are straight forward. For example, if a self-closing fire door is wedged open it is inadequate, but can be fixed by removing the wedge and instructing staff. Competent persons should maintain more complex precautions, such as fire alarm systems, and you should have records of this in your logbook. If in doubt, you could test a system to make sure it works.

If any fire safety precaution is inadequate, or you are not sure, answer NO. After the survey, you should plan how you will rectify the inadequacies.

Completing the Fire Safety Checklist Form

Applicant Information: Please ensure that your name and address are clearly legible.

Fire Risk Assessment: *The fire safety Regulations above require a Responsible Person to carry out a fire risk assessment in the workplace. This is usually the person responsible for management in the workplace. The risk assessment should:*

- Assess the risk of fire in the premises, and any control measures that can reduce risk,
- Check that fire can be detected in a reasonable time and people can be warned of fire,
- Check that all people in the premises can evacuate safely,
- provide suitable fire fighting equipment,
- Ensure that those in the premises know what to do in the event of fire, and
- Ensure testing and maintenance of fire safety equipment and systems takes place.

As you are applying for Licence under the Housing (Scotland) Act 2006 there must be a written record of the significant findings of the assessment. Any action plan resulting from the assessment should also be recorded. The fire risk assessment should be reviewed at least once a year, or when there are significant changes in staff, layout process or fire loading in the premises. Note the checklist does not constitute the full Fire Risk Assessment required by the 2005 Act.

Escape Routes and Doors: All escape routes must be kept clear and available for use at all times that the premises are occupied. You should not store anything that would obstruct or any flammable materials on an escape route, even temporarily. For guidance, an escape route should not be narrower than any doorway on the route. Fire exit signs and notices are used to direct people to the escape route and as such must be visible and legible. If in doubt, try following the escape route yourself.

For security reasons an emergency exit door can be secured with a push bar/pad or similar device. These must work easily, without undue pressure on them. Emergency exits must not be locked when the building is occupied.

Some doors are fire resisting and self-closing. These are designed to stop fire spread, giving more time for escape and reducing damage. They are only effective if they are a good fit in the frame, close fully from any angle and are not wedged or held open.

Fire Fighting Equipment: The number, type and location of fire extinguishers should be determined by the fire risk assessment. Usually you will need to provide fire extinguishers for general firefighting and to cover special risks. If you have a kitchen, you will also need a fire blanket for the hazards associated with cooking.

General: the most common general fire extinguisher is the water type. As a rule of thumb, you should provide one 9-litre water extinguisher per 200 square metres of floor area, with at least two extinguishers per floor (or one per floor if the floor area is less than 100 square metres). Other types that can be used are foam, AFFF (sometimes-called light water or spray foam), dry powder or carbon dioxide, but the size needed varies according to the type and size of risk. Fire extinguishers for general firefighting should be sited on escape routes, at or near the final exit.

Special Risk: risks such as computer rooms, electrical equipment, large fridges etc. will need fire extinguishers that are appropriate to the risk, do not cause injury to the user, or cause undue damage to the equipment. You should seek specialist advice about fire extinguishers for special risks.

Fire Warning Systems and Automatic Fire Detection: All registered premises should have a means of warning staff and customers that there is a fire, so that they can make their escape. The type of system is determined by the fire risk assessment and must take into account the layout, background noise, staff locations etc. and whether any person (staff or customers) can use the system without putting themselves in further danger.

The type of system can range from simple break glass call-points, with a bell or siren, to complex systems with automatic smoke or heat detectors, a control panel, automatic calling of the fire and rescue service and bells or sirens in the building. The alarm signal must be capable of being heard throughout the building, and in any outbuildings. All fire warning or a competent engineer, to the current British Standard or equivalent, should install detection systems. Mains electric systems must have a battery back up for the sounders and usually this will power the entire system in the event of a mains failure. If you doubt the existing system is adequate, either test it, or seek specialist advice.

All fire alarms should be backed up with a 999 call to the fire and rescue service, even where automatic calling is fitted. Members of staff should be delegated to do this from a safe location.

Response to avoidable unwanted fire signals (false alarms) places an unnecessary burden on the resources of the Scottish Fire and Rescue Service, and endangers the safety of fire crews and the general public. Disruption caused in your premises by false alarms places similar unnecessary burdens on your business, your employees and (where applicable) your residents. **It is your responsibility to prevent false alarms**, however the Scottish Fire and Rescue Service is committed to reducing unwanted fire calls and will offer support and advice if requested.

Emergency Lighting: All escape routes, including external routes, must be provided with sufficient lighting for people to see the way out safely. In normal conditions, this can be a mixture of artificial lighting inside and street lighting outside. To test this, you could turn off the lights at night and find out whether you can walk the escape route safely.

To allow for power failure the fire risk assessment should include provision of emergency lighting. This will depend on layout and size of the premises, but should be sufficient to allow anyone in the premises to find the escape route and walk out safely.

Emergency Fire Action Plan and Staff Training: Your fire risk assessment should ensure that people in your premises know what to do if a fire occurs. You should work out a simple emergency fire action plan including:

- What to do if you (or a user or one of your staff) discover a fire
- How to sound the fire alarm
- How to call the fire and rescue service
- What to do if you (or users or staff) hear the fire alarm i.e. escape from the premises
- Where to assemble outside, in a place of safety

You should provide fire routine notices (sometimes called fire action notices) in public areas, staff rooms and corridors. These can be bought as pre-printed notices or notices with blank spaces that you fill in with information relevant to your fire routine.

All Staff should be trained regularly to ensure that they know what you expect them to do if fire occurs. Anyone with a special responsibility e.g. calling the fire and rescue service, or checking rooms, should be specifically trained to carry out their designated role. The emergency actions in the event of fire should be tested with regular fire drills. There are no fixed intervals for staff training, but all staff should receive training on their induction, and refresher training should be provided as appropriate. It is recommended that staff fire training be carried out at least once a year after the initial training. Details of the training and who received it should be recorded in the logbook.

Fire Drills The frequency of drills for each building will be different and should reflect the level of risk. Fire drills should take place at least twice a year with each member of staff participating at least once a year.

Log Book: You are responsible for ensuring that all fire safety systems and staff training are fully effective. The best way to do this is regular maintenance and training, and the best evidence of this is a fire logbook that is used to record this. There is no fixed format for a logbook, but it should contain all relevant information e.g. dates and results of tests, dates and names from training sessions.

Testing and maintenance is usually covered by codes of practice and a competent, adequately trained or experienced person should always carry out tests. A competent person should carry out staff training. You may be competent to carry out some or all of the tests and training, but if in doubt you should seek advice.

WARNING: Failure to adequately maintain or manage any fire safety system may also be deemed to place employees and others in danger, which contravenes the Fire Safety Regulations above. This may lead to criminal prosecution.

Recommended frequency of testing and maintenance:

<u>SYSTEM/TRAINING</u>	<u>WEEKLY</u>	<u>MONTHLY</u>	<u>THREE MONTHLY</u>	<u>SIX MONTHLY</u>	<u>ANNUALLY</u>
Escape Routes and Doors	Visual check, test doors				
Fire Notices	Visual Check				
Fire Extinguishers	Visual check for leaks, tampering				Service and Test
Fire Warning System	System test			Inspection and Service	
Automatic Fire Detection				Inspection and Service	
Emergency Lighting		System test			Discharge
Staff Fire Training*					Refresher training
Fire Drill				Fire Drill	
Fire Risk Assessment					Review

**Staff training must be provided on induction. Permanent night duty staff require training that is more frequent.*

Advice is also available on www.infoscotland.com/firelaw or from www.dontgivefireahome.org and www.hifrs.org

Check Sheet

Prior to sending the completed application to Environmental Health, please ensure that you have completed and signed **all** sections of the application form, including:

- General Application (pages 1-3)
- Declaration (page 4)
- HMO Building Standards Pro Forma (Pages 5-6)
- Fire Safety Checklist (Page 7)
- Fire Safety Checklist Declaration (page 8)

Please also ensure that you have enclosed all the relevant supporting documentation as detailed in the “List of information to be supplied with application”.

As a minimum, copies of the following documents should accompany the application:

- a) relevant insurance cover
- b) a Fire Safety Certificate
- c) an Electrical Certificate
- d) a Gas Safety Certificate
- e) a copy of the lease with tenants (if any) and a copy of the written tenancy agreement
- f) evidence of ownership