



**TENANT'S HANDBOOK**  
**INDUSTRIAL AND COMMERCIAL**  
**PREMISES**

This handbook relates to premises at:

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

Date of Issue .....

**Tenant Contact Details**

To assist with the day to day running of the building, Tenants should provide the landlord with the contact names, addresses telephone numbers and e-mail address of those members of staff who have the responsibility in the following areas:

- Manager on Site
- Accounts
- Emergency Call out

We recommend that you use the following to keep a note of the relevant parties for your own organisation:

**Manager on Site:**.....

Telephone:

Fax:

e-mail:

Postal Address:

**Accounts:**.....

Telephone:

Fax:

e-mail:

Postal Address:

**EMERGENCY CALL OUT LIST**

**Name:**.....

Postal Address:

Primary Number:

Secondary Number:

## CONTENTS

### INTRODUCTION

- [Section One](#) - ESSENTIAL CONTACTS and TELEPHONE NUMBERS
- [Section Two](#) - REPAIRS and MAINTENANCE
- [Section Three](#) - USE of the PROPERTY
- [Section Four](#) - EMERGENCY PROCEDURES
- [Section Five](#) - PROCEDURES for MAKING IMPROVEMENTS and ALTERATIONS
- [Section Six](#) - RENT
- [Section Seven](#) - OTHER CHARGES
- [Section Eight](#) - HEALTH and SAFETY
- [Section Nine](#) - SECURITY and INSURANCE
- [Section Ten](#) - ENDING YOUR LEASE

## INTRODUCTION

This handbook is supplemental to the signed lease in respect of the premises and should be read in conjunction with said lease.

If you require a copy of the lease then please contact the appropriate surveyor as detailed on the contacts page.

This document is issued by Aberdeenshire Council, the Landlord, and contains regulations, information and guidance on the operation and day-to-day running of the Estate.

Tenants should ensure their staff are familiar with this document and with revisions, which will be issued from time to time. A copy of the document should be kept by Tenants on site at all times for reference by its staff.

This document will be updated from time to time and whilst hard copies can be issued to Tenants, the most up to date version can always be emailed to you or found on our website:

<http://www.aberdeenshire.gov.uk/property/tenant.asp>

Our email address is:

[property@aberdeenshire.gov.uk](mailto:property@aberdeenshire.gov.uk)

Gordon C Daniels FRICS  
Estates Manager  
Aberdeenshire Council  
Woodhill House  
Westburn Road  
Aberdeen  
AB16 5GB

**SECTION ONE**  
**ESSENTIAL CONTACTS and**  
**TELEPHONE NUMBERS**

**General Contact for Repairs and Maintenance Issues**

Office hours only – property repair enquiries to:

Lisa Burnett (Property Management Assistant - Banff & Buchan / Buchan Areas)  
07747 760 618

Alan Cook (Property Management Assistant - Formartine / Garioch Areas)  
07770 314 704

Clarke Dalziel (Property Management Assistant - Kincardine & Mearns / Marr Areas)  
07826 858 923

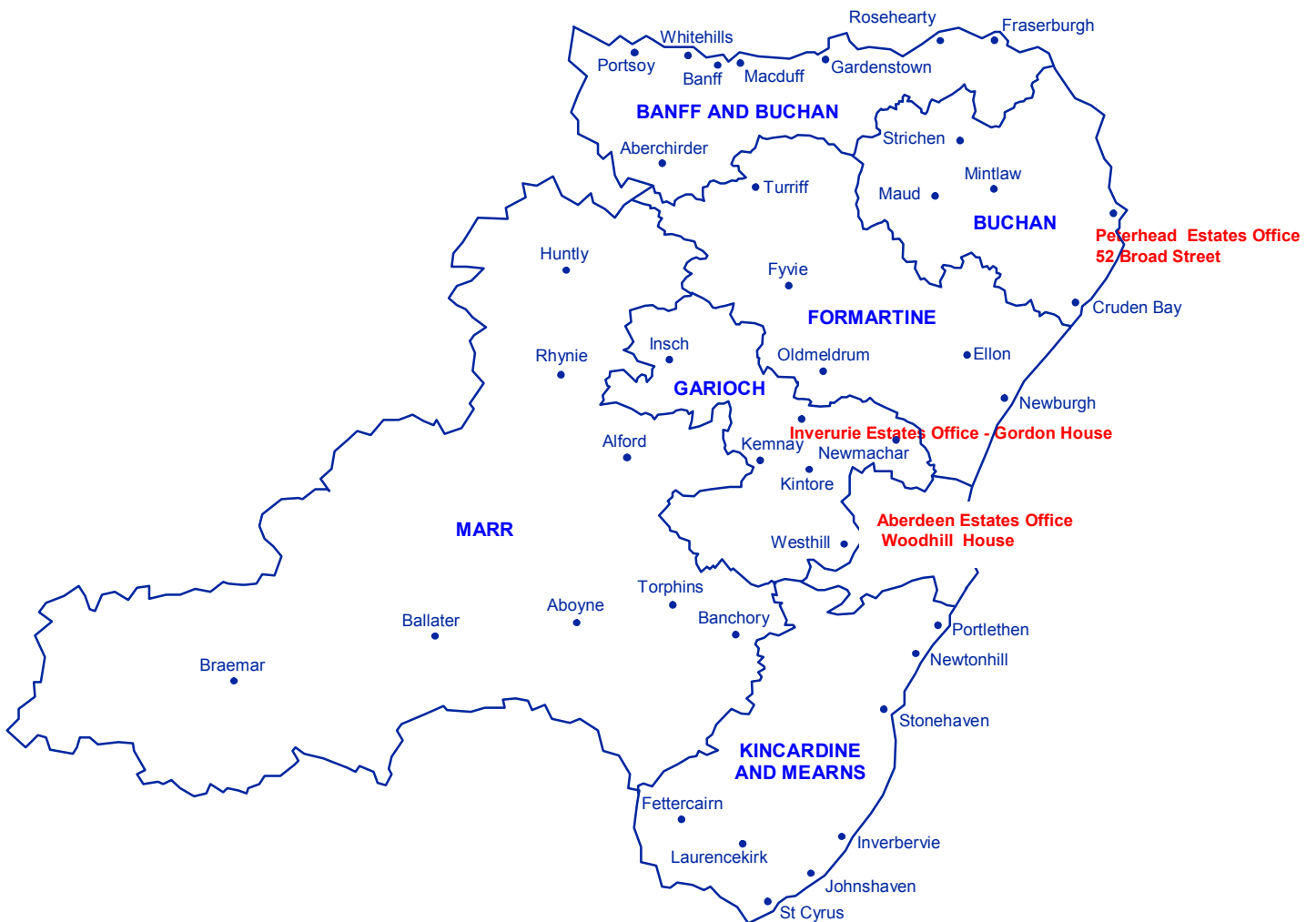
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**Area Surveyors:**

|                          |                 |                |
|--------------------------|-----------------|----------------|
| Banff & Buchan Area      | Russell Shiels  | 01779 - 483292 |
| Buchan Area              | Julie McWilliam | 01224 - 664225 |
| Formartine Area          | Sarah Donald    | 01467 - 628484 |
| Garioch Area             | Gervase Topp    | 01467 - 628025 |
| Kincardine & Mearns Area | Lucy Rushworth  | 01224 - 664246 |
| Marr Area                | Graeme Smith    | 01224 - 664258 |

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**Others:**

Police, Ambulance and Fire		999 or 112
Gas leaks and emergencies		0800 111 999
Electricity power loss and emergencies		0800 300 999
Water and wastewater services	Emergency info	0845 600 8855
	Business service	0845 602 8855
Wasteline		0845 600 3900 or
Trade Waste Officer		01467 628671

## Aberdeenshire Council Areas



## SECTION TWO

### REPAIRS and MAINTENANCE

#### SUMMARY

Your lease is a Full Repairing and Insuring lease, therefore the tenant is responsible for repairs and other work necessary to ensure your property is kept wind and watertight, habitable and in all aspects fit for occupation. You, as the tenant, are responsible for certain items of repair, further details of which are given below.

#### WHAT ARE THE TENANT'S REPAIR RESPONSIBILITIES?

The tenant is responsible for: -

1. The supply (where applicable) of water, gas and electricity (excluding mains services and meters), repairing or renewing defective water tanks, boilers, cylinders, supply pipes and all faulty valves and radiators.
2. Repairs to and replacement of the internal and external fabric of the workshop, including woodwork, plasterwork, electrical wiring circuits and installations, including any communal television aerial system where fitted, toilet fittings, kitchen fittings including sink unit, base and wall units and cupboards, plumbing, space and water heating installations and other fixtures and fittings provided by us.

Please Note:

Tenants on a standard 6 year lease, will not be responsible for major repairs, replacement or refurbishment of the walls, foundations, structural frame or roof arising from age or fair wear and tear. The tenant will however be responsible for repairs or refurbishment which, arise through damage or negligence by the tenant. Please note: Tenants on longer leases should refer to the provisions of their lease.

3. Security, including external door and window locks and door entry systems, where fitted.
4. Where there are workshops with shared or common parts, in conjunction with other occupiers, keeping these in good order and repair.
5. Inspecting, and where necessary servicing annually, any gas installations in the workshop provided by us.
6. Inspecting your workshop externally at regular intervals, and taking any appropriate action required following this.
7. Keys – replacement of keys (and locks where keys are lost or stolen).

8. Electrical Installations – fuses and plug tops, all fittings and appliances provided by you, replacement bulbs, light fittings and fluorescent tubes and batteries for smoke or other detectors. Annual testing of electrical circuits.
9. Gas Installations – all fittings and appliances provided or installed by you including periodic testing.
10. Sanitary Installations – chains and plugs for bath, basin and sink, choked internal pipes and traps, excluding cast iron (in which case we reserve the right to carry out such work and recharge the cost to you).
11. Internal Fitting – internal glazing, roller blinds, curtain rails, coat and hat hooks and rails, coal cellar boards, internal decoration and floor coverings provided by you.
12. Pest Control – eradication through approved treatment of all insects, pests and vermin of any kind (excluding woodwork). Contact your local Housing office for advice on this.
13. Cleaning - the tenant is responsible for ensuring that the premises, curtilage and windows are kept clean and tidy at all times and shall be responsible for the provision of all cleaning personnel and materials.
14. Water System - the annual testing, cleaning and chlorination of the water system.

### **WHAT ABOUT VANDALISM?**

Where damage has been caused as a result of vandalism, provided you have proof of a report being made to the Police, and you have reported it to us as soon as the damage is discovered, under our insurance policy there is a £250 excess. **This includes glass breakages.**

### **HOW DO I REPORT REPAIRS?**

Aberdeenshire Council operates an efficient repairs service by employing appropriate personnel, operatives and contractors to carry out the majority of repair works in its properties. In addition, for specific work such as maintenance of gas heating installations, lifts, fire alarms and emergency lighting systems, certain specialised contractors are employed.

### **REPAIR REPORTING**

#### **During Office Hours**

During normal office hours, you should direct enquiries to your Area Property Management Assistant. Contact details in Section One.

### **CAN'T FIND A CONTRACTOR**

We may be able to help. If you cannot find or appoint a contractor to undertake works which are your responsibility, as tenant, we can ask our contractor to carry out the works on your behalf, but you will be re-charged the full amount plus an additional management fee.

## SECTION THREE

### USE of the PROPERTY

1. Planning - The use of the property will be detailed in your lease. Most workshop units have Planning Permission for: -

Use Class    4 (Business)  
                  5 (General Industrial)  
                  6 (Storage or Distribution)

IF IN DOUBT THEN PLEASE ASK?

Any use outwith these classes requires Planning Permission and landlord's consent in writing. In particular any retail use will normally require planning permission.

2. Use - The lease defines what the permitted use of the demised premises shall be. The permitted use specifies those activities, which may be carried out in the premises. Sleeping on the premises is not permitted.
3. Respect for others - Each tenant is required to conduct business in such a way as not to cause any nuisance or inconvenience to fellow tenants or others within the area. In particular, no loudspeakers, television sets, radios or plant and machinery shall be used in a manner so as to be audible outside the premises or cause electrical interference.  
Tenants must ensure that all activities are carried out in a peaceful and neighbourly manner so as not to cause grievance or nuisance to other tenants. Please report any complaints to the relevant Area Estates Surveyor in Section One
4. Sub-letting etc - The tenant is prohibited from parting with or sharing possession of the whole or part of the premises other than by the way of a permitted assignation or sub-lease. Prior written approval of the landlord is required.
5. Food - The tenants will only be allowed to cook or heat food in areas of the premises, which have been specifically fitted out for this purpose and approved by the landlord.
6. Animals - The tenants will not be permitted to keep any dogs, cats or other animal, fish, reptile or bird on the premises.
7. There will be no storage of equipment or materials outwith the boundaries of the premises without prior permission from the council. Storage within the compound is subject to any conditions imposed by Aberdeenshire Councils Planning and

Environmental service. The car park is for use by the tenant, employees of the tenant and persons visiting the premises.

## **DO'S AND DON'TS**

### **Floor Loadings**

No part of the floors, walls or ceilings or structure to the premises are to be loaded or used in any manner which will cause strain or damage to the main members or structural parts of the demised premises.

### **Litter**

The tenant should not allow litter to accumulate at the premises, regardless of the offender.

### **Minor Works**

Prior to any minor works involving drilling, or alterations, you must consult the Asbestos Register to ensure that you are not exposing yourself, employees, agents or contractors to any hazard.

### **Parking Areas**

Tenants must only use proper defined spaces within the common parking areas for parking of cars.

Tenants must not obstruct access routes or the entrance.

### **Smoking**

Smoking is not permitted by law, in the premises. Tenants should ensure that smokers do not congregate near entrances. Cigarette butts and other used smoking materials should be suitably extinguished and deposited in appropriate external sand boxes or similar receptacles.

### **Trade Waste**

The tenant is responsible for arranging for the collection and disposal of their waste. Waste containers must not be stored within any building and should be securely locked in a location away from the building.

Wasteline telephone number 0845 600 3900 or Trade Waste Officer 01467 628671

### **Vehicles**

Tenants must not carry out repairs to any vehicles in the common areas.

Tenants must not leave engines running when vehicle is stationary.

Vehicles should not be left overnight. No liability is accepted by the landlord for any loss or damage at any time.

## SECTION FOUR EMERGENCY PROCEDURES

### Introduction

The following measures have been prepared to assist the tenants in dealing with emergencies within their leased building and subsequent evacuation.

Tenants are requested to make arrangements for the regular testing and inspection of the system including fire evacuation drills.

### Fire Risk Assessment

The tenant must undertake periodic fire risk assessments of the premises occupied by them as soon as possible. There are a number of suitable sites on the Internet, which tenants may find useful, including the following:

[http://www.fpa-fireriskassessment.com/checklist\\_start.asp](http://www.fpa-fireriskassessment.com/checklist_start.asp)

This site provides information and advice regarding Fire Risk assessment and is user friendly with easy to follow instructions and the assessment can be downloaded.

<http://www.fire.org.uk/advice/wpr/wprcover.htm>

This site also provides information on how to conduct a Fire Risk assessment and includes a Fire Log, which can also be downloaded for personal use.

### Evacuation

In the event of a fire, the overriding consideration is the safety of staff and the public. These guidelines must be interpreted accordingly. Please bear in mind that a fire may be discovered by a member of the public as well as staff.

Therefore it is crucial that information be quickly and accurately communicated to designated fire wardens or their deputies.

**Designated Fire Wardens** – all tenants will designate members of staff to carry out the duties of Fire Warden and Deputy Fire Warden. The designated Fire Warden will co-ordinate the training of staff in the fire precautions, action in the event of fire, use of fire appliances, location of emergency exit routes and the evacuation assembly points in accordance with the Fire Regulations. Deputy Fire Wardens should be trained to carry out the duties of the Fire Wardens in their absence. A list of Fire Wardens and Deputy Fire Wardens should be displayed near fire alarms and appliances.

**Fire Alarm** – The fire alarm, where fitted, is usually activated by the break glass call points within the premises. An alarm will operate throughout the building. A weekly test of the fire alarm must be carried out by Fire Warden at a set time each week. If the alarm is activated outwith this set time, the fire brigade should be called immediately

**Fire Extinguishers** – Tenants are reminded that their lease requires them to comply with all statutory requirements, including those laid down in the Fire Precautions Act 1971 and their Fire Certificate.

These statutes oblige the tenant to provide and service fire extinguishers and any other fire fighting equipment within their demised area not already provided by or to the extent that it is under the control of the landlord.

Tenants should also be aware of the statutory requirement to carry out a Fire Risk Assessment and liaise with the landlord and other affected tenants on its findings.

**Fire Precautions** – All possible precautions should be taken to minimise the risk of fire; these should include:

- a) Cigarette butts and other used smoking materials should be suitably extinguished and deposited in appropriate external sand boxes or similar receptacles.
- b) Switching off and unplugging of electrical appliances when not in use, with the exception of computer equipment where specific instructions shall be laid down.
- c) No smoking in any buildings.
- d) Storage of all inflammable liquids away from sources of heat. If stored in quantities special arrangements may be required.
- e) All correspondence, files, loose paper etc. to be cleared from desks at the end of the working day and stored in closed cabinets.
- f) Accumulation of papers in corners, windowsills, cupboard tops should be strictly controlled.
- g) Ensure that fire escape routes are kept clear at all times.
- h) Ensuring that stored materials are kept clear of sprinkler heads.
- i) Keep external areas neat and tidy, do not leave inflammable materials, pallets, packaging etc where they may be ignited.

Action in the event of a fire – if you discover a fire give a clear warning by shouting Fire! If applicable, sound the fire alarm by breaking the nearest break glass call point. Use a well clothed elbow or heel of a shoe to break the glass. Fire alarm call points are situated on all escape routes.

**The fire alarm panel within this property may not be monitored by the Fire Brigade so please call 999**

- a) **Only if safe to do so**, and if properly trained and confident in its use, use an extinguisher to attempt to contain the fire. However we would recommend that all personnel evacuate the building immediately.
- b) On hearing the alarm the safety of staff and visitors is of primary concern and, in the event of uncertainty, evacuation of the building must proceed.
- c) Designated Fire Wardens - their primary duty is to ensure that all persons for whom they are responsible evacuate the Building and are accounted for. Fire Wardens must report that all staff are present or that staff are accounted for and will then liaise with the Fire Brigade.
- d) Staff – on hearing the fire alarm all personnel should immediately terminate all telephone calls and business. Members of the public and visitors should be instructed as to what is happening and escorted by the most direct safe route out of the building.

With the exception of the weekly fire alarm testing, evacuation of the whole premises must be undertaken on every occasion the fire alarm is activated.

- a) If in the opinion of the designated Fire Warden the outbreak cannot be safely brought under control, he/she will withdraw staff members fighting the fire and advise remaining staff to evacuate.
- b) Designated Fire Wardens are responsible for ensuring that all staff using the property evacuates by the most direct safe route.
- c) Designated Fire Wardens and their Deputies are also responsible for ensuring that members of the staff, public and visitors have left their respective areas and this should include a check that the toilets are clear.
- d) Staff should leave the building in an orderly fashion by the most direct safe route. They must not return for coats, bags or other items.
- e) Only if it is absolutely necessary to enter a room full of smoke, do so on hands and knees keeping your head as near to the floor as possible.
- f) Clothing on fire – the casualty must be prevented from panicking and rushing outside. Any movement or breeze will fan the flames.
- g) Carefully lay the casualty down with the burning side uppermost and extinguish the flames by dowsing the victim with water or other non-flammable liquid. Alternatively wrap the casualty tightly in a coat, curtain, blanket (not nylon or cellular type), rug or other heavy fabric then lay them on the ground, this starves the flame of oxygen and puts the flames out.

**DO NOT ROLL THE CASUALTY ALONG THE GROUND – THIS CAN CAUSE BURNING TO SPREAD TO UNDAMAGED PARTS OF THE BODY AND CAUSE OTHER INJURIES.**

- h) Emergency evacuation assembly points – the Fire Warden is responsible for selecting a suitable emergency evacuation assembly point and for ensuring that all members of staff are acquainted with it. It is recommended that all points selected should be close enough to allow a quick check of staff to be carried out, but far enough away to prevent injury from the fire. It is unlikely that a suitable point would be found in the streets immediately in front of the building due to the pedestrian flow. Suitable points may be in the streets running parallel to the property.
- i) It must be stressed to all staff that they must proceed as quickly as possible by the most direct safe route to the evacuation assembly point and remain there until given further instructions by the Fire Warden.
- j) Disabled persons - refuges for disabled persons are at each level in the escape staircases.

Instructions and responsibilities

- i. All designated Fire Wardens should be issued with a set of these instructions; these must be kept in a safe place and second set posted on a noticeboard or similar point so that they are freely available to staff.
- ii. It is the responsibility of the designated Fire Warden to ensure that all staff is made aware of these instructions.
- iii. Prior warning should be given of the emergency evacuation drill and the Fire Wardens should take the opportunity to regularly brief their staff on these guidelines.
- iv. A Deputy Fire Warden should be fully briefed on these instructions and the role of the Fire Warden. They should assume the role of the Fire Warden in his/her absence.
- v. On assignation of a tenant's lease, it is the tenant's responsibility to ensure the transfer of the Fire Certificate. It is also a statutory requirement that the tenant's copy of the current Fire Certificate is kept at the premises at all times. Alterations to the Certificate can only be made by the authorised Fire Authority after formal application on approval of the proposals. The regular testing, maintenance and inspection of the equipment and installations together with all records of tests, fire drills and events are recorded by the relevant contractor in the Fire Log Book held by the tenant.

- vi. Following an evacuation of the building, the designated Fire Warden should, as quickly as possible, make a check of all staff at the assembly point and give a status report to the Fire Brigade, the Fire Warden will be responsible for reporting all missing staff members to the Senior Fire Office of the service units on their arrival.
- vii. Lifts, where fitted, must not be used during a fire evacuation.
- viii. No one must re-enter the building until advised to do so by the Fire Brigade.

#### Fire Certificate

All Tenants are reminded that it is their responsibility to apply for and retain on site a copy of the Fire Certificate as it relates to their own demised areas and to apply for any amendments throughout the period of the lease.

**SECTION FIVE**  
**PROCEDURES for MAKING**  
**IMPROVEMENTS and ALTERATIONS**

1. Prior to carrying out any alterations to the property, you must obtain prior landlords consent in writing. Contact your appropriate Area Estates Surveyor.  
**Note: It is essential that you refer to the Asbestos Survey prior to any works commencing.**  
A copy should be at the premises, if not then contact the Area Estates Surveyor.
2. Planning Permission may or may not be required. It is your responsibility to check whether or not Planning Permission/Building Warrant is required. A copy of the neighbour notification certificate must be sent to the appropriate Area Estates Surveyor. You are also required to send copies of any subsequent consents to the Area Estates Surveyor.
3. Failure to comply with the above can lead to your alterations being removed and the costs involved recharged to your company.
4. Prior written approval of the landlord is required before the commencement of any types of works or alterations within a tenant's individual area. It is the tenant's responsibility to obtain such approvals together with any planning permissions, building control or fire officer approvals.
5. Estate signage is provided by the Council. Signs should only be attached to the property after prior consultation with the Area Estates Surveyor (see Section One). Please provide them with details of the size and location for the sign. Planning conditions will apply to signs over a certain size or if illuminated.

**IMPORTANT**

At the end of your lease any authorised alterations will become the property of the landlord. Accordingly, on any new lease the landlord is entitled to charge higher rent in respect of any beneficial improvements.

The tenant should therefore consider whether or not to enter into a new longer lease to ensure that they are not charged increased rent for improvements, which they paid for.

## SECTION SIX RENT

### WHERE DO I PAY MY RENT?

Your rent is due either monthly, quarterly or yearly in advance, usually as detailed in your lease. Please note that most Aberdeenshire Council properties are registered for VAT, therefore VAT will normally be charged.

For all modern leases a monthly direct debit is the usual method of payment and is set up with the Council's Finance Section.

### WHAT HAPPENS IF I MISS A RENT PAYMENT?

The Council takes the matter of debt seriously and a team of officers meets every month to consider whether or legal actions should be instigated.

If, for any reason, you miss a rent payment you should contact us immediately. You will then be able to talk to someone who deals with arrears and come to an agreement to clear the amount due thereby avoiding any further action being taken against you. **It is important for you to take action as soon as possible before the arrears become more difficult for you to manage.**

If you do not contact us, or fail to pay your arrears in full, we will then take action in accordance with our arrears policy. This could cause you to incur extra costs, including interest on the debt, if we need to take Court Action and could ultimately lead to termination of your lease. It is therefore very important that you contact us immediately and keep us informed at all times if you cannot pay the agreed amount. Officers are always pleased to offer assistance and advice.

### WHAT STEPS DO THE COUNCIL TAKE TO RECOVER ARREARS?

If you are in arrears at the end of the rental period you will receive a first reminder letter. You should contact us immediately even if you think you have paid. If you do not get in touch to find out why you have received the letter or make an arrangement to clear your arrears **or** pay in full, a second reminder will be sent one week later.

If you still fail to take any steps to resolve the matter, one week later we will issue a **Notice of Proceedings for Recovery of Possession**. Where possible and in particular situations, a visit may be made by an Area Estates Surveyor prior to the Notice being served. The service of this Notice means we can now take the tenant to Court any time they fall into arrears within a six-month period after the Notice becomes effective. The Notice is sent by

recorded delivery, and if the tenant is not at the premises to receive it, a card will be left instructing the tenant to collect it from the Post Office. It is important that it is collected as failure to do so means we may instruct a Sheriff Officer to serve the Notice. The tenant will be liable for the expense of this service.

If you have received a Notice of Proceedings it becomes even more important that you keep us informed of what your intentions are regarding clearing your arrears since failure to do so could result in your case being enrolled in Court. You would then incur the further expenses of the Court action.

If you still fail to control your arrears the Council will request that the Sheriff grant a Decree at Court. The granting of such a decree has the effect of terminating the tenancy. Once a decree has been granted there is a 14-day appeal period otherwise all members of the property will be evicted.

## SECTION SEVEN OTHER CHARGES

### Service Charge

The Council will arrange for maintenance of the common areas, such as the landscaped and grassed areas and communal space and the cost will be re-charged through Service Charge.

Service charge bills will either be by monthly direct debit or yearly, depending on what is contained in your lease. Please note that most Aberdeenshire Council properties are registered for VAT, therefore VAT will normally be charged.

What is included in my Service Charge?

- Ground maintenance
  - External lighting
  - Drainage
  - Maintenance of common areas
  - Repairs to common areas of tarmac and hardstandings
  - Signage
  - Insurance
  - Repair and maintenance of mechanical services
  - Management fee
- a) Under old leases the Service Charge will be based on the area of the premises as a proportion of the total area of all the factory units in the said Industrial Estate and charged annually in arrears.
- b) For new leases the annual service charge will be set as a fixed percentage of the rent for the duration of the lease in respect of the upkeep of the common areas of the industrial estate in which the premises are situated. The service charge will be paid monthly by direct debit.

## **Electricity**

Each unit is separately metered and tenants are responsible for the electricity consumption relating to their own specific areas of occupation. Electricity consumption relating to the common areas is divided among the occupants of the building and recovered via the service charge.

As tenant you will enter into a contract with a supplier for electricity, gas, telephone etc. The contract is between you and your supplier and it is therefore your responsibility to arrange for the termination of that contract and for final meter readings and de-energising etc.

Aberdeenshire Council has contracts with its own energy suppliers therefore do not instruct the supplier to transfer the responsibility to Aberdeenshire Council. Should your supplier levy any standing charges, even after you vacate, you will be responsible for these.

## **Water Supplies**

Scottish Water supplies water and sewerage. The supply is most probably metered and charges are recovered directly from tenants.

## **Business Rates**

The Regional Assessor sets rateable values and Aberdeenshire Council collects the relevant commercial rates. Tenants are responsible for meeting their own local uniform business rates as levied by Aberdeenshire Council.

Any queries regarding the rateable value should be directed to:

Grampian Valuation Joint Board  
Woodhill House  
Westburn Road  
Aberdeen

website – [www.grampian-vjb.gov.uk](http://www.grampian-vjb.gov.uk)

Any queries relating to business rates including eligibility for relief should be directed to:

Aberdeenshire Council,  
Business Rates Office,  
Grampian House,  
88 Commerce Street,  
Fraserburgh  
AB43 9LP.

Tel            01346 519622  
e-mail        [business.rates@aberdeenshire.gov.uk](mailto:business.rates@aberdeenshire.gov.uk).

## SECTION EIGHT HEALTH and SAFETY

A survey has been undertaken by Aberdeenshire Council's Health & Safety Unit to consider the Health and Safety responsibilities, which Aberdeenshire Council, as landlords owe to their tenants, employees and visitors.

The main areas of consideration were the communal areas, which Aberdeenshire Council is responsible for, including the arrangements for fire evacuation, means of escape, fire fighting equipment, welfare, electricity, food safety, disabled access and facilities, gas, chemicals, cleaning materials, safe access and egress.

In connection with shared facilities, there are a number of regulations to consider in relation to the Council's responsibilities towards their tenants including the following:

Under Section 4 of the Health and Safety at Work Act 1974 there are duties imposed on the Council towards "persons not in their employ" i.e. tenants and includes responsibilities regarding "maintenance or repair" of the premises.

The Management of Health and Safety at Work Regulations 1999 refers to "Co-operation and Co-ordination" and "Person in Control" with regard to the arrangements for shared common areas.

The Fire Precautions (Workplace) Regulations 1997 also imposes a duty on the Council as the "Person in Control" and the tenants have a duty to "Co-operate and Co-ordinate" with the Council. i.e. The Council are responsible for the arrangements for safe access/egress, providing fire extinguishers (in the common areas), conducting evacuation drills, ensuring the fire alarm and call points are tested weekly and keeping a Fire Log. The tenants *must* co-operate with these arrangements by participating in evacuation drills.

The Workplace (Health, Safety and Welfare) Regulations 1992 imposes duties including: Ensuring that "repair and maintenance work is carried out properly" and also adequate arrangements are in place regarding;

Ventilation, temperature, lighting, cleanliness, room dimensions, floors, window cleaning, sanitary conveniences, washing facilities, drinking water and hygiene standards.

The Electricity at Work Regulations 1989 imposes a duty to re-test Fixed Electrical Installations “every 10 years” and conduct “Portable Appliance Testing “(PAT).

The Disability Discrimination Act 1995 and The Building Standards (Scotland) Regulations 1990 as amended, incorporate arrangements for “safe access/ egress and facilities” for people with disabilities.

The Control of Substances Hazardous to Health Regulations 2002 imposes a duty regarding the use, storage, labelling and assessment of substances/chemicals, which can be hazardous to health. Substances/Chemicals should be COSHH assessed and the information made readily available, (e.g., Firefighters and Paramedics should be able to access COSHH information if the need arises).

Suitable Sanitary Disposal should be provided within the toilets.

Cold Water Taps that are not drinking water have been identified throughout the building. The tenant must undertake a test of the water supply at periodic intervals.

### **First Aid Equipment**

It is the responsibility of tenants to provide any first aid equipment required for their office and provide any training required for staff. No first aid equipment will be provided by the landlord.

### **Asbestos**

Aberdeenshire Council has undertaken Asbestos Surveys in all of its buildings as specified in the Health & Safety Executive Document MDHS 100. The survey revealed that the property does not appear to contain any asbestos or asbestos containing materials. *See also the Small Guide to Managing Asbestos in Premises.*

### **Health & Safety Executive**

To encourage a positive Health and Safety culture amongst Aberdeenshire Council Business Tenants, a request form is attached which Tenants can send to the Health and Safety Executive (HSE). Tenants will then receive free of charge, twenty-five Health and Safety information leaflets. Please include your company details and send to the address shown on the form should you wish to receive this free information pack.

## Free Health & Safety Information

A request form is available from the Health and Safety Executive (HSE) to receive free of charge, twenty-five Health and Safety information leaflets. Please include your company details and send to the address shown on the form should you wish to receive this free information.

There is also a section containing links to a wide range of websites e.g. HSE, NHS & IOSH, which give access to a variety of information & publications relating to Health and Safety and can be downloaded free of charge.

Free HSE Books Catalogue <http://www.hse.gov.uk/pubns/books/hsecat.htm> is also available by telephone/fax/e-mail.

Tel: 01787 881165 Fax: 01787 313995 E-mail: [hsebooks@prolog.uk.com](mailto:hsebooks@prolog.uk.com)

HSE Books Website <http://books.hse.gov.uk/hse/public/home.jsf>

**From 1<sup>st</sup> September 2009 many priced HSE Publications will be free to download**

- HSE 31 (rev 1) Riddor Explained
- INDG 36 (rev 3) Working with VDU's
- INDG 214 First Aid at Work
- INDG 259 (rev 1) An Introduction to Health and Safety
- INDG 402 Safe use of ladders and stepladders
- INDG 171 (rev 1) Aching Arms (or RSI) in Small Businesses
- INDG 218 A Guide to Risk Assessment Requirements
- INDG 275 Managing Health and Safety
- INDG 322 Need Help on Health and Safety?
- INDG 232 (rev 1) Consulting Employees on Health and Safety
- INDG 173 Officewise
- INDG 90 (rev 2) Understanding Ergonomics at Work
- INDG 163 (rev2) Five Steps to Risk Assessment
- INDG 225 (rev 1) Preventing Slips, Trips and Falls at Work

- INDG 345 Health and Safety Training
- INDG 293 (rev 1) Welfare at Work
- INDG 136 (rev 4) COSHH a brief guide to the regulations
- INDG 236 Maintaining portable electrical equipment in offices
- INDG 355 Reduce Risks – Cut Costs
- INDG 73 (rev 2) Working Alone
- INDG 143 (rev 2) Getting to grips with Manual Handling
- INDG 174 (rev 1) A short guide to the Personal Protective Equipment Regs.
- INDG 271 Buying New Machinery
- INDG 281 (rev 1) Work related Stress
- INDG 343 Director’s responsibilities for Health and Safety

*There are a number of websites maintained by the HSE which include free and up to date information relating to Health and Safety, including the following:*

<a href="http://www.hse.gov.uk/business/getting-started.htm">http://www.hse.gov.uk/business/getting-started.htm</a>	Getting started
<a href="http://www.hse.gov.uk/faq.htm">http://www.hse.gov.uk/faq.htm</a>	HSE Website Help
<a href="http://www.hse.gov.uk/press/press.htm">http://www.hse.gov.uk/press/press.htm</a>	Press Releases
<a href="http://www.hsenews.com/index.php">http://www.hsenews.com/index.php</a>	What’s New?
<a href="http://www.hse.gov.uk/pubns/leaflets.htm">http://www.hse.gov.uk/pubns/leaflets.htm</a>	Free Leaflets
<a href="http://www.hse.gov.uk/flist/index.htm">http://www.hse.gov.uk/flist/index.htm</a>	New Publications
<a href="https://www.hse.gov.uk/forms/index.htm">https://www.hse.gov.uk/forms/index.htm</a>	HSE Forms
<a href="http://www.hse.gov.uk/business/registering-new.htm">http://www.hse.gov.uk/business/registering-new.htm</a>	Registration Info
<a href="https://www.hse.gov.uk/forms/notification/index.htm">https://www.hse.gov.uk/forms/notification/index.htm</a>	Notification Forms
<a href="http://www.hse.gov.uk/search.htm">http://www.hse.gov.uk/search.htm</a>	HSE Search Engine
<a href="mailto:hsebooks@prolog.uk.com">hsebooks@prolog.uk.com</a>	HSE e-mail address
<a href="http://www.hsebooks.com/Books/product/product.asp?catalog%5Fname=HSEBooks&amp;category%5Fname=&amp;product%5Fid=4825">http://www.hsebooks.com/Books/product/product.asp?catalog%5Fname=HSEBooks&amp;category%5Fname=&amp;product%5Fid=4825</a>	Starter Pack (£35)

### **Other useful Health and Safety related Web Links**

<a href="http://www.coshh-essentials.org.uk/">http://www.coshh-essentials.org.uk/</a>	Chemicals/Substances
<a href="http://www.nhs.uk/Pages/homepage.aspx">http://www.nhs.uk/Pages/homepage.aspx</a>	Medical Conditions
<a href="http://www.infoscotland.com/firelaw/v2.jsp?pContentID=240">http://www.infoscotland.com/firelaw/v2.jsp?pContentID=240</a>	Fire Safety RA
<a href="http://www.infoscotland.com/firelaw/v2.jsp?pContentID=229">http://www.infoscotland.com/firelaw/v2.jsp?pContentID=229</a>	Specific Guidance
<a href="http://www.protect.org.uk/">http://www.protect.org.uk/</a>	PDF H&S checklists
<a href="http://www.iosh.co.uk/index.cfm?go=consultancy.main">http://www.iosh.co.uk/index.cfm?go=consultancy.main</a>	Choose a Consultant
<a href="http://www.esc.org.uk/safety-in-the-home/safety-dvd.html">http://www.esc.org.uk/safety-in-the-home/safety-dvd.html</a>	Electrical Safety DVD

## SECTION NINE SECURITY and INSURANCE

### 1. What Am I Responsible For?

As a tenant you are responsible for the security and protection of your own property.

Aberdeenshire Council will have issued you with all the keys for the property, which were held by them. It cannot be guaranteed that no other keys exist. Accordingly, you are strongly recommended to replace the locks with new secure ones.

You will be responsible for replacement locks and keys if lost.

### 2. What Am I Insured For?

The Council insure all its Buildings under a Block policy. The premium for this is recharged to the tenants on an annual basis.

The present sum insured for the building has been calculated to include the reinstatement of the building, loss of rent and service charge and landlord's fixtures and fittings.

A copy of the Policy and the Perils covered is available on request.

This sum excludes tenants' fixtures and fittings, stock and chattels, accidental damage and employers liability for your staff, contents, public liability and third party liability etc.

Insurance for these items is not included; therefore tenants should arrange their own insurance cover.

In the event of any damage, giving rise to a claim, please inform the Area Estates Surveyor (see Section One) immediately, giving full written details of the incident in order that the Insurers can begin to investigate the loss without delay.

## SECTION TEN ENDING YOUR LEASE

### **WHAT ACTION MUST I TAKE TO END MY LEASE?**

If you wish to end your lease because you are moving to another Property or for other reasons, contact your appropriate Area Estates Surveyor.

Your rights of termination will be detailed in your lease. However, generally for Industrial Properties for a lease term of 6 years you may have the right to terminate after years 1, 2 and 3 subject to a penalty payment of 10% after year 1 and 15% after years 2 and 3. A period of notice is usually provided for in the lease. The Area Estates Surveyor should be contacted to clarify the precise terms.

If you are relocating to other Council owned premises the penalty payment may be waived. Your Area Estates Surveyor will be able to confirm.

Subject to certain conditions you may be permitted to assign your lease to another party and thus avoid any penalty payments. Again contact the Area Estates Surveyor for further details.

### **WHAT DO I DO BEFORE I MOVE OUT OF MY PROPERTY?**

On agreement of termination to vacate the property, the Property Management Assistant or Area Estates Surveyor will visit the property and prepare a Schedule of Dilapidations (a report detailing the works required to be carried out prior to your leaving the property), a copy of this will then be sent to you. Works must be completed prior to the agreed termination date.

You will be required to be up to date with regard to rent, service charge, insurance premiums, rates and any other payments due to Aberdeenshire Council at the date of termination. If you have a problem with regard to any outstanding sums and their repayment, then please discuss this with your Area Estates Surveyor.

At the termination date you will be required to remove all your possessions from the property and return all keys to Aberdeenshire Council. All improvements and fixtures must be left intact.

You will be required to ensure?

- 1) That the property is kept insured up to the date of termination.
- 2) That the property is kept heated up to the date of termination and the water system drained down on termination.
- 3) As tenant you will have entered into a contract with a supplier for electricity, gas, telephone etc. The contract is between you and your supplier and it is therefore your responsibility to arrange for the termination of that contract and for final meter readings, de-energising etc.  
Aberdeenshire Council has contracts with its own energy suppliers therefore do not instruct the supplier to transfer the responsibility to Aberdeenshire Council. Should your supplier levy any standing charges, even after you vacate, you will be responsible for these.
- 4) To assist in a smooth transition can you also supply a copy of the most recent electricity/gas/water invoice?
- 5) All keys must be returned to the Area Estates Surveyor, together with codes for any security alarms, which may have been fitted.
- 6) Arrange with the postal service for a forwarding address for your mail. Please also supply these details for our records.
- 7) Clean the property and leave it in a tidy condition.