

SCSI Professional Guidance

# A Guide to Preparing an Occupiers Handbook

For Commercial and Retail Property Managers

Information paper



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# A Guide to Preparing an Occupiers Handbook

For Commercial and Retail Property Managers

Information paper

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## Foreword

As practitioners we are required to prepare or update Occupiers Handbooks for commercial, retail and residential premises under our management.

Each time the management of a property changes hands or a new property comes to the market there is a potential opportunity to prepare a new handbook. Every property and every lease is unique and the preparation of an Occupiers Handbook is regulated by the terms of the leases and the requirements of the property.

This Handbook is intended as a guide only and as an aid to asking some of the more pertinent questions in assisting you to compile your own document. In particular this handbook will be of benefit to new entrants to our profession.

Any guide is only a snapshot of best practice at a moment in time and is often superseded by new lease provisions, technology, law and practise. As practices change we would welcome your comments to assist us update the handbook thus keeping it relevant to all.

Finally, I would like to express my appreciation to my colleagues in both the Society of Chartered Surveyors Ireland and the Association of Shopping Centre Managers who collaborated whole heartily in preparing this Occupier's Handbook for all our use.

Yours sincerely,

**Séan Aylward**

Commercial Sub Committee Chair of the Property & Facilities Management Surveying Professional Group

## Acknowledgments

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## SCSI Information Paper

This is an information paper (IP). Information papers are intended to provide information and explanation to SCSI members on specific topics of relevance to the profession. The function of this paper is not to recommend or advise on professional procedure to be followed by members.

It is, however, relevant to professional competence to the extent that members should be up to date and have knowledge of information papers within a reasonable time of their coming into effect.

Members should note that when an allegation of professional negligence is made against a surveyor, a court or tribunal may take account of any relevant information papers published by SCSI in deciding whether or not the member has acted with reasonable competence.

## Document status defined

SCSI produce a range of standards products. These have been defined in the table below.

Document status defined		
Type of document	Definition	Status
SCSI practice statement	Document that provides members with mandatory requirements.	Mandatory
SCSI code of practice	Standard approved by SCSI, and endorsed by another professional body that provides users with recommendations for accepted good practice as followed by conscientious practitioners	Mandatory or recommended good practice (will be confirmed in the document itself)
SCSI guidance note	Document that provides users with recommendations for accepted good practice as followed by competent and conscientious practitioners	Recommended good practice
SCSI information paper	Practice based information that provides users with the latest information and/or research	Information and/or explanatory commentary

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# 1. Introduction

- 1.1 When drafting an Occupiers Handbook it is recommended that the following format be adopted and adapted to suit the property's particular requirements.
- 1.2 The contents page(s) (see previous page) are suggested as a methodology to follow.
- 1.3 Welcome note from building / centre management team  
A brief paragraph welcoming the tenants(s) to the property.
- 1.4 History of property / development  
Briefly set out the description of the property, its history and development together with any refurbishments carried out.



## 2. Compliance / Amendments

The *Guide to Preparing an Occupiers Handbook* should comprise rules and regulations referred to in your lease and it also allows for its periodic review and amendment.

The lease provides for the enforcement of these regulations.

## 3. Key Contacts

The following personnel are responsible for managing this property and their contact details are as follows:

### 3.1 Onsite Management

Centre / Property Manager:

Mobile:

Email:

Deputy / Facilities Manager:

Mobile:

Email:

Building / Centre Administrator:

Email:

Address for Correspondence:

Telephone:

Fax:

Web:

Facebook:

Twitter:

Site Management Office;

Is located at / near to \_\_\_\_\_.

### 3.2 On Site Security

Security Contracts Manager:

Mobile:

Email:

Control Room Telephone:

### 3.3 Managing Agents

Client Director:

Address for Correspondence:

Telephone:

Mobile:

Fax:

Email:

Accounts Office:

Name (1)

Name (2)

Address: if different from above.

Telephone:

Email:

Fax:

## 3.4 Emergency Services Contacts – Local and National

We recommend that the following information should also be supplied;

Gardai:

Fire Brigade:

Ambulance:

Essential Services;

Electricity:

Gas:

County / City Council Offices:

Irish Water / Water Department:

Roads Department:

Rates Office:

Keyholder;

Each tenant is required to provide details of at least 3 keyholders should an emergency arise.

This list must be updated where changes of staff occur.

It is your responsibility to ensure the keyholder list is regularly updated as incorrect or out-of-date information may lead to costly interventions and / or unnecessary nuisance / annoyance to your fellow tenants.

Details of any external Fire Alarm / Intruder Alarm monitoring arrangements should also be included.

## 4. Trading Hours / Building Opening Hours

The opening hours of retail or commercial premises will generally be set out in the lease and should be adhered to by all tenants. The Centre Management / Property Manager can amend the trading hours and this will usually be after tenant consultation.

Typical trading hours within a retail shopping centre environment will be the following:

Day	Times
Monday	09.00 – 18.00
Tuesday	09.00 – 18.00
Wednesday	09.00 – 18.00
Thursday	09.00 – 21.00
Friday	09.00 – 21.00
Saturday	09.00 – 18.00
Sunday	12.00 – 18.00

Typical trading hours within an office environment will be the following:

Day	Times
Monday	09.00 – 18.00
Tuesday	09.00 – 18.00
Wednesday	09.00 – 18.00
Thursday	09.00 – 21.00
Friday	09.00 – 21.00
Saturday	09.00 – 18.00
Sunday	12.00 – 18.00

All occupiers should adhere to the trading / opening hours as outlined in their lease.

To trade / work outside of the aforementioned trading / business hours will require agreement with the Landlord / managing agent and may incur additional service charge costs.

Please contact the centre/property manager/managing agent to discuss any proposals for additional trading hours.

## 5. Access to Buildings / Deliveries

### 5.1 During normal Opening Hours and Out of Work Hours

The building is accessible to staff from X am to Y pm and for members of the public from X+1hr to Y-1hr.

**OR**

The centre's core trading hours are X am to Y pm weekdays and weekends.

Additional trading hours may be agreed and confirmed.

Otherwise tenants will be charged for any additional trading hours they request.

#### **Access to Buildings**

The entrance lobby reception is manned from 8am to 6pm weekdays.

**OR**

There is a video intercom at the main entrance (door) to allow visitors contact tenants.

By agreement, in some cases, tenants may have override facilities to allow visitors access.

**OR**

Access is via the swipe card.

**OR**

The shopping centre is open to staff from 6am to 9pm weekdays and weekends and access outside these hours by prior arrangement with security.

**OR**

Visitors may be required to sign in at the main reception and follow directions of the receptionist.

**OR**

Tenants who have visitors remaining on the premises after normal hours are responsible to ensure they leave the building and its precincts safely.

### 5.2 Car Parking

As set out in Section 13 of this Handbook.

## 5.3 Deliveries

Each tenant should ensure that their delivery contractors are made aware of the Delivery Regulations set out below and that at all times when they are on the premises they are ultimately under the control of the building security.

### Delivery Regulations

#### Retail;

- Where possible, deliveries should be made through tenants rear doors via the service yards.
- Under no circumstances are the entrances or service yards to be blocked by either vehicles or goods.
- Under no circumstances are the service yards or any other part of the common areas to be utilised as a storage area during the loading/unloading of goods.
- Goods or trolleys must not be stored at shop entrances and/or on the malls or any other part of the common areas during or after delivery.
- Delivery vehicles must not park on yellow boxes, double yellow lines, disabled parking spaces, Mother & Child spaces, or park in such a way as to become a nuisance in the car park.
- The use of pallet trucks or trolleys on the malls or any other part of the common areas is strictly forbidden due to the risk of damage to the floor tiles unless the wheels of the trucks/trolleys used have a soft rubber covering/tyre.
- Supermarket trolleys being returned to the store trolley bay may only be brought in groups of less than 5 trolleys each time to avoid accidents and damage to the mall floors.
- Tenants should ensure deliveries are made early morning or in the evening and only in exceptional circumstances, and with the prior approval of Centre Management should deliveries be made outside these hours.
- It may be necessary, from time to time, to regulate deliveries to reduce the risk of congestion and tenants are requested to comply to reduce the risk of an accident.

#### Office

Offices generally require less complex regulations.

## 6. Permit to Work System

### 6.1 Details to permit to work system

A permit to work procedure is a means of achieving effective control of a system of work through formal written documentation known as a permit to work form which will also include health & safety and insurance issues. The essential components of a permit-to-work system include:

- A written procedure, which sets out how the system is to operate and clearly defines who may authorise particular jobs and who is responsible for specifying and implementing the necessary precautions
- A form, known as the "Permit-to-Work Form", which becomes a written and signed statement ensuring both the establishment of safe conditions for the work to commence and the maintenance of safe conditions for the duration of the work, including the provision of emergency arrangements
- A method of informing the persons carrying out the work of the exact identity, location, nature and extent of the job, the hazards involved and the precautions to be taken, and
- A system for ensuring the safe hand-back of the workplace after the job is completed and, in the case of confined space entry, after the space is vacated

Contractors EL and PL Insurances, together with Safety Statement and Method Statement must also be provided for vetting prior to any work being carried out.

A permit to work will detail the following:

1. Location
2. What work is to be carried out
3. Who is assigned to do work & do they have sufficient training
4. What hazards are identified
5. Preventative measures taken i.e. isolation from hazardous substances / energy sources
6. Emergency / rescue procedures
7. Personal Protective Equipment to be worn

### 6.2 Access to Buildings

A **Hot Works Permit** is designed in much the same way as a permit to work, however it includes more detail relating to combustible material i.e. combustible material must be 35 feet from area of work; fire extinguishers to be present; wall & floor openings within 35 feet to be covered; equipment not to be used near flammable materials; fire hazards that cannot be moved must be protected etc.

### 6.3 Access / Restrictions

The property / centre manager will ultimately control the access requirements of the contractor and must bear in mind the planned works and the potential impact on the tenants / members of the public within the property.

**Note:**

This section should be read in conjunction with the Contractors Insurances requirements.

See Sections 14 & 15 for Health & Safety & Insurance



## 7. Waste Disposal

**With Landfill charges increasing almost annually, the collection, removal and disposal of waste is an important and costly ancillary service for buildings.**

Any build-up of waste may lead to public health/safety issues.

Similarly, the incorrect disposal of waste may lead to the property manager appearing in Court with the consequent loss of reputation, loss of contract and/or loss of freedom.

The segregation of waste together with its recycling is an important aspect of the company's Corporate Social Responsibility (CSR) policy as well as reducing costs.

The collection of waste from Shopping Centres is often a more complicated process and will be commented upon separately below.

Note that anchor tenants to comply with the Waste Management Act 1996, Regulations & EU Legislation may arrange for the disposal of their own waste but this is subject to the terms of their lease.

The Property/Centre Manager should familiarise themselves with the legislation which applies to anchor tenants and their obligations in the areas of waste management, disposal and recycling including WEE.

### Questions to be answered

Will waste segregation be provided and who will provide this and who will be responsible?

- How much refuse is likely to be generated daily?
- Will tenants be responsible for bringing their refuse to the collection point?
- Will all tenants participate or will anchors (retail) make their own arrangements?
- Determine the size, quantity, type and location of bins?
- Will a skip and compactor be required?
- Can a service truck access the compactor/collection point(s)? Will it need to be done out of hours?
- The collection of cardboard and plastic may provide a revenue opportunity depending on quantity and quality and market forces.
- Where food stuffs need to be disposed of colour coded wheelie bins should be provided.
- Will you be providing additional services, for example bottle and clothes banks?
- Carefully consider your choice of tenderers for your contract and talk to colleagues for their comments.

### 7.1 Shopping Centres

In addition to above, shopping centres will generate vast amounts of mixed waste and need to consider:

- Will a buggy be required to pull bins around to the tenants' service areas?
- How often will this service operate?
- Hours of service
- Cost
- Will a bailing machine(s) be required for cardboard and plastic and who will be authorised to operate them?
- Will a separate contract for the removal of wooden pallets be necessary?
- Due to the number of foreign nationals working in retail it may be prudent to have visual aids notices/signage erected in appropriate locations to reduce the rate of incorrect waste handling
- The manager must consider what actions are available to deal with tenants who are not complying with the centre's waste regulations

### Conclusion

The foregoing points are just an aid to preparing a waste disposal plan for your property and should not be interpreted as an exhaustive checklist.

## 8. Cleaning

Cleaning is an ancillary service to the property and may be subdivided as follows:

- Daily: routine cleaning of common areas
- Tenant areas cleaning
- Periodic cleaning – roofs, windows etc.,
- In House vs Contract

### Questions to be asked pre-contract;

The following information will also be useful in preparing a cleaning tender;

- Will TUPE apply and what will be the implications?
- Request copy of manufacturer's floor cleaning recommendations. May also apply to other finishes.
- Contract will be awarded following a procurement process.
- Forward to contractor and seek written confirmation that their cleaning products are compatible to floor finishes.
- Request copies of cleaning products information sheets.
- Request contractor to carry out a sample clean in a small area that is "out-of-way" and review afterwards.
- Obtain a draft Cleaning Schedule for your approval.
- Obtain a Schedule of Equipment for your approval.
- Are there any environmental issues with products or machines e.g battery vs diesel?
- Where will the equipment and materials be stored? Who is responsible?
- Does the contractor provide uniforms, protective clothing and equipment?
- Insurance?
- Create a bespoke Service Level Agreement (SLA) to ensure agreed standards are both maintained and improved.
- Agree on frequency of their site visits and reporting.
- Client confidentially.

### Define

- Opening hours of property.
- Hours that cleaning will take place e.g. pre-opening, post-closing, during opening hours or a possible combination.
- Areas to be/not to be cleaned, their frequency, specification, supervision.
- Clearly state how operatives are to be "clocked in" e.g. manual sign-in book, electronic swipe card, and other system(s)

### Regulatory;

- Ensure Equipment Engineering Insurance Inspections are carried out as required and reports are actioned and recorded.
- Carry out a Health & Safety Audit.
- Request copy of contractor's training plan for the year.

### Retail;

Shopping Centres have additional requirements due to the large footfall on the malls (common areas) at any given time.

Ensure procedures are in place to have resources to action and record spillages, trips and falls.

- Public toilets require a regular pro-active cleaning procedure which is fully documented.
- Is a Food Court included in the cleaning? Separately invoiced? Separate staff
- Should cleaner(s) carry a security radio to be contactable at all times?
- Consider installing contact points around Centre to record cleaners were in these areas at specific times – useful information when defending in a court case.
- Consider using CCTV to record all notifications of spillages and accidents.
- Remind tenants that their window cleaner is responsible for mopping floor after washing glasses and frames.

#### **Miscellaneous;**

- Ensure a proper contract letter documenting each party's duties is issued.
- Ensure Contractor's insurances are vetted.
- If contractor's staff have to drive equipment who is responsible? Who own the equipment? Train staff? insurers? Is a driving licence required?
- Who orders toiletries and how are they invoiced?
- Clarify relationship(S) which contractor may have with tenant(s) and set a clear demarcation.
- Will additional duties be required e.g. security lock-up?
- Require commitment to have a full complement of staff on duty at all times and agreed response time to have additional staff on site when required.

#### **Conclusion**

The cleaning contract is bespoke to the property and may be more comprehensive than this chapter has outlined.

## 9. Security

### 9.1 CCTV/ Data Protection

The Security Staff at the property may be on duty at all times throughout trading hours. In some cases the security service provider is present when the premises is closed to the public (24/7).

It is the role of on-site Security personnel to monitor and control all common areas, although tenants will ultimately retain responsibility for security within their own demise.

### 9.2 Centre/ Building policy on crime prevention / shop lifting

Tenants must be informed that security within their own unit is their responsibility, including dealing with shoplifters and other undesirables. It is the tenant's responsibility to carry out an arrest for an alleged offence committed within their unit. Centre security will provide assistance by way of a physical presence when available to prevent public order issues. Only the person who witnessed the theft may make an arrest.

A comprehensive Closed Circuit Television (CCTV) System is in operation within the requirements of the Data Protection Act 1998 and covers all the common areas of the property.

The CCTV cameras situated around the property are digitally recorded and in conjunction with the requirements of The Data Protection Act, applications to view recordings of incidents for whatever reason must be made through the Property Manager or Centre Manager. Production of CCTV images in whatever format, will normally only be made available to the Gardaí upon receipt of an authorised written request. Any direct approaches to obtain footage from the Security office will not be authorised.

All security staff and CCTV maintenance staff are required by law to be licensed by The Private Security Authority pursuant to the Private Security Services Act 2004.

Any security personnel contracted on behalf of the tenant should only operate within their demise and not in the public / common areas of the property, unless at the specific instruction of the property Building or Centre Manager.

A "clear" arrest policy should be set out and sent to all retail tenants.

## 10. General Emergency Provisions

This section of the guide deals with general emergency provisions that all tenants, staff and visitors to the premises must be aware of. Tenants need to be aware of the current statutory regulations for Fire and Health & Safety (Fire Services Act 1981 & 2003 and Safety, Health and Welfare at work Act 2005).

Tenants need to have the relevant staff trained up as Fire Wardens / Marshals in order to efficiently deal with an emergency situation.

### 10.1 Action on hearing the fire alarm

All staff, both Management and Tenants should remain calm and act methodically and with speed. It is the responsibility of every individual working within the premises to know the location of fire alarms and firefighting appliances and to be familiar with the use of the latter.

DIAL 999 - on the nearest external telephone to request the Fire Brigade and to ask for an Ambulance if anyone is injured. Speak clearly and precisely in giving the fire brigade details of the exact location of the fire.

Inform the Centre / Site Manager & the Marshals and other tenants of the fire if not already known to them and enlist the assistance of their staff to tackle the fire with the fire appliances available nearby. It is expected by this time that Marshals in the vicinity of the fire will have taken over control and responsibility for co-ordinating action. Marshals should be wearing distinctive armbands as supplied by the Landlord or Tenant.

Direct all members of the public away from the fire to the escape and other exits available for use. Staff not actively engaged in dealing with the fire should, after evacuating members of the public from the vicinity of the fire, leave the Centre and assemble at a location previously arranged by the Tenant concerned.

All Tenants must exhibit a Fire Notice in their shop/office units detailing the action to be taken by their staff in the event of a fire. If for any reason control cannot be exercised from the Tenants, the Centre / Site Manager and his Deputy acting in co-operation with the Fire Brigade will set up a 'command post'. Marshals will assist in carrying out instructions and at all times should use their initiative to ensure the Health & Safety and the orderly evacuation of the public.

In the event of the Centre / office having to be evacuated, WALK - DO NOT RUN to the exits and exercise as much influence as possible to maintain a calm and alert atmosphere. As soon as the general public in your shop / office and its immediate vicinity has been evacuated from the premises, you should leave the premises unless you have been co-opted for duty by your Marshal. Before evacuating the premises you should, if possible, close all doors and windows to reduce the spread of fire, heat and smoke.

It is the responsibility of the Centre / site Manager and Marshals acting in co-operation with the Fire Brigade to ensure that all members of the public have been evacuated. Marshals should remain on duty for as long as they are required to assist the Fire Brigade and/or the Management staff.

## 10.2 Action on discovering a fire in your unit

In the event of a fire, follow the instructions that are given in the Fire Action Notices that are displayed throughout the premises.

If you discover a fire:

- Operate the nearest fire alarm call point.
- Leave the building quickly and calmly by the nearest fire exit route.
- Call 999 and ask for the Fire Brigade.

**NEVER** attempt to tackle a fire yourself unless you have been trained in the use of fire extinguishers and feel confident that you can do so without endangering the safety of yourself and others.

## 10.3 Action in event of Fire

If you discover a fire;

- Raise the alarm
- Contact Security at the earliest possible time

Only fight the fire if;

- You have been trained in the use of extinguishers
- It is safe for you to do so
- Your escape route is clear
- The fire can easily be controlled by using only 1 extinguisher

## 10.4 Evacuation of Building during trading hours / out of hours

If evacuation is ordered, follow these procedures:

- Stay calm, do not rush, and do not panic.
- Safely stop your work.
- Gather your personal belongings if it is safe to do so. (Reminder: take prescription medications out with you if at all possible; it may be hours before you are allowed back in the building.)
- If safe, close your office door and window, but do not lock them.
- Check the nearest fire evacuation plan for the safest and quickest exit
- Use the nearest safe stairs and proceed to the nearest exit. Do not use the elevator.
- Proceed to the designated Assembly Area and report to your Fire Warden.
- Wait for any instructions from Fire Wardens / Fire Brigade.
- Do not re-enter the building or work area until you have been instructed to do so by the Fire Brigade.

# 11. Fire Prevention and Control

In this section of the guide it is intended to convey to all tenants and staff the importance of complying with the necessary Statutory Regulations. These include the Fire Services Act 1981 & 2003 and the Safety, Health and Welfare at Work Act 1989 & 2005 and any subsequent amendments thereto, along with the procedures of the property.

It is obligatory for tenants and Property Management to be aware of the procedures to be followed both inside and outside of normal trading hours. All tenants must advise the Property Management of a change in their appointed Fire Warden and Keyholders to allow the fire and emergency evacuation procedure to be carried out with success.

The full co-operation of all tenants is paramount when security within the property is implementing the appropriate action in the event of a fire or other emergency. It is essential for all tenants and their staff to be conversant with the procedures contained below:

## 11.1 Control Room

The Control Room will be manned at the discretion of the landlord and is subject to requirements of the property and its tenants located therein.

## 11.2 Fire Doors

All fire doors serving both tenants' units and common areas must be kept clear of equipment and refuse etc. at all times. Tenants must never obstruct fire doors and all mechanisms associated with these doors such as push bars etc. must be kept in perfect working order at all times. All fire doors must open outwards and the landlord has the right to remove any obstruction left in a fire corridor.

## 11.3 Fire Stairs

All fire stairs must be kept illuminated and free of any obstruction.

## 11.4 Fire Equipment

The landlord is responsible for the provision and maintenance of the common fire alarm system, emergency lighting system, sprinkler system, smoke control system, fire extinguishers and hose reels (if applicable). The landlord reserves the right to improve fire equipment in the best interest of all occupants and in compliance with changes in regulations.

The tenant is responsible for the provision and maintenance of equipment within their demise such as fire extinguishers and other equipment subject to lease. The tests of each system must be carried out at periodical intervals as required by current regulations. The tenant may be required to provide proof to Property Management that they are maintaining their fire prevention equipment.



Fire extinguishers should be visible throughout all common parts and units within the property. Each extinguisher should be marked detailing its content and method of operation. Tenants should educate their staff in the proper use of fire extinguishers.

## 11.5 Fire Prevention Equipment Modification

Should a tenant wish to alter the layout of their demise which results in a modification to the landlord's fire prevention equipment, then the work should be completed by a contractor nominated by the Landlord. Such works include the relocation of a smoke detection head and the tenant would usually be liable for the associated costs.

## 11.6 Emergency Lighting

The emergency lighting system is provided by the Landlord in the common areas only. This equipment is serviced quarterly per annum and activated in the event of a power failure to ensure a safe route of passage is illuminated for all persons to safely exit the property.

## 11.7 Fire Drills and Tests

There is a requirement to carry out two fire drills yearly.

A detailed fire drill and other emergency procedures such as weekly bell tests will be arranged with the co-operation of the Fire Officer and issued to all Tenants. It is the responsibility of all tenants to ensure that their employees both temporary and permanent are trained in the fire drill procedure of the property. Fire evacuation drills are conducted twice per annum at six month intervals and all occupants should participate in this exercise.

Where a tenant(s) have a requirement to carry out additional drills these must be agreed in advance with the property / centre manager.

## 11.8 Fire Register

The property manager is responsible for maintaining a Fire Register folder which documents all drills and testing.

## 12. Bomb Threat

Procedures to handle Bomb Threats are an important component of the safety aspect of building occupiers and the premises they occupy.

All Handbooks should reference/incorporate the local Garda Síochána procedures a copy of which is attached as an appendix.

In order to reduce the risk of a bomb being brought into an office building, management may decide not to allow members of the public beyond reception without being accompanied by a member of staff from the occupier company they propose to visit. This requirement should be clearly stated together with the process for dealing with callers e.g. signing in, badges, tenant contact, key controlled lifts to prevent unauthorised intrusions on all floors etc.

All building staff should be regularly trained in the An Garda Síochána procedures and these should also be discussed with tenants as it is equally probable they will receive the threat phone call.

Where evacuation is required the Evacuation Procedures should be followed and these should be reviewed to ensure there is no inconsistency.

### 12.1 Retail

A designated “coded” message should be played/repeated on the P.A system to notify all security and tenants of the threat received and to carry out a careful inspection of their premises.

Should a suspicious package be located at the premises, then the premises should be evacuated.

At all times the instructions of the Emergency Services must be followed.

### 12.2 Training

Continual training is a vital component of keeping a premises and its inhabitants safe.

The Crime Prevention Officer and/or other security professional should be encouraged to call to the premises to discuss on-going relevant issues with management.

Training seminars should be arranged at least annually and should also invite tenants fire marshals to these as it is a combined team effort that is required.

The reader should fully acquaint themselves with An Gardaí Síochána procedures which are available on their website [www.garda.ie](http://www.garda.ie)

## 13. Car Parking

The opening hours are usually at a minimum of one hour before normal Centre opening and extend to one half hour after normal Centre closing times. These times could fluctuate at the discretion of Centre Management, and this is usually completed in consultation with all stakeholders. Although, it should be noted that tenant and staff parking may already be dealt with within the terms of their leases.

The Centre Management may impose car parking restrictions on tenants and their staff to ensure that the car park and associated routes are maintained for the customers. The Centre is naturally looking to maximise the availability of prime spaces for the customers.

Site car parking restrictions for Fit-out Works is usually in place and the contractor will be directed to park in the service yards. These restrictions must be adhered to during all building and fit-out operations.

The Landlord reserves the right to close off temporarily at any time part of the car park, servicing area and Centre for the purpose of repairing, replacing, renovating, cleaning and maintaining.

Also, refer to Section 5 Access to Building / Deliveries.

## 14. Health & Safety

The Health and Safety at Work Act 1974 & Health and Safety at Work Regulations 1999 places a duty on occupiers to ensure the health and safety of all those who may be affected by their work activities in maintained and require persons who share a work site to co-operate with each other in fulfilling their legal obligations.

All environmental issues such as drains, waste, watercourses, energy consumption and discharges to air and land should be considered by occupiers and contractors in a positive manner.

Generally speaking occupiers are expected to conduct their activity in a safe manner and in compliance with all relevant health and safety legislation.

Tenants should carry out an assessment of their demise and risks associated with their occupation. It is recommended that occupiers take the steps necessary to remove or control risk to all persons who enter the property.

Tenants are responsible for the equipment within their demise and ensure the systems are maintained to prevent risk of damage or fire to the property. This includes taking responsibility for the contractors acting on their behalf.

Tenants should provide safety documentation to the managing agent for any work activity within their demise before it can proceed. This will include the provision of specific risk assessments and method statements for the work. This documentation will be reviewed and landlord consent will be sought for the works to proceed. Should a service provider appointed by the tenant breach the conditions they will be ordered to stop work and cannot resume until they can provide evidence that they can complete the work safely?

It would be good practice to have the Safety Statement independently updated on an annual basis.

Health and Safety will include the following;

- fire protection
- fire detection
- emergency lighting
- smoke vents
- any operational equipment

## 15. Insurance

Insurance claims may take place within the premises and this section will outline the necessary procedures that should be followed in the event of a claim.

Insurance is put in place to provide protection to the landlord from claims or incidents that occur to the premises or within the premises. For example a section of roofing damaged by weather or a member of the public slipping in a shopping centre.

The manager should familiarise him/herself with the correct level of insurance in place and this will be determined by the building sums insured; the Public & Products liability and Employers liability levels. Once these levels are correct, this will ensure that sufficient cover is in place.

In the event of an incident, it is imperative that correct reporting structure is in place in accordance with the insurer's requirements. An incident report should be completed immediately by the appropriate staff member detailing the date; time of incident and providing details of persons involved and location of incident together with description of the incident.

The incident report should be issued to the insurance brokers on completion.

Tenants' contractors insurances will also need to be vetted and Indemnity to Principals obtained.

Contractors Safety Statement and Method Statement should also be obtained.

The landlord must be indemnified for mall and tenants' promotions conducted in common areas.

## 16. Cash Collections (Deliveries)

The collection and delivery of cash presents significant concerns for tenants. Cash management and security transfer of tenants cash is their responsibility to oversee. The following cash management guidelines are provided to assist tenants and should be adhered to at all times.

Multiple locations will be provided by the building management for cash collection and delivery. It is recommended that tenants engage the services of a professional security services cash management provider, which may also be at the request of their insurers. In situations where a cash handling provider is not engaged the follow guidelines should be followed:

- Designate a minimum of two staff members to deliver / collect cash. An option is to consider breaking down the transfer into more than one part, with individuals carrying separate cash containers with the cash divided between them and traveling different routes.
- The travel routes and times should vary and only be disclosed to senior management.
- The use of public transport should not be considered and office or personal vehicles should be used. The use of a reliable driver and the frequent changing of cars are recommended.
- When moving large amounts of cash to a financial institution, a tenant should have a contingency plan in the event of branch closure and pre-determined another branch location for safe cash delivery.
- Tenants should avoid references to 'cash or money' when communicating by phone or radio and use a code word as appropriate.
- Tenants and their staff should never discuss their cash handling procedures with others.

## 17. Alterations to Units / Fit out

The lease / agreement for lease will specifically set out the terms and conditions of alterations to an existing unit / fit out and most leases / agreement for leases will require the Landlords written consent prior to any works commencing.

In most cases, the landlord will be provided with plans; drawings & a detailed specification of the existing and proposed works for review. Depending on the level of detail and premises, it may be prudent to attain the views of the landlord's architect / engineer for their professional opinion.

The tenant will be required to refer to the tenant handbook which will detail specific guidelines with regard to design / materials / openings / finishes etc.

When the Landlord has satisfied himself that the works are in order to proceed, he will issue a fit out approval letter consenting to the works which will include the following:

- Details relating to approval under all current Public Health Acts, Local Authority Regulations, Building Control Acts etc.
- An indemnity to the landlord by the tenant in respect of the works.
- Works to be executed to satisfaction to the surveyor / engineer.
- All / any electrical works will be carried out to the R.E.C.I. standards currently applicable.
- All works shall be carried out in accordance with the provisions of the Safety Health & Welfare Work Act 2005 and the Safety Health & Welfare Work (Construction) Regulations 2006.
- Tenant to liaise with sprinkler contractor regarding installation.
- Copies of contractor insurances.
- Compliance certifications i.e. fire cert; Disability Access Cert.



# 18. Marketing

## 18.1 Marketing Team

The marketing manager is responsible for designing and implementing the centres/company's marketing plan.

The role of marketing has expanded to include public relations responsibilities. The marketing manager is responsible for developing contacts with radio, television and print media. Their role is to bring media attention to newsworthy activities, write and disseminate press releases or public service announcements and help shape the marketing plans for various businesses or initiatives.

## 18.2 Marketing Opportunities for Tenants

There may be opportunities for tenants to get involved in marketing campaigns in conjunction with the shopping centre. For example, flower retailer getting involved with Valentine's Day promotion.

Tenants should liaise directly with the Marketing Manager to discuss the potential marketing opportunities available to promote their business.

## 18.3 Shop Window Displays

This is a great opportunity for retailers to successfully market their products. The shop window is what will ultimately draw customers to their unit. They are like billboards for retailers. Each window display will need to be to the required standard as set by Centre Management.

## 18.4 Website

With the growth on online sales and social media, every retailer should invest in a website to assist with sales and provide general information. Retailers will have the ability link their website to the shopping centre website. There will be a requirement to provide a minimum level of detail to the marketing manager for inclusion on the website.

## 18.5 Leaflet distribution

All retailers will be required to provide information to the marketing manager for any leaflet for distribution throughout. Details will include unit number, location, use etc.

## 19. Customer Service Desk

The Customer Service Desk is a location for customers to seek advice from an experienced team who have an intimate knowledge of the property. The Service Desk is equipped to handle customer complaints and answer questions to ensure an enjoyable shopping experience is delivered.

The opening hours of a customer service desk are usually linked to the core trading hours of the property and typical services at this location include:

- Gift Card purchase / check balance facility
- Lost and found
- Photocopying / Fax service
- Coach driver sign in
- Staff incentive scheme
- Store locator service

## 20. Tenant Association

Communication with tenants is usually set out in the lease and especially so for retail. Although it may not be mentioned in an office lease, meaningful, regular and realistic communication with tenants should be the norm. *This is recommended in the SCSi Commercial Service Charge Code* and is available for free member download at [www.scsi.ie](http://www.scsi.ie).

There will be occasions e.g. fit-outs, capital projects etc., when it will be necessary to communicate face to face with office tenants. And whilst there may not be a common area within the property available for such a meeting consideration should be given to whether to request a tenant the use of their meeting room to hold a general tenants meeting or to call to the tenants individually. Each has its own merits.

The Handbook should refer to the holding of periodic meetings to keep tenants up to date on service charge expenditure, new draft budget and operational matters that may impact upon tenants.

### 20.1 Retail

Retail leases will generally specify whether there is a Tenant/Marketing Association and whether membership is mandatory or not.

If not, consideration should be given to forming a tenants association/committee.

Whilst this committee will not have any legal standing it is in keeping with the spirit of the Service Charge Guide. The Handbook should contain a section setting out details of the Tenants Association where it is set up under lease and is compulsory or whether it is set up separate to the lease to consult with tenants.

Consideration should be given to provide the following information:

- How the association is structured.
- Secretarial services provided by Centre Management.
- When and where the Association meets
- Its terms of reference.
- Any other terms applicable to a particular property.

The bottom line is to be transparent with tenants, meeting them to discuss issues from marketing to maintenance and service charge budget. Whether to meet en masse, in small groups or individually, or a combination of all three.

Careful consideration should be given to what is best for the property and its relationship with all the stakeholders.

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