

# **PROPERTY MANAGEMENT**

**&**

# **DEVELOPMENT**

**Guide to renting an office, shop or  
industrial property from the Council**

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**DATA LABEL: PUBLIC**

## **GUIDE TO RENTING AN OFFICE, SHOP OR INDUSTRIAL PROPERTY FROM THE COUNCIL**

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## Introduction

West Lothian Council (the Council) owns a large portfolio of commercial premises, including shops, industrial units/workshops and offices that are 'non-operational'. This means they are not used for the direct delivery of Council services. These properties are let on a commercial basis to generate income for the Council to use to support the services it provides to local residents, and also to support the development of local businesses.

### STEP 1 – Find Out What Property is Available

The Council maintains a database of available property, which provides details of the Council's vacant commercial premises throughout West Lothian.

For details log on to [www.westlothian.com/propertysearch](http://www.westlothian.com/propertysearch) You will need to register on your first visit, but after that you can vary the search criteria until you find a property that suits your needs. For information on what the Council has available select "West Lothian Council" from the list of agents. Alternatively please contact Property Management & Development on 01506 281836 and ask for the Property Assistants, or e-mail us at [propertymanagement@westlothian.gov.uk](mailto:propertymanagement@westlothian.gov.uk).

The database also records properties available from private agents who specialise in commercial premises and land.

### STEP 2 – Establish Your Needs

Before making a commitment to taking any commercial property you should make sure that you are happy that it meets your needs.

Is the property the size you need? Does it have sufficient office accommodation? Is the production area the correct size for your business? Is it suitable for the type of work you will be doing? Will you need additional plant and equipment for your business? Are there any restrictions on the type of use that the property can be put to?

Do you have any special requirements, including?

1. Power requirements. Is the electrical supply sufficient for your proposed demand?
2. Is it close to your suppliers? What are your transport links?
3. Do you need specific security arrangements? You may need a certain type of intruder alarm. This may be a requirement of your insurers.
4. What level of heating has been provided? You may need additional heating dependent on the activity to be carried out and the number of staff you will have.
5. If your business generates many visitors, what is the access like? Are there enough car parking spaces for your type of business?
6. Is it easy to get to if you have lorries delivering supplies?
7. Will your staff be able to get there by public transport?

8. Is the property restricted by "use category"? For example, the Council does not allow retailing from its industrial units, although specialised trade counters may be allowed.

Are the doors wide and high enough for deliveries? Industrial doors differ in height and width. Check that the unit's door is suitable.

9. For an industrial property, is the ceiling height sufficient? Each unit's height may differ, which may restrict the use of forklift trucks, etc. Check your proposed clear ceiling height.
10. Is the floor loading sufficient? The strength of the concrete floor and the loading it can take may differ between units. Please check the floor loading if it is intended that any large equipment is to be brought into the unit.
11. How will I dispose of my waste? You will be required to dispose of your waste appropriately. You may do this through the Council's Cleansing Department or through a private company. You will not be able to store a skip outside your unit.

### **STEP 3 – Viewing the Property**

You can view council property at a convenient time on Monday to Friday, generally between the hours of 9:00 am and 4:00 pm. Contact our Property Assistants on 01506 281836, or e-mail us at [propertymanagement@westlothian.gov.uk](mailto:propertymanagement@westlothian.gov.uk).

Once you have seen the properties, decide which one is your preferred choice by assessing your needs.

### **STEP 4 – Are There Any Restrictions?**

The use of Council property is controlled under the terms of our leases, and the Tenant's Handbook. Detailed management regulations are included in these documents. For example, you will not be able to use the premises for any other purpose than is lawfully permitted or that may cause a nuisance to neighbours.

You may also need planning permission. Our industrial units should be suitable for activities falling within Planning Use Classes 4, 5 and 6 (Light and general industrial use, and storage and distribution), and our shops for Use Class 1 (Retail). However, some uses of our shops – for example hot food sales – will need planning permission. Similarly use of our offices for professional services may require a change of use consent from Use Class 4 to Use Class 2.

In addition, the Council's small industrial units are not suitable for vehicle repairs; for retail or leisure use; or for a crèche or nursery. Please check if there are any other restrictions relating to the unit that you intend to occupy. You will not be able to do the following in and around one of the council's smaller industrial units: -

1. Store a skip outside the unit.
2. Use the forecourt to store plant, equipment, etc
3. Use the forecourt as part of your business.

## **STEP 5 – What Are The Financial Implications?**

The financial outgoings will be a major consideration. Will you be able to afford the following:-

1. Rent - the cost of using the premises. VAT may be charged on some of our properties. If you are not registered for VAT you cannot claim it back.
2. Rates - make sure you know the actual cost of the rates payable, not just the rateable value. Our Property Assistants will be able to help. Check your eligibility for relief under the Small Business Bonus Scheme.
3. Service Charges will apply in some of our offices – covering costs of repair maintenance and the provision of services to common areas.
4. A deposit equal to three months rent is payable before you take entry. This will be returned at the end of your lease if you have complied with all your obligations under the lease.
5. Gas, water, electricity and telephone - these costs will vary according to your use of the premises and the time of year.
6. Insurance – while the council insures the building, you will need to make sure that you have cover for the contents (including any damage caused by theft or attempted theft) and Public Liability.
7. Statutory requirements - you will be required to that ensure your premises comply with the relevant legislation. More details are given in our Tenant's Handbook. For example, you will have to service and maintain any gas appliances.
8. Repairs and Maintenance - under the terms of the lease you will be responsible for specific repairs to the building, which will also have to be kept well decorated.
9. Dilapidations - at the end of your lease, or sooner if you require to come out of the unit, you will be responsible for handing it back to the Council in a good state of repair. There may be costs associated with this.
10. Other costs associated with your business - including your labour, plant, materials, waste disposal, etc.
11. Payment - Are the above charges payable weekly, monthly or quarterly? Are they payable in advance or in arrears? Our rent is payable monthly in advance by Direct Debit.

We ask start-up businesses to contact the Council's Business Gateway, where our business advisors will be happy to help any prospective tenant to prepare to start in business. They will also be able to advise on any support available. The Business Gateway can be contacted on 01506 777400, or e-mail [bgateway@westlothian.gov.uk](mailto:bgateway@westlothian.gov.uk)

## **STEP 6 – Understanding your commitments**

Check out what other liabilities you will be responsible for under the terms of the lease. We have standard lease agreements for our shops, offices and industrial properties which we will use for leases of up to three years. These have been written in a way that should be easily understandable, and are intended to allow tenants to take quick entry to one of our properties. Our leases are supplemented by Tenant Handbooks which provide a fuller explanation of the

rights and responsibilities of both the landlord and tenant, and give more detail on things you will need to know about being a council tenant.

If you are considering the lease of one of our small industrial units our Heads of Terms leaflet will give you an idea of your full responsibilities as tenant. Our industrial units are leased on a standard monthly agreement, which will continue for as long as you wish, on condition that you comply with your obligations under the lease.

You can get a copy of each of these documents by logging on to our website, [www.westlothian.com/pmd](http://www.westlothian.com/pmd), or by contacting us at the addresses and numbers given at the end of this Guide.

Entry to the property will not be granted until the standard lease has been agreed and signed by the tenant.

The lease is a legally binding contract between the tenant and the West Lothian Council and signing it will have legal consequences for both parties. We therefore advise the tenant to seek independent legal advice on the terms of the lease before signing it. If you want a longer lease of our larger properties, this will be dealt with by the Council's Legal Services.

### **STEP 7 – Confirm Your Interest**

Once you have all the information you need, and have decided that you wish to lease one of our properties we ask that you complete an application form. You can download a copy from our website, [www.westlothian.com/pmd](http://www.westlothian.com/pmd). This form provides us with the information we need to consider you as a tenant. Please ensure that you have completed the form fully and accurately. The information requested is essential to enable the Council to clarify whether you or your business is financially sound for the proposed agreement.

If you are a new business you will need to provide a business plan. You can obtain help with preparing this from the Enterprise Centre.

The completed application form should be returned either by e-mail or delivered to West Lothian Civic Centre.

### **STEP 8 – Before You Move In**

When we are satisfied with your application we will issue a standard lease. Once this document is signed by you, and by a representative of the Council you will be given the keys to the unit. You must pay the deposit and the first months rent before the keys can be released.

For our small industrial units, we aim to complete our standard lease, and give you entry to the unit, within 5 working days of the satisfactory completion of an application form. Although our larger industrial units, shops and offices are also offered on a standard lease, these may take a little longer to prepare. Your Tenant's Handbook gives more information on things that you will need to do as you get ready to move in.

## **STEP 9 – Moving In**

The gas, water and electricity must be transferred into your name. You will be responsible for applying to the relevant authorities to arrange for all services to be switched on, including electricity, water and telephone. The council will also be providing the utility companies with information on the change of responsibility, and current meter readings..

If you want services to be available from the day that you move in, remember to apply early!

The property is available as it stands, and you will have to keep it in good repair and condition during the lease. A Schedule of Condition, which specifies the condition of the unit at the start of your lease, may be attached to your lease. Your lease and the Tenant’s Handbook will describe the repair obligations in more detail.

## **STEP 10 – Comments and Complaints**

Property Management and Development aims to provide a courteous and helpful service to all our tenants, and their representatives, at all times. Staff will be available to discuss any matters relating to your interest in one of our properties, or your future tenancy, during normal office hours. We regularly consult with our customers to make sure that we meet their expectations and needs, and to help us to continually improve the delivery of our services. If you have any comments or suggestions about leasing a property from the Council, or the contents of this Guide, please do not hesitate to contact us.

Our complaints procedure is available on our website <http://westlothian.storm50.com/article/3411/Comments-and-Complaints> or a copy can be sent to you on request. If you have a complaint about our service please tell us and we will try to resolve it immediately. If you are not satisfied with our response you may take the matter further by requesting a West Lothian Council “Points of View” complaints form from any council office, or by telephoning our Customer Service Centre on 01506 775000.

CONTACT DETAILS: -

Paul Kettrick – Estates Manager

Property Management & Development  
West Lothian Council  
West Lothian Civic Centre  
Howden South Road  
LIVINGSTON  
EH54 6FF

Telephone: 01506 281826

Email: [propertymanagement@westlothian.gov.uk](mailto:propertymanagement@westlothian.gov.uk)

Business Hours	Monday to Thursday	8.30am – 5.00pm
	Friday	8.30am – 4.00pm

هذه المعلومات متوفرة بلغة بريل وعلى شريط وبخط كبير وبلغات الجالية.

الرجاء الإتصال بخدمة الترجمة على الهاتف 01506 280000

এই তথ্য আপনি ব্রেইল, টেপ, বড় অক্ষরে এবং কমিউনিটির বিভিন্ন ভাষাগুলিতেও পাবেন। অনুগ্রহ করে ইন্টারপ্রেটেশন অ্যান্ড ট্রান্সলেশন সার্ভিসের সঙ্গে যোগাযোগ করুন। টেলি: 01506 280000

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ਇਹ ਜਾਣਕਾਰੀ (ਬ੍ਰੇਲ) ਨੈਤੂਰੀਨ ਦੇ ਪੜ੍ਹਣ ਵਾਲੀ ਲਿਖੀ, ਟੇਪ, ਵੱਡੇ ਫਿੰਟ ਅਤੇ ਸਮਾਜ ਦੀਆਂ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿੱਚ ਉਪਲਬਧ ਹੈ। ਸ਼ਿਖਾ ਕਰਕੇ ਇੰਟਰਪ੍ਰੈਟੇਸ਼ਨ ਅਤੇ ਟਰਾਂਸਲੇਸ਼ਨ ਸਰਵਿਸ ਨੂੰ ਇਸ ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ : 01506 280000

یہ معلومات بریل (اندھوں کے رسم الخط)، ٹیپ، بڑے حروف کی طباعت اور کمیونٹی میں بولی جانے والی زبانوں میں دستیاب ہے۔ براہ مہربانی انٹرپرائیٹنگ اینڈ ٹرانسلیٹنگ سروس سے ٹیلیفون نمبر 01506 280000 پر رابطہ قائم کریں۔

Informacje te mogą być przekazane na język Braille'a, dostępne na taśmie magnetofonowej lub wydane dużym drukiem oraz przetłumaczone na języki mniejszości narodowych. Prosimy o kontakt z Usługami Tłumaczeniowymi pod numerem 01506 280000