

**NetworkRail**



***Network Rail***  
***Commercial Estate***  
***Regulations***

# Introduction

From time to time Network Rail reviews and distributes to occupiers of its Commercial Estate, copies of the Regulations occupiers must observe, as they have agreed in their tenancy agreements. These updated Regulations are a reflection of compliance with new or updated legislation, best practice and our health and safety standards and expectations. It is of paramount importance for Network Rail to ensure all people using its estate are safe and any use within the estate does not pose an unacceptable risk to the operational railway running overhead or adjoining any Commercial Estate premises.

Set out in this document are the current Regulations we expect all occupiers of the Commercial Estate to abide by. In support of these, we recommend all occupiers review the nature of all risks associated with the activities undertaken within their premises.

In support of our Regulations and in compliance with the terms of your occupation, we (or agents on our behalf) will undertake inspections of occupied properties and will assess compliance with these Regulations as a benchmark. A failure to meet these standards may result in you being in statutory breach as an occupier (or employer) and/or put you potentially in breach of the terms of your occupational tenancy agreement with Network Rail.

We will seek to enforce compliance vigorously, understanding that any breach increases risk to the operational railway (employees, customers and assets) to a level that may be materially unacceptable.

## **We ask all our customers to be vigilant in respect of health and safety.**

Our Lifesaving Rules for all employees of Network Rail are set out at the rear of these Regulations. These reflect the expectations we have for our own staff and reflect our commitment to safety.

There are many resources freely available to assist and guide you with understanding and managing risk. The most relevant is information available from the Health and Safety Executive (<http://www.hse.gov.uk>).

If in doubt about any of the Regulations and in particular what you believe you are authorised to store in your property, please contact us.

If you have any health and safety concerns over any aspect of your own occupation (or are concerned about any other Commercial Estate premises or occupier), please tell us, using the contact details set out below:

### **1. Network Rail's Property Helpline (7-days a week, 8am-8pm):**

- o Tel: 0800 830 840
- o website: <http://property.networkrail.co.uk/home.aspx>
- o email address: [property@networkrail.co.uk](mailto:property@networkrail.co.uk)

### **2. Network Rail Out of Hours Emergency Helpline**

**(for genuine emergencies only. Operating 24/7, 365 days a year):**

- o Tel: 03457 11 41 41

# Network Rail Regulations

## **Mandatory as of 1st August 2015**

1. *Nothing is to be placed or kept at your property which may be of an explosive, combustible or dangerous nature except as may be agreed in writing by us and as required in connection with the agreed use of property as set out in your occupational agreement.*
2. *Liquid petroleum gas cylinders (whether containing gas or not) are only to be stored at your property as may be agreed in writing by us from time to time and then only when connected to equipment for current use*
3. *Only the minimum quantity, as agreed by us in writing, of any gas cylinders (containing gas or not) should be kept at your property.*
4. **Acetylene cylinders must not be used or kept at your property.**
5. *Tyres, timber, plastics or any other combustible materials (e.g. pallets) are not to be kept at your property in such numbers (or stored in such a manner as) to present a material fire risk. You must comply with any of our site manager's or fire officer's requirements in this respect.*
6. *Propane heaters may not be kept or used at your property.*
7. *Appropriate HazChem warning signs must be displayed on the outside of your property (where relevant) to inform the Fire Brigade in the event of a fire.*
8. *No material substance or liquid of a combustible, offensive, explosive, noxious, dangerous, inflammable or injurious nature is to be discharged into any drain or sewer serving your property or serving any adjoining or neighbouring premises. This includes the discharging in this manner of material that should be treated as waste and removed by you to an authorised landfill site in a satisfactory and controlled manner.*
9. *Asbestos may only be used or kept at your property as agreed in writing by us.*
10. *No refuse is to be allowed to accumulate on your property and no vermin is to be allowed or encouraged (either purposefully or due to the poor housekeeping in your use of the property). Additionally, so far as practicable, any adjoining road frontage or any area over which you have rights, is to be kept in a tidy condition to our satisfaction.*
11. *No fire is to be lit at your property or at any adjoining road frontage or any area over which you have rights without our explicit permission (and this includes the use of braziers).*
12. *All fire exits or means of escape must be well maintained and kept clear and unlocked while the property is in use.*
13. *All gangways and walkways must be kept clear at all times to provide ready access to all parts of your property. For the avoidance of doubt this extends to our requirement to keep all fire escape routes, accessways, roads and all areas that are not demised to you and may be common to others (or even private), clear of your goods and materials at all times. Any area outside of your structural property, unless defined within your agreement, is not to be used for storage of any kind or used as an extension to your property.*
14. *Goods, materials, fittings and fixtures may only be stored in your property by such method and to such height as we allow.*
15. *Fire extinguishers and other fire safety equipment provided at your property are to be kept in proper working order, with current and appropriate annual trade association certifications. Any requirements of us or our insurer for reducing exposure to an insured risk, are to be complied with.*

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16. *No paint spraying (other than water paint spraying) shall be carried out within any property without the necessary licence from the local or other appropriate authority - and then only inside an approved spray-booth (unless formally exempted by that authority), ensuring that while any such paint spraying is being carried out:
  - i. *no welding is to be undertaken within the subject property;*
  - ii. *adequate ventilation is to be provided and maintained; and*
  - iii. *no smoking is allowed within the subject property (and signs displaying this restrictions are to be put in a prominent place in the workplace).**
17. *The floors or walls of your property are not to be overloaded and the structural stability of your property is not to be endangered (walls, floor and roof).*
18. *Nothing is to be done at your property which may damage or interfere with the structure of the premises owned by us. No machinery or other equipment which causes or may cause interference with railway traction or signalling equipment may be used on or at your demised unit.*
19. *No engine, machinery, boiler, flue, chimney or furnace is to be installed in your property without our written consent. For the avoidance of doubt, this also includes any ventilation or air extraction as may be used in a commercial kitchen or for food preparation.*
20. *Where your agreement provides or permits, any exterior painting of your property shall only be in accordance with such colour scheme as we may direct from time to time.*
21. *Electrical wiring and equipment must be maintained at all times in a safe condition to current statutory requirements. A current Certificate of Electrical Safety for your property must be obtained from an accredited contractor (a full member of either NICEIC, ECS, NAPIT or SELECT - Scotland only), maintained in date and supplied to us on request and at the end of your tenancy. It is mandatory that the electrical distribution system in your property will never be overloaded. For the avoidance of doubt, the use of extension leads to provide electrical distribution in place of additionally professionally fitted electrical outlets, is an unacceptable practice.*
22. *You will undertake annual electrical testing of portable appliances and supply details to us on request and retain details at your premises for inspection.*
23. *On giving up possession of your property, if required by us, you are to pass to us a Management Survey (formerly an Asbestos Type 2 Survey) as set out in the Control of Asbestos Regulations 2012.*
24. *Within one month of the commencement of your occupation, you are to carry out a fire risk assessment for your use of the unit and produce a copy of it to us. This should include a written risk assessment and an Emergency Plan for your property (Fire Action Notice). This is also to be attached in a prominent position in your property and visible to all employees and visitors, in a location obvious to all. This is to be maintained and kept current during the term of your occupation.*
25. *You will ensure that any foul waste facility likely to discharge effluent which contains grease, oil or large quantities of suspended solids, shall be fitted with an appropriate interceptor, trap or separator which will be emptied and cleaned regularly with all resultant sediments disposed of in a legal manner. Evidence of licenced disposal of sediments or effluent is to be supplied to us if requested and retained at your premises for inspection.*

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26. *All work carried out on gas heating or related appliances must be in accordance with the requirements of the Gas Safety (Installation and Use) Regulations 1994. As a minimum, the following shall be undertaken (and proof provided annually and retained at your premises for inspection):*
  - i. *Gas Soundness test;*
  - ii. *Flue pull test;*
  - iii. *Combustion test;*
  - iiii. *Annual test certificate confirming the results of the gas system test, any defects identified and remedial action to be undertaken - and evidence that it has been completed - all undertaken by a Gas Safe Registered Engineer.*
27. *The operation of all equipment and machinery and for all working practices undertaken in any property must reflect the best practice standards of any related trade organisation, professional or regulating body, as well as meeting all current statutory health and safety regulations. Any consents approvals, inspection reports or licences relating to processes and equipment are to be supplied to us if requested and retained at your premises for inspection.*
28. *Where there is a kitchen extract system in use at the property, this installation must have the landlord's approval and be fitted with suitable access panels to enable the plenum chamber, body, all trunking and filters to be cleaned. You are to clean all at least quarterly and in accordance with "TR/19 HVCA Guide to Good Practice – Internal Cleanliness of Ventilation Systems" as issued by the Building & Engineering Services Association from time to time. Records of your compliance must be supplied to us if requested and retained at your premises for inspection.*
29. *Any hazardous materials stored at your property are to be stored in a best practice manner and be minimal in terms of quantity, scale or extent (as we determine from time to time) and only ever in the areas demised to you under your occupational agreement, unless you have written approval from us otherwise.*

***In addition to the above we will specifically require you to operate in our property in accordance with our Environmental Regulations, as below:***

30. *You will manage, operate and use the property in a sustainable and environmentally efficient manner, doing nothing or omitting anything that causes the sustainability and environmental efficiency of the property to be prejudiced, reduced or otherwise adversely affected and where reasonably possible you will seek to improve it.*
31. *You will not make any changes, alterations or additions to the property or to your fixtures and fittings which could adversely affect the sustainability or environmental efficiency of the property.*
32. *If you undertake any changes, alterations or additions to the property, whether a landlord's consent is required under your agreement or not, that render obsolete an existing environmental certificate (for example an EPC, DEC or BREEAM certificates), you will promptly obtain new certificates in the appropriate form at your own cost and supply copies to us whether requested or not.*
33. *We want you to work with your employees to formulate and implement a travel plan for your business to reduce emissions and the carbon footprint relating to travelling to and from the property.*
34. *You will recycle waste from the property, meeting the compliance needs of the local authority.*
35. *For the avoidance of doubt, unless specified as a service being provided by us as part of any service charge arrangement, we will require you to provide us with details of your arrangements for the operation of waste management for your property. This is assumed to be via an independent contract and we will want evidence that, where appropriate, this is in place at all times for the property.*

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## **ADVISORY**

*We are working to change electricity meters to smart meters and want your cooperation and support to enable this to happen. If you intend undertaking works at the property, be mindful this is a likely requirement of any approval to the proposed works.*

## **USEFUL LINKS**

- **Network Rail:**
  - Corporate: <http://www.networkrail.co.uk/>
  - Property: <http://property.networkrail.co.uk/home.aspx>
- **Health and Safety Executive:** <http://www.hse.gov.uk/>
- **NICEIC:** <http://www.niceic.com/>
- **ECS:** <https://www.ecscard.org.uk/>
- **NAPIT:** <http://www.napit.org.uk/>
- **Building & Engineering Services Association:** <http://www.b-es.org/>
- **British Transport Police:** <http://www.btp.police.uk/>  
Tel: Freephone 0800 405040 (in an emergency please dial 999 or 112)
- **Office of Rail and Road:** <http://orr.gov.uk/>
- **Department for Transport**  
<https://www.gov.uk/government/organisations/department-for-transport>





## Our Lifesaving Rules

Safe behaviour is a requirement of working for Network Rail.  
These Rules are in place to keep us safe and must never be broken.  
We will all personally intervene if we feel a situation or behaviour might be unsafe.

### Working responsibly



Always be sure the required plans and permits are in place, before you start a job or go on or near the line.



Always use equipment that is fit for its intended purpose.



Never undertake any job unless you have been trained and assessed as competent.



Never work or drive while under the influence of drugs or alcohol.

### Working with electricity



Always test before applying earths or straps.



Never assume equipment is isolated – always test before touch.

### Driving



Never use a hand-held or hands-free phone, or programme any other mobile device, while driving.



Always obey the speed limit and wear a seat belt.

### Working at height



Always use a safety harness when working at height, unless other protection is in place.

### Working with moving equipment



Never enter the agreed exclusion zone, unless directed to by the person in charge.

We will always comply with our Lifesaving Rules

For more information about our Lifesaving Rules go to [safety.networkrail.co.uk/LSR](http://safety.networkrail.co.uk/LSR)



everyone  
home safe  
every day

**NetworkRail**

