

PROFESSIONAL *Conferences*

LEARNING OBJECTIVES FOR THE CURRENT PROPERTY ISSUES 2023 CONFERENCE 6 HOURS FORMAL CPD

Session I

CASE LAW UPDATE

Speaker: Lesley Webber

To understand the implications for professional property practice of recent case law, particularly where County Court judges have provided details of their reasoning when evaluating expert evidence in relation to cases under the Landlord and Tenant Act 1954:

- What is the legal and practical position when the requirements of the Party Wall etc Act 1996 are not complied with?
- Is any diminution in value recoverable in nuisance for a period after Japanese Knotweed was successfully treated?
- When might a tenant of part of a mixed use building be able to claim damages for loss in value owing to change of use of the rest?
- Why do landlords need to be proactive if their tenants breach the criminal law?
- Are guarantors under Authorised Guarantee Agreements and Guarantees of Authorised Guarantee Agreements released when tenants enter into restructuring schemes under Section 26A of the Companies Act 2006.
- What are the tests for the incorporation of a landlord's break clause in a 1954 Act renewal lease to allow for future redevelopment or owner occupation?
- Whether the actual occupation of a tenant seeking a lease renewal under the 1954 Act of any nearby property makes that tenant a "special purchaser" and, if so, what that means in relation to rent under the new tenancy.
- When do Heads of Terms create a binding Agreement for Lease and when do they not.
- How do the Courts approach the question of whether terms should be implied into contracts to address unforeseen circumstances?

Session II

THE IMPLEMENTATION OF THE RICS VALUATION REVIEW

Speaker: Nick French

- An understanding of the recommendations from the RICS Independent Review of Real Estate Investment Valuations to be implemented in 2024
- An understanding of the RICS Global Valuation Standards and the UK National Supplement (The Red Book) and the changes to the latter that come into force in 2024
- The appropriate use of valuation models for different property assets
- An understanding of the importance and advantage of greater transparency in the valuation report

Session III

MEES IN THE REAL WORLD – THE WORKED EXAMPLES

Speaker: Ben Strange

To understand the application of the MEES Regulations to commercial property, driving negotiations whilst contributing to environmental targets, including:

- Lease negotiations – how much a tenant's fit out is worth when it results in MEES compliance
- Property management – the horror stories to avoid and examples of best practice approaches
- Alienation – the far reaching impacts of a tenant no longer being able to sub-let
- Reasonable refusal – what can a landlord reasonably refuse when it comes to MEES?
- Lease wording – onerous clauses – agree at your peril!
- Dilapidations – the detail on the dos and do-nots of dilapidations in MEES-times

Session IV

UK ECONOMY - A SOFT OR HARD LANDING IN 2023/24?

Speaker: Dr Walter Boettcher

To understand:

- An understanding of how inflation, monetary policy and regulation, fiscal policy, and business sentiment all affect economic and property performance
- How long-term demographic trends are conditioning UK economic potential performance
- The scope of structural economic change and ESG implications for real estate
- Whether AI is a threat or a bonanza for UK real estate
- How devolution is meant to drive regional economic development and whether the 'levelling up' agenda is still alive

Session V

CURRENT BEST PRACTICE IN LEASES

Speaker: Rufus Ballaster

To get up to speed in lease drafting trends and concepts, including:

- Break Clauses – should they have trip hazards – what is fair
- Tenancies at Will – are these flexible tools used as much as they should be
- Copying other leases – precedents, AI tools and drafting by reference
- The 1954 Act – is it dead or still thriving
- The service charge code – 7 years on is it making any difference

Session VI

REPURPOSING OUR TOWN CENTRES

Speaker: Ian Anderson

To understand:

- The challenges facing the high street.
- How this is likely to impact the development industry.
- The Government's response and proposals
- Existing policy reform introduced through the NPPF to prioritise repurposing.
- The Opportunities under the new 'E' Class
- Permitted Development opportunities
- Future potential strategies.
- The success of initiatives so far.