

PROFESSIONAL *Conferences*

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

Session I

PROPERTY VALUATION: 2023 – A YEAR OF CHANCE

Speaker: Nick French

- An understanding of the recommendations from the RICS Independent Review of Real Estate Investment Valuations as they relate to valuation models
- An understanding of distinction and interplay between Market Value and Worth
- The use of explicit discounted cash flow models for cash flow based assets
- An understanding of the valuation input requirements for explicit models and the importance and advantage of greater transparency in the valuation report.

Session II

CASE LAW UPDATE

Speaker: Lesley Webber

To understand the implications for professional property practice of recent case law, particularly where the Court of Appeal and/or the Supreme Court have recently reversed lower Courts on outcome or reasoning or both, including:

- Why were landlords awarded summary judgment for rent arrears accrued by leisure centre tenants, despite use being restricted or commercially unviable during Covid
- What happens when Landlords and Tenants arbitrate under the Commercial Rent (Coronavirus) Act 2022
- When can and can't a notice addressed to the wrong tenant be rescued
- When is a service charge certificate binding on a tenant
- What are the limits of so-called sweeper clauses when it comes to recovering landlord's costs
- Does a tenant have the right to claim relief from forfeiture of an option to extend its lease?
- Can a section 26 notice validly be served under the Landlord and Tenant Act 1954 after service of a break notice?
- The Courts' approach to the treatment of rent free periods when calculating rent under the Landlord and Tenant Act 1954
- The Courts' approach to requests to include green clauses in new 1954 Act leases
- What is the test for establishing nuisance and when might overlooking legally amount to a nuisance
- The courts' approach to the evidence needed concerning lease length, the insertion of tenants' break rights and the direction of rent review clauses
- Why the existence of overage clause on the sale of land needs to be specifically drawn to the buyer's attention by the seller and its agents
- What service charge provisions are likely to be implied by the courts into an unwritten tenancy
- What to look for in advising as to the likelihood of a development being allowed in spite of a covenant restricting it, and how to use the Tribunal's discretion to modify leasehold user covenants

Session III

CURRENT FLASHPOINTS IN COMMERCIAL PROPERTY

Speaker: Suzanne Gill

To understand the legal concepts underpinning topic issues in commercial property. Specifically:

- The legislative timetable driving the move to Green leases and terms to be considered for inclusion
- The benefits and issues to consider when negotiating index-linked rents
- Circumstances in which it is correct or desirable to state that communications are without prejudice and/or subject to contract
- what terms are likely in serviced offices/ co working agreements
- what landowners should bear in mind when a multi-site visit is requested by a telecoms company
- the effect of recent legislation on foreign companies' ability to transact property deals in the UK

Session IV

RISK, REALITIES & RECOVERY IN 2023

Speaker: Dr Walter Boettcher

- An understanding of how inflation, monetary policy, fiscal policy, and business sentiment affects economic and property performance
- How long-term demographic trends are conditioning UK economic performance
- The scope and pervasiveness of structural economic change, ESG and their implications for real estate
- How devolution is meant to drive regional economic development
- A few observations on regional development and whether the 'levelling up' agenda is still 'alive and kicking'

Session V

THE 2023 RATING REVALUATION – ANALYSIS, IMPACT AND ADVICE

Speaker: Josh Myerson

- To review rateable value changes at the 2023 revaluation
- To understand how rates bills are calculated including various reliefs
- To consider whether the revaluation assessments are fair and review how to challenge them
- To understand Government's proposals for new reporting requirements on businesses
- To consider the Labour Party's position on business rates reform

Session VI

PLANNING: 'BACK TO THE FUTURE?'

Speaker: Ian Anderson

To understand:

- The Planning reforms now being pursued under the Levelling Up and Regeneration Bill
- The (pre) draft new National Planning Policy Framework (NPPF) expected this spring
- Other key issues anticipated, including those around biodiversity, embedded carbon and nitrate neutrality
- How this is likely to impact the development industry.