

News in brief and recent deals

Serena Spencer rounds up the latest property news and gives a snapshot of some of our recent deals.



Serena Spencer Paralegal

T: 020 7551 7759
s.spencer@bateswells.co.uk

Serena is a paralegal in the Real Estate department. She assists the team with all areas of its work and provides a range of legal support, such as legal research and post completion tasks.

Environment Bill

On 15 October 2019 the government introduced the Environment Bill 2019, following the Queen's Speech, enshrining environmental principles into the law for the first time. The Bill has introduced the requirement for a biodiversity gain plan to be submitted with all planning permission applications, which must be approved before developments can commence. The Bill also provides for the introduction of conservation covenants between a landowner and responsible body, such as a conservation charity or public body, with the aim of protecting natural environment and heritage assets for the public good. These covenants will have the potential to deliver long-lasting conservation benefits as they can bind subsequent owners of the land. The Environment Bill policy statement can be found here: <https://www.gov.uk/government/publications/environment-bill-2019/environment-bill-policy-statement>

Telecoms Bill

The Telecommunications Infrastructure (Leasehold Property) Bill 2019–2020 has been introduced to parliament following the Queen's Speech on 14 October 2019, and has received its first reading in the House of Commons. The Bill aims to simplify the process for telecoms network operators in the UK to gain access to multiple dwelling buildings to install and maintain fixed-line broadband connections, where landlords fail to respond to an operator's request for access. The explanatory notes can be found here: <https://publications.parliament.uk/pa/bills/cbill/2019-2020/0005/en/20005en.pdf>

Minimum Energy Efficiency Standard (MEES)

On 15 October 2019 the government launched a consultation to seek views on how best to amend the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (SI 2015/962) to improve the energy performance of

non-domestic private rented properties in order to achieve its ambitions of at least a 20% reduction in business energy use by 2030 and net zero emissions in the UK by 2050. Two different options are suggested and will be assessed on how cost effective they are – a minimum EPC rating of B by 1 April 2030 or a minimum EPC rating of C by the same date. Whether improvements are cost effective will depend on whether they meet the seven-year payback test currently set out in the MEES Regulations. The consultation applies to England and Wales and closes on 7 January 2020. The consultation paper is available here: <https://www.gov.uk/government/consultations/non-domestic-private-rented-sector-minimum-energy-efficiency-standards-future-trajectory-to-2030>

Recent deals

Bates Wells acted in connection with:

Three retail acquisitions involving complex negotiations with landlords and administrators to take high-value leases from a nationwide retailer that entered into administration.

A tripartite wayleave agreement for a high-profile central London location, which can usually take several months to finalise, was agreed within two days working as a project team with the client's IT team, IT outsourcing partner overseas, landlord's lawyer and data operator.

Assignment of lease in central London with a significant reverse premium being paid to the assignee. Substantial due diligence and negotiation of documents were carried out to reach exchange and completion in a month.

Obtaining possession of residential property where the tenant raised an Equalities Act defence.