

Current Property Issues

2015

Once again Professional Conferences bring you what promises to be a most interesting, informative and enjoyable day including refreshments, documentation and up to 6 hours formal CPD all for £105* +VAT.

SPEAKERS

Paul Clark, Consultant, Cripps LLP

Nick French, Professor in Real Estate, Oxford Brookes University

Lesley Webber, Consultant, Field Fisher LLP

Peter Williams, Training Consultant, Falco Legal Training Limited

Jess Stevens, Associate, Sustainability, GVA

Mathew Ditchburn, Partner, Real Estate Disputes, Hogan Lovells

Ian Anderson, Head of National and Retail Planning, CBRE

DATE

Thursday 12th March 2015

VENUE

Holiday Inn, **Bristol Filton**

**6 hours
formal CPD
for £105***

* EXCLUDING LUNCH. £119 INCLUDING LUNCH. ALL COSTS EXCLUDE VAT.

PROFESSIONAL
Conferences

Key Subjects

- ▶ **LANDLORD AND TENANT CASE LAW UPDATE**
- ▶ **VALUATION UPDATE - PROPERTY CYCLES AND MARKET VALUATIONS**
- ▶ **THE ADR REVOLUTION - RESOLVING DISPUTES AFTER THE GOVERNMENT'S CIVIL JUSTICE REFORMS**
- ▶ **THE NEW MODEL COMMERCIAL LEASE - SPEEDING UP LEASE NEGOTIATION**
- ▶ **SUSTAINABILITY - FROM PROBLEMS TO SOLUTIONS**
- ▶ **DEVELOPMENT DISPUTES - TIPS AND TRAPS WHEN DEVELOPING PROPERTY**
- ▶ **PLANNING REFORM - (MORE) SMOKE AND MIRRORS**

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Current Property Issues 2015

BRISTOL - 12th March 2015



Programme

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8.45 - 9.20am REGISTRATION

LANDLORD AND TENANT CASE LAW UPDATE

A review of 2014 cases of interest to those who deal with commercial property leases, including

- Is a tenant entitled to a rent refund after a break? *Marks & Spencer v Paribas*
 - How to get a break notice wrong! *Friends Life v Siemens*
 - A licence to alter discharges the lease guarantor 25 years later! *Topland Portfolio v Smiths News Trading*
 - Tenant not allowed to remove its own fixtures. *Peel Land v TS Sheerness Steel*
 - Competition law stops tenant mix clauses. *Martins v Crawley Borough Council*
 - Problems with service charge reserve funds. *Friends Life v A&A Express Building*
- Paul Clark, Consultant, Cripps LLP

VALUATION UPDATE - PROPERTY CYCLES AND MARKET VALUATIONS

Valuations for bank lending are coming back into the spotlight. The banks are slowly beginning to lend again. But what is the role of valuations in the risk management process now? The Investment Property Forum has suggested wide sweeping changes to the way in which risk is assessed by the banks. This talk, with practical examples, will look at the valuation models used and the need to identify trends in the property cycle.

- Property Cycles and marking to market
- Bank Lending - Risk Management and the role of valuations
- Valuation methods - What do we do?
- The status of the Valuation Profession
- International Valuation Standards
- Professionalism and Code of Conduct

Nick French, Professor in Real Estate, Oxford Brookes University

THE ADR REVOLUTION - RESOLVING DISPUTES AFTER THE GOVERNMENT'S CIVIL JUSTICE REFORMS

Costs sanctions under the Civil Justice Reforms have meant that mediation can no longer be ignored, and new rules on costs recovery now make arbitration a real alternative to litigation for property disputes. As a result, ADR is one of the most topical issues facing clients and professionals at the present time. What does the new court regime mean for mediation and arbitration?

- Mediation - to facilitate settlements
- The duty to engage: *PGF II SA v OMFS 2013* - Invitations and responses
- When is the right time to mediate and what information do you need?
- What works and what doesn't
- Settlement agreements

Arbitration - for decisions with a fair process

- How to tailor processes to your requirements
- Sanctions for delay and for failure to comply with directions
- Saving costs

Lesley Webber, Consultant, Field Fisher LLP

THE NEW MODEL COMMERCIAL LEASE - SPEEDING UP LEASE NEGOTIATION

The new Model Commercial Lease (MCL) is an initiative from the property industry itself and is intended to speed up lease negotiations. This session will introduce you to the MCL and consider its advantages and disadvantages.

- An overview of the MCL
- An outline of the MCL's main provisions including repair, alterations, rent review and service charge
- How the MCL measures up to the Code for Leasing Business Premises
- A comparison of the MCL against other standard commercial letting documents
- Advantages and disadvantages of using the MCL

Peter Williams, Training Consultant, Falco Legal Training Limited

SUSTAINABILITY - FROM PROBLEMS TO SOLUTIONS

Rising operating costs, reporting obligations and minimum performance requirements mean that the sustainability of commercial properties must be measured, reported and improved. Surveyors need to navigate regulatory, investor and occupier demands and provide solutions that add value.

- Sustainability in the context of Real Estate
- 2018 minimum energy performance standards (MEPS) regulations - implications of the Government consultation document
- Energy Savings Opportunity Scheme (ESOS) and the potential impact of this regulation in the market
- Addressing some of the key problems in sustainability and looking at how the industry are taking action to manage risks and improve performance - what is a sustainable asset plan and what are the implications for fund, asset, property and facilities managers?

Jess Stevens, Associate, Sustainability, GVA

DEVELOPMENT DISPUTES - TIPS AND TRAPS WHEN DEVELOPING PROPERTY

The economic recovery brings renewed focus on development related disputes. Developers need to plan ahead, be aware of the potential pitfalls and know how to tackle them so they can be ready to proceed as soon as the time is right. This talk will cover some of the more frequently encountered development traps that can hold up schemes if they are not tackled at an early stage, including:

- Legal obstacles to overcome before developers can gain vacant possession of a site the circumstances in which the landowner can oppose renewal under the Landlord and Tenant Act 1954
- The risk of an injunction being obtained to restrain an actual or anticipated infringement of rights to light
- Tackling restrictive covenants by an application for modification or release and the role of indemnity insurance
- Enfranchisement - recent case law and dealing with rights through different lease structures
- Tenants' pre-emption rights in mixed use schemes and the potential consequences of failing to follow the correct procedure

Mathew Ditchburn, Partner, Real Estate Disputes, Hogan Lovells

PLANNING REFORM - (MORE) SMOKE AND MIRRORS

Since 2012 the Government has issued new National Planning Guidance and 2 sets of planning reform, with a third on the way! This talk will guide you through these and provide hints and tips on making successful planning applications.

- The present political drivers behind planning
- A review of the National Planning Policy Framework
- An assessment of the success of Localism
- An overview of changes to Permitted Development
- A review of future planning reform
- A round-up on CIL

Ian Anderson, Head of National and Retail Planning, CBRE

5.00pm CLOSE OF PROCEEDINGS

Please be aware that the above does not necessarily reflect the exact order of the subjects on the day.

Application Form

Please register the following delegate(s) for the above conference. A cheque for £ made payable to Professional Conferences is enclosed. Course fee:
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NOTES & CONDITIONS

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