

Michael Goldfinch & Victoria Harrison
Adaptation of buildings

WRIGHT
HASSALL

I Overview

From a legal perspective, the refurbishment of property brings up a number of challenges including:

- Restrictive covenants
 - Planning permission, change of use class, Community Infrastructure Levy, s.106 obligations
 - Listed buildings regime
 - Building regulations
 - Asbestos or other contamination
 - Party walls
 - Rights to light
 - Nuisance to neighbours
 - Leases – 1954 Act renewals, sitting tenants etc.
 - Procurement
 - Construction disputes
- ... and that's not an exhaustive list!



| Introduction to MEES (Minimum Energy Efficiency Standard Regulations)

- Brief summary of MEES
- Penalties
- Exemptions
- How it affects science parks:
 - EPCs
 - Alterations
 - Funding



| What are the MEES regulations?

- Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
- Phase 1: 1st April 2018
- Phase 2: 1st April 2023
- Up to 55% by value of commercial properties could be F or G rated.




| Enforcement

- Enforcement Authority:
Local Weights and
Measures Authority
- <3 months: up to £50k
- >3 months: up to £150k



| Exemptions

Exemption

- Licences 
- No EPC required
- 7 year test
- Reduction in value
- 3rd Party consent
- New landlord



| EPC

Whole

- More resilient
- Less expensive
- Bigger problem if fails

Unit

- More easily affected
- More expensive
- Minimises risk if fails



| Alterations

Landlord

- Consent
- What does the lease permit?

Tenant

- Consent
- What does the lease permit?
- Statutory improvements procedure



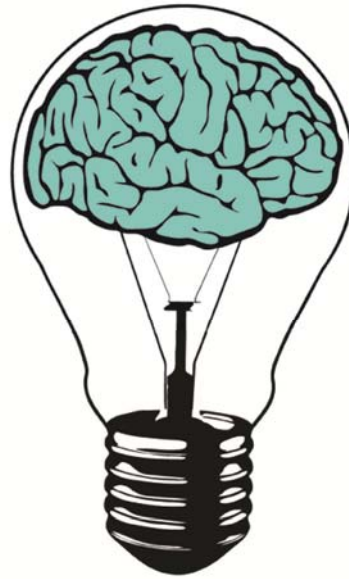
| Funding

- Rent
 - Tenant Works
 - Service Charge
 - Other options?
-



WRIGHT
HASSALL

Sometimes improvements might be minor:



WRIGHT
HASSALL

Sometimes less minor:



WRIGHT
HASSALL

WRIGHT HASSALL

The science park team are proud sponsors of the UKSPA June 2018 conference



www.scienceparklawyers.co.uk

01926 884 630