



Premises update July 2017

This month's update include advice on:

London policy for accessing financial support for service charges and premises running costs

How to plan a premises relocation

Lease negotiations

Transitional funding arrangements

Current charges including historical subsidies

London policy for financial assistance with service charges and premises running costs

NHS England London region and London Clinical Commissioning Groups (CCGs) have developed a policy for accessing financial support for service charges and premises running costs. Please contact our GP support team on gpsupport@lmc.org.uk for more information.

Please note, there is a gateway with eligibility criteria including: full disclosure of income and expenditure on an open book and annual basis; production of an action plan to demonstrate how you will optimise your income and reduce expenditure over the next 12 months.

Premises relocation approval from NHS England

Practices should be aware that before planning to relocate their premises or agree a new lease, they need to seek approval from NHS England.

Failure to do so contravenes NHS England regulations and may jeopardise your CCG/NHS England agreeing future investment and notional rent payments.

Our GP support team can give advice to practices on how to manage this process, pitfalls to avoid, or support that may be available if a practice is in difficulties through failing to follow proper procedure. They can be contacted on gpsupport@lmc.org.uk.

Lease negotiations

It is vital that you do not sign any lease or Heads of Terms (including those purporting to be based on the national template GP lease negotiated between the BMA and NHS Property Services) unless and until you fully understand and are comfortable with your potential liabilities. To this regard appropriate due diligence as to your potential liabilities should be carried out. Please contact gpsupport@lmc.org.uk for advice when you receive your invitation letter. This will not replace the need to obtain your own independent legal advice on your individual circumstances.

Please note:

NHSPS has advised that GP tenants can liaise direct with them rather than Montagu Evans tenants in multi-occupancy premises may wish to consider engaging a single solicitor as a group

Tenants can also act as a group regardless of whether they are in the same premises and commission a single solicitor to achieve economy of scale in costs.

Transitional funding

Such arrangements should only be entered into where you are entirely satisfied that when the transitional period ends you are not inadvertently left having to meet increased costs without the benefit of increased funding. In the view of the BMA and LLMCs, transitional arrangements should be avoided. More permanent solutions which align a practice's funding to their costs are needed.

Current charges

In respect of current charges, practices should only make payments to the extent that they are both satisfied as to the legal basis upon which they are payable and their accuracy. If you used to receive a PCT subsidy on your costs you will need to discuss this with your current commissioner and provide evidence.