



Premises update June 2018

LMC support with premises issues

NHS England/CCGs have a duty to consult with LMCs over issues that impact general practice, including premises/estates issues. Londonwide LMCs has set up a GP Premises Liaison Group with Surrey & Sussex LMCs and Barking & Havering LMCs to meet regularly with NHS England London Region, Community Health Partnerships (CHP) and NHS Property Services (NHSPS) to discuss strategic, policy and operational issues. We are aware that there are ongoing issues where practices need individual support and we have agreed with NHS England London/CCGs, CHP and NHSPS that they should encourage any practice in need of support to contact GP support for confidential assistance and advice before they take action. They may also confidentially highlight to GP support outside of these meetings where a practice may need urgent individual assistance; this may result in you receiving a call from one of our GP Support team.

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

NHS England London region and London CCGs have developed a policy with input from London LMCs for accessing financial support for service charges and premises running costs. Please contact GP support 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.

Planning to relocate practice premises

Practices should be aware that before planning to relocate their premises or agree a new lease, they need to seek approval from NHS England London. Failure to do so contravenes NHS England's regulations and may jeopardise the CCG/NHS England agreeing future investment and notional rent payments. All CCGs and STPs are required to have produced estate strategies so any planned development or relocation will need to be in line with these plans.

Please email gpsupport@lmc.org.uk for advice 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.

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 NHSPS) unless and until you fully understand and are comfortable with your potential liabilities. You should carry out appropriate due diligence as to your potential liabilities. 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 specialist 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 Primary Care Trust subsidy on your costs you will need to discuss this with your current commissioner.