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NHS Property Services update February 2021

Following a recent legal challenge by the BMA, NHS Property Services (NHSPS) may no longer rely on its charging policy as a sole legal basis to increase charges on practices occupying NHSPS premises.

NHSPS should now provide a full explanation of the legal and factual basis on which charges to a tenant practice are being increased, based on terms in the lease or tenancy, with a full breakdown of charges. This should also include an explanation justifying the increase which details facts and figures.

The BMA have produced this template letter to assist practices who wish to clarify their charges and/or challenge them.

Although NHSPS has had to accept it cannot solely rely on the charging policy to increase fees on practices, it is now pursuing individual legal claims against the five practices who took part in the BMA-backed case. The full BMA update on the legal challenge is [here](#).