



Sleeping Beauty

***Sleeping Beauty* is based on a story called *The Sun, the Moon, and Talia*, written, or at the least collected and composed, by the Italian poet Giambattista Basile, in 1634. The original version didn't end so well for the girl! In 1687 Charles Perrault wrote his own version of the tale called *La Belle au bois dormant*, "The Beauty Sleeping in the Wood", where the more familiar version of the tale, where the girl is woken by a kiss from a king, is derived and where there is a happy ever after.**

The UK economy might metaphorically be Sleeping Beauty and as England, at least, starts the baby steps towards unlocking what will be the kiss that wakes it up; or more likely kisses required over an extended period?

As I write this leader, we are waiting to hear from the Chancellor regarding the future of the furlough scheme, the life line thrown to many businesses and employees alike and there is much debate about the timing of any material changes. Too far too soon could be catastrophic for employment whereas the longer the scheme continues the higher the cost to the Treasury. An unenviable choice, although most commentators clearly favour protecting jobs for as long as necessary as it is possible that these jobs could be lost forever if employers are forced to take difficult decisions. Technological advancements are already threatening the future of work as we know it.

Industry 4.0, a subset of the Fourth Industrial Revolution, is the trend towards automation and data exchange in manufacturing technologies and processes which include cyber-physical systems (CPS), the internet of things (IoT), industrial

internet of things (IIOT), cloud computing, cognitive computing and artificial intelligence (AI). Profound changes in economies tend to lead to profound changes in society and bring forward new ways of working and living. Jobs have already been lost and more are threatened by technology, although this has been seen as a good thing and other jobs have replaced those lost.

A report by Oxford Economics last year predicted that up to 20 million manufacturing jobs around the world could be replaced by robots by 2030. The report highlighted that workers who move out of manufacturing, tend to get new jobs in transport, construction, maintenance, and office and administration work which in turn are vulnerable to automation.

I truly believe that the COVID-19 crisis will be a catalyst for significant change; both in industry and society, much of which will benefit humanity in the long run although the path to this will be littered with many casualties and the journey will be arduous.

Michael Garvey
Managing Director

LANDLORD COMMENT

Demand for industrial continues

Demand for industrial property has continued during the crisis and across the various properties and scheme we are marketing levels of interest have been growing in the past 2 weeks in particular. Requests for viewings are building and in keeping with the new guidelines to estate agents we are reviewing the best way of conducting these safely.

One of our notable recent instructions is 75,000 sq ft of space with a large yard at Hayloaders Yard in Brill. In the past week alone, we have received 3 offers!



On the Chancerygate 40:40 Link scheme in High Wycombe we have received many new enquiries this week and demand is coming from all over the region. The scheme is due to complete in the next few weeks and at this rate we will have it fully under offer before then. 40% of the scheme is already under offer.

Re-Training & Re-Focusing

During this lockdown period we have all had a chance to reflect, to unwind and view the world differently. Each of our circumstances are different but learning a new skill can be a great way to fulfil an ambition that a busy work schedule has not allowed.

The delivery methods of such courses has never been easier and there are numerous portals offering free courses.

OCUPIER SERVICES

Webinar

We are hosting the third in our series of Commercial Property Webinars in association with Buckinghamshire Business First on Thursday 14th May at 11am. We will be answering questions from landlords and tenants including:

- What do to if you have already served your break notice? Can you move out?
- Are you going to need less office space? Can you get out of your lease?
- Are you a landlord not receiving full rent, what are your options?

Email jk@chandlergarvey.com to register

More details Click here (<https://bbf.uk.com/event/commercial-property-webinar-q-a-session-for-landlords-and-tenants-14th-may>)



Small Business Grant www.buckinghamshire.gov.uk/businessgrant

Grants of £10,000 paid to businesses with a Rateable Value of £15,000 or less who are receiving Small Business Rates Relief. Contact your Local Authority for more information.

Retail, Hospitality, Leisure Grants

Grants of £25,000 paid to businesses in the retail, hospitality and leisure industries with a Rateable Value of £15,000 - £51,000. Contact your Local Authority for more information.

Business Rates Relief

No Business Rates for 12 months for those in retail, leisure and hospitality industries plus estate agents and nursery providers regardless of the size and Rateable Value. Automatically by your Local Authority.

Bucks Council Q&A <https://www.buckinghamshire.gov.uk/coronavirus/coronavirus-business-support-hub/faqs-businesses-suppliers-and-charities/business-rates-questions/>

Coronavirus Business Interruption Loan Service <https://www.british-business-bank.co.uk/ourpartners/coronavirus-business-interruption-loan-scheme-cbils-2/for-businesses-and-advisors/>

Support for SME's with access to loans and overdrafts up to £5m over 6 years.

Self Employment Income Support Scheme Check eligibility <https://www.tax.service.gov.uk/self-employment-support/enter-unique-taxpayer-reference>

Available from today (13th May 2020). Taxable grant of 80% of average monthly trading profits in a single instalment covering 3 months.

Protection from eviction for commercial tenants <https://www.gov.uk/government/news/extra-protection-for-businesses-with-ban-on-evictions-for-commercial-tenants-who-miss-rent-payments>

No business will automatically forfeit their lease and be forced out of their premises if they miss a rent payment from March to June 2020.

Review of Business Support Available

Visit **Buckinghamshire Business First** for support <https://bbf.uk.com/covid-19>

Bounce Back Loan Scheme <https://www.gov.uk/guidance/apply-for-a-coronavirus-bounce-back-loan>

Interest free loans of up to £50,000.

Safety and environmental obligations for landlords and tenants of commercial properties

Whether a landlord or tenant of a commercial property, you will have duties to ensure premises are well maintained, safe and healthy places for people to work. Certain responsibilities may be statutory, whereas others may be specific to a lease; and in the latter situation it is paramount that both parties understand their respective responsibilities.

Despite recent announcements, the COVID-19 environment continues to limit unhindered movement and performing some of these responsibilities may have become more difficult. However, it is important to carry on with the usual routines and best practice wherever reasonably possible to demonstrate due diligence. Whatever positive steps can be taken today will ensure the premises are immediately suitable for occupation as further restrictions are lifted.

Health and safety

When leasing commercial premises, a tenant must carry out a workplace health and safety risk assessment, which is specific to their occupation, and take action to mitigate any issues. That tenant is also responsible for providing a reasonable working temperature, sufficient circulation space, appropriate lighting, welfare facilities, safe drinking water and equipment.

In turn, the landlord is responsible for similar aspects of health and safety relating to communal areas as defined in the lease.

Fire safety

The Regulatory Reform (Fire Safety) Order 2005 ("the Order") imposes various duties on the "responsible person" with regards to fire safety in commercial properties. The "responsible person" is the person(s) who is ultimately responsible for fire safety on the premises to which the Order applies and with whom liability rests. The "Responsible person" is defined as the employer in relation to a workplace and a person in control/property owner where the premises is multi-let or vacant.



Duties under the Order include, putting in place necessary fire precautions to preserve life and safety, appropriately maintaining all fire safety equipment and evacuation routes, and carrying out regular risk assessments.

Electrical safety

The law places a responsibility firmly on the landlord to ensure that safety standards are maintained. There is no "legal" requirement governing what is required but the Electrical Safety Council recommends fixed wire testing is completed every five years or on a change of tenancy.

Gas safety

The Gas Safety (Installation and Use) Regulations 1998 refer to two principal aspects of the landlord's obligations in relation to gas safety; maintaining all gas installations and appliances via an annual inspection by a registered engineer and keeping records.

Managing asbestos

As with the previous matters, there is a general duty on the "duty holder" to manage asbestos under the Control of Asbestos Regulations 2012. Principally this involves taking reasonable steps to identify the presence of asbestos containing materials, assessing the risk of exposure and providing this information to those occupying or visiting the premises.

Maintenance

The responsibilities of both parties should be clearly set out in the lease. Typically, the tenant is



required to keep the demised premises in good or substantial repair and condition even if this were not the case at the start of the lease. This is often known as a full repairing lease. Understanding the condition of the premises at the start of the lease is useful for both parties as it provides some idea of the level of the claim for dilapidations at the end of the lease term.

If the tenant occupies only part of a larger building, the landlord may well retain the responsibility for maintaining the building itself, and they will most likely recover this through a service charge, administered by a Managing Agent.

Minimum Energy Efficiency Standards (MEES)

MEES regulations came into force on 1 April 2018 and require eligible rented properties to have a minimum energy performance rating of E on an Energy Performance Certificate (EPC).

Implementation of the regulations has been staggered, so that from 1 April 2018 it is unlawful to grant new leases of commercial property to new or existing tenants which have an EPC rating below an E. From 1 April 2020, it will be unlawful to continue to let eligible residential property, and from 1 April 2023 it will be unlawful to continue to let eligible commercial property which does not meet the minimum energy efficiency standards.

There are several exclusions to the MEES regulations, but these represent a relatively small amount of properties.