



FAIRWEATHERS

Chartered Surveyors & Commercial Property Consultants



Spring Update 2006

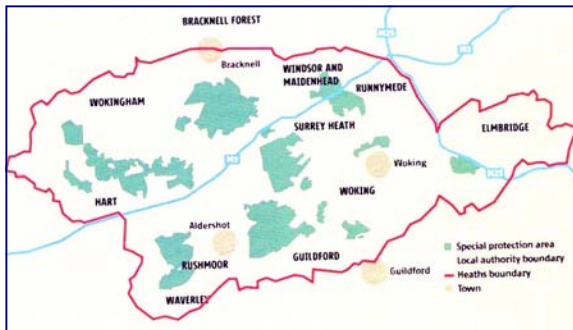
Additional information on updated website at www.fwsurveyors.co.uk

Birds Stop Development

Peter Memmott FRICS & Ann Egan

More than 21,000 acres of Berkshire, Hampshire and Surrey are effectively now blocked from development in order to protect rare bird species.

The new EU Habitats and Birds Directives require local authorities to carry out "appropriate assessments" of how any developments would affect nearby bird protection areas. The Thames Basin site (shown left) contains a large number of designated protection areas, and development in or near any of these could be blocked. Alternatively, developers may be forced to provide alternative open spaces for wildfowl to use. Some are banning cats from properties in an effort to improve their chances of success with the Planning Department.



There is considerable debate in the property professions about how the Government intends to meet its housing targets whilst at the same time blocking much of the development in these areas.

If you have a parcel of land that may be affected, contact us for advice and check on <http://www.natureonthemap.org.uk> which allows you to enter a specific location and provides detailed maps showing zones affected.

How Not to Lose a Fortune through Dilapidations Claims

Jeremy Toole MRICS

When a lease ends, the landlord is normally entitled to require that the premises are handed back in a good state of repair. If the property is not in good repair at the end of the term, the landlord can require that the tenant does the work, or the landlord will do the work to it and recover the cost from the tenant as damages. Arguing over the rights and wrongs of this is a potentially costly business.

We advise that clients appoint Surveyors to agree a Schedule of Condition at the start of the lease so that everyone has a clear understanding of what the building looked like to start with.

Fairweathers advise on what to look for in a lease/Deed of Assignment before it is signed, and, in conjunction with Building Surveyors, also advise on proposed settlement figures/agreements to undertake these repair works. This can save you a fortune in arguments and litigation.

It is not uncommon for each parties' litigations costs to exceed the original value of the claim if a deal is not reached quickly. Forward planning is essential. Once a lease has come to an end, a landlord is not under any obligation to allow a tenant access to undertake repairs.

Fairweathers offer practical advice on planning for dilapidations and will negotiate on your behalf to obtain the best possible deal. A recent example was a landlord who claimed £2.5 million; the matter was settled at a figure close to £250,000. This type of case shows that it pays to seek timely advice from a property professional, whether you are a landlord or a tenant.



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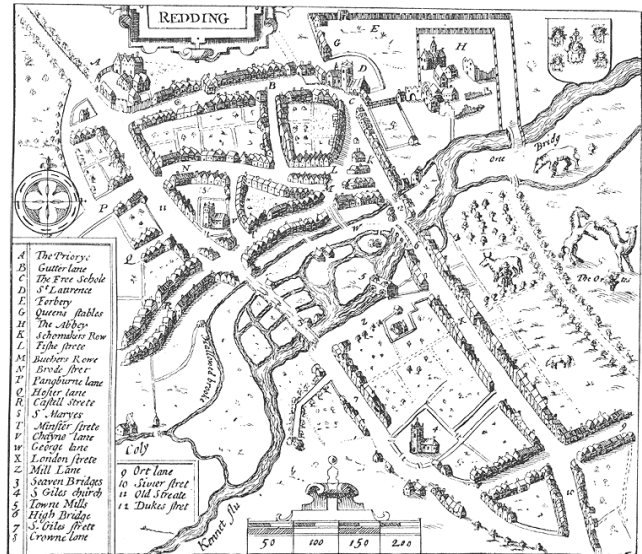
Chartered Surveyors

History and Archaeology: Handling Ancient Sites and Buildings

One of the worst nightmares for any developer or property purchaser is the realisation that the building or site is potentially of historical importance. The law may require you to take steps to ensure that it is appropriately protected, and yet you still need to be able to make a profit on the transaction.

Fairweathers are able to assist with historical issues, and have access to extensive catalogues of ancient maps and Listed property information.

If you need assistance with a transaction involving an older property or are developing an historic site, contact us on 0118 969 3800



Looking for Property? How to Save Time and Money

Clients usually have two choices available when looking for space:



1) They can contact every agent in the region and ask them to send on particulars, narrow down the range of choices themselves, prepare a schedule of properties for the Directors, liaise with four or five agents, visit the properties, find out most of them are unsuitable (so potentially wasting another few days of management time), negotiate the deal at a price the agent leads you to believe is the "best they can do", wait for everyone to get their proverbial act together, phone the agent and the professionals involved three or four times a week for several weeks (or quite possibly months), and finally get to move in. The cost to the business? Huge. Then they often find out the people who took adjacent space saved a fortune on the same deal.

2) They can instruct an independent firm such as Fairweathers Chartered Surveyors. Our Partners have been in business in this region over 20 years and we have seen a vast number of properties in the region over that same timescale. We know which buildings are going to be the best possibilities for you, we deal with all the agents on your behalf, we prepare the list of suitable options, and when it gets to the bit where the agent says, "This is the best deal we can do, honest", we know whether this is true or not. We make sure that all the parties keep talking to each other, we are experts in working with client's legal teams to check the legal documentation to ensure it reflects the deal you want, and we get everyone to do the deal in the timeframe that suits your firm.

A recent example was a firm who contacted us, decided to save on the fees, negotiated the deal themselves, and cost themselves **£180,000** (plus their own time costs) compared to the deal we negotiated for the tenants next door on identical space. They did the best they could, but they are not property professionals with 20 years of experience in dealing with agents and with an in-depth understanding of every aspect of the local and regional markets.

We charge a fair and reasonable fee for our service, and we then save clients a lot of their time, stress and almost invariably a considerable sum of money, which is why they continue to use us and continue to recommend us to others.

**For more information on how we might help with your search,
contact Senior Partner Peter Memmott
on 0118 969 8999 or email pm@fwsurveyors.co.uk**

We cannot accept instructions where other professional property advisors are appointed. If you are considering the appointment of alternative advisors you should withdraw your instructions from your existing advisors before a new appointment is made, otherwise you may be liable for fees from both parties.

If you wish to be removed from our mailing list, or wish to be sent newsletters on matters of interest to your sector, please contact Ann Egan or Kate Jackson at the Thames Valley Head Office shown overleaf, or through info@fwsurveyors.co.uk, or by fax to 0118 969 2295