



Newly
qualified



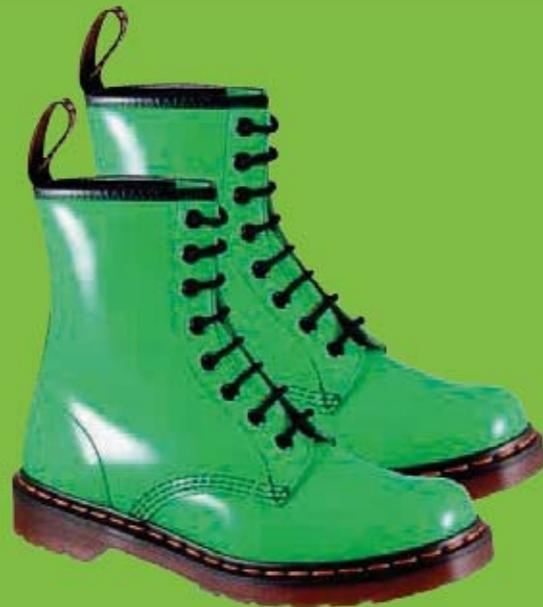
kinneygreen

3thinking

“

These boots
are made for
walking

”



Please turn over for the full story

DR MARTENS BOOTS WALK FROM COVENT GARDEN TO CAMDEN



The Midtown team at Kinney Green have moved Dr Martens London Head Quarters and showroom from 1-4 King Street to the Upper Ground Floor at The Rotunda in Camden. As part of the process Kinney Green have let the 2nd and 3rd floors at 1-4 King Street to Limelight Networks on a 5 year lease at £52.50 per sq ft and acquired The Rotunda (a former piano factory) from Hermes on a 12 years lease at £35.50 per sq ft.

For more information please contact Neil Warwick on 020 7269 8806.

STRAIGHT TALKING

Nick Eden, Senior Partner, fresh from providing the valuation examples for the 4th edition on the leading tome

“Dilapidations – The Modern Law and Practice”

by Nicholas Dowding QC and Kirk Reynolds QC, which has just been published, was one of the principal speakers at the recent RICS Dilapidations Forum Annual Conference. Below is a link to his presentation for the talk, which was centred on the effect on the dilapidations claims of EPCs (Energy Performance Certificates) and also on the effect of legislation relating to R22 air conditioning refrigerant use.

Dilapidations – The Modern Law and Practice

Nick was on a panel in November with Lord Carnwath, a member of the Supreme Court, Martin Rodger QC, Deputy President of the Upper Tribunal (Lands Chamber), and David Halpern QC of 4 New Square for whom we act, on the topic of “valuation tolerances”.

In November he also talked at the Annual Property Bar Conference on “Release Fee Damages” together with Zia Bhaloo QC and Jonathan Klein, both of Enterprise Chambers, Lincoln’s Inn, another client of Kinney Green. Release fee damages are damages payable for trespass, below is a link to Nick’s paper.

Release Fee Damages – Valuation and the Courts

For more information please contact Nick Eden on 020 7643 1510.

KEEPING WITHIN THE LAW

Kinney Green are delighted to confirm that they have been appointed on a 3 year contract to carry our work on behalf of The Law Society.

The work is far reaching and varied including ‘Red Book’ valuations of their extensive freeholds in Chancery Lane and Carey Street, Rating and Lease Regear negotiations in Birmingham.

Kinney Green have also been involved in advising on the planned improvements to the Chancery Lane properties owned by The Law Society for which planning consent applications have been made. The aim being to improve the working environment for the staff of The Law Society by upgrading two heavily listed buildings.

For further information please contact Neil Warwick on 020 7269 8806 or Tom Whalley on 020 7643 1516.

FED UP WITH YOUR NEIGHBOURS?

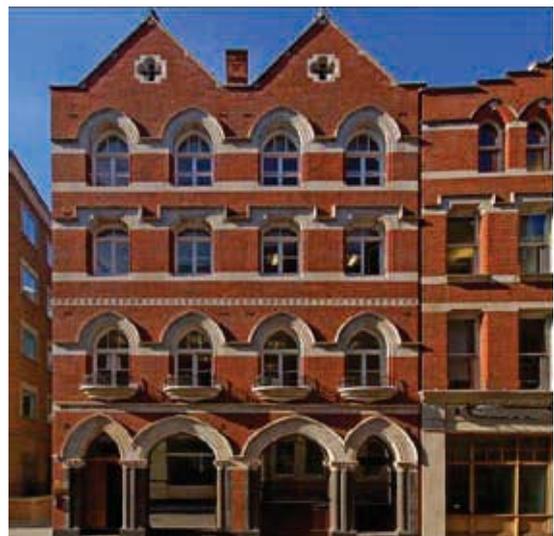
Kinney Green recently achieved success for its own West End office and for a leading residential property adviser at the Valuation Tribunal in an Adjacent Building Works business rates appeal, setting the trend for Mayfair-based Adjacent Building Works appeals to follow.

Despite the fact that the office-to-residential conversion works were being carried out on the opposite side of the road rather than next door, a 10% reduction in Rateable Value

was decided by the Tribunal and achieved to the satisfaction of both Kinney Green and its client. Kinney Green is now in the process of carrying out subsequent appeals to achieve an additional reduction as a consequence of more recent works on a subsequent development next door.

For more information please contact Loris Tinacci on 020 7643 1501.

11-13 BREAMS BUILDINGS



Kinney Green have now completed the off market sale of 11-13 Breams Buildings, EC4 for £3.5m to developers for substantially over book value after highlighting the underlying residential development potential. The building totalled 6,091 sq ft and was sold as a B1 office building but has now been granted planning permission for conversion to luxury flats. Kinney Green acted for the vendors and Veale Wasbrough Vizards handled the legals for the disposal.

For more information please contact Rob Macnab on 020 7296 8804.

ALL IN THE NAME OF A GOOD CAUSE

Through proactive asset management strategy, Kinney Green's property management team has successfully negotiated a new lease to the charity, Action Against Hunger on behalf of the landlord client, Davy and Company Limited. The new lease extends the term and provides the tenant with an additional floor, which had previously been underutilised as storage space. The transaction will allow Action Against Hunger to realise their expansion plans and provides the client with additional income from floor space that has never before produced income.

For more information about Kinney Green's unique and specialised approach to property and asset management please call David Thomson on 020 7643 1521.

ABERDEEN APPOINT KINNEY GREEN ON 5 FLEET PLACE RENT REVIEWS

As part of this revival in more hotly contested rent reviews, Aberdeen Asset Management have instructed Kinney Green to act on their behalf in respect of the imminent reviews in 5 Fleet Place, EC4.



The rent on one floor of this 120,000 sq ft building is subject to review in January 2014 and a further 28,000 sq ft is subject to review in October 2014.

Please contact Nick Eden (020 7643 1510) or Tom Whalley (020 7643 1516) for the City and Midtown markets or Stephen Lines (020 7647 8961) for the West End market, for further rent review advice.



ENERGY PERFORMANCE CERTIFICATES

– Change in legislation

What is an EPC?

An EPC describes how energy efficient a building is and this is measured by the amount of CO₂ emissions the building produces. The EPC provides the building with a rating from A-G (A being the most energy efficient) and it also contains a recommendation outlining methods the Landlord can implement to improve their EPC rating.

Energy Act 2011

The Energy Act 2011 requires all buildings to produce an EPC when letting or selling a building. By 1st April 2018 it will be illegal to let or sell a building with a rating of F or G unless the maximum package of required energy improvement measures has been implemented. It is not yet clear whether this new legislation will impact on lease renewals as well. Furthermore,

R22 refrigerant in air conditioning systems will be illegal and this can either be replaced by a brand new, legal air conditioning unit or be modified to use new 'drop in gas'.

The Landlord will be responsible for taking appropriate action to improve their ratings and will most likely put the cost of the works through the service charge. Ultimately, the building is responsible for the costs of these improvements i.e. if a tenant moves on, the new tenant/Landlord takes on the responsibility.

The Green Deal

The Green Deal is an initiative to help fund these mandatory improvements for buildings with a rating of F or G. This can be requested by the Landlord or the tenant, and Landlords will not be able to refuse a tenants

request loans to cover the cost of the works so that there is no upfront cost. This loan, including interest, is then paid back through the tenants' electricity bills. In order for this to be financially viable, the following Golden Rule must be adhered to:

The cost of the savings must be greater than or equal to the cost of the works (up to a 25 year period).

Buildings exempt from this new legislation are:

- Stand alone buildings of less than 50 m sq
- Listed buildings
- Former barns/farm buildings which have no heating
- Churches and other religious buildings
- Temporary buildings to be occupied for less than 2 years e.g. portacabins

For more information please contact Katie Treadwell on 020 7643 1503.



KINNEY GREEN CONTINUES TO MOVE THE CHARITY SECTOR

Kinney Green were instructed by Asthma UK in January 2013 to find alternative premises of 10,000 sq ft on a single floor, ahead of their lease expiry and in the face of cuts to their funding from Central Government.

Their mandate required the annual costs to be no more than they were currently paying, which in a rising market was a challenge. Nevertheless, Kinney Green conducted an extensive tour of the market and identified 18 Mansell Street, London, E1 where terms were agreed on the basis of a new 10 year lease with a 5 year break, at a rent of £25.00 per sq ft, with 11 months initial rent free and a further 9 months rent free in the event that the break is not exercised.

The premises were partly fitted-out, which also enabled Asthma UK to save some cost and furthermore a Schedule of Condition was prepared to limit their reinstatement liability.

The building has subsequently sold and the asking rent is now £32.50 per sq ft!

Asthma UK is one of the many charities advised by Kinney Green in recent years, including The Brooke, The Workers' Educational Association, St John's, Tommy's,

The Royal British Legion, Arthritis Care, The Winston Churchill Memorial Trust and Great Ormond Street Hospital.

For more information please contact Kim White on 020 7643 1506.



CITY OF LONDON PLANNING CHANGES

As predicted in our Winter 2012 3Thinking article, the City of London have now clamped down on all new change of use applications to residential and Kinney Green were one of the first consultants to hear of this and advised our clients accordingly.

The City of London are bringing forward their Local Plan from next year so as to ensure that their new policy regarding changing the use of offices can be used as a material consideration to restrict such conversions.

The City of London will now look for robust justification for the loss of office space and potentially 18 months marketing evidence to enable the conversion of offices to residential and this will need to be given alongside the usual viewing schedules, feedback from potential lessees and a marketing board.

The City have notably granted consent for some new large residential developments namely Barts Square and Sugar Quay.

With the departure of Peter Rees next year, his planning policy legacy will be to ensure small offices remain in their current use and this will be the case for many years to come.

Should you have any queries on any planning and development matters please contact Nicholas Thornton on 020 7643 1507.

DUST OFF THE RENT REVIEW SURVEYORS

The world of rent reviews has been rather quiet for professional surveyors in recent years. The majority of rents that have been subject to review were set during the highs of the rental cycle before the credit crunch. As a result, the majority of these have been settled at nil increase, without too much

of a fight. However, 5 years have passed since the crisis and we have now reached a point in the cycle where there are imminent reviews of rents that were set during the market lows of late 2008 and early 2009. Rent reviews are more likely to result in a rental increase and it is now time to dust off those

negotiation skills and return to the world of hard fought reviews!

If you have a rent review coming up and would like confidential advice please contact Tom Whalley on 020 7643 1516.

A BURGEONING PORTFOLIO

Kinney Green is pleased to announce that, through its partnership with This Property Matters (TPM), two further properties have been added to our property management portfolio.

TPM were successfully appointed as property manager of both 20 Red Lion Street London WC1 and 100 Leman Street, London E1, which extends the existing relationship with the property owner of both properties. Kinney Green provides professional, insurance,

property management accounting and health and safety support to TPM in a partnership arrangement seeking to deliver a personal and proficient service to tenants and clients alike.

For more information please call David Thomson on 020 7643 1521.

QUALIFIED!



Katie Treadwell has kept up the outstanding performance of our young surveyors and as predicted has passed her APC assessment and is now a fully fledged member of the Royal Institution of Chartered Surveyors (RICS).

“So happy that all the hard work paid off!”

Katie works in our City Agency Team and can be contacted on 020 7643 1503.