



Hewitsons Real Estate

LEGAL UPDATE

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Indexed Rent Review -Where do we stand?

The government has recently announced that it will be issuing (in March) a consultation on its plans to reform the much maligned Retail Price Index (RPI). The RPI is the measure that many landlords use to review rents. So what does this mean for them? Sarah Baron a solicitor in our Cambridge office considers in her article [Indexed rent reviews: where do we stand now?](#) what reform of the RPI may mean for landlords and tenants and what if anything they should be doing now.



Opportunities for Northamptonshire from the Oxford - Cambridge Arc

Claire Howard-Amos a legal director in our Northampton office, looks at the strategic position of Northamptonshire in relation to the governments development of the Oxford - Cambridge Arc. Northampton is the largest town in England and it and the surrounding area has huge potential to take advantage of the opportunities that the Oxford - Cambridge Arc offers. To read further please [click here](#).



Supreme Court decision restricts registration of Town and Village Greens

In an important decision on the registration of land as a Town and Village Green (TVG), the Supreme Court has decided by a 3:2 majority that land acquired and held by public bodies for statutory purposes, such as the provision of education and health services, cannot be registered as a TVG, even if the public body has no immediate need for the land. The decision further limits the prospect of registering recreational land as TVG following recent legislation and court decisions and will be welcomed by public bodies.

You can read Emma Bowman's full article by [clicking here](#).



Use of CRAR waivers right to forfeit

The Court of Appeal has recently dismissed the landlords' appeal that their purported forfeiture of a lease (after enforcement agents had used the commercial rent arrears recovery (CRAR) procedure) had been lawful. The landlord had exercised CRAR to recover rent arrears and costs however, after exercising it, a £3000 debt remained outstanding (due to a bounced cheque). The Landlord purported to forfeit the lease which the tenant argued was an unlawful re-entry. The Court of Appeal agreed and held that the landlords had waived their right of forfeiture by exercising CRAR. The landlords' use of CRAR had contained an unequivocal representation that the lease was continuing and therefore constituted an election by the Landlord not to use its right of forfeiture.

For further information on all matters relating to property litigation please contact Rachel Sims on 01223 532730 or [click here](#) to email Rachel. Rachel has recently joined our Cambridge office as head of real estate litigation with a wealth of property litigation experience.



Brexit is here

After the pre-election political high drama over whether the UK would be leaving Europe, the resounding conservative victory in December means that the UK will be departing Europe at 11pm (midnight EU time) on 31st January. The crowdfunding attempt to ensure that Big Ben bonged to mark the occasion has been abandoned over a call to unite the country on the inevitable new path. It is unavoidable that this conscious uncoupling will mean changes to our economic and political system and the country is still split over whether this will have a positive or negative impact. Dominic Hopkins, Head of Disputes & Litigation seeks to explore some likely consequences in his article [The UK in the departure lounge](#) as does Simon Wain in his article [Brexit - Construction Contracts](#).

As a founder member of LawExchange International, Hewitsons LLP is well placed to ensure that you can obtain high quality professional advice through ourselves or our partner firms across the EU pre or post Brexit. Law Exchange is a network of trusted legal advisors worldwide that can assist companies and individuals with a whole range of legal issues. For further information please contact Lewis Isaacs by [clicking here](#).

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