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Sponsored news story: Addressing underfunding of GP premises

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The *General Practice Forward View* was published in April 2016, and announced a series of steps that would be taken to try and address the historic underfunding of GP premises.

Central to this was the Estates and Technology Transformation Fund (previously known as the Primary Care Infrastructure Fund and the Primary Care Transformation Fund). This was a £900m pot of capital funding made available to GP practices to help fund improvements in GP surgery premises and associated infrastructure and technology.

Applications for the first round of funding were originally made in early 2015 and NHS England stated that by October 2016:

- 575 schemes had been completed
- 316 were going through due diligence or construction work
- A further 300 schemes were due to be advanced nationally in 2017.

It is understood that the fund has been heavily oversubscribed, which won't come as a surprise to many in the profession! In any event, practice managers have a key role to play in dealing with any works to the surgery premises, whether this is the refurbishment or redevelopment of existing premises, or even a completely new development.

In advance of any substantial refurbishment or development works, it will be important to ensure that the key legal arrangements have been properly regularised, in order to avoid any delays or disputes further down the line. For example:

- is the property registered at the Land Registry in the name of the current owners?
- in particular, are any retired partners still registered as owners, even if they have been paid out?
- are there any discrepancies between the true extent of the property and the Land Registry title plan?
- are there any third party occupiers of any parts of the surgery premises who do not have leases?
- do the partners have an up to date partnership deed in place? This is important because the partners will need to be clear about where responsibility for compliance with any conditions associated with ETTF grant funding will lie.
- is there a mortgage in place and is the mortgagee's consent needed before works can commence?

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Practice Business is a monthly business management magazine

Sam Hopkins is head of the GP Group at Capsticks Solicitors LLP.

Capsticks advise GPs and practice managers on a full range of legal issues including all types of GP property development. Find out more at: capsticks.com/gps

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