

# Staff accommodation projects - How we can help

We've acted for numerous NHS trusts across the country on their staff accommodation projects over the last twenty years. Staff accommodation projects and the outsourcing of management of existing accommodation remains a key trend across the NHS, as Trusts look to find ways to enhance staff retention whilst also generating cost savings or capital receipts.

## How we can help

We can deal with all related legal advice which typically comprises:

- A review of tenancy arrangements currently in place for existing staff, including advice on any risks and, if necessary, preparing new Assured Shorthold Tenancy template documents to regularise tenancy arrangements;
- Reviewing title to the site, and identifying any potential show stoppers or other issues (e.g. restrictive covenants, the need for third party consents) which might have an adverse impact on the deliverability of the project;
- Advice and support on planning issues, including any necessary S106 agreements or CIL payments;
- Advice on procurement, including support in preparing the OJEU documentation, evaluation mechanism, draft documentation, virtual data room etc. if required;
- Preparing all necessary legal documentation for the project including the development agreement, lease, nominations agreement (to tie in with any cascade provisions in the planning consent for the site), compensation on termination and step in arrangements, and negotiating these with the preferred bidder, including construction documentation with the preferred partner's supply chain;
- Reporting on the final form documents and summarising any risk transfer negotiated during the project process; and
- Closing the project and providing document summaries for the Trust for future reference.

## Examples of our work

Some examples of staff accommodation projects we have acted on are as follows:

- **Frimley Health NHS Foundation Trust** - £6 million new build and refurbishment staff accommodation project at Frimley Children's Centre, including a phased land sale, development agreement and nominations agreement with the registered provider, Thames Valley Housing Association.
- **Surrey and Sussex Healthcare NHS Trust** - £4m new build and refurbishment staff accommodation project with related land sale of surplus site at East Surrey Hospital to A2 Housing Association. This included the refurbishment of existing accommodation, the construction of new build accommodation, a development agreement, lease and nominations agreement with A2 Dominion Housing Association.
- **East and North Herts Hospitals NHS Trust** - £10m staff accommodation redevelopment including related FM arrangements at Queen Elizabeth II Hospital, Welwyn Garden City, with St Pancras & Humanist Housing Association.
- **The Princess Alexandra Hospital NHS Trust** - £15m staff accommodation scheme to construct, service, manage and maintain approximately 200 units of accommodation, a day nursery and other additional services with Anglia Housing Group.
- **Oxford Health NHS Foundation Trust** - £9m staff accommodation redevelopment project at Littlemore Hospital with Beacon Housing Association.
- **Brighton and Sussex University Hospitals NHS Trust** - staff accommodation redevelopment project at Princess Royal Hospital including associated land sale and management agreements over further Trust owned staff accommodation with London & Quadrant Housing Trust.
- **Moorfields Eye Hospital NHS Foundation Trust** - £7m project at Moorfields Hospital to develop a purpose built pharmacy together with staff accommodation with Kensington Housing Trust.
- **Buckinghamshire Healthcare NHS Trust, Barking Havering and Redbridge University Hospitals NHS Trust and Barnet Healthcare NHS Trust** - £2m staff accommodation refinancing project for three NHS trusts working together to transfer their portfolio of existing staff accommodation to Swan Housing Association.

Capsticks has a large specialist housing team which acts for many of the largest housing associations across England. That means that we can add value by introducing registered providers to our NHS clients in order for soft market testing and initial discussions to take place before any procurement process is started. It also means we're familiar with the priorities and key points / elements of risk transfer which matter to housing providers, which can help when negotiating the documentation.

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