


Green Leases for the NHS

01 February 2023  Julie Innes

With the Green Leases Framework published by NHS England now in place, it is beneficial for NHS bodies to review their leases, whether landlord or tenant, to establish whether they can improve their green credentials.

The Green Leases Framework was published by NHS England in Summer 2022. The purpose of the Framework is to provide guidance to NHS organisations to improve the energy efficiency of their leasehold estates, whether landlord or tenant. The Framework plays a part in achieving the NHS' ambitions of reaching carbon net-zero in relation to emissions it controls directly (the NHS Carbon Footprint) by 2040 and emissions it can control and influence by 2045.

How the framework can be used in relation to existing leases

In relation to existing leases, the Framework provides a precedent Memorandum of Understanding which tenants can use to engage with their landlords to discuss the possibilities of making the estate greener as well as a suite of provisions. The suite of provisions contains light green interventions and dark green interventions. The light green interventions are less onerous and do not usually impact the parties financially and the dark green interventions are more substantial which may have a material financial impact.

How the framework can be used for new leases

The Framework provides a draft set of clauses which are intended to be used for new lease negotiations which take into account both light green and dark green interventions. We have already started liaising with our clients when negotiating new leases to ascertain the most suitable clauses for each particular transaction. NHS Property Services Ltd has also updated its draft documents including leases and memorandum of terms of occupation to include these provisions.

Practical ideas to reduce carbon emissions

Some practical ideas we have had from our NHS clients in order to reduce their carbon emissions across their estates include:-

- Incentivising car shares to work and use of public transport
- Considering solar panels on existing and new-build sites
- Following recommendations set out on Energy Performance Certificates
- Installing electric vehicle charging points into car parks

MEES updates – 1 April 2023

As a reminder, the next phase of the Minimum Energy Efficiency Standards comes into force on 1 April 2023 which places more onus on landlords to ensure that their leased properties are at the required standard in terms of energy efficiency.

Find out more →

</insights/mees-are-you-ready-for-april-2023>

If you would like to discuss the Framework in more detail and see what we can do to help you achieve the NHS' goals and ambitions, do not hesitate to get in touch.

Further reading

A link to the Framework which also includes links to the memorandum of understanding and the suite of provisions and clauses is below.

Find out more →

<https://www.england.nhs.uk/estates/green-leases-framework/>

Contact



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