

Industry Interview:

Shaz Sharif, Solicitor at Pinsent Masons LLP

First Comment talks to Shaz Sharif, Solicitor at Pinsent Masons LLP about her views on fracking and what will be the greatest challenge facing property lawyers in the future.

What motivated you to become a lawyer?

The main reason I became a lawyer was to help people. Being a lawyer can require a wide range of skills and unexpected challenges. I am an organised person and I like structure whilst my strengths lie in analysing problems and advising others. I primarily act for companies, so, not only do I need to understand the law, I also need to understand my client's business. That has allowed me to learn so much about different businesses and industries, as well as the diverse areas of law that impact my clients. Law is always changing and I have found a career that allows me to constantly learn and grow.

What's your view of the potential plans for fracking and the proposed legislation around it?

Successful shale gas exploration has reduced gas prices in the US and must have the potential to reduce the UK's reliance on gas imports: particularly relevant given the hardening of relationships between Russia and Western Europe. Energy security in the UK is going to be a much more pressing issue over the next few winters and I think the UK should be pursuing policies which will give us a diverse domestic energy mix.

While a raft of laws and policies to facilitate fracking are in place, I think the issue of community acceptance remains. I will be interested to see how the practice and procedures around community benefits develop over the coming months.

What will be the greatest challenge facing property lawyers in the future?

It's been said before, but it's the 'more for less' agenda. Margins in property work have been squeezed, so the challenge is to find new ways of working whilst still maintaining or improving service levels. This means smarter working and lawyers taking a practical, commercial approach to negotiations. Our [SmartDelivery](#) model is a great example of how we can deliver a great, consistent service for clients whilst maintaining a sustainable degree of profitability.

How do your landlord and tenant clients view the changes to the Service Charge Code in respect of CRC? Is this proving a lease negotiation point?

CRC still seems to be a little under the radar in lease negotiations, but I'm beginning to see it more up front particularly in some service charge mechanisms.

I think the service charge code has not made a significant impact on lease negotiation. The new Clause 9.2 on CRC by and large reflects the up-front drafting which I've seen: Landlords should try to mitigate expense but can pass on direct CRC costs. Landlords should not charge administration costs. I think this is a fair balance because it's the tenant who uses the energy, but it's landlord's overall operations which triggers the need to comply with CRC.

Have you seen an increase in mines and minerals issues affecting your developer clients since the change in the law in October 2013?

Not really. The [changes in October 2013](#) ought to have reduced the occurrence of mines and minerals issues as manorial rights would be lost unless registered before a sale for value. In many cases, though, mines and minerals issues aren't simply about manorial rights, but the simple lack of visibility about ownership.

Have you acted on any finance deals, where the lender has required title insurance to be put in place?

Yes, it's fairly common particularly in development finance. I think lenders tend to be more risk averse and they can mitigate risk by requiring title insurance. The cost of the mitigation (insurance) does not affect their margin, but rather the borrower's so it's easy to see why lenders might insist on insurance.

It's a good solution for a lender provided the cover has been properly thought through.

If you could do anything (other than practise the law), what would you choose?

A humanitarian or a doctor - travel the world and help the poor and less fortunate.

How do you keep busy when you're not at work?

I enjoy socialising with my family and friends (particularly spoiling my many nieces and nephews), keeping fit at the gym, shopping, eating out at new places and trying new things. Personal property investment and renovation projects also take up my time.

Please recommend a book, programme or website & why?

The Apprentice – for Lord Alan Sugar's witty quips!

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