



THE BROADSHEET FROM BIRKETT LONG

**OCTOBER 2010** 

It's all too easy to keep putting off those annoying, but very important, matters affecting your future. We all do it because the future can seem a long way off. The reality, of course, is that it's not!







**Top Image:** Love Second Time Around Page 2

Middle image: Our Charity of the Year - SANDS
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**Bottom Image:** The Business Interview - A Rural Business *Page 4* 

# **LAW AND FINANCIAL 50+**

## PEACE OF MIND

Planning ahead and making the right decisions today will give you peace of mind knowing your personal and financial affairs are organised in the ways you want them to be.

With a lifetime discretionary trust, known as a 'pilot trust', an individual can establish any number of trusts, each with a nominal amount, during their lifetime. Assets can then be added either during the individual's lifetime, or on their death under their will. The result is that monies do not pass directly to the survivor which, if the survivor had to go into a care home, would significantly decrease the available assets that could be passed on to future generations. Instead, the assets would be protected within a trust in which the survivor, children or any other named persons could benefit.

With the recent Panorama programme highlighting the importance of seeking professional independent advice in relation to making a will, and the increasing cost of care, there is now an ever greater need to consider the impact that these issues may have upon

your estate for the survivor and future generations.

To ensure you receive the best quality advice on this complex area you need to know where to look. At Birkett Long we can explain all these issues and work out the most appropriate course of action to suit your individual situation. We also pride ourselves on having eight solicitors who are members of the Society of Trust and Estate Practitioners, a professional body whose members provide expert advice on trusts, estates and inheritance.

### **Equity Release**

Equity release has become more popular and relevant in today's financial world and is one of the areas of advice we give to individuals aged over 50.

This growing popularity is due to individuals generally living longer, advances in medical care and healthier lifestyles. However, longevity can bring financial problems as money invested in savings or pensions which originally may have been sufficient for retirement, now has to last longer. This creates further

problems for the Government which has to provide more state benefits and a situation is arising where there are more individuals drawing money from the state than there are paying in to it.

This is where an equity release scheme can help. With many individuals owning their own homes outright by the time they reach retirement and with house values being relatively high, this has meant many are "asset rich" but "cash poor". For individuals with a shortfall in retirement income, those who wanted to treat themselves to their dream holiday or carry out home improvements, equity release schemes have become very popular.

Equity release lifetime mortgages allow an individual to release equity from their properties through a form of loan/mortgage. They are designed to be open ended and no capital repayments are made to the lender during the term of the loan. The outstanding loan/mortgage is usually repaid from the estate on death/second death. This allows an individual

to have enough money for a comfortable and enjoyable retirement without the burden of monthly loan repayments.

Equity release has historically received a lot of bad press but in recent years an effort has been made to restore confidence in the sector.

There are, of course, many factors an individual would need to consider before entering in to an equity release scheme. For example, if a potential borrower wishes to leave a legacy to their family they should discuss matters with their nominated beneficiaries to make them aware of the implications. This is a complicated area of financial planning and financial advice is essential. At Birkett Long we have a team of independent financial advisers who are able to advise in most aspects of financial advice, including equity release.

Birkett Long has a range of legal and financial services designed especially for the over 50s. For more information contact paul.chilver@birkettlong.co.uk or emma.waters@birkettlong.co.uk.

## FREE SEMINARS

# Long term care costs are rising - are you prepared?

To hear more from our experts, come along to one of our informal seminars on 25 and 26 November, taking place at The George Hotel, High Street, Colchester.

Our experts will guide you through:

- the rules surrounding care fees and how they might apply to you
- how you can preserve the value of your home and other assets
- how to plan for care fees
- whether equity release is appropriate for you
- the importance of wills and Lasting Powers of Attorney

To book a free place contact Jennie Skingsley on 01206 217605, email events@birkettlong.co.uk or visit www.birkettlong.co.uk. Setting up home with a new partner after the breakdown of a long relationship or the loss of a spouse can be a daunting prospect. When you do find someone that you want to share the rest of your life with, bringing together both of your families and your finances can be difficult.

Our clients at Birkett Long tell us it can be more complicated later in life, when you may already own property, have paid into pensions for many years, have investments and can be thinking about retirement. Your partner is likely to be in a similar position. Added pressures can arise - do you sell your home and purchase together so you start your life together in fresh territory? What if that relationship fails - have you then lost your home? You might have already experienced a bitter breakup with an ex partner and feel they received too much as a result of the settlement - will the same happen again? Adult children can be apprehensive that, lets face it, you are setting up life with someone who will never replace their other parent and, worse still, might only be after their inheritance. Such tensions do not help a young relationship move forward. Can the law help ease these tensions?

Any new relationship should be an exciting next step in life. However, loyalties can be torn between your family and your new partner, leading to friction. You are also likely to be concerned about sharing your finances with another person. Your partner is probably facing the same difficulties. Whether you are contemplating living with your new partner, or marrying them, a well prepared and thought out agreement can help.

### **Living together**

There is a common myth that if you live with someone for a certain number of years they become your common law spouse and have a claim against your assets. This is not true: although the Law Commission has considered bringing in such an arrangement, those plans are currently on hold. However, your partner can bring a claim against your assets in certain situations, even if they are not named on the title documents. For example, promises (which are relied on) that they will have a home in your property for life or they own half of the house although the title deeds are not amended, or payment of money towards a property can lead to rights in that

Whether or not you are purchasing property together or are planning to combine your assets, a cohabitation agreement should offer good protection against future claims in the event your relationship breaks down. It can specify precisely how your assets are shared and what, if any, claims you each have in the event of your separation.

#### **Marriage**

If you are planning to marry, a pre-nuptial agreement should be considered. Recent celebrity divorce cases have highlighted, yet again, the seemingly thorny issue of pre-nuptial agreements and whether they have any real merit. The stakes, as we know, can be very high. Heather Mills famously received £24 million during her divorce from Sir Paul McCartney after only 4 years of marriage.

The current situation in England is that 'pre-nups' are not automatically recognised, being only one of the factors to be taken into account within divorce proceedings. The English courts are revisiting prenuptial agreements again this summer. In the meantime, the law commissioner in charge of family law, Professor Elizabeth Cooke, has confirmed that the law will be reviewed and one possibility is that pre-nuptial and post-nuptial

settlements will be recognised. Professor Cooke indicated:

"There is a certain amount of financial carnage when people get divorced. A well drawn pre-nup can give greater predictability".

The Law Commission's recommendations are expected later this year. Currently, we at Birkett Long are advising our clients that it is likely properly prepared, researched and fair pre-nuptial and post-nuptial agreements will be taken into account within subsequent divorce proceedings. It is hoped that the Law Commission's recommendations will lead to new law making such agreements binding. This will give all concerned greater certainty if they do face a divorce in the years that follow.

Whether you are considering living with someone or marriage, a cohabitation or pre-nuptial agreement can ease the tensions felt by you, your partner and your families. If they are accompanied by wills and trusts, you can be sure that inheritance has been fully considered and planned. Such arrangements can be shared with your families. This should reassure everyone affected that all interests have been considered and protected, easing the way to a happy life together.

For more information, contact Philip Hoddell on 01206 217320 philip.hoddell@birkettlong.co.uk



# INSOLVENCY

You have dealt with 'Failing Company Ltd' for years but recently it has been struggling and, at close of play one Friday, it owes you several thousand pounds.

The following Monday you receive a letter from IP Insolvency Practitioners, explaining that the directors of Failing Company Ltd appointed them as Administrators. It is unlikely you will see any return on the thousands of pounds which Failing Company Ltd owed you.

Your post tray also contains an order from Try Again Ltd. The directors of Try Again Ltd are the same as the directors of Failing Company Ltd and the address, registered office and contact details are all the same. It may seem that Failing Company Ltd's directors have avoided you and their other creditors and re-started the business, debt free, in the name of Try Again Ltd. Is this legal?

This may be a pre-pack administration sale (pre-pack), which allows for Failing Company Ltd to enter into administration and for the administrators to sell the business of Failing Company Ltd to Try Again Ltd. Try Again Ltd may be run by the previous directors or by a third party.

The Enterprise Act 2002 enables a company or its directors to appoint an administrator without having any recourse to the courts. Companies such as Whittard of Chelsea and MFI have been subjects of pre-packs. The process has been criticised as an unjust way to restart a business leaving creditors unpaid and without notice of the pre-pack until after completion. However, the Insolvency Service has stated that 'a pre-pack may offer the best chance for a business rescue, preserve goodwill and employment, maximise realisations and generally speed up the insolvency process'

To combat the negative publicity of pre-packs new guidelines have introduced safeguards which aim to resolve complaints about lack of transparency and accountability; although these may mean a decline in their use, pre-packs remain valuable. We work with insolvency practitioners who are well qualified to ensure that the best option is always chosen to enable a business to be saved whilst ensuring creditors are fully informed.

Contact Hayley Songhurst on 01206 217377 or email hayley.songhurst@birkettlong.co.uk

CHRISTOPHER HOLMES OBE DL October 1943 - March 2010

Chris was a member of Birkett Long for forty-eight years. In 1962, uncertain as to what Chris was going to do with his life, his parents sent him to meet Ronald Long, the Senior Partner of Smith Morton and Long, solicitors in Halstead. "Put on a suit and pretend to be interested" was his mother's wise advice.

Chris was admitted as a fully qualified solicitor in 1967, becoming a partner in the firm three years later. He opened the Colchester office in 1973 and spearheaded the new Chelmsford office nearly thirty years later. Chris served, in turn, as the firm's Managing Partner, as its Senior Partner and as a Consultant with the firm until his death.

Consultant with the firm until his death.

Chris was an outstanding and dedicated lawyer, becoming one of the most respected family lawyers in the area. He also gave outstanding service to the North Essex community. Amongst his many roles, he was Chairman of St Helena Hospice from 1992 to 1996 and Chairman of Macmillan Cancer Support in Essex from 1996 to the date of his death. He was also a Deputy Lieutenant and was awarded the OBE for his public

services in 2000.

But it was for his personal qualities that most of us will remember him.

Chris was the most decent of men, always charming, always interested in people and always seeing the best side of everyone. Birkett Long was his family and he treated every member of the firm as a family member. He bore his terrible illness with great courage and always made light of his problems, remaining as engaging and interested in people as ever.

We have been blessed indeed to have known Chris and to have had him as our Senior Partner and friend.



NEW FACES

Birkett Long has welcomed many new people to the firm recently. Emma Waters, who is an experienced personal tax, trusts and probate solicitor, joined our Chelmsford office in August. She is a member of the STEP Committee and of Solicitors for the Elderly.

The firm also acquired Weight Wolny and Trusler in Chelmsford, welcoming Bob Wolny (partner), John Trusler (consultant), Maria Russo (solicitor) and Joann Kebbell (family law adviser) with Trish Pickett, Pat Smeets and Dorothy Townley (secretaries)

Congratulations go to Laura Bunting, Lisa Collins and Ben Parmenter for qualifying as solicitors with Birkett Long. We were joined by new trainees Sarah Campbell, Katy Humphreys, Calum Irvine and Kayleigh O'Donnell. Celebrations are also in order for Caroline Dowding, who has passed the academic stages of her solicitor exams and Lorraine Hardy who has been admitted to the Law Society's Children Panel.

PASSMORES (INCORPORATING RON SANDS & CO)

Birkett Long recently took over files, wills and deeds (where clients agree) for the clients of Passmores (incorporating Ron Sands & Co). Passmores' Colchester-based office closed at the end of August.

MANAGEMENT CHANGES

Earlier this year Philip George stepped down as Managing Partner. Handing over to Adrian Livesley, Philip remains with Birkett Long as a consultant solicitor. During his eight years as Managing Partner, the firm achieved the quality standard ISO 9001 and Lexcel (the Law Society's quality mark). We also appeared in the Sunday Times' Best 100 Companies to Work For and the Managing Partners' Forum 100 Best Companies to Work For. Philip said: "It has been a privilege and

pleasure, even during the tough times of the recent recession, which I am glad to say we have weathered well. I know that Adrian will do a great job and I wish him all the best for the future."

Adrian Livesley (right) takes up the reins as Managing Partner after three years as the firm's Chairman. He is a Deputy District Judge and specialist in litigation. The role of Chairman has been filled by David Wisbey (far right), who was Head of the Commercial Department.



# Taking the stage - our charity for the year

Birkett Long's charity for the year 2010/11 is Sands, the stillbirth and neonatal death charity which was founded in 1978. It was set up by a small group of bereaved parents devastated by the death of their babies and in particular by what they felt at the time was a complete lack of acknowledgement and understanding of the significance and impact of their loss.

Incredibly in the UK today, in spite of medical advances, many parents continue to have their lives turned upside down by the death of their baby. Seventeen babies a day are stillborn or die within the first twenty eight days of life.



When a person dies we want to remember them and we have a store of shared experiences. When a baby dies there are few one is for the memories and almost none that can be shared with others. comfort they to come.

Two teddies one is for the home and the their baby if

Our Precious Memory boxes can help parents create some tangible memories. Parents can put their baby's special things in at the hospital to bring home.

Nothing can take away the pain, but parents have told us that there is some comfort in being given one of these boxes.

"We have a box to keep all of her special things in. Each year on her anniversary I always go through them looking at her photos and reading the cards that everyone sent. This box is so precious to us; after all it is all I have to show for her short life."

Our Precious Memory boxes contain:

- A hand knitted blanket
   This can be used to wrap their
   baby in, or to lay over them.

   Parents might choose for their
   baby to be buried or cremated
   with it or may choose to keep it.
- A camera
   Although parents may feel unsure about taking photos at such a distressing time, many families have told us how much

comfort they can bring in years to come.

- Two teddies
   One is for the family to take
   home and the other to stay with
   their baby if they wish.
- Always Loved Never Forgotten
  Card
  This bandmade card can be ken

This handmade card can be kept as an acknowledgement to their baby or they might choose to write a message which goes with their baby.

- Always Loved Never Forgotten box
  - This small box can be used for a lock of hair or the identification bracelet.
- 2 Butterfly Poem Cards
   The Sands helpline number is on
   the reverse of these cards. Their
   size is ideal for them to be kept
   in a wallet or purse.
- Support for You leaflet
   The support and services offered by Sands is outlined in this leaflet.

We are able to provide these boxes to hospitals either directly or through local Sands Groups. They cost in the region of £15 to provide. If you would like to sponsor a box or purchase boxes for your local hospital or Sands Group please contact Sue Hale on 0845 6520 443

or sue.hale@uk-sands.org. They are also available to purchase through our shop at www.uk-sands.org/shop.

If you are a health professional caring for bereaved families you may find Chapter 12, After a Loss within our 'Pregnancy Loss and the Death of a Baby: Guidelines for Professionals' a useful reference.

At Sands our mission is to:

- support anyone affected by the death of a baby;
- work with health professionals to improve the quality of care and services provided to bereaved parents and their families;
- promote changes in antenatal practice and fund research that could help to reduce the loss of babies' lives.

Everyone at Birkett Long is looking forward to raising as much as we can for Sands this year.

#### **2009/10 CHARITY**

Birkett Long's charity of the year for 2009/10 was Essex Air Ambulance. The total amount raised during that year was £3,122.54.

Let's hope we can raise a similar amount in 2010-11 for Sands.



Since 21 May 2010 Home Information Packs (HIPs) are no longer required to sell a residential property in England and Wales. The final HIP abolishment will require changes to legislation but at the moment a suspension order has been put in place.

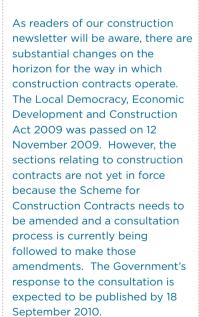
Despite this, a lot of sellers are not aware of the fact that Energy Performance Certificates (EPCs) are still required under European Law. Within 28 days of putting their property on the market, sellers must supply an EPC showing the energy efficiency of their property.

Whilst the EPC previously formed part of the information contained within a HIP, it is in fact a separate document. The certificate provides an overview of the efficiency of any property for sale in the UK, which will give buyers some reassurance before committing to a purchase. As with the HIP, fines for non compliance still apply. You will be breaking the law if you don't have a valid EPC in place at the appropriate time, even in respect of private sales. A Domestic Energy Assessor must be instructed to prepare an EPC before marketing commences and this must be made available to potential buyers at the earliest opportunity - before exchange of contracts at the very

An EPC is valid for 10 years and any new EPC will supersede an old one. There are certain exemptions for EPCs including: Right to Buy properties, holiday accommodation or mixed sales (e.g. shop with residential flat).

If you are thinking about selling your property and would like to speak to one of our property specialists, please contact Emma Wraight emma.wraight@birkettlong.co.uk

Changes to Construction Contracts



The major changes will mean:

1. adjudication will be available for construction contracts that are not evidenced in writing.

2. the party due to be paid monies can serve a Notice stating the money that they are owed and if the paying party does not respond, that amount becomes the sum that is due.

These are the most substantial changes and will have the most

serious effects. Adjudication is already a form of rough justice. As it is going to be extended to construction contracts that are not evidenced in writing, it could mean adjudicators' decisions are even more difficult to predict. Parties should ensure, therefore, that their construction contracts are formally written and agreed.

The option to avoid payment by not serving Notices will no longer be available and if parties do not serve appropriate Notices in the correct timetables then monies may have to be paid that are not due. However, this should stop people from avoiding payment of monies that are due.

We will update you on the full changes as soon as they are available. If you do not already receive our construction newsletter please email jennie.skingsley@birkettlong.co.uk

Peter Allen peter.allen@birkettlong.co.uk



What's the difference between an American Budweiser and a Czech Budweiser? Quite a lot – but this has not prevented one of the most astonishing series of legal battles over the registration of "Budweiser" as a trademark of each company.

Apparently the first legal 'battle' was as long ago as 1911; in the UK the 'war' is more recent – being only about 30 years old.

American Budweiser first actively entered the UK market in 1973 with the Czech company close on its heels in 1974.

In November 1976 the Czech

company applied to register "Bud" as a trademark; naturally the American firm opposed. In 1979 the Americans upped the ante they applied to register "Budweiser" and so prevent the Czechs from using it. The Czech response was very much tit-for-tat. The result? An expensive draw; it was decided that neither side was falsely using the name. Both were allowed to register "Budweiser" as a trademark in the UK and this was finally done in 2000. However, the war has been renewed and American Budweiser recently reapplied to prevent the Czech firm from using the name "Budweiser". The case hinged on highly technical points of European Law and was referred to the European Court of Justice who recently found in favour of the Czech firm and the ruling should (finally) put an end to the war between rival "buds". The

The moral of the story? Perhaps the parties could have been better advised on the difference between a matter which is winnable and one which is merely arguable.

Michael Harman michael.harman@birkettlong.co.uk

NHS White Paper Health & Social Care

The White Paper 'Equity and Excellence: Liberating the NHS' published on 12 July 2010, details the Government's strategy to "create a more responsive, patient-centred NHS, which achieves outcomes that are among the best in the world". Key priorities are:

- a patient-led NHS
- shift focus and resources to promote better healthcare outcomes
- revolutionise NHS accountability
- promote better public health for the nation
- reform social care.

The proposed changes aim to create a more streamlined NHS with fewer layers of bureaucracy and will see:

- Strategic Health Authorities and Primary Care Trusts being phased out
- management costs reduced so that resources support frontline services
- groups of GPs given freedom and responsibility for commissioning local community care
- services more joined up, with a new role for Local Authorities to support integration across health and social care.

The White Paper is the start of an extensive consultation that will run until the beginning of October.

The Department of Health has published a number of consultation documents to seek views on more detailed proposals and interested parties should visit the Department of Health's website to get involved in the relevant consultations.

Birkett Long's Health & Social Care team is working on initiatives to assist organisations involved in this sector to understand and embrace the changes to best effect. For help and guidance on issues surrounding the White Paper contact Tracey Dickens: tracey.dickens@birkettlong.co.uk

**Information** 

The new site, which has enhanced navigation and a more effective display of the firm's services, went live in June 2010. New and updated features include easier ways of contacting the firm, with a call back request module on each service page. The firm's conveyancing calculator is due to be reinstated shortly and more exciting developments are on the way over the coming months.

Run4Fun has particularly lent itself to the rise in social media and Web 2.0 applications, with YouTube videos, a Twitter account and Facebook page all accessed via the Birkett Long website. We will also soon be offering webinars for download, so you can keep up to date with our seminars in your own time

Visit www.birkettlong.co.uk regularly to keep up with legal news, which is updated every day.





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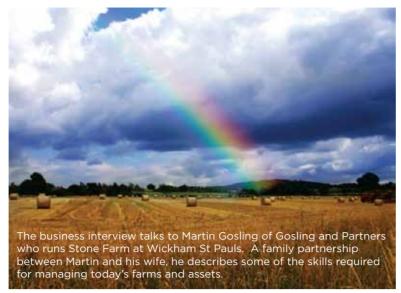
Your home may be repossessed if you do not keep up repayments on your mortgage

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specific matters.

# The business interview

A RURAL BUSINESS



#### What makes your business stand out from your competitors?

Farming is slightly different to other market sectors. Farmers can adopt any number of different techniques to improve the quality of their produce (weather dependant of course!), but ultimately can only really gain a competitive advantage by attention to detail and building a reputation for reliability and quality. which obviously takes time. As we will all know, that same reputation can be damaged with one moment of inattention or even one unfortunate set of circumstances. We conduct the majority of our work on these principles using the standard agricultural techniques and a focus on mechanisation to reduce labour. George Wright assists us on a day to day basis by providing contract farming and professional advice. His experience is particularly invaluable given he acts as a contract farmer in Europe and therefore is able to draw on a wider range of techniques than are available in England

#### How do you see your business developing in the future?

Expansion. Businesses generally have a critical mass, if they are unable to reach this then they do not survive. Economies of scale assist larger farmers enormously and therefore the goal is always to expand your holding to improve financial performance.

Of course, it is all about expanding in ways which are designed to maximise either income or capital gains. We aim to balance our expansion plans to ensure that capital gains are not pursued at the expense of wise cashflow management.

#### How has Birkett Long helped your business?

The family has used Birkett Long for almost seventy years on a diverse range of matters, they are big enough to cover all relevant commercial and private areas of law, but not so big as to lose their personal touch.

In January 2010 I needed to resolve a dispute and contacted David Wybar, who is head of the Rural Business team (RBT) at Birkett Long. On hearing the details of my dispute he recognised the critical issue was whether the role played by a third party was that of an authorised agent or an independent broker. He brought in Mark Wrinch, a member of the team specialising in commercial litigation, to advise. The process was straightforward as the RBT clearly work together on a number of issues.

The background to the dispute is that we sell our oil seed rape to a particular company, usually dealing with a well known local agent and have never experienced any difficulties in the past. Unfortunately in this case the company purchasing failed to make payment in the proper amount. In the agricultural market, price is usually negotiated either by open market rate at the relevant time in the contract or, alternatively, at a fixed rate. Fixing guarantees income and assists cash flow management but the open market can sometimes permit greater income, depending on the vagaries

of the international market, weather conditions, etc.

On this contract the original agreement was for the price to be negotiated at open market rates on collection and a contract was sent to the company concerned by the agent. I then wanted to set a fixed price and the agent agreed to vary the contract and wrote on the original contract to that effect. Imagine my surprise when the crop is harvested and collected and payment arrives at a considerably lower amount per tonne than the fixed price. The company had paid £146 per tonne less than agreed and refused to pay the correct amount, seeking to rely on the original contract as the open market rate was particularly low. I'm sure many of us have had experience of this before, but in this case the total amount owed by the company was £10,500.

Mark understood the background to this matter immediately as his father is a farmer and regularly deals with these issues. This, coupled with his legal skills. enabled him to resolve the dispute quickly and with full recovery of the legal costs incurred in doing so. After initial meetings to clarify the full fact pattern, review of contract documentation and a letter of advice from Mark about the prospects of making a successful claim, I authorised the claim and a detailed seven day pre-action letter was sent to the relevant company. They rebutted the claim with what I can only assume was a bluff, because a final shot (letter!) across the bows giving a three day deadline before a claim would be issued in court, resulted in an offer to settle the matter by full payment of the amount outstanding and full payment of legal costs incurred.

### Would you recommend Birkett

Long to others and if so why? Yes, my wife and I would. Cash flow problems were resolved within three months of Birkett Long's instruction at no long term cost to me. Work in other areas has also always been of a good standard.

Gosling and Partners can be contacted on 01787 269369.

# 5 MBOs in 12 days

Birkett Long turned around five separate management buy-outs in just 12 days, securing jobs and continuity of service for a national accountancy group.

Vantis plc and HLB Vantis Audit plc went into administration on June 29, putting jobs at risk and threatening contracts with existing clients.

Birkett Long was approached by five management teams from Vantis, with plans to buy-out five of the firm's 16 offices in order to establish their own limited liability partnerships (LLPs). Despite the challenging timescale, we successfully completed the deals within just 12 days. It was one of the fastest case turnarounds in the firm's history and successfully secured the creation of five new businesses.

David Wisbey, Chairman of Birkett Long, said it was one of the most unusual cases of his 24-year career: "Five separate management teams from Vantis came to us with the opportunity to acquire their businesses," he added. "Due to multiple transactions, it was one of the most complex cases the team has worked on, but we were delighted to secure the deals with a successful outcome for our clients within the fortnight.

"It's the first time I have worked on a case of this kind in more than 20 years. Not only were we dealing with five different management teams, but each deal had its own transactional, property and contractual issues. A team of eight individual specialists at Birkett Long were each apportioned a specific issue to manage, ensuring each deal was completed within the crucial timeframe."

Birkett Long provides practical and commercial legal advice to a range of businesses and institutions of all sizes and across all sectors. Find out more at www.birkettlong.co.uk or call 01206 217300.

# **OUR RURAL BUSINESS TEAM**

This year Birkett Long's Rural Business Team (RBT) has doubled in size! The RBT consists of David Wybar - Head of RBT and partner in the firm and Annabelle Savage who joined the firm in 2008. We welcome to the team Vicky Raynes and Mark Wrinch



Vicky is a solicitor who specialises in wills, estate planning, powers of attorney, administration of estates and trusts. Vicky acts for many of our farming families and knows the likely problems facing them, for example Inheritance and Capital Gains Tax. She frequently deals with Agricultural Property Relief and so can help you plan to try to keep any Inheritance Tax to a minimum.

vicky.raynes@birkettlong.co.uk 01206 217611



Mark is a solicitor who specialises in David continues to head the team commercial litigation. His parents farm on the Shotley Peninsula in Suffolk. Mark is the first port of call when matters look like they might be contentious. He regularly deals with dispute matters that vary enormously and generally include boundary disputes with neighbours, breach of restrictive covenants, obstructions of easements and contractual disputes. mark.wrinch@birkettlong.co.uk 01206 217383



and advises farming families and rural businesses on business structures, succession and tax as well as rural property and farming issues. He also advises on tenancy issues such as succession rights under Agricultural Holdings Act 1986 and is a member of the committee that represents the farming industry at the European Commission. Jointly, the team has over 90 years' experience of rural business david.wybar@birkettlong.co.uk

01206 217312



Annabelle is a solicitor specialising in rural property. Her parents farm in the Rodings in Essex. She works alongside David on acquisitions and disposals of land, as well as dealing with registration of land, preparing farm business tenancy agreements, recording easements, re-financing work and implementing the team's strategies to help clients plan for the future. annabelle. savage@birkettlong.co.uk01206 217353