

Bournemouth & District Lawyer



Joanne Clarke
President

Mark Proctor
Senior Vice President

Adrian Falck
Junior Vice President

INCLUDED IN THIS ISSUE:

Boundary Issues for Residential Conveyancers

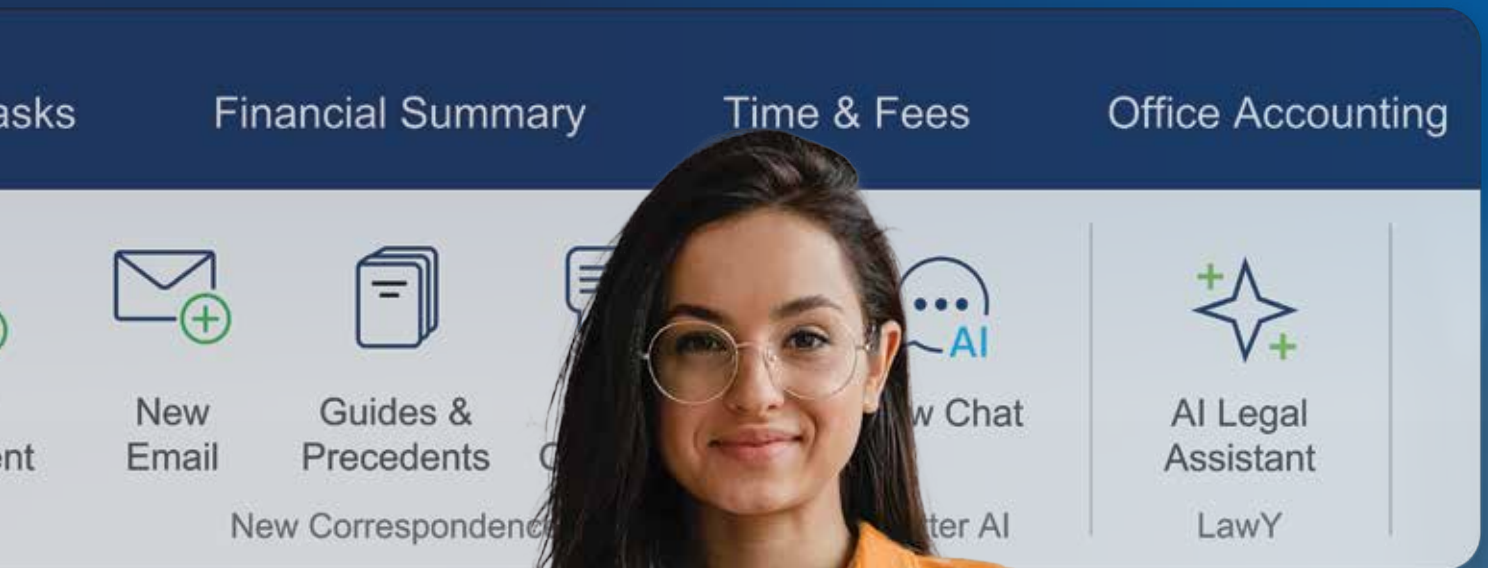
BDLS Annual General Meeting

BDLS Annual Lunch and Annual Dinner



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BOURNEMOUTH & DISTRICT LAWYER Bournemouth & District Law Society Magazine

Members will receive our 'Bournemouth Lawyer' by email, including the flyers for events, webinars and lectures.

Our Magazines are sent out quarterly as follows:

EDITION	MONTH	COPY DEADLINE
Winter	December 2024	25 October 2024
Spring	March 2025	
Summer	June 2025	
Autumn	September 2025	

The copy deadline for receipt at the BDLS office for the next edition – the Winter issue – will be **25 October 2024**.

We welcome your firms' news and any advertisements. Please send to office@bournemouthlaw.com.



Follow us on LinkedIn

COVER INFORMATION

Caption for inside cover: Mark Proctor, Senior Vice President, Joanne Clarke, President and Adrian Falck, Junior Vice President

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BDLS DIARY 2024

Fri 4 - Sun 6 Oct	BDLS Conference to Jersey
Wed 23 Oct	Managing Partners/Practice Managers/ Senior Partners HR Managers meeting at Bournemouth University
Wed 13 Nov	Newly Qualified/Trainee Drinks Reception at Marsham Court Hotel, Bournemouth
Thu 28 Nov	BDLS Christmas Wine Tasting Evening at The Marsham Court Hotel, Bournemouth
2025	
Wed 5 Feb	BDLS Annual Lunch at The Pavilion, Bournemouth
Fri 25 April	BDLS Annual Dinner at The Highcliff Marriott, Bournemouth

The President's Column

Joanne Clarke



As I step into the role of President of Bournemouth and District Law Society, following our AGM on 17 June, I am both honoured and privileged, of course, and keen to ensure that I make it a success.

I am very pleased to report that we have five new and enthusiastic members of the General Committee who were appointed at the AGM, namely Anna Curtis, Byron Sims, Amy Cousineau Massey, Marie Harder and Alice Toop. I look forward to working with them and the other members of the Committee during my Presidency. Also appointed at the AGM were Adrian Falck and Mark Proctor as Junior Vice President and Senior Vice President respectively as well as Conor Maher as Honorary Treasurer, Ana Dilling as Honorary Secretary and Emily Green as Assistant Honorary Secretary. I wish them all well in their roles. I would also like to take this opportunity of reiterating what I said at the AGM, namely to thank Michael Newbold for an excellent year as President. He was one of the most enthusiastic Presidents I have encountered over the years! I do hope he now enjoys the less busy task of being a past President.

Following the AGM, I enjoyed some annual leave which has set me up with the reserves of energy required to carry out this role. I was then invited to the Isle of Wight Law Society Dinner in Cowes on 05 July but was unable to attend as I was bringing my eldest daughter home from university for the summer, with her mountains of paraphernalia. Thankfully, Mark was able to attend in my stead and I know he had an enjoyable evening.

During the remainder of July, I have chaired my first Committee Meeting followed by the Committee Dinner and met with Mandy Heath (BDLS Office Manager), Conor and Ana to make plans for the forthcoming year.

I am sure we can all agree that Bournemouth and the surrounds is home to a vibrant legal community, rich in expertise and passion. One of the goals for this year will be to ensure that all the events and lectures we provide you with are focused on boosting the already strong bonds within our Society, and support and develop our sense of unity and collaboration. We will continue to provide networking opportunities and platforms for members to connect, share insights, and support one another.

Mandy will be helping me with this, and now seems an opportune time to repeat what many past Presidents have said, and it really is true, how very lucky we are to have Mandy. I absolutely could not carry out this role without her very able assistance and encouragement. We both look forward to your support in ensuring the Society remains one of the more successful local Societies in England and Wales. The strength of the Bournemouth Law Society lies in its members, so I encourage each of you to actively engage with our Society - attend events, participate in discussions, and share your ideas. Your input is invaluable.

After the summer break, I am looking forward to hosting the European Law Conference in October, followed by our ever popular annual wine tasting event in November. There are more social events planned so please watch this space! Many of the forthcoming social events are advertised in this edition of the magazine, including next year's Annual Lunch and Annual Dinner, and I look forward to welcoming as many of you as possible to them. ■

JOANNE CLARKE
BDLS President

BDLS Annual General Meeting

Captains Club Hotel, Christchurch

Monday 17 June 2024



AGM Speaker: Jake Moore, ESET

This year's AGM was held at the Captains Club Hotel, Christchurch. It was a glorious, sunny evening and the guests were able to mingle whilst enjoying the stunning river view at this fabulous location.

Jake Moore started the proceedings with his talk on "The Rise of the Clones". Deepfakes and voice clones are becoming increasingly easier to create, and they are now being utilised in criminal activities. As we shift away from traditional phishing emails, deepfakes are emerging as a potent tool in the social engineer's arsenal. From hacked CCTV footage to cloned RFID cards and high-quality deepfakes, Jake revealed the current capabilities and demonstrated his latest hacks.

Jake illustrated the consequences of experimenting with misinformation by creating a deepfake of a CEO and posting it on his hacked LinkedIn without the CEO's knowledge. This example highlighted the potential for deepfakes to spread false information and manipulate public perception, underscoring the significant threat they pose in the digital age.

If you would like to get in touch with Jake, find him on LinkedIn or jake.moore@eset.com

The AGM commenced shortly afterwards with the following appointments for the year 2024/2025:

President:	Joanne Clarke	Lester Aldridge
Senior Vice President:	Mark Proctor	Aldridge Brownlee
Junior Vice President:	Adrian Falck	Preston Redman
Honorary Secretary:	Ana Dilling	Rawlins Davy Reeves
Honorary Treasurer:	Conor Maher	Ellis Jones
Assistant Honorary Secretary:	Emily Green	Trethrowans

In addition, the following General Committee Members were appointed who will each serve a term of three years:

General Committee Members:	Anna Curtis	Frettons Solicitors
	Alice Toop	Dutton Gregory
	Amy Cousineau Massey	Woodstock Legal Services
	Byron Sims	Lester Aldridge
	Marie Harder	Coles Miller Solicitors

We hope that they all enjoy their terms of office with the Society.

During her speech the incoming President, Joanne Clarke, complimented Michael Newbold for an excellent Presidential year and encouraged members to attend the social events that will be advertised soon. ■

MANDY HEATH
BDLS Office Manager

BDLS Annual General Meeting

Captains Club Hotel, Christchurch



New General Committee Members: Marie Harder, Amy Cousineau Massey, Alice Toop, Bryon Sims and Anna Curtis



Conor Maher (Honorary Treasurer), Emily Green (Assistant Honorary Secretary) and Ana Dilling (Honorary Secretary)



Karen Watts, Helen Clement and David McWilliam



Dan Gardner, William Buchanan, Kelly Payne, Dan Francis and Mark Lello



Adrian Randall, Dan Stanton and Adrian Falck



Peter Watson-Lee and Tim O'Sullivan

Photos by Zelda De Hollander of Studio Shotz Photography



BDLS Annual General Meeting

Captains Club Hotel, Christchurch



Samantha Hookings and Sam Linford



George Crofts and Michael Newbold



Chris Clifford and John Newbold



Kay Donalson, Julian Heath, Fiona Knight and Sandra Graham



Eloise Butterworth, Kurt Lee, Suki Samra and Edward Adamson



Chris Clifford

Photos by Zelda De Hollander of Studio Shotz Photography



Managing Partners/ Practice Managers/ Senior Partners/HR Managers Meeting

Wednesday 23 October
Bournemouth University,
Fern Barrow, Poole

Our next meeting will be at the BU in Wallisdown on Wednesday 23 October. Arrival at 16:00 for a 16:30 start. This is a free event with tea/coffee/biscuits on arrival. The purpose is to have a general discussion of issues affecting local practices and to exchange ideas.

The session will commence with a presentation by the BU on their proposed Legal Apprenticeship Scheme. Ryan Senior and Piers Winton from Paragon will be available to answer any queries you may have on PI.

Your hosts will be Emma Hamilton Cole and Suzanne Kadziola from Williams Thompson Solicitors.

Please email me at mandy@bournemouthlaw.com to book your places. ■

Kindly sponsored by:



BDLS Christmas Wine Tasting Evening

Thursday 28 November
Marsham Court Hotel, Bournemouth

We are delighted to welcome back wine expert, Gemma Withenshaw, of VinGin who will expertly guide us through a variety of exquisite wines perfect for Christmas. For the fantastic price of £25, the evening will include a tasting of six wines and a cheeseboard.

Join us for a festive evening of wine tasting!

Limited tickets available so book your tickets early!

Book your places here:

<https://www.bournemouthlaw.com/events> ■

Kindly sponsored by:



Bournemouth & District
Law Society
**CHRISTMAS WINE
TASTING EVENING**

THURSDAY 28 NOVEMBER 2024 - 17:45 - 20:00
MARSHAM COURT HOTEL, BOURNEMOUTH

£25 to include 6 wines and cheeseboard

BUY TICKETS HERE: [BOURNEMOUTH.LAW.COM/EVENTS](https://www.bournemouthlaw.com/events)

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BDLS Annual Lunch

Wednesday 5 February 2025
The Pavilion, Bournemouth

Guest Speaker
Rob Rinder



BDLS Annual Dinner

Friday 25 April 2025
Highcliff Marriott, Bournemouth

Guest Speaker
Clive Coleman



We are finalising the details for these prestigious events and full details will be circulated to members soon.



DATES FOR YOUR 2025 DIARY

Bournemouth & District Junior Lawyers Division



Since our last update, the BDJLD has been busy making the most of the summer and hosting our flagship event, our annual Summer Ball.

On 21 June, we hosted a collaborative event with South Hampshire Junior Lawyers Division at the Utilita Bowl, Southampton. It is always a fantastic opportunity to get together and continue to forge strong relationships between the neighbouring JLDs. We were treated to an impressive Hawks bowling performance and what looked like a sure win but the Sharks turned the second innings around to make it a close loss for the Hawks in the last over of the game.

On 12 July, we hosted our annual Summer Ball at the Hilton Hotel, Bournemouth. It was fantastic to see so many of you join us and everyone looked fabulous, dressed to impress! Our guests enjoyed a red carpet welcome drinks followed by a delicious three course meal.

On the night, we heard from Hope for Food, our charity of the year, on the amazing work they do in our community. The raffle held in their honour raised funds directly for Hope for Food. Thank you to Hope for Food for joining us at the event and thank you to all the local business who supported the raffle in donating prizes.

Later in the evening the photobooth came into full swing – it certainly looked as if there were some comical photos out there! We were also joined by our wonderful band who have entertained us for the last few years – and lots of dance moves being thrown on the dance floor! Thank you to everyone who joined us on the evening and a big thank you to 3PB for their sponsorship of the event.

We have some exciting events coming up in the calendar – look out on our social media channels for regular updates! ■

Emily Chapman
President for BDJLD 2023-2024
<https://www.bdjld.co.uk/>



Emily Chapman (President), Natalie Bryan (3PB), Abi Griffin (3PB) and Sophie Rice (Vice President)



BDJLD Summer Ball: Ellis Jones Solicitors



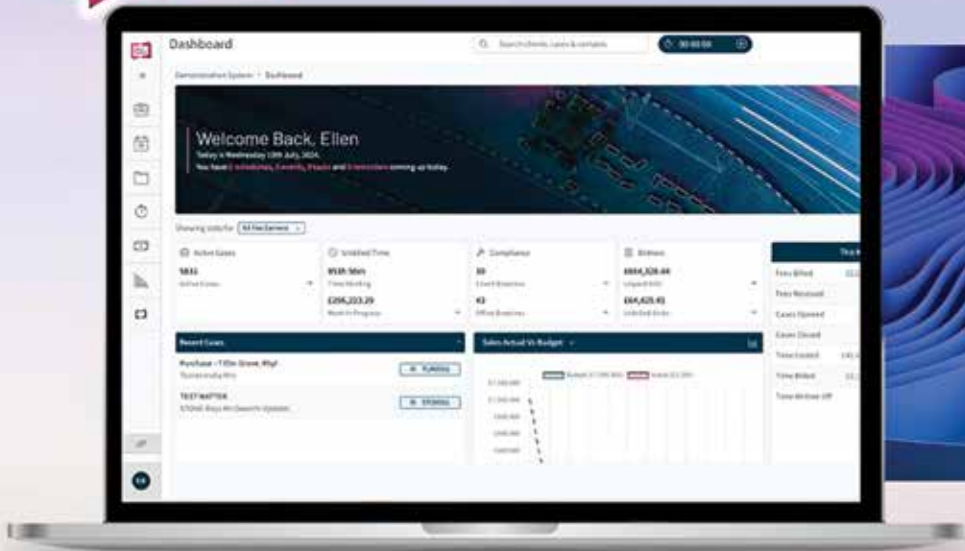
BDJLD Summer Ball: Dancing the night away



BDJLD Summer Ball: Photo booth fun



Unity® Practice Management



Dye & Durham launches Unity® Practice Management

Dye & Durham launched Unity® Practice Management, offering small and medium-sized law firms a tailor-made software to keep their operations running smoothly while accessing Dye & Durham's broader range of technology solutions, including conveyancing searches, AML, and a legal information AI assistant.

DeeDee is an always-on AI assistant available 24/7 to streamline tasks and boost law firms' productivity. Powered by the latest models from OpenAI, DeeDee makes it easy to generate first drafts of documents, summarise legal principles, and start legal research. DeeDee is designed to help law firms get an edge in the coming "AI Age" of legal services.

DeeDee is now available within Dye & Durham's Unity® Global Platform and Unity® Practice Management.

In addition to DeeDee, Unity® Practice Management features instant AML checks including PEP, Sanction, Adverse Media, Law Enforcement, and Disqualified Director checks for improved risk management.

Integrated Conveyancing Searches

Unity® Practice Management users also have integrated access to residential conveyancing searches that make due diligence on property transactions quick, easy, and accurate. And now, with Dye & Durham's Best Value Search Packs, conveyancers can save time, effort, and money on every transaction. Comprised of Dye & Durham's premium conveyancing reports, these Best Value Search Packs deliver all the data and insights needed for a typical property transaction, at market-leading prices.

Visit Dye & Durham's website to learn more or contact their team at salesteamuk@dyledurham.com. ■



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Welcome Back, Ellen
Today is Wednesday 10th July, 2024.
You have 0 milestones, 0 events, 0 tasks and 0 reminders coming up today.

Showing stats for All Fee Earners

Active Cases 5831 Active Cases	Unbilled Time 953h 56m Time Pending £296,223.29 Work In Progress	Compliance 30 Client Breaches 43 Office Breaches	Debtors £654,326.44 Unpaid Bills £64,429.41 Unbilled Disbs
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Recent Cases

- Purchase - 7 Elm Grove, Rhyl
Turner India Mrs (TUR0031)
- TEST MATTER
STONE Roys Mr (Search-Update) (STO0051)

Sales Actual Vs Budget

Chart showing Budget (£1,596,463) and Actual sales.

Ellen Brown
Demonstration System

BDLS Lecture Programme 2024/25

KEY:

LIVE WEBINARS
FACE TO FACE LECTURES

Kindly sponsored by



DATE AND TIME	LECTURE	FORMAT	LECTURER	VENUE
4 September 2024 10:00 – 12:15	WEBINAR: CONVEYANCING QUALITY SCHEME (CQS) for Support Staff – How you can help demonstrate compliance	Live Webinar	Tracy Thompson	Zoom
4 September 2024 14:00 – 17:15	WEBINAR: DEMONSTRATING COMPLIANCE WITH THE CONVEYANCING QUALITY SCHEME AND MEETING AML OBLIGATIONS for Partners, Heads of Conveyancing, SRO, Conveyancing Fee Earners, MLRO, MLCO, Supervisors	Live Webinar	Tracy Thompson	Zoom
12 September 2024 10:00 – 11:00	How to Respond to the New Residential Enquiries	Live Webinar	Richard Snape	Zoom
2 and 16 October, 6 and 20 November, 4 and 18 December 2024 10:00-12:00	Burn Bright Activation Programme	Live Webinar	Donna Smith	Zoom
1 October 2024 10:30 – 11:30	Cast No Shadow – PETS, CLTs and Inheritance Tax Implications	Live Webinar	Helen Brander, Pump Court Chambers	Zoom
3 October 2024 11:00 – 12:00	How to Manage your Environmental Risk: A Summary Overview (Residential Property Focus)	Live Webinar	Nick Treble, Groundsure	Zoom
8 October 2024 09:30 – 17:00	Private Client Conference	Face to Face	Various	Marsham Court Hotel
15 October 2024 10:00 – 11:00	Selling and Buying Buy to Let Properties - Tips and Traps For The Busy Conveyancer	Live Webinar	Ian Quayle	Zoom
7 November 2024 09:15 – 17:00	Property Conference	Face to Face	Various	Marsham Court Hotel
14 November 2024 14:00 – 17:15	Civil Procedure Review in all its Guises – Autumn 2024	Face to Face	Andrew McLoughlin	Marsham Court Hotel
3 December 2024 10:00 – 11:30	Linkedin for Lawyers	Live Webinar	Amy Cousineau	Zoom

2025

THE FOLLOWING LECTURES ARE IN THE PROCESS OF BEING FINALISED. DETAILS WILL BE EMAILED TO MEMBERS SOON:

DATE AND TIME	LECTURE	FORMAT	LECTURER	VENUE
9 January 2025 09:30 – 12:45	Managing a professional deputyship in property and financial affairs	Face to Face	Helen Forster	Carlton Hotel
9 January 2025 14:00 – 17:15	Making an application in the Court of Protection	Face to Face	Helen Forster	Carlton Hotel

BDLS Lecture Programme 2024/25 (cont.)

DATE AND TIME	LECTURE	FORMAT	LECTURER	VENUE
22 January 2025 10:00 – 12:00	Employment Law Update	Live Webinar	Owen Warnock	Zoom
13 February 2025 11:00 – 12:00	10 Top Tips to Expertly Manage Client Expectations	Live Webinar	Jess Wiggins	Zoom
13 March 2025 11:00 – 12:00	Leasehold and Freehold Reform Act	Live Webinar	Richard Snape	Zoom
18 March 2025 09:00 – 16:00	Emergency First Aid at Work	Face to Face	Green Cross Global	Queens Hotel
29 and 30 April 2025 Time TBC	Commercial Property for Support Staff	Face to Face	Ian Quayle	TBC
1 May 2025 09:30 – 12:45	Residential Conveyancing Update	Face to Face	Ian Quayle	TBC
1 May 2025 14:00 – 17:15	Commercial Property Update	Face to Face	Ian Quayle	TBC
15 July 2025 13:30 – 16:45	Topic to be confirmed	Face to Face	Richard Snape	TBC
2 October 2025 11:00 – 12:00	Topic to be confirmed	Live Webinar	Richard Snape	Zoom

All lectures are to be booked online. For further details please visit Bournemouth and District Law Society Website.

www.bournemouthlaw.com/lectures or scan here: ■



Course Notes

For environmental reasons, BDLS will no longer be providing printed course notes at lectures. Lecture notes will be emailed to delegates in advance for either printing or accessing via their laptop or alternative device on the day.

Payment for lectures

Please note: Payment must be received at the office before the lecture takes place. All payments are to be paid by BACS. Course bookings will only be confirmed upon payment. Webinars are charged per person and not for group bookings.

Cancellation Policy

No refunds will be given for any booking cancelled within two days of the lecture/webinar taking place.

We strive to offer our members a range of lectures not just covering competency “B” – Technical Legal Practice but also to meet the wider competencies which all solicitors need to state annually they are meeting. The 4 competencies are:

- A – Ethics, Professionalism and Judgement**
- B – Technical Legal Practice**
- C – Working with other people**
- D – Managing yourself and your own work**

For further information:

<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/>. ■

Summary of Upcoming Live Time Lectures and Webinars 2024

WEBINAR Wednesday 4 September 2024 – 10:00 – 12:15

Topic	CONVEYANCING QUALITY SCHEME (CQS) FOR SUPPORT STAFF How you can help demonstrate compliance
Lecturer	Tracy Thompson
Cost	£65 – Solicitor Member; Associate Member; Trainees (Solicitors; Cilex; Apprentices) and Non Member of BDLS

■ **This is the last opportunity to ensure your conveyancing support staff are adequately trained to enable them to support the firms' CQS compliance.** As we work to update our training and events schedule to bring you new content in 2025, this is the last time this session will be delivered, so if you have not yet trained your conveyancing support staff in the Core Practice Management Standards, now is the time.

The webinar is aimed at non fee earning conveyancing support staff and any other non-fee earner and member of staff who wishes to understand more about how they can support the team with CQS compliance.

Please note this is a repeat of the course previously run by Tracy in September 2023.

Recent changes to the CQS standard brought about a new onsite assessment regime which accredited firms will be subject to as part of demonstrating their compliance with the CQS Scheme Rules. A key requirement of the CQS Scheme is that practices must have a training policy which must include ensuring that relevant members of staff are aware of the Core Practice Management Standards and the ways in which the practice complies. The onsite assessment process will ascertain if practices are meeting the training requirements by way of the assessor conducting interviews and by reviewing documentary evidence of training undertaken. An invaluable support to fee earners will be for support staff to be aware of the requirements of the Core Practice Management Standard so they can play their part in assisting with compliance with the CQS standard.

The presenter, Tracy Thompson, former CQS Lead Assessor, will provide an overview of the requirements of the CQS Scheme and how support staff can help the firm meet their obligations.

The session will look in detail at:

- How support staff play an important role in CQS compliance
- The format of the onsite assessment
- Potential outcomes of the assessment
- Key requirements of the Core Practice Management Standard (CPMS)
- Ensuring the policies and procedures of CQS are being followed within your practice.
- Key areas of The Law Society Conveyancing Protocol (2019 Edition)

WEBINAR Wednesday 4 September 2024 – 14:00 – 17:15

Topic **DEMONSTRATING COMPLIANCE WITH THE CONVEYANCING QUALITY SCHEME AND MEETING AML OBLIGATIONS For Partners, Heads of Conveyancing, SRO, Conveyancing Fee Earners, MLRO, MLCO, Supervisors**

Lecturer **Tracy Thompson**

Cost **£85 – Solicitor Member; Associate Member; Trainees** (Solicitors; Cilex; Apprentices)
£135 – Non Member of BDLS

■ **Last opportunity to ensure you fully understand what it takes to demonstrate compliance with CQS.** As we work to update our training schedule to bring you new content in 2025, this is the last time this session will be delivered. If you have not yet attended Tracy Thompson's informative and engaging session taking you through the whole of the CQS standard - now is the time. In addition there will be a focus placed on AML compliance due to the current regulatory sanctions in place, to help guide you through the key areas of issue as identified by the SRA.

Whilst the Law Society have been fairly quiet in relation the outcomes of the on-site CQS visits, the CQS assessment programme remains in place and The Law Society are actively carrying out CQS audits across the country and will continue to do so for the foreseeable future. It is therefore imperative firms do not take their eye off the ball where CQS compliance is concerned.

The webinar is aimed at Partners, Heads of Conveyancing, SRO, MLRO and MLCO, Conveyancing Fee Earners & Supervisors and those charged with implementing and managing quality standards in the practice.

Please note this is a repeat of the course previously run by Tracy in 2022 and 2023, although slightly updated to provide a greater focus in relation to key AML obligations which form part of CQS compliance.

In February 2022, The Law Society announced CQS accreditation practices should be following the new CPMS (Feb 22) and be 'assessment ready' from 1st May 2022. The Law Society is now actively undertaking onsite CQS assessments in practices nationwide and clear patterns and trends are being identified where practices are unable to meet the requirements of the CQS Scheme Rules, which could potentially compromise their accreditation status.

The onsite assessment is both technical and qualitative and requires CQS accredited firms to demonstrate compliance with the requirements of the CQS scheme throughout the practice, including the ability to evidence the Core Practice Management Standards and The Law Society Conveyancing Protocol through their conduct of conveyancing files. Practices are selected for assessment by The Law Society both reactively and through random selection.

This webinar is specifically designed for firms who are both CQS accredited, and those firms who are currently working towards attaining accreditation.

The presenter, Tracy Thompson, former CQS Lead Assessor, will provide guidance to interpret the requirements of the standard whilst gaining practical experience of how to develop and implement those requirements. In addition, the SRA have stepped up enforcement actions against practices who are failing to comply with the complex Money Laundering Regulations in recent months. Compliance with the Money Laundering Regulations 2017 is a key feature of CQS compliance and therefore CQS accredited practices need to ensure they understand what is expected of them.

The session will look in detail at:

- The on-site assessment detail.
- Key requirements of the court practice management standard (CPMS).
- Implementing the required policies and procedures of CQS within your practice.
- How to adequately demonstrate compliance with CQS.
- Understanding the regulators expectations relating to AML compliance.
- How to prepare for an SRA AML thematic review visit.

This session will equip you with the in depth practical and technical expertise needed to successfully and swiftly implement policies and procedures to enable you to survive the assessment and any SRA visit.

WEBINAR Thursday 12 September 2024 – 10:00 – 11:00

Topic **HOW TO RESPOND TO THE NEW RESIDENTIAL ENQUIRIES**

Lecturer **Richard Snape**

Cost **£35 – Solicitor Member; Associate Member; Trainees** (Solicitors; Cilex; Apprentices)
£55 – Non Member of BDLS

■ The new TA6 form was meant to be compulsory on June 25th but The Law Society has recently announced that they will consult before it becomes compulsory on January 15th 2025. They are complicated in the extreme with plenty of scope for misrepresentation and negligence. The course aims to look at some of the issues.

Topics covered include:

- Enquiries generally and how to avoid misrepresentation;
- The Consumer Protection from Unfair Trading Regulations;
- Material Information;
- New solar panel enquiries;
- New Japanese Knotweed enquiries;
- Building Safety Act and Leasehold enquiries.

WEBINAR Wednesdays 2 & 16 October, 6 & 20 November, 4 & 18 December

Time: 10:00 – 12:00 *(Although it would be beneficial to attend all sessions, they will be recorded if you are unable to attend one).*

Topic **THE BURN BRIGHT ACTIVATION PROGRAMME**

Lecturer **Donna Smith**

Cost **£130 – Solicitor Member; Associate Member; Trainees** (Solicitors; Cilex; Apprentices)
£180 – Non Member of BDLS

■ The Burn Bright Activation Programme is an action focused programme built around three key stages that lead to increased resilience, improved focus and higher levels of wellbeing. These three stages are:

AWARENESS Focus on what is important to you, now and in the future

CHOICE Shine a light on what can be different and what can stay the same

DECISION Create a plan of action, including tools on how to say 'YES' to your wellbeing & development and techniques on ensuring consistent application to make Burn Bright your norm

This Programme goes beyond merely attending workshops. Through conscious practice between workshops, you will embed new habits and ways of thinking to help you achieve your goal of THRIVING in your legal career. The Programme includes SIX online workshops (two hours each), consisting of:

- A deep dive analysis of the six key principles on how to Burn Bright (not out!)
- A series of activities, self-reflection exercises and group discussion
- Conscious practice assignments to complete between each of the workshops

At the end of the Burn Bright Activation Programme, you will have a sound understanding of the key principles and how to apply them to your day-to-day routine.

The session will look in detail at:

- How support staff play an important role in CQS compliance
- The format of the onsite assessment
- Potential outcomes of the assessment
- Key requirements of the Core Practice Management Standard (CPMS)
- Ensuring the policies and procedures of CQS are being followed within your practice.
- Key areas of The Law Society Conveyancing Protocol (2019 Edition)

VENUE	LECTURE	DATE	TIME
Workshop 1	Begin with the end in mind	Wed 2 October	10:00 – 12:00
Workshop 2	Knowing yourself is the beginning of your transformation	Wed 16 October	10:00 – 12:00
Workshop 3	Choose your deposits & withdrawals wisely	Wed 6 November	10:00 – 12:00
Workshop 4	Be Proactive in what you focus on	Wed 20 November	10:00 – 12:00
Workshop 5	'No' is a complete sentence	Wed 4 December	10:00 – 12:00
Workshop 6	Adopt the Magic Penny Approach	Wed 18 December	10:00 – 12:00

Donna has kindly shared her 45 minute masterclass presentation on "How to Break the Cycle of Burnout https://youtu.be/8NYDuEovkfY?si=QQlrDfVH9UELA_bi which will give you a taster on what to expect on this course!

WEBINAR Tuesday 1 October 2024 – 10:30 – 11:30

Topic **CAST NO SHADOW - PETS, CLTs AND INHERITANCE TAX IMPLICATIONS**

Lecturer **Helen Brander, Pump Court Chambers**

Cost **£20 – Solicitor Member; Associate Member; Trainees** (Solicitors; Cilex; Apprentices)
£45 – Non Member of BDLS

■ This webinar will cover:

- Inheritance tax on PETS.
- Inheritance tax on CLTs.
- If I survive for 7 years the gift is inheritance tax free, right?
- Advising the client



The Council Member's Report

PETER WATSON-LEE

Law Society Council Member for Dorset

FIREWORKS OVER THE TA6

The residential conveyancers among you will know all about the redrafted TA6 form that requires a lot of additional up-front 'material information' to be provided.

You are already the target of money laundering regulations, source of fund requirements, stamp duty collection, transparency rules - the list goes on. So understandably the introduction of a further lengthy form has not gone down well.

The impetus for the form does not come from the Law Society itself, but from government (more specifically the National Trading Standards) pushing for more information to be provided at the start of transactions and it is in response to this that the Law Society became involved in the drafting of the update of this form.

The form was to become compulsory at the end of June but it is apparent that those working on it failed to understand the reaction the form would produce and the need to properly and fully consult before introducing it. The Law Society have been rightly picked up on this. As a result, the form's introduction has been delayed for six months so that a full and proper consultation can now take place.

Meanwhile a disgruntled solicitors group gathered enough unhappy conveyancing solicitors to call for a special general meeting of the Law Society to propose a motion of no confidence in the Law Society President and the CEO - and to say the Law Society should not be working with other organisations without a specific mandate to do so.

I think the motion was a little over the top and to suggest the Law Society shouldn't work with other groups without being mandated by the profession would stifle much of the work that the society does to protect us. In any event the Special General Meeting has now taken place and after detailed debate, the motion defeated.

But as a result of the concerns raised, a full consultation on the form has now been launched and over 1000 solicitors have signed up to take part.

AXIOM INCE and COMPENSATION FUND HIKE

This is the three-partner firm who took over two large firms in financial difficulties and ended up with a client account of over £60 million – which they then ran off with.

The publication of the report on the investigation into how this happened is still being delayed – raising suspicions over what it might say and where blame might be placed.

What has not been delayed is the SRA hiking the compensation fund contributions for November to £90 per solicitor and £2,200 for each firm with a client account to cover the claims that are anticipated.

CONSUMER PROTECTION REVIEW - CLIENT ACCOUNTS TO CONTINUE?

Meanwhile the SRA have also been running a consultation over 'consumer protection' which includes the question as to whether solicitors should be allowed to continue to have client accounts. Clearly running client accounts is central and crucial to most firms so any suggestion they should be stopped will be strongly opposed – but it needs to be noticed that this is a question that the SRA is raising.

CILEX

The SRA have also made it clear that they are still wanting to proceed with taking on the regulation of CILEX. The SRA make the point that 75% of CILEX are already in SRA regulated firms. They add that whilst the SRA has over 800 staff, CILEX have only 27 so the amalgamation will not be a big task. The Law Society Council have debated this a number of times and are against this move for a whole number of reasons. Can it be stopped – and, if not, should the SRA be obliged to change its name?

FINING POWERS

Another growing concern is how the SRA are using their fining powers. The way they are fining solicitors a second time for example a drink driving offence seems incorrect and there is a hint that they may now be accepting that and backing down. But more worryingly they are looking to extend their fining ■

Peter Watson-Lee

Law Society Council Member for Dorset

THE SOLICITORS' CHARITY.

Supporting you, since 1858



WELLBEING SUPPORT FOR THE LEGAL PROFESSION

The Solicitors' Charity provides comprehensive support to improve the wellbeing of solicitors, helping them to overcome life's challenges.

People approach the charity for help for all sorts of reasons - because of struggles with the cost of living and money management, ill health, disability, distress through domestic violence, and anxiety, often caused by work-related stress or life-connected trauma.

Support in the form of regular donations from trusts, foundations, local law societies, firms and individuals, and unclaimed client balances (RCBs) from firms, is needed more than ever by the charity in these challenging times.

The Solicitors' Charity works with clients to identify packages of wellbeing support to help them return to being self-sustaining such as:

Emotional/mental support – with providers of psychotherapy, an initial assessment is offered followed by funded sessions with qualified therapists. The charity part-funds the mental health and wellbeing charity, LawCare, with trained lawyer volunteers providing peer support.

Financial support – if individuals are struggling with finances and money management, with expert partners, the charity help with budgeting and drawing up practical money management plans. Because of increasing demand, it signed up Pennysmart to provide more capacity and expertise for clients to tap into in 2024.

Professional/career support – clients may be returning to work after a break or may need to change the sector of the law they practice in. Perhaps they have been made redundant and need support with securing their next job. The charity funds career counselling support with partner, Renovo.

Physical support – anyone can experience physical illness or disabilities affecting their ability to work or manage at home. The Solicitors' Charity provides occupational health assessments which help with adaptations to continue with life.

Find out more about The Solicitors' Charity by visiting: thesolicitorscharity.org. ■

Nick Gallagher,
CEO, The Solicitors' Charity

**BDLS are proud to support The Solicitor's Charity.
Please see their recent press release regarding our support Shared
commitment to support the legal community -
The Solicitors' Charity (thesolicitorscharity.org)**



The Solicitors' Assistance Scheme offers free confidential help, advice and guidance to all solicitors in England and Wales, their families and employees on any problems whether personal or professional. The assistance is given by experienced solicitors who are themselves in practice and who have agreed to share their knowledge and expertise by providing initial help.

You can talk freely to the scheme member safe in the knowledge that the conversation is covered by confidentiality and privilege. You will be receiving help from another solicitor who will have an understanding of your situation. If you wish you do not even have to provide your name. However, confidentiality is key to the call or calls.

How to Access Help

Click on the members' tab on their website MEMBERS - SAS (thesas.org.uk) and you will find a list of the scheme members, their principal areas of expertise and their contact details. Choose

the member whom you wish to consult and telephone or email that solicitor direct. Please specify at the beginning of the telephone call or in your email that you are consulting the solicitor under the Solicitors Assistance Scheme. This will help to ensure that your call receives priority.

You can choose to remain anonymous but bear in mind that the scheme solicitor is obliged to maintain confidentiality in respect of all matters including your name.

You can talk freely to the scheme member safe in the knowledge that the conversation is covered by confidentiality and privilege. You will be receiving help from another solicitor who will have an understanding of your situation. If you wish you do not even have to provide your name. However, confidentiality is key to the call or calls.

R **Regulatory**
(Practise issues, COLP/COFA issues, Authorisation Issues)

D **Professional Disciplinary**
(Practising Certificate issues & conditions, Self Reports, SRA investigations, SDT referrals, and breaks of the accounts rules)

P **Partnership**

E **Employment**

F **Fraud & Crime**

I **Interventions**

V **Voluntary Closures or disposals of practise**

C **Complaints & Negligence**

P **Practice management**

M **Money laundering**

SAS Advisers are independent of the Solicitors Regulation Authority, the Law Society and the Legal Ombudsman and there is no obligation to report any of the details of your calls to these bodies. Legal professional privilege applies to all communications.

The scheme works closely with Lawcare, and the Solicitors' Charity to provide a complete range of care and support for solicitors and their employees .

Expert volunteers are always very welcome.

More importantly, if you do find yourself in difficulty, please do remember, you do not stand alone.

Please contact us HOME - SAS (thesas.org.uk) ■

LawCare

Supporting the Legal Community

LawCare is the mental wellbeing charity for the legal community. They offer free, confidential, emotional support to anyone working in the law.

Call their helpline: 0800 279 6888
Monday to Friday, 9am to 5pm*

Online chat is available Monday to Friday, 9am to 5pm whenever you see the red 'Chat Online' button on their website <https://www.lawcare.org.uk/>

*If you can't call during these hours, please email their support team support@lawcare.org.uk and they will do our best to make alternative arrangements for you. ■

Free, confidential, non-judgemental emotional support for anyone working in a legal environment. We provide a space for you to talk through whatever is on your mind. We can also signpost you to other support agencies. Please contact any of the following:



Mark Kiteley
mkiteley@rawlinsdavvyreeves.com
Tel: 01202 558844



Nicola Lowe
Nicolalowe@hgwalker.co.uk
Tel: 01202 881454 or 07854 787358
(outside office hours)



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BDLS MEMBERS' BENEFITS

Did you know as a member of BDLS, you can take advantage of the corporate rate with BH Live leisure centres? The monthly cost is £36, as opposed to the usual fee of £42. This includes use of the gym, swimming pool, spa and classes across all their sites in Bournemouth and Poole. Please visit their website for full details <https://bhliveactive.org.uk/join>

If you would like to join, please email me at mandy@bournemouthlaw.com and I will provide you with an email to confirm your membership with BDLS.

We hope to soon be able to offer further membership benefits so watch this space!

How determined are you to get boundary issues right in residential conveyancing transactions?



Ian Quayle

An inherent problem arises in residential conveyancing transactions whenever a boundary issue or as I like to call it a boundary sensitivity arises. That problem is that in most cases when dealing with registered land it is nigh on impossible to define with precision the legal boundary to a property.

Some context might be useful:

- a) Over a fifth of UK homeowners have been involved in a boundary dispute with a neighbour.
- b) In 2022, over 6 million Britons were involved in boundary disputes.
- c) The average space people argue over is just two per cent of the average garden.
- d) The most common property boundary issues involve a fence, wall or hedge (31%), a plant or tree (14%).

A recent county court case reported in the press provides an example of point 2 above and highlights the problems with boundary identification. A couple who built an £80,000 extension on their neighbours' garden and told them to 'go to court' have been ordered to demolish it and pay £200,000 in legal fees.

Shabaz Ashraf, 45, and his wife Shakira, 40, were ordered to tear down the extension to their £700,000 London home by a judge after their next-door neighbours accused them of deliberately building on their land and causing 'damp and mould' in their home.

The Ashrafs estimate they spent £80,000 replacing a 1970s extension at the back of their house, only for their next-door neighbours Avtar and Balvinder Dhinjan to complain that it was inches over their boundary.

Mr and Mrs Dhinjan said the new extension strayed 2.68in onto their land, with a roof overhanging 3.86in on the wrong side of the line.

In this article I plan on highlighting when boundary sensitivity can arise and what steps and measures can be taken in order to properly advise the client and to protect your firm adopting a series of steps to take.

Step 1: Is there boundary sensitivity?

Step 2: How can a legal boundary be identified?

Step 3: What advice should be given to the client?

Step 4: We know the problem what is the solution

Is there boundary sensitivity?

Sensitivity can be divided into two types –

- a) Objective related sensitivity

As we have explored many times it is important to identify client objectives and those objectives could create sensitivity in some transactions. For example, a client might want to build or extend a property or building close to a boundary of the property being purchased or they might want to create a new access point or may require connection to services.

- b) Historical or existing sensitivity

Boundary sensitivity may also arise due to disclosures made by the seller revealing –

1. A history of previous boundary disputes.
2. Confirmation that boundary locations have moved
3. An inspection by the buyer revealing a discrepancy as between how the property has been described or how a boundary is shown on a plan or a discrepancy between the description and the plan.

How can a legal boundary be identified?

In short, the conveyancing process will rarely reveal the precise location of a legal boundary and given that a legal boundary is simply a pencil line on the ground signifying the separation of two parcels of land it is easy to say why.

Unless there is clear evidence of what was intended by the parties when the boundary was created or unless the title is registered and has been subject to a successful determined boundary application there is a potential problem.

Rather than facing the problem head on why don't we try to think positively? Where a boundary is marked by a fence, a wall or a hedge and there is no evidence that the boundary feature has been



moved, recently erected or planted then subject to providing a buyer client with a general warning about boundary identification all is well subject to an issue of ownership of the fence, wall or hedge and or responsibility for repair or maintenance which we will leave for today.

However,

a) Land Registry title plans or filed plans do not reveal boundaries (see Section 60 Land Registration Act 2002). In *Durden v Aston* [2012] EWCA Civ 157 the Court of Appeal held that the judge had erred in being particularly influenced by a Land Registry plan which delineated a physically impossible arrangement. Looking at the plan without considering the position on the ground rendered the plan meaningless. Accordingly, the conclusion of the judge conflicted with the preponderance of the evidence and was set aside.

b) The state guarantee provided by Schedule 8 of the Land Registration Act 2002 does not extend to the title bounding the legal boundaries as Section 60 of the Land Registration Act 2002 prevails.

c) An application for first registration does not assist in boundary identification other than flushing out the potential for a boundary dispute.

Where a legal boundary is not identified we must look to case law to assist us. Two cases immediately come to mind –

In the case of *Pennock v Hodgson* [2010] EWCA Civ 873. Mummery LJ attempted to provide a set of easy-to-follow principles He said that:

1. The starting point is to identify the conveyance which first separated the relevant properties – “the root conveyance”.
2. It is necessary to then interpret that conveyance, especially any description of the properties in the parcels clause and any plan that is attached. He drew attention, however, to the dangers of over-reliance on plans. Like any question of construction,

the task is to identify the intentions of the parties to the root conveyance.

3. If the parcels clause is unclear, the precise boundaries must be established by other evidence. That includes inferences from evidence of relevant physical features of the land existing and known at the time of the root conveyance.

4. There is no reason for preferring a line drawn on a plan, even an Ordnance Survey plan, to other relevant evidence.

This is a very useful starting point for anyone dealing with a boundary issue. For that reason, Mummery LJ gets my vote as a judicial legend!

Extrinsic or “background” evidence is thus often useful, indeed often decisive. In our *Neighbours X and Y* example, the “background” material may be evidence about the location of the fence at the time of the root conveyance, perhaps from a predecessor in title or from an old photograph.

The legal boundary to a plot of land or property cannot ever properly be transferred onto a plan and so we must proceed with caution with all plans that we are provided with or with which we provide for our client.

More recently we have seen the recent case of *Holder-Vale v Holdaway* REF/2023/0037 which confirms the points raised by Mummery LJ in *Pennock* which shall examine this case in greater detail later.

What advice should be given to clients?

Put simply –

- a) Clients should be warned about the problems associated with boundary identification and that the conveyancing process will not normally identify legal boundaries.
- b) Where boundary sensitivity issues arise clients should be told about the risks, where appropriate of boundary disputes and/or claims for adverse possession if appropriate. I think clients should be told about the expense of potential litigation and/or

disputes concerning applications or objecting to applications being made to HM Land Registry.

c) Again if boundary sensitivity is an issue clients should be advised as to the expansion of your retainer to do the additional work required and the additional costs about to be incurred. That work may involve–

i. Obtaining a report from a chartered land surveyor – who should be armed with all available evidence including evidence from the relevant neighbour.

ii. Obtaining counsels opinion

iii. Reaching an agreement with the neighbour concerned as to the location of the boundary and then entering into a formal boundary agreement or determined boundary application or at the very least confirming in writing with a detailed plan exactly what has been agreed.

Two sentences of caution are required here. Firstly, if an application is to be made to HM Land Registry or an objection to an application lodged which could be contested the client should be warned as to the procedure involved which could involve the matter being referred to First Tier Tribunal and if an application or objection is unsuccessful the Tribunal has the power to award costs against the unsuccessful party. Secondly, there is authority to suggest a formal boundary agreement even if it is noted on the relevant titles at HM Land Registry as it is not necessarily binding on future owners of the land in question, see *Gibson v New EWHC 1811 (QB)*.

What is the solution?

Unfortunately, there is no magic fix other than if the land is registered making a determined boundary application with the agreement of the adjoining landowner. An opposed application is not without risk on the issue of costs as we saw in the previous section and is only worth considering if an adverse possession claim is being contemplated by a neighbour as such an application stops the adverse possession clock from ticking. Clients need to be advised of the problem and warned of the risks.

Finally, I promised we would look at *Holder-Vale v Holdaway* REF/2023/0037 a recent decision of the First Tier Tribunal.

The First Tier Tribunal explained the process to locate the legal boundary:

a) The first step is just to explore the words or parcel clause used to describe the landing question in the transfer.

b) Where those words were clear and specific and sufficiently identified the landing question, then it was not necessary to refer to an attached plan.

c) If this was not the case, or whether the words defer to the plan, as the dominant description, one must look to the plan to see if the boundary in question can be ascertained clearly. If the plan is sufficiently clear and unambiguous, no further steps are necessary, and extrinsic evidence would not be required.

d) If neither the wording, nor the plan provides any assistance, then the tribunal suggested that reference should be made to the judgement of Mummery LJ in *Pennock v Hodgson* [2010] EWCA Civ 873 and the case of *Cameron v Boggiano* [2012] EWCA Civ 157.

Turning its attention to the determined boundary application, reference was made to *Farrow v Boag* [2023] UKUT 167 (LC) where it was held that there was insufficient evidence to enable a First Tier Tribunal to find the exact location of the disputed boundary, and in those circumstances, it was impossible to ascertain the boundary line, and as a consequence, the application to determine the boundary must be refused.

The First Tier Tribunal decided:

1. The plan attached to the 2006 transfer was not sufficiently clear as to define the boundary, nor did it have sufficient clarity to enable the First Tier Tribunal to admit extrinsic evidence for that purpose.
2. There were two fences between the parcels of land but neither followed what appeared to be the boundary as identified by the 2006 transfer plan.
3. No weight could be attached to the Land Registries depiction of the boundary on the current filed plan of the applicants or respondent's title.
4. The plan attached to the 2006 transfer might be adequate to ascertain a general boundary but lacked sufficient precision to ascertain a determined boundary.
5. In addition, the plan did not comply with paragraph 4.4 of the Land Registry Practice Guide 40.
6. The Tribunal emphasised that margins in a determined boundary application are so fine that uncertainties in a plan, make the extrapolation of an exact boundary for the purposes of section 60, an almost impossible exercise.

Finally, a word of caution where an application is made or an application subject to an objection and the matter is contested before the First Tier Tribunal an unsuccessful party will be liable to pay the winner's costs. ■

Ian Quayle will be presenting to our members at our annual Property Conference on **7 November 2024**. This is always a sold out event so make sure you book your places early

Book here: <https://www.bournemouthlaw.com/bournemouth-district-law-society-lectures> or scan QR code



Firms' News

Celebrating 50 Years In Law: The Journey Of Peter Fowler

WOODSTOCK
LEGAL SERVICES



Peter Fowler is a well-experienced commercial property solicitor with an expansive career spanning five decades. Peter's journey offers rich insights into the evolution of legal practice and personal perseverance.

Early Beginnings: Influences and Inspirations

Peter's career in law was notably influenced by his family, particularly his father's occupation as an airline pilot for BOAC. Despite the allure of travel, young Peter realised the lifestyle of frequent absences abroad was not for him. His parents, envisioning a stable profession for their son, nudged him towards law. A pivotal moment came when he spent a couple of summers working in the office of Barrington Myers, a family friend in Christchurch. This experience ignited his interest in the legal field, setting him on a path that would define his professional life.

Memorable Moments and Challenges

Reflecting on his 50-year career, Peter recalls both the high and low points that shaped his professional character. Early on, he realised that litigation was not his calling, particularly after handling a divorce case involving trivial disputes. Instead, he found his passion in property law, enjoying the process of facilitating deals and bringing transactions to completion.

One standout memory in Peter's early career involves a high-stakes transaction in London where a million-pound banker's draft was thrown onto the table. Despite the theatrics, Peter maintained his composure, focusing on the meticulous details of the deal. This incident, coupled with the personal joy of his first child's birth, encapsulated the blend of professional dedication and personal milestones.

It was an honour to represent the Bournemouth and District Law Society as President in 2005 having served on the BDLS committee for several years and also as BDLS Press Officer, the highlight being a trip to Vienna for the BDLS Annual Conference and meeting the British Ambassador at the Vienna Embassy.

Running His Own Firm

Peter's experience of running a firm began somewhat unexpectedly when he found himself running a law firm after his senior partner was suspended and subsequently struck off by the Law Society. Despite the sudden responsibility, Peter navigated the unexpected challenge with resilience, gaining invaluable experience. This early exposure to managing a firm laid the foundation for his later ventures and eventual consultancy role.

Transition to Consultancy with Woodstock Legal Services

Eight years ago, Peter joined Woodstock Legal Services as their first consultant, aiming to semi-retire while still serving his loyal clients. This arrangement allowed him to focus on the aspects of legal practice he enjoyed without the administrative burdens of running a firm. Working from home, often surrounded by his model railway, Peter found a balance that suited his lifestyle and professional ambitions at this point in his career.

Peter's consultancy role also enabled him to mentor young solicitors, sharing his wealth of experience and insights. He emphasised the importance of niche specialisation as opposed to being generalised, adapting to technological advancements, and the irreplaceable value of direct communication in legal practice.

Reflections on Change and Future Prospects

The legal landscape has undergone significant transformations since Peter began his career. From the days of Bakelite phones and physical paperwork to the era of digital communication and AI, Peter has witnessed and adapted to these changes. Peter was one of the first solicitors to embrace the potential of a website on the Internet and emails in 1994. He acknowledges the potential of AI as a resource for data and legal information, though he remains cautious about its broader implications.

Looking ahead, Peter envisages continuing his consultancy work, gradually transitioning responsibilities while still being an active mentor and advisor. His commitment to helping young entrepreneurs and providing valuable legal insights remains unwavering.

Through his experiences, Peter underscores the essence of finding one's niche, embracing change, and the enduring importance of personal interactions in legal practice. His story is not just a reflection on a successful career but a beacon for future solicitors navigating their paths in an ever-changing legal landscape.

A Word from Peter

Reflecting on his journey, Peter summed it up perfectly: "I feel in a way I'm letting myself down, and some cases clients and young solicitors as well, in not passing on the experience I've got. That doesn't mean I've been right all the time, by any means. In fact, you often learn by making mistakes." ■

Firms' News

Retirement of Fiona Knight

After more than three decades dedicated to helping clients with their commercial and residential property matters, Fiona Knight, Partner at HK Law, is retiring. During her career Fiona has assisted a wide range of clients, companies, and 'not-for-profit' organisations, and also served as the President, Treasurer and Chair of Property Group of Bournemouth & District Law Society.

In 2022 she was acknowledged in the Legal 500 for providing "excellent advice". Throughout her career, Fiona earned a reputation for her problem-solving skills, which made her adept at handling even the most unconventional property issues. Her 'can do' attitude drives her to approach every challenge with positivity and determination and makes her a pleasure to work with as well as an asset to our Partnership team.

On behalf of everyone at HK Law, your colleagues in the legal industry, and your clients, we want to say thank you to Fiona for her contribution and commitment throughout her career. We wish her a long and happy retirement! ■



Fiona Knight

All Change at Scott Bailey

Hot on the heels of the news of their new satellite office in Lyndhurst, and significant new additions to the conveyancing team, Scott Bailey are now pleased to announce that Richard Wadsworth and Ben Ironmonger have become full Equity Partners.

Since joining the firm in 2019, Ben saw the potential for building a dedicated Company and Commercial Department to build on the business law services already offered by the firm's litigation and commercial property teams. Ben also heads up the firm's marketing and business development efforts.

Richard Wadsworth joined in 2017 and has continued to develop his outstanding reputation as an expert Private Client Solicitor, dealing with all aspects of will writing, complex probate and trust administration, and powers of attorney. He has also taken on the COLP role. ■



Richard Wadsworth and Ben Ironmonger

Firms' News

Steele Raymond's Rosanna Parker crowned Young Property Person of the Year

Rosanna Parker, a Senior Associate Solicitor in Steele Raymond's Commercial Property team, has been named 'Young Property Person of the Year' at the prestigious South Coast Property Awards.

At the glitzy awards ceremony held on 6 June at Hilton Southampton Utilita Bowl, many of the Steele Raymond team gathered alongside other finalists for 16 award categories.

As one of the final award categories to be announced on the night, Young Property Person of the Year, sponsored by SHW Property, was hotly-contested with several other young, leading lights from the region's property community, also on the shortlist.

In her role as a Senior Associate Solicitor in the firm's top-tier Commercial Property team, Rosanna specialises in a wide variety of property work principally across the industrial,



Rosanna Parker in the spotlight

office, retail and leisure sectors. Thanks to her proactive focus on project delivery and solutions-focused approach, she is highly regarded by all her clients. As well as winning this year's Young Property Person at the South Coast Property Awards, Rosanna has also been recognised as a Rising Star in the Commercial Property Devon, Dorset and Cornwall category of the Legal 500 2024. ■

SteeleRaymond

David Crockford appointed South Coast Chair of Property Litigation Association

David Crockford, Partner and Head of Property Litigation at Steele Raymond, has been appointed as the new Chair of the Property Litigation Association for the South Coast.

The Property Litigation Association (PLA) is a members' organisation set up in 1995 for legal professionals specialising in all aspects of commercial, residential, and agricultural property litigation. As well as organising education, training, and networking opportunities for its members, it also plays a vital role in campaigning for improvements in property law.

David has over 10 years' experience working as a property litigator. He has a particular interest in advising landlords and occupiers, investors and individuals in relation to commercial landlord/tenant disputes, as well as housebuilders, social housing providers and high net worth individuals on disputes arising from the development of land. ■



David Crockford

SteeleRaymond

Firms' News

Rawlins Davy Reeves announce a key appointment to their private client department.

Rawlins Davy Reeves are pleased to announce a key appointment to their private client department.

Solicitor, Ian Campbell, joined the firm in June. He specialises in wills, probate and administration of estates, tax and estate planning and also providing legal advice and guidance to families on powers of attorney and court of protection matters.

Ian is also a member of the STEP and the Association of Lifetime Lawyers (formerly Solicitors for the Elderly). ■



Ian Campbell

Lester Aldridge Wins Property Law Firm of the Year

Lester Aldridge has once again been awarded the prestigious Property Law Firm of the Year title at the South Coast Property Awards 2024, marking their second consecutive win.

The South Coast Property Awards celebrate exceptional achievements, recognising individuals and organisations that significantly contribute to the growth and success of the region's property market. Showcasing agents, developers, planners, consultants, property lawyers, and dealmakers, the awards recognise the very best within the industry.

The firm's Real Estate team comprises highly skilled and experienced legal professionals with in-depth industry knowledge. This win reflects the team's expertise and dedication. Their ability to navigate complex legal landscapes, provide tailored solutions, and deliver exceptional client service has earned them widespread recognition in the South Coast region and beyond. Mark Benham, Head of Real Estate, accepted the award on behalf of the firm. ■



Lester Aldridge Property Awards



Firms' News

Coles Miller Raises £1,120 In The Macmillan Dorset Bike Ride

Coles Miller Solicitors raised more than £1,120 for this year's Macmillan Dorset Bike Ride – sponsoring the event for the fifth year running. Fundraising riders set off from Corfe Mullen Recreation Ground in Badbury View Road, tackling one of three routes: 38, 48 or 63 miles.

Managing Partner, Neil Andrews, said: "Coles Miller are pleased to continue our support of this vital charity and event. I have always enjoyed the day; it is such a good way to raise much-needed funds. With cancer touching so many of our lives, we may all at one point need Macmillan support." ■



Neil Andrews, Managing Partner, completed the 48-mile route



Neil Adams

Welcome Neil Adam to Newnham and Jordan

With over 30 years of experience as a lawyer, Neil brings a wealth of knowledge and experience to Newnham & Jordan Solicitors. He has worked for well-known firms across the country and has been based in Salisbury since 2005. Prior to joining Newnham & Jordan, Neil has worked as Head of Department in Dispute Resolution and also offered his legal services on a consultancy basis for a number of firms.

Neil is highly experienced in advising both commercial and private clients on a wide range of dispute resolution matters, including contract disputes, property disputes (commercial, residential and Landlord & Tenant), debt recovery and employment matters (for both employer and employee). ■



Firms' News



Ellis Jones Solicitors' new Brooke House office in Wimborne. From left to right: Partner John Bulpit, Managing Partner Nigel Smith, Consultant Solicitor Malcolm Scott Walby and Partner and Head of Employment Kate Brooks.

**ELLIS
JONES**
SOLICITORS

Ellis Jones Solicitors acquires fellow south coast practice Scott Walby

Ellis Jones Solicitors has acquired fellow south coast practice Scott Walby, adding a second Wimborne office to its existing East Street base complements Ellis Jones' ongoing branch portfolio in Bournemouth, Poole, Ringwood, Swanage and London.

The move sees Scott Walby's seven-person team transferring to join nearly 200 new colleagues employed by Ellis Jones. The newcomers include Scott Walby partners John Bulpit and Malcolm Scott Walby who become a Partner and consultant Solicitor of Ellis Jones respectively. Both will continue to work from the now former Scott Walby office at Brooke House, Oakley Hill, Wimborne.

Founded in 2005, Scott Walby is known for its specialisms in company and commercial law including employment issues, management buyouts and contracts as well as private and commercial property, wills, trusts and probate issues. ■

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Legal Jobs



Rawlins Davy Reeves is looking for a **RESIDENTIAL CONVEYANCER** to join our Property Team in Wimborne!

This is an exciting opportunity for an ambitious and self-motivated residential conveyancer to energise our Wimborne Office. We offer a fantastic, collaborative working environment with a number of benefits.

Are you able to forge strong, positive relationships with colleagues and third parties? Are you looking for a new challenge to build a case load with the support of a growing residential and commercial property team? If this sounds like you, then we want to hear from you! This role is available to all types of residential conveyancing fee earner.

Personal Qualities and Skills:

- Friendly and helpful team player, but able to work independently when required
- Confident communicator
- Well organised with ability to prioritise workload
- Fully IT literate and able to confidently operate MS Office packages and case management systems
- Ability to work accurately with a good attention to detail

You will also have:

- Prior experience handling a residential conveyancing caseload and a comprehensive working knowledge of the law concerning all aspects of residential conveyancing.

What's next?

This role is immediately available. If this sounds like you, we want to hear from you!

For more information, contact **Mark Kiteley**: mkiteley@rawlinsdavyreeves.com ■



Rawlins Davy Reeves is looking for a **RESIDENTIAL CONVEYANCER** to join our Property Team in Poole!

This is an exciting opportunity for an ambitious and residential conveyancer to join our growing property team in Poole. We offer a fantastic, collaborative working environment with a number of benefits.

Are you able to forge strong, positive relationships with colleagues and third parties? Are you looking for a new challenge? If this sounds like you, then we want to hear from you!

This role is available to all types of residential conveyancing fee earner - those with commercial property experience are also invited to apply.

Personal Qualities and Skills:

- Friendly and helpful team player, but able to work independently when required
- Confident communicator
- Well organised with ability to prioritise workload
- Fully IT literate and able to confidently operate MS Office packages and case management systems
- Ability to work accurately with a good attention to detail

You will also have:

- Experience handling a property caseload and a comprehensive working knowledge of the law concerning all aspects of residential conveyancing.

What's next?

For more information, contact **Mark Kiteley**: mkiteley@rawlinsdavyreeves.com ■

Who Owns and Controls Your Law Firm's Data?



Law firms increasingly rely on technology to streamline their operations in the modern digital age. Legal software solutions have become indispensable, from case management to billing and time tracking. However, a fundamental question often needs to be addressed: **who owns the data entered into these systems, and how easily can it be moved elsewhere?**

Understanding the Data Ownership

Data ownership refers to legal rights and control over digital datasets. For law firms, this includes client information, case notes, billing records, and confidential strategies. Clear data ownership is essential due to ethical obligations. However, third-party legal software can complicate this, risking data loss, breaches, or legal disputes. Transparent contracts defining data ownership are crucial to protect the firm's interests and client confidentiality.

Significance of Data Portability

Data portability—seamlessly transferring data from one system to another—intersects with data ownership. For law firms, data portability holds immense value due to various reasons:

- **Flexibility:** As law firms evolve or their needs change, switching to a more suitable software solution should be effortless, and data portability ensures just that.
- **Security and Backups:** Exporting data empowers firms to create independent backups, enhancing data security and protecting against potential loss or breaches.
- **Regulatory Compliance:** In certain jurisdictions, individuals can access or transfer personal data between service providers. Law firms must ensure their software providers facilitate compliance with such regulations.

Bigger Picture: Asking the Right Questions

When engaging software providers in discussions about data management, law firms must scrutinise responses diligently. Law firms can effectively safeguard their interests and client confidentiality by understanding the subtleties within the provider's answers. Here are the key queries to pose regarding data ownership and portability:

- **Ownership of Data:** Providers must acknowledge that the law firm retains ownership of all data entered.
- **Data Retrieval Upon Termination:** Ensure contracts guarantee a simple and complete data retrieval process post-termination. Data Export Options: Seek responses offering standard, open-format data export options for system compatibility.
- **Export Costs:** Watch for high fees or complex pricing hindering data portability rights.
- **Data Transfer Security:** Providers should show data protection measures, encryption, and secure transfer protocols.

Take control of your law firm's data with Clio, the #1 choice for honest, transparent legal tech. Book a personalised product walkthrough with our Clio experts and see how Clio can improve your data management. Visit Clio.com/uk to learn more. ■



BEST PRACTICE FOR FUNDING PROFESSIONAL INDEMNITY INSURANCE



Now that the dust has settled on the Spring PII renewal season, it looks like the new entries to the sector are signalling an end to the 'hard' market.

For those firms that are still in the traditional September renewal season, now is the crucial time to start thinking about preparing for the proposal forms. Your PII broker will be much better placed than me to help with this, however, I thought I would take this opportunity to offer some brief tips for paying for the (hopefully lower) premiums!

Many firms will do a great job negotiating a lower premium with their insurers and then pay thousands more than they need to by paying on a monthly basis. The 'tick box' option is often tempting, as most Compliance Officers for Legal Practices will want to put the whole arduous process behind them.

However, with lending being unregulated, there is no requirement for the funder to provide a comparable APR. The reality is that the cost of this funding is not dissimilar to a credit card with actual APRs of 20% not a rarity.

By getting independent finance, not only will you obtain a much more favourable interest rate, but more flexible terms allow you to fund over 12 months rather than the standard 10. Deferring the first payment and being able to fund over 18 months if you choose to lock into a longer policy is also a significant benefit. So, if you are looking to spread the cost, getting independent finance is definitely the best way forward.

How do you go about doing this?

Get funds in place early – You don't have to wait to get your final figure before getting an approval in place. The most common reason we hear for firms not getting independent finance is because they run out of time waiting to hear back from their brokers. Instead, use last year's figure and add 10%. It won't harm your application if the figure comes in lower. Credit underwriters like to see firms using conservative figures. An Iceberg loan approval lasts 90 days, meaning you can have the funds approved and ready to go as early as June for 1st October renewal.

Don't approach too many funders – Try to avoid using finance brokers. They can be useful if your financials aren't as strong as desired, but most law firms should be able to get finance arranged by their bank or a direct funder. Finance brokers will often approach multiple funders, which results in more searches than necessary potentially downgrading your credit rating and, in turn, creating further difficulties down the road.

Provide clear and accurate information – Most PII loans via Iceberg can be approved via a FastTrack service, requiring one simple application form. Make sure it's completed accurately and is easy to read. If you do need to provide more financial information, make sure it is correctly formatted and labelled clearly. Even if we aren't using the Fast Track service you will usually only have to provide your last signed accounts and most recent management figures. You can never provide an underwriter with too much information, so if you provide forecasts then this will hold you in good stead.

If you would like further information on Iceberg's PII or working capital funding options, then please feel free to call me or one of the team. ■

Ethan French
Account Manager, Iceberg Group

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Talk to our specialist team today to find out more

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3 ways to boost productivity with an effective legal software platform

In today's fast-paced legal landscape, efficiency and productivity are key to success. The old adage "time is money" has never been truer than in the legal profession. For law firms that are putting powerful technology at the heart of their business, addressing inefficiencies is having a dramatic and positive impact on their bottom line. They are finding that investing in the right practice management software reaps dividends for their practice both in the short and long term.

However, the introduction and implementation of new legal technology is just the beginning. It is also critical that those using the software are made aware of all the powerful functionality available to them that will support their everyday work. This short article highlights three unique and highly undervalued ways that effective legal software can drive law firm efficiency and end-user productivity.

1. Capitalise on an extensive document library

An effective legal software platform provides your firm with a library of up-to-date forms, precedents and further documentation templates to cover all common areas of law, including those specific to the jurisdiction in which you practice. It also enables you to add, modify and automate your own templates. Having enhanced editing capabilities available within your solution standardises document production and ensures consistency, compliance, as well as improve client service and communication within your practice.

The efficient drafting of documentation is pivotal to the practice of law. By merging client and matter information previously inputted into your legal software platform, details can then be automatically included at the point of document creation, saving significant time and improving the accuracy of content.

2. Unlock the power of automation

Innovative document automation via your legal software platform boosts productivity across your firm. Ensuring accuracy and minimising risk, the automation of processes and the collection of information can greatly reduce errors or omissions which could otherwise negatively impact the level of service you offer.

The levels of automation available can vary from platform to platform, but an effective legal software solution will empower legal professionals to repurpose inputted matter information again and again across documents such as forms and precedents that are generated throughout the course of the particular matter. This removes the need to manually enter information each time, simplifying the document creation process, ensuring quality and accuracy of working and limiting duplication of work.

3. Reap the benefits of regular updates

In today's ever evolving legal landscape, the ability to anticipate and promptly respond to changes in the law is not just best practice, it's an absolute necessity. Law firms that fail to stay up to date with legal developments can encounter various challenges and consequences.

An effective legal software platform should be dedicated to ensuring all legal documents, components, rates and calculations embedded within the software are aligned with legislation and appropriate for the area of law in which you practice. You should have confidence that your provider is constantly monitoring all areas of law and updating as necessary.

This automation of updates within the system will speed up your day-to-day work as well as bring peace of mind and assured compliance to your firm.

Whatever your software's capabilities, ensuring that you are not only financially investing in the right technology, but also are fully aware and optimising its full functionality will boost productivity across your law firm.

For more information, please visit www.leap.co.uk. ■



By Gareth Walker
CEO, LEAP UK

There's a better way to get paid

Unlock a simpler billing and payments experience—for you, and your clients.

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“ The set-up was fast and I now have one integrated place for everything in a platform that works outstandingly. It's increased my revenue because I'm able to be a lot more efficient using this software over any of the other platforms that I've tried.

CARL D. BERRY
The Strategic Legal Group, PLLC

