

# K NEWS

ALL THE LATEST NEWS AND EVENTS FROM KERSEYS SOLICITORS



Anthony Wooding and Caroline Gosling

## Crowd DIG! it at art exhibition

*Suffolk-led art group display work at Kerseys in Ipswich*

A CROWD turned out at Kerseys for an exhibition of contemporary art from a Suffolk-led artist group.

A private viewing was held to display art from the collective DIG! and the work is available to view until autumn.

The *Towards The Light* exhibition features work from a range of artists in the region who have worked on various projects together.

Kerseys managing partner Anthony Wooding is an artist and member of DIG! and has been pleased to display some of his own work with the group.

He said: "There is a range of work, both figurative and abstract, from some very talented artists. I believe some of the artwork, which is reasonably priced, will be a great investment as some of the young artists are definitely going places."

DIG! now regularly exhibits at The Freudian Sheep art gallery in Ipswich. The group first exhibited at Kerseys in October 2013 and since then it has grown from 10 members to 60.

DIG!, which welcomes artists of varying ages and abilities, has continued to exhibit at the law practice and have thanked Kerseys for all their support.

Ian Moss, a founding member of DIG! and The Freudian Sheep, said: "Without Kerseys, and in particular Anthony, it's likely that some of our outward thinking wouldn't have happened.

We know that art can and does have a role to play in everyday life. The opportunity to show and sell our work at Kerseys has given our artists the confidence to carry on here in Ipswich."

The *Towards the Light* exhibition reflects DIG!'s theme of continuing in the 'right' direction.

Exhibition visitor Caroline Gosling said: "I really enjoyed the event and was very impressed by all the wonderful art work. It was also very good that the artists themselves were there and to hear their enthusiasm for their hard work."

*Towards the Light* will be on display at Kerseys until November and can be viewed during normal office hours.

## Business is on the increase for Kerseys

*80% of Kerseys' instructions come via happy customers*

BUSINESS is going well for Kerseys solicitors, which opened an appointment office in Colchester last year to meet the growing demand.

The firm, which has a commercial practice and personal legal division, has seen a big increase in conveyancing instructions with the recovery of the housing market.

But the majority of its work continues to come from loyal customers, who keep coming back and recommend the team to their friends and family.

The law practice, which has its headquarters in Lloyds Avenue, Ipswich, sees a whopping 80 per cent of instructions come from repeat customers and referrals.

And new instructions are on the rise since the official launch of the meeting office in The Crescent, Colchester Business Park.

Managing Partner Anthony Wooding said: "We value our clients, so it is very encouraging to see the majority of instructions come from repeat custom and referrals. As a way to show our appreciation and to engage with our clients as much as possible, we launched our blogs, videos and newsletter. This way we can inform people of our latest news and offer legal advice on various points of concern. We believe it is important to develop a good working relationship with our clients; listening to their needs and addressing any concerns they may have."

And thousands of people have tuned in to Kerseys TV Media to learn about an array of subjects, from returning items to a shop to making a will. Anthony's video about why he became a lawyer alone has had nearly 2,000 hits.

Anthony said: "The TV media gives us an avenue, in addition to our blogs, to offer free information, but this time in a more creative way. It also provides another opportunity for people to interact and they have opportunities to leave comments."

Kerseys, whose services range from debt recovery to family matters, employs just under 50 people. The team includes nine partners, five consultants, one associate, three assistants, a conveyancing manager and a conveyancing executive. The firm prides itself on its community involvement, from charity fundraising to holding art exhibitions for local groups.

To see Kerseys' latest videos and for advice on various legal matters, visit

[www.youtube.com/user/KerseysMediaTV](http://www.youtube.com/user/KerseysMediaTV)

# New law makes it more difficult for commercial landlords to recover goods



*“More notice has to be given before goods can be seized for non-payment of rent”*

COMMERCIAL landlords now face tougher restrictions on recovering goods when tenants are in arrears.

A new set of rules came into force on April 6 of this year, which means more notice has to be given before goods can be seized for non-payment of rent.

The new regulations are known as Commercial Rent Arrears Recovery (CRAR) and are intended to redress the balance between tenants and landlords.

Previously, a bailiff could arrive at commercial premises unannounced and demand payment of rent arrears or seize goods.

But the old common rule of distress on goods has been abolished.

Now the CRAR is set out under the Tribunal Courts and Enforcements Act of 2007 and the Taking Control of Goods Regulations 2013.

Under the distress remedy, a landlord or his agent was allowed to hold property as a payment of debts.

However, with the new procedure, only an Enforcement Agent will be able to act to take control of goods to recover rent.

## The seven key changes are:

1. CRAR can only be used to recover rent, vat and interest. Other fees, such as service charges and insurance, are not included.
2. Seven clear days' notice of enforcement must be given to the tenant.
3. You can apply to the court to shorten the seven day period if it can be shown that goods are likely to be moved.
4. CRAR can only be used for a minimum payment of seven days' rent.
5. Only goods belonging to the tenant can be seized.
6. Goods which are necessary for the tenant's personal use or in connection with trade are exempt up to aggregate value of £1350. Items in use by the tenant cannot be seized if a breach of the peace is likely.
7. The enforcement agent may not seize goods which have a value greater than the debt and must wait seven days before sale and give seven days' notice of sale to the tenant unless the goods would otherwise become unsaleable or their value substantially reduced.

Please contact us if you require any further information about these changes.

**Anthony Wooding**, Managing Partner, Kerseys

## It is a good year to sell, according to property law specialist

*“We are receiving requests for quotes and opening files at an amazing rate this year”*

A PROPERTY law specialist with Kerseys has said 2014 could be a good year to sell – as house prices continue to rise in Suffolk and Essex.

The land registry has revealed the average house prices in the region have increased by over £10,000 in a year.

And Jane Riley, who heads the residential property department at Kerseys solicitors, said the instructions they had received from people wanting to sell had jumped up by 56 per cent.

Jane, who has over 20 years' experience in property related matters, said: “We are receiving requests for quotes and opening files at an amazing rate this year. It seems that many properties are being sold within a day or two of going on the market as there are plenty of keen buyers out there, but not enough properties to satisfy the demand. There has been a rise in the number of first time buyers now that the mortgage market has improved.”

The Land Registry shows average house prices in East Anglia have risen from £280,000 to £293,000 from January 2013 to January 2014.

In Suffolk there has been a 3.8 per cent increase, from £187,308 to £194,506 and in Essex there has been a four per cent increase, from £152,311 to £158,446 for the same period.

Kerseys figures were taken from the first quarter of this year compared to last year.

Jane said it was not just first time buyers who were looking to move. She said: “Most people move home because of a change of lifestyle, which might mean downsizing to a smaller property with cheaper running costs when they retire, or perhaps moving to be closer to family and friends.

Or they may be looking to move to a larger property to accommodate a growing family or to move closer to work or schools.”

The House Price Index shows an annual price increase of 4.2 per cent which takes the average property value in England and Wales to £168,356.



Jane Riley, who heads the residential property department at Kerseys solicitors.





Left: Peter Awad, who has increased his real tennis club ranking by 40 places. Right: Ladies world champion Claire Vigrass and British under 21 champion Lewis Williams who train and coach at Prested Hall in Feering, Colchester

## Kerseys partner is part of team celebrating sporting success

*“It’s good fun and I’ve met a lot of interesting people, including national and world champions, which doesn’t happen every day”*

A PARTNER with Kerseys has improved his club ranking by 40 places in a sport which was invented during the Tudor times.

Peter Awad, who specialises in legal advice to the elderly, plays Real Tennis – an indoor racket sport from which lawn tennis evolved.

And he has gone from ranking 90 at his club in Prested Hall in Feering, near Colchester, to just 50 in less than four years.

The married father of one, who specialises in wills and inheritance tax planning, said: “I enjoy the game and don’t really think about the ranking, but it’s nice to know I’ve improved so much during the time I’ve been playing.”

Peter is part of a club which has many reasons to celebrate – after two of their players also came top of a national league for their division.

Ladies world champion Claire Vigrass and British under 21 champion Lewis Williams, who train and coach at the club, are delighted with their success in division two.

Today the challenging sport is less well known than its counterpart, lawn tennis. But it is arguably as demanding, if not more so, due to the tactical aspects of the game.

The game has been likened to a combination of squash, chess and snooker.

The sport dubbed ‘Royal Tennis’ is a cross between tennis and squash that is played on an asymmetrical indoor court.

Peter tried an introductory lesson and was hooked. He said: “The game is an unusual sport and not widely known. As well as being good exercise, it helps you to think strategically. It’s good fun and I’ve met a lot of interesting people, including national and world champions, which doesn’t happen every day.”

Lewis said: “Peter plays regularly and has made a great improvement since he started. He’s put in a good effort and done really well. We have a sheet with the players’ ranking on. It doesn’t matter where people stand, but it’s nice for people trying

to keep their ranking down to see their improvements.”

Real tennis is played by just a few thousand people in the UK and there are just 27 real tennis courts in the region, of which two are based at Prested.

Claire, 22, said the sport was becoming increasingly popular – particularly among young players. She said: “We see more and more people trying the game out, including more junior players.”

Claire, who this month has retained her title as Ladies British Open singles and doubles champion, said: “Everybody has their own handicap and it’s about progressing at your own pace. It’s natural to plateau and then improve as you learn new tactics. Everyone has their own targets.”

Prested Real Tennis club owner Mike Carter opened the two court Real Tennis centre in 1998.

For more information, visit [www.prested.co.uk/aboutrealtennis/](http://www.prested.co.uk/aboutrealtennis/)

### REAL TENNIS FACTS

- The game was invented during Tudor times.
- The game was originally played in the cloisters of monasteries or a courtyard with sloping surrounding walls. Modern day courts replicate this space.
- The Prested court features a glass ‘grille’ wall – so a large audience can watch.
- You play with a bent racket and the balls do not bounce so well.
- There are only 46 courts worldwide.
- Scoring was inherited by lawn tennis so it is the same. To win a game a player wins four points (15, 30, 40, game) and be more than two points ahead of his opponent (40-all is deuce).
- There are at least 20 different types of serves, including the ‘giraffe’ and ‘boomerang’ which includes underarm and overarm serves.

## Call to dress up as fairies for charity world record-breaking attempt

*“We are keen to help Woolverstone Wish reach its goal”*

KERSEYS solicitors are calling for people to don their tutus, fairy wings and wands again in another charity world record attempt this summer.

Hundreds turned out in Ipswich town centre last year for the *Flutter of Fairies*, which briefly broke the Guinness World Record for largest number of people to dress up as fairies in the same place.

Now Kerseys, which has already raised over £7,000 for the Woolverstone Wish Appeal, is organising *The March of 1,000 Fairies*.

The firm is working in collaboration with Ipswich Borough Council, Ipswich Arts Festival (Ip-Art) and the Woolverstone Wish.

Money raised will help refurbish the chemotherapy outpatient clinics and day unit in the Woolverstone Wing of Ipswich Hospital.

Sharon Wragg, 45, a conveyancing executive at Kerseys, has been the driving force behind the record-breaking attempts. She said: “The event this year is a bit different. Not only will we be attempting the world record again, we will also be incorporating a march of fairies from Christchurch Park through the town centre. Since the beginning of this year I have been made more aware than ever of the total devastation that a diagnosis of cancer can cause. It is the little things, such as getting treatment in comfortable and private surroundings, which go some way to helping make such a dreadful experience more bearable. This is why we are keen to help Woolverstone Wish reach its goal.”

The charity is close to staff’s heart at the law practice after colleague Judy Sykes was diagnosed with Hodgkins lymphoma and was treated at the hospital.

Cheryl Thayer, chairman of the Woolverstone Wish appeal committee, said: “We are extremely grateful for the on-going support of Kersey’s and very much look forward to the March of the Fairies.”

The record breaking attempt is set to take place on Sunday, June 22, outside the Town Hall on Ipswich Cornhill.

To find out more about the appeal or to make a donation, visit [www.woolverstonewish.org.uk](http://www.woolverstonewish.org.uk). For more information on the world record bid, follow details/updates on Facebook at A Flutter of Fairies or on Twitter, @FairiesGather or call Sharon on 01473 407114.



A crowd gather in Ipswich town centre last summer

## Ignore offers of mediation at your peril

*The court favours methods of resolving disputes other than by litigation*



Ross Burkitt,  
solicitor in  
the litigation  
department  
of Kerseys

ALTERNATIVE DISPUTE RESOLUTION (ADR) is generic term for methods of resolving disputes other than by litigation – and outside of the courtroom.

The courts look unfavourably upon those refusing to participate in ADR without good reason and can impose cost penalties.

Lord Justice Jackson strongly supported the increased use of ADR in his review of civil litigation costs over four years ago.

And an authoritative handbook was launched on the back of his recommendations to ensure lawyers, judges and the public were aware of the benefits of ADR in resolving disputes.

In 2004, the Court of Appeal held that although referrals to ADR should be voluntary they should be strongly encouraged.

In *Halsey v Milton Keynes General Trust*, a medical negligence case, the hospital turned down invitations to mediate. Although they won the case, they were not awarded costs against the person making the allegations.

The court considered the hospital's refusal to mediate as unreasonable. In extreme cases, the court could even order the winning party to pay costs to the losing party. More recently the Court of Appeal has shown its support for ADR in the case of *PGF v OMFS*.

The case involved a breach of a repair claim relating to an office block. The claimant made numerous offers to settle and invited the defendant to mediate, but they were continually ignored. Finally, the claimant accepted the defendant's offer.

Typically, the claimant would be responsible for paying the defendant's costs for the relevant period. But the Court of Appeal referred to the ADR Handbook and endorsed the view that silence in the face of an invitation to engage with ADR is unreasonable.

The court ruled the defendant should not be entitled to recover its costs for the period where they failed to respond.

Parties in a dispute who ignore or refuse invitations to engage in ADR do so at their peril. It is highly advisable that all refusals should be backed up by clear and convincing reasons.

# Anthony Wooding paints the Mayor of Ipswich

*"This is a great honour and the unveiling is one of the highlights of my year of office," Mayor Hamil Clarke said*

THE Managing Partner of Kerseys solicitors has unveiled his long awaited painting of the Mayor of Ipswich.

Anthony Wooding displayed his portrait of Councillor Hamil Clarke MBE in front of friends and family in the Mayor's Parlour.

The work follows the success of his first exhibition earlier this year on Native American Holy man *Lame Deer*:

Anthony, who has a purpose-built art studio in his garden, said: "It was an honour to paint the mayor. We have worked together on a number of projects and he's such an interesting person."

The married-father-of-two came up with the idea last summer after meeting the mayor at an Ipswich Corporation event.

Since then, other artists have come forward to paint the *Sprites* Labour councillor.

Anthony said: "The mayor may well be seeing double! Other artists have since come forward to paint him, including art students at University Campus Suffolk. It's flattering that the idea has caught on."

Cllr Clarke said: "It is always a little unnerving to see a portrait of oneself but I think Anthony does me – and himself – proud. This is a great honour

and the unveiling is one of the highlights of my year of office."

Anthony's exhibition, *Lame Deer – Living in Symbols* received rave reviews.

The modern history Oxford University graduate continued his theme of symbols with the mayor's painting.

Anthony, who has practised law for 30 years, said: "I wanted to paint in the same style as I had for *Lame Deer*; with some symbols representing Hamil's life around his face. I also wanted to try to celebrate a theme of diversity, which Hamil has established during his term."

Anthony and his wife, Debbie, had coincidentally visited Barbados, which is Hamil's country of origin, just a few months earlier.

Anthony said: "I wanted to capture, with his blessing, some of his history, as well as his present place in the Ipswich timeline."

Thara Thangavel, an associate with Kerseys, visited the Parlour to take some preparatory photos of Hamil for Anthony to work with.

To see the unveiling video, visit  
[www.youtube.com/watch?v=3oCTOc6iY6g](http://www.youtube.com/watch?v=3oCTOc6iY6g)



The unveiling of the painting of the Mayor of Ipswich. From left to right: Kerseys Managing Partner Anthony Wooding, Ipswich Mayor Hamil Clarke and Mayoress Daisy Weekes.