

K NEWS

ALL THE LATEST NEWS AND EVENTS FROM KERSEYS SOLICITORS



The team at **Kerseys Solicitors** would like to wish you a Merry Christmas and Happy New Year. In this edition of K News we will update you on our latest good news as well as offering legal festive tips – varying from managing child custody, your rights as a consumer and things to remember when moving house.

Truly Scrumptious

A FAMILY RUN business in Colchester is set to taste sweet success – after opening a confectionary shop following years searching for the perfect place.

Mum and daughter Frances and Jennifer Warren have set up *Truly Scrumptious* just outside Culver Square to offer an 'Aladdin's Cave' of old-fashioned and modern chocolates and sweets. And the move to Sir Isaac's Walk was made possible with a little help from their friends – Kerseys' Solicitors, who helped ensure they had the lease which was right for them.

Frances, 55, said: "We want this shop to be like an 'Aladdin's Cave', full of confectionery you can't find in the supermarket. We sell everything from jars of old-style, hard-boiled sweets to gourmet chocolate, from pick and mix to hampers, as well as our wedding services."

Frances started out working on a sweet counter in the village shop on a Saturday, then went on to own a jewellery shop and manage a sweet shop. She said traditional sweet shops bring back fond memories and are great for people of all ages.

But the family dream was put on hold because they could not find suitable premises and contracts. Frances then contacted her local solicitors, Kerseys, which has an office in Colchester Business Park.

She said: "I've been with Kerseys for the last six years and they've helped me to sell homes, set up wills and now lease a shop. I'd been searching for years for the right place, but the contracts offered were just not suitable. The team at Kerseys made me aware of potential pitfalls and ensured I didn't have to be tied to a lease for longer than necessary. The language used for such paperwork is Double-Dutch to most, but they explained it all clearly to me. It was reassuring to work with Kerseys and I couldn't have done it without them. They've saved us time, money and hassle in the long-run."

Frances and Jennifer invited people who had supported them along the way for an official opening, including Kimat Singh, Matthew Osborn and Leila Murray from Kerseys.

Kerseys partner Kimat Singh, who specialises in the management of leasehold estates, said:

"We work closely with small and medium retail businesses like *Truly Scrumptious* and always try to ensure they get the best possible terms on their retail leases. There is no 'one size fits all approach', particularly for independent retailers, so we tailor our services to their specific needs. We are pleased Frances and Jennifer are now based in an excellent shopping street, with many independent and boutique shops."



From left to right: Matthew Osborn, Frances Warren and Kimat Singh at the opening of the *Truly Scrumptious* shop in Sir Isaac's Walk

A member of Kerseys Solicitors has celebrated her 30th anniversary at the firm



Conveyancing executive Sharon Wragg joined the firm on November 25, 1985, as an office junior and worked her way up the ranks. Today she works in the Residential Property Department, specialising in the legal aspects of buying and selling property.

She said: "It's ironic really that when, aged 14, I was asked by my careers officer what I wanted to do, I said the one thing I didn't want to do was to work in an office. However the opportunity came up with Kerseys and I have not regretted my decision. Moving house, though a very positive step, can also be stressful. I enjoy the process of assisting people through it. Kerseys has effectively

become my second family and it's the people at Kerseys, many of whom I am now very close to, that make it what it is."

Sharon, who was born and educated in Ipswich, has undertaken training with the Institute of Legal Executives. She currently assists Kerseys' conveyancing manager Brian Smith, as well as maintaining her own case load.

Managing partner Anthony Wooding said: "Sharon has been a great asset to Kerseys throughout her career. She is a very well-liked and respected member of the firm. Sharon is admired not only for her contribution to the firm, but also her tireless work for charity and creative ideas."

Sharon has also helped raise thousands of pounds for charity by organising and taking part in various

challenges. She raised over £1,500 with a walk from London to Brighton for the Macmillan Woolverstone Wish Fundraising Group in the summer. She was also the driving force behind the Flutter of Fairies and March of the 1,000 Fairies, which raised over £7,000 for Woolverstone Wish.

When she's not working or fundraising, she enjoys the theatre and cinema, socialising with friends and keeping fit.

Client Angela Bellasie said: "Sharon was very efficient and helped make our move as smooth and quick as possible. She was also available to answer our questions, even after the move." Another client added: "Sharon was brilliant. She was friendly, had very good attention to detail and went the extra mile to speed up the process for us."



IMPORTANT THINGS TO REMEMBER WHEN MOVING HOME

Moving home can be a very stressful time and there are always things we seem to forget in the process – especially around this time of year with Christmas fast approaching.

THERE can also be additional costs that you may not have originally taken into account at the start of the process.



Sabrina Kwiecien, conveyancing executive

Here are some helpful tips and ideas:

- Whether selling or buying, ensure that you read the water, gas and electric meters on the day of completion so that you are not being charged for what you have not used.
- Ensure all utility companies and council tax department are made aware of your move and cancel any direct debits.
- When packing, label each box to make life easier. Especially Christmas presents!
- Defrost your fridge/freezer before the day of completion.

When buying a new build property, there is the luxury of not having to carry out any DIY. You can just put your own 'personal touch' to your new home. But there are some important things to remember:

- Ensure that you register your boiler with the manufacturer for guarantee to be noted.
- Wheelie bins are often not provided and should be ordered from the local authority, of which there is an additional cost (dependant on the area the cost can vary).
- Curtains and blinds are often not included (unless a specific agreement has been made with the developer) so it can be useful to measure windows prior to completion to arrange fittings for blinds/curtains.

- Depending on when the build of the property has been completed, and usually the site/sales manager will advise, not to paint or wallpaper any walls for up to around 6 months to allow the walls to fully dry. It would be shame to spend time and money on decorating your new home to find one day that your lovely wallpaper is no longer in place.
- Cracks can appear on the walls to the interior of the property. Ask the site office for a small tin of the paint used to touch up once the property has settled.
- Buy a door number. Otherwise the postman may not know which door to deliver to.
- Register your address online.
- Flooring may not be included and can be a substantial additional cost. Shop around to ensure you get the best price. It is worth taking into account that if you do not arrange the flooring through the site office, let your chosen floor layer know that the bottom of the doors may need to be shaved. Some floor layers may charge extra for this service.
- Landscaping in the rear garden may not be included and will again be an additional cost for you to consider.



Kerseys managing partner designs charity Christmas cards

KERSEYS managing partner Anthony Wooding has designed Christmas cards in aid of charity.

The artist, who has displayed and sold his work at exhibitions, gave an original piece of artwork to the Suffolk Law Advice Centre.

The centre, which offers access to justice for disadvantaged people in Suffolk, is a free legal service.

Ann Barber, Suffolk law advice centre officer, said: "The cards look fabulous and are very good quality. We are very grateful to Anthony, who donated an original piece of art to us for this purpose."

Anthony said: "The centre does great work in providing access to justice for people who may otherwise struggle to get help. I think it's important

to raise awareness and funds for such a worthy cause, particularly when the lack of legal aid makes it even more difficult for sound legal advice."

The centre, which offers free 30 minute sessions from legally qualified professional volunteers, covers areas such as family employment, immigration, housing, small claims, wills and probate, community care, personal injury and dispute resolution.

It is run through collaboration with the Ipswich and Suffolk Council for Racial Equality (ISCRE), Suffolk & North Essex Law Society (SNELS) and a national Pro bono charity, LawWorks.

The cards will be sold in packs of £5 for £2.50. For more information, visit www.iscre.org.uk



Are there any legal concerns you would like covered? Let us know and email your suggestions to info@kerseys.co.uk



1. Theresa Higgins, Colchester mayor and councillor for New Town.
2. Robert Macaulay, Colchester Rotary Club president.
3. Emma Bowdidge, Tom's sister.
4. Matt Osborn, from Kerseys commercial team.
5. Tom Bowdidge.

Campaign update

Hundreds of people have taken part in the 1,000 Faces of Colchester charity campaign in aid of the Tom Bowdidge Foundation.

PHOTOGRAPHER Gavin King has teamed up with Kerseys Solicitors to photograph 1,000 people.

Once the target has been reached, Kerseys will donate £1,000 to the foundation, set up by Tom's family to carry on his good work.

The campaign is edging closer to its target with a current total of 722, since it was set up a year ago. Anthony Wooding, Kerseys managing partner said: "We are grateful to all the organisations and individuals who made the time and effort to support this campaign. Tom was an inspirational teenager and we are delighted to be able, in our small way, to help continue his work."

Events were recently held by Colchester Rotary Club and at the Secret Vintage Fair at Firstsite art gallery.

Tom, a Colchester Royal Grammar School sixth-former from West Bergholt, raised £170,000 for charity before he died of stomach cancer, aged 19, in October 2013.

Colchester Rotary Club president Robert Macaulay said: "It was a great evening in aid of

such a worthwhile local cause. Tom's dad, Richard, gave a moving talk about his son's inspiring work and how the foundation came into being. We were glad to have been able to do our bit to support it." Theresa Higgins, Colchester mayor and councillor for New Town, attended with her escort, husband councillor professor Peter Higgins.

Tom's parents, Nikki and Richard, and sister Emma, launched The Foundation on what would have been his 20th birthday, on February 28, 2014.

The foundation, with headquarters in Colchester, raises funds to support research projects and to provide physical and emotional support to teenagers and young people with cancer.

Dad Richard Bowdidge said: "We are delighted so many people have backed our campaign and our work to help young people with cancer."

Photographer Gavin, 34, who came up with the idea, gives people a white board so they can write down a message.

To take part in the 1,000 Faces campaign, email karen.williams@kerseys.co.uk

Fundraising for Macmillan Woolverstone Wish

Kerseys Solicitors has raised £316.00 for Macmillan Woolverstone Wish Fundraising Group with a coffee morning and raffle.

THE APPEAL aims to raise £3.7 million for a new cancer centre at Ipswich Hospital, which will double the number of patients treated to around 21,000 a year.

Conveyancing executive Sharon Wragg, who organised the event, said many people have been affected by cancer and she wanted to do her part to help.

She said: "I've lost two aunts and a family friend to cancer. I think we all know somebody who has been affected by this disease. The treatment for cancer is very tough to deal with and it helps if the surroundings in which you are treated are the best they can be. It helps make the whole unpleasant experience just that little bit more bearable. This was a fun way to raise funds and awareness for a very worthy cause. I am always really pleased that the whole firm gets behind these events."

The committed fundraiser was also the driving force behind the Flutter of Fairies (in 2013) and March of the 1,000 Fairies (in 2014), which were world-record attempts for the largest number of people dressed as fairies in one place.

Sharon also walked 62 miles non-stop from London to Brighton over a 28 hour period for the Macmillan Woolverstone Wish Fundraising Group, took part in the 25 mile Orwell Walk for three years running (2010-2012), in aid of St Elizabeth Hospice and the Woolverstone Wish. She dressed as a purple fairy for Woolverstone Wish for the latter.

In 2013 Sharon also took part in the National Three Peaks Challenge, which involves climbing the highest mountains in Scotland, England and Wales within 24 hours, also in aid of Woolverstone Wish.

The Woolverstone Wish was set up in 2009 in order to raise money to refurbish the chemotherapy outpatient clinics and day-unit in the Woolverstone Wing of Ipswich Hospital. It surpassed its goal of £800,000 and joined forces with Macmillan Cancer Support to raise more money for an innovative new Cancer Treatment Centre.

You can support the appeal by visiting www.woolverstonewish.org.uk

Managing child arrangements at Christmas

Christmas is seen as a time for family. It can put a strain on relationships at the best of times – but can be particularly difficult for a separated couple who share the care of their children.

The Office of National Statistics reported that nearly half of couples divorcing had at least one child under 16 living with the family.

It can be hard to manage the needs of family members on a daily basis. This can be exacerbated if you then add a change to normal routines and inclusion of extended family.

To make Christmas as smooth and stress-free as possible, it helps to reach a mutually satisfactory agreement in advance.

Perhaps you can have a rotation system where one parent looks after the children one Christmas, then the other the following year? Or you could split the Christmas holidays so the children stay with one parent for the first week of the holidays and then the other for the second week.

What you will most likely want to avoid is putting the children in the middle of any disputes over the time they spend with each parent.

It is not the case that one parent would be favoured over the Christmas period. The Court would look at what is in the best interests of the children. It is common for an Order to be made where one parent has the children over Christmas one year and the other parent the following year and for this pattern to alternate thereafter. But the Court has a 'No Order Principle' – so an application should only be made to the Court as a last resort.

If reaching an agreement proves difficult, mediation can help. It can offer a quicker, cost effective and more cooperative solution to Court proceedings. It should not be forgotten that there is now a requirement to attend a MIAM (Mediation Information and Assessment Meeting) before starting Court proceedings.

The mediator would then need to sign the appropriate forms for the Applicant to begin Court proceedings. If the Applicant does not attend a MIAM before making the application, the Court can send the parties away to mediate.



Here at Kerseys we offer a legal perspective to proposed arrangements and help keep the parents focused on reaching a satisfactory outcome for all concerned.

Victoria Mead, solicitor



Know your rights as a consumer this Christmas

When it comes to Christmas gifts, they say it's the thought that counts. But should you be dissatisfied with something you've bought or received, it's important to know your rights.

The new Consumer Rights Act 2015 is believed to provide shoppers with extra protection. There are some areas, such as claiming for a refund, which remain untested. Here are six tips for taking Christmas presents back:

1. Shops are obliged to take goods back if they were faulty when bought. The Act says you can now get that refund up to 30 days from purchase. The money must be returned to you within 14 days. Don't delay – or it could affect your right to a refund. Take legal advice if necessary or at least consult Citizens Advice in small value cases.
2. If the goods are faulty, the shop cannot fob you off by saying that the manufacturer is responsible. Your contract is with the shop.
3. You don't have to accept a credit note if the goods are faulty.
4. You are not entitled to a refund simply because you just don't like the product – so, you could be lumbered with that reindeer jumper. Many retailers do allow you to exchange goods if they are in good condition. But this is down to individual shops and they are not forced to do so by the law. The exception may be if there was a published refund policy to this effect (including for 'gift receipts'), which the consumer relied on at time of purchase.
5. It is down to the person who bought the present to take it back. A receipt is not required by law, but in practice proof of purchase will be needed to convince a shop to respond. Proof could include a credit card statement, if you have lost the receipt. Alternatively, you could ask the person who bought you the reindeer jumper to give the gift receipt to you and see if that works.
6. If the goods were bought online, the buyer generally has the right to cancel and return them within 14 days unconditionally. Under the Consumer Contract Regulations 2014 this is known as the 'cooling off period' and you can get a refund, even if it is just because you don't like the goods.

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