



**Ali Siddique -
Managing Partner**

Welcome to my first newsletter as Managing Partner.

Our aim through this publication, is to provide information in respect of changes to the law, which may be of interest to both our private and corporate clients. As always we welcome your feedback and comments.

After many years of successful practice, our senior partner Michael Steele, who has had a long and distinguished legal career, has retired from the firm. I am sure that those who were fortunate enough to work with Michael, and those to whom he was a trusted advisor, will join all at Clarksons in wishing Michael a very long and happy retirement.

Despite these changes, Clarksons will continue to offer the highest quality legal services to all of our clients.



Government 'Climbdown' over Home Information Packs (HIPs)

There has been enormous debate about the wisdom and practicalities of the Home Information Pack, which the Government propose to introduce next year, making it compulsory for homeowners to pay for the production of a HIP in order to be allowed to offer their property for sale. The Government now appear to have yielded to the debate by making Home Condition Reports, which represent a major part of the Home Information Pack, optional.

Given the uncertainty revolving around HIPs, it is likely that many people will still be unclear of what is expected. Joanne Coleman, residential property expert and Head of Conveyancing at Clarksons Solicitors, explains the realities and implications of the latest announcement.

'This means that the significant financial burden which the Government were intending should fall on a home owner before he could put

his house on the market has been much reduced. The remaining elements of a HIP are items which solicitors already deal with as a matter of course.

There will still be a degree of confusion over what the Government will say is a 'new system' of house selling but which in reality is giving statutory authority to improvements to the process which solicitors led 10 or more years ago. The best piece of advice is that homeowners should contact their solicitor, first. That will ensure the information needed for the pack can be marshalled when, but not before, it is needed and that the cost burden falling on sellers is minimised'.

For further information, contact:
Joanne Coleman Tel: 01422 - 250650



Commitment to disabled clients

We have a great deal of experience in acting for disabled clients, and hope we have once again demonstrated our commitment to them by putting considerable investment into disabled access and facilities in our offices in Halifax town centre. Access to a shop or office or finding a toilet when you're out is something most of us take for granted, but for those who suffer from a disability (and 10 million of the population do) a minor inconvenience can easily become an insurmountable hurdle.

We have recognised this and have put some practical measures in place to ensure our clients can access our offices with the help of a ramp, and have invested in the redesign of our ground floor reception area to provide a large, accessible disabled toilet.

Karen Wilcock, a long-standing client of Clarksons is delighted with the new facilities. She comments 'The new disabled facilities are a godsend, there are only 3 other disabled toilets in

Halifax town centre which makes things very difficult for me when I go out in my wheelchair. This shows just how much Clarksons really care about their clients.'

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comments 'Regulations dictate that organisations must make reasonable adjustments. These are open to interpretation and some do not impact on alleviating the problems which disabled people face. It is very satisfying to know that Clarksons' new facilities will make a real difference to our disabled clients'.

The firm also plans to create a new disabled access interview room in the near future.



'Don't trust your will is up to date'



Clarity is a term which has become increasingly distant from proposed new legislation and budget changes. Proposals made in the Chancellors budget to Trust law, which could affect the wills of many people if they are passed in June, are no exception. Whilst the Government claims only a small minority will be affected, the reality could be much more significant.

Traditional trusts that are set up for beneficiaries to receive funds only after their 18th birthday, from estates that exceed the Inheritance Tax (IHT) threshold of £285,000, will face charges of up to 20% at the outset and 6% of their value every 10 years.

Rising household wealth dictates that over 4million estates are predicted to be above the threshold by 2020, meaning that many people will need to review and change their wills and trusts to avoid major losses.

Furthermore, proposed changes to accumulation and maintenance trusts, often used by grandparents to provide for their grandchildren's school and university education, would result in such trusts having to be reviewed before April 2008 to prevent significant tax charges.

Ann Noble, partner at Halifax law firm Clarksons, offers this advice: 'This legislation may be passed as proposed or reviewed yet again and things should become clearer over the coming weeks. The important message is to be sure that you have an action plan for keeping your will or trust up to date.'

Apart from the impact on those with existing wills, this should perhaps be a wake up call to those with none. Alarming, recent research suggests that 57% of adults in the UK have not made a will, including 40% of people with homes worth more than £150,000.

Ann Noble comments "Many people put off making wills because it's something we don't really like to think about. Our advice is please just do it and treat your will with at least the respect you would your bank account - ultimately this could have a significant impact on your family and loved ones."



New Partner Appointed



Melanie Leadbitter has been appointed a Partner of the firm.

Melanie, 27, joined Clarksons in 2003 after training with a Cleckheaton firm. She is originally from Brighouse, attending Hipperholme Grammar School, and later studied law at Leeds Metropolitan University.

Melanie specialises in Residential Conveyancing. Clarksons have a very strong domestic conveyancing team, providing independent advice in connection with all aspects of buying and selling residential properties.

Senior Partner, Jonathan Dixon, comments 'We are delighted Melanie has accepted the position of Partner in the firm. Having been with Clarksons for 3 years she has an excellent knowledge of both the people and the client focussed ethos of the firm. She is an enthusiastic and highly motivated lawyer, who will ensure that Clarksons continue to provide high quality, comprehensive legal services throughout the region.'

Major Changes To Company Law On The Way



Sweeping changes are likely to be made to Company Law, which the Government believes will make it easier for smaller firms to do business.

employees, suppliers, consumers and the environment.

The changes are aimed at simplifying the procedures for small firms to be set up, as well as deregulating the way they are run.

There will also be greater use of e-communications and the removal of the need for hard copy Share Certificates.

Some of the measures proposed include removing the need for private companies to hold annual meetings, as well as abolishing the requirement for a Company Secretary for small businesses. There will be restructuring of those parts of Company Law most relevant to small businesses, making it easier for those running the companies to understand what they need to do, simplified rules for forming a company and new model articles for private companies.

It is proposed that the new Companies Legislation will repeal and restate some two thirds of the existing Companies Legislation, and aims to provide a comprehensive code of Company Law.

We at Clarksons will continue to monitor the progress of this bill and will ensure that our staff are fully trained in respect of any changes, so that we can continue to provide our Corporate clients with a first class service.

We are led to believe that for all businesses, large or small, there will be benefits including greater clarity on Directors duties, underlining that they are not only to act in the interest of Shareholders, but also to have regard to wider factors such as interests of

