

Update



Lanyon Bowdler
SOLICITORS

Your quarterly bulletin on legal news and views from Lanyon Bowdler

SUPPORTING THE EDUCATION SECTOR

The education choice in Shropshire is amongst the best in the country, but it takes more than academic commitment for a child to become a fully-rounded young adult - an understanding of the world of work is vital too.

Lanyon Bowdler is a leading provider of specialist legal advice to the education sector in Shropshire & Herefordshire and works with schools, academy converters and sponsors, Diocesan Boards and further education colleges.

In addition to delivering legal support to education clients, Lanyon Bowdler has a unique corporate social responsibility programme providing added value to both the education sector and the wider community.

The business sector has a vital role to play in contributing to the education of our young people. A specially developed programme of activities is offered to local students by Lanyon Bowdler which provides them with essential business skills, whatever their career choice.

Mock trial projects, work experience and debating sessions are now all part of Lanyon Bowdler's programme of events, aimed at getting more youngsters interested in the legal profession and raising awareness of the quality of employers available in Shropshire & Herefordshire.

Brian Evans, managing partner says the firm is heavily committed to supporting schools and their pupils throughout Shropshire & Herefordshire.

"We have had an amazing response from schools and pupils who have been involved with events we have put on and our staff are only too keen to help, advise and pass on their expertise."

"Teachers, parents and students have all engaged very positively with the programme we put on and the results have been fantastic."

"Our Debate-Ed project sees us hosting an annual debating competition, where pupils and students get the chance to debate topics in front of an audience."

"People are often reluctant to speak in front of a gathering and many try to avoid doing it, but encouraging pupils to take part at a young age instils confidence and allows them to overcome these fears."

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BUSINESS REVIEW - CRYPTOCURRENCY

Businesses are now liable to unlimited fines which could threaten their very survival if a member of staff is involved with tax evasion, under new laws which were introduced recently.

Our corporate team have been working with a local firm which provides training and advice to businesses about how to avoid being held liable for any financial criminal activity committed by employees.

Lee Byrne, of Great Chatwell Academy of Learning, said many business owners were unaware of the Criminal Finances Act 2017, which came into force in September.

He said: "I have worked for a number of leading banks and for the past 20 years I have been involved with combatting financial crime and the financing of terrorism risk management."

"I established Great Chatwell in 2017 to work with trusted partners in Poland and Japan, to provide consultancy and advisory services to UK and international firms on managing financial crime and terrorist financing risks, including tax evasion and cyber-crimes associated with virtual currencies such as Bitcoin."

"A lot of businesses won't be aware that new legislation has come into play, but if any member of staff is engaged in facilitating tax evasion activities, the corporate entity could be liable to prosecution."

"That means your company is liable to an unlimited fine and criminal proceedings unless you have a specific set of checks and procedures in place, and that's what we advise people on."

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“Very attentive and efficient.
E & J Wood, Shrewsbury

FRESH HOPE FOR FARMERS WANTING TO CONVERT AGRICULTURAL BUILDINGS FOR HOUSING

Farmers in Shropshire will be able to convert more agricultural buildings into housing under new planning regulations announced by the Government.

David Brammer, head of planning at Lanyon Bowdler Solicitors, said the move was a further change to permitted development rights, designed to increase the supply of new homes to address the ongoing housing crisis.

He said: *“The new amendments mean that existing rights to convert agricultural buildings to residential dwellings have been changed again.*

“The previous regime allowed applicants to convert agricultural buildings on a single farm into a maximum of three homes with a combined floor space of no more than 450 square metres.

“New regulations brought into force in April allow conversions of almost twice that size, and applicants can now convert the same buildings to create three larger homes with a combined floorspace of no more than 465 square metres, or up to five smaller homes of up to 100 square metres, provided the combined floorspace is no more than 465 square metres.

“As an alternative, applicants can also convert the same buildings into smaller and larger homes with up to a maximum of five homes

in total, of which three can be larger homes.”

David said other changes made by the Government at the same time will allow farmers to develop storage and distribution units into residential units – but people will need to act fast because the new rights have only been brought in until June 2019.

The cumulative effect of the new rules is now to allow the development of 865 square metres of housing where previously applicants could develop no more than 450 square metres as conversions to residential dwellings.

Announcing the new developments, Housing Minister Dominic Ryan said they *“were intended to give rural communities more options to convert agricultural buildings into family homes to better meet local housing needs”.*

David said: *“It remains to be seen how receptive local authorities are to these new changes as there have been concerns expressed previously that they have not embraced the spirit underlying these changes to planning rules.*

“From the applicant’s point of view, there is also some scope for confusion as the Government has made a series of changes, and councils do not approach the interpretation of the regulations in a consistent manner with each other. ”



Anyone requiring advice or assistance relating to this topic or any other planning matters can contact David on 0800 652 3371 or visit www.lblaw.co.uk

“They did exactly what they said they would with total transparency.”
H L Hutchinson, Shrewsbury

EXPANSION FOR COMMERCIAL PROPERTY TEAM

Lanyon Bowdler is pleased to announce the expansion of its commercial and agricultural property team with senior appointments in Oswestry, Ludlow and Hereford.

In Oswestry Tania McGee has joined the firm as an associate solicitor. She has 17 years' experience as a commercial and agricultural property solicitor. Tania has extensive experience in complex commercial property work acting for developers and landowners, including the set up of development sites, and property portfolio management including leases, acquisitions and disposals of all types of commercial property, including ecclesiastical property.

She also has experience in agricultural property dealing with sales and purchases of agricultural land, easements, and voluntary registrations; Tania is a member of the Agricultural Law Association.

The team in Oswestry has been further strengthened with the addition of Edward Nutting who joined the firm as a partner in April. He is a fluent Welsh speaker and will support clients from the firm's Oswestry office as well as from a newly leased meeting room at Riverside Business Park in Conwy.

Edward said: “I have specialised in commercial and agricultural property for the past nine years, and am looking forward to supporting rural and commercial clients as part of the firm's well-established agricultural team.

Susan Grazier, a solicitor with significant experience in a range of commercial property and agricultural matters, has joined Lanyon Bowdler at the firm's offices on Ludlow Eco Park.

As well as agricultural work, Susan can provide advice on a wide range of commercial property matters, including freehold sales and purchases, commercial leases on behalf of landlords or tenants, licences, property option agreements, easements and renewable energy installations.

She also has experience of dealing with a range of agricultural and commercial properties, from pony paddocks to farm land, offices to GP surgeries.

Susan is also a notary public and has expertise in overseeing the execution of legal documents for use abroad, attesting the authenticity of deeds and written documents and protesting bills of exchange.

At the Offa Street office in Hereford, Sarah Whittall has joined the team as an associate solicitor. Sarah has worked in the county for a number of years and brings over 20 years' experience of commercial and agricultural property-related transactions.

Sarah acts for a number of commercial landlords, as well as being involved in the sale and purchase of development land within the county, for both landowners and developers.”



Top (Left to right):
Tania McGee Associate Solicitor
Edward Nutting Partner
Susan Grazier Solicitor
Left:
Sarah Whittall Associate Solicitor

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“Public speaking is vital in becoming a solicitor, and in many other professions of course, and there has to be that confidence to stand up in front of a court or inquiry and fight for the best possible outcome for your client.”

The firm also offers work experience placements, which are extremely popular, enabling students from all over the region to come to the Lanyon Bowdler offices to gain an insight into working for a law firm, whether as a solicitor or a member of our invaluable support staff.

Brian adds: “Holly Edwards, one of our solicitors, is on the board of Young Enterprise and attends trade events to provide youngsters with an insight into the range of careers in the legal profession. Holly joined Lanyon Bowdler as a legal assistant, before commencing her training contract, she qualified as a solicitor in 2017.

“She is really passionate about raising the profile of the legal profession with children and schools, and is the driving force behind the Debate-Ed programme which has worked with more than 400 children over the past few years.

“Our team of specialist legal professionals continues to work with education clients and also supports families and businesses with a broad range of legal services. We are delighted to be able to give something back to the communities in which we are based and to encourage more young people to consider a career in Shropshire and Herefordshire.”

“They provided me with expert guidance throughout the entire process in a non-imperious manner, which encouraged me to not falter in my resolution to conquer my foe.

S Roodurmun, Leominster

EMPLOYMENT UPDATE

New employment legislation introduced this year is giving businesses food for thought - on top of the challenges of GDPR.

John Merry, head of employment law at Lanyon Bowdler Solicitors, said many businesses were concerned about how to comply with the General Data Protection Regulation - or GDPR as it is commonly known - and have been contacting the firm for advice.

But other changes to the law which have not hit the headlines are also posing challenges for many businesses, he said.

John said: “GDPR is probably the biggest issue for businesses at the moment. Many will need to change their processes for managing data relating not only to their employees, but also their customers, targets and other third parties.

“Another challenge for employers is that the removal of employment tribunal fees last summer saw a big increase in the number of claims, which is accelerating as we go through 2018.”

John also highlighted that many employers, and employees, will be affected by changes introduced in April regarding staff termination payments.

“Previously, it was possible to compensate employees who were dismissed without

notice with tax free payments,” he said.

“Where this was done, the employer could pay the employee the same amount they would have earned net during their notice period, and benefit from the tax and national insurance saving. Alternatively, the employer could make the payment gross in order to pass the benefit on to the employee.

“However, as of April 2018, all payments in lieu of notice are now taxable as earnings. Employers planning dismissals should bear this in mind and take advice regarding the tax efficiency of payments on termination.

“We also encourage employers to review contracts of employment, as terms relating to payments in lieu of notice can limit the obligation to make such payments.”



For more advice about employment law, give John a call on 0800 652 3371 or email john.merry@lblaw.co.uk

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Tim Roberts, of the firm’s corporate and commercial team, assisted Mr Byrne with the preparation of a variety of contract documents for use with his business counterparts.

He said: “We drafted, and assisted with the negotiation of, introduction agency and joint venture agreements in order to enable Great Chatwell to expand its business overseas.

“In my experience, having formal written agreements in place at the outset of any business venture can avoid a lot of headaches further down the line; especially with cross-border and international agreements where governing law and dispute resolution mechanisms can be key.

“Having such agreements in place also helps to ensure that each party knows exactly where they stand in terms of their respective obligations and potential risks.

“We were very pleased to work with Great Chatwell Academy to enable them to increase their contracts and continue building their business, both domestically as well as overseas.”

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