

SPRING 2021 ISSUE 196

# Bournemouth & District Lawyer

Bournemouth & District Law Society Magazine

## INCLUDED IN THIS ISSUE

BDLS Lecture Programme  
BDLS Virtual Wine Tasting Evening  
BDLS & Index Virtual Easter Charity Quiz  
Is Remote Execution of Wills a Good Idea?



Bournemouth & District  
Law Society



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# Spring 2021

SPRING 2021 ISSUE 196

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### BOURNEMOUTH & DISTRICT LAWYER – Bournemouth & District Law Society Magazine

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

Our Magazines are sent out quarterly as follows:

**Summer** June 2021 / **Autumn** September 2021

**Winter** December 2021 / **Spring** March 2022

The copy deadline for receipt at the BDLS office for the next edition – the Summer issue – will be the 2 May 2021

We welcome your firms' news and any advertisements. Please send to [office@bournemouthlaw.com](mailto:office@bournemouthlaw.com)

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[www.linkedin.com/groups/4374938](https://www.linkedin.com/groups/4374938)

### COVER INFORMATION

Durdle door in spring with flowers blooming.

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## THE PRESIDENT'S COLUMN

*Sandra Graham*



Looking back on the President's column this time last year Mark opened with the words "a New Year a new decade". What a start to the new decade we have witnessed! Little did we realise this time last year what was to come and nor did we foresee a year later we would have faced such interruption to our businesses, social world and health. However, despite such an unexpected "bolt out of the blue" I am pleased and proud to say that your Society has continued to be proactive, supportive and focused on maintaining strong links with all our members. Despite not being able to enjoy the traditional social events and lecture series your committee, and Mandy and Julie in particular, have been active in arranging innovative ways to maintain educational and social events for our members. In the last 12 months we have held no less than 36 training events coupled with a Frazzled Friday event at the Marsham Court Hotel and a thoroughly enjoyable, albeit remote, gin tasting evening – thankfully the gin itself was not remote! Plans are on the horizon for a remote quiz and remote wine tasting evening by April - see later in this Magazine.

There has been terrific support for the continuing membership of this Society with most renewal subscriptions already having been received for this year and 25 applications by new members received since Christmas. Our Wellbeing and Diversity Sub-committee has continued its work virtually and there have been further opportunities for remote socialising including our wellbeing catch up meetings. Last week we had an interesting opportunity to hear from Donna Smith with her Burn Bright (but don't burn out!) Masterclass which had an encouraging number of participants.

I represented the Society at SAALS (The Southern Area of Law Societies) meeting in January. Most commented that very little had happened in their area since lockdown and there was a fairly negative air. Feedback from other southern local law society areas included reports of lack of renewal of memberships, cancellation of all events and one with no President or President Elect. Having heard this, our Society's activity and the support of members is so positive and encouraging. We have always been a tight-knit and proactive local law society and it really shows, particularly in difficult times. When I reported on what we, in the BDLS, had undertaken since lockdown, and the events that had occurred, representatives from some of the other Southern Area Law Societies were most impressed. In fact, amusingly a representative of another local law society somewhat removed from here enquired over the remote chat whether it was possible for him to join the Bournemouth & District Law Society!

The Property Group, chaired by Martyn Hudson, has been incredibly active in representations to the Chancellor and to

a number of MPs on behalf of members with regard to the stressful pressures the deadline the SDLT holiday is causing and the need to review the whole scheme. Martyn will provide details of this in a separate article but my thanks go to him and all the Property Group for their sterling work and time devoted to representing our members on this important issue.

The Law Society has certainly been active in local months. The two resolutions put to the whole of the Law Society membership for proposed changes of governance were approved in January with 83.3% of the vote being in favour of the new constituency proposals and 77.2 % in favour of limiting the term during which council members can serve. Whilst, thankfully, the Dorset Constituency remains unchanged (and thanks go to Tim O'Sullivan for his influence in this) it does mean in the future we will not be able to continue with the same Council Member for more than 12 years.

As I write this article, the Law Society has just contacted local law society Presidents with a view to deepening the engagement between the Law Society and local law societies and has drafted a set of commitments that they want to make to all local law societies designed to improve engagement and support for members. However, as their survey feedback is required to be given within a week the 'depth of engagement' appears unconvincing and gives little faith that their intentions can lead to a full and valid reflection on the views from our membership. However, I will be responding as best I can on your behalf.

In turn, the Legal Services Board (LSB) have published their proposed strategy for the coming years setting out the challenges, as they see it, of tackling "unmet legal needs across large parts of society" and "empowering consumers to obtain high quality and affordable services". Whilst no detail appears to have been provided the LSB is proposing "a reshaping of legal services". This again has a very short consultation period and by the time this magazine goes to print the deadline will have passed (5 February) but your Society has circulated these details for any individuals who wish to comment. The Law Society itself will be submitting a full response.

At the time of writing we are still in lockdown and there is no sign when resumption of "normality" might occur; nor when we might hope to have any annual luncheon or dinner; nor, indeed, hold our next AGM. I thank you for your support shown to me so far over the year; I may write in the next column or by then it may well be your new President, Neil White, whom I know you will welcome and provide your continuing support.

All best wishes

*Sandra Graham* BDLs President



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## BDLS DIARY 2021

March 11 2021	BDLS and Index Virtual Easter Charity Quiz
March 25 2021	BDLS Virtual Wine Tasting Evening
October 9-10 2021	European Conference to Madrid

Further information, including flyers, for forthcoming events can be found on the BDLS website: [www.bournemouthlaw.com/events](http://www.bournemouthlaw.com/events) You can also make bookings on line and then would need to send payment by cheque or BACS.

All forms and lecture booking forms will be emailed to you. If you prefer, you can print the form and return your booking by post.





### VIRTUAL GIN TASTING



Carol Maunder and Jon Dowty



Lloyd from Gin & Treats



Theresa Mills



Julian and Mandy Heath



Mark Proctor and Neil White



As we are having to adapt to new ways of socialising, what better way to do this than a BDLS virtual gin tasting evening! In December, Sally and Lloyd from Gin & Treats in Christchurch expertly guided us through six gin and tonic pairings.

Included in these were some classic London Dry gins, some gins distilled with signature botanicals and some gins infused with fruits, herbs and spices.

We were informed on the history of gin from the very beginning, the 18th century gin craze, how craft gins are made and why we have a new gin craze. They recounted some hilarious stories from gin's dark and chequered past like the story of Montgomery Collins and Monkey 47 gin...how an eccentric British RAF officer created a fantastic and complex gin in Berlin after WWII, named after a monkey in Berlin Zoo, which is now quite famous and utterly delicious! In keeping with the Christmas spirit, members of BDLS stayed on Zoom afterwards to celebrate the season – gin in hand, of course!

*Mandy Heath* BDLS Office Manager



## FORTHCOMING EVENTS

### BDLS AND INDEX VIRTUAL EASTER CHARITY QUIZ

Thursday 11 March – 19:00 on Zoom

Teams can be made up of up to 5 members – but if you wish to join in the fun on your own you will be put into a team so do still register. **The winning team will win a £100 Amazon Voucher!**

**Index are sponsoring this and the Quiz is FREE to attend!**



The Charity that Index are supporting is the **SOUTH WEST LEGAL SUPPORT TRUST** and they are looking to raise funds through donations made by those attending.

Here is the link to make a donation;

[Virgin Money Giving | Index's Spring Virtual Great Legal Quiz 2021](#)

### BDLS VIRTUAL WINE TASTING EVENING

Thursday 25 March 19:30

We are delighted to announce our first BDLS Virtual Wine Tasting Evening on Thursday 25 March at 19:30.

Jim Dawson of the Jolly Vintner Too Wine Shop in Bournemouth will guide you through the difference between a New World Sauvignon Blanc and a classic Loire Sauvignon Blanc – what are they in terms of aromas and flavours and why? Jim will also be talking you through the contrast between a Beaujolais and a Burgundy Red. He will also answer any wine related questions that you may have.

We will be tasting four wines. The cost of £45 includes delivery of 4 half bottles to your chosen address, 2 x tasting sheets and an aroma wheel sheet which explains what aromas and tastes one may find in the wines.

We expect the formal tasting part of the evening to last approximately 1 – 1.5 hours with the Zoom room remaining open afterwards for participants to socialise, if they wish.

Please email [mandy@bournemouthlaw.com](mailto:mandy@bournemouthlaw.com) to book your places or for further information.



### EUROPEAN CONFERENCE 2021

7 -10 October - Madrid

Even though life as we have known it has not yet returned, and there is a good deal of uncertainty still, I have begun preparations for the European Conference which this year will be held in the stunning Spanish capital, Madrid. I have been surprised and heartened by the number of delegates who have signed up for the Conference, but there are still a few spaces available. If you are interested, please contact me on [sian-smith@outlook.com](mailto:sian-smith@outlook.com) or call me on **07879413123**. Full details are attached to the email version of this Magazine and can also be downloaded here:

**<https://www.bournemouthlaw.com/hres/European%20Conference%202021%20Madrid%20Flyer.pdf>**

Take care and stay safe *Sian Smith Conference Organiser*







# BDLS LECTURE PROGRAMME 2020/21

Face to Face Lectures

Live Webinars

9.3.2021	10.30 – 11.30	LIVE TIME WEBINAR Anti-Money Laundering Legal Sector Affinity Group Guidance Update January 2021 <b>Tracy Thompson - Zoom</b>
11.3.2021	10.30 – 12.45	LIVE TIME WEBINAR - RNRB, Tax and Trust Update <b>John Bunker - Zoom</b>
18.3.2021	10.00 – 12.15	LIVE TIME WEBINAR Commercial Property Update <b>Richard Snape - Zoom</b>
23.3.2021	11.00 – 13.15	LIVE TIME WEBINAR Reform: Public and Private Children to include Technology <b>HHJ Christopher Simmonds - Zoom</b>
30.3.2021	10.30 – 12.45	LIVE TIME WEBINAR Getting out of a Contract: Termination and Frustration <b>Chris Beanland - Zoom</b>
14.4.2021	12.00 – 14.00	LIVE TIME WEBINAR The Burn Bright Activation Programme (session 1) <b>Donna Smith - Zoom</b>
20.4.2021	14.00 – 15.00	LIVE TIME WEBINAR The Return of Commonhold <b>Ian Quayle - Zoom</b>
22.4.2021	12.00 – 14.00	LIVE TIME WEBINAR The Burn Bright Activation Programme (session 2) <b>Donna Smith - Zoom</b>
27.4.2021	10.30 – 12.45	LIVE TIME WEBINAR Property issues for Private Client Lawyers <b>Lesley King - Zoom</b>
6.5.2021	12.00 – 14.00	LIVE TIME WEBINAR The Burn Bright Activation Programme (session 3) <b>Donna Smith - Zoom</b>
27.5.2021	12.00 – 14.00	LIVE TIME WEBINAR The Burn Bright Activation Programme (session 4) <b>Donna Smith - Zoom</b>
10.6.2021	10.00 – 13.15	Commercial Leases in 2021 – Where Are We Now? <b>Natasha Dunn - Village</b>
15.6.2021	10.00 – 13.15	SUPPORT STAFF – Land Registration for Residential Conveyancers <b>Ian Quayle - Village</b>
17.6.2021	12.00 – 14.00	LIVE TIME WEBINAR The Burn Bright Activation Programme (session 5) <b>Donna Smith - Zoom</b>
1.7.2021	12.00 – 14.00	LIVE TIME WEBINAR The Burn Bright Activation Programme (session 6) <b>Donna Smith - Zoom</b>

For further details and booking forms please visit Bournemouth and District Law Society website [www.bournemouthlaw.com/lectures](http://www.bournemouthlaw.com/lectures) or contact the BDLS office at Borough Chambers, Fir Vale Road, Bournemouth, BH1 2JJ, Tel **01202 587551** Email [office@bournemouthlaw.com](mailto:office@bournemouthlaw.com)

## Price of Lectures

**As from 1 April 2021, the cost of our lectures will be increasing as follows:**

### Webinars:

1 Hour	Members £35 / Non-Members £50
2 Hours	Members £70 / Non-Members £100

### Face to Face Lectures:

3 hours	Members £95 / Non-Members £145
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## Payment for lectures

Please be aware that with online bookings, payment should be received at the office **before** the lecture takes place. Occasionally the level of bookings only just makes it possible to run a lecture and we therefore do need to be reassured that everyone will attend and pay.

## OFFER FOR FIRMS BOOKING MULTIPLE PLACES ON THE SAME COURSE

When a firm books 5 places on one course, we are able to offer a 6th place free of charge.  
(This offer does not apply if the course is discounted)





# SUMMARY OF UPCOMING LECTURES

**Tuesday 9  
March 2021  
10.30 – 11.30**

Topic:	<b>WEBINAR – ANTI-MONEY LAUNDERING: LEGAL SECTOR AFFINITY GROUP GUIDANCE UPDATE JANUARY 2021</b>
Speaker:	<b>Tracy Thompson</b>
Cost:	£25 Member and Associate Members of BDLS/Trainee Solicitors - £40 Non BDLS Members
Venue:	<b>By Zoom</b>

## This webinar will cover:

Many practitioners working in the regulated sector will be aware the LSAG published updated draft guidance on 20th January 2021. The guidance runs to some 212 pages and there are key changes which law firms need to be aware of in order to update their documented policies and corresponding operational processes.

This short webinar aims to identify the key issues and updates to the LSAG guidance which need to be taken into account in practice. Whilst AML requirements are not new, and ought to be being followed in practice already, this webinar is intended to compliment your understanding of which areas of AML you need to review and address in order to remain compliant which is particularly important given the SRA's AML thematic review being undertaken throughout 2021.

**Thursday 11  
March 2021  
10.30 – 12.45**

Topic:	<b>RNRB, TAX AND TRUST UPDATE</b>
Speaker:	<b>John Bunker</b>
Cost:	Cost £50 Member and Associate Members of BDLS/Trainee Solicitors - £75 Non BDLS Members
Venue:	<b>By Zoom</b>

## This webinar will take into account developments in Tax planning and Trusts as well as an update on:

- RNRB planning for IHT - including some key planning ideas for will drafting and spouse planning;
- Trust Register (TRS) for 5 MLD: developments with both HMRC Guidance and the facility to register online likely by March 2021.

**Thursday 18  
March 2021  
10.00 – 12.15**

Topic:	<b>COMMERCIAL PROPERTY UPDATE</b>
Speaker:	<b>Richard Snape</b>
Cost:	£50 Member and Associate Members of BDLS/Trainee Solicitors - £75 Non BDLS Members
Venue:	<b>By Zoom</b>

Commercial Property has undergone major changes within the last 2 years. In particular, the last year has seen some very important case law and regulatory changes. In addition, the Coronavirus Act 2020 has major implications for commercial property. The course aims to look at these changes.

## Topics covered include:

- Recent case law on the Landlord and Tenant Act 1954
- Frustration and Leases
- Leasehold minimum energy performance standard
- The Electronic Communications Code: Recent case law
- Recent case law on business rates and empty properties
- Service Charge liability and recent cases
- The Coronavirus Act 2020 as amended and its impact on commercial leases
- Corporate Insolvency and Governance Act 2020 and its impact on commercial leases
- Temporary changes to Commercial Rent Arrears Recovery
- Changes to permitted development and the new Use Class E as of 1 September 2020



**Thursday 23  
March 2021  
11.00 – 13.15**

Topic:	<b>REFORM: PUBLIC AND PRIVATE CHILDREN TO INCLUDE TECHNOLOGY</b>
Speaker:	<b>HHJ Christopher Simmonds</b>
Cost:	£35 Member and Associate Members of BDLS/Trainee Solicitors - £60 Non BDLS Members
Venue:	<b>By Zoom</b>

**This webinar will include:**

- A look at reform in each of the above areas
- Change that has and is about to happen
- Reform at work in Dorset

**Tuesday 30  
March 2021  
10.30 – 12.45**

Topic:	<b>GETTING OUT OF A CONTRACT: TERMINATION AND FRUSTRATION</b>
Speaker:	<b>Chris Beanland</b>
Cost:	Cost £50 Member and Associate Members of BDLS/Trainee Solicitors - £75 Non BDLS Members
Venue:	<b>By Zoom</b>

**During the current crisis clients may wish to extricate themselves from contracts. It's important that clients are aware of their rights to terminate even if their rights are only to be used as leverage in re-negotiation of a contract. In this session we will cover termination of contracts and frustration. The course will cover:**

- Common law rights to terminate a contract
- Restrictions on common law rights to terminate
- Contractual rights to terminate
- Getting the notice of termination right
- Interaction between common law and contractual rights to terminate
- What is frustration?
- Examples of frustrated contracts
- Effect of frustration at common law
- What happens to money paid or benefits conferred before frustration – The Law Reform (Frustrated Contracts) Act 1943
- Force majeure clauses
- Covid-19 and frustration

**Thursdays 1 April,  
22 April, 6 May,  
27 May, 17 June  
and 1 July  
12.00 – 14.00**

Topic:	<b>THE BURN BRIGHT ACTIVATION PROGRAMME</b>
Speaker:	<b>Donna Smith</b>
Cost:	£90 Member and Associate Members of BDLS/ Trainee Solicitors - £150 Non BDLS Members (for all six sessions)
Venue:	<b>By Zoom</b>

**\*\*There are just a few spaces left on this programme\*\***

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 could 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. **PROGRAMME**

Workshop 1	Begin with the end in mind	Thursday 1 April
Workshop 2	Knowing yourself is the beginning of your transformation	Thursday 22 April
Workshop 3	Choose your deposits & withdrawals wisely	Thursday 6 May
Workshop 4	Be Proactive in what you focus on	Thursday 27 May
Workshop 5	'No' is a complete sentence	Thursday 17 June
Workshop 6	Adopt the Magic Penny Approach	Thursday 1 July





# Articles

## BDLS MEMBERSHIP SUBSCRIPTION RATES 2021

TYPE OF MEMBERSHIP	
Standard membership	<b>£90.00</b>
Associate membership	<b>£64.00</b>
<b>Concessions:</b>	
Member qualified for less than 5 years	<b>£55.00</b>
Member employed but not in private practice	<b>£55.00</b>
Member employed in a judicial or quasi-judicial position	<b>£53.00</b>
Fully retired member	<b>£42.50</b>
Member not in employment	<b>£15.00</b>
Honorary life member	<b>£0.00</b>
Associate trainee solicitor member	<b>£0.00</b>

Thank you for those members who have renewed their subscriptions for this year. Just to remind you that this was due in January for the period 1.1.21 – 31.12.21.

For firms with between 10 and 15 paying members a 12.5% discount applies and for 16 or more the discount is 17.5%, up to a maximum payable of £2,250.

If you have not yet made payment could you please do so now. You can register your renewal online and then make the payment by BACS as detailed on the Subscription 2021 form which is enclosed with the email version of this Magazine.

## BDLS RESTRICTIVE COVENANTS REGISTER

This Register was updated at the beginning of December. We have since heard with another couple of amendments so please refer to the latest copy which is on the BDLS Website: [https://www.bournemouthlaw.com/restrictive\\_covenants.html](https://www.bournemouthlaw.com/restrictive_covenants.html)

## SPOTLIGHT ON NEW TRAINEE SOLICITORS

We are delighted to welcome the following new trainees who have joined local firms since September 2020:



Taylor Anderson



Emily Bartlett



Joanna Brown



Josh Ganley



Alan Stanley



Marnie Thomas

**Taylor Anderson**

**Emily Bartlett**

**Joanna Brown**

**James Chittenden**

**Aaron Clark**

**Shereen Eleker**

**Josh Ganley**

**Maria Gomez**

**Georgia McWilliam**

**Eleanor Plaistow-Trapaud**

**Florence Shoemaker**

**Alan Stanley**

**Marnie Thomas**

*Steele Raymond*

*Steele Raymond*

*Coles Miller*

*Humphries Kirk*

*Steele Raymond*

*Trethowans*

*Preston Redman*

*Laceys*

*Ellis Jones*

*Woodstock Property Law*

*Ellis Jones*

*Laceys*

*Humphries Kirk*

**We wish them all the best during their training contracts.**

If you are a new trainee who is not included in this list, please get in touch: [office@bournemouthlaw.com](mailto:office@bournemouthlaw.com)



## NICK FILBEE



It is with sadness I report the totally unexpected death of Nick Filbee in August last year: he was just 72 years old.

Nick was well known and respected as a general civil litigator and family lawyer, having been with Heppenstalls all his working life and a partner for 32 years.

He took early retirement in 2007 to devote more time to his hobbies. He was a talented pianist, entertaining us at several BDLS dinners with his Victor Borge style routine and raised

money for many charities with the "Castoffs"- which group included several other well-known local solicitors.

He was also an artist, cellist, cake decorator, keen gardener, walker and fossil hunter/collector – to name but a few of his interests. He devoted a great deal of time to local artistic groups and causes as he wanted to provide opportunity for learning & development. An active member of his church and supporter of many charities both at home and abroad, he will be sadly missed by all who knew him, not only for all the above interests and talents but also for his great sense of humour, wit, enjoyment of good food and "a nice drop of red". Cheers Nick.

*Alex Jennings Heppenstalls Solicitors*

## JANE PORTER



Lester Aldridge sadly announces the death of Jane Porter. Jane studied History and Politics at the University of Exeter before becoming a solicitor. Following university, she joined a prominent law firm in Surrey and after qualifying in 1986, she was quickly promoted to Partner. In 1999, she moved

to the south coast to raise her two daughters and joined Lester Aldridge. She swiftly made a name for herself as a formidable family lawyer. She was well liked and highly respected across the legal profession for her focus, determination and meticulousness. On becoming head of family law at LA, she grew a team that became very highly regarded and Jane herself had a stellar reputation.

Jane was passionate about her work and was one of the early exponents of mediation in family law, which she practised with a sympathetic manner while retaining a professional perspective. While work was very important to Jane, she still found time to enjoy being with her family and friends. She enjoyed walking, especially with her dog, and had a real love for music of all genres, regularly visiting Ronnie Scott's with her partner, Marc.

Jane had a long career at LA and will be missed by everyone that knew her. We naturally offer our deepest condolences to Marc, her two daughters and wider family and friends.

**Donations in her memory can be made to**  
<https://tributefunds.macmillan.org.uk/in-memory/Jane-Porter>

## SHEILA PULLAN



At the start of lockdown earlier in the year, Sheila Pullan sadly passed away on 25 March 2020 after a very courageous fight against cancer. She was 68. Some people who knew her were able to watch Sheila's funeral service via Zoom, but were unable to attend due to the lockdown restrictions at the time.

Sheila had been a Partner at Heppenstalls Solicitors for many years prior to her retirement. She was a well-known and well respected family solicitor, specialising in particular in Care work. She also assisted Vanessa Cowland in the setting up and running of the Dorset Child Care Support Group which was made up of local lawyers in care work together with the Judges and Guardians. Sheila will be sadly missed by her former colleagues, her husband, two daughters and four grandchildren.

She was passionate about wildlife and conservation as well as being a governor for Kings Park Primary School. She also ran a children's charity in Ethiopia for many years together with one of the children Guardians, Marianna Carolan, and continued with this after Marianna's death.

**If anyone would like to donate in her memory, her chosen charities were:**

**Tree Aid** <https://www.treeaid.org/>  
**Woodland Trust** <https://www.woodlandtrust.org.uk/>  
**Macmillan** <https://www.macmillan.org.uk/>





### WHAT'S YOUR STORY?

In this section, members share their experiences during Covid. Would you like to tell your story? Please send your articles to: [office@bournemouthlaw.com](mailto:office@bournemouthlaw.com)

## CHRIS REEVES – POOLE TOWN FOOTBALL CLUB SURVIVING COVID



Chris Reeves, Chair of Poole Town FC

life without football really hit home! How I yearn for matchday activity to return.

Apart from a few years in the late eighties, I have been either Chairman or vice-Chairman of Poole Town FC since 1978 and am very proud to be well into my second stint as Chairman. At Poole, we are well used to an array of different problems, quite apart from the recruitment of players/managers/bar and catering staff/stewards/groundsmen/physios/photographers/match day volunteers/PA announcers/programme sellers/turnstile operators and a whole host of other roles. Not to mention the endless issues associated with securing sponsorship/advertising and other revenue streams to ensure that we can keep our financial heads above water. No problems in the past though have ever completely stopped us playing! No problems in the past have ever completely stripped us of our ability to trade! Concerns about cashflow issues are a staple diet for the vast majority of Clubs outside the Premier League at the best of times but now...

Challenges are there to be overcome though and back in March during the first lockdown, the first thing to analyse was the Government's furlough scheme—in terms of maintaining our contractual liabilities to our players that was key and a huge relief. Football at our level just cannot operate without match day income so the government's help in this respect was a fundamental essential if we were to survive in anything like the same state as we had entered the year.

As a member of the FA Council I was involved in the broader picture in addition to having to focus on Poole's problems and very quickly due to the financial realities inherent in having to pay bills whilst not being able to trade, the semi-professional

season 2019/2020 was declared null and void by the FA in an effort to stem the flow of trading losses.

As the months wore on towards a new season and against slightly relaxed restrictions my fellow directors and I had the difficult task of setting a budget for the new campaign. Where were we going to get sponsorship and advertising revenue from in the dire financial climate that the restrictions had created? How could we justify repeating the playing budget so that our long serving manager Tom Killick (17 years in the job!) could put together a competitive squad? Not easy!

So what did we do? Well first off we decided that if we couldn't play matches and promote our sponsors/advertisers in that way then we would look to provide as good a social media exposure as we could. We set about upgrading what we did online and went out to our friends in the business world not asking them to support us but rather asking them what we could do to support them. We put together video clips and regular social media postings to promote our sponsors and to our delight the policy had exactly the desired effect.

The business community responded well to our approach and the ensuing dialogue with each advertiser enlightened them as to our problems and the support we have received as a result has exceeded our expectations to a point where we feel that as a business we are in a reasonable shape to go forward again once the restrictions are lifted and we can play again.

The side that Tom put together on his reduced budget produced the goods in a superb manner during the games that we were able to play at the start of the 20/21 season and when the lockdown brought an end to games Poole Town stood proud at the top of the table so at very least the league table looks good every time it is printed these days!

We have had to think outside the box, adapt quickly to the problems presented to us and ensure that we are in a state of readiness to spring back to life as soon as practicalities permit. It is not easy running a semi-professional football club as a hobby! Remember the next time you go to a game that it could not have taken place without a host of volunteers having spent huge swathes of time to enable it to happen!

*Chris Reeves Chairman of Poole Town Football Club  
and Consultant with Jacobs & Reeves*



## NEW PARENTS IN 2020



George with Taylor

2020 was an unusual year for everyone but perhaps more so for new parents and Ellis Jones Solicitors LLP saw a number of new babies in 2020. Here are what a few of them have said about the experience:

Paul Kanolik comments that whilst he cannot speak for the mums who "have been through much more" he highlights the noticeable difference

in the lockdown birthing experience for dads as well but is thankful for having been able to work from home.

Suzi Denton "Having a baby in a lockdown was certainly not something I ever thought I'd have to experience! For me, the thing that I will remember is my family meeting our new baby from our doorstep, 2 metres back. Bittersweet times really."

Katy Sewell "My 'lockdown baby' was my second baby and a very different experience from my first in terms of my pregnancy, staying alone in hospital for nearly a week and then maternity leave with minimal social contact".

Theresa Mills "We were so pleased to welcome our son into the world last year but we never expected to have to do quite so much without the support of family and baby groups. The hardest thing was not being able to see all the grandparents"

George Wright – notes on being a first time mum that "expecting in 2020 was quite daunting". She spent the majority of her pregnancy in lockdown, working from home and comments, "it was extremely hard being alone during those early stages of labour not knowing what to expect, but I cannot fault the care I received from the midwives and I was relieved when 12 hours later my husband could join me after sleeping outside in the hospital car park amongst other dads to be!"

How many more lockdown babies will 2021 bring?

*Theresa Mills Solicitor at Ellis Jones*

## BDLS PROPERTY GROUP

This particular Committee meets about half a dozen times a year in a quasi-social context, in that we have our meetings over a meal, which makes it less of a chore, and something to look forward to. Occasionally, we get something really interesting thrown at us or happening in the property world, and the debate is very spirited between mouthfuls!

However, facing the property world at this moment, is one of the most serious and potentially dangerous events that those in the conveyancing world have had to face, probably since Nigel Lawson ended the double MIRAS tax relief abruptly in the late 1980's. That created total chaos and bedlam in the conveyancing world, right up to the cut off date, and I can clearly remember doing same day conveyances in that last week particularly, receiving instructions in the morning, spending the day at the Seller's solicitors, and completing in the afternoon. I am wondering whether we are going to be facing that again towards the end of March approaching. I sincerely hope not.

At the request of the main Committee, and the President of the Bournemouth & District Law Society, I was tasked to engage in correspondence with the Chancellor of the Exchequer's Department, in the hope of being influential in some way in getting him to "see the light" with regard to the dangers and the damage that he will cause to the property industry if the Stamp Duty holiday currently in play, comes to an abrupt end at the end of March.

So that you get some idea of what has been happening, please view here copies of some of the correspondence that I have

been writing on behalf of the Society and have received in response: <https://www.bournemouthlaw.com/hres/SDLT%20correspondence.pdf>

At the time of preparing this article, the latest email has yet to be responded to, but any subsequent response may be added at the end, just so that this article is up to date at least by the time it is published, which will be at the start of March. I hope any subsequent correspondence will show a resolution of acceptable further proposals, but, at the moment, it could go either way.

Whilst I have your attention, the Property Group is constantly working to try and find as much common ground between all the conveyancing firms in the area as it can, and recently published a local conveyancing protocol with a view to helping practitioners cope with everyday problems, but in a uniform manner, so that everyone knows where they are, and less debate in respect of repetitive issues will be created. The Committee is always appreciative of local conveyancing practitioners who send problems to us, in the hope that we can find a means of resolution that will enable conveyancing practice to evolve and meet the needs of those involved, and their clients. Please, therefore, write to us with anything that is of concern, and where you think we might be able to help.

I leave you now to the correspondence! We will see what we will see!

*Martyn R Hudson Chairman*







# JUNIOR LAWYERS DIVISION



The BDJLD have been extremely active since winter's newsletter went to press – both before and subsequent to the turn of the new year. Our new committee continues to move from strength to strength despite the challenges presented by current circumstances. This gives me great hope for an even more dynamic presence by our group on the local scene as we eventually move out of the government's restrictions.

## News

Our Educational Events Officer, Maria Evans of Ellis Jones Solicitors LLP, organised a constructive Zoom webinar jointly with Bournemouth University on 25th November. Local professionals shared their insight into their wellbeing and the challenges presented by working during a pandemic – as well as sharing tips on how to tackle those challenges. The now familiar Zoom issues aside (other video-conferencing software is available), the talk was well received by the mainly student attendees.

Our Vice President, Florence Shoemaker also of Ellis Jones, has taken the lead on our blog series which you can find at [www.bdjld.co.uk/the-bjld-blog](http://www.bdjld.co.uk/the-bjld-blog). As we move through the year, our committee will release more blog posts and we are delighted to have this content to bolster the new website, which has been designed by our Publications and Communications Officer, Patrick Herklots of Coles Miller Solicitors LLP.



In the lead-up to the festive period, our Sports Officer, Emily Chapman of Lester Aldridge LLP, arranged and ran our 'Advent Step Competition', with winners receiving prizes kindly

sponsored by 3PB Barristers and the proceeds of the event going to our local chosen charity partner, Hope for Food. We were delighted to have had a good turnout by virtue of which we contributed £315.00 to their cause.

Leading on from that positive outcome we have chosen Hope for Food as our charitable partner once again for 2021. In these particularly difficult times, we have chosen to continue our support for a local cause assisting those struggling for life's basic essentials, who are no doubt hit harder than most by the circumstances. **Hope for Food's website can be found at [www.hopeforfood.org.uk](http://www.hopeforfood.org.uk)** at which you can find further information should you wish to join us in our support, spearheaded by our Charities Officer Laura Pike, also of Lester Aldridge.



## Upcoming Events

Upcoming events will be posted on our social media and of course the new website. Please check these sources for details of our plans, which include a Zoom Quiz on 26 March in aid of Hope for Food and also our next educational event scheduled for March, exact date to be confirmed.

If you have any questions about the JLD, or any suggestions, please contact me on: **[alex.crabbe@rawlinsdavy.com](mailto:alex.crabbe@rawlinsdavy.com)**

*Alex Crabbe President for BDJLD 2020-21*  
**<https://www.bdjld.co.uk/>**



## THE COUNCIL MEMBER'S REPORT

*Peter Watson-Lee*



### ■ Membership Experience

A problem with the Law Society is that its grass root members – you and me that is - sometimes have difficulty in seeing its relevance. The Society does recognise this as a problem and there is a major push underway to improve the 'membership experience'. As a first step the Society is reviewing its relationship with local Law Societies to see how it can be improved. Debates will be taking place and proposals are likely to be forthcoming. Some will say they have seen this all before, but there does seem to be genuine wish to improve the relationship. Many local Law Societies up and down the country are keen to get involved and I shall be making sure the views of our BDLS will be listened to.

### ■ New Law Society webpage and Law Society Connect

If you have not done so already, do log onto the new Law Society webpage. If you indicate your preferences, it should tailor its contents for you. If you are 'a small practitioner' (not in height, but up to a four-partner firm), also look at and join 'Law Society Connect' (which will pop up when you sign in). It is a chat room to help you to discuss issues of the moment. Even if you are in a bigger firm, it is still worth a look. Let me know what you think, as if it works it might be rolled out for other groups.

### ■ 12 years maximum term

Meanwhile, the profession has voted - although in remarkably low numbers. With a turnout of around 6%, we voted through two motions. The first is that Law Society Council members will have a maximum term of twelve years. Any Council member who has served longer will not be able to stand again. Some long-standing members will therefore be ousted when their current four-year terms end. One can see the benefits of getting new blood in, but it does mean, for better or worse, Council will lose a number of experienced Councillors.

### ■ New Subject based Council seats

The second motion removes around 15 geographically based Council seats and replaces them with seats representing specialist work subjects and minority groups. The thinking is to make Council more representative of a changing profession. Again, this change will be implemented over the next few years as seats fall empty and, you never know, you might get access to an additional Council member or two.

### ■ Campaigns and Consultations

One has to give credit to the immense hard work of those dealing with policy issues at the Law Society. They are dealing daily with a vast range of issues being thrown up by the pandemic (from work related guidance to the great problems with the court backlogs – particularly in crime) and by Brexit and all the legal issues flowing from that. A recent survey among MPs showed the Society is seen as one of the most credible and persuasive of outside influencers.

*Peter Watson-Lee Council Member for Dorset*





# BURNING BRIGHT (NOT OUT!): CHANGING THE DELUSION THAT YOU NEED TO BURN OUT TO SUCCEED

### That will do.....or will it?



You have a mobile phone, right? And from time to time (most days in fact), it needs charging because the battery is low. Sometimes, you charge it overnight whilst you are sleeping and sometimes you charge it on the go, often just topping it up enough to get you through the day.

It is this second approach that caught my attention recently. I was delivering a workshop on my Burn Bright Activation Programme and I had forgot to charge my phone overnight. So, I put it on charge whilst delivering the workshop and part way through, I checked the level of battery life which read 78%. 'Fab', I thought, 'that will do.'

Now, on the face of it, this is rather a mundane story to be telling you. However, it occurred to me that this is often how we treat ourselves and our self-care. Often, when I spot the signs of needing to recharge myself i.e. my battery is running low, rather than allowing myself to get fully topped up regularly, I take an ad hoc 'that will do' approach. Grabbing an early night here or there, treating myself to the occasional soak in a nice hot bath. Reserving what I would call my 'full recharge' until the next available holiday in the sunshine (who knows when that is likely to happen!) Then, I wonder why I never feel fully energised and that I seem to be running on empty most of the time?!

Why is it that we spend our weeks living for the weekend and our months living for that one- or two-week holiday that is coming up? Also, why is it that, even when we have had the weekend or the holiday, it is often the case that we come back only marginally replenished before we head back into the busyness of day to day life only to start the next countdown until we can get away from it all again?

I think it is because we take the approach of 'that will do' when really, it won't! We tell ourselves we do not have time for ourselves and that there are more important things we 'should' be doing. Our wellbeing and self-care are very often at the bottom of our list of priorities if it is even on there at all!



On the Burn Bright Activation Programme, I introduce my clients to the concept of their Burn Bright Bank Account. It is like a regular bank account with deposits and withdrawals but with energy for currency rather than money. The point of the Burn Bright Bank Account is to raise awareness of the deposits we make towards our wellbeing and self-care and the withdrawals we take away. All too often, there are way more withdrawals than there are deposits and that is where the problem lies.

It is clear to me that, if we continue to settle for anything less than 100% when we recharge ourselves, we are never able to fully withstand the daily withdrawals from our Burn Bright Bank Account. This then has a negative impact on our account balance and consequently, we end up in overdraft, more commonly known as burnout!

So, next time you plug your mobile phone in to recharge, pause and ask yourself – 'when was the last time you allowed yourself to be fully recharged?'

*Donna Smith Odonnata Coaching  
Growth & Transformation Coaching for  
the Legal Profession*

**donna@odonnatacoaching.com**  
**www.odonnatacoaching.com**



Donna is presenting The Burn Bright Activation Programme starting on April 1 - please see page 10 for full details.





# Wellbeing & Diversity

## RESILIENCE – HOW TO KEEP GOING

Resilience is the ability to adapt and bounce back when things do not go as planned – and is a key quality we need to foster in order to keep going over the coming days and months and face the inevitable challenges ahead. Resilience is vital in order to survive and thrive in the current climate and resilient people will be able to utilise their skills and strengths to cope and recover from problems and challenges.

In his best-selling book, *The Resiliency Advantage*, Al Siebert writes that “highly resilient people are flexible, adapt to new circumstances quickly, and thrive in constant change. Most important, they expect to bounce back and feel confident that they will.” That expectation is closely linked to a general sense of optimism – not a quality lawyers are trained to develop – but it is nevertheless possible to develop the right mental attitudes to cope and even flourish when the going gets tough.

### Key qualities of a resilient person

- Holding positive views of yourself and your abilities
- Being able to make realistic plans and stick to them
- Having an internal locus of control - attributing your success to your own behaviour rather than luck or fate
- Being a good communicator
- Viewing yourself as a fighter rather than a victim
- Having high emotional intelligence and being able to manage your emotions effectively



### Ten tips to build resilience:

1. Recognise that this situation is temporary – things WILL change over the coming weeks and months.
2. Don't give in to negative thoughts about the future. Challenge them and ask whether those thoughts are true or realistic.
3. Learn to see challenges, mistakes and failures as valuable learning experiences. If we can survive this we will be stronger.
4. Use humour to defuse and downplay difficulties. Laugh at yourself, and situations, laugh with colleagues, friends and family.
5. Be flexible. Recognise that nothing stays the same and don't get too stuck in thoughts of how things used to be
6. Take care of your physical and mental health. Get enough sleep, exercise and eat well. When your physical self is in good shape, you are less fragile.
7. Take time off work, use your holiday entitlement and make sure you take breaks during the working day.
8. Recognise that a bad situation is usually temporary.
9. Don't extrapolate one bad situation into another and catastrophise – one day at a time, it is pointless worrying about the future.
10. Give yourself a pat on the back when things go well. Be kind to yourself, and forgive yourself when things go wrong. Treat yourself occasionally.

LawCare provides emotional support to all legal professionals, support staff and their families. You can call our confidential helpline on **0800 279 6888**, email us at **support@lawcare.org.uk** or access webchat and other resources at **www.lawcare.org.uk**



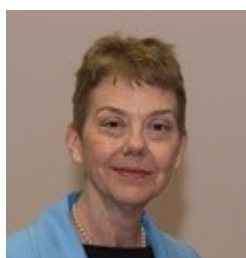


## Private Client

# IS REMOTE EXECUTION OF WILLS A GOOD IDEA?

The Wills Act 1837 (Electronic Communications) (Amendment) (Coronavirus) Order 2020 (2020/952) came into force on 28 September. It amends the requirements for execution under Wills Act 1837 on a temporary basis.

The existing s9 becomes s9(1) and a new s9(2) provides as follows:



Lesley King

***“For the purposes of paragraphs (c) and (d) of subsection (1), in relation to wills made on or after 31 January 2020 and on or before 31 January 2022, ‘presence’ includes presence by means of videoconference or other visual transmission.”***

Anyone thinking of taking advantage of virtual witnessing should look at the “Guidance on making wills using video-conferencing” which the government published on 25 July 2020 and the Law Society’s Practice Note.

There are a number of problems with the process.

(1) Both witnesses must be virtually present when the testator signs or acknowledges an earlier signature. Witnessing pre-recorded videos is not permitted - the witnesses must see the will being signed in real-time.

(2) The will must then be transported to the witnesses who must physically sign the will in the virtual presence of the testator; and, if possible, in the virtual or physical presence of each other. The will is not valid until all three parties have signed. There is, obviously, a real danger of the testator dying before the process is complete.

(3) The testator will write in the date on which he/she signs and the witnesses will each write the date on which they sign.

(4) The attestation clause should be amended to recite the fact that virtual witnessing took place.

(5) The witnesses and the testator must be able to see the act of signing as opposed to just the head and shoulders. It’s surprisingly difficult to organize this. Have a go yourself to test

it out.

(6) Government advice is to record the process if possible.

The government advice said: “The use of video technology should remain a last resort, and people must continue to arrange physical witnessing of wills where it is safe to do so.” Given the cumbersome nature of the process anyone who can arrange physical witnessing would be better off doing so. Having said that, there will be occasions when the procedure will be useful. For example, where someone has tested positive for Covid 19 and wants to proceed with execution safely or where someone lives in a remote location and arranging witnesses is difficult.

If your firm is going to oversee virtual execution there are a number of things to consider.

What level of fee earner should be allowed to do this?

Who is going to be responsible for storing the recording? If you, check with your IT department for problems.

The Law Society Practice Note suggests checking that your insurance will cover virtual execution.

Because of the lack of face to face contact, make very full attendance notes dealing with capacity, knowledge and approval and undue influence.

## Conclusions

What do we think of the provisions? A lot of work for contentious practitioners in the future I would hazard.

*Lesley King Lecturer*

Lesley is a regular lecturer on the BDS Lecture Programme and will next be presenting on 27 April at 10:30 – 12:45 on “Property Issues for Private Client Lawyers” Please click here [https://www.bournemouthlaw.com/hres/27%20April%](https://www.bournemouthlaw.com/hres/27%20April%20)



Roger Woolley

### LESTER ALDRIDGE IS CELEBRATING ONE OF ITS LONGEST-STANDING PARTNERS, ROGER WOOLLEY, BEING AT THE FIRM FOR 40 YEARS.

Roger joined Mooring Aldridge & Haydon, one of the firms which later merged to become LA, in January 1981, as a trainee solicitor. He progressed quickly at the firm, becoming partner only 2.5 years after qualifying, enabling him to have a key role at the firm, helping to shape its future and culture. Having headed the Real Estate practice, in 2000 Roger was elected as Managing Partner, where he stayed in the role until 2006. During his time as Managing Partner, Roger modernised and grew the firm, overseeing the opening of offices in Southampton and London and a merger with Park Nelson. Roger was elected Chair of Lester Aldridge in 2011 and remains in that role today.

Roger has practised in Real Estate for most of his career; dealing latterly with substantial and complex property transactions and development projects on behalf of a range of clients across the UK.

Matthew Barrow, the Managing Partner at Lester Aldridge, has worked with Roger since he joined the firm as a trainee. He commented: "I have been privileged to work with Roger; he is among the most able lawyers I have met, with a phenomenal work ethic. Roger is generous with his knowledge and experience, always striving to help others and the firm to succeed."



Adam Scott

## TRETHOWANS

Law. As it should be.

With over 10 years of experience, Adam Scott has recently joined Trethowans' Private Client team as a Partner in the Bournemouth office. Adam has previously held positions at Directorship and Partnership level at renowned law firms in the New Forest, Bournemouth and Dorset areas and jointly headed up one of the largest Private Client teams on the South Coast. Trethowans are very excited to welcome Adam to their growing Bournemouth office.

Adam Scott says "Trethowans is a fantastic firm with an excellent reputation. I am looking forward to welcoming clients to the Bournemouth office and providing them with the level of advice and service for which Trethowans is renowned."





# ELLIS JONES

## SOLICITORS



L:R Jesamine Somerville, Lauren Day, Victoria Riddleston and Ellen Shipton

Ellis Jones has welcomed Solicitor, Jesamine Somerville – an expert in Will and Inheritance Disputes – to its specialist Contentious Trusts and Probate team. This team is led by Partner and Head of Dispute Resolution, Lauren Day, and comprises Senior Associate Solicitor, Victoria Riddleston, and Solicitors, Ellen Shipton and Jesamine Somerville.



Caroline Palacio

In addition, the firm has strengthened the ranks of its senior team in a double promotion. Caroline Palacio, who is Head of Insolvency and Business Recovery, has stepped up to Senior Associate from Associate. Caroline qualified as a Solicitor in 1990 and specialises in Regulatory Law, Insolvency, Criminal Law and Commercial Dispute Resolution.



Maria Evans

Maria Evans, whose areas of expertise include Dispute Resolution, Insolvency and Regulatory law, has become an Associate just three years after qualifying as a Solicitor. Maria graduated from the University of Law Guildford with a Distinction and qualified as a Solicitor in 2017.

In these tough times, The Solicitors' Charity (formerly the SBA) is still here for you.

**THE SOLICITORS' CHARITY.**  
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We're here for solicitors when times get tough

As we look ahead in 2021, there is hope on the horizon with the roll out of a vaccination programme. Despite this positive news, times remain tough for lots of the profession and we wanted to reassure you that no matter how tough it may get, The Solicitors' Charity will be here to support you.

Many self-employed solicitors have been ineligible for government support and work has been hard to come by. Other solicitors have faced furlough or job loss. Solicitors have told us that these professional and financial challenges combined with the stresses of various forms of lockdown have had a negative impact on mental and physical wellbeing.

If this sounds like you, The Solicitors' Charity understands and is here for you with a range of support. Take a look at their new website where you can find out more. <https://thesolicitorscharity.org/>



## SITUATIONS VACANT



Dixon Stewart are looking for bright, enthusiastic and capable people to work with us in the following areas:-

1. Conveyancing assistants/paralegals for both our busy New Milton and Highcliffe offices. Although experience is preferred the key attributes we look for are enthusiasm, intelligence and a genuine commitment to learning and career development.
2. Private Client assistant based in our New Milton office to undertake will writing and the preparation of Lasting Powers of Attorney. Must have experience and an ability to deal with elderly and sometimes vulnerable clients. Good salaries commensurate with experience, performance related pay and flexible working are available.

Please contact **Helen Stewart** [helen@dixonstewart.com](mailto:helen@dixonstewart.com) or **Ben Ryan** [benr@dixonstewart.com](mailto:benr@dixonstewart.com) in the first instance for an informal discussion or **send your CV to sarah@dixonstewart.com**

## DISPUTE RESOLUTION LAWYER

## LACEYS SOLICITORS

Exciting opportunity for a Dispute Resolution lawyer to join Lacey's Legal 500 Dispute Resolution Department. The role is primarily focussed on Employment law and Landlord and Tenant but also includes general commercial litigation.

The role will include business development to help develop existing and source new clients.

Solicitors or legal executives with at least 2 years ppe or demonstrable equivalent skills are most suited to the role. However, applicants who consider that they have other relevant demonstrable experience or skills are welcome to apply.

Applications are to be made in writing or email to: **Robin Watson, HR Partner, [r.watson@laceyssolicitors.co.uk](mailto:r.watson@laceyssolicitors.co.uk)**.

**Closing date: 5pm on 12/03/2021**

## ADVERTISE YOUR VACANCIES HERE

If you would like to advertise your vacancy, or your availability for a position, please contact the BDLS Office:

**MANDY HEATH & JULIE REEVES**

BDLS Office, Borough Chambers, Fir Vale Road, Bournemouth, BH1 2JJ

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