

## PRIVATE CLIENT CONFERENCE

THURSDAY 20 OCTOBER 2022 – 09:30 – 16:30


Inspiration Suite, The Village Hotel, Wessex Fields, Deansleigh Road,  
Bournemouth

COST
£125 Solicitor Member/Associate Member/Trainee Solicitor
£170 Non-Member of BDLS
CPD
6 Hours
BOOKING
Please complete and return the booking slip below. Please note that places are limited so early booking is recommended to avoid disappointment
VENUE
The Village, Wessex Fields, Deansleigh Road, Bournemouth BH7 7DZ
<i>Please note there is no charge for BDLS delegates to park at the hotel. For a 4 hour period you will just park – no registration number to register and no code required to exit the car park. If you stay over 4 hours you will need to obtain a code from the hotel reception to exit. For all day Conferences the Conference Organiser will be given the code to hand out to delegates</i>

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### PROGRAMME

09.00 – 09.30	Registration and refreshments
09:30	<p><b>Introduction by Chair</b> <b>Kerry Richardson, Chair of BDLS Private Client Group</b></p>  <p>Kerry is a Private Client Solicitor working at Heppenstalls Solicitors LLP and based at their New Milton office. She specialises in Will drafting, Lasting Powers of Attorney, Deputyship applications, Court of Protection matters and Probate and Estate administration. She is active in the local legal community as a member of BDLS and the current Chair of the BDLS Private Client Group.</p>

**09:30 – 11:00**  
**1 hour 30 mins**

## **A Tax and Trust Planning Update**

**John Bunker**



John is a freelance lecturer and also Consultant Solicitor and Chartered Tax Adviser with Irwin Mitchell LLP. John is the co-Editor of the Law Society's new IHT Planning Handbook (published Dec 2020) of which he wrote one third. With over 30 years of experience as a solicitor specialising in wills, trusts, estate and tax planning, and more than 25 years as a Chartered Tax Adviser, John serves on HMRC's Capital Taxes Liaison Group and the TRS sub-group helping HMRC with the guidance needed on the new TRS Manual for 5MLD, and on TACT's Private Trusts Committee. John served as Chair of the Chartered Institute of Taxation's Private Client (UK) Tax committee for 3 ½ years until Sept 2021, and on the HMCTS Probate Advisory Group (representing STEP) for 18 months until Nov 2021.

John created his role in technical development and know-how, originally for Thomas Eggar's 100 strong Private Client team, in 2012 after 23 years as a partner. This role developed within Irwin Mitchell Private Wealth to include teams in offices across the country. Alongside this John has developed external training work in a freelance capacity. He brings enthusiasm for his subject, where he seeks to illuminate technical details with practical insight, to training for local law societies, the Law Society, branches of CIOT, STEP, SFE and other professional groups, as well as MBL, Professional Conferences, Legal Training Consultancy and individual firms.

**This session will include some planning issues re: the Trust Register (TRS) which are relevant to wills and probate practice. With many changes to the TRS Manual in the first 5 months of 2022, and more expected, issues are being clarified even as the original Sept 2022 deadline approaches. John will seek to bring you the latest clarity on the difficult areas including properties held in will trusts. The tax update will include some latest ideas for IHT planning in the current regime.**

**11.00 – 11:15**  
**15 mins**

**Refreshments**

**11.15– 12:45**  
**1 hour 30 mins**

## **Pensions and Life Policies in Estate Planning**

**John Bunker**

Looking at this from the lawyer's perspective, understanding how we can use these tools to help clients save tax and meet needs of beneficiaries. This will include pensions death benefit taxation, guidance on the use of nominations and expressions of wishes and how these fit in with planning for RNRB, the £2m threshold and lifetime planning for the best use of assets. This will also cover estate planning for spouses and how the assets in each name interact to get the right long-term solutions, taking into account all that will pass to beneficiaries on death.

**12:45 – 13:30**  
**45 mins**

**Lunch**

13:30 -14:30  
1 hour

## Care Homes, the new funding rules and asset protection

**Helen Forster**



Helen is a consultant solicitor and trusts and estates practitioner based in Yorkshire and has spent over 10 years working in the private client sector. Over the years she has received numerous awards including the category of rising star in England and Wales in the Modern Law Awards in 2016, where she came second. Her particular specialisms include tax planning and mental capacity work, and in addition she provides training and seminars around the country on the subject.

**This session will cover:**

- The current care fee system
- The new proposed system
- Option 1 Care fees planning in Wills
- Option 2- lifetime planning and pitfalls

14:30 – 15:15  
45 minutes

## “Put up or shut up” orders: when and how should executors apply for them

**Carol Davies, College Chambers**



Carol is a barrister at College Chambers in Southampton. Carol has practiced for 25 years in civil litigation and family financial matters with particular interest and specialism in probate and inheritance cases. Carol has also dealt with Court of Protection matters, in terms of both property and affairs and health and welfare for over 14 years. Her experience in commercial and contract disputes enhances Carol’s skills and knowledge to deal with such issues in any probate disputes. She is also a civil and commercial mediator since 2007 and she became a Fellow of the Chartered Institute of Arbitrators in 2018


**This session considers the option of applying to the court of a “put up or shut up” order when a challenge is being made against the validity of a will but the challenger is not getting on with her case or claim, delaying the administration of the estate.**

**This kind of order arose in the case of *Cobden-Ramsey v Sutton* [2009] WTLR 1303 and discussed in *Sherman v Fitzhugh Gates (a firm)* [2003] EWCA Civ 886. It has also been discussed in the more recent case of *Parsons & Hill v Reid & Shaw* [2022] EWHC 755 (Ch) in the context of an intimated breach of trust under a will trust.**

**We will consider this option along with other potential applications and the practice and procedure involved.**

15:15 – 15:30  
15 mins

**Refreshments**

<b>15:30 – 16:30</b> <b>1 hour</b>	<p><b>IHT Charges on Trusts</b>  <b>Anthony Nixon</b></p>  <p>Anthony is a consultant with Paris Smith LLP. He has previously been a partner at Irwin Mitchell, Thomas Eggar and Lester Aldridge. As well as being a solicitor, Anthony is a chartered tax adviser and trust and estate practitioner. He is well known across the south of England for his lectures on both law and taxation as they affect private clients, trusts and estates. He is the joint general editor (with John Bunker) of the Law Society's Inheritance Tax Planning Handbook, published in December 2020, as well as the author of chapters in that book on: anti-avoidance; business and agricultural reliefs; and grossing up and similar calculations.</p> <p><b>This session will cover:</b></p> <ul style="list-style-type: none"> <li>• <b>A guide to the different categories of trust for IHT purposes</b></li> <li>• <b>The mysteries of 10 year and exit charges explained</b></li> <li>• <b>Inter-reaction with CGT and SDLT</b></li> <li>• <b>Traps for the unwary</b></li> </ul>
<b>16.30</b>	<b>Close</b>

## BOOKING FORM

### PRIVATE CLIENT CONFERENCE

**THURSDAY 20 OCTOBER 2022**

**09:30 – 16:30 – THE VILLAGE HOTEL, BOURNEMOUTH**

Please complete and return this slip with your payment by Thursday 13 October 2021

Bournemouth and District Law Society, Borough Chambers, Fir Vale Road, Bournemouth BH1 2JJ – DX 7616  
 Bournemouth – Tel: 01202 587551 email: office@bournemouthlaw.com

No*	Membership Type	Cost
	Solicitor Member	£125
	Associate Member	£125
	Trainee Solicitor	£125
	Non-Member	£170
<b>Cheque/BACS* payment made for</b>		<b>£</b>

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