



Thursfields

Solicitors

Autumn / Winter Review **2018**



“We were delighted that the Black Country Chamber of Commerce recognised our efforts with the accolade of High Growth Business of 2017, reflecting how we’ve more than doubled headcount and revenues over the last 5 years.”



Welcome to Thursfields' **Autumn/Winter Review 2018**

Thursfields celebrated our 5th year in Halesowen in August; the office has seen both our commercial and private client teams strengthened in recent years with significant new recruitment and the appointment of Jane Rudge as director. Local businesses and the town's community have made us feel really welcome since opening back in 2013.

Clients matter most. This is our mantra at Thursfields. 98% of our clients said that the service they

received from Thursfields met or exceeded expectations but we still strive for better.

We are delighted to welcome Hayley Pearce to the Thursfields' team as our Client Service Manager, to look at the services we provide from our clients' perspective.

We always welcome your feedback so please get in touch by email to hpearce@thursfields.co.uk

Nick O'Hara
Managing Director



Gareth Burge

Director, Corporate

“The investment will enable Airband to expand its network to an additional 50,000 business and home premises by 2021.”

Thursfields advises on £16m wireless broadband investment

Thursfields has advised wireless broadband supplier Airband on its £16 million investment from the National Digital Infrastructure Fund (NDIF). The NDIF also acquired a substantial minority interest in Airband.

The investment will enable Airband to expand its network to an additional 50,000 business and home premises in England and Wales by 2021.

Gareth Burge said: “Airband is a family-owned internet service provider which specialises in providing fast broadband to rural, hard to reach areas that conventional suppliers don’t cover. We have enjoyed working with Airband and its founders, Redmond and Miranda Peel, over the last few years and are delighted to have

advised on this latest transaction. The NDIF is a commercial fund supported by the Government’s £400 million Digital Infrastructure Investment Fund.”

Redmond Peel said: “Providing better infrastructure and connectivity to rural areas of the UK is at the heart of the government’s plan for growth - and is crucial in the post-Brexit economy. This £16m investment means that we are able to play a key role in creating this better infrastructure - providing more robust rural broadband and faster options for people in hard-to-reach areas, and helping to smash the UK’s so-called ‘digital divide’.

This deal has also been an excellent example of the partnership between ourselves and Thursfields.”





Jane Rudge
Director, Commercial

Thursfields help secure Botanical Gardens partnership

A new five year partnership is being celebrated between Thursfields' client Birmingham Botanical Gardens and food service provider, Aramark.

Jane Rudge, Director in the firm's commercial team, advised on and negotiated the terms of a deal which will bring fresh investment into the Pavillion Café and banqueting suites.

James Wheeler, CEO of the Gardens said: "For our ongoing catering offering it was important that we found a partner who understood our approach to great food and I'm delighted that we have found that partner in Aramark. Having worked with Jane on a

number of projects, I was confident that her direct and practical approach would get the deal done."

The Gardens occupy 15 acres in the heart of Edgbaston, and the new catering partnership will help to enhance the many events held throughout the year at the Gardens, as well as ensuring quality hospitality for the private hire of the Gardens' facilities.

Richard Arnell, Regional Director at Aramark, said: "Our mission is to deliver experiences that enrich and nourish lives and we are delighted to have been chosen as Birmingham Botanical Gardens new catering partner."

"For our ongoing catering offering it was important that we found a partner who understood our approach to great food."

James Wheeler,
CEO Birmingham
Botanical Gardens



Shane Miller

Director, Head of Family

“I have found this a very troubling case. It is not for us to change the law laid down by Parliament – our role is only to interpret and apply the law that Parliament has given us.”

Lady Hale

Divorce – Do it properly or not at all says the Court!

Shane Miller, Head of Thursfields’ Family team, comments on the recent Owens v Owens Court of Appeal case.

The matter involved Mrs Owens who had been contemplating divorce since 2012. She did not leave the matrimonial home until February 2015 despite the fact that she felt that she could no longer live with her husband.

When Mrs Owens filed her petition for divorce she did so on the ground of unreasonable behaviour. Her husband disagreed with this

and ultimately the Court of Appeal ruled that Mrs Owens’ allegations were “too flimsy” to satisfy the test for unreasonable behaviour. Her petition was dismissed. Mrs Owens now has to wait 5 years from date of separation before she is able to file her petition.

While the Supreme Court applied the law correctly, the decision has given further strength to calls for reform and a no-fault divorce should be introduced. Parliament must now revisit the current law.





Full steam ahead for Erlestoke Manor Fund

Erlestoke Manor Fund (“EMF”) was established to rescue the locomotives “Erlestoke Manor” and “Bradley Manor” after they were withdrawn for scrap by British Railways in 1965. It is a very successful organisation, with a large membership, which has succeeded in its objectives. Both Erlestoke Manor and Bradley Manor run on the Severn Valley Railway.

The unincorporated structure of EMF left the trustees (and potentially the members) exposed to personal liability for payments if EMF did not have sufficient assets to meet those payments. Thursfields was instructed by EMF to advise on a corporate structure which would limit the liability of trustees and members, would reflect the current

constitution, would allow members to continue to be shareholders and be tax efficient.

Our team, led by Jenny Smith, Head of Charities, recommended a charitable community benefit society, which met all of those criteria and also allowed a smooth transition of assets, activities and liabilities from the current structure to the new one with minimal “red tape”.

Thursfields worked closely with the trustees and agreed a bespoke constitution with the Financial Conduct Authority before the matter was put to the members. There was a very high response rate for the Members’ Referendum which voted unanimously in favour of the new structure.

The change of structure was timed to coincide with a significant contract for the overhaul of Erlestoke Manor at Tyseley Locomotive Works. EMF was able to enter into that contract in its own name, as a corporate entity with legal identity, rather than (as would have been the case under the previous structure) in the names of the trustees of EMF.

David Kilner, Secretary and a Trustee of the Erlestoke Manor Fund, said: “We’re extremely grateful to Jenny Smith and her team at Thursfields for putting the Fund on a more secure legal footing to enable us to continue our heritage work with less personal risk to Trustees amongst other benefits.”

Agriculture Bill – the headlines

The Government published the long awaited Agriculture Bill on 12 September. What does it mean for English farmers following BREXIT?

- A claim under the Basic Payment Scheme (BPS) can be made in 2019 and 2020.
- There will then be a transition period between 2020 and 2027 during which the BPS will be phased out with a reduction in the amount of payment received.
- Reductions will be made on a % basis depending on the amount of money received. For example a reduction of 5% will be applied, to payments up to £30,000 with a 25% reduction applicable to amounts in excess of £150,000.

• Changes to simplify the administration of the BPS may be implemented during this period, including the removal of greening.

• There is also a proposal to “delink” the BPS from farming activities to encourage diversification and succession planning and allow claimants to take a one off lump sum payment rather than collect the BP annually during the transitional period.

• The vision for the future is a payment model for public goods such as land, animal and environmental management.

Be prepared for the changes and call us to discuss succession planning for your agricultural business.



Sarah Denny-Richards

Director, Head of Agriculture



“The introduction of the Agriculture Bill is an historic moment as we leave the EU and move towards a brighter future for farming.”

Michael Gove
Environment Secretary



Thursfields supports Men in Sheds scheme

The Men in Sheds programme originates from an Australian project started in the 1990s to tackle loneliness and social isolation. Age UK Bromsgrove, Redditch & Wyre Forest has been operating the Bromsgrove group since 2016.

Thursfields is sponsoring a Shed Share for a year at the Stoke Prior base where the group meets, helping to provide a supportive and friendly setting where anybody – it's not just exclusive to men – can attend.

Michelle Hetheridge, Director of Wills & Estates at Thursfields, said:

“We are delighted to support the Men in Sheds group.

As a local firm, we are always looking for ways in which we can support the local community, and this is a wonderful project to be involved with.”

Jo Hughes, Marketing Executive at Age UK Bromsgrove, Redditch and Wyre Forest, said: “A big thanks to Thursfields for being the latest company to help make sure we can continue to run this much-valued group.

Recent studies have highlighted that older men are increasingly

experiencing loneliness and that there are very few activities available which appeal to older men, which is why it's so important that we ensure that initiatives such as Bromsgrove Men's Sheds can continue.”

The Men in Sheds group meet from 10am to 2pm, Mondays to Thursdays at Unit 1, Metal Ores Industrial Estate, 138 Hanbury Road, Stoke Prior.

For more information on the group, or for sponsorship details contact Jo Hughes on 01527 868855 or visit www.ageuk.org.uk/brwf/activities-and-events/men-in-sheds/

Julie Goodman celebrates 30 years with Thursfields!

A legal expert in our residential property team has notched up a total of 30 years work at Thursfields.

Julie Goodman first joined Thursfields in 1985 as a Personal Assistant to Mark Thursfield, the son of one of the company's founders, in Kidderminster.

Julie worked at Eversheds from 2000 to 2003 before rejoining Thursfields where she deals with all legal aspects of residential property work, moving to the Stourport office in 2013 and becoming a Senior Associate.

Nick O'Hara, Managing Director of Thursfields, said: "We're proud to be celebrating Julie's achievement at spending three decades with the company.

Julie is known and liked for her straight talking. She takes pride in the fact that she does not baffle



“The company recognises its colleagues are key to the success of the business.”

her clients with legal jargon and ‘speaks their language’.

She has a great reputation throughout Worcestershire and the Midlands as a whole, and is particularly recognised as an expert in shared ownership purchases and sales by numerous housing associations.”

Thursfields

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