



THE snow centre
HEMEL HEMPSTEAD

Team Pickworths Slalom Success

Avoiding all obstacles and racing against the clock in record time, we were proud to be part of the professional team engaged by Hemel Snowcentre Limited to achieve the on time construction of the new indoor snow facility in Hemel Hempstead.

Working closely with the Project Team we helped resolve a wide range of issues and finalised a range of lease and planning documents within a tight time scale, liaising with the other retained consultants and surveyors as needed. We also provided employment law advice.

The new Snow Centre recreates alpine conditions every skier and boarder dreams of with a huge 160m main slope and 100m lesson slope, both over 30m wide and both maintained with the perfect snow surface. Fully trained and accredited instructors and coaches provide a whole range of lessons ranging from the beginner to refining your skills and pushing them even further. The Snow Centre also has a large Snow + Rock retail store and The Edge CaféBar with panoramic views over the slopes.

David Surrey, Commercial and Operations Director at the Snow Centre says *"Pickworths has been very supportive throughout the planning and build process. Their expertise, professionalism and experience has been invaluable in helping us to achieve a successful outcome."*

Glenda Ferneyhough commented *"Over the years we have worked on many different types of property development projects and the Snow Centre demonstrates how we can offer practical advice tailored to particular circumstances,"*

For advice about our wide range of services for property owners, investors and developers contact Glenda Ferneyhough or Belinda Walkinshaw

For more exciting information about the Snow Centre call 0845 258 9000 or go to www.thesnowcentre.com



Have you been injured in a car or other accident that was not your fault.

If so, Pickworths can help.
To find out how turn to page 2 or ring 01442 261731

Visit www.pickworths.co.uk



Pickworths Support Hospice of St Francis Walk with the Stars

Last summer Glenda Ferneyhough led a Pickworths team in the Hospice of St Francis 'Walk with the Stars', a 'ladies' only 12 mile midnight walk. We raised a tremendous £3056 through the kind generosity of our clients, contacts, staff and their families. We feel the Hospice is such an important part of our local community that we have taken the decision to be their main sponsor for this year's walk and will again have staff participating.

Pickworths senior partner, Ian Tottman explains: "I was overwhelmed with the warmth,

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Personal Injury – What Is Third Party Capture?



If you have been injured in a car or other accident that was not your fault, the chances are you could be missing out on full compensation.

There are many car/other accidents in the UK everyday and although most are not fatal, some serious injuries can unfortunately be sustained.

If an accident wasn't your fault, you of course expect to receive compensation from the negligent driver/person's insurance company. In the past some insurance companies have not made this an easy process, however now it seems they are willing to call you and offer to pay damages within weeks of the incident occurring. They then make you an offer. It has cost you nothing and you will receive compensation - How can you refuse such an offer?

This is third party capture. You are the third party and you have been caught!

The drawbacks:

Damages offered in this way are usually very low but you will not know this as



you do not have a lawyer advising you. If you were to instruct your own solicitor the damages are in our experience double, treble or even more than the figure you would otherwise be offered with all your legal costs being paid by the other side. Some injuries can also get progressively

worse after an accident and if you've accepted a small amount of compensation so soon after the initial accident it won't compensate your loss particularly if you need to take considerable time off work or at worse not be able to work at all in the future. Pickworths can instruct a medical consultant to provide a report who is experienced in dealing with specific injuries and will know the long term consequences of such injuries.

The insurance industry can save a lot of money by paying low amounts of damages to unrepresented claimants (you) and avoiding legal costs. Who is the winner in this situation? - Obviously it is not you!

How can you help yourself?

- Instruct Pickworths as soon as possible even if the insurance company has already offered you a sum of money.
- Don't accept any offer without first obtaining independent legal advice.

If you wish to discuss an accident you may have had, please contact Martin White (Member of the Solicitors Regulation Authority Personal Injury Accreditation Scheme)

Inheritance Claims *making a successful claim against the estate*

The death of a relative, partner or close friend can be devastating. To make matters worse there may be the shock of being entirely left out of a will, the bulk of the estate left to an unexpected person, or inadequate financial provision made for you.

Should this be the case you may be able to make a successful claim against the estate.

At times relatives or friends are concerned that the will left by the deceased does not reflect the true wishes of the deceased or that a later will might have been made revoking an earlier one.

This may be because of concern that the

deceased was unduly influenced by the beneficiaries of the will, or that the will is a forgery. This can happen particularly if the deceased has been suffering from an illness that has affected their mental capacity. If a will was made during this time, the validity of the document may be called into question.

In some cases there may be insufficient provisions made for dependants in a will. For example, in one case a lady was left only personal effects and a right to live in the family home after the death of her husband. She was able to make a successful claim to the courts that proper financial provision had not been made for her and the court ordered that the family

home should be transferred to her entirely.

There are important time limits to put in a claim. These can be as short as 6 months so it is vital that a claim is made as soon as possible.

If you would like more information on inheritance claims contact Jane Leadbeater.



INTESTACY

New Rules from February 2009

Many people think that it is not necessary to make a will as they believe that their next of kin will inherit everything under the intestacy rules. This is not the case since, until this year; the sum that the immediate next of kin would receive on their relative's death was quite small in the light of current property prices. In February 2009 the government increased the limits (for deaths after this date) but even now the rules can produce unexpected consequences.

Did you know that if you are married with children and leave an estate of more than £250,000 your spouse would have to share the excess with the children and would only be entitled to a life interest in their portion?

If you are married and have no children

your spouse would be entitled to the first £450,000 and half of the rest, the remainder would be paid to your parents, if they are surviving, or to brothers and sisters.

If you are living with a partner and are not married, then unless you have entered into a Civil Partnership, your partner will inherit nothing at all if you haven't made a will.

It is important for you to make a will otherwise your estate will be allocated to your relatives under the Intestacy Rules. This may mean that the people you would wish to inherit do not do so.

If you would like to follow up the issues mentioned in this article contact the Wills & Probate Team.



STOP PRESS

Pickworths have just been awarded the updated Quality Standard – ISO 9001:2008

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...check out our website for:

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- Services for Private clients
- Information Fact Sheets
- Leaflets to download
- Legal jargon buster

You can also meet our team who are all specialists in their field of law.

www.pickworths.co.uk – Pickworths make law make sense!



 resolution
first for family law INVESTOR IN PEOPLE

Registration of Title

You know that you own your land, but could you prove it?

Although it is now compulsory to register the title to land when it is sold, this has not always been the case. It is estimated that currently 4.5 million freehold properties remain unregistered despite the fact that the Land Registry was set up in 1862.

Registering the title to land provides a state backed guarantee of ownership, which gives greater security of title and helps prevent fraud which may result from copying or withholding deeds. In addition it can cut the cost of conveyancing because it makes it easier. If a copy of the Title Register is lost, a new one can simply be obtained online as all documents are now stored electronically at the Land Registry.

In order for someone to apply for First Registration of Title, they must prove that they own the land. This is usually done by showing all of the documents they have relating to the property dating back to when it was purchased. Ideally, these documents will show who has owned the property over the last 15 years. However, it is still possible to register the title to a property if documents have been lost or stolen.

There are many reasons to register title to land and the above are just a few. In addition, the Land Registry are currently offering a 25% discount on their fees for First Registration applications.

For more information, contact Sarah Pape.



SPOTLIGHT ON...

Linsey Mullan

Litigation team

Linsey joined Martin White's Litigation team at Pickworths in January 2008 after relocating to Hertfordshire. Born and raised in Birmingham, Linsey studied Law at the University of Wolverhampton where she gained honours. She then undertook a postgraduate Legal Practice Course at the College of Law, Birmingham. Linsey went on to gain a training contract with a legal firm in Solihull, and qualified as a solicitor in January 2006.

Linsey undertakes many types of Personal

Injury work including Road Traffic Accidents, Accidents at work, Public Liability and Clinical Negligence claims.

Linsey deals with claims ranging from the relatively low, up to very high value where serious injuries are concerned. Compensation clients receive will include elements of future loss of earnings, future costs for continuing care and treatment as well as a loss of pension.

Travelling is Linsey's main hobby; most recently she has visited South Africa, New York, Canada and Croatia. Linsey also has a love of music; she enjoys watching bands live and predominantly likes to go to local gigs to see new groups.



Linsey says "I chose to practice Litigation because I enjoy a challenge, in particular working on high value Personal Injury claims where the financial settlement can really improve the client's daily life after an injury".

For more information on Personal Injury contact Linsey Mullan

NEW DISPUTE RESOLUTION PROCEDURES



New dispute resolution procedures came into effect on 06 April 2009 with a view to resolving issues to limit the number of Tribunal claims. Before then, failure to follow the statutory dismissal procedures could make a dismissal automatically unfair.

A new ACAS Code Of Practice applies to dismissals and resolution of disputes through the procedures set out in the Code. It does not however apply to redundancies or the non-renewal of fixed-term contracts.

Failure to follow the ACAS Code will not make a dismissal automatically unfair but, if the employee is held to have been unfairly dismissed, a Tribunal can increase an award by up to 25 per cent if the

employer has unreasonably failed to follow the procedure in the Code.


There are certain claims that require an employee to raise a grievance in advance of bringing a Tribunal claim e.g. a claim for constructive unfair dismissal. Both the employer and employee are expected to comply with the Code. Tribunals can reduce or increase an award by up to 25 per cent if either the employer or employee unreasonably fails to follow the Code.

Under previous procedures, if the type of claim required an employee to raise a grievance there was a 3 month extension to the time limit to bring a claim. This extension of time disappears under the new procedures. Therefore all claims that the new procedures apply to will usually have to be brought within 3 months.

The Code promotes the use of mediators to resolve problems through the use of internal or external mediators, which could lead to an increased role for ACAS.

For more information contact Ian Tottman or Mike Powell.

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energy and level of excellence contributed by everyone at the Hospice and am delighted to be a proud supporter of this great event. I would urge everyone to get involved and take part or make a donation to help people with life-limiting illnesses across the county get the care they deserve." 

Glenda Ferneyhough says "When I took part in the walk last year I had no idea that Pickworths would be approached to sponsor the event this year. I am happy that we are able to give the Hospice our support as I know how much its work is needed in the local area. The Hospice not only offers beds for the terminally ill but also provides day services and support for relatives at a difficult time".

Each year the Hospice of St Francis receives a small amount of money from the NHS – but it's only just enough to support the entire charity for two months. It needs £3m a year and without donations and major fundraising events it would not be possible to provide this level of care.

To find out how you can help the Hospice go to www.hospiceofstfrancis.org. If you would like to support this year's Pickworths team to raise money for the Hospice you can make a donation through our fundraising site <http://www.justgiving.com/pickworths>

www.pickworths.co.uk

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Also consultation rooms in Watford, St Albans and Stevenage. Call 01442 261731 to arrange a meeting.
Out of hours service available.

PICKWORTHS
· SOLICITORS ·

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