

in brief



Building for the future

Needham & James is gearing up for a new era of growth with a move for its Stratford-based team to new, purpose-built premises in the town's waterfront regeneration area.

Needham & James House, on Bridgeway, sits between the town's leisure centre and the Holiday Inn Hotel.

The 30,000 sq ft building enables the firm to bring together staff previously working at four offices around the town.

Senior partner John Hughes says: "The District Council has developed a masterplan to improve pedestrian movement and enhance the general environment along the river corridor.

"Our stunning new building is part of this plan, and is designed to give us a distinctive presence that has a clear relationship with the local environment."

The firm is also planning to relocate its Birmingham offices to

No 1 Colmore Row, in the heart of the city's professional quarter, early next year.

John says: "We are confident that our investment in new offices and better facilities will mean increased efficiency and improved teamwork within the firm."

Needham & James now has one telephone number for callers to access personnel in any of their four local offices: 0845 630 8833.

Inside this issue

New face
for banking **3**

Celebrating our
half-century **5**

Family matters
in divorce cases **7**

Without doubt, 2006 has been a landmark year in the development of Needham & James.

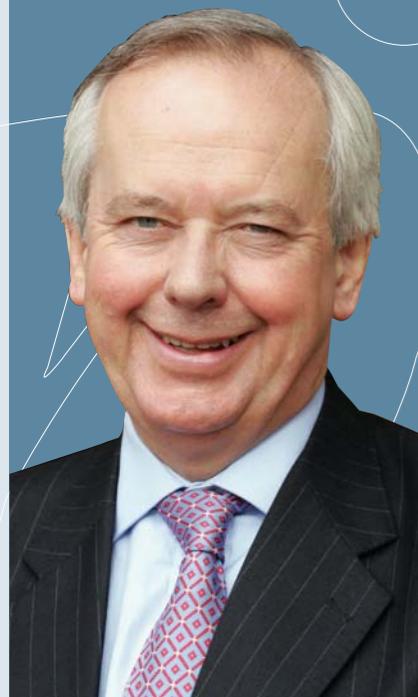
This is a truly exciting time for us, as we celebrate 50 years in practice and look forward to our second half-century.

This publication is intended to offer you a glimpse into life at Needham & James, so that you can share with us just some of the year's highlights.

We pride ourselves on offering our clients a good deal more than many other law firms, and we know that our people lie at the heart of our success.

I hope you enjoy reading about their achievements, both in and out of the office.

John Hughes
Senior partner



Narinder's move

Narinder Rajput (left) has joined Needham & James as associate solicitor based in Birmingham.

Narinder, who specialises in corporate law, qualified in 1991, and his appointment supports the firm's drive to expand its services to the mid-market and to private and institutional investors.

Fully qualified

Shirley Rabbetts (right), a Shipston-based lawyer in the private client department, has qualified to become a full member of the Society of Trust and Estate Practitioners (STEP) - the recognised professional body for those specialising in trusts and estates, executorships, administration and related taxes.

Mother of two Shirley passed the STEP Diploma for England and Wales (Trusts and Estates) with distinction, which enabled her to be put forward for full membership, a status that means she is



widely recognised as one of the most experienced and senior practitioners in this field.

A welcome return

Roger Austin (right), a partner with the firm for more than 30 years, was given a hearty welcome when he returned to the firm earlier this year, following a six month leave of absence to care for his sick mother.

Much of Roger's caseload is dealing with criminal offences, and his reappearance is very welcome both to the firm and to the band of errant motorists anxious to mitigate the cost of breaches of the Road Traffic Act.

Roger also specialises in the laws relating to licensing, and has successfully obtained many liquor licences for pubs, hotels, restaurants, shops and leisure centres over the years. One of the few

Midlands' specialists in his field of law, some of Roger's caseload is referred from other local legal practices; other work comes from the Crown Prosecution Service (CPS), for which he is an agent.



New partner Duncan Murray.

A new face on banking team

Leading banking and finance specialist Duncan Murray has joined Needham & James as partner.

He is working closely with senior partner and head of banking, John Hughes, and property finance specialist, Vicky Simpson, to handle a growing caseload from clients including banks, building societies, lenders and corporate borrowers.

He is also supporting the work of other specialist departments within the firm, including commercial property, company commercial and

social housing, advising on development finance, refinancing, restructuring, acquisition finance, and on insolvency and recovery-related matters.

Ranked by legal bible Chambers & Partners as one of the leading banking lawyers in the Midlands, Duncan has more than 17 years' experience in the fields of corporate banking, property finance, and corporate finance work, and has acted for many of the UK's largest banks, building societies, asset-based lenders and blue chip corporates.

Trainees join the fold

The latest group of trainee solicitors to commence their training contracts with Needham & James were drawn from amongst 300 applicants. The four successful candidates are: Clare Burgess, Andriane Zafiri, Mark Canning (pictured front page), and Robert Whitehouse.

The firm's annual trainee recruitment programme is managed by partner and employment law specialist, Andrew Owen, who says that the firm looks for well-rounded candidates with good academic

qualifications and a genuine interest in the law.

"Each year we put candidates through a rigorous process, and only appoint those who we believe demonstrate the potential to develop and excel.

"Many of our previous trainees have stayed with the firm to develop their careers, and we are proud of our track record in supporting them to specialise in their chosen fields," he added.

Top of their class

Needham & James has a strong culture of support for all fee earners and staff members keen to develop their capabilities and their careers. The firm is delighted with the recent successes of three team members:

- Susan Archer, an associate in the social housing team, has been granted the Higher Courts (Civil Proceedings) qualification, allowing her to act as an advocate in all courts in England and Wales, including the High Court, the Court of Appeal, and the House of Lords - boosting the firm's capability to respond to growing volumes of advocacy work, both in the social housing department and in property litigation.
- Islamic finance specialist Kazi Rahman received the Channel 5 Community Award in recognition of his contribution to the Muslim community. Kazi was presented with his award live on air by the Bangladeshi High Commissioner, Sabihuddin Ahmed.
- Family-law specialist, solicitor-advocate Carla Macleod, scooped Birmingham Law Society's Assistant Solicitor of the Year Award. Carla, who advises on all aspects of divorce and separation, including pre-marital agreement, has already secured the Higher Rights of Audience (All Proceedings) qualification, and has a particular interest in property and financial disputes, and advocacy.

Pictured right:
family-law specialist
Carla Macleod.



Act creates new powers

Government moves to help the elderly and the ill to specify the type of care and treatment they would want if they become mentally incapable are being treated with caution by Ben Sharp of Needham & James' private client department.

He says that the introduction of Lasting Powers of Attorney (LPA) next year may only serve to complicate the process of appointing an 'attorney' as a formal helper.

LPAs are set to be introduced in April 2007, when the Mental Capacity Act 2005 comes into force. They will replace the current system of Enduring Powers of Attorney (EPA), introduced in 1985, which made it possible for people to nominate attorneys to help with their financial affairs and act on their behalf in the event of mental incapacity.

Ben, who works from the firm's Stratford office, says: "The new statutory power significantly extends the scope of the previous legislation, which only enabled people to delegate decisions in relation to their financial and property affairs.

"However, the new regime will be more costly and complex and is fraught with unresolved issues which could have a severe impact on the person giving the power, and his or her affairs, if left unaddressed.

"Old-style EPAs will continue to remain effective but, once the proposed new legislation comes into force, it will not be possible to create a new one. I would therefore recommend that clients give serious consideration to creating an EPA whilst it is still possible," he added.



Andrew Dudley, head of social housing department.

New service from social housing team

Needham & James' social housing department has broadened its support for the sector with the launch of a new presentational and training service designed to assist board members and managers responsible for the strategic development and day-to-day management of their organisations.

Specialist advisers are available to undertake talks, presentations and training on a wide range of legal and regulatory topics.

Mike Stevens, who joined Needham & James four years ago from a senior post with one of the largest Registered Social Landlords (RSLs) in

the country, will spearhead the new service.

Andrew Dudley has headed Needham & James' social housing department for the past 25 years, during which time it has grown to become one of the most successful in the UK.

He said: "Our significant expertise in this sector has helped us build an extensive, high profile client-base across the UK. This new service is already proving attractive to RSLs keen to improve performance and manage change in a very dynamic market sector."

Celebrating a half-century of meeting clients' needs

Fifty not out – and Needham & James managing partner Herbert Andrews says the firm is well set for a long innings as one of the West Midlands' and Warwickshire's leading law firms.

Plans for the future development of the firm were revealed to staff at an event held at the Shakespeare Birthplace Trust in Stratford earlier in the year.

And a gala reception was held at Birmingham's Council House as part of the anniversary celebrations.

NEEDHAM & JAMES TODAY

With 22 partners, and more than 150 staff, Needham & James is now firmly established as one of the region's major law firms, according to legal analysts Legal 500.

Annual turnover recently topped £7.2 million, representing 12.5 per cent growth over the previous year, and plans for future growth are being underpinned with an active recruitment drive.

The firm's employment law department is one of the largest in the Midlands, whilst the thriving commercial property and social housing departments have each built a strong national presence.

The specialist banking team has recently been boosted by a series of new appointments and the launch of a new Islamic Finance arm, and the corporate department has expanded its client-base among businesses of all sizes. In addition, a range of specialist services serving niche markets such as agriculture and sports

law continue to flourish, as does the firm's extensive private client department.

SECRETS OF SUCCESS

Managing partner Herbert Andrews says that Needham & James' continued success is the result of an all-round commitment to deliver quality and value and a highly personalised approach to client care.

"Our culture is all about people, and I believe that this is evident in everything we do, not only for our clients but also for our staff," he says.

"And, our significant investment in training and development is complemented by a programme of improvement in ICT and internal systems that ensures efficiencies and enables consistently high levels of service.

"I am confident that we are creating a sound platform from which we can continue to develop our services in line with the needs of our clients, while retaining our traditional values."

Firm adopts LLP status

Needham & James has converted to a limited liability partnership (LLP), a move designed to support the firm's long-term expansion strategy.

The decision means that individual partners can invest more in the development of the business, without putting their personal assets at risk. As a result of the altered legal status, annual accounts will have to be filed at Companies House.

Needham & James senior partner John Hughes says: "Operating as an LLP is bringing greater transparency to the firm's business affairs, a move which complements our culture of communicating with clients and staff in an open and straightforward way."

Marking the first fifty years: pictured below are (front row) Sinead Stewart, assistant solicitor; Herbert Andrews, managing partner; Finula Allen, head of private client; and Jean Clymer, personnel manager. Back row: David Whiting, head of dispute management; John Hughes, senior partner; Omer Simjee, assistant solicitor; and Roger Austin, consultant.



Growing caseload

Two new specialists have joined the commercial property department, to help handle the growing caseload.

Justin Mason (pictured below) – an associate partner based in Birmingham – has nearly eight years' experience in commercial property law. He works with partners Roger



Mason and Chris Williams handling matters such as development projects, property portfolio rationalisation strategies and landlord and tenant issues.

Ian Yarde, an assistant solicitor with three years' experience in commercial property law, has joined the firm's Stratford office, working with property developers, both locally and nationally.

Property portfolio

The growing reputation for quality and service of the Needham & James commercial property department is helping the firm to win clients from some major city practices.

Partner Richard Cox, who heads the team, says that, as a result, the department has had a highly successful 2006, and he expects the trend to continue into 2007.

"Our client-base is growing throughout the commercial development world, and we are attracting new work from national Plc's and Midlands-based clients on both local and national projects. We are also carving a niche in the utilities sector, and

Law reforms "unworkable"

Government plans to reform company law have been slammed by Needham & James' partner Barry Doherty.

Barry, a leading corporate lawyer who joined the firm earlier this year, says that the Government's move represents a missed opportunity to consolidate and clarify a regime which often proves cumbersome and confusing.

He says that businesses will now have to operate in an environment of dual legislation and is warning directors that, far from simplifying the system, the new rules will increase the burden of regulation, and make compliance more onerous.

The Company Law Reform Bill, which has had a second reading in the House of Commons, amends and restates many of the provisions of the Companies Act 1985. In certain cases it also codifies current case law.

"Under the present regime, directors' duties are derived from the common law, and are already complex and difficult to

recently concluded an exciting new project - our first wind farm development for a major electricity generator," he said.

Richard says that the firm's residential development team is also moving from strength to strength, dealing with sites ranging from single unit developments to ones with several hundred units.

Richard adds: "We await with great interest the challenge lodged in the High Court against Stratford District Council's recent planning moratorium, the outcome of which could affect the actions of other Councils who have imposed a similar moratorium or are contemplating the same."



Barry Doherty (above) believes that new company law reforms are unworkable.

understand," he said. "While codification of company law in statute would appear at face value to simplify the position, the Bill, if enacted as it stands, will undoubtedly create further confusion.

"The terms of the current Bill, which is due to come into force either late this year or early next, represent a missed opportunity to create a workable framework within which directors can exercise their discretion freely, and enable their companies to prosper and grow."

Family matters

Several recent high profile divorce cases have resulted in significant changes in the way family matters are handled by the courts, says Catherine Walker, head of Needham & James' family law department.

One of the most recent, the case of Clayton v Clayton, resulted in a landmark ruling by the Court of Appeal which means that warring couples can no longer rely on their children's identities being kept secret by the courts.

This is part of a wider move, says Catherine, by the government and the Family Court to improve transparency – a move which she welcomes in the interest of increasing public confidence in the legal system.

"Increasing openness is one way in which some of the heat can be taken out of family disputes," she says.

"We also welcome government initiatives to promote mediation as a means of resolving a wide range of problems, giving all parties a solution that they can live comfortably with, without recourse to the courts.



Picture above: Catherine Walker heads the family law department

"Emotions are often running high in family disputes and mediation can successfully help to keep these in check, bringing about a resolution with dignity and without lasting bitterness.

"Solicitors always provide advice on the legal aspects of a case, but I believe that mediation should be recommended as an option in more of those cases where it could prove helpful," she adds.

Policy U-turn spreads confusion

The Government's U-turn on Home Information Packs (HIPS) has left many vendors baffled and uncertain, says Steve Lewis, head of Needham & James' residential property department.

HIPS are due to be introduced on 1 June 2007, shifting the responsibility to the vendor to pull together property details to present to potential purchasers. A mainstay of the HIP as originally planned, was a mandatory Home Condition Report. This part has now been put on hold, to the relief of many not keen to bear the upfront cost.

Steve says that vendors can now choose whether or not to prepare the report, but warns that it looks likely they will still have to produce an energy report – which will have to be undertaken by an independent and qualified inspector.

"We are at a real half-way house with this new legislation. While the system the government planned to introduce was looking increasingly unviable, we are currently advising anyone looking to move house to find out what the position is before putting their house on the market," he says.

Spirit of the law

Needham & James acted recently in a high profile case which overturned conventional legal wisdom for the resolution of contractual disputes.

David Whiting, head of dispute resolution at Needham & James, says that the judgment in the case, *Reys v First National Commercial Bank (FNCB)*, is evidence of a step-change in thinking about how contracts are construed by the courts.

David, who acted for FNCB, says that, as a result, in future cases involving the interpretation of contractual arrangements, the courts are much more likely to take into account the factual and contractual context of a case than simply to rely on an interpretation of the precise wording of a contract.

David says: "When making his ruling, the judge made it clear that the context of the case was paramount, in terms both of the contractual arrangements and of the facts. His decision sends a clear signal to all those about to embark on litigation that the courts will not always stick to the letter of the law, but will consider also the spirit in which an agreement was made."

community

Show time in Moreton

Each year Needham & James supports the efforts of the Moreton-in-Marsh and District Agricultural and Horse Show Society by sponsoring a major prize.

The firm also hosts a stand next to the Grand Arena where visitors can take a relaxing break.



Partners and staff at Needham & James have gone the extra mile for charity this year, making it a summer of sporting success. Our picture shows Richard Cox (foreground), head of the commercial property department, supported in the Stratford Triathlon by (from left) financial director Andrew Cain; Susan Cox; Susan Faulkner; Jo Cord and Kieron Carvell.



Specialists in their field: Graham Davis (left) with Peter Snodgrass at the Moreton Show.

The one-day event, which is organised each year by the Society, continues to grow in popularity.

Peter Snodgrass, who heads the firm's agricultural department, said: "This event is one of the most important in the local agricultural calendar and we are delighted to see it continue to go from strength to strength."

Supporting the arts

Needham & James is an enthusiastic supporter of the arts, particularly of events and initiatives that celebrate the cultural life of the local community, and the talents of local people.

The firm regularly supports the Stratford On Avon Music Festival, now in its third year, and one of the most popular concerts of this year's

Shipston Proms Music Festival was also supported by the firm.

- Needham & James was delighted to support Longborough Music Festival in its test case against Her Majesty's Revenue and Customs (HMRC), which was seeking to remove the charity's VAT exemption.

Needham & James' partner Richard Lloyd says the festival's victory will benefit thousands of similar organisations that rely on their charitable status to secure exemption from VAT.



In tune with Shipston: Shirley Rabbetts (left) and Finula Allen, head of private client department, with musicians David Oliver (left) and Roland Gallery (right).



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