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**THE ACCIDENTAL LANDLORD**  
*The pros & cons of letting property*

**FROM IDEA TO OBJECT**  
*Matthew Burt's life in design*

**CGT IN THE ATTIC**  
*Capital Gains Tax exemptions*

WILSONS  
LEGAL &  
LIFESTYLE  
MAGAZINE

# COME TOGETHER

*The exciting new collaboration that's  
revitalising Salisbury's arts scene*



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*Life during the Great War*

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# WELCOME



**T**here is no denying that the cataclysmic events of the past year have put a huge strain on the city. However, Salisbury is nothing if not resilient and the unprecedented affair has had the positive effect of bringing everybody closer together. The recovery has long since begun and you can read on page 44 about some of the ongoing initiatives that are helping put the city back on its feet.

Salisbury is no stranger to adversity and the story of life on the Home Front during the Great War is told on page 32.

At Wilsons it is unquestionably business as usual and our magazine witnesses the legal team sharing insights and expertise on a number of legal matters. First, we examine the pros and cons of residential property letting (p.08), looking closely at the subject from a number of different angles. There are also features on legal hot topics such as no-blame divorce (p.12), and also CGT exemptions (p.20).

Elsewhere within these pages, we profile the recently-formed Wiltshire Creative (p.24), an arts collective that has brought together three of the city's finest organisations (the Arts Centre, the Playhouse and the International Arts Festival) under one umbrella for the greater good. We also had the privilege to chat with the designer-maker Matthew Burt about his award-winning furniture (p.36).

As ever, it was great fun putting the Wilsons magazine together and we hope you enjoy reading our latest issue. ■



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# CONTENTS



## LAW

### 08 THE ACCIDENTAL LANDLORD

There are many benefits to renting your residential property, but there are also challenges. We analyse the pros and cons

### 12 THE NO-BLAME GAME

The divorce laws are set to be overhauled with a view to allowing couples to dissolve their marriage with less acrimony

### 14 VARIETY SHOW

A recent report revealed a lack of diversity among charity trustees. We explain why diversity is important in the boardroom

### 16 FARMING FOR THE FUTURE

In times of uncertainty, succession planning for family farms has become more important than ever

### 20 CGT IN THE ATTIC

The rules surrounding Capital Gains Tax can be complex, and some of them might surprise you. We explain how it works



**INSIDE:**  
*How to make the perfect G&T – and impress your friends with its history*

## LIFESTYLE

### 24 COME TOGETHER

Wiltshire Creative brings together three Salisbury arts organisations to produce a landmark moment for the arts in the city

### 28 A SHORT HISTORY OF G&T

Just a refreshing drink made up of one part gin, one part tonic? Think again. The humble G&T possesses an interesting past

### 30 MEADOWS SWEET

The Harnham Water Meadows Trust has been managing the irrigation of local land for 20 years. They tell us about their work

### 32 SALISBURY & THE GREAT WAR

Salisbury is famous for training troops for battle, but what was life like on the Home Front? Here's a local historian's perspective

### 36 FROM IDEA TO OBJECT

An award-winning furniture maker, Wiltshire-based Matthew Burt has a deep love of design, craft and the materials he uses



## DIRECTORY

### 40 NEWS

All the latest news and views from the Wilsons team, including the latest staff appointments

### 43 INTERVIEW: JENNY LAU

Relatively new to the Property & Commercial Litigation team, Jenny loves the variety that a working day brings to her

### 44 THE BUSINESS OF RECOVERY

The tragic events of 2018 left the city in shock. But positive steps are being taken to get Salisbury back on its feet

### 46 TEAM PROFILE

We meet the Wills & Trusts Disputes team at Wilsons, specialists who are widely regarded as leaders in their field

### 50 INTERVIEW: ANDREW MACKIE

Senior Associate Andrew Mackie reveals his love of London, the arts, choir singing and a good barbecue



10/11/2018

**MISTLETOE & MERRIMENT**

Fisherton Mill's festive exhibition will see a diverse mix of hand-made temptation. Open until 29 December



29/11/2018

**CHRISTMAS MARKET**

The heart of Salisbury is transformed into a winter wonderland complete with ice-rink. Until 23 December



15/12/2018

**HANDEL'S MESSIAH**

The City of London Sinfonia teams up with the Choir of Salisbury Cathedral to perform Handel's masterwork



# Working for the countryside over the last 150 years



1/12/2018

**BEAUTY AND THE BEAST**

Salisbury Playhouse's pantomime presentation is the tale of Amorette and her beastly suitor. Runs until 13 January 2019

## EVENTS DIARY

### A WILSONS GUIDE TO WHAT'S ON IN WILTSHIRE THIS AUTUMN AND WINTER



7/12/2018

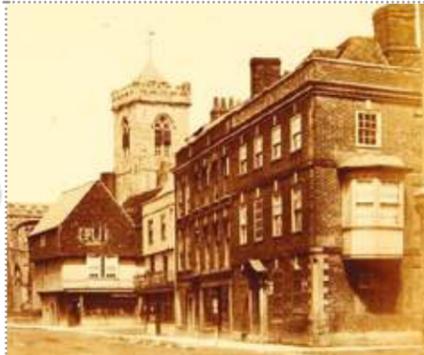
**MATERIAL: LIGHT**

Visit a sensational light installation at Messums Wiltshire by artist Michael Hulls. Exhibition open until 3 February 2019



**ON NOW  
HOARDS**

Salisbury Museum's *Hidden History of Ancient Britain* unveils a trove of treasure. Until 5 January 2019



19/1/2019

**ORIGINS OF PHOTOGRAPHY**

The earliest days of photography are explored in a vital new exhibition at Salisbury Museum



25/04/2019

**EDDIE THE EAGLE**

The Mercers' Lectures at Dauntsey's School invite the intrepid Olympian to reveal the benefits of a have-a-go attitude



Contact a member of our team for the best advice on all property matters.

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## Residential property

# The accidental landlord



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*The pros and cons of letting your residential property*



**HOME FROM HOME:** Letting property is an attractive option but landlords need to know their rights and responsibilities

## KEY POINTS

- The Government is tightening up regulation
- Residential property can produce a healthy return
- You need to be clear on the differences between freehold and leasehold
- It's important to be aware of all your legal obligations as a landlord

**T**here are now more than two million landlords in the UK. Many are professional landlords with a buy-to-let portfolio. But there are plenty of people who become landlords by chance, especially when their circumstances change and they find themselves owning somewhere they don't need to live in. Being an accidental landlord has advantages and disadvantages.

Perhaps you've inherited a property or you are in a new relationship and you both already own somewhere to live. Maybe you have spare space because the children have left home. Why not use your property to

generate some extra income? After all, there is huge demand for rental property. It is predicted that over 20% of all households will be housed in private rental accommodation by 2020 and more flexible patterns of work and retirement make renting the right choice for many people. But first you need to do your homework.

According to Wilsons' property specialist Alexandra Sollohub, "the rental market is approaching a tipping point. Given the importance of the private rental sector - it provides a home for 4.5 million households, many of them families - the Government is tightening up regulation. For some owners

this will mean that letting may not be quite as appealing as it used to be. Amateur landlords should weigh the potential financial benefits against their legal responsibilities and the work involved in a successful let."

## A HEALTHY FINANCIAL RETURN

The upside is that residential rental property can produce a healthy return. Private rents have doubled in the past decade. Excluding London, the average UK rental value was £777 in July 2018, up 1.0% on 2017. Britons will soon pay out more in rent than they do on mortgages. Of course, you will pay income tax on anything you earn from letting out a property, although you can deduct expenses, but remember that mortgage costs are no longer ordinarily a deductible expense. Note that if HMRC believes that you are running a rental property business, then you will also be liable for Class 2 National Insurance contributions.

However, if you are renting out a room in a home you still occupy, then you can take advantage of the annual 'rent a room' allowance - £7,500 in the current tax year. That means if you find a lodger for the spare bedroom, you can earn up to £7,500 tax free from rent. But if the same tenant was to occupy a separate basement flat in your house, then the rent a room allowance will not apply.

When the property you want to rent out is leasehold then you may have to obtain the permission of the freeholder to let it. You need to check your lease. Not all freeholders will agree. The same is true if the property is mortgaged, you need to ask the lender. You should also check with your insurance company.

Once you've worked out the tax implications, told your lender and swotted up on tenancy law there is a raft of regulatory requirements to address.

As a landlord you have specific legal obligations to your tenants, which are easier to understand with a bit of background knowledge.

Regulation of the private residential sector

is not new. Legislative intervention has been necessary from time to time with measures designed to protect tenants, traditionally seen as the weaker party. A balance needs to be struck between giving tenants necessary

## THE IMPACT OF AIRBNB

### Airbnb is growing in popularity, but has specific rules

Airbnb is disrupting traditional rentals and blurring the line between holiday lets and longer tenancies. But Airbnb is popular with owners and renters. Every night there are some 800,000 people staying in Airbnb accommodation around the world and the site is adding new hosts at the rate of 14,000 every month. But Airbnb was never aimed at professional landlords and the company is regularly accused of limiting the supply of regular homes in many cities around the world. Municipalities are responding. Entire home listings in Greater London are restricted to 90 nights per calendar year; host for more than 90 days and you must have planning permission. They probably won't be the only British cities to take action.

Know that if you are thinking about letting ('hosting') on Airbnb, you will have to comply with many of the provisions that govern traditional lets, including obtaining permission from your lender (and freeholder if the lease requires consent), telling your insurer and carrying out gas checks. Both the courts and tribunals will scrutinise the lease and have in the recent past ruled that where the lease states the property can be used 'as a private residence only', the homeowner cannot rent it out short-term, Airbnb-style. If you want to host Airbnb guests in a spare room while you remain in occupation, then you'll be able to take advantage of the annual rent a room allowance.

In conclusion, the private rental property market is catching up with the 21st century. There's no longer any stigma attached to renting. Lots of people choose to rent, leaving the headache of maintaining and managing their home to the landlord while enjoying the freedom to go wherever life takes them. The Government is addressing the demand for longer tenancies and greater regulation will drive up standards and costs. Professional and accidental landlords can continue to derive a useful income from residential lettings, but in return must accept more oversight and scrutiny.



## DISPUTE RESOLUTION

When it comes to preserving and enforcing property rights, our team can help resolve a wide range of issues. We listen, provide clear information and advice and, where possible, help you try to avoid the need for litigation. We're experts on all matters relating to

the Rent Act including possession, abandonment and succession. Our clients in this area include corporate landlords and asset managers and the largest private residential landlord in the UK. We also specialise in Assured and Assured Shorthold tenancy matters, often advising how best to recover properties.

» protection while keeping the lettings market attractive enough to landlords.

The Rent Act 1977 gave tenants such considerable security of tenure such that many landlords dropped out of the market altogether, and the private rental market stagnated. The current regime, the Housing Act 1988, was introduced to ameliorate some of the effects of the Rent Act by making it easier for landlords to recover possession. This act created the assured tenancy and the assured shorthold tenancy (AST).

The AST became the default tenancy. For the past 20 years, subject to certain exceptions, a tenancy let to an individual as their home at a market rent will be an AST and the property is recoverable by the landlord after the end of a fixed term by requesting two months' written notice.

Although an AST can be of any length, a term of six or twelve months has become the norm.

While this type of short term can be useful for landlords who want, or need, to ensure that they can recover possession, it can leave tenants feeling insecure, making it hard for them to settle down. The lettings landscape has evolved since the 1980s and many tenants view their rental as a long-term alternative to owning a home, whether by choice or circumstance. Insurers and

mortgage companies have also favoured short lets.

For these reasons, earlier this year the Ministry of Housing, Communities & Local Government launched a public consultation on longer tenancy agreements, proposing three year tenancies as standard.

Although the nature of the AST has remained more or less unchanged since 1988, successive Governments have introduced regulations which have placed considerably more onerous obligations on the landlord, restricting his or her ability to recover possession. **Your responsibilities as a landlord include:**

- Keep your rented property safe and free from health hazards. That means you must fit and test smoke alarms and carbon monoxide alarms, and follow fire safety regulations.
- Make sure all gas and electrical equipment is safely installed and maintained. Every year all gas appliances must be checked and signed off as safe by a Gas Safe Registered engineer.
- Provide an Energy Performance Certificate for the property. From April 2018 an assured shorthold tenancy may only be granted for properties with a minimum E rating unless an exemption applies.
- Protect your tenant's deposit in a Government-approved scheme.
- Check all people aged over 18 living in your property as their only or main home have the right to rent.
- Give your tenant a copy of the 'How to rent' checklist when they start renting from you.

**“The regulatory regime for private rentals does involve a lot of administration and proof of compliance”**



## REGULATORY REGIME

If you fail to give the right information to your tenant, that can make it hard for you to recover possession of the property unless the tenant is in default. In other words the landlord cannot necessarily recover possession at the end of the fixed term just because they want to.

If you are an accidental landlord who has inherited a property with a sitting tenant, you could find that the previous owner had not complied with all the paperwork required by current legislation.

Alexandra comments: “The regulatory regime for private rentals does involve a lot of administration and proof of compliance. So much so that it can be a bit overwhelming for amateur landlords.

“For example, if you forget to give your tenant a copy of the gas safety certificate you are committing a criminal offence and current judicial interpretation of the regulations mean that you cannot recover possession on a no-fault basis. Faced with all this red tape, some people may conclude that it's not worth the effort to let the property. Others will decide to appoint a lettings agent to take the strain.”

Professional property managers and lettings agents are becoming subject to increasing regulation and held to increasingly higher standards. They must belong to a redress scheme and are scrutinised by Trading Standards.

Some landlords find that engaging reputable property managers can help them deliver a better service to their tenants.

## FURTHER CONSTRAINTS

However, both landlords and agents are set to be further constrained in the way they operate by the impending Tenant Fees Bill that is currently going through Parliament. The Government's stated aim is to reduce the costs that tenants face, and is “part of a wider package of measures aimed at rebalancing the relationship between tenants and landlords to deliver a fairer, good quality and more affordable private rented sector”.

If, or rather, when, the bill passes into law, the standard practice of taking fees from tenants will be unlawful. Such costs will be expected to be borne by the landlord. The impact of this legislation on the private rentals market is yet to be seen. ■

## NEW ONLINE GUIDE FOR LANDLORDS

In June 2018 the Government published a new guide for current and prospective landlords which explains the responsibilities, legal requirements and best practice for letting a property in the private rented sector. You can find the guide online at [www.gov.uk/government/publications/how-to-let/how-to-let](http://www.gov.uk/government/publications/how-to-let/how-to-let)

## SPRINGING THE LEASEHOLD TRAP

The rules on leasehold are changing - know your rights

When you buy a freehold property it is yours forever. When you buy a leasehold property it is only yours for a fixed period of time, when ownership reverts to the freeholder. You also usually have to pay 'ground rent' to the owner of the freehold. It all sounds rather feudal but England alone has four million leasehold properties.

Flats are almost always owned on a leasehold basis; 98% of all flats bought in England in 2016 were leasehold. Some commercial developers have sold houses leasehold, with steep contractual increases in ground rent. This practice came under media scrutiny and in December 2017 the Government announced plans to ban the selling of new-build leasehold houses (with certain exceptions). You can ask your landlord to sell you the freehold. The procedures for this 'enfranchisement' process differ for flat owners and house owners. It is currently very complicated - the product of over 50 Acts of Parliament, totalling over 450 pages, with numerous anomalies and unintended consequences.

The Government has asked the Law Commission to look at making it easier and more affordable to buy the freehold for both house and flat owners. One possibility is to replace leasehold with 'commonhold'. Commonhold is particularly suited for apartment blocks and flats with communal areas, shared roof, foundations and so on. The idea is that leaseholders would collectively purchase and own the commonhold.

July 2018 saw the Law Commission outline new measures to help existing leasehold homeowners buy the freehold of their houses and gain security and control over their homes.

In the meantime, if you are buying or selling leasehold, make sure that you get expert advice as the legal position is changing significantly.

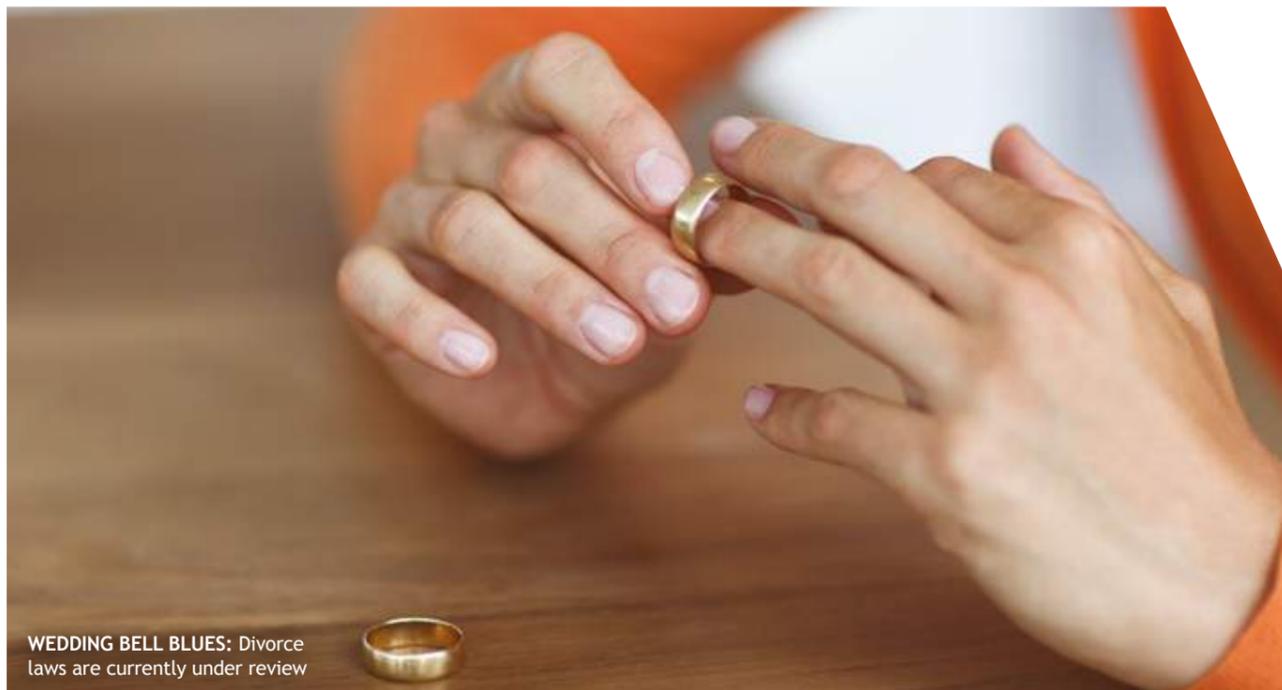
## Divorce and separation

# The no-blame game

*Divorce laws are set to be overhauled under plans seeking to allow couples to split up with less acrimony*



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WEDDING BELL BLUES: Divorce laws are currently under review

## KEY POINTS

- Currently, 'fault' is the key criterion in the granting of a divorce where there is no mutual consent
- A recent high-profile case has pushed reform to the top of the agenda
- The Government has launched a consultation into doing away with 'fault' allegations

**A**s things stand, unless a couple mutually consents to a divorce after two years of separation, courts can grant a divorce if there is proof that the marriage has broken down irretrievably, including unreasonable behaviour. Making 'fault' central to divorce has long been seen as outdated, and campaigners have been calling for the introduction of a 'no-fault' divorce for decades.

A recent and much publicised case prompted renewed calls for reforms to the law - so much so that the issue is now firmly on the Government's agenda.

## WHY THE CASE MATTERED

Tini and Hugh Owens had been married for

40 years and separated in 2015. Tini Owens petitioned for divorce on the grounds of irretrievable breakdown of the marriage, claiming that, owing to her husband's behaviour, she couldn't reasonably be expected to live with him. Hugh Owens denied her allegations of unreasonable behaviour and argued that the marriage hadn't broken down and didn't agree to a divorce. This meant the court had to assess whether Tini's claims met what the law deems to be unreasonable behaviour.

In the initial hearing, the judge said that Tini's examples of unreasonable behaviour were flimsy and exaggerated, and refused her application. She took her case to the Court of Appeal where the judges

concluded that her grounds did not satisfy the law's definition of irretrievable marriage breakdown and her petition was refused. She then went to the Supreme Court and, in July this year, it upheld the previous rulings, again finding that she had failed to prove in law that the marriage had irretrievably broken down.

The outcome is that Tini Owens will now have to wait another two years before petitioning again. At that point she will have been separated for five years, which the law accepts as grounds for divorce.

Despite the Supreme Court refusing Tini Owens' petition, the judges did so reluctantly. Court president Lady Hale commented that this was a "very troubling case" and Lord Wilson said that "Parliament may wish to consider whether to replace the current law". The sentiments were widely echoed across the legal world and in the media, with even stronger calls for an overhaul of a system that has effectively forced Tini Owens to remain very unhappily married.

## SINCE THE RULING

Since then, the prospect of reform has taken significant steps forward. Days after the Supreme Court's ruling, Baroness Butler-Sloss, former President of the Family Division, introduced a Private Member's Bill to the House of Lords aimed at committing the Government to review divorce law. At the same time, the Ministry of Justice said that it was "looking closely at possible reforms to the system" and that "the current system of divorce creates unnecessary antagonism in an already difficult situation".

The matter has now made even further and very encouraging progress, with an announcement that in mid-September, the Government launched a consultation into doing away with 'fault' allegations. The proposals also include 'removing the opportunity for the other spouse to contest the divorce application'.

Commenting on the consultation, Justice

Secretary David Gauke said: "Marriage will always be one of our most important institutions, but when a relationship ends it cannot be right for the law to create or increase conflict between divorcing couples. That is why we will remove the archaic requirements to allege fault or show evidence of separation, making the process less acrimonious and helping families look to the future." ■

**"Marriage will always be important, but it cannot be right for the law to increase conflict between divorcing couples"**

## PRUDENT PETITIONS

**Even if reforms happen it will take considerable time, so for now divorce petitions must remain in line with current law**

There have been some suggestions that given the outcome of the Owens v Owens case, behaviour allegations may be exaggerated in order to avoid a similar ruling. Jacqueline Fitzgerald, who leads Wilsons Family Team, takes a very different view.

"The case of Owens v Owens was extremely rare so it is doubtful that it will be seen as a yardstick. Making exaggerated claims is unlikely to help a divorce petition - in fact the opposite. It could easily aggravate the situation, and if the other party wasn't planning to defend the petition, they could change their mind and decide to retaliate, which doesn't help anyone.

"Our advice to most people is not to defend a divorce, and wherever possible, to keep things conciliatory and avoid inflammatory allegations. Defending a divorce petition is time-consuming and expensive, and it's not worth it as people will end up getting divorced anyway sooner or later. It's far more important to focus on resolving issues around children and finances."



## DIVORCE & SEPARATION

We provide clear, pragmatic advice to help our clients with the arrangements that follow the breakdown of a significant relationship. Our team includes specialists who can advise on all aspects of the process, and we work closely with Wilsons Tax & Trusts team to ensure

the solution is structured with each client's future plans in mind, in a tax-efficient way. We are proud of our commitment to resolving matters in a non-confrontational manner. When court proceedings offer the only solution, we apply a robust, strategic approach designed to put you in the best possible position.

## Trustees

# Variety show

*Why and how charities should increase diversity in the boardroom*

## KEY POINTS

- There are 700,000 trustees running the 167,000 charities registered in England and Wales
- The average amount of time a trustee spends on their charitable responsibilities is five hours a week
- As a trustee you don't get paid but you can claim expenses

**B**eing a charity trustee is a serious commitment. Between them, charities in England and Wales have an annual income of £74 billion and assets totalling £250 billion. Recent high-profile failings have put charities in the spotlight and upped the pressure on trustees to do a good job. No surprise, then, that many charities struggle to recruit and retain new trustees, let alone maintain a diverse board.

A 2017 report from the Office for Civil Society and the Charity Commission highlighted the current lack of diversity among the 700,000 largely voluntary trustees who run the 167,000 charities registered in England and Wales:

- men outnumber women trustees on boards by two to one
- a majority (92%) of trustees are white, older and of above-average income and education
- 70% are aged 55 or over
- 75% have household incomes above the national median
- 60% of trustees have a professional qualification; 30% have post-graduate qualifications

**“Charities today appreciate that a rich mix of people can help them embrace new ideas and make better decisions”**

“The term ‘diversity’ includes the nine protected characteristics of the Equality Act 2010 as well as different backgrounds, life experiences, career paths and diversity of thought. Boards should try to recruit people who think in different ways, as well as those who have different backgrounds.” [Charity Governance Code](#)



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Some of the largest charities in England and Wales have less diverse boards than FTSE 100 firms, research has found.

Andrew Mackie, senior associate in Wilsons Charities team, says: “Charities today, just like businesses, are tuning in to the value of genuine diversity in the boardroom. They appreciate that a rich mix of people and perspectives at the top can help them embrace new ideas, make better decisions and ensure good governance. Things are improving - but it’s easier said than done.”

## OBSTACLES TO DIVERSITY

There are some obvious obstacles to recruiting a more diverse set of trustees. First up is the time commitment. Being a trustee is often thought to be an all-consuming job. In fact, the average amount of time a trustee spends on their charitable responsibilities is five hours per week. But for someone who is working full time or has family caring commitments, even that might seem like too much. No wonder more than half of all trustees are retired.

The second obstacle is the perceived responsibility and accountability that trusteeship entails. The Charity Commission sets out six main duties for trustees:

1. Ensuring that their charity is carrying out its purposes for the public benefit
2. Complying with the charity’s governing document and the law
3. Making sure that they act only in the charity’s best interests
4. Managing the charity’s resources responsibly
5. Acting with reasonable care and skill
6. Ensuring that their charity remains transparent and accountable

These responsibilities, especially with the increased public scrutiny of our digital age, can seem pretty onerous to potential

candidates. But as Andrew Mackie points out: “Regulators don’t expect trustees to be perfect, as long as what they do is reasonable in the circumstances. It is extremely rare for charity trustees to be held personally liable for losses incurred by their charity unless they have acted improperly (either deliberately or recklessly).”

Finally, there is the question of money. You don’t get paid to be a trustee, even if you have to take time off work to carry out your duties (although some enlightened employers will allow or even encourage employees to volunteer during working hours). There are those who have argued that this rule should change but, says the Charity Commission: “The concept of unpaid trusteeship has been one of the defining characteristics of the charitable sector, contributing greatly to public confidence in charities.” However, trustees can be paid expenses and, in some cases, also be paid for services they provide to the charity, separate from their trusteeship.

## DIVERSITY - HOW TO GET IT?

The primary focus when recruiting trustees should be to provide the charity with the right skills - financial, legal, marketing for example - and capabilities it needs to fulfil its purpose. So how can a charity attract trustees from a wider pool of people?

A first step is to look in the mirror. What’s the make-up of the current board? What sort of people would help to shift the status quo?

And where could you find them? Part of the problem is that 71% of trustees are recruited through an informal process, making it likely that candidates will be drawn from a small pool and reflect the characteristics of the existing team.

Practical suggestions to remove or reduce the obstacles include:

- regular discussion and training for the board in how to increase diversity
- advertising trustee vacancies, making it clear that applications are welcome from all, and ensuring a diverse appointments panel as part of the recruitment process
- changing the time, location and frequency of meetings so that a wider group of people can attend
- using digital technology to present papers and information, as well as audio and Braille
- being clear that you can pay expenses (such as childcare costs) or in some cases, compensation for loss of earnings
- drawing up a formal plan to recruit more diverse trustees, monitor and report on progress

Andrew concludes: “It is now widely accepted that greater diversity can lead to enhanced effectiveness but charities should ensure that their wish to have a diverse board does not overshadow the need to have the appropriate range of skills at the table. However, as long as charities get the balance right, it’s hard to see the downside to having a more diverse board of trustees.” ■

**SO YOU WANT TO BE A TRUSTEE?**

If you think you could be a trustee, then vacancies are often advertised online. Try the NCVO or the Small Charities Coalition trustee finder website. Or you could directly approach a charity that interests you.



## CHARITIES

We have a wealth of experience in the charity sector and we’re proud to count a former senior lawyer at the Charity Commission among our team. As well as advising on governance and constitutional issues, we also cover: restructuring, permanent endowment, incorporation,

trustee powers, intellectual property and fundraising. For those starting up new charities, we can advise on charitable status and public benefit requirements. We also regularly help clients dealing with the Charity Commission and other regulatory authorities, from obtaining consents to handling formal inquiries.

## Family succession

# Farming for the future



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*In times of uncertainty, succession planning is more important than ever*

## KEY POINTS

- Three quarters of British farms are family businesses
- Only 40% of farming families have a succession plan in place
- It's important to talk to the family about the future of the farm
- Be prepared to be flexible and keep it simple

**F**or centuries, the British landscape has been shaped by agriculture. More than 70% of the land in the UK is farmed and British farmers not only play a vital role in producing food but also looking after the countryside.

Three quarters of British farms are family businesses handed down through generations and it's not unusual to find an estate that has been in the same family since Tudor times. However, farms and estates today face a great deal of uncertainty about the future. This makes it even more important to plan the eventual transfer of the business to the next generation.

Jonathan Stephens is a Wilsons partner who specialises in advising farming families. "It is rare to meet a farming family that really wants to sell up," he says. "From the smallest farm to the great landed estates, the owners are committed to passing the business on successfully to the next generation - but we can't pretend that we're not heading for a rough patch. Farming families need to consider what the impact of that might be on their business and future succession plans."

**"We're heading for a rough patch and families need to consider the impact on their future succession plans"**

## FROM BARLEY TO BUTTERFLIES

Clearly, the UK's departure from the European Union has major implications. The Agriculture Bill published in September 2018 sets out how the grants paid to farmers under the EU's Common Agricultural Policy will be replaced by subsidies based on environmental protections. Producers are already struggling to recruit workers and Brexit could exacerbate the downturn in migrant labour.

There is also the possibility of a change of government; a Labour administration would have a very different attitude to inherited wealth. And then there are long-term questions around climate change; this year's late cold snap and hot dry summer was hard for many farmers. In these circumstances, succession planning is more important than ever.

Too often, says Jonathan Stephens, families avoid talking about the future. The result is a steady flow of 'estoppel' cases coming to the courts, where a parent has led a child to believe that he or she will take over the farm one day, but this has not happened. There's nothing in writing to confirm what the parent originally offered and the child can find themselves without a home or livelihood. The courts are more than willing to intervene and require the parent to keep their promise.

It's obvious that you can't farm without the farm, the land and sufficient capital.

team that can not only advise you on the consequences and how to best protect your position but can also help you if you think a problem will arise in the future. Our team also can help you to prevent disputes arising. In our experience it is often, but not always, the case that litigation means that the family asset has to be sold.



MOVING FORWARD: Explore different scenarios to ensure the future of the farm

On the whole, breaking up a farm so that siblings can each inherit an equal share is not going to work. And not every child wants to be a farmer.

## THE ELEPHANT IN THE ROOM

The average age of a farm owner is 58, but only 40% of farming families have a succession plan in place, according to research by *Farmers Weekly*. It's not unusual for families to have never approached these issues. But to do nothing just leads to bigger problems further down the road.

The future of the farm is the elephant in the room, says Jonathan. "You can't ignore it. The family must have a conversation, or several conversations. Ask the difficult questions. Explore possible scenarios. We realise this is hard. It's uncomfortable. People can get upset, emotional. But it is essential if you want to hand on your farm intact and viable for future generations."

When you sit down to talk through the future of the farm, stick to two simple principles. Given all the current uncertainty, keep things flexible. And, so far as you can, keep it simple.

There are solutions available. For example, ordinary farming families can learn from the owners of large estates and make use of a flexible trust. The trust would own the farm for the long term, for management by future generations. Property in trust allows inheritance tax to be managed and can provide a degree of protection in the event of marriage

breakdown. A flexible trust also makes it easier for individual family members to share fairly in the value of the assets, such as windfalls from development land. Says Jonathan: "A long-term trust is effectively a 'family foundation'. It requires a formal structure and management, with trustees and annual accounts, and you'll need expert professional advice at every stage. Yet this can be a small price to pay for the peace of mind and confidence in the future that a trust can deliver." ■

## SUCCESSION PLANNING

### Questions for farming families

- What have we got? Agricultural and other business assets, borrowings, people?
- What do we want? Do we want the farm to continue? In what form?
- How far can we see ahead? Ten, twenty, thirty years?
- How long does the current farmer/generation want to carry on?
- Who would like to take over? Who is best qualified to take over?
- What other jobs are available in the business?
- How can everyone share fairly in the inheritance?
- What would happen in the event of divorce, remarriage?
- What would happen in the event of physical or mental incapacity?

These are inherently difficult conversations, which is why some families ask a trusted, independent adviser to be present, someone who can suggest options, guide the conversation and record the decisions.



## FARMS & ESTATES

Where generational succession is not planned it is often the case that there are disputes within the family as to who gets what. Often these disputes arise on the death of the majority owner and it is the next generation down who have the falling out. We have a specialist



*Arundells is a charming and peaceful house located within Salisbury's magnificent Cathedral Close. It is the former home of Sir Edward Heath, who upon his death bequeathed the property to the Charitable Foundation set up in his name*



### Origins

Originally built as a canony in the late 13th Century, the first recorded occupant was Henry of Blunston, Archdeacon of Dorset, who lived in the house from 1291 until his death in 1316. It continued as a canony into the latter half of the 16th Century, until Leonard Bilson – the last canon to reside here – was pilloried and imprisoned for practising ‘magic and sorcery.’

On first inspection, Arundells appears to be a very Georgian house. This is largely due to the work of John Wyndham, who extended the property and created the Queen Anne frontage that is so evident today. Wyndham's daughter, Ann, married James Everard Arundel, of Wardour Castle, in 1752. The lease of the property was transferred to them as a wedding present and this is how the name ‘Arundells’ came into being.

In 1964, Mr and Mrs Robert Hawkings took on the challenge of restoring Arundells to its former glory. This was a Herculean task and a real labour of love. The house had fallen into a very poor state of repair and had – at one time – faced the prospect of demolition.

### Sir Edward Heath KG MBE

Sir Edward Heath was Prime Minister from 1970 to 1974 and served as an MP for over 50 years. He was an accomplished yachtsman, winning many international ocean racing trophies in his five Morning Cloud yachts

and captaining the British Admiral's Cup team on two occasions. He was also a very talented musician. An Organ Scholar at Balliol College, Oxford, he went on to conduct many of the World's leading orchestras.

Arundells became Sir Edward's home in 1985 and he lived here until his death in 2005. He loved the quiet peacefulness of Arundells and very much wanted the house, garden and his collection to remain intact and be open for the public to see and enjoy.

The Sir Edward Heath Charitable Foundation was set up following his death and a core objective remains the fulfilment of his wishes. A great many visitors comment that Arundells still feels as if it is ‘Sir Edward's home’ - rather than a museum.

### The Garden

The peaceful garden, with lawns, mature trees and borders, was redesigned in 1985 to Sir Edward's wishes and has remained unchanged over the intervening years. The spectacular views back towards the spire of Salisbury Cathedral and the tranquil frontage to the confluence of the rivers Avon and Nadder are particularly noteworthy.

### The Collection

This comprises Sir Edward's diverse collection of paintings, glassware, ceramics, photographs, sailing and musical

memorabilia. Highlights include detailed scale models of his Morning Cloud yachts, models of warships made by Napoleonic prisoners of war and a collection of political cartoons. Photographs of the World leaders he knew and worked with stand on top of the Steinway piano within the Drawing Room.

### Hospitality

A fabulous venue for both corporate and private functions – garden parties, seminars, meetings, recitals, drinks receptions, lunches and dinners

Sir Edward Heath's Dining Room offers a truly unique dining experience for up to 10 people, with its burr elm table and fine paintings by John Piper. A wonderful way to celebrate that special birthday or anniversary.

### Opening

The house and garden are open for general viewing between March and November, with general ‘explore at your leisure’ access from Saturday to Tuesday each week, and guided tours for both individuals and groups every Wednesday. Special exhibitions are staged throughout the season, as well as a wide range of different events.

*Visit the Arundells website  
([www.arundells.org](http://www.arundells.org)) for more information*

## Capital gains tax

## CGT in the attic



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*It's certainly not the easiest tax to understand, so follow our guide to Capital Gains Tax and its main exemptions*

## KEY POINTS

- CGT can be payable on gifts as well as sales
- There are exemptions, including your main home, your private car and anything with a limited lifespan
- Make sure you get expert advice when considering selling or giving away valuable assets

**C**apital Gains Tax (CGT) produces nearly £8 billion per annum for the public purse but is not generally well understood by the average taxpayer. You might know that you have to pay CGT when you sell something, but did you also know you might have to pay CGT if you give the item away? Unlike inheritance tax (IHT), which is paid after death, CGT is paid while you are still very much alive. Like IHT, CGT is complicated, and planning ahead is a good idea to make sure you take advantage of any exceptions.

The principle of CGT is that you pay tax when you dispose of something you own for £6,000 or more and make a gain (i.e. the amount you sell it for is greater than the amount you purchased it for, plus anything you've spent improving it). You have an annual CGT allowance: the amount of gain you can make from an asset before any tax is payable is £11,700 for the current tax year. Above that, you'll pay 10% as a lower rate taxpayer and 20% if you are a higher rate taxpayer. There are higher rates for residential properties, such as the sale of a second home.

**“HMRC is getting more vigilant so you should be clear on the tax implications of any gift you might want to make”**

## YOU CAN'T JUST GIVE IT AWAY

There are exemptions. Your main residence and private cars are exempt, along with gifts to your husband, wife, civil partner or a charity. But should you be thinking about gifting your diamond and sapphire ring to your niece, you might find yourself liable for CGT. “Lots of people just aren't aware that CGT can be payable on gifts they make,” says Wilsons partner Tim Fullerlove. “If you give something away (or sell it for less than it's actually worth) you will usually be taxed as though you had sold it for its current market value. HMRC is getting more vigilant and sophisticated in its approach, and it's really important to understand in advance the tax implications of any gift you might want to make.”

Further exemptions apply to anything with a limited lifespan, less than 50 years (what HMRC rather quaintly calls a 'wasting asset'). This covers all machinery and includes items such as antique guns, clocks or watches (so you can sell the Rolex your godparents gave you 30 years ago and keep all the proceeds).

## SOMETHING IN THE CELLAR

Say you have a good cellar. Surely wine must be a 'wasting asset'? Of course, everyday wine is likely to be drunk long before 50 years is up and if not, would certainly become undrinkable by then. However, fine wines such as certain vintage clarets



THE CAR'S THE STAR: Passenger vehicles are exempt from CGT, including that vintage motor in your garage

or fortified wine such as port may easily remain drinkable for 50 years. “In this case,” says Tim Fullerlove, “where the wine has significant value it might not qualify as a wasting asset and even an individual selling a few bottles might be caught out, especially where more than one bottle is sold to the same person as part of a single transaction.

“HMRC may add up the value of all the bottles sold, and if it comes to more than £6,000, the limit will not apply on the basis that they were sold as a 'set'. HMRC has confirmed that a series of bottles or a case of the same vintage from the same vineyard will certainly constitute a set.”

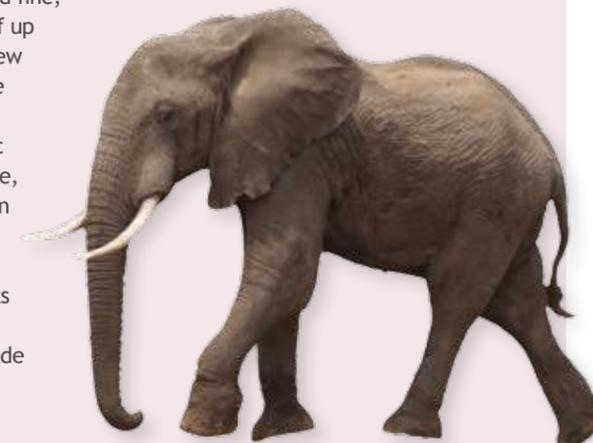
## DRIVING AWAY FROM CGT

Perhaps your garage is used not for storing wine but a vintage car. There is a general exemption that any motor vehicle that was built (or subsequently adapted) to carry passengers will be exempt from CGT, irrespective of its lifespan. This apparently generous provision recognises the fact that most cars rapidly lose their value. If CGT applied to all cars, then millions of »

## TUSK, TUSK

The Ivory Bill currently passing through Westminster will introduce one of the toughest bans on ivory sales in the world. While it will still be legal to own, gift, inherit or bequeath items containing elephant ivory, no-one will be able to sell non-exempt items in the UK or export them for sale.

Dealing in elephant ivory (including buying, selling and hiring) will be an offence punishable by a custodial sentence of up to five years and/or an unlimited fine, or a civil penalty of up to £250,000. The few exemptions include pre-1918 items of outstanding artistic value or importance, items with less than 10% of ivory made before 1947 and musical instruments with less than 20% ivory that were made before 1947.



## TAX &amp; TRUSTS

We always aim to understand your personal circumstances and your objectives, and provide clear, pragmatic and commercial solutions. Much of our work focuses on using trusts legitimately to protect and devolve assets for individuals, families and their asset-

holding structures. This ranges from the drafting of wills and trusts to more complex tax advice for UK and international trustees. When necessary, we involve our colleagues from teams such as Wills & Trusts Disputes, Probate, Estates, Property Sales and Purchases, Dispute Resolution and Mental Capacity.



PEARLS BEFORE WINE? Think twice before giving away the family jewels or that bottle of vintage claret

## “Wine of significant value might not be considered a ‘wasting asset’, and if you sell it you could be caught out”

» car-buying citizens would regularly benefit from a significant tax-deductible loss. While perhaps not for the many, owning a valuable classic passenger car is a real benefit in terms of CGT.

Sadly, the owner of a car with a valuable number plate will not be so fortunate. The real value of a personalised number plate lies in the legal right to use that combination of letters and numbers. Because this legal right is not a physical object, full CGT will be charged on the sale of the plate.

The good news is that, on your death, any capital gains which have built up in assets that you still own are wiped out. Those assets will pass free of CGT to your beneficiaries but, of course, may trigger IHT liabilities. The bottom line is whenever you think about selling or giving away valuable assets, then you really should get expert advice to avoid you or your beneficiaries paying more CGT or IHT than necessary. ■

## CGT: HOW MUCH WILL I PAY?

Follow our handy guide

Let's say you've sold some pieces of jewellery and made a capital gain of £12,300.

Your taxable income (your income minus your Personal Allowance and any Income Tax reliefs) is £24,000.

Deduct the Capital Gains tax-free allowance of £11,700 (for the 2018 to 2019 tax year) from your taxable gain of £12,300. This leaves the sum of £600.

Add this £600 to your taxable income of £24,000. Because the combined amount of £24,600 is less than £46,350 (the basic rate income tax band for the 2018 to 2019 tax year), you'll pay Capital Gains Tax at 10% on the £600 - the sum of £60.



## Pension freedoms

### Do you know your options?

Smith & Williamson

Defined contribution pension freedoms - the legislation is in place but does your pension contract offer you the freedom you need?

It's been three years since pension freedoms were introduced in April 2015, which meant those entering or planning for retirement no longer needed to buy an annuity. While I imagine we have all read plenty of press coverage on this subject, it's important to separate the anecdotal from the actual.

What do pension freedoms really mean?

Here's a brief recap.

Flexible access to your personal pension from the age of 55 allows you the following options to withdraw funds from your pensions:

1. 25% of your pension fund can be withdrawn as tax free cash. This can be done in phases or as a one off lump sum.
2. The remaining 75% of your fund can be accessed as and when you wish through flexible drawdowns, a complete withdrawal, the purchase of an annuity (the guarantee of a set level of income for life) or a combination of withdrawal styles.

It must be noted that this 75% of your fund will be taxed at your marginal rate of income tax when you withdraw it, so taking the full amount could result in up to a 45% tax charge for additional rate taxpayers before it reaches their account.

[smithandwilliamson.com](http://smithandwilliamson.com)

By necessity, this briefing can only provide a short overview and it is essential to seek professional advice before applying the contents of this article. No responsibility can be taken for any loss arising from action taken or refrained from on the basis of this publication. Details correct at time of writing.

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If you are fortunate enough to have a pension which you do not need to access during your life, the funds can remain in the pension untouched and will pass to your nominated beneficiary.

For those whom an annuity remains an attractive option, this is still available and you can use your pension fund to purchase an annuity at the prevailing annuity rate. This may be particularly attractive in circumstances where an enhanced annuity rate may be available.

The freedoms also include more flexibility in how pensions can be inherited, for example, the pension fund, typically outside of the estate for inheritance tax purposes, can be passed to a beneficiary and remain within the tax efficient pension for the beneficiary to access as they see fit.

With post 2015 flexi-access contracts, if the pension holder passes away before the age of 75, and the pension is designated to the beneficiary within two years of death, the beneficiary can draw on the pension without incurring an income tax liability. If the pension holder is older than 75 at the time of death, any withdrawals by the beneficiary are liable to income tax at the beneficiary's marginal rate of income tax.

These do, indeed, offer a far greater degree of freedom than previously enjoyed but are you sure you are benefiting from the full freedoms available?

Providers of contracts set up prior to 2015 have not been obliged to update their terms to allow for pension freedoms. Many people are approaching retirement age, planning how to access their pension to best suit their lifestyle yet finding their existing pension contracts don't offer them the flexibility expected - their only option is an annuity. In these cases, a transfer to a new pension contract would be required to gain these freedoms and arrange the withdrawal options that suit you.

If you would like a review of your existing pension arrangements or wish to discuss your retirement planning, please get in touch with Ellie Price, your local Smith & Williamson personal financial planning consultant.



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# Come together

*Wiltshire Creative brings together Salisbury Arts Centre, Salisbury International Arts Festival and Salisbury Playhouse in a landmark moment for the arts in the city*

**T**hroughout its rich history Salisbury has always been a city with a near unquenchable thirst for the arts, and now central to its residents' cultural needs is a new organisation. Wiltshire Creative is steeped in long-established tradition, but is also armed with fresh, ambitious and innovative approaches.

In order to understand the set-up and, more importantly, to grasp a flavour of what's in store we grabbed a quick word with Executive Director Sebastian Warrack.

**Q** First things first, can you define Wiltshire Creative for me?

**A** Wiltshire Creative brings together the energy and ambition of Salisbury Arts Centre, Salisbury International Arts Festival and Salisbury Playhouse. It is an ambitious and innovative joint arts offer that secures a bright future for audiences, artists and participants.

It's rooted in, and draws inspiration from, the city of Salisbury and works beyond those boundaries. It draws audiences from across the county and further afield. The creation and presentation of new work is at the heart of its programme, as it builds new relationships with audiences, artists and participants.

**Q** What would you say are the benefits of the merger?

**A** The merger is a unique opportunity to increase artistic ambitions, to ensure a fully integrated arts programme and to draw larger and broader audiences from further afield. It enables more of our public funding to be invested directly into artistic activity, which means that Wiltshire is now home to one of the largest pan-arts organisations outside London - combining a leading producing theatre, an arts centre, an international arts festival and a packed programme of community work.

**Q** To 'serve and celebrate' seems to be a key phrase?

**A** With our *Lift Off!* weekend over the 2018 August Bank

Holiday, which celebrated the arts and launched the first season of Wiltshire Creative programming, we demonstrated that our organisation will both serve our audiences in new and exciting ways and celebrate many art forms in our region, from theatre to outdoor performances, circus, dance, music, comedy, film and more.

**Q** What is the most obvious change under the merger?

**A** We now commission, produce and present work across two venues in Salisbury plus an annual multi-arts festival and we have ambitions to work across the wider county of Wiltshire.

**Q** You have a stated ambition to be truly outward-facing. What does that entail?

**A** It means prioritising our audiences, many of whom travel great distances to enjoy the variety of cultural experiences on offer in our city and our county. And it also means we are open and welcoming to artists, to our Members, our business supporters, individual donors, partner organisations and, of course, to our volunteers, all these groups come together to make great art happen.

**Q** How do you plan to take your work out of Wiltshire?

**A** One of the key ways is working in partnership with other theatres, which means our work automatically goes elsewhere. For example, *The Mirror Crack'd* will go to Cardiff as we are co-producing with Wales Millennium Centre. We will also tour some of our produced work across Wiltshire and the wider region. In spring 2018, our production of Nick Harper's epic poem *A Wiltshire Tale* toured to Bradford-on-Avon and Bridport in Devon before being performed at Salisbury Arts Centre. We also work across the county with our community groups. For instance, we have a Youth Theatre group that meets regularly in Tidworth and we have more hubs planned.

**Q** How important is local community to the project?

**A** We were delighted earlier in the summer of 2018 to announce that Bemerton Heath in Salisbury is our first Associate Hub. All three of the legacy organisations that have merged to form Wiltshire Creative have worked in the area previously, at Sarum Academy, Woodlands Primary School and with Salisbury City Community Development Team. With these and other partners we will create an ongoing programme of activity with local residents. That's just one example of working with the community. Our Youth Theatre Hubs are another. And we're part of the Celebrating Age project that has seen work tour hospitals and care homes around the region.

**Q** What are the highlights of the *Lift Off!* winter season?

**A** The spectacular firework display that launched our *Lift Off!* weekend over Salisbury Cathedral on Friday 24 August was a highlight we'll relive for months to come! The weekend was a huge success and drew 13,000 people into the city for free street theatre, circus and dance, performances at Salisbury Playhouse and a Family Fiesta of arts and crafts at Salisbury Arts Centre.

**Q** Can you tell us all about *The Mirror Crack'd*?

**A** Yes, it's a new adaptation by Rachel Wagstaff who adapted Sebastian Faulks' *Birdsong* for the stage and it's a co-production with Wales Millennium Centre. Rachel's »

1. The recent regional premiere of suffragette drama *Her Naked Skin*. © Helen Murray

2. *A Wiltshire Tale* was performed at Salisbury Arts Centre in September 2018. © Adrian Harris

3. Wiltshire Creative will co-produce a new production of Agatha Christie's *The Mirror Crack'd* with Wales Millennium Centre

4. Chineke! Orchestra performing at Salisbury Cathedral as part of the 2017 International Arts Festival. © Adrian Harris

5. Ockham's Razor perform *Belly of the Whale* as part of *Lift Off!* © Adrian Harris

6. Salisbury Playhouse's pantomime regularly entertains more than 20,000 people each year

» brilliant adaptation manages to balance the brilliant plotting and mystery of the original with a rich, psychological truth, and we hope it will bring Miss Marple to a new audience. It will run in the Main House of Salisbury Playhouse from 15 February to 9 March next year.

**Q** What can you tell us about *Her Naked Skin*?

**A** We were delighted to be the first regional theatre to stage Rebecca Lenkiewicz's suffragette drama *Her Naked Skin* to mark 100 years of women's right to vote (the play premiered at The National in London in 2008). It's an epic tale with a large cast of 10 professional actors and 22 local women who formed the community company. It was our tribute to the sacrifices so many women, and some men, made in their long and difficult campaign for female suffrage. We started rehearsals at the beginning of September, our artistic director Gareth Machin directed, and it ran from 4 to 20 October.

**Q** What are some of the other autumn season highlights?

**A** We've worked in partnership on small-scale projects as well as larger ones. We were delighted to work with Mercury Theatre Colchester and Unity Theatre Liverpool on the world premiere of Nicola Werenowska's funny and fascinating new play *Silence* which ran in The Salberg from 13 to 17 November. Directed by our Associate Director

Jo Newman, the play hurtles between Warsaw and London over two decades and three generations of a Polish/British family.

Collaboration isn't restricted to theatre. Our production of *Her Naked Skin* inspired a visual art exhibition *Our Naked Skin*, which was a partnership between Wiltshire Creative and Queer Britain, the national LGBTQ+ museum. We have plans to develop our visual arts programme further in the future.

**Q** Do you have great plans for Christmas?

**A** Christmas is always a particularly important time for both the Arts Centre and the Playhouse. Our offer this year is emblematic of two key strands of thinking. First, our desire to balance new initiatives with popular existing programmes and, second, our desire to create a balanced and coherent offer across the different platforms.

At the Playhouse, therefore, our award-winning pantomime team of writer Andrew Pollard, director Ryan McBryde and designer James Button will bring their considerable talents to the classic tale of *Beauty and the Beast*.

Following two sell-out years we are delighted to be extending the run of this year's pantomime by a week to accommodate demand. For younger children, we are thrilled to be reviving our original musical version of *The Night Before Christmas* in The Salberg. Two years ago, young and

old delighted in the classic Victorian tale of Father Christmas's nocturnal adventures and we are thrilled to be able to offer another opportunity to enjoy the show.

These familiar and ever popular shows will be balanced by something new at the Arts Centre where we will be converting the space into a festive cabaret with a programme that will include comedy, music and nothing less than a murder mystery dinner party, *Who Sleighed Santa?*

**Q** The Festival will be back in 2019. What can you tell us at this early stage?

**A** The International Arts Festival will return from Friday 24 May to Sunday 9 June 2019 at venues across the city. One of our leading classical composers, Jonathan Dove (see panel opposite), has been appointed Guest Festival Director for 2019 - the year he celebrates his 60th birthday. He will curate a thrilling programme of work, capturing the highlights of his varied and illustrious career.

The full Festival programme will be announced early in 2019. Salisbury International Arts Festival will incorporate a smaller Festival of Ideas, and details will follow in the New Year. ■

*Wiltshire Creative is a registered arts charity. To find out ways of supporting its work, either as an individual or as a business, visit [www.wiltshirecreative.co.uk](http://www.wiltshirecreative.co.uk)*

## JONATHAN DOVE



COMPOSER AND GUEST FESTIVAL DIRECTOR, SALISBURY INTERNATIONAL ARTS FESTIVAL 2019

Salisbury has always been a significant part of my cultural landscape. My career as a full-time professional composer began here 30 years ago, when I was invited to be Musician in Residence in the 1989 Salisbury Festival. I wrote several pieces - for choir, for organ, a 'comedy-thriller-dance-opera' involving a pianola - and I accompanied a silent film on the piano. From my lodgings in the Cathedral Close, I marvelled at the range and quality of all the events in the Festival. From then on, I gave up piano-playing work and just wrote music. I went on to write other works for Salisbury over the years, most recently an opera for the Cathedral, *The Walk from the Garden*, commissioned for the 2012 Festival.

So it feels both natural and exciting to be Guest Festival Director for Salisbury International Arts Festival 2019, working with the Wiltshire Creative team to bring excitement and inspiration of all kinds to Salisbury and beyond. The complete Festival programme will be unveiled in the New Year, but I can mention two important themes.

Next year is the anniversary of two events of global significance, which will be reflected in the Festival. It will be 30 years since revolutions across Eastern Europe led to the fall of the Berlin Wall. Artists behind the Iron Curtain often found themselves in conflict with the authorities, and this anniversary gives us the chance to explore some of the work they created.

Perhaps an even more momentous milestone: it will be 50 years since man first landed on the moon, the climax of the Space Race that brought in its wake undreamed-of technological advances. Artists have long been fascinated by the moon, but photos from the Apollo missions also gave us a new image of ourselves floating in the void on a tiny, fragile blue planet: a revolution in human consciousness.

I think we can say it's going to be a mind-expanding Festival!



# A SHORT HISTORY OF G&T

*Simply a refreshing summer drink made up of one part gin, one part tonic? Think again. The humble G&T possesses a long and interesting past*

Once dismissed as a fusty old drink of the past, gin has become trendy again. The humble spirit has undergone a rebirth and is appealing to a whole new generation of drinkers. Bespoke gin bars are popping up in cities around the UK and a slew of independent distillers are busy creating fresh iterations of the traditional classic.

Kate Griffin, founder of Test Valley Gin and the maker of the Salisbury-inspired Spire Gin, thinks she knows why her favourite tippie has made a comeback: "Firstly because it's fabulous! I think it also has a lot to do with changes in the laws restricting the production of gin, allowing much smaller scale production so people could buy local and hand-crafted products. Some really

interesting gins are being produced across the country, so the choice and variety is huge."

It's a good time to be a gin drinker, then, and if you scratch the surface you'll discover that the G&T has a rich history all of its own.

## GIN

Let's break it down and start with the gin. Although it's recognised as a quintessentially British spirit, gin's origins can be traced back to a 16th-century Dutch physician by the name of Sylvius de Bouve. He was the first to create an alcoholic concoction called 'Jenever', which used juniper berries in its making. He believed it to be medicinal and believed it could improve circulation and cure other ailments.

In England, gin's popularity grew after William of Orange became king following the Glorious Revolution of 1688, as with the onset of his reign came high import taxes on French brandy. As a consequence, the English start to produce gin at a low cost - and another revolution was about to begin.

By the first half of the 18th century, the consumption of gin had exploded and it wasn't a pretty sight. The rise in public drunkenness caused by the spirit led to what was known as the 'Gin Craze', a moral fear that the general public were out of control due to their enormous consumption of the stuff.

This led to a series of laws passed by Parliament as it attempted to curb the amount of gin thrown down the back of the population's collective neck.

These laws led to riots in 1743, but eventually the craze waned - though this has been attributed to the increase in grain prices as opposed to a decline in the popularity of gin.

## TONIC

The other part of the equation, tonic, also has a fascinating history. It starts in 17th-century Peru when Spanish colonists discovered a treatment for malaria in the bark of the quina-quina tree. The story goes that the wife of the Spanish Viceroy in Peru, the Countess of Chincon, fell seriously ill with malaria. Her husband begged the Incas for an antidote and provided her with a potion containing the bark; it worked and she survived. In return, the Spanish killed off the Inca tribes and stole their gold.

In 1817 French scientists Pelletier and Caventou found a method for extracting the bark's most medically powerful compound: quinine. They established a factory to produce it, and sold the drug as a means of preventing malaria. It formed the essential ingredient in tonic water.

## GIN AND TONIC

Adding gin to tonic water originated in India during the 19th century when British officers serving in the Raj began to mix gin with their daily ration of anti-malarial quinine tonic. On its own the quinine tasted unpalatably bitter but mixed with gin it was a pleasurable experience, especially when accompanied by ice and a slice of citrus fruit, which also helped fight the battle against scurvy.

And the rest, as they say, is history. ■

## TWO QUESTIONS FOR KATE GRIFFIN ON SPIRE GIN



**Q1 Why did you want to make a gin for Salisbury?** I only started making gin in February 2017 after teaching for many years, but I had a strong desire to make a gin for Salisbury. I launched with Test Valley Gin and marketed it locally. I had surprising interest and fantastic support from people in Salisbury so I decided to go ahead.

**Q2 And what makes it special?** I collaborated with Salisbury-based chef and chocolatier, Alex Seaton of Alexander Chocolate. I was drawn to the interesting botanicals he uses in his chocolates and we shared the principles of using locally sourced produce and supplying locally. We came up with the lemon verbena flavour together and he sourced the fresh herbs for me - he even made a chocolate to pair with the gin for the launch. Also for every bottle sold I donate £1 to the Salisbury charity Spire Smiles which supports families affected by cleft lip and palate.



## HOW TO MAKE A GOOD GIN AND TONIC

**DIFFICULTY LEVEL:** Easy

### WHAT YOU'LL NEED

- 50ml gin
- 50ml tonic
- Wedge of lemon or lime
- Ice

Although we're sticklers for rules, a G&T is one of the more flexible drinks going, with the majority of decisions to be made according to taste.

Which gin is best? The G&T is a perfect showcase for great gin so feel free to choose yourself a good one. We're using Spire Gin as they were very friendly when we interviewed them.

How much tonic? Another good question. As a starting point, an even mix of gin and tonic is ideal, but you can dilute further if you prefer your G&T to be longer and less boozy.

Lemon or lime? Some people will be adamant that one fruit is a better garnish than the other, but we would advocate assessing which works better with your gin. In this instance it's a narrow victory for lime.

What type of glass? A big wine glass gives off the best aroma; whereas a tall glass will look more authentic. Go with your instinct but, please, no jam jars. We are not hillbillies after all.

### INSTRUCTIONS

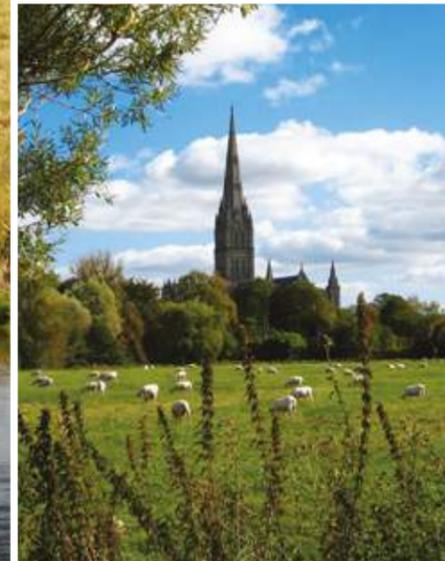
1. Fill your glass with ice
2. Pour gin into glass
3. Pour tonic into glass
4. Drop in slice of lime
5. Quaff
6. Repeat





# MEADOWS *sweet*

*The Harnham Water Meadows Trust has been managing the irrigation of local land for nearly 20 years. Chairman Graham Jagger tells us about their work*



## RURAL CRAFTS HERITAGE PROJECT

HWMT has been awarded more than £20,000 for a project which aims to gather oral, photographic and documentary histories of the traditional rural crafts involved in the success of the water meadows.

### OPEN DAY

In summer 2019 there will be an Open Day at the Trust's centre, Rose Cottage, where demonstrations of hurdle-making, coppicing, hedge-laying, scything, basket-making, green woodworking, beekeeping, herbal medicine, lace-making, spinning, weaving, pottery and bread-making will bring these crafts to life.

\* If you have any information that might be useful to the Project, or if you are interested in becoming a volunteer, please contact the Trust. For contact details, visit: [www.salisburywatermeadows.org.uk](http://www.salisburywatermeadows.org.uk)

**T**here will be many people outside Wiltshire who may never have heard of Harnham Water Meadows, but anyone familiar with the paintings of John Constable, including his famous work *Salisbury Cathedral from the Meadows*, will have seen them.

The system of irrigation practised here dates back to medieval times, but it wasn't until the 17th century that the methods were widely adopted in the Wiltshire chalk valleys. From the late 1880s, a series of social and political changes resulted in the neglect and gradual abandonment of many meadows and then, in 1990, the Harnham Water Meadows Trust (HWMT) was formed to preserve and maintain this important Salisbury heritage site and to secure its future.

### WARMING THE FIELDS

The Trust's main source of funding is Natural England, which pays them

a farm subsidy, but recently it was awarded more than £20,000 from the Heritage Lottery Fund and Wiltshire Council to document the history of traditional rural crafts in South Wiltshire (see panel opposite).

"The money will help us attract new supporters," says Chairman Graham Jagger, "and will also enable us to research the history of the water meadows and find out how they were run by the people involved and how those people lived. We are having an Open Day next summer and we want it to be a big event for Salisbury."

The meadows, which form an island where the Rivers Avon and Nadder divide, are part of a complex system of water management, involving carrier streams, sluice gates and hatches, whose primary purpose is to warm the fields rather than water them. Historically, at the end of winter, a farm worker known as a 'drowner' would flood the frozen fields with

warm, nutrient-rich spring water from higher up the chalk valleys, encouraging the grass to start growing a month early, giving the sheep an 'early bite'.

The sheep would then be pastured overnight in the arable fields on the valley sides and their manure would fertilize the soil and improve the quality of the corn. In summer, the fields would be watered again, giving two cuts of hay, and this was used to feed the cattle, and also the horses that pulled the carts carrying people from Salisbury to Bath, Bristol and Cornwall.

### FLOOD PREVENTION

Today, the irrigation works as a flood prevention system. "The meadows act as a sump for waters coming down from the rivers," says Graham. "Otherwise, Salisbury would be flooded. We have two public 'drownings' at the end of the winter,

and the children love it because they run along watching the water and when it overflows they can wade in it."

"We also have a number of open days," adds Graham. "And we're hoping that when the Rural Crafts Project comes to an end, we will be able to offer craft weekends at Rose Cottage, with local people teaching basket-making, green woodworking and things like that."

Rose Cottage, at the West Harnham end of the Town Path, is the meeting place for all the Trust's activities, including talks, demonstrations and educational visits, and is the starting point for excursions and guided public walks. "Pupils from primary and secondary schools come here to learn about the meadows and also university and college students," says Graham. "For three years, we've had an annual visit from Groeningen University in Holland, who are interested in agricultural landscaping."

### A HAVEN FOR WILDLIFE

There are 12 Trustees, and Graham is one of four who make up a management committee, headed by Jan Fitzjohn, which oversees and runs the meadows. One of the Trustees is Wilsons Partner Alison Morris. Says Graham: "Wilson's very kindly hosts our Open General Meeting, to which we invite all our supporters, and we always have a guest speaker. This year we had Dominic Price from the Species Recovery Trust."

HWMT pays a local farm woodsman to do specific jobs. But much of the regular maintenance is carried out by 8 to 12 regular volunteers, who meet once a month to clear weeds from the carrier streams and brambles from the banks. "It's unskilled work," says Graham, "but very important from a conservation point of view."

You might not be surprised to learn, given how long the meadows have been here and how well they have

been preserved, that Natural England have awarded them the status of a Site of Special Scientific Interest (SSSI) for their herb-rich grassland, home to marsh orchids, marsh valerian and meadowsweet, and for their variety of habitats providing a safe haven for birds, insects and, last but not least, the rare and very tiny Desmoulin's whorl snail.

So it is vital that the work of the Trust continues in order to preserve these meadows for future generations. Says Graham: "We want young people to learn about them and, through the crafts project, to learn about the people involved in creating and preserving them."

With Brexit on the horizon and the potential loss of their farm subsidy, the Trust is making provision for the possibility of a lean period ahead. But for the time being, the future of Harnham Water Meadows seems to be in very good hands indeed. ■

# SALISBURY AND THE GREAT WAR



*Salisbury is famous for its role in training troops for WWI, but what was life like on the Home Front? Local historian Frogg Moody offers a personal view*

**T**hink of Salisbury in the Great War and your thoughts would likely turn to the Plain. It's true that the training camps played a crucial role in preparing troops for the battlefield. Seven battalions from the Wiltshire Regiment fought in WWI, and it is believed that a tenth of all soldiers based in the UK were trained in Wiltshire. Only last year, a new network of training tunnels was discovered under the Plain at Larkhill.

But the war also had an enormous impact on those who were left behind, transforming the daily lives of men, women and children and creating lasting social change. As we commemorate the centenary of the end of WWI, Frogg Moody, founder of the Fisherton History Society and organiser of the city's first Festival of Salisbury History, offers his perspective on some of the lesser-known aspects of the war's effect on the city and surrounding villages.

**Q** The war had a big impact on women and children. Can you think of any local examples?

**A** One of the things I came across was the work being done at the Godolphin School. The girls were set to work making pouches for the soldiers to contain things like photographs of their wives and girlfriends, cigarettes, that sort of thing. When a soldier was injured the nurses would cut off his clothes and put on a hospital smock, then the pouch

would be pinned to the smock so it was always with him. The Godolphin girls made thousands of these little bags, and they also put on concerts for them in the hospitals.

**Q** What about conscientious objectors - can you tell us something about them?

**A** For whatever reason - religious mainly - the conchies, as they were known, didn't want to fight, so they were put to work on the land. And there was such a stigma attached to them that even after the war finished, the *Salisbury Journal* ran employment adverts with the words: "Conscientious Objectors need not apply." Some did go to war and worked as stretcher bearers for example, but they didn't fight. Those who refused to have anything to do with the war were imprisoned and spent their days smashing up granite, which was used for building roads.

**Q** One of the biggest killers in WWI was Spanish flu. How did that affect Salisbury?

**A** It wasn't really Spanish at all, but it was unusual in that it was mainly young men who caught it, and in Salisbury the Infirmary was filled to capacity. Of course a lot of the other nationalities here on Salisbury Plain, such as Australians, caught it as well, and if you go to places like Codford you'll find separate cemeteries just for them. Those who survived took it with them when they were shipped back after the war, and it became a pandemic. Around 500 million people were infected worldwide.

**Q** Horses were a vital mode of transport in the Great War. Do you have any stories?

**A** My grandfather was the blacksmith at Middle Woodford, a village not far from Salisbury, and he joined up as a farrier. I didn't know much about farriers before, but when I did some research on him I found out he was put behind the lines because he was deemed too important to go into the trenches. There was so much mud out there that the tanks and trucks couldn't get through it, so horses were the one mode of transport they could rely on and he had to keep them going. He also had to shoot the injured ones, which must have been heartbreaking for him because he spent most of his time shoeing them.

**Q** Soldiers waiting to go to the Front needed to be entertained. What did Salisbury have to offer?

**A** There were all these soldiers of different nationalities descending on Salisbury Plain, and keeping them all entertained was a problem. There was a chap called Albany Ward who ran The Palace on Endless Street and the New Theatre in Castle Street. During the war, he opened cinemas all round the small villages - Codford, Bulford, Tidworth, Larkhill - and got his staff to run them, but when they all started to join up, he was worried that the cinemas might have to close so he wrote to the authorities asking them not to call him up. They agreed and let him stay in Salisbury because he was doing such a good job for the war effort at home. ■

## SALISBURY PEACE PAGEANT

**Once the guns fell silent and the smoke cleared, people began looking to the future and imagined a world in which peace would prevail.**

On 28 July 1919, eight months after the Armistice, people lined the streets to see 4,000 schoolchildren from all over Salisbury take part in a peace parade portraying the city through the ages. Dressed in historical costumes and accompanied by Old Father Time and the Salisbury Giant, the children marched through the city centre and were met by a large gathering in Victoria Park.

After the parade, the Mayor, Councillor James Macklin wrote: "Kings, Queens, Lords, Ladies, Jesters, Soldiers, Bishops and Peasants have lain down their Sceptres and Crowns, their Swords, their Baubles and their Staves. The pageant has become a memory, something to look back upon, and always to carry in our thoughts."

For film footage of the event, visit: [www.britishpathe.com/video/peace-celebrations-at-salisbury/query/parades](http://www.britishpathe.com/video/peace-celebrations-at-salisbury/query/parades)



The Minster Street recruiting office in Salisbury

© The Salisbury Museum



A tank outside the Bell & Crown in Catherine Street

© The Salisbury Museum



Soldiers from the Wiltshire Regiment in Ypres

© The Rites Berkshire & Wiltshire Museum



The Salisbury Giant leads the charge in the Peace Pageant

© The Salisbury Museum



# Regent

73 New Street, Salisbury  
[www.regenttailoring.co.uk](http://www.regenttailoring.co.uk)

Regent is a contemporary, elegant clothing brand with British heritage at its core. Through our wealth of tailoring experience and our appreciation of timeless design, we use the best quality cloths and manufacturing methods to offer a wide selection of clothes and accessories for men and women. We also stock a limited range of clothing and accessories from complementary brands, including Aigle, Filson, Pendleton, Hiut, Edwin, Red Wing Shoes and YMC, all of

which are available from both our Salisbury shop and online.

Regent also offer a semi-bespoke tailoring service. A semi-bespoke service, which is frequently referred to as made-to-measure, yields results that are just as good as a fully bespoke tailor, but at a fraction of the cost and with far fewer fittings after the customer's measurements have been taken. Regent have access to a vast range of cloth, from esteemed weavers such as Lovat Mill, Holland & Sherry, Dugdale Bros. and Harrisons.



# FROM IDEA TO *object*

*As an award-winning 21st century furniture maker, Wiltshire-based Matthew Burt has a deep love of design, craft and the materials he uses*



**M**atthew Burt is a furniture designer-maker who runs a studio and workshop in the village of Sherrington. This is a place where art, craft and design all unite, and his award-winning creations bear testament to that.

He kindly gave up some of his time to allow Wilsons Magazine to quiz him about his influences, his approach to design and a 50-year-long love affair with wood and timber. We also learnt about the explosive destruction of some of his work by the sworn enemies of James Bond...

**You were an apprentice not far from the home of William Morris, was he an inspiration to you?**

Yes, very much so. I did my apprenticeship in Kencot, just two villages away from Kelmscott, his retreat in the Cotswolds. Morris was more of an artisan craftsman than a designer, but I have always felt, in the nicest sense, that he was someone for me to compete with. He equated design and making to thought and action. Metaphorically, I've felt that he was always on my shoulder.

**Do you have an overarching vision when it comes to design?**

I've always wanted to take the Arts & Crafts baton and run with it into the 21st century. I'm enamoured with English country furniture, the simplicity of it, a style that has been designed through time. I also appreciate the distinctive shape of Shaker furniture and also Modernism.

I have a mantra that I follow: seemingly simple, sculpturally sensual.

**Did studying Botany and Zoology at university inform your work?**

It did. My interest in the natural world helped me hone my design style, to search for appropriate solutions and simplicity. I've yet to see a designer improve on a feather.

**Is it important to you to make the things you design?**

Absolutely. I describe myself as a designer-maker and believe that one informs the other. What I do is the shortest route from idea to object - there's no room for compromise in the way I design and make things. I want to narrow the line between the engineer and the artist - for me they have equal parity. The success we have had is because of the synergy created by designing and making.

**Is it fair to say that you are in a deep, long-lasting relationship with wood?**

Very fair. It's a love affair that has lasted for 50 years. I'm a farmer's son, »

**DINING IN STYLE:**  
The Finback chairs celebrate Matthew's love of elm



» brought up in the Wylde Valley and I've been besotted by trees for most of my life. They are the most extraordinary, generous organisms on the planet, breathing out oxygen for us. They are such an amazing gift. I've come to view timber as recycled sunshine and rainwater and I seek to memorialise them through my furniture.

**How do you source your timber?**

We buy our timber in the form of trees, whole trees that have been planked into various thicknesses. This allows us to carefully select and balance grain patterns when making furniture. Each tree will reveal its character, its past and its charms, and each tree tells that individual story. We also like to search out those maverick trees that have a little more to tell. Rippled ash, tiger oak, olive ash, pippy elm, quilted maple, lace wood; all of these timbers have a more interesting tale to tell.

**You designed the benches in the Egyptian rooms at the Ashmolean**

**Museum in Oxford. How did that project evolve?**

Our team has made a number of public seating pieces for museums and galleries and we were pleased to be selected to supply the design for benches in the Ashmolean's Egyptian Galleries. We incorporated convex sitting surfaces with the curve mimicked on their underside, which creates the beam strength that allows a sculptural simplicity, free from the encumbrance of a visually cluttering underframe. They have worked well.

**Could you tell us something about your finback chair?**

I designed this piece to celebrate two things. The first was my affection for elm and my desire to memorialise it. And the other was the consummate skills of a maker after they have completed their apprenticeship. This piece tests their technical, interpretive, aesthetic and grain-reading skills. We are lucky enough to have two of these chairs on permanent exhibition at the Fitzwilliam Museum in Cambridge.

**It is quite obvious that your furniture has been made to last**

I always keep in my mind those potential great grandchildren squabbling over the legacy long after the Volvo, Rover, BMW or whatever they're driving then, is back in the ground! I am aiming for each piece that we design and make to give you consistent joy and delight, day after day and year after year.

**I read somewhere that your furniture was 'blown up' in a James Bond movie. Is this true?**

I can confirm it is true. We were hired to provide the furnishing for C's office at M16 HQ. It just happened to be the same office used by M in the James Bond film, *Skyfall*. The whole lot was blown to smithereens in the movie but, happily, thanks to CGI, the office and the furniture are actually still there. ■

To find out more information, go to [www.matthewburt.com](http://www.matthewburt.com)



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# DIRECTORY

NEWS, INFORMATION, RESOURCES AND A CHANCE TO MEET THE WILSONS TEAM

42

**SUMMER PARTY:**  
Behind the scenes at  
Wilson's annual do

43

**INTERVIEW:**  
We catch up  
with Jenny Lau

44

**FEATURE:**  
Helping the city  
get back on its feet

46

**TEAM PROFILE:**  
Meet the Wills &  
Trusts Disputes team

48

**SERVICES:**  
A comprehensive  
list of our teams

LEGAL EXPERTISE

## Wilson's featured in The Times: Best Law Firms 2019

Wilson's has been named as one of 'The Times Best Law Firms 2019'



The list of 200 law firms was published on the 30th October on The Times website and in The Times newspaper. The list comprises

200 law firms that have been chosen through an extensive market research report run by Statista. This is a new guide produced by The Times based on over 20,000 acting

professionals' view of their competitors. The list is peer-selected and based simply on the question: "Other than your own firm, which practice would you instruct in a specific area of work?"

Wilson's have been recommended for charities, inheritance & succession (private client). Mike Parker, Managing Partner, comments: "We are delighted to be rated as one of the best law firms and value this endorsement by our peers. It certainly reflects the blend of expertise, creativity and user-friendliness which is the hallmark of Wilson's."

### SCHOOLS CONFERENCE: MANAGING RISK



Schools Managing Risk is the theme of Wilson's upcoming Independent Schools' Conference in January 2019.

Colleagues from across the firm will be there to present information on the most recent legal developments, and there will be sessions from guest speakers on a wide range of topics, including: safeguarding; managing risk through empowerment; managing safer recruitment; reputation management; promoting good governance; managing conflicts of interest; handling family disputes; inspection and operational risks.

The half-day conference has been designed specifically to keep head teachers, bursars, designated safeguarding leads and governors up to date with the law and to offer them the support they need to deliver their roles effectively.

The conference will take place from 9am to 2pm on Friday 25 January 2019 at Wilson's Solicitors, Alexandra House, St Johns Street, Salisbury.

"The conference is designed to offer legal advice and support to independent schools"

### CHRISTMAS SHOEBOX APPEAL FOR THE TRUSSELL TRUST

Trainee Solicitor Georgie Glover and Information Services Assistant Alison Stevens have organised a Christmas shoebox appeal for Salisbury-based charity, the Trussell Trust. Wilson's staff have been donating a range of gifts and empty shoeboxes that will be transformed into boxes of presents to be sent to vulnerable children and families living in south-eastern Europe in time for Christmas.

Georgie and Alison comment: "It is lovely to think you are giving somebody else a box of presents - no matter how small - to open at what can be a very lonely time of year for many people. Donated items don't need to cost much at all, but lots of little things added together could make a few full shoeboxes to send, and make some disadvantaged children very happy."

### TEAM NEWS



NEW JOINERS (L-R)

Lauren Kerr  
Paralegal  
Wills & Trusts Disputes

Karly Stevens  
Paralegal  
Probate & Estate Administration

Andrew Mackie  
Senior Associate  
Charities

Emma Litchfield  
Solicitor  
Probate & Estate Administration

Claire Fisk (not pictured)  
Paralegal  
Wills & Trusts Disputes



TRAINEES (L-R)

Grace Chapman  
Mollie Harris  
Andy Bird  
Rosie Young

Contact us  
General enquiries:  
enquiries@wilsonslp.com

COMMUNITY

## Wilson's staff give it some welly!



On a sunny day in October, a number of Wilson's staff pulled on their wellingtons and headed down to the Harnham Water Meadows (HWM), where they learnt about the history and uses of the water meadows and then got stuck into digging watercourses and shifting soil.

The team takes on the work annually as part of a Wilson's initiative allowing staff to spend one day a year giving back to the community. This could be looking after animals, helping out at local schools or, in this case, digging trenches to allow river water to flow through the meadows nourishing the land.

Well done to Debbie Ashenhurst, Jack Boswell, Tim Clayden, Emily Hannell, Tom Harriott, Ruth Harris, Veronica Hughes, Alison Morris, Jem Quemper, Alice Robson, Jonathan Smith, Ben Thornton and Georgia Williams for all their hard work and for giving up their time to this excellent cause.

Special thanks must also go to Hadrian Cook and Tom Harriott for organising the event, and to Ruth Harris for providing the team with a lovely lunch and much-needed refreshments throughout the day! (For our feature on the work of the Harnham Water Meadows Trust, see page 30.)

# NEWS

WILSONS SUMMER PARTY

## GARDEN PARTY

This year the Wilsons Summer Party was held at the magnificent Arundells, overlooking Salisbury Cathedral. The evening was filled with beautiful canapés, musical ambience and the charm of the former home of Sir Edward Heath KG MBE. Despite Storm Ali's best attempts to disrupt proceedings, the party was a great success with both guests and Wilsons staff enjoying the beauty of Arundells house and its picturesque garden.

Photographs: John Rose Photography



## LITIGATION: THE VALUE OF MEDIATION

Solicitor Jenny Lau is a Partner in Wilsons Property & Commercial Litigation team. She tells us about the work she does



NEW CHALLENGES: Jenny loves the variety of her work

**Q** How long have you been at Wilsons? And what is it about the firm you like?

**A** I joined in April this year so I've only been at Wilsons for a few months. I have really enjoyed meeting new colleagues and have found the firm friendly and supportive. Everyone here genuinely cares about their clients and teamwork is recognised and encouraged.

**Q** What specific area of law do you work in? And what are your individual specialisms?

**A** I am a general commercial litigator which means I deal with a variety of commercial disputes. This can include advising when a problem first arises and assisting with settlement discussions as well as managing court proceedings or arbitration and, if successful, enforcement. As a commercial litigator, I have not specialised in a particular area, but I have lots of experience dealing with company-related and finance-related disputes.

**Q** What is it that particularly draws you to this area of the law?

**A** I have always wanted to be a litigator! I love the variety of my work and the fact that it allows me to meet people from a range of industries. Every day brings a different issue and each dispute has a unique set of challenges. It is always satisfying when we can help a client resolve an issue so they can get on with their business.

**Q** What qualities do you need for your role and how important are people skills?

**A** For me, a commercial litigator should always be pragmatic and commercial. Disputes are stressful and it is helpful if the lawyers involved (on both sides) are able to view matters calmly and objectively. It goes without saying that technical ability and attention to detail are vital, but curiosity and dogged perseverance are also important.

**Q** What is the biggest day-to-day challenge you face in your role within the department?

**A** One of the biggest challenges is how to counteract some of the aversion usually associated with litigation. Despite popular belief, the majority of litigators are not obsessed with driving matters to trial. It is almost always better for a client to involve a litigator

at an early stage as issues can then be managed, and this often helps avoid trial in the long run.

**Q** Can you explain what alternative dispute resolution methods you use?

**A** I mainly use negotiations and mediation. I find mediations can be helpful as a third party looks at each side's case objectively. Having said that, I have only settled one case during mediation; most cases settle afterwards. I also tried expert determination once. The case was about the chemical composition of manganese ore so was fairly easily resolved by an expert.

**Q** Do you ever find you have to get involved with international disputes?

**A** Yes! A lot of my work has included an international element, which is always enjoyable even if it brings its own challenges. I was very lucky to work for one of the Lehman Brothers entities so we dealt with several cases across Europe and the US. In recent years, I have also worked on cases involving Russia, Ukraine, Japan, Indonesia and China.

**Q** Can you tell us something about the most interesting case you've ever worked on?

**A** It was my first foray into the world of treaty arbitration. The case was driven by one particular investor and was one of several claims against Russia and Ukraine at the time. It came about as a result of regime change and the political fallout in those regions over the past ten years. The company was a joint venture set up by private individuals who wished to enter the aviation market in the Commonwealth of Independent States (CIS) region, and the case looked at the Ukrainian Government's treatment of the airline in question.

The airline eventually filed for bankruptcy and our argument was that the airline's failure was caused by unfair and/or inequitable treatment by Ukraine. The investigations and Memorial filing involved intense periods of work and two trips to Ukraine to collect evidence. There was huge sensitivity around communications and witness involvement, and high security measures were enforced. Google Translate was banned! I believe the case is still ongoing.

Salisbury

# The business of recovery

*The events of March and June 2018 left the city in shock. But with the help of Salisbury BID, it is getting back on its feet*

Salisbury has reeled from the events of 4 March 2018, when former Russian spy Sergei Skripal and his daughter Julia were found in the city centre suffering the effects of a nerve agent attack, and from the subsequent tragedy, in which an innocent woman died.

The whole affair has been devastating for the people who live and work here, and has put Salisbury on the world map in a way the city could never have imagined. "Who would have thought Salisbury could be the subject of a UN Security Council meeting?" says Wilsons Partner Stephen Oxley.

Stephen, Director of Business Development at Wilsons, serves on the Board of Salisbury Business Improvement District (BID), a not-for-profit organisation that supports and promotes businesses in the city, and has helped them recover from these unprecedented events.

## BACK TO BUSINESS

Salisbury is famous for its small independent shops, and The Maltings Shopping Centre, where the first incident came to light, was particularly hard hit in those early months. "Those shops were not even allowed to trade because they were inside the cordon," says BID Chairman Keith Hanson.

Immediately after the incident, BID went to see all the businesses individually. Says Chief Executive Robin McGowan: "We made several hundred visits in a couple of weeks, listening to the business owners, finding out their concerns and giving them information.

It was a learning process for us, too." Wilsons offered two hours of free legal advice and support to every affected business, and the organisation made sure all the concerns were fed back to central Government.

## CELEBRATING SALISBURY

Some of the independent shops didn't have websites or social media, so BID offered them digital media support. Other initiatives included negotiating free parking, dressing the city with bunting, flowers and an umbrella display, creating the Salisbury Gift Card - which can be preloaded and spent exclusively in Salisbury businesses - and funding additional chalets in The Maltings.

Since it started in 2014, Salisbury BID has supported local business in a number of ways. The City Ranger service offers cleaning and maintenance, prioritising safety and security; the cost-saving scheme has helped many businesses; and, perhaps of particular significance under the circumstances, the organisation has provided funding in partnership with Salisbury City Council to operate the new CCTV system.

BID also supports local culture. Anyone in Salisbury in late summer could have enjoyed *The Salisbury Food and Drink Festival* or *Celebrate Voice*, a music festival sponsored by Wilsons. And then there was *Lift Off!*, an August Bank Holiday event celebrating the formation of Wiltshire Creative - a unique collaboration between the Salisbury Arts Centre, Salisbury International Arts Festival and Salisbury Playhouse -

culminating in a firework display over Salisbury Cathedral, which was truly spectacular. "I've never seen anything like it before," says Robin. "It was fantastic." [For our feature on Wiltshire Creative, see page 24.]

## BETTER THAN EVER

Meanwhile, the good burghers of Salisbury have been getting on with their lives. "I've been impressed by the resilience of people," says Stephen. "The reaction here has been one of keeping a stiff upper lip and carrying on. Once you get over the initial shock you think, well, we just have to rebuild."

And there is plenty to look forward to. For the first time Salisbury has been awarded Armed Forces Day, which seems appropriate given the city's military history and the tireless support the armed forces have given the emergency services through these difficult times. It will take place on Saturday 29 June 2019 and the city is expecting 250,000 visitors.

The following year marks the 800th anniversary of the laying of the foundation stone of Salisbury Cathedral in its 'new' home, having relocated from Old Sarum. BID is involved in the project, and work begins next year culminating in the celebrations in April 2020.

"The plus side of all this is that it has brought the city together," says Stephen. "And we have one common goal: to make sure the city recovers as quickly as possible and is a pleasant place to live and work in. But, more than that, to make it an even better place than it was." ■



For more information about Salisbury BID, visit [www.salisburybid.co.uk](http://www.salisburybid.co.uk)  
To learn more about Armed Forces Day, visit [www.armedforcesday.org.uk](http://www.armedforcesday.org.uk)





“Our greatest strength is the ability to explain things clearly to our clients”

Wills and Trusts Disputes

# Directory

## Meet the team

*With a proven track record, the team is at the cutting edge of the developing law*



James Aspden  
Partner  
T: 01722 427 677  
E: james.aspden@wilsonslp.com

**T**he Wills and Trusts Disputes team at Wilsons provide a bespoke approach for clients facing difficulties of any kind concerning an estate or trust, as James Aspden explains.

**What do you specialise in? Both personally and as a team?**

My team resolves problems relating to trusts and estates. Our work covers the whole spectrum, from advising executors and trustees on how to keep themselves safe in difficult situations to advising beneficiaries on their rights, determining whether wills and trusts are valid and what they mean, enforcing broken promises, securing a fair inheritance for dependants and protecting the vulnerable from financial abuse.

**What do you consider to be your team's strengths?**

We are advisers first and litigators when necessary. Our greatest strength is the ability to explain things clearly to our clients so that they understand what is happening and what their choices are. We use our expertise to help our clients decide what they want to achieve, and to ensure they understand what it will take to get there.

**Who, typically, are your clients?**

Anyone who wants clear, strategic advice! We are known as regular advisers to a large number of national charities, for people who inherit or would like to inherit and for people tasked with having to administer

estates and trusts. We act for people in all walks of life, as problems with an inheritance or a trust can affect anyone.

**How big a part of your role is understanding your client's needs?**

Understanding what our clients want is the be-all and end-all. The whole point of our service is to help people to achieve something, whether that is to gain or protect money, land or property or, sometimes, just to understand what happened so that they can come to terms with it. Our legal knowledge is a means to an end.

**How often do the laws change in your area of expertise?**

The fundamentals rarely change in our line of work, as we are dealing with people's core rights and obligations. The details of how you apply the law in any given situation are, however, constantly being refined by the courts. Every time a court decides a case, its approach provides some guidance for the future and that is how the law evolves. The *lott v Mitson* case I took to the Supreme Court last year was a good example of this happening: the underlying laws did not change but the Supreme Court's decision refined the way every court in the Country now applies them.

**Does your team's work crossover and involve other areas of Wilsons?**

Very much so! Wilsons offers a full suite of services to our private clients and my team

uses our colleagues' specialist knowledge to resolve the sorts of problems that affect estates and trusts. After all, if it can happen to someone while they are alive, it can equally happen to their estate after they die.

**At the end of the day, what gives you and your team the most satisfaction?**

The cases nobody ever hears about, where you resolve everything quickly and quietly. The cases that reach court are just the tip of the iceberg and our proudest moments are when we spare our clients that worry and expense, and just guide them to the conclusion they wanted. Thankfully, these 'quiet' cases are still the majority of what we do. ■

### WILLS AND TRUSTS DISPUTES

#### Experts in their field



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Please note: the full team can be seen on the Wilsons website

What we do

# Directory Services

*Whether for personal or business services, Wilsons offers high-quality legal advice*



## PERSONAL LAW

### FARMS & ESTATES



**Alison Bailey**  
Partner  
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We manage the sale, purchase or letting of substantial rural properties and businesses. The team guides landowners through the process of realising their development opportunity, whilst attaining maximum potential from their asset. We also specialise in the development of predominantly greenfield sites in the South of England.

### RESIDENTIAL PROPERTY



**Tim Clayden**  
Partner  
T: 01722 427 713  
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We handle the legal aspects of sales and purchases of properties ranging from three-storey homes in the heart of London, to landed estates in the Wiltshire countryside. The variety of our case-load at any time could be said to mirror and represent the different levels of sophistication, and various requirements, of the clients we look after as a firm.

### TAX & TRUSTS



**Adam Herbert**  
Partner  
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Our team advises on personal affairs and the management and protection of assets. Much work focuses on transferring assets down the generations in a tax-efficient manner. This includes drawing up wills and powers of attorney, forming onshore and offshore trusts or other asset holding structures, and advising on associated capital taxes. See our Team Profile on page 44.

### WILLS & TRUSTS DISPUTES



**James Aspden**  
Partner  
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We have one of the leading teams of wills and trusts disputes experts in the country. Our breadth of experience and expertise lets us provide a full service whenever difficulties arise in relation to an estate or a trust. We are known for our discreet, pragmatic approach and we regularly act for clients in mediation and other aspects of dispute resolution.

### PROBATE & TRUST ADMINISTRATION



**Frances Mayne**  
Senior Partner  
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Our team manages a broad range of wills, probate and trusts ranging in value from £500,000 to £80m. Many of the wills, probate and trusts we manage hold business, agricultural and heritage assets. We liaise closely with members of Wilsons Will & Trust Disputes and International Tax & Trust teams to provide a seamless service. We also advise on mental capacity issues.

### FAMILY



**Jacqueline Fitzgerald**  
Partner  
T: 020 7998 0421  
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We advise on the full spectrum of family-related matters including pre and postnuptial agreements, civil partnership agreements and matrimonial issues, including asset and pension division, trust arrangements, spousal maintenance and maintenance for children. We act for clients based throughout the South of England.

## BUSINESS LAW

### COMPANY COMMERCIAL



**James Johnson**  
Partner  
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We have a lot of experience helping businesses achieve their purpose, and business owners achieve maximum return, from buying or selling and getting the most from investments to restructuring and general financing issues. Whether advising a corner shop, a substantial privately owned company or an international financial institution, we are well placed to assist.

### EDUCATION



**Stephen Oxley**  
Partner  
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Our dedicated schools team works with head teachers, governors and business managers on a wide variety of legal issues related to education. We specialise in advising maintained schools, academies, free schools, independent schools, local authorities and Church of England Diocesan Boards on all their legal requirements.

### EMPLOYMENT



**Anthony Edwards**  
Partner  
T: 01722 427 714  
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We offer a proactive and personal HR support service aimed at providing our business clients with effective and commercial solutions to assist them in recruiting and managing their human talent. The area of employment law is as fluid as it has ever been and we keep abreast of all changes in order to be able to best advise our clients.

### COMMERCIAL PROPERTY



**Jane Lonergan**  
Partner & Notary Public  
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Our commercial property lawyers act for companies with significant investment landholdings, renowned educational institutions, big charities and leading professional practices. Our advice also provides value for money to entrepreneurs, start-ups and smaller businesses and we deal in lettings, developments, freehold acquisitions and disposal and more.

### LITIGATION



**Ben Thornton**  
Partner  
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We are particularly well known for property disputes and contentious trust and probate work, however this growing team also advises on contractual and commercial disputes, professional negligence, Court of Protection litigation, Judicial Review and injunctions.

### CHARITIES



**Gillian Fletcher**  
Director of Charity Law and Governance  
T: 020 7998 0422  
E: gillian.fletcher@wilsonslip.com

We act for many charities, advising on law, governance and constitutional matters. We advise on the powers and duties of the trustees, compliance with the charity's objectives and procedures in the governing documents. We have a solid relationship with the Armed Forces and their charities and our specialist legacy team is the largest outside of London.



KEY QUALITIES:  
Singer Andrew  
is in tune with  
his clients

A Senior Associate in the Charity Law & Governance team, Andrew is a people person - at home and at work

## WHAT'S YOUR FAVOURITE...

### 1 ASPECT OF WORKING AT WILSONS?

One of the great things about working at Wilsons is the size of the firm: it has a 300-year history and attracts a broad range of clients with interesting work for us to deal with, but it remains of a size where everyone knows pretty much everyone. As lawyers, we spend a lot of time with our colleagues and it is a real boost to work within such a friendly environment.

### 2 THING ABOUT WORKING IN THE LEGAL PROFESSION?

Again, I think this boils down to the people that I meet. As a charity lawyer, I work closely with people from charities of all shapes and sizes, many of whom are passionate about the cause that their charity has been established to promote.

### 3 THING ABOUT WORKING IN SALISBURY?

Before moving to Salisbury, I lived and worked in London for 17 years. I love being able to get around without having to disappear underground for an hour at least twice a day.

### 4 BUILDING/PIECE OF LOCAL ARCHITECTURE?

As an occasional choral singer, I hope I can be forgiven for making the obvious choice: Salisbury Cathedral. I sang Poulenc's *Gloria* and Britten's *Spring Symphony* in the Cathedral ten years ago during my first ever visit to the city - a very memorable experience for more reasons than one, as anyone in the London Philharmonic Choir will tell you.

### 5 NIGHT OUT?

I thoroughly enjoy an evening at the theatre, so for me it is great to have Salisbury Playhouse right on my doorstep and the Mayflower Theatre just down the road in Southampton.

### 6 PUB IN THE AREA?

My (very) local is the Winterbourne Arms in Winterbourne Dauntsey - somewhere else where everyone knows everyone. It has a large garden, which was perfect for the summer we've just had, and I'm sure its Sunday roasts will be most welcome during the winter we're about to have. In Salisbury itself, I'm quite fond of The Cosy Club - not least because I have made lots of friends there since moving to the area.

### 7 SPOT FOR A PICNIC?

Unless it's a picnic paired with an opera, I'm generally more of a barbecue man. I recently treated myself to a Cobb Barbecue, which is super-portable and can be used pretty much anywhere with a flat surface - although so far I've only used it in my garden.

### 8 DAY TRIP FROM SALISBURY?

Well, you can take the boy out of London but I'm afraid you can't take London out of the boy. And it is only 90 minutes by train. ■



**SALISBURY CATHEDRAL**  
Choral singer Andrew has performed in the iconic building



**BARBECUE**  
There's nothing nicer - unless it's a picnic at the opera



**LONDON CALLING**  
Andrew can't resist making frequent visits to his former home



Wiltshire  
**Air Ambulance**  
funded by you, flying for you



# GIFTS IN YOUR WILL

We know that when you are making your Will your loved ones will come first. But we hope, once you have taken care of your family and friends, that you will consider including a gift in your Will to Wiltshire Air Ambulance to help us continue our lifesaving service.

If you would like to talk to our charity team about leaving a Gift in your Will then please contact us on:

☎ 01225 300536 @ hello@wiltshireairambulance.co.uk

www.wiltshireairambulance.co.uk



## An individual and expert approach to the law

For almost 300 years we have helped our clients manage their future whilst safeguarding all that is valuable to them

To find out how we can help you please get in touch.

**Wilson's**  
Solicitors



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