



In this newsletter, we bring you important updates on legal developments that might affect you and your family, in a readable and informative way. Wards Solicitors' specialist team of lawyers keep you in the loop about everything from how you can include your supermarket loyalty points in your Will to ensuring the sale of a leasehold property goes smoothly.

Coming soon: Civil partnerships extended to mixed-sex couples

From the end of this year, mixed-sex couples who don't feel marriage is for them but who want the same legal rights, can choose to have a civil partnership.

In what is seen as a victory for equality, thousands of mixed-sex couples are expected to take advantage of this change in the law which finally gives them the choice already open to same-sex couples of picking between a civil partnership and a marriage.

The announcement follows a ruling that the Civil Partnership Act 2004 – which only applied to same-sex couples – was discriminatory and incompatible with the European Convention on Human Rights.

What does it mean?

For couples who have never wanted to marry, perhaps feeling that a civil partnership fits their beliefs and ideologies far better, this change means they now have the same choice as same-sex couples and another way to formalise their relationship.

A civil partnership brings entitlement to the same legal treatment in terms of inheritance tax, pensions and next-of-kin arrangements as marriage.

Although cohabiting couples are the fastest growing family type in the UK, many wrongly believe they are protected in common law with the same legal rights as if they were married.

Our experienced Family Law and Divorce team is not just for when a relationship ends. We can also advise on pre-marriage, pre-civil partnership and cohabitation agreements and trusts and property interests.

Myth of common law marriage lives on

Almost 50 per cent of people in England and Wales still mistakenly think that couples who live together have the same rights as married couples, yet another survey has revealed.

This figure – highlighted in a recent university study – has stayed largely the same for the last 14 years despite the recent legal change to extend civil partnerships to mixed-sex couples.

Did you know?

Cohabiting, mixed-sex or same sex couples who choose not to marry or enter into a civil partnership, have no legal protection under common law:

- You have no automatic right to inherit your partner's estate when they die;
- You could be liable for inheritance tax and there's no automatic entitlement to shared property, even if you have been paying the mortgage;
- You may not be entitled to your partner's occupational pension when they die;
- You may not be entitled to the same tax relief and exemptions as spouses and civil partners.



Wards Solicitors has once again been awarded the Law Society's Lexcel quality mark for excellence

winning praise for its efficiency and commitment to clients, dedication to staff training and development as well as its charity work.

My savings versus future care costs – what am I allowed to spend?



For many people, it's a daily worry – if you spend your savings today and need to pay for care home fees in the future, will you be accused of having 'spent up' to avoid your financial responsibility to contribute?

Under the current system, if you need residential care, your local authority will carry out a means test to assess how much you should contribute to the cost.

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This includes your income, assets, property and savings. If the total is higher than £23,250 you will have to pay towards your care costs until your capital falls below that figure. Your contributions will then drop until your capital dips to £14,250 when you will no longer have to pay anything.

To spend or not to spend...

Whilst you are fit and well, have no health issues, no expectation of needing care and are not in receipt of care assistance, you can spend your savings exactly as you want, be that on a lavish holiday or flashy new car.

But be careful of doing anything that a local authority, if and when it comes to assessing your financial situation later, could see as a deliberate way of 'off loading' assets aimed at minimising your contribution to any care home fees. This includes:

- Suddenly spending a lot of money in an unusual and extravagant way;
- Giving away a lump sum;
- Gambling savings away;
- Selling an asset for less than its real value.

Independent legal advice is essential when it comes to legitimate estate planning including gifting assets, particularly transferring property.

Making a Will? Don't forget your digital assets

When it comes to protecting your digital legacy for your loved ones – your Facebook photographs, music collections not to mention your supermarket loyalty points – it's important to leave clear instructions in your Will.

This is so those you leave behind – and the executors of your Will – know exactly what you want to happen to them, as well as how to access them, when you're gone.

Here at Wards Solicitors, we have asset record sheets for you to itemise any paperless accounts. We can also securely and confidentially store a record of your passwords and PINs with your Will.

Key points to consider include:

- Leaving a list of all your digital assets, from online shopping accounts to social media, and where to find them;
- Remembering to mention any digital assets to your legal professional when making or updating your Will;
- Making it clear what you would like to happen to assets like your Facebook account, for instance. Facebook allows members profiles to be memorialised when they die – do you want this?



Complete your Will online?

We have an online Will service on our website – wards.uk.com.



Listed for Personal Tax, Trusts and Probate, Contentious Trusts and Probate, Personal Injury and Clinical Negligence.

Follow us on



Top 10 tips for selling your leasehold flat

Help the sale of your leasehold flat go smoothly – avoiding common problems like lease defects, rights of way and issues with the length of the lease – by following our 10 point plan:



1. Get a head start by appointing a specialist conveyancer early;
2. Gather your documents together – your buyer's conveyancer will need everything from service charge accounts to your buildings insurance schedule and ground rent invoices;
3. Obtain the management pack, from your management company or managing agents, as soon as possible;
4. Pay any service charge and ground rent demands and have the receipts ready;
5. Complete the Sellers Property Information Forms, given to you by your conveyancer, well in advance;
6. Consider ordering local searches yourself to pass on to your buyer. This will keep things moving and it may also be possible to recover the costs from the buyer later;
7. Look at supplying a 'buyers pack' – including a draft contract, property information forms and management pack – for your estate agent to make available to prospective buyers;
8. Check your mortgage to ensure there are no early repayment charges when you sell;
9. Make sure you have keys for all doors and lockable windows ready for completion day;
10. Give us a call...Here at Wards Solicitors we are happy to recommend reliable and efficient estate agents. Unlike some law firms, we do not pay referral fees to estate agents in return for their business.

Complaining about a builder – get the result you want

Having building work in your own home can be stressful, particularly when you encounter problems like shoddy workmanship, delays and poor planning.

Under the Consumer Rights Act, if you enter into a contract for goods and services, you have a right to expect these to be supplied with reasonable skill and care.

This applies to all traders, including builders, plumbers, decorators and electricians, and includes making sure that all the materials they use are of satisfactory quality and up to the job.

If you are unhappy with the standard of building work in your home – be that on a new conservatory, kitchen extension or total refurbishment project – then our specialist building dispute resolution team can help.

We always try to sort out the problem without going to court using everything from a round-the-table meeting to the more formal processes of mediation, arbitration or adjudication. Even when court proceedings are issued, we will work hard to achieve a settlement at the same time.

Keeping land and boundary disputes out of court



Boundary disputes can arise over even the smallest portion of land – just three inches in one recent case. Trying to stop these cases ending up in court, running up huge expense on the way, is the key aim of our experienced dispute resolution team who will always try to sort out a problem between land owners using negotiation and mediation thus keeping costs to a minimum.

In Your Local Community...

Pedal Power for Off the Record Bristol

Fundraising for Off the Record Bristol, our charity of the year, has got off to a flying start with almost £1,500 already in the bag.

A team of Wards Solicitors' cyclists pedalled 98 miles, taking in all 11 of our local offices, in aid of this worthy charity which provides mental health support and information for young people aged between 11 and 25 in the Bristol and South Gloucestershire area.

The challenging route started and finished at Bradley Stoke and also covered Henleaze, Portishead, Clevedon, Worle, Weston-super-Mare, Nailsea, Bristol, Keynsham and Staple Hill.

The original target for the bike ride was £1,000 so we were delighted to exceed this. In the coming year, we hope to raise a total of £10,000 for Off the Record Bristol with a whole host of different fundraising activities.



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Make your Will, help a charity

This year, as every year, we will be giving up our time free of charge to help people make a Will in exchange for a suggested minimum donation to a specified charity.

The schemes we will be supporting again include:

- Bath Royal United Hospitals' Make a Will Month to support its Forever Friends Appeal;
- St Peter's Hospice Make a Will Fortnight;
- Above & Beyond's Write your Will Fortnight in aid of Bristol's city centre hospitals;
- Weston Hospicecare's Make Your Will Week.

Heart to Heart



Supporting Bristol's city centre hospitals is close to our hearts – so we were delighted to match pound for pound the £7,000 raised for the Above & Beyond appeal by the people of Bristol.

The money has been used to help make a real difference to patients, their families and the staff who treat them, particularly at the renowned Bristol Heart Institute.

Our donation came from the Wards Solicitors' Centenary Fund set up specifically to support local causes and started more than a decade ago to commemorate the firm's 100th birthday.

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