

Firm news: Mary Stevens Hospice bag pack

The Wall James Chappell “bagpack” at Iceland in Stourbridge on Saturday 5th March 2011 proved extremely successful raising almost £400 for local charity, **Mary Stevens Hospice**.

Members of staff of Wall James Chappell and their families helped customers to pack their shopping bags all day at the Iceland store which is based in the Rye Market area of the town.

Jonathan Browne, Senior Partner said :

“We would like to thank all of those who donated generously to such a fantastic cause. Another bagpack is planned later on in the year which, again, we hope will raise much needed funds for Mary Stevens Hospice”



Pictured above : Susannah Griffiths, below (left) Teresa Stepien ; (centre) John Cockling ; (right) Georgina Pugh and her son, Jordan



Wall James Chappell will also be raising money for the Hospice by sponsoring both the 1st & 18th holes at the Roger Brookes Memorial Golf Day at Little Lakes golf course near Bewdley on 12th June.

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Mary Stevens Hospice



Financial & Long Term Care Planning for the over 60s?

This year has undoubtedly been very challenging for our economy. Whilst there may be green shoots starting to appear, the consequences of the downturn in the market are a major concern to thousands of people when it comes to their retirement planning. In addition, future lifetime financial burdens such as Long Term Care fees are also a concern from a funding perspective and when it comes to trying to keep your estate intact for your children.

On Thursday 9th June 2011 at Dunsley Hall Hotel in Kinver, in conjunction with [Origin](#) financial advisors, we'll be hosting a seminar that will provide clear and independent advice on issues affecting the over 60's.

Topics covered include:

- Making the best use of your IHT nil rate band allowance
- Using Trusts to maintain your income, preserving your estate, and planning for care fees in the future
- The use of Wills for advanced Inheritance Tax and Long Term Care planning
- Equity Release schemes, their pitfalls, benefits and implications for your estate
- The advantages of setting up a Lasting Power of Attorney, and the difficulties that can arise when one is not in place
- Maximising your income for your retirement, and planning for the future

The seminar consist of an easy to understand presentations, Q & A sessions and a chance to have a private discussion with one of the advisers on the day.

The Seminar will begin at 10.45 and will last about an hour. A buffet lunch will be provided.

You are welcome to book a place for you and a friend, family member or colleague.

To book a place please telephone Sharon Hopkins at Origin on 01384 361803.

If you have other concerns or require advice, please contact Christopher Hamlyn, Susannah Griffiths or James Rousell at Wall James Chappell on 01384 371622



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Website—update



Please visit our new and improved website for details of all the legal services offered by Wall James Chappell together with all of the latest firm news, publications and photos.



Robin Bailey
IT Manager

DKRFC Dudley Kingswinford Rugby Club



Wall James Chappell, first team sponsors of **Dudley Kingswinford Rugby Football Club**, would like to congratulate the club on their fantastic season so far.

The First XV have sealed promotion from Midlands 1 to National League 3 after defeating promotion rivals Sutton Coldfield 33-19 on Saturday 19th March 2011 and Old Halesonians 39-0 on Saturday 26th March. They are now unbeaten all season and 20 points clear at the top of the league table with only 2 matches to play.

Wall James Chappell are proud to be associated with the club and looking to support them next season.

James Rousell, a partner at Wall James Chappell has close links with the rugby club having been a member for over 20 years said : "we are delighted to have supported the rugby club this year and would like to congratulate them on their outstanding performances all season"



Firm advises on transatlantic commercial deal

The commercial department has recently advised a Californian based company on an international joint venture. Freewaters LLC, which is a premium casual footwear brand, was advised by Philip Chapman.

Speaking of the deal Philip explains that "Freewaters is launching their brand simultaneously in North America and in Europe for the Spring 2011 season. They are an ambitious company with strong ethical values and have chosen to enter the EU market by way of a joint venture."

The purpose of the joint venture agreement was



to establish the basic rights and obligations of the parties and to ensure that the company and its business are established and run in accordance with the parties' objectives.

Eli Marmar, Managing Director of Freewaters LLC, said: "Philip's advice was invaluable in terms of his technical and commercial knowledge. One important aspect of his work was advising on the joint venture agreement, which provides clear decision making procedures particularly in the case of avoiding any deadlock in decision making."

Business as usual

Manufacturing plays a key role in the economy of the West Midlands, so who could be better to speak at the re-launch of Business Xchange held on earlier in the year at Dudley Kingswinford RFC, than Cecil Duckworth OBE, founder of Worcester Boilers and self-made multi-millionaire.

Wall James Chappell are a founding sponsor of The Business Xchange, a non-profit making local business group based in the West Midlands, the main purpose of which is to assist local manufacturing and small businesses with support and advice by exchanging skills, ideas and services.

The event provided an ideal forum for manufacturers and small businesses to meet informally and share opportunities. The firm hopes

that people who attend may, for example, find a supplier for their company locally, cutting time and cost, things which are vital in modern manufacturing methods.

Margot James, MP for Stourbridge and successful businesswoman in her own right, will also be speaking at the Business Xchange this year.

The commercial department has also successfully completed the negotiation of an **intellectual property joint venture** relating to the patent rights over new engine technology.

The commercial property department acted for the new landlords of **The Forrester's Arms** in Wollaston, an historic and popular Black Country real ale pub.



The Business Xchange sponsors



Cecil Duckworth OBE



Kathy Leather (Commercial Director of Worcester Warriors rugby club)

Firm Christmas card competition

Stourbridge youngsters had something to celebrate after winning our first charity Christmas card competition to raise money for our chosen charity - Mary Stevens Hospice.

Schoolgirls - Alice Stanley Haga, aged 12, and Georgina Rollett, aged eight, who both attend Elmfield in Stourbridge, and Maya D'Arcy Clarke, aged six, a pupil at Dawley Brook Primary School in Kingswinford, were voted winners of the competition.

Wollaston artist Geoff Tristram helped to pick the winning designs which were made up into cards and placed on sale

in our reception over the Christmas period.

Janet Jones, head of fundraising at Mary Stevens Hospice, said: "I have been really impressed with the standard of designs that have come in from all the schools who participated. It is a lovely idea to raise much-needed funds for the hospice."

The Christmas card competition is just one of a host of initiatives organised by staff at **Wall James Chappell** to boost funds for the popular charity.



The winning design of Alice Stanley Haga, aged 12.

Planning update

Two recent planning appeal decisions demonstrate the breadth of activity in the Planning Department.

New dwelling adjacent 27 Church End, Hanley Castle.

Planning permission was sought for a new dwelling in Hanley Castle. The site was in a Conservation Area and in an important position opposite the entrance to the church, facing the cedar tree on the green. Following initial adverse comments from the Council's Conservation Officer, the original scheme was withdrawn and advice sought from **Elizabeth Mitchell** on the best way to tackle the problems that had arisen and the likelihood of achieving planning permission. The size of the plot was considered potentially suitable for an additional dwelling subject to suitable massing and design and discussions with Andrea Burton of Nick Joyce Associates (Architects) resulted in a more modest proposal that was felt could "preserve or enhance" the character and appearance of the Conservation Area, which is the statutory test to be applied on such sites, in addition to other local planning policies. The Architects also produced a sketch street scene to demonstrate the important view of the site from the church gateway. This also demonstrated that the cottage allowed the other listed buildings to be seen and appreciated. Despite the design process being explained in the Design and Access statements and supporting documentation, permission was refused by Malvern Hills District Council. However, an appeal was lodged on behalf of Mr Nick Lechmere and the arguments put forward to support the proposal were accepted by the Inspector following a site visit and planning permission was granted, subject to conditions.

Affordable housing in Holy Cross, Clent, Bromsgrove

Planning permission was sought for affordable housing in Holy Cross, Clent, by West Mercia Housing Association. Although a survey demonstrating local need had been provided and a public consultation event had been held approximately 4 years ago, the particular site, known as "The Pleck" was resisted by local residents since it had high ecological and amenity value being covered by a Tree Preservation Order and included a badger sett and was used by residents for recreation and dog walking. Local residents said that they did not object in principle to the idea of providing affordable housing within the village however, the only site actively promoted by the Housing Association would result in a significant loss with respect to trees and also the change from an undeveloped site to developed site would impact on the Holy Cross Conservation Area. The site was outside the village envelope and therefore treated as an "exceptions site".

For about 4 years from the initial public consultation to the

final decision on appeal, the local community group known as Holy Cross Conservation Group was guided through the necessary steps, timing of objections, grounds for objection by **Elizabeth Mitchell** and advice was also sought from Counsel, Hugh Richards at No. 5 Chambers. The Applicants eventually appealed against non determination and it was at this point that further objections were raised on behalf of the local residents. The application was put to Bromsgrove Planning Committee to see what decision the Council would have made if they had made a decision in due time and perhaps partly due to the case made locally, stated that they would have refused permission. The Inspector in coming to a conclusion clearly weighed the importance and need for affordable housing in the context of the specific site constraints and held in this instance that the considerations in favour of the proposal did not outweigh the combined harm arising from the proposed development and therefore very special circumstances were not considered to exist to justify inappropriate development in the green belt. Further, the Inspector held that the development would harm the character and appearance of the conservation area. Although issues relating to ecology including dormice, highway safety, design, the methodology of the housing needs survey were all debated, the crux of the matter was the impact on the Green Belt and the character of the Conservation Area. The Holy Cross Conservation Group sought advice throughout this lengthy process and were clearly most pleased with the Inspector's decision to reject this appeal.

The work done by **Elizabeth Mitchell** in the Planning Section includes supporting planning applications with planning statements, Design and Access statements, dealing with enforcement issues, whether enforcement notices or breach of condition notices or certificates of lawfulness and is also involved in close liaison with the Worcestershire Wildlife Trust on ecology related matters and supports them providing Reasoned Statements for seeking European Protected Species Licences. This breadth of interest is particularly helpful on larger scale proposals, but even the smallest scheme can run foul of ecological, design and planning policy issues which must be addressed at the earliest stage to have the best chance of success. Elizabeth can be contacted on **01384 371622** or by email e.mitchell@wjclaw.co.uk



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