

**Neves awarded Double ACQ Global Award**

Neves are pleased to announce that we have this year received two ACQ Global Awards: UK Regional Law Firm of the Year; and UK Leading Female lawyer of the Year (Residential Real Estate) - Caroline Hume.

'This is fantastic news as we continue to strengthen our reputation as a leading law firm in the region in what continues to be a competitive marketplace. We really appreciate awards like the ACQ as it provides us recognition for the hard work of all of our staff. The awards also reiterate the consistent, practical and quality service that we strive to provide for our clients'. Stewart Matthews, Partner at Neves.

The award comes as a double celebration for Caroline Hume and the Residential Property department with Caroline being awarded the Lawyer Monthly Magazine's Women in Law Awards 2015 for Residential Property earlier in the year and Vishal Sharma being shortlisted for Young Conveyancer of the Year at the Law Firm Services Awards to be held in September.

Every year, ACQ asks its tens of thousands of readers to nominate and recognise industry leaders and organisations that represent the benchmark of achievement and best practice in a variety of fields. The awards are then divided into company, practice area, individual and firm-wide categories within the public and private sectors.



**Caroline Hume**  
Partner & Head of Residential Property

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**Team Dons Complete London To Amsterdam Challenge**

Neves are delighted to have supported the 145 miles cycling challenge from London to Amsterdam for Prostate Cancer UK over the weekend of 12 – 14 June. The four MK Dons representatives conquered the London to Amsterdam challenge at the weekend, all with the aim to raise money for Prostate Cancer UK.



Corporate partnerships manager Dan Cole, head of media relations Ben Campbell, SET health and wellbeing manager Karl White and relationship director of the Dons'

banking partner Santander Marco Cerrone completed the gruelling 145-mile journey. The quartet left at 9am on Friday morning and cycled 82 miles from Leyton Orient FC to Harwich, where they caught the overnight ferry to Holland. Another early start followed on Saturday, one which saw them ride 63 miles and finish at the Amsterdam Arena, the home of Ajax FC.

Neves are proud to have supported such an achievement and for such a great cause, same time next year!

**What Our Clients Say About Us**

*"Just would like to thank everyone involved in the very smooth sale of property."*

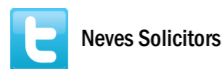
*"The service provided is good and the communications excellent. You feel that you are dealing with a professional firm and have full confidence in their dealings."*



*I would like to thank you for your help and support during the process of selling the property. It was not always easy, but without your help it would have been much more difficult. Thank you."*

*"We very much appreciate the manner in which the business transactions were conducted, efficient and pleasant."*

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**Wife Who Signed Post-Nup Denied Second Bite of the Cherry**



The value of a post-nuptial agreement in protecting wealth was illustrated recently when a property developer with assets said to be worth more than £30 million was able to persuade the court that a post-nuptial agreement signed by his ex-wife should be binding on her. Although the couple had known each other for two decades, their marriage lasted only two years.

Shortly after divorce proceedings were commenced, the husband attempted to obtain his wife's agreement that her financial settlement on divorce should consist of two properties, a car and £75,000. She took legal advice and her solicitor specifically advised her against making the agreement. After further negotiation, she agreed to a divorce settlement worth approximately £2 million.

Although her solicitor was unhappy with the result, the Family Court heard that she had been to see her solicitor on several occasions and it was not satisfied that evidence had been produced which was sufficient to show that coercion had been used to persuade her to sign the agreement.

Accordingly, the Court ruled that the agreement was binding.

**Family**  
If you need help or assistance with any family law issues then contact our family team.  
Email: [family@nevesllp.co.uk](mailto:family@nevesllp.co.uk)



**Mary McEvoy**  
Partner & Notary Public  
Head of Divorce & Family Law,  
Collaborative Lawyer



**Beth Woodward**  
Partner  
Divorce & Family Law,  
Collaborative Lawyer

**Let's Think About The Children**



In a recent interview in Harpers Bazaar Magazine the actress Kate Winslet said she would change nothing about her personal life including her two divorces claiming that "it's very important to teach your children to struggle on some level". She went on to add that she had turned all the "bad bits" into positive experiences. "I would honestly say that I wouldn't change a thing. Even all the bad bits".

Kate Winslet has been married three times and has a 14 year old daughter, Mia, from her first marriage to Jim Threapleton, and a son, Joe, 11 from her second marriage to Sam Mendes. In 2012 she wed Ned RocknRoll, the nephew of Sir Richard Branson, and gave birth to their son, Bear, a year later.

Her comments spotlight the effect that divorce and separation can have on the children of the family. Sadly they are often casualties in the fall out after a divorce and can become caught up in the disputes between their parents whether its about who they live with or spend time with or what should happen to the family home.

Research shows that children can deal with their parents' divorce so long as they are allowed to have a good quality relationship with both parents and they are not caught up in matrimonial conflict. The way you approach disentangling yourself from your partner legally and financially will have a bearing on this. We can talk you through the different processes such as mediation and Collaborative Law that can enable you to reach an agreement without unnecessary acrimony.

The family department at Neves offers a one hour fixed fee meeting that gives you an opportunity to explain your background and your priorities to us and based on this we can advise you on your legal position, options, timescales and cost.

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## Kind Builder Can Keep £470,000 Inheritance



A kind builder, who was rewarded with a £470,000 inheritance after befriending a pensioner and mending his leaking gutters for free, can keep the money after a judge

dismissed a challenge to the deceased's will brought by his family.

The pensioner died at his home aged 73, but his body lay undiscovered for several weeks. Shortly before he died, he had signed a will leaving everything he had to the builder. The latter said that their friendship had flowered when he helped him out with odd jobs, visited him regularly and chatted to him about sport and the weather.

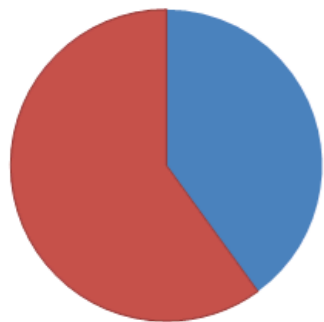
The pensioner's sole surviving blood relative, a distant cousin, and the children of an old family friend, who regarded him as their uncle, would have inherited under an earlier will. Although they accepted that he had mental capacity to make a valid will, and that his signature was not a forgery, they argued that the bequest to the builder was so inexplicable as to arouse suspicion.

In submitting that the pensioner did not fully comprehend or approve the contents of the will, the former beneficiaries argued that he had nothing in common with the builder and had no need of more friends. He was said to be a carpentry and DIY enthusiast who did not require the builder's assistance. At no time had he mentioned the builder to them and they had not met him before the pensioner's death.

However, in upholding the validity of the final will, the judge described the builder as a truthful and straightforward witness. He had been kind to the pensioner and they had discovered a real shared interest in mutual chat, banter and human interest stories. There was nothing suspicious about the way in which the will had been executed and initial claims – subsequently abandoned – that the pensioner's signature was a forgery had been undermined by expert handwriting evidence.

Challenges to wills by disappointed relatives are by no means infrequent even where, as in this case, the deceased's nearest relative was clearly not close to him. Taking appropriate legal advice and executing a valid will can help see off such claims at an early stage.

## Six in 10 Britons risking future family feuds by not writing a will



Macmillan Cancer Support has released new research revealing that more than one million Britons have argued with family members after the death of a relative who had failed to write a will. Almost a fifth of those respondents said that

family breakdown had occurred as a result of the row.

The survey found that nearly six in 10 UK adults had not set out how they wished their estate to be divided upon their death, with the most common reasons including 'never getting round to it' or not even realising that they had to.

Even among those who had written a will, a third admitted to something that they had promised to a loved one not being included, running the risk of further family disputes.

It led Macmillan legacy manager Dani Adams to declare: "Do not leave it any longer, now is the time to start discussing your end-of-life wishes with loved ones, with writing a will at the top of your to-do list."

MoneySavingExpert.com founder and editor Martin Lewis concurred, observing that dying interstate can add financial hardship to the grief: "Your money and assets could be locked away with your loved ones unable to access them, causing all types of problems."

He added of the urgent need for many Britons to write a will: "Some unpleasant chats are the most important ones."

### Private Client

If you need help or assistance with any Wills, Probate or Trusts law then contact our private client team.

Email: [wills@nevesllp.co.uk](mailto:wills@nevesllp.co.uk)



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## Daughters Who May Never Inherit Fail to Dislodge Will



Although she had separated from her husband more than 20 years previously, a woman who died of a brain tumour in 2010 had not yet completed the settlement of the financial side of her divorce when she died.

Since the separation, she had taken up with a man 26 years her junior and, in a will made a month before her death, she left him a 'life interest' (use for life) in her matrimonial assets resulting from the settlement with her ex-husband and half of the remainder of her estate.

The balance of her estate she bequeathed to her daughters.

The daughters challenged the will, claiming that their mother lacked 'testamentary capacity' when it was made and that a letter she wrote to explain her actions was written by her partner.

The dispute centred on whether the mother understood the implications of the arrangements she had put in place: particularly, the likelihood that her daughters, given the similarity in their ages to that of her partner, might never benefit as intended under the terms of her will.

For a will to be valid, it is not enough that the person making it understands the effects of its terms. They must also understand the 'reasonably foreseeable consequences' of the will.

The court concluded that the woman would not have signed the letter of wishes without reading and understanding it and had mental capacity to draw up the will she did.

## Cohabitant Entitled to 25 per cent Share



Yet another case has come to court which illustrates the wisdom of cohabiting couples making a 'living together agreement' or formalising their respective rights over

the property in which they live.

It involved a couple who formed their relationship in 1975 and started living together in a property bought by the male partner in 1982. When he died in 2009, the mortgage was not yet paid off and the mortgage company sought possession of the property. Although she had made no substantial financial

contribution, his partner claimed she had a 50 per cent beneficial interest in the property. The court concluded that this was excessive. There is no presumption in law in such circumstances that the beneficial ownership of the property will be in equal shares. The court concluded that her interest was 25 per cent.

The mortgage company appealed the decision, but the original judgment was confirmed by the Court of Appeal.

It is not widely enough appreciated that there is no automatic right to a share in the ownership of a property simply by virtue of living in it for an extended period with the legal owner, even if household bills or mortgage payments are shared.

### Residential Property

If you are in the process of buying or selling a property then contact our a member of our conveyancing team who will be happy to assist.

Email: [info@nevesllp.co.uk](mailto:info@nevesllp.co.uk)



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