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September 2010

A new partner at Berry & Berry

It is with great pleasure that we can announce that Robert Moseley has been made a Partner at Berry & Berry, strengthening the firm's busy Property Department.

Robert joined the firm as a trainee solicitor in 2005 and soon developed into a property specialist with his expertise in commercial and residential transactions.

Robert acts for businesses and residents throughout the South East on a broad range of property deals from the high street shop or flat to farms, restaurants, pubs, and offices.

Nigel Stratton, Managing Partner, commented: "It's always a pleasure to see the firm's home grown talent advance to partnership. Robert will continue to promote our property services founded on the firm's principles of friendly professionalism, quality and expertise."

Commenting on his promotion Robert said: "Making partnership is great recognition of my personal achievements over the last few years. The property market has been going through one of the most difficult periods in recent times, but we have secured a steady level of instructions. I would attribute our success to our strong reputation for clear dependable advice and



Robert Moseley a new Partner at Berry & Berry

quick response times; something which our clients value. I am looking forward to working with the Partners to tackle the challenges facing the solicitor's profession in the coming years and to continue looking after our clients' legal needs."

Welcome to something new!

Welcome to our first newsletter, keeping you updated, informed and armed with news and issues that may affect you in the legal world.

You may already know about Berry & Berry and our services, for some we may be very new to you - whatever your knowledge please read on to discover more, and to find out how we can help you.

Who are Berry & Berry?

We are a progressive, forward-looking law firm with offices in Tunbridge Wells, Tonbridge, and Maidstone together with consulting rooms in Kings Hill providing **Friendly, Dependable Expertise on your doorstep.**

We have been established in Kent for over 250 years and have over sixty five members of staff who draw on this experience to provide specialist advice in a relaxed, professional environment.

A high percentage of our new work comes to us as a direct result of personal recommendations from existing clients.

We are members of LawNet, the UK's leading network of independent law firms, and are

accredited to the internationally recognised LawNet ISO 9001/2000 Quality Standard assuring you of our commitment to providing clear, practical advice and effective action at the right price.



Whatever your legal needs, whether business or personal, we are ready to help.

Services to Business

- Business start-ups
- Company commercial
- Commercial property
- Housing management
- Employment
- Dispute resolution
- Services for landlords

Services to Individuals

- Dispute resolution
- Employment
- Property litigation
- Tenant services
- Personal injury
- Matrimonial & family
- Wills and probate
- Elderly client
- Residential property
- Conveyancing
- Criminal defence

“My solicitor”

In earlier times ‘my solicitor’ was a phrase like ‘my doctor.’ The lawyer was the consultant to whom one turned - automatically - **for help and advice, someone ready to fight your corner.**

We believe this should still be the case.

This newsletter therefore has two purposes. Firstly, to maintain

contact with you and keep you informed of some of the latest changes that may affect you in some way. And secondly, to enable you gradually to learn more about us, all of us.

We do hope that you will enjoy this first edition of our “News Update,” and find something of interest in it for you. We also hope that we can

continue to help you with your legal matters and when the time arises you can say **“I’ll call my solicitor.”**

*Nigel
Stratton
Managing
Partner*





Unfairly Dismissed!

by Paul Reader, Partner

Berry & Berry successfully obtained damages of over £30,000 for two clients who were found to have been unfairly dismissed.

The clients were represented by **Ian Tysh**, of Berry & Berry in a contested 2 day Employment Tribunal hearing in Ashford.



Ian Tysh
Partner

The Respondent employer, represented by Counsel instructed by a national firm, was found by the tribunal to have been at fault in not following a procedure in selecting the clients for dismissal. The tribunal provided for uplift on both clients' awards of damages by 25% due to the employer's failure to follow a fair procedure.

Paul Reader of Berry & Berry, who prepared the case, stated "This was an extremely important result for our clients who had found

it difficult to find further employment due to the allegations of theft that were made against them.

It is extremely pleasing to see that the tribunal found that there was no evidence that our clients had been involved in such activity and that they are now able to return to the job market with their names cleared." Ian Tysh went on to say "It is extremely satisfying to achieve such an outcome against a nationally recognised firm. The case underlines the importance to employers of following clear transparent procedures when disciplining employees. We are now making an application for the Respondent to pay costs."

Details of our employment team can be found at our website at www.the-solicitors.co.uk.



Careful negotiation.

by Robert Moseley, Partner



Berry and Berry recently completed leases at Abbey Court, the new medical centre on St John's Road, for several medical practices that have relocated there. The clients were represented by **Anthony Herman**, Senior Partner, and **Robert Moseley**, the head of the conveyancing department. The landlord was represented by a city firm.



Anthony Herman
Senior Partner

Completion took place after many months of careful negotiations with the developer, the Primary Care Trust and other professionals involved. The new medical centre provides a range of GP and other NHS primary care related services all under one roof and is well located being near to the Kent and Sussex Hospital.

Robert Moseley, commenting on the transaction, said: "This was a challenging instruction as the involvement of the PCT required a thorough review of the business structures of the clients as well as the usual commercial property considerations. It was a pleasure to visit the completed premises recently and see with one's own eyes the coming together of the aspirations that the parties had on day one."

Marathon Success

Sharon Hawkins, a Partner in our Family Department based in our Maidstone office, has a major interest outside her client work.

Having run for over ten years, Sharon is the current ladies champion in the Kent Marathon Championship and was selected as a reserve to run for the England Masters XC team in the British and Irish Masters XC International last October and ran in the open race.

Having competed in ten London Marathons, six times with the Championship women, Sharon ran in the women's Championship race again in this year's London Marathon. She achieved an

impressive 6th place in her female age group W45-50 and ran in 3 hours and 6 minutes.

At the beginning of July Sharon won a bronze medal running for Team Great Britain in Hungary, she ran 10k in 40 mins 52 seconds!



Sharon Hawkins, a partner in our Family Department

Will Moore, a solicitor in our Property Department based in our Tunbridge Wells office, started running a year ago. He has competed in half marathons and the London Marathon was his first full marathon. He finished in 4 hours and 13 minutes.

Congratulations Sharon and Will!



Will Moore, a solicitor in our Property Department

Contact us...

If you have a question or query, or feedback about this newsletter or any of our services feel free to email enquiries@the-solicitors.co.uk or contact one of the offices listed below.

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ME19 4YU

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Landlords...

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