



# Legal Proceedings



SPRING/SUMMER 2008

*The newsletter of Cruickshanks Solicitors*

## WE ARE MOVING!

Good-bye Sir Peter Blake house and hello to  
**10 Bentinck Street London W1U 2EN**

### SELLERS NOW JOINED AT THE HIP for better or worse.

Like it or not it is now law. Get HIP or else!

As from 14 December 2007 all properties must have a HIP before being marketed no ifs or buts! This will add anything from £350 - £700 to the marketing costs of a property payable by the seller, you!

*"Traps to avoid" said John Cruickshank, "Free HIPS provided by an agent as part of a sole agency marketing agreement as you may well find that when you and your agent fall out of bed because you want to later instruct another agent or go multiple agency, your free HIP will be no good and you will have to start the whole process all over again!"*

*"Faster is not always better or faster in the long run. Therefore do not be seduced by the cost and initial time saving of a personal local authority search as part of the HIP which involves about a £140 saving and is quicker initially. Remember the object of the exercise is to promote the sale and get an exchange without wasted time and further expense. A personal local authority search is not acceptable to most lenders, so if your HIP has the cheaper personal search option your buyer will need to commission a full local search later down the line and will probably feel aggrieved that you did not include it in the original HIP and valuable time is lost in waiting for the full search to come in. That is not good marketing and you may find the buyer has a chip at you later by way of price re-negotiating because you have inadvertently upset him!"*

Cruickshanks are offering a HIP service with a Law Society approved supplier which we recommend on the basis that it will be prepared under supervision of ourselves and is more likely to be acted upon by your buyers.

### WIGS FOR SOLICITOR ADVOCATES

Although the hybrid category of Solicitor Advocates was created many years ago, the powers that be have only just agreed that they ought to have parity of dress with barristers, namely the wearing of wigs. *John Cruickshank*, Senior Partner, became a Solicitor-Advocate in 1994 and is hoping that he will not have the opportunity to wear one. *"I wore one for many years in New Zealand and they are a distinct irritant and a very expensive one at that!"* The last time John

Cruickshank appeared was at the *Snaresbrook Crown Court* on a jury trial which was resolved by the prosecution offering no evidence after nearly 3 days of legal submissions on behalf of a client who had been charged with among other things, conspiracy to steal original sound recordings, memorabilia and recording equipment from Yusef Islam, aka Cat Stevens.



*A be-wigged  
John Cruickshank*

# PROPERTY OUTLOOK FOR 2008?

## More crunch, less Deals

*Knight Frank* are expecting 10%, if not 15%, fewer sales this year. The London market has moved into a new phase requiring astute buyers to ensure they do their homework on both location and target property. Whereas prime London prices rose by an average of 13.3% per annum in the 30 years to 2006, *Knight Frank* believed the rate will only be 6% in the 5 years to 2012.

## Where to Buy?

*Knight Frank* believes: Prime London, Bloomfield Road and environs close to Regents Park, Lots Road Power Station, Chelsea, West Hampstead, Twickenham and Kew.

<b>Kings Cross</b>	Spectacular launch of the St Pancras Eurostar Terminus, the 67 acre regeneration of the former railway lands to the north of the station will shortly begin.
<b>Euston</b>	Similar to Kings Cross. Regeneration uplift from not only this scheme but also knock-on benefit from Kings Cross.
<b>Bayswater to Fitzrovia</b>	Typified by Super Prime London to the south and regeneration of Paddington, Euston, St Pancras and Kings Cross to the north. This area may see considerable improvement over the next decade. It is an area full of a period character with opportunities for building refurbishments and wholesale redevelopments.
<b>South Bank</b>	This area has become London's first contemporary London quarter.

## WHAT IS "SUPER PRIME"?

Super Prime London properties are those in excess of £6 million. A growing range of international buyers are supporting the top end of the market. From Russian buyers to now oil and commodity-rich countries such as Kazakhstan and the Middle East in particular. In addition, we are seeing money from Asia and from the Indian Subcontinent. These properties have historically and in recent times out-performed the rest of the London market. The smallest growth has been seen in the properties from £1-2 million towards the end of 2007. This would appear to be the market most affected by fluctuations in interest rates whereas the Super Prime seem immune.

Facts and figures courtesy of *Knight Frank's "London Residential View – Winter 2008"*

## SIR EDMUND HILARY

Sir Edmund Hilary died at the age of 88. He came to the world's attention with his scaling of Everest in 1953. A New Zealander of a misleadingly fragile appearance who almost over-compensated for this factor by training and wrestling preparatory to his ascent of Everest to overcome what he described as a "deep sense of inferiority".

By the time Sir Edmund attempted his ascent, seven previous expeditions to the top of Everest had failed. It was not then known whether it was humanly possible to reach the top. Sir Edmund joined the British climber Sir John Hunt's group and after a gruelling climb at the Southern face, battling high altitude and bad weather, Sir Edmund and Tenzing Norgay reached the peak at 11:30 on the 29<sup>th</sup> May. On the morning of Queen Elizabeth's Coronation in May 1953, the headlines of the local newspaper claimed the ascent of Everest as a great Commonwealth and British achievement.

Sir Edmund became an honorary Nepalese citizen in 2003 for his contribution to humanitarian works in Nepal. He spent two years as New Zealand's High Commissioner to India and founded the Himalaya Trust in 1964 which helped establish clinics, hospitals and nearly 30 schools. These later achievements Sir Edmund described as having given him more satisfaction than a "footprint on a mountain".



*Sir Edmund Hillary & Tenzing*



**Trade Doubler** whose mission statement is “to redefine the marketing landscape!” has now been operating in the UK for 10 years and has year on year experienced dramatic growth in sales to such an extent that the CEO reported in October 2007 77% increases in Q3 revenues to a total of €82 million with gross profit increasing by 39% to €18 million.

In July 2007 they acquired *The Search Works* and *The Technology Works* which contributed to the growth.

**Trade Doubler** is a pan-European performance-based digital marketing company offering a range of products and services to optimise business return on investment. The headquarters are in Sweden but with 17 offices across Europe. The team is dedicated to digital marketing professionals striving to optimise performance of digital marketing activities.

The company has capitalised on the shift in marketing emphasis from traditional media such as newspapers, magazines, television and so on to the internet. It is apparently a little-appreciated fact that most people spend more time on the internet than they do watching television. Log on to their website [www.tradedoubler.com](http://www.tradedoubler.com)

**Cruickshanks** recently acted in their acquisition of a further floor in their London headquarters at Portland House, Victoria.

## ANTIK WEST

The historic town of Gothborg (Gothenburg) Sweden is the home of Antik West Oriental Art and Antiques with a spacious gallery at Sodrevagen 41 in the cultural centre of the town.

Antik West was founded in 1970 and is the family business of Bjorn Gremner as managing director. Bjorn is a frequent lecturer in Scandinavia on Chinese porcelain and has also appeared for over 19 years in the popular Swedish television programme “*Antik Rundan*”, the Swedish version of the English “*Antiques Roadshow*”. Together with daughter Anna, Bjorn has also published a popular book on Chinese export porcelain.



*Antik West shop Beijing*

## EC1 MUSIC AGENCY

Alex Nightingale, the proprietor, has been a longstanding client of **Cruickshanks** and counts among his clients *Lily Allen*, *The Chemical Brothers*, *The Orb*, *Ambient Legends*, *Electric 6* and, of course last but not least his mother and longest-serving member of Radio 1, *Annie Nightingale MBE*, who is also a client of **Cruickshanks**. I thoroughly recommend you read Annie’s book “*Wicked Speed*” which is cheery reading.



*The Chemical Brothers*

## TIE THE KNOT – TAX ADVANTAGE

As reported in the Personal Finance Review – Winter 2007, the current IHT level even when massaged by the current Labour government to a taxable nil rate band of £300,000 still catches many couples on the death of the last spouse.

It is almost fruitless writing on the subject of Inheritance Tax when the certainty of the continuation of the current Labour government is in doubt and the Conservatives promising £1,000,000 as the nil rate band.

It is therefore a situation which needs to be closely monitored before any meaningful Inheritance Tax savings planning can be entered into. For those of you who currently take advantage of **Cruickshanks’** tax planning services you will need to “watch this space” as they say.

Antik West have also since 2007 opened up in China with a gallery on the second floor of the Ji GuGe Art Co, 132-136 East Liuli-Chang Street, Beijing. Antik West do the summer Olympia antiques fair in London as well as special exhibitions in Sweden, Norway, Hong Kong and China. Bjorn recently said that there has been a marked emphasis in his clientele changing from European to the new wealthy Chinese who wish to acquire their Chinese cultural objects of art. See [www.antikwest.com](http://www.antikwest.com).

## CASES AND CLIENTS

Peter Montagnon  
& Xiaojiu Zhu

### Peter Montagnon

Peter Montagnon, a longstanding client of the firm is best known for his documentaries for *BBC* and television generally. In 1984 he won the National Academy of Television Arts & Sciences International Emmy Awards for *“The Heart of the Dragon: Episode 1 – Remembering”*. *“These would now be priceless to those interested in modern Chinese history”* said John Cruickshank. *“Although a series filmed only half a generation ago, they portray a China fast disappearing.”*

Peter also won the Channel 4 Television Award for outstanding achievement in documentary programming and a *BAFTA* for the 1969 production of *“Civilisation”* which is available still on Amazon as a DVD boxed set. Peter lives with his wife, Rosemary, who was a psychiatrist and practiced in the West End until some 6 years ago. She is now 89 and Peter not far behind, both agile of mind if not still fleet of foot! They now live in the lovely hilltop stone village of Menerbes, South of France.



### Allan Noel-Baker

Allan, a client and friend of John Cruickshank, was a catalyst to a family stay over Christmas at the Noel-Baker's family estate on the Greek Island of Evia, or Euboea to those classically educated, at Candili. It is a fascinating history of the Noel-Baker's involvement in modern Greek history and in particular the original 11,000 acre estate purchased by Edward Noel from the Turks who were systematically abandoning their property in Greece following the Greek War of Independence, in 1832.

A cousin, *Lord Byron*, died through his efforts to achieve Greek independence, in Missolonghi. His widow subsequently provided the deposit for Edward Noel's purchase of the estate from the departing Turk Achmet Aga. *Lady Byron* continued as benefactor throughout Edward's arduous attempts to cultivate the estate in conjunction with his old friend from agricultural college on the banks of Lake Geneva, the Swiss Karl von Muller in whose co-ownership it remained for many years.

The history of the Candili estate is an insight into modern Greek history. The estate suffered the ravages of the aftermath of the Greek War of independence, the First World War, the Second World War, notably its occupation by the Germans and subsequently the Italians and thence the Greek Civil War, which meant that the country was engaged in armed conflict for the best part of twenty years. For avid readers, it is worth mentioning a significant part played in the rescue of New Zealand servicemen, trapped in a remote cave on the eastern coast of Evia. A local fisherman, not only fed and watered the two men, but took them in his rowing boat to a distant rendezvous with an awaiting submarine. A framed commendation from the New Zealand government still hangs in this man's parlour.

One would then be forgiven for believing that the estate would then be consolidated and the family would enjoy the fruits of its labours but, no, a communist uprising from a previously loyal group of villagers came against them as now the despised “landowners”. The then Greek government itself

denied forestry rights and the family was forced to pursue its rights to the European Court of Justice for compensation.

The estate is still occupied and farmed by the Noel-Baker family. All the Noel-Bakers are fluent in Greek and Philip, Allan's elder brother and Edward Noel's great great grandson has two boys with his wife Lia who is a Greek national and graduate from Harvard University. Lia manages the financial side of the estate and at the time of going to press is expecting her third child.

The family has enjoyed a long and distinguished service both to Greece and also to Britain. Allan's grandfather, also Philip was not only an MP and subsequently a life peer as Baron Noel-Baker of the City of Derby, but also participated in the Olympic games as both a competitor (Stockholm 1912, 1920, 1924 when he won a silver medal in the 1500m and captained the team and also 1928 in Antwerp). The 1924 team was the inspiration for the 1982 film *Chariots of Fire*. He was heavily involved in the formation of the League of Nations in 1919 and also the United Nations, its successor after World War Two. A passionate champion of disarmament, he was awarded the *Nobel Peace Prize* in 1958. Philip was a member of parliament from 1929 to 1970 and a member of the House of Lords from 1977, when he was recognized in the Queen's Silver Jubilee honours list. As Commonwealth Secretary in Atlee's post war government he took a keen interest in New Zealand's affairs.

Allan's father, Francis was the youngest British member of parliament, elected in 1945 and served for 25 years Allan's mother Barbro, a Swedish national was an eminent linguist, fluent in Mandarin and was posted in the 1950s to the Swedish Embassy to Beijing. She published the history of the Noels and Bakers in a book entitled *“An Isle of Greece”* which was published in English and Greek where it won the Greek equivalent of the Booker prize.

Readers who would like to read the book and experience Candili, I suggest you do so on [www.candili.gr](http://www.candili.gr) and read the book while chilling out in this very un-Greek-like hideaway featuring

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