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OCTOBER 2022 - NEWSLETTER



Happy Halloween everyone!

**From all the staff here at Taylor Bracewell
we wish you a spooky but safe Halloween!**

This month we have 7 Halloween themed articles one from each of our departments.

If you need any more information on any of the subjects mentioned in this newsletter, don't hesitate to contact us on 01302 341 414 or 0114 272 1884

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THE UK'S MOST AND LEAST FRIENDLY HALLOWEEN CITIES!

RESIDENTIAL PROPERTY

Are you looking at moving house over the Halloween period and looking for somewhere with that "Spooky" Halloween feel?

This list may be for you, find out below the UK's most Halloween-friendly cities.

According to a 2020 survey, Sheffield is the UK's most Halloween-friendly city. Over 60% of residents join in on the spooky season, decorating their houses and handing out sweets and goodies to trick-or-treaters.

Belfast and Leeds come in at a close second and third, as it seems they also enjoy the season.

At the other end of the scale, the city which dislikes Halloween the most is Southampton with 20% of the residents ignoring the trick-or-treaters and hiding away for the night. Bristol and Newcastle are also Halloween haters.

If you enjoy decorating your house and inviting trick-or-treaters with open arms, then Cardiff is the city for you, as 71% of residents decorate their houses. Plymouth and, of course, Sheffield are second and third.

So, if you love Halloween Sheffield may be the city for you but if this isn't a season you enjoy maybe opt for Southampton, Bristol or Newcastle.

For further information on [buying](#) or [selling](#) your [Residential Property](#) don't hesitate to contact our Residential Property Team on 01302 341414 | 0114 272 1884 or by filling out our [online enquiry form](#).



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WHY LOOKING AT YOUR WILL AT HALLOWEEN IS ESSENTIAL

WILLS, PROBATE & TRUSTS

Reviewing and updating your Will every so often is one of the most important things you can do to ensure your wishes are up-to-date.

Here at Taylor Bracewell we see Halloween as an excellent time to check your Will and here is why:

Wills could be viewed as a 'trick-or-treat'. If a Will is up to date then this makes for a 'treat' as when you pass away it means the administration of your assets can progress as smoothly as possible and your wishes are met. However, if you don't update your Will when something in your life changes then this could mean that your wishes are not met, and you may unwillingly disinherit someone, or there could be complex issues when administering your estate.



Here are 5 of the most common reasons a loved one may receive a "trick" upon a family member's death:

➤➤➤ **Birth or Death** – If you have had a child since writing your Will then you may need to update your Will to ensure they are included as a beneficiary. If you already have a Will and it names your existing children, then unless you make a new Will your new child would not be a beneficiary on your death.

In addition, you may need to **appoint a guardian for your child** to ensure they will be looked after if you do pass away. If someone you have appointed to be guardian died before you, then it is important that your Will is updated, otherwise, your wishes will not be known and the Court may end up appointing a guardian.

➤➤➤ **You move house** – If you move house, then your Will may need to be updated to reflect any change of assets or any particular gifts of property.

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➤➤➤ **Marriage or Divorce** – If you get married after writing your Will then you may need to update your Will. This is because marriage automatically revokes a Will, unless the Will has been made in contemplation of that marriage and specifically says so in the Will. If the Will is not rewritten then when you pass away your new spouse may inherit a lot more, or a lot less, than you actually wanted them to.

If you are going through a divorce it is always a good idea to update your Will to ensure that should something happen to you before the divorce is finalised, then your ex will not inherit your estate.

➤➤➤ **Your financial situation changes** – If your **assets** increase or decrease in value then you should consider reviewing your Will to see if it still reflects your wishes.

➤➤➤ **New Asset or family heirloom** – If you gain or receive a new asset or family heirloom which is considered to be valuable to your family, then you may wish to write this into your Will in the form of a gift. Otherwise, this asset may be sold when your estate is administered.

There are loads of different reasons why a Will should be reviewed and updated. If you are unsure whether you should consider reviewing your Will then contact our Wills, Probate & Trusts.



Here is a video which explains the **importance of having a Will!**

Our Wills Team is always happy to help and offer any further advice. They can be contacted by calling 01302 341414 | 0114 288 1884 or by filling out our online enquiry form.



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5 TIPS ON SPENDING HALLOWEEN AS SEPARATED PARENTS

FAMILY LAW

Halloween is a holiday celebrated by both parents and children alike! However, at Halloween, **separated parents** may worry about how they're going to spend time with their children over seasonal holidays such as Christmas and Birthdays.

We often hear clients saying "Whilst my children are young and still taking part in Halloween, I want to be there to experience those memories for many years to come". This can be difficult for separated parents as they may both want to experience these memories with their children.

We would always advise any separated couple feeling like this to plan ahead. Pre-planning your time with your children, especially over holiday periods is the only and best way you are guaranteed to see your children on special occasions.

Here are our Family Teams' top 5 tips on spending Halloween as separated parents:

1

Discuss your plans in advance and be flexible – It's important that plans aren't left until the last minute as this can cause further disagreements. Discuss with your ex-partner what the plans are going to be a few weeks in advance. It's important that you are flexible with these plans and understand your ex-partner's wants and needs as well as your own. Most importantly, your children's needs should always be put first.

2

Share photos – If you are the parent spending time with your children and making memories, share photos with your ex-partner as it's likely they don't want to be missing out on these.

3

Spend Halloween together – If possible, spend Halloween together, this way neither parent feels left out and the children will be able to make memories with both parents together.



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4

Celebrate in different ways – It may be that one parent spends Halloween night with the children, taking them trick-or-treating, and the other parent takes them to a Halloween event another night. This means both parents are getting to spend time with the children and make memories associated with Halloween.



5

Alternate years – Take it in turns as to who spends Halloween with the children. It may be that one year you spend Halloween night with the children whilst your ex-partner takes them to an event another night and change nights the next year.



Our **Family Team** are always happy to help and offer further advice; they can be contacted on 01302 341414 | 0114 288 1884 or by **filling out our online enquiry form**.

Here are 2 videos which our family team filmed earlier this year, you may find them interesting:



What is a **Child Arrangements** Order and when might it be needed?



Step by step: **New Divorce Procedure**



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WHAT TO DO IF YOUR PROPERTY IS A VICTIM OF A 'TRICK' THIS HALLOWEEN

DISPUTE RESOLUTION

Every year at Halloween, hundreds of homes are damaged due to 'tricks' being played on residents. This may be in the simplest form of throwing eggs or 'knock a door run.' However, any damage to your property is considered vandalism and you may be eligible to bring a **dispute claim**.

Our Dispute Resolution team have put together their best advice on what you should do if your home is damaged:

Before Halloween, you should check that your insurance policy is up to date and covers your home and any contents. The different types of policies (comprehensive, third party, fire & theft and third party only) all cover different things, so it's important that you have the right kind of policy for you and your needs.

If your property is damaged, you may be able to claim the cost of the damage or loss against the individual responsible. If this is something you're worried about, proving who was responsible will assist if you have CCTV. You will also need to be able to quantify the repair cost that you are asking for.



Please note: If it is a child under the age of 18 that has damaged your property, then you may be able to sue the parents. Although the parents are not responsible for the acts of their children they are responsible for supervising them and could be sued for failing to supervise them.

Always remember that if the behaviour is a criminal act, you need to call the police and your insurance company may need a crime reference.

For further advice, contact our **Dispute Resolution Team** on 01302 341414 | 0114 288 1884 or **fill out our online enquiry form**.



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5 SCARY LEGAL ISSUES FOR EMPLOYERS THIS HALLOWEEN

EMPLOYMENT LAW

Halloween is celebrated all over the world in many schools, private clubs and a lot of workplaces. Each employer will have a different view on what Halloween in the workplace should look like, however, in recent years we have seen an increase in pumpkin carving contests, adult costume contests and a range of other Halloween-themed activities.

Despite this being an enjoyable holiday for most, we find that following Halloween there is a rise in 5 legal issues which employers seek legal advice for.

Here are 5 things you as an employer should be wary about this Halloween:

1

Discrimination by fancy dress – Many employers will allow their employees to dress in fancy dress at some point over Halloween. Although this is something that employers need to be careful with as this may **lead to discrimination**. For example, people may dress in costumes directed at different stereotypes relating to nationality, religion and mental health. In 2013, Asda and Tesco both had to pull costumes from the shelves that portrayed 'mental patients.'

2

Religion and belief discrimination – Wicca is a modern pagan religion. A "Wiccan" who claimed that she was mocked and later dismissed after switching her shifts to celebrate All Hallows' Eve won a religion or belief **discrimination claim** in the **Employment Tribunal**.

3

Misconduct during Halloween – Some employees may inappropriately use Halloween. For example, inappropriately using Halloween-related images.

4

Absence Management – Employees must understand that absence due to a hangover is not acceptable. During the Halloween period, more parties are held which may lead to increased absence for unacceptable reasons.



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5

Health and Safety – Ensuring employees are safe in the workplace is a main priority. Dressing in fancy dress may not be safe for people operating machinery and decoration may cause hazards in workshops and walkways. Fancy dress costumes can be highly flammable.



Our **Employment Law Team** are experts in dealing with all aspects of employment law. To speak with one of our employment team, please call them on 01302 341414 | 0114 288 1884 or **fill out our online enquiry form**.



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HALLOWEEN

Hamper Giveaway



To enter, all you have to do is follow us on Instagram (@taylorbracewellsolicitors) and then like, comment and share one of our Hamper Giveaway posts!

THE MOST COMMON HALLOWEEN INJURIES

PERSONAL INJURY

Over the Halloween period, there is a noticeable increase in injuries and accidents. This is a result of many factors, some of which are out of your control and with the correct approach you may be able to bring a **Personal Injury Claim** to receive compensation for your injuries!

Here are a few things you should be aware of to keep your Halloween as happy and safe as possible:

1

Trips and Falls – Over Halloween, there is a significant increase in **injuries caused by falling**. This may be due to the decorations on properties you're visiting. For example, loose wires used to light up the decorations.

On the other hand, many properties are left with intentionally limited light on Halloween night. This can make visibility difficult, meaning hazards are less likely to be seen and more likely to cause an accident.

Please note: **Trips and falls** as a result of voluntary alcohol intoxication may prevent an injury claim if the accident was caused only because of the effect of the intoxication.

If the effect of voluntary intoxication in any way contributed to the accident circumstances or made any injury suffered worse, It may reduce any compensation award owing to the legal concept of contributory negligence.

However, any injury caused by involuntary intoxication will not necessarily prevent an injury claim from being successful and we recommend that you seek legal advice in such a case.

Alcohol intoxication does not stop you making an injury compensation claim if the cause of the accident and injury was the fault of another.

2

Road Traffic Accidents – Halloween always sees an increase in the number of people drunk driving, due to the increase in parties and celebrations. This makes road traffic collisions more likely.

Road traffic accidents are also more likely over Halloween due to the dark clothing worn by trick-or-treaters or partygoers. This makes pedestrians more difficult to be seen when crossing or walking near the road.



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Injuries caused to pedestrians can have life changing consequences.

If you are involved in a Road Traffic Accident over the Halloween period which was no fault of your own, please read our ["6 tips: Bringing a Personal Injury Claim"](#).

3

Costumes – Many Halloween costumes are made from extremely flammable materials. This means the bottom of a costume may only wave past the top of a flame and the costume could be in flames in seconds.

We would always recommend you to look for costumes made from synthetic materials such as polyester or nylon.

Masks need to be fitted properly so they don't block vision, which may make trips more likely.

Please note: Any injuries as a result of your own costume will not qualify you for a Personal Injury Claim unless the costume was damaged or faulty when you purchased it and have evidence to prove this.

4

Food Poisoning – Always check the dates of food and sweets collected on Halloween and throw away any suspicious-looking sweets, that look like they may have been opened or messed with.

If you, unfortunately, do suffer an injury on Halloween, don't hesitate to get in contact with our **Solicitor, Robert Clarke**, for further advice. He can be contacted by calling 01302 341414 | 0114 288 1884 or [by filling out our online enquiry form](#).

Here are some videos you may find beneficial:



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TOP 5 TIPS FOR PROTECTING YOUR COMMERCIAL PROPERTY AT HALLOWEEN

COMMERCIAL PROPERTY

Whilst Halloween is seen as a fun, exciting time for many, it can be dreaded by property and business owners who may be scared of having a 'trick' played on their property.

Here are our Commercial Property teams' top 5 tips for keeping your workplace safe this Halloween:



- **Safe Halloween Decorations** – Many people decorate their offices and property for Halloween but it is important that this is done in a safe way.

Make sure all decorations and wires are not obstructing walkways and therefore becoming a trip hazard. It's important to ensure emergency exits and safety equipment (fire extinguishers) are not obstructed and can still be easily reached if needed.

It is important to note that if you lease a Commercial Property, there may be restrictions on what you can do to do the property in regards to decorating. We would always recommend looking at your lease before considering any decorations.

- **Lighting** – During the Halloween period, it is often expected that buildings inside and out are dark and gloomy to fit the atmosphere. However, we would always recommend avoiding this. You should ensure good lighting and visibility indoors and outdoors reducing the risk of accidents. It also reduces the risk of vandalism to your property and the potential of someone bringing a Personal Injury claim against your business.

- **Secure Vehicles** – To ensure the safety of your vehicles over Halloween, if possible, put them in a secure garage. If this is not possible then leaving them in a well-lit area will decrease the risk of damage. Make sure they're locked and any alarms on them are set, this makes it more difficult for any crime to be taken out on the vehicle. If you are leaving your vehicle outdoors, you may wish to purchase a cover to protect it from substances, such as red paint (blood) and eggs.

Please note: We would also recommend any businesses who own a business vehicle, to check whether or not all their insurance is up to date and provides fully comprehensive cover. This is to protect the business in the event the vehicle is vandalised over the Halloween period.

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- **Secure Building** – Ensure your building is secure, by locking up and setting the alarms. Leaving a light on in the property may also help deter vandalism. You may wish to test burglar and smoke alarms, so if the worst does happen it is in working order and can be stopped as soon as possible.
- **Check your Insurance Policy** – It's important that you understand the type of coverage you have on your property and vehicles and the things you can claim for. For example, does your cover just protect the building itself or does it include contents as well? If you wish to upgrade your insurance to a different cover then this needs to be done in advance.

Our **Commercial Property Team** are always happy to help and offer further advice. They can be contacted by calling 01302 341414 | 0114 288 1884 or by **filling out our online enquiry form**.

We have more articles on our website relating to commercial property, here are three that you may find informative:

- [What obligations do commercial landlords have?](#)
- [Altering a property I'm renting](#)
- [Do we have to pay to have our business premises put right when we leave?](#)



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reviewsolicitors

– A review from Review Solicitors –

I've always used Taylor Bracewell because they are efficient, return my telephone calls and have never had a problem with conveyancing, Wills or legal advice. Excellent service generates lifelong clients.



Lauren Smith

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► Asked to remain Anonymous ◀
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ABOUT US

Taylor Bracewell Solicitors is a dynamic and forward thinking legal firm with offices in Doncaster and Sheffield. We are passionate about providing individual services and connecting with our clients on a one to one basis. This enables us to fully understand our clients' legal needs and deliver exceptional value in our services.

Our Services:

- Residential Property
- Commercial Property
- Family Law
- Employment Law
- Disputes
- Medical Negligence
- Personal Injury Claims
- Business/ Company Law
- Business Disputes
- Charities
- Wills, Probate and Trusts
- Asset Protection
- Inheritance Tax planning
- Powers of Attorney and Court of Protection



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