

Running a business can be difficult at the best of times. When problems arise they can be time consuming, de-motivating and expensive. Prevention is always better than a cure, and considerably less expensive, so it makes sense to do things properly from the start and regularly review the law as it affects your business in order to keep ahead of potential problems.

Forming a business

If you are starting a business, we will be happy to advise on the different business entities you might consider. These include, being a sole trader, whether or not to form a limited liability company or, if there is more than one owner of the business, whether to operate as a partnership, limited partnership, limited liability company (or co-operative).

Business premises

Whether you are buying a business or starting from scratch property is likely to be involved. You may rent the premises in which case you will need to sign a lease or tenancy agreement, which will impose obligations on you and will therefore require careful consideration. Recent changes in the law may mean that you may be required to make a stamp duty land tax return to the Inland Revenue and you can be penalised if you fail to do so. Additionally, it may now be necessary to register the lease or tenancy agreement at the Land Registry.

Commercial agreements

Contracts can make or break a new company and severely damage an existing one.

We will look at and advise you about any contracts which affect your business whether they be for the sale or supply of goods, or the purchase or supply of services from others. We will assist you with your Terms & Conditions of business and with any agency, distribution or similar agreements, which you may be asked to sign or you may wish to enter into with other parties.

Employees

Employees can be a problem. Once again it often comes down to pre-planning and getting the correct advice in advance. Your contracts of employment, your employee manual or handbook, and your disciplinary and grievance procedures, are of prime importance to your business, and should not be left to chance. Your handling of employment problems and union matters should not be overlooked.

Responsibilities

The directors of limited companies have an arduous task keeping up with the increasing number of responsibilities imposed on them. Those trading on their own account have commercial and common law requirements to take into account. Berry & Berry can help you here.

Litigation

We can defend you against compensation claims for personal injury or accidents at work, and represent you at employment tribunals. We undertake most forms of court work and also have access to representation in work we do not cover ourselves, through our membership of the National Independent Network of Solicitors. Our debt collection department will help you get paid on time, and if you are not we will assist you to claim compensation in line with your contract of supply.

We can also assist with those motoring offences that, added up, can have a crippling effect upon a business.

Termination

Bankruptcy, liquidation and receivership are frightening prospects. If the worst happens it is good to know that you have our experience beside you. But not all termination of business result from insolvency. Some decide to cease trading, whilst others come to an end as a result of death or partner disillusion. Whatever the reason you will need to know clearly your liabilities, your tax position, and be prepared for disputes over employee and customer contracts, debt both by and to the company, and the ending of commercial contracts. Managing the end of business is as important as the careful administration of an individual's probate, and far more complicated.

Charges and Fees

We know how important it is for our clients to know exactly what they have to pay for our services. For this reason we always discuss our charges with you openly and frankly in advance of any work being undertaken. Often we can agree a fixed fee, and if required agree a schedule of payments.

Contacting us

You can find out far more about us on our website www.the-solicitors.co.uk or if you think a meeting would be of benefit to you please contact us.

