

Seminar on Succession Planning

Business owners from throughout the Black Country were among those who attended the first joint seminar on succession planning organised by Hawkins Hatton and Shirebrook Financial Services.

The seminar in March included employment advice for the transfer of businesses and succession planning on the sale of a business. The speakers were Steve Thompson of Shirebrook Financial Services and Victoria Edwards of Hawkins Hatton LLP.



Victoria Edwards, Steve Thompson, John Haden & Clive Trapp



Terry Cain, John Ellis, Andy Kay & Martyn Tanner



Laura Raby, Barry Hubble, Mark Northall

DEALS DIARY

December 2007 WYE WASTE PAPER LIMITED Management Buy-Out Hawkins Hatton LLP acting for the Purchaser Michael Dudley	December 2007 SLICK SYSTEMS LIMITED Company Re-Organisation Hawkins Hatton LLP acting for the Company	December 2007 O.E.SUNSHADES LIMITED Company Re-Organisation & New investment Hawkins Hatton LLP acting for the investor
January 2008 FISHER FOUNDRIES LIMITED Purchase of company's own shares Hawkins Hatton LLP acting for the Company	February 2008 ISATRAD LIMITED Purchase of a children's day nursery Hawkins Hatton LLP acting for ISATrad Limited	March 2008 COLTER STEELS LIMITED Sale of Business Hawkins Hatton LLP acting for the Seller
March 2008 NATWEST BANK plc Reeds Carpets Hawkins Hatton LLP acting for the Bank	March 2008 WB POWERSOURCE LIMITED Sale of Company Hawkins Hatton LLP acting for the Seller	March 2008 CONCEPT TECHNICAL SERVICES LIMITED Sale of Company Hawkins Hatton LLP acting for the Seller

DUDLEY LAW FIRM TAKES LEAD IN RECYCLING FIRMS MBO

Hawkins Hatton has acted as legal advisers in a management buy out of recycling specialists Wye Waste Paper Limited.

Under the deal, Michael Dudley, an existing director of the company bought his partner Martyn Campbell's share of the business for an undisclosed sum.

Based in Ledbury, Herefordshire, Wye Waste Paper is this year celebrating its 10th anniversary since formation. It has grown steadily over the years and currently has an annual turnover of around £2.5 million with 30 employees.

Our corporate team was led by partner Colin Rodrigues with support from Laura Raby. Financial and tax advice was provided by Phil Lockett from chartered accountants Lockett & Co, based in Hereford. Colin Rodrigues, said: "Waste paper recycling will continue to be at the forefront as more and more consumers and businesses recognise the importance of protecting the environment and reducing waste. Following the MBO, Wye Waste Paper is in an excellent position to benefit from the growth in the sector."



Employment Support

For many organisations employment advice is a distress purchase. At Hawkins Hatton we take the time to find out about your business so we can best anticipate and solve your problem. In order to help you manage risk, we offer training, prepare scripts for difficult redundancy meetings and hold many clients' documents on file. This enables us to be ready to give instant advice when there is a change in the law.

How Much Will I Have To Pay?

Dismissal payouts are capped at approximately £70,000.00. But discrimination cases can be devastating with uncapped payouts. Strike action can result in huge commercial consequences and investigations can damage staff motivation. Any employment dispute can be damaging to a company or a businesses reputation.

Prevention Is Better Than Cure

Do not assume that you are immune; every business employs someone. There is no correlation between a company's size and the penalties for falling fowl of legislation. Be alert. It is vital that you are aware of the latest changes in employment law. We can keep you updated on developments and what they mean to your business. Finally, train your staff. We offer training on difficult matters like redundancy or reorganisation.

Forthcoming Changes Over The Next 12 Months

Employers are facing the pressures of increasing legislation and public awareness of employee rights. They need to readily check their employment policies to ensure that employees are not subject to unfair practices. We have advised many clients on how to handle discrimination cases and complex redundancy situations.

If you require any employment advice, please contact our Employment Associate, Victoria Edwards, on 01384 216840 or vedwards@hawkinshatton.co.uk.

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PROPOSED REPEAL OF THE STATUTORY DISPUTE RESOLUTION PROCEDURES

The Employment Bill 2007 had its first reading on 6 December 2007 and marks the beginning of the end of the somewhat fraught history of the statutory dispute resolution procedures. Employers will no longer need to concern themselves with ensuring that the three stages of a disciplinary are adhered to, nor do they need to ensure that they respond to a grievance within a 28 day period. The statutory procedures are expected to be repealed in their entirety and almost rewind the clock to the position before midnight on Thursday 30 September 2004.

The key proposals are as follows: -

- 1 Repeal of the Statutory Dispute Resolution Procedures.
- 2 Repeal of Section 98(a) of the Employment Rights Act 1996, which relates to procedural unfairness of a dismissal.
- 3 A Code of Practice will replace the statutory procedures.
- 4 Employment Tribunal awards will be adjusted by up to 25% where a party fails to comply with a Code of Practice.
- 5 Fixed Conciliation periods repealed.
- 6 Compensation available for associated losses caused by non-payment to employees.
- 7 Fast track procedure for simple monetary claims.
- 8 Various new provisions relating to the National Minimum Wage, Employment Agencies and Trade Unions.

To find out more about the proposed changes, please contact Victoria Edwards on 01384 216840 or vedwards@hawkinshatton.co.uk.

DROP IN SESSIONS WILL ADVISE ON EMPLOYMENT LAW

Business owners can tap into free employment advice thanks to the launch of our new service.

A series of drop in sessions are being held each Friday between 10 am and 12 noon at Hawkins Hatton's offices at Castle Court 2, Castle Gate Way, Dudley.

Associate solicitor Victoria Edwards, a specialist in employment law, said: "The idea is to encourage business owners to keep up to date with the latest employment regulations so they understand how the law can impact upon the day to day running of their companies. We will also be able to provide an initial free consultation to those seeking advice on employment issues."

"Appointments aren't required and we hope the free surgeries will prove popular with small and medium sized enterprises in the Black Country."



CHANGES TO CAPITAL GAINS TAX - UPDATE

The changes to Capital Gains Tax (CGT), which were announced in October last year, were confirmed in the March budget

The changes to CGT mean that from the 6 April 2008 there will be a single rate of CGT set at 18%. This will be the rate regardless of the type of asset or how long it has been owned.

Under the previous rules there were different rates of tax for different types of investment, which coupled with indexation allowance and taper relief meant the rates could be as low as 10%. There is now one single CGT rate of 18% and this is coupled with the removal of the indexation allowance and taper relief for individuals and trustees.

The Chancellor of the Exchequer Alistair Darling has had a great deal of criticism from the business community because many believe that they will now be hit with a higher rate of tax which will discourage investment in new assets. As a result, the Chancellor introduced Entrepreneurs' Relief in January, which was further confirmed in the budget.

Entrepreneurs' relief will allow the first £1,000,000 of lifetime capital gains to be charged at 10%. This will be further reduced by the application of the annual exempt amount which has been increased to £9,600 for individuals. The gain can be made up of any number of gains up to the £1,000,000 threshold, but any amount above this will revert to the 18% rate.

Entrepreneurs' relief will be available in the disposal of all or part of a business, on gains made on assets disposed of following the cessation of a business if disposed of within 3 years and on certain disposals of shares in trading companies. In the disposal of shares in a trading company the relief will only be available to those who are employees, company directors and other officers who own at least 5% of the shares and can exercise 5% of the voting rights.

The relief will be of little help to those who make a gain larger than £1,000,000 and in many of the larger management buy outs where managers individually own less than a 5% shareholding, they will miss out on the relief completely. However, for many of those to whom it is available the introduction of the relief will be a welcome reduction from the new set rate of 18%.

If you would like any further assistance please do not hesitate to contact Ruth Coleridge on 01384 216840.

RUTH JOINS HAWKINS HATTON AS TRAINEE SOLICITOR

Dudley based law firm Hawkins Hatton, has appointed Ruth Coleridge as a trainee solicitor to strengthen its corporate, employment and property departments.

Ruth, who gained a distinction on the Legal Practice Course at Chester College of Law, joins Hawkins Hatton from EXB Legal in Chester, where she worked as a senior paralegal, specialising in the franchising sector.

After graduating from Lancaster University with a law degree, Ruth went on to gain work experience in two legal firms in Blackburn.

Hawkins Hatton is one of the region's fastest growing law firms specialising in mergers, sales and acquisitions as well as in employment legislation.

Corporate partner Colin Rodrigues said: "Ruth's appointment reflects our on-going commitment to developing young talent within Hawkins Hatton,"

