

## FLORISTRY TRADE DEAL HAS SWEET SMELL OF SUCCESS

The firm has enjoyed the sweet smell of success when it advised The British Florist Association on its purchase of the Society of Floristry.

The acquisition has increased the BFA's membership by 700 to 3,200 making it the UK's largest independent trade association for florists and the second largest in Europe. Acknowledged as the 'voice of the industry,' the BFA represents nearly 6,500 florists and is the only sector trade association to be recognised by the UK Government and in Brussels.

Our team, led by corporate partner Colin Rodrigues, handled all legal aspects of the acquisition including the drawing up of heads of terms.

Under the deal the Society of Floristry's database has passed onto the BFA which has also acquired an online shop selling publications previously listed on the society's website.

As part of the acquisition a new training and education committee will also be formed to retain and build on the success of the Society of Floristry in this area.

The BFA has a secretariat based in Dudley. President Mark Ward said: "We rely solely on our membership subscriptions for funding so this acquisition will further strengthen our position in the industry enabling us to support Florists with business advice through our manned helpline and lobby government on important issues such as increases in business rates."

The firm has developed strong links with the BFA having previously sponsored the organisation's trade exhibition FleurEx where the firm hosted a number of legal seminars for florists.

"We were delighted to be able to support this deal which will help consolidate the BFA's leading position in the UK floristry industry," said Colin Rodrigues.



## CARRY ON CAMPING – THANKS TO DEAL

Midlands entrepreneur Roy Pitchford has bought Europe's largest caravan and camper van recovery and salvage specialists for an undisclosed sum.

Caps (UK) Limited is based in the village of Upleadon, half way between Gloucester and Newent, and was established by Richard Bladek in December 2000.



*Photo caption: Gloucestershire entrepreneur, Roy Pitchford who has just bought Europe's largest Caravan and Camper Recovery and Salvage company, Caps (UK) based in Upleadon, nr Newent Left to right - Colin Rodrigues, corporate partner, Hawkins Hatton, Alex Peterson, director, Caps UK, Roy Pitchford, owner Caps UK and Toby Harper, Hawkins Hatton.*

The company recovers, stores and recycles caravans and campers from throughout the UK and the extended EU, before selling them on to dealers, repairers, DIY enthusiasts. It also dismantles parts for recycling and spares.

The deal was managed by Colin Rodrigues, corporate partner at Dudley based law firm Hawkins Hatton, who acted as lead adviser to Roy Pitchford.

"Camping and caravanning is enjoying a resurgence in the UK and this deal will enable the business to grow further through investment," said Colin Rodrigues, "Our client will be working closely with Richard Bladek who will be staying on in the business for six months to ensure a smooth transition."

Roy Pitchford, a Zimbabwean accountant by profession is now based in Gloucestershire and also has interests in platinum and gold mines in Southern Africa. He has purchased the entire share capital in Caps which employs three full time staff.

## DEALS DIARY

<p>March 2010</p> <p><b>ABC KITCHEN CLEANERS LIMITED</b></p> <p>Purchase of shares</p> <p>Hawkins Hatton LLP acting for the Purchaser</p>	<p>February 2010</p> <p><b>BRITISH FLORIST ASSOCIATION LIMITED</b></p> <p>Purchase of assets</p> <p>Hawkins Hatton LLP Acting for the Purchaser</p>	<p>February 2010</p> <p><b>LEVI WALTERS METAL MERCHANTS LIMITED</b></p> <p>Purchase of assets</p> <p>Hawkins Hatton LLP Acting for the Purchaser</p>
<p>March 2010</p> <p><b>R &amp; RW BARTLETT LIMITED</b> a leading root vegetable supplier</p> <p>Purchase of Assets</p> <p>Hawkins Hatton LLP acting for the Purchaser</p>	<p>March 2010</p> <p><b>MAXSPEED ENGINEERING LIMITED</b></p> <p>Company Reorganisation</p> <p>Hawkins Hatton LLP acting for the Company</p>	<p>March 2010</p> <p><b>INDUSTRIAL UPHOLSTERY BUSINESS</b></p> <p>Company Reorganisation</p> <p>Hawkins Hatton LLP acting for the Company</p>
<p>March 2010</p> <p><b>VIC STROUDLEY HOLDINGS LIMITED</b></p> <p>Company Reorganisation</p> <p>Hawkins Hatton LLP acting for the Company</p>	<p>March 2010</p> <p><b>CHAIN OF POST OFFICES</b></p> <p>Purchase of Business</p> <p>Hawkins Hatton LLP acting for the Purchaser</p>	<p>March 2010</p> <p><b>MACHINE MANUFACTURING BUSINESS</b></p> <p>Sale and Re organisation</p> <p>Hawkins Hatton LLP acting for the Seller</p>

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## OPTIONS FOR COMMERCIAL DEBT RECOVERY

Recovering debt quickly and cost effectively is often at the forefront of business operations, particularly during tough economic trading conditions. In this article, Dawn Sebbage from the corporate team at Dudley based law firm Hawkins Hatton, examines some of the options which will alleviate the need to engage in full court proceedings.

The starting point for recovering outstanding debts is a statutory demand – a formal demand for payment under the Insolvency Act.

In the event that the debtor does not satisfy their debt within a specified period the creditor will be entitled to petition for the bankruptcy or winding up of the debtor.

This threat is often enough to encourage the debtor to pay the sums due as the seriousness of the situation has been highlighted by the creditor instructing a solicitor to serve a formal demand. In our experience this is a highly effective method of encouraging payment of often long outstanding debts.

However, companies need to consider that statutory demands are only appropriate for debts in excess of £750 and can also only be used to demand debts that are not disputed.

The court has the power to set aside a statutory demand if the debtor applies to the court and disputes the sums demanded. For disputed debts creditors may need to consider opening negotiations to not only agree the sums they are owed but to resolve any wider issues which form the basis for disputing the payment.

The statutory demand must be brought to the attention of the debtor in a particular way and a creditor will risk the court refusing to seal a bankruptcy petition and/ or winding up petition against the debtor if the correct procedure is not followed.

Should the debtor not pay the debt within the time specified in the statutory demand the creditor can petition for the debtor's winding up or bankruptcy. However, the creditor's primary concern throughout must be the debtor's financial viability, so as to avoid incurring recovery costs in vain.

To evaluate this, a creditor will need to take into account the number and value of other secured and unsecured creditors all of whom will be able to join in the recovery process.

To find out more about these issues and the formal process / cost for petitioning for a debtor's winding up/bankruptcy, please contact Dawn Sebbage at Hawkins Hatton, Tel: 01384 216840



Our firm recently sponsored the Wide Open art exhibition in Wolverhampton at which Julie Price, a contact of the firm, debuted her artwork. We wish Julie the best in the future. Examples of some of the artwork are shown above.

## NEWLY QUALIFIED RUTH RACES AHEAD

Formula 1 fanatic Ruth Coleridge is racing ahead in her legal career after being promoted as the Lead Assistant Solicitor within the Corporate Department at Dudley based law firm Hawkins Hatton.

Ruth, who lives in Wolverhampton, has spent the last two years on a training contract at Hawkins Hatton where she has gained broad experience working across the firm's corporate, commercial property, employment and litigation departments.

Having qualified as a solicitor with Hawkins Hatton, Ruth will now be working in the corporate department advising on a broad range of transactional work including management buy-outs, sales, mergers and acquisitions.

Ruth originally graduated with a law degree from Lancaster University, gained a distinction on the Legal Practice Course at Chester College of Law. Before joining Hawkins Hatton in March 2008, she worked in Chester specialising in the franchising sector.

A passionate F1 racing follower, Ruth is looking to celebrate her promotion to the legal fast lane with a trip to this summer's British Grand Prix.

Colin Rodrigues, partner at Hawkins Hatton, said: "Ruth's development within the firm is further evidence of our commitment to growing young talent."



## NEW CORPORATE PARTNER TO FUEL HAWKINS HATTON GROWTH

Solicitor Richard Baizley is the new corporate partner with Dudley based law firm Hawkins Hatton.

Richard, originally from Wolverhampton but now living in Sutton Coldfield, attended Leicester University and then Chester College of Law before qualifying as a solicitor in 1987.

Before joining Hawkins Hatton, Richard worked as a partner for Martineau in the firm's Birmingham office where he held roles within the corporate and project finance teams. During his time at Martineau, Richard was involved in a number of deals both internationally and domestically including a project to install gas turbines in Kuwait and a deal to franchise a famous London Italian restaurant in the Middle East. Richard also worked on a number of renewable energy schemes as well as UK corporate acquisitions in the leisure, logistics and IT sectors.

Previously Richard was a partner at Shakespeare's Solicitors and earlier held positions at Edge and Ellison and Foster Baxter Cooksey where he started his career as a trainee and assistant solicitor.

Commenting on the appointment, Colin Rodrigues, corporate partner at Hawkins Hatton, said: "Richard brings extensive experience within industry and energy sectors and will propel our growth plans as we look to further extend our services within the corporate marketplace."

Outside of work, Richard's interests extend to gardening and cooking and he is also a home and away season ticket holder with Wolverhampton Wanderers FC.

