



Chartered Accountants
Registered Auditors

New Burlington House
1075 Finchley Road
Temple Fortune
London NW11 0PU

Tel: 020 8731 0777

Fax: 020 8731 0778

Email: mail@cohenarnold.com

www.cohenarnold.com

Exiting a Business

Running a business presents many challenges, and it can be difficult for the busy business owner to find the time to compile a comprehensive business exit plan.

However, planning ahead will help to ensure that you maximise the financial benefits for yourself and your loved ones, while allowing the business to pass smoothly to any successors, and making sure that you comply with the appropriate tax and legal requirements. We can help you to plan now for a successful – and profitable – exit from your business.

A succession plan

Once a business has survived the start-up stage, the founder should begin giving consideration to succession. A good business succession plan should enable you to:

- ensure that control of the business is transferred to the successors according to your wishes and their abilities
- allow your chosen successors to take over the business in a smooth and orderly manner
- avoid or minimise any tax on the change of ownership

- provide ongoing and sufficient financial security for you and your family.

A successful transition

There are some essential elements to ensuring a smooth business transition:

Commitment – The founder must acknowledge that the business has to continue in order to create opportunities for those to come.

Investing in the right people – Recruiting and retaining good people will always pay dividends and is a key factor in succession planning. Invest time



in developing your family or other management team members and allow them to exercise authority and control. By empowering a broad range of key people, the selection process is simplified and options are enhanced.

Implementation – Having come this far, the founder should announce their future plans. This gives key management people and family successors a clear path to the future and a definite goal. The founder needs to be prepared to let go of the reins and to take on new challenges in retirement.

Preparing for sale

Selling your business may be the time when you finally get to reap the rewards of a lifetime of work, or it might be the opportunity to cash in when the conditions are right, before you start your next enterprise.

Either way, the sale of your business will be one of the most important things you will ever do. If you get it right, the financial gains can be considerable.

Here we outline some of the most important issues you will need to consider.

Timing the sale

When is the right time to sell? In an ideal world, you would sell when the market is booming and before any anticipated downturn, but internal factors are just as important. If your business is performing well, perhaps at the peak of a pricing cycle, it will be more attractive to potential buyers.

Above all, if you have any choice in the matter, sell when you want to, not when you have to.

Preparing your business for sale

You will need to have up-to-date information available for inspection by potential buyers. This will include:

- Business plans and budgets
- Financial documents such as profit and loss statements
- Details of loans against the business
- The lease for any premises or leased equipment.

Setting a price

Where possible, you can let buyers set the price through competitive bidding. Most will bid within a predictable range, but it is not unreasonable to expect one or two to bid substantially higher.

Two common mistakes sellers make are to set an asking price that is too low and thereby preclude any premium bids, or to build in so much leeway that they set the price unrealistically high and deter serious potential buyers.

Although ultimately your business will only be worth what a buyer is prepared to pay in your particular marketplace, there are steps you can take to maximise the chances of a good selling price. A good starting position in any negotiations would be to obtain a professional valuation of your business, which is something we are able to arrange if required.

Making the sale

Maximising the sale value

There are a number of things you can do in order to make your business more attractive to potential buyers and therefore command the best possible price. These might include:

- **Increasing sales figures or broadening your customer base** – perhaps through stronger advertising or offering special deals
- **Securing your assets** – consider selling off any unproductive assets and replacing any machinery reaching the end of its useful life. Now might also be the time to buy any company assets you want to keep after the sale, such as a company car. Make sure your intellectual property rights are protected
- **Reducing liabilities** – if you can clear up any pending legal disputes or other liabilities before the sale, there will potentially be fewer obstacles to deter a buyer
- **Formalising contracts** – put into writing any agreements you have with suppliers and customers
- **Smartening up** – make an effort to improve the appearance of everything in the business, from the premises to the paperwork.

Making the sale

Before selling, you should consult us, as well as your solicitor and independent financial adviser. Engaging the services of an expert to handle

your business acquisitions and disposals can be beneficial. In some cases, sellers find it necessary to finance at least some of the price – that is, lending to the buyer to facilitate the purchase.



After the sale

Once you know the value of the business, you need to determine how the funds released by the sale can best be used to provide you with a comfortable retirement or to begin a new business venture. Valuable tax reliefs are at stake here, so consult us early in your planning to avoid an unnecessary tax bill.

With proper planning and good advice, you can ensure that you get the price and terms that satisfy your reasons for selling your business, while minimising your tax liability. We can help you make the right decisions.



Partnerships and MBOs

Ending a partnership

It is important for any partnership agreement to set out exactly what each party will be entitled to when they leave, or when the partnership comes to an end. Will a departing partner be entitled to only their share of the original capital, to a share in the tangible assets and goodwill, or to an annuity?

When ending a partnership, special care needs to be taken – we can advise you regarding your own particular circumstances.

Management buy-outs (MBOs)

When planning a management buy-out, it is crucial that the management team is competent and fully trained to the required standard. Their skills will be

a decisive factor for any potential lenders or venture capitalists.

Careful planning of the structure of any deal is a necessity and professional advice should be sought.

Options might include allowing the management team to acquire the business in stages over a number of years.

How we can help you

However you plan to exit your business, whether by sale, family succession or any other means, you should seek professional advice in order to minimise your liability to capital gains tax and inheritance tax, and to ensure that you gain maximum leverage from the opportunity.

Call us today for advice.



Partners:

D. B. Myers FCA
J. A. Neumann FCA
D. Goldberg FCA DChA
D. Yu
B. Leigh FCA CTA
D. Z. Harris FCA
A. Sternlicht FCA CTA TEP
M. Broner-Cohen FCA TEP
P. Olsberg FCA CTA
B. Brenig FCA TEP

Consultants:

D.M. Birns FCA CTA
J. N. Schwarz FCA

Associates:

A. Akhtar FCCA CTA
D.S. Binstock FCA
A.M. Braham ACA
S. Cohen FCA
J. A. England FCA
P.S. Gill FCCA
M. Hool ACA FCCA
M. Rosenblum FCA DChA
K. A. Sussman FCA

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