

Are you starting a business?

A GUIDE TO YOUR FIRST STEPS

2019 / 2020

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HAZLEWOODS

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STARTING A BUSINESS

If you are thinking of setting up a small business, it is essential that you know exactly what is involved. Our step by step guide will take you through each of the key stages of the start up process from researching your idea through to launching your business.

Getting the set up right can make the process seem less daunting. Remember that half a million new businesses start up in the UK each year, with many operating successfully and profitably.

FUNDING

Funding can come from many different sources. You could consider:

- Bank overdraft
- Bank loan
- Government start up loan
- Family and friends
- Private investors, or crowdfunding

Talk to us if you feel funding would be beneficial, and to discuss the best option for you and your business.

START-UP CHECKLIST

1. Evaluate opportunity with a business plan.
2. Formulate a marketing strategy.
3. Draft a budget.
4. Choose an accountant.
5. Determine your business structure; sole trader, partnership, LLP or limited company, and get set up.
6. Register your business.
7. Set up your bank account and obtain funding.
8. Choose accounting software for record keeping.
9. Obtain insurances such as public and employer liability insurance
10. Start selling!

HOW CAN WE HELP YOU?

1. Business plan support.
2. Evaluating the merits of different business structures.
3. Setting up the business and registering with HMRC for tax and VAT.
4. Setting up an accounting system.
5. Running your payroll.
6. Business mentoring and tax planning.

BUSINESS

THE BUSINESS PLAN

You have decided to start your own business - great! So, what is the plan? A business plan is a great place to start, and will help you achieve your objectives and can also predict potential pitfalls. This could also become a fundamental document for your business, should you seek external finance.

You should be thinking about the following:

FINANCIAL PROJECTIONS

How much revenue are you expecting to generate in the first year, and where from? What are your fixed and variable costs, and what resources will you need? How much funding will you require, and from what source?

LOCATION

Will you be working from home, or renting premises? Will you require storage for stock items?

YOUR EXPERIENCE AND EXPERTISE

Where does your expertise lie? Which areas of running the business may you need support with?

KEY MARKETS AND COMPETITION

What markets will you be targeting, and who are you competing against? Undertake market research? What is your USP?

We can help you structure and prepare this business plan to get you on the right track.

SOLE TRADER OR LIMITED COMPANY?

One of the most difficult decisions you will have to make when first setting up your business is whether you would like to operate as a sole trader, partnership, or a limited company.

The choice you make will have an impact on almost every aspect of your business and what might work for one business may not necessarily work for another.

Our aim is to provide you with the main advantages and disadvantages of both business types, giving you the framework needed to make an informed decision.

SOLE TRADER (OR PARTNERSHIP):

Key benefits:

- A sole trader has fewer compulsory documents for filing, reducing the risk of incurring late filing penalties and saving time and money.
- With a sole trade business there is no legal obligation to disclose your financial information on public records
- A sole trade business can easily be incorporated into a limited company if your circumstances change over time.

Key drawbacks:

- When considering becoming a sole trader, you will need to understand that there is little distinction between yourself and your business. You will be personally liable for any outstanding business debts, other liabilities and claims.
- As you and your business are seen as one unit, you will need to rely on your personal credit rating to secure borrowings needed to grow your business.
- As the sole proprietor, you will be taxed personally on the total profits of the business, not just what you take personally.

LIMITED COMPANY:

Key benefits:

- One of the most favourable aspects of a limited company is that the company has its own separate legal identity; therefore, as a shareholder, your liability and risk is usually limited to the amount you have invested into the business.
- You are taxed on the money you extract from the business which allows for much more efficient tax planning and debt repayment. Moreover, the ownership structure of the business can be tailored to suit your individual and family circumstances allowing you to use the maximum benefit of any tax reliefs available. For example, spouses can be shareholders and different share classes can be used.
- Running your business as a limited company can provide you with a wider range of business opportunities that are unlikely to be available to you as a sole trader. This is based on the general perception that a limited company is a more credible business due to the more rigorous compliance procedures and therefore customers have more confidence in the success of the company.
- You can claim for some costs associated with using your home as an office.

Key drawbacks:

- As a limited company, you have many administration requirements and deadlines to meet, which can end up being quite costly and time consuming. However, these deadlines are something your accountant will help you keep on top of, to prevent your company incurring any penalties.
- Your accounting information will be on public record, along with details of the directors and shareholders of the company.

EXAMPLE OF THE DIFFERENCE IN TAXATION OF A SOLE TRADER AND A LIMITED COMPANY

(Assuming a profit before tax of £50,000 in 2019/20.)

SOLE TRADER

A sole trader making a pre-tax profit of £50,000 would be liable to income tax on the profit above the personal allowance of £12,500 at 20% and also liable to class 4 national insurance of 9% above the lower limit of £8,632.

This means that the total income tax due would be £7,500 and national insurance of £3,723 giving a total liability of £11,223.

LIMITED COMPANY

With a pre-tax profit of £50,000 the company could pay the director a salary up to the lower limit for national insurance of £8,632 leaving taxable profits of £41,368, which would result in a corporation tax bill of £7,860. Assuming that the director is a sole shareholder with no other income, the company could pay dividends of £33,508 which would attract a personal tax liability of £2,073. This would result in a total tax liability of £9,933, giving a tax saving of £1,290.

Hazlewoods tax experts can help with remuneration planning and corporate structure. Setting up the correct entity at the outset can avoid a reorganisation later down the line.

For advice on company structure contact a member of the Business Services team.



ADAM SHEARING

Manager

01242 680000

adam.shearing@hazlewoods.co.uk



HAYLEY SCOTT

Manager

01242 237661

hayley.scott@hazlewoods.co.uk

ANNUAL COMPLIANCE

If you choose to operate as a sole trader or partnership, or to incorporate and create a limited company or limited liability partnership (LLP), there are certain compliance obligations and deadlines you will have to meet.

For a sole trader or partnership:

A sole trader will report profits on an income tax return and the tax is payable in two instalments based on the previous year's ability followed by a final balancing payment, or a refund if your profits have decreased.

	31 December 2019 year end	31 March 2019 year end
Income tax return	31 January 2021	31 January 2020
Income tax for a sole trader	1 January 2020 (50%) 31 July 2020 (50%)	1 January 2019 31 July 2019
Balancing payment	1 January 2021	1 January 2020

For a limited company or LLP:

- annual accounts to be filed at Companies House;
- annual corporation tax return to be filed with HMRC; and
- annual confirmation statement, also filed at Companies House.

Annual accounts need to be prepared in a certain format, usually under the FRS 102 or 105 reporting regime - this is an exercise usually completed by your accountants. Typically a filleted set of the final accounts is filed online with Companies House, providing an abbreviated picture on public record of your company accounts, with the profit and loss information omitted.

The corporation tax return is based upon the accounts and, again, is filed online with HMRC. The corporation tax due will be calculated on this return.

Finally, the confirmation statement is an annual report submitted to Companies House providing the company statutory details, such as share capital information and also updates for any change in shareholders. This

is something your accountant can help you with, along with any other company secretarial support you may need.

Please see below an example of filing and payment deadlines for two companies, with a December and March year end. It may be worth considering changing your company year end, so compliance and payment deadlines fall at more convenient times for you.

	31 December 2019 year end	31 March 2019 year end
Accounts filing deadline	30 September 2020	31 December 2019
Corporation tax payment due	1 October 2020	1 January 2020
Corporation tax return filing deadline	31 December 2020	31 March 2020
Confirmation statement filing	14 days from anniversary of date of incorporation	

Please note, LLPs have the same Companies House filing deadlines as a limited company, but the tax report falls into the self-assessment regime for partnerships. In addition, the deadlines can be slightly different in the first year, depending on the date of incorporation.



ADAM SHEARING
Manager

01242 680000
adam.shearing@hazlewoods.co.uk



HAYLEY SCOTT
Manager

01242 237661
hayley.scott@hazlewoods.co.uk

COMPANY SECRETARIAL SERVICES

The company secretary is responsible for the efficient administration of a company, particularly with regard to ensuring compliance with statutory and regulatory requirements and for ensuring that decisions of the board of directors are implemented.

Company Secretarial services cover:

- company incorporations;
- share restructuring;
- share transfers;
- annual confirmation statement filing; and
- maintenance of the company statutory registers.

As a limited company, you should also consider the location of the company's registered office, as this becomes the company service address, and appears on public record, as well as on invoices sent to customers.

Hazlewoods Company Secretarial team can provide company secretarial services tailored to meet your requirements. Please contact Colette Reeves.



COLETTE REEVES

Associate Director

01242 237661

colette.reeves@hazlewoods.co.uk

RECORD KEEPING

All businesses are required to keep a record of their accounting transactions, and if the business is over the VAT threshold, these must be in an electronic format.

Consider using:

1. Computerised accounting software which can be either
 - a. Cloud software
 - b. Desktop software
2. Spreadsheets

Benefits and drawbacks

There are pros and cons to each of these and have some additional publications to assist in your choice.

Your software should be used to generate and file VAT returns, raise invoices and record spending. It may be worth considering a bookkeeping service to assist with this.

Keeping on top of your bookkeeping will aid with the completion of VAT returns and year end statutory accounts and more importantly, should give you valuable management information to help you run your business.

Accounting records should be retained for 6 years, after the end of the accounting period.



RHIANNON HOOPER

Director

01242 680000

rhiannon.hooper@hazlewoods.co.uk

PAYROLL

If you plan to employ someone or are incorporating and, as a director, will be drawing a salary, you will need to register a payroll scheme with HMRC and file your payroll submissions under RTI directly with HMRC.

A pension scheme will also need to be set up if you have any employees who are not directors and are aged between 22 and pensionable age and earning more than £10,000 per annum.

Currently the minimum pension contributions are 3% for the employer and 5% for employees. These are compulsory up to the qualified earnings threshold of £50,000.



CHERYL BAKER

Payroll Solutions Associate Director

01242 680000

cheryl.baker@hazlewoods.co.uk

VAT

REGISTRATION

WHO CAN REGISTER FOR VAT?

You can register for VAT if you are 'in business' and you make or intend to make 'taxable supplies', through any type of business entity.

WHO CANNOT REGISTER FOR VAT?

You cannot register for VAT if either:

- you make only 'exempt supplies'; or
- you are not 'in business' for VAT purposes.

WHAT ARE THE MAIN CIRCUMSTANCES IN WHICH I MUST REGISTER FOR VAT, IF I AM DOING BUSINESS IN THE UK?

You must register for VAT if:

- your turnover from taxable supplies for the previous 12 months is more than the current registration threshold of £85,000, or if your taxable supplies in the next 30 days alone will exceed that figure; or
- you take over a VAT-registered business and the VAT taxable turnover for the previous 12 months, is more than the current registration threshold of £85,000, or, if your taxable turnover in the next 30 days alone, from the date of the takeover, will exceed £85,000.

WHAT ARE THE BENEFITS OF VOLUNTARY REGISTRATION?

You could potentially obtain a cash flow advantage by being able to charge VAT on your sales and claim back VAT on your purchases. For example, if you sell zero-rated items and buy standard-rated items, HMRC would give you a refund of VAT. Or if you only sell to VAT-registered customers, you can pass on the VAT that you have to declare on your sales and reclaim VAT on your costs.

MAKING TAX DIGITAL

From 1 April 2019, all UK businesses that are VAT registered and above the £85,000 VAT threshold are required to keep their records digitally and submit VAT returns to HMRC using MTD compatible software.

See page 9 on record keeping for further information.

HAZLEWOODS SERVICES

VAT is a complex area to understand; to ensure you are not missing out or leaving yourself open to any potential penalties, our specialist accountants have the knowledge and experience to guide you through the labyrinth of complex laws.

Our compliance services include:

- helping you determine whether you need to register for VAT;
- registering for VAT;
- completion of VAT returns;
- advising on particular transactions where complex tax rules apply;
- reviews of partial exemption agreements and calculations;
- deregistering for VAT;
- helping you prepare for HMRC VAT assurance visits, including a pre-inspection 'health check' and attendance on the site during any visit; and
- negotiating with HMRC on your behalf during any disputes.



JULIAN MILLINCHAMP

VAT Director

01242 237661

julian.millinchamp@hazlewoods.co.uk



RUSSELL FLAGG

Manager

01242 237661

russell.flagg@hazlewoods.co.uk

TAX INVESTIGATION SERVICE

HMRC could select you for a random tax enquiry regardless of whether you have done anything wrong. Even if HMRC do not find any errors, a basic tax enquiry could typically cost more than £5,000, and last around 18 months.

Our Tax Investigation Service means that should you or your business suffer an HMRC investigation we can:

- provide you with full professional representation from tax and accountancy staff who already know you and understand your tax affairs;
- handle HMRC on your behalf by dealing with all correspondence and attending all meetings; and
- negotiate the best possible result for you.

We believe that our Tax Investigation Service provides a lifeline to our clients by providing low cost, valuable peace of mind, at a time when it is most needed.

The service includes:

- Protection from defence cost of up to £100,000 in the event that you are selected for an investigation.
- Directors/partners and their spouses will continue to receive personal protection when a company or partnership takes out a business subscription and we prepare the individual's tax return.
- 'Out of hours' helpline for unannounced HMRC visits.



FIONA ISHERWOOD

Accounts Administration Manager

01242 680000

fiona.isherwood@hazlewoods.co.uk

Notes



For further information please contact:

Cheltenham: 01242 237661
Staverton: 01242 680000

www.hazlewoods.co.uk
@Hazlewoods

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