



WATSON ESAM  
Solicitors

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**PRESS  
RELEASE**



Pictured L – R, Katie Beal and Jay Bhayani

## **Early advice avoids pitfalls for manufacturers**

Manufacturing in the UK is increasingly becoming more competitive and more specialised. In the Sheffield and South Yorkshire area we have seen a number of dedicated technology parks and small business incubators enter the manufacturing arena which encourage new business, which is great. However, businesses – new and established - must not forget the many legal issues which they will face and are advised to take advice on these issues as early in the life of the business as possible.

Firstly the relationship of the parties setting up and running the business will need to be considered. If a limited company is formed, directors' service agreements and shareholders' agreements may need to be prepared. Alternatively the owners may decide to form a partnership and may need a partnership agreement. Whatever route is chosen, the pros and cons of each must be considered. There have also been recent changes to company law which affect many new business - as well as existing ones.

Premises are also a key issue. Will the business buy the premises or lease them? Either way, the business needs to be sure that it is fully aware of its obligations, rights and liabilities with regard to the premises.

Relationships with customers will need to be considered, and the basis on which the business will provide its services or products to them. Detailed terms and conditions of business which relate to the way in which business is undertaken are absolutely essential in ensuring that exposure to claims is kept to an absolute minimum. This will also help to ensure that good business relationships are developed and maintained with all parties being certain of the terms on which they are contracting. The business may have obligations under the Sale of Goods Act, and should question in what circumstances it can seek to exclude liability under

the Act in the course of its activities. Also it is vital to be clear what payment terms are acceptable to the business.

Finally, consideration needs to be given to employees and on what terms and conditions they will be employed. All businesses will face questions relating to health and safety and the legal and practical implications of the obligations imposed by legislation in this area. Workplace rules and codes of conduct are vital. Employers are faced with ever increasing obligations with regards to employment law with, amongst many others, laws outlawing unfair dismissal and discrimination on the grounds of sex, race, age, disability, religion or belief and sexual orientation. It is essential that any business - new or established - has a full understanding of its legal obligations to its employees in order to reduce the risk of a costly tribunal claim being presented by a disgruntled employee, and so too avoid the damaging publicity which can accompany such a claim.

Watson Esam can assist with all of these issues, giving you time to concentrate on your business and thereby helping you to run your business more effectively. We take time to understand our client's business to ensure that we offer a bespoke service, rather than trying to shoe horn a one size fits all approach to the varied and challenging legal issues which our clients face. For further information, contact Katie Beal on 0114 275 3350 or email [katie.beal@watson-esam.co.uk](mailto:katie.beal@watson-esam.co.uk).

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**Further information:** Watson Esam is one of the oldest established legal firms in Sheffield practising from its offices in Paradise Square. A medium sized firm with approximately 40 staff, it is well known for delivering first class services to businesses in South Yorkshire. Jay Bhayani is senior partner and head of the firm's employment department. She is a former winner of Yorkshire Lawyer Employment Lawyer award (2005) and was short listed for the Yorkshire and Humberside Institute of Directors Adviser of the Year Award 2007. She specialises exclusively in contentious and non contentious employment law. She has dealt with high profile and complex cases acting primarily for employers. Jay is recognised as one of the leading employment law specialists in Yorkshire and is named in the Legal 500 as such.

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