

ASKTHEEXPERTS



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Test and measure to make advertising pay

Q: How much should I spend on advertising?

A: It's a question I'm often asked, and the answer is - if you are SPENDING money on advertising, it's not working for you!

By that, I mean that all advertising should be an INVESTMENT, and should bring you more profit than it cost you to do in the first place.

Forget the idea of "brand building" and "brand awareness" - that's reserved for very big businesses with very deep pockets!

If your advertising activities are not bringing you a profitable return, STOP THEM!

The majority of business owners have no idea whether their advertising is working or not.

The first thing to realise is that 80% of advertising does not work. So it's vitally important to know which 20% does! The only way you can possibly know is to test and measure.

Every time you do any advertising activity, you need to be

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able to measure the response to it. To do that, use something unique to identify each advertising piece. You could use an offer "Call now for your free.....", or a special code "Call now and quote BIB06...."

Better still, train your team to ask the simple question "How did you hear about us?" Most importantly, record the results.

Once you know how many responses you've received for each advertising activity, keep a record of how many actually turn into sales, how much those sales generate, and the resultant profit.

At this point, you can calculate whether you have made a profit from your new customers compared to the cost of the advertising, and also how much it cost you to buy each customer. Remember though, that in many businesses, customers will come back and buy from you again and again. Take for example a hairdresser or dentist - they tend to keep their clients for a long time, so the lifetime value of a client is very high.

In cases like this, it's not essential that you make a profit the first time you sell to your customers, as your customers will usually keep coming back.

However, the only way you can effectively decide what, and more importantly what NOT to do, is to test and measure. Start now, it could save you thousands!

When can bailiffs start adding fees to a debt?

Q: If I owe Council Tax or National Non-Domestic Rates (Business Rates) how and when can bailiffs add fees to my debt?

A: The fees that can be charged for unpaid Council Tax or National Non-Domestic Rates after the magistrates have granted the local authority a Liability Order are set in legislation via statute.

Under current legislation, fees can only be charged if a certificated bailiff visits your property. The purpose of their attendance is to collect the balance outstanding or secure the debt by way of a seizure of goods, which serves as a guarantee against future non-payment. If there are no goods available to seize or the bailiff is unable to obtain a response, the level of fee that can be applied is set in statute at £24.50 for the initial visit. Further visits are likely to take place until contact is made

but bailiffs are not permitted to apply fees unless they have visited your property.



Q: Instructing a certificated bailiff, could I lose my tenant?

A: One of the main objectives for the instructed certificated bailiff is for the land-

lord and tenant relationship to remain intact and to continue after the bailiff's involvement.

They will approach each case with a great amount of experience and due diligence, which will enable them to carry out their duties in a professional and courteous manner. This will include undertaking a process with the tenant whereby they will attempt to educate them that it is better to resolve the arrears rather than risk losing their goods. The aim is not to act in such a way that the tenant is unable to continue with their business for whatever reasons due to the actions of the bailiff. Therefore leaving the landlord with an empty property and, especially in the current economic climate, the difficulty of attempting to find a new tenant, along with facing the liability for National Non Domestic Rates for an empty property.

Q: Is there a need for a demand / reminder for Commercial Rent Arrears

A: The general rule is that there is no legal requirement for the Landlord to issue any kind of demand to their tenant for arrears, unless otherwise agreed. Therefore a Certificated Bailiff may attend the premises to levy distress, this process itself constitutes a demand. There can be the belief that you may need to involve the costly services of a Solicitor or the County Court to initiate payment from your tenant. This is simply not the case as long as the rent is due (arrears), there is an existing demise (premises) and the rent is certain (amount and period).

Registering a logo can help protect copyright

Q: I have designed a logo for my business and would like to prevent others from copying it. How do I go about obtaining copyright protection for the logo? I have seen advertisements from companies offering copyrighting services - is this something that I should consider?

A: In the UK, copyright can exist for artistic works, which would include graphic designs such as your logo.

As soon as the logo has been designed it is protected by copyright and there is no need to take any action to "register" the copyright. Owning the copyright in your logo allows you to prevent other people from producing copies which include a substantial part of your design. However, in order to enforce your rights against third parties producing copies, you would need to show that you are the owner of the copyright, and that copying has taken place. It is not possible to enforce copyright against parties using similar designs which have been produced independently.

Companies offering "copyrighting services" usually provide what is, in effect, a time stamping service. This can help to prove when you created the logo but does not generally provide any additional protection. Keeping your own detailed, dated notes can be equally effective.

As you plan to use your logo in relation to your business, I recommend that you protect the logo as a registered design and/or as a registered trade mark. As the owner of a registered design or trade mark you would be able to stop others from using the logo, without having to prove that the logo has been copied. In other words, registered designs protect against the use of similar, but independently designed, works as well as copies. Another advantage of a registered trade mark is that the protection can last indefinitely, provided the registration is renewed, every ten years. Whilst copyright lasts for many years, it will eventually expire.

These answers provide general guidance, but not legal advice, which you should always seek, as appropriate.



Ask The Experts is the ideal way to raise your company's profile with potential customers, as well as helping solve problems for Midlands businesses. If you have a question for our panel, call Paul Mallon on

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If you would like your company to be part of the Post's new page, contact Paul Mallon on 0121 234 5453. If you have a question for our experts, contact Paul on 0121 234 5453 or send it to asktheexpert@mrn.co.uk