

WELCOME TO THE AUTUMN 2017 ISSUE OF

# Franchising Matters



## IN THIS ISSUE

Meet the Birketts Franchising Team

Vicki Mitman announced as EWIF  
award winner

Franchise agreement top tip

Upcoming franchise events

Last words

## Welcome to our first issue of *Franchising Matters* – a newsletter designed for our clients and contacts in the franchise industry.



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It seems like only yesterday we arrived at Birketts, but it has already been over a year. So much has happened during this time. We have advised numerous new franchisors on their franchise agreements, franchisees on re-sales ranging in value from £50k to £5m, clients entering into new area development agreements, multi-unit operators acquiring further outlets, franchise disputes and new franchisees on entering into a franchise agreement for the first time. With a number of clients now exploring international expansion, the pipeline looks interesting.

We are very grateful for the support our new clients, and other franchise friends, have shown us, and we look forward to continuing to deliver a high level of client service for which Birketts is renowned.

None of this would be possible without a superb team, so allow me to introduce its key members to you. In our core Franchising Team, I am joined by Vicki and Rob, who are both extremely well regarded in the franchising industry. We also have several other specialist lawyers who assist our franchise clients with franchise network management, commercial property advice, disputes, employment matters, general corporate and commercial advice, and intellectual property (protection of trade marks etc).

Now at the end of September, summer holidays but a distant memory, we are entering an exciting time of year in the franchise calendar. Much will happen over the next few months and there are several events to attend; from forums to exhibitions, see 'Upcoming franchise events' for further details.

Each issue will contain information on legal updates and industry hot topics, along with team news and services provided by Birketts. We hope you enjoy *Franchising Matters*, and do feel free to forward this email on to others who you think will find it interesting.

Happy franchising!

Ed Savory

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## Meet the Birketts Franchising Team

*Birketts boasts one of the largest teams of franchise lawyers in the UK outside of London.*

*With offices in Cambridge, Chelmsford, Ipswich and Norwich, we are well-placed to look after clients throughout East Anglia and further afield.*



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## Vicki Mitman announced as EWIF award winner



We are delighted to announce that Vicki Mitman, an Associate Solicitor in Birketts' Franchising Team, has won Encouraging Women Into Franchising's (EWIF) 'Service Provider of the Year' award.

This follows on from Vicki's success in being the first winner of the EWIF 'Young Woman in Franchising' award in 2015.



*Photo (left to right): Sarah Carlile (Coconut Creatives and EWIF National Chair), Ceri Rogers (The Franchise Show – Award Sponsor), Vicki Mitman (Birketts – Award Winner), Melody Hossaini (Guest speaker and founder of InspirEngageH) and Clive Sawyer (Business Options and Founder and CEO of EWIF)*

Vicki is currently the [British Franchise Association](#) (bfa) Affiliate Forum Chair, and she sits on the bfa's Membership Committee.



## Franchise agreement top tip

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*Business systems develop and the law moves on, which affects our franchise agreements.*

Legal advice can be costly, but we are pleased to give you a little something for free!

**Tip:** Review your franchise agreement regularly.

Franchise agreements should be checked and updated regularly.

“Why?” I hear you ask.

“Why should we bother? We get them prepared, at expense, from sensible franchise lawyers and we know what they say.”

Business systems develop, the law moves on and occasionally industry guidelines change, which affects our franchise agreements. Most recently, the European Code of Ethics for Franchising has been amended. The European Code was revised in 2016 and adopted by the bfa in December 2016. It was considered that there were strong reasons for review - the need for better self-regulation, and to be proactive. A key aim of the Code is to secure the development in the EU of proper and ethical franchising. If you wish to know more about the changes to the Code, please contact a member of the [Franchising Team](#).

Don't forget the manual either. The franchise manual is the day-to-day operational guide for franchisees, which supplements and enhances the franchise agreement and training programmes, and acts as an ongoing reference point. The manual should be frequently reviewed and updated in line with your current business practices.

## Upcoming franchise events

The National Franchising Exhibition: 13-14 October 2017 (NEC Birmingham)

Women in Franchising: 16 November 2017

British Franchise Association AGM, Specialist Forum and Chairman's Dinner:  
7 December 2017

## Last words

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In each issue of *Franchising Matters*, we will ask a franchise contact to provide a few final words. Thank you to Stuart Lee at Atlas Mapping for your comments in this issue.

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*My most common piece of advice for franchisors is actually to avoid selling territories that are too big. It's very easily done and in the long term means wasted opportunity in the network and, therefore, slower growth for everyone. Identify both the minimum and maximum market size your franchise can operate in and you will be off to a great start. Business systems develop and the law moves on, which affects our franchise agreements.*

STUART LEE, DIRECTOR  
ATLAS MAPPING

Until the next issue of *Franchising Matters*, the [Franchising Team](#) at Birketts wish you successful franchising.