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## **MONEY BOX LIVE**

**Presenter: VINCENT DUGGLEBY**

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**DUGGLEBY:** Good afternoon. This Money Box Live is about self-employment and running a small business in what, to say the least, are challenging economic conditions - made even more difficult by the recent severe weather. Maybe your profits are falling and employees are on short time, or you're having difficulty renegotiating a bank loan. On the other hand, there's no evidence to suggest that would-be entrepreneurs are being put off starting a new venture, perhaps after being made redundant or simply deciding they'd prefer to become self-employed. Either way, if you need advice we have an experienced panel ready to answer your questions: 03700 100 444 is the number to call. At times like these, cash flow is the key to survival - hence the importance of bank finance - and there's a welcome move in the pre-Budget Report to extend the Enterprise Finance Guarantee, designed to enable businesses to secure loans of between £1,000 and a million pounds, repayable over 10 years. The Federation of Small Businesses has also made the point that going ahead with a 1% increase in employer's national insurance contributions won't encourage their members to create more jobs, bearing in mind that small firms employ nearly 60% of the private sector workforce. Their spokesman is Stephen Alambritis. And he's on the Money Box Live panel; along with Ed Harber, an adviser with Business Debtline; and Mary Monfries, Head of UK Private Business at accountants PricewaterhouseCoopers. The number again - 03700 100 444. I should add standard geographic charges apply, and calls from mobiles may be higher. But let's start with a couple of calls from listeners who've rung in for advice on their online businesses. Katie first. Katie?

**KATIE:** Hello there. Hi.

**DUGGLEBY:** Hello.

**KATIE:** Hi. Basically I want to know what's the starting point for a small business such as myself in terms of seeking finance to allow me to grow. Obviously the easiest route is to go to my bank, but I'm keen to know where else I can turn.

**DUGGLEBY:** Okay, that's your problem, Katie. Now we'll take Richard and see how he compares.

**RICHARD:** Hi there. I'm having a bit of the same situation really. I started a start up business, an online one called Boomspace.com and I've tried the banks, I've tried local development agencies, Business Link, and kind of we've used all our savings up for the start up business and we're now looking for funding and it's been very difficult. There's been lots of closed doors as to how to source funding from the government, so we're looking for ways that you could help us for that.

**DUGGLEBY:** Okay, right. So both online business; both struggling for funding. Stephen?

**ALAMBRITIS:** Well they can shop around for money, as they would shop around for a loaf of bread, so please do go to each of the individual banks. There's the main four high street clearers, but there's also the second and third division banks, the smaller banks. The Enterprise Finance Guarantee is there where the government comes in with a 75% loan. Have a look at that as well. Some local authorities have good economic development sections where they do soft loans for small businesses, especially if you're very, very local, and you may prove that you're in an area that's deprived or you're going to take on one or two extra people. There's family, there's friends, there's your own money to show commitment. But, yes, you do have to shop around. The Regional Development Agencies increasingly have money for small businesses as well.

**RICHARD:** Can I just make a point there?

**DUGGLEBY:** Yeah, sure, Richard?

**RICHARD:** That's all well and good, but when you actually do approach ... I'm an online business and that doesn't seem to come under the criteria as to what money is accessible for with all the sources you just mentioned there. As soon as you talk about, "We're an online business", they just say it's not a relevant business for funding. So I don't see why ... You know if I was starting a building business or any traditional business, the money *is* there and they talk to you. As soon as you talk about an online business, they don't want to talk.

**MONFRIES:** Yeah, Richard, I mean I would say ... I guess my advice would be to push back if that's what they're telling you. I mean I can understand a business that hasn't got hard assets for loan backed finance is not going to be as easy for a bank to finance as something that somebody's got a building to put security against. But it shouldn't be because you're online. You've got no less, you know, securitisable assets than a non-online business that hasn't got its own property, etcetera.

**RICHARD:** Yeah, well I have the same struggles as any other start up business.

**MONFRIES:** Absolutely.

**RICHARD:** You know just the fact that it isn't ... You know we've got a great product; it's a new way to send gift money online. So far our customers have been ecstatic with it and we've had people using it all around the world.

**DUGGLEBY:** Richard, have you thought of trying a business angel or something like that - somebody who believes in your product and is prepared to put, you know, some private capital in there? Is that a possibility for you?

**RICHARD:** It looks like that's the only way to go, unfortunately, but ...

**DUGGLEBY:** Yeah. It can be a very rewarding way of, you know ... It's a rewarding way for you to raise the money. Of course the problem usually with these things is these business angels, as we know from a certain television series, tend to want quite a high percentage of the business to put the money upfront.

**MONFRIES:** Yes, I'd say be careful who you pick because if you can get somebody who can put money in and help that business fly because of their contacts, then it can be worth ...

**DUGGLEBY:** (*over*) Let me bring Katie back in. Katie, you've been listening patiently.

**KATIE:** Yes, absolutely. I mean I run a company called Boomerangpr.co.uk in Cheshire, and when the recession hit hard last year, I really, really struggled. A lot of my clients are in the property sector. So I took the initiative into my own hands because I couldn't find out about funding available on my own doorstep, and I actually started my own online magazine to support business staff called Creativeboom.co.uk.

**DUGGLEBY:** You're getting some adverts in here, aren't you Katie? It's not going unnoticed. (*laughter*) Well done!

**KATIE:** No, no, no, I'm just saying it's very, very confusing.

**DUGGLEBY:** Yes indeed.

**KATIE:** We don't know where to turn, we don't know who to approach. There seems to be so many government schemes out there, but none of them are actually ever helpful and I don't know who the best person to approach is.

**ALAMBRITIS:** Katie, there should be some good news on that front. The Business Links are getting together to reduce the number, the plethora of finance and help and

schemes for small firms, so they come down to a manageable level. But if you do get an appointment with your local Business Link, they should be able to demystify all those schemes and avenues for help. The help is there. It's very confusing. You just have to keep on at it.

**DUGGLEBY:** Okay, let's taken an email now from Ian. Now Ian's running a business which is struggling. He says that 'the money's coming in irregularly and I often go overdrawn on my personal account because I have to use my personal account to support the business and I'm charged massive fees on that. They won't give my business an overdraft. What are my options?' Ed?

**HARBER:** I mean we always I think differ a little bit from some other people in terms of advice on the accounts. We say if you want your business to survive and you can't get a business account, then you use the account that you can get at, which may be your personal account. Some will advise it may not be the best thing to do, but use what account you can. Now if you are taken over the limit, you know if you really are in hardship on that account, you can ask the bank to discretionally give you the charges back on the basis of extreme hardship that you're having. Other than that, really you have to do what you can negotiate informally with them.

**DUGGLEBY:** I mean one can get a thread through some of the emails we've had that people are not only struggling but they're reaching the point when they're kind of about to give up. And I guess this is a very difficult decision to make - is your business going to pull through or isn't it, Stephen? What's your feel amongst your members about this?

**ALAMBRITIS:** Yeah, they are doing well. They're holding on in there. The failure figures for 2009 ran at 36,000. The worst was 1992 which ran at 52,000. That's 1,000 a week. But, yes, there is an element of small businesses just hanging on in there and wanting to make a go of it and, therefore, seeking support from whatever agency is out there. The taxman can defer the tax for you. The banks should be able to help you there with the Enterprise Finance Guarantee. But the benefit system and all the other systems aren't used to small businesses run on very tight margins just wanting to hang

on in there because they're working from home, so it's not a question of can't afford the premises, therefore I will close down.

**DUGGLEBY:** Mary, in your experience what are the danger signals that you could say to a small business when you say watch it because actually you are not viable anymore? I mean cash flow, as I mentioned at the beginning of the programme. You've got to have enough cash coming in to meet the bills.

**MONFRIES:** Well, interestingly enough, one of the biggest danger signs is when businesses are growing too fast because of the working capital requirement. But I think you know a danger sign when somebody's having to dip into private capital, take out more mortgages on their own homes - that's always a danger sign. It doesn't mean it's the death knell, but you need to think about why am I needing this finance? Is it really a short-term problem or is it a long-term problem; if I'm really honest with myself, this isn't working?

**DUGGLEBY:** And of course it's the cost of finance and the dangers of over committing yourself and thereby having essentially your debts called in, Ed?

**HARBER:** Yeah, I mean absolutely. I mean the main thing for us, what we look at, is obviously if you're not meeting your base costs on your premises, then it's going to be a short run time before that business is going to you know bring bailiffs or the landlord's going to change the locks. But other things - you know taking out credit cards and paying credit with credit, that's the other clue for us.

**DUGGLEBY:** Yeah. Phil in Leeds raises an interesting point on an email. He says, 'I've just opened a hair salon 6 months ago and we're going along steadily. What I find hard is that my business rates are nearly as much as my rent and there doesn't seem to be any leniency to reduce small business rates. Any advice would be most gratefully received.'

**ALAMBRITIS:** There's three avenues there. One is see if you do qualify for rate relief. If times are tough, there's Section 49 of the Local Government Finance Act

1988 Hardship Relief, and obviously have a look at the premises, get a good company in to see if you can get a revaluation. That can reduce your rate bill.

**DUGGLEBY:** Okay and Ann in Wokingham. Again a business that's you know beginning to struggle, running a limited company. In debt to HMRC for VAT and national insurance, 'and now a couple of companies have threatened to take action against us for late payment although we have said we will pay by instalments. The bad weather is taking a toll on our business.' Again some advice, please. Mary?

**MONFRIES:** Well one thing I'd say in terms of the VAT and tax payments, one thing that you know has worked quite well is where HMRC has been allowing, in hardship cases, for deals to be done. So the main thing I would say there is be open with your local tax office if you're in difficulty.

**DUGGLEBY:** Right, so that's the first ... You might be able to get some relief on that bit for the time being?

**MONFRIES:** Yeah, they may be able to say, look, we'll let you pay in instalments or delay the payment.

**DUGGLEBY:** There seem to be two other companies taking ... well starting to take action even though they are paying in instalments. Ed, I mean is there a procedure to go through to sort of reach ... It's not a sort of creditor's arrangement because it's not going into liquidation, but I mean it is sort of an effort to say well we'll pay you when we can.

**HARBER:** I mean what we always say is I mean you look at the whole picture. You can't take single debts in isolation. You've got to say right, what do I have? What costs have I got to meet? What debts do I have? Make sure you allow for everything on there and then say really what can I afford now?

**DUGGLEBY:** And they treat them all equally.

**HARBER:** Treat them all fairly. Yeah, pro rata basis, you know percentage wise of your total debt, so you're making those payments. And make sure that you're not overpaying them, otherwise you're just going to fail the payment arrangements.

**DUGGLEBY:** And the other firms can see what you're doing and know you're being upfront and honest?

**HARBER:** Open and honesty. That's always the way.

**DUGGLEBY:** Let's take another call. Niall in Swanage, your call?

**LIONEL:** Oh hi. My question is from the other end of the spectrum. I'm wondering about what I used to think was called retirement relief and I've been told that's no longer available. Now it's called entrepreneurial relief.

**DUGGLEBY:** Mary's saying that's right, yes.

**MONFRIES:** That's absolutely right, Lionel. Congratulations if you're looking towards exiting your business after you've worked so hard.

**LIONEL:** Aha, that's good news.

**MONFRIES:** But you're right, what you've been told is right. We did have retirement relief. What we have now is entrepreneurs' relief. This was really as a result of a number of people lobbying when business asset taper relief was taken away - FSB, us and others. And what it is is that your first million pounds worth of gain pays tax at a 10% rate rather than the current 18% rate.

**LIONEL:** 10% - fine, yes.

**MONFRIES:** You have to be owning at least 5% of the shares, yeah?



**LIONEL:** Right.

**MONFRIES:** And you have to have owned those for a year at least. There are loads of other rules I won't bore this call with. But for starting points, if you own at least 5% of the shares - it's a lifetime allowance, the million, so as long as you've not used any already, your first million pound of capital gains should be paid at 10%.

**LIONEL:** Oh I see. There's one other question. I'm not sure if I qualify because the short story is I bought - it's a scrap yard, a car breakers yard. I bought it in 1973 expecting to operate it as a business, but for various reasons I didn't so I rented it out to someone else who operates it as a scrap yard and has done so ever since. As it's a scrap business and when I go to sell the yard, would I still be able to claim for entrepreneurial relief as I didn't actually run the business myself?

**MONFRIES:** Well it's about whether you qualify for an asset that has been used by another trader. And I've got Stephen nodding at me as well, so Stephen ... ?

**ALAMBRITAS:** Yes, yes, you may be liable for that. At the end of the day - if the deeds are in your name, if the property belongs to you, there'll be an element of capital gain there.

**DUGGLEBY:** Okay, thanks for that call.

**MONFRIES:** The question though, sorry, I think was whether entrepreneurs' relief would apply. It's more difficult. If you haven't been trading but you've got a property somebody else has been trading, it's more difficult.

**DUGGLEBY:** But not impossible?

**MONFRIES:** Not impossible.

**DUGGLEBY:** I think I'll have to point you in the direction of some specific financial

advice, probably from a local accountant in your area. Time to move on though.  
David in Southend, your call now.

**Editor's note: HMRC have confirmed to Money Box that - The penalty for partnership returns that are filed late, after 31 October for paper returns or after 31 January for returns filed online - is £100 for each partner. As there is no liability on a partnership return, the penalty of £100 cannot be reduced (unlike the individual Self Assessment Tax Return where the penalty can be reduced to the tax outstanding at 31 January). The information about partnership returns given below is incorrect.**

**DAVID:** Good afternoon.

**DUGGLEBY:** Good afternoon.

**DAVID:** I'm just completing tax returns online for a small business run by myself and my wife as a partnership. I find that we can do our individual tax returns okay, but when it comes to the partnership tax return what the Revenue call third party software - in other words, go out and buy some software - is necessary. You can't do the return without it. Now I don't recall in any of the advertisements advising me that I could make my return online any mention of this. It's now too late for me to go back and do a paper return; and if I want to do that, I face £100 penalties and I don't want to go and buy software.

**DUGGLEBY:** Partnerships, of course there's a separate section in a self-assessment return for partnerships. But can you not do those online?

**MONFRIES:** I'll give you some practical advice, David. Yes you can, but I'll give you some practical advice on that.

**DAVID:** Please do.

**MONFRIES:** Firstly, I would get in touch with your local office where you submit your return and let them know the problem. You've submitted your ... You can do your individual ones online and do that by the date.

**DAVID:** Right.

**MONFRIES:** Tell them your problem. Yes, submit a paper return, so you've given it to them. Also if you've calculated your own tax liability, both of you - because it's the two of you that pay the tax, not the partnership ...

**DAVID:** That's right, yeah.

**MONFRIES:** ... provided the tax liability has been paid by the end of January, they can't charge you the £100 penalty.

**DUGGLEBY:** No, the £100 is only the penalty if you owe tax. If you don't owe them any tax - 'the penalty cannot exceed the tax due', I think is the phrase.

**MONFRIES:** That's right.

**DAVID:** Sorry, could you say that again?

**DUGGLEBY:** The penalty cannot exceed the tax due.

**DAVID:** Oh, I see.

**DUGGLEBY:** No tax owed; no penalty. £50 tax owed; £50 penalty.

**MONFRIES:** So make sure you get your tax right and not underpaid, and you'll be alright. If you've got your calculation wrong, of course, and you've underpaid, then you get that £100 penalty.

**DAVID:** I did actually phone the helpline and well it was most unhelpful. It said you're facing a £100 penalty.

**DUGGLEBY:** Well not if you've paid the tax.

**DAVID:** Thank you very ...

**DUGGLEBY:** Alright.

**DAVID:** Thank you very much indeed.

**DUGGLEBY:** Sticking on tax problems, Stephen in Headingham - he's just started a limited company, working within the IT sector, and the dreaded word IR35 has flashed across his screen and he's a bit frightened about this because he wants to grow the business and he doesn't want to fall foul of HMRC. Some advice, please.

**ALAMBRITIS:** Well if he wants to grow the business, then that leads me to believe he may want to employ some people ...

**DUGGLEBY:** He does.

**ALAMBRITIS:** ... and the quickest way to get out of IR35 is to show you're a genuine business and you're PAYE registered, you're having turnover that other workers under your tutelage are also working for. IR35 will catch you if you're a one person company dealing with just another enterprise.

**DUGGLEBY:** And it was specifically of course aimed at people in the IT industry who effectively were employed by a company for maybe 6 or 9 months, doing nothing else, and claiming they were self-employed. That was the aim of it. Although it did have some rather unfortunate consequences, didn't it, for those people who genuinely were trying to build, spread a business?

**MONFRIES:** It did, and I think the rule of thumb, as Stephen says, is to look at what they used to call the badges of trade. So if you really look like you call the shots in terms of who turns up, when you get the contract done; but if you're there turning up at the hours they say, when they say, to do what they say, no employees - you've got greater risk.

**DUGGLEBY:** Yeah, so I mean the real problem is an individual who thinks he can make a lot of money by setting up a system for a company and effectively taking a year to do it, and I mean the Revenue are just saying well you're employed, aren't you?

**MONFRIES:** Yeah, absolutely.

**DUGGLEBY:** And of course you lose the right to claim expenses and all sorts of things. So as long as it's a genuine business. So I suppose the message really is if you're in that sort of situation, get some people who can do the same work as you can. Bring yourselves together and thereby don't become exclusively committed to one job. That's probably the way round it.

**MONFRIES:** That's right.

**DUGGLEBY:** Right, lots of calls coming in now. And, Bob, you're next on the list.

**BOB:** Hi there. I've been practising as a sole trader and I've actually stopped now and I'm now at university full time, but doing my trade in a limited capacity to try and pay for it - bit of pocket money, etcetera. What sort of tax implications is there for that, I mean bearing in mind I'm a full time student technically?

**DUGGLEBY:** Well full time students can earn money. They can have all sorts of sources of funds. You'll have to fill in a tax return and quote your business profits.

**BOB:** But there's nothing technical or interesting I can do with it?

**ALAMBRITIS:** No, the definition of a worker is very wide ranging. You can be self-employed, you can also be a student. We have youngsters who are still at school who are self-employed and members of the Federation of Small Businesses as young as 13, 14. But, yes, you can have a little sideline at the schools and in the halls of residence.

**BOB:** But there's no special allowances, etcetera?

**ALAMBRITIS:** No, you'll get your main personal allowance below which you don't pay tax.

**DUGGLEBY:** And I mean the best thing you can do obviously is mop up as much of the cost as you can yourself. I mean do your own tax return if you possibly can ...

**BOB:** Oh yeah, absolutely.

**DUGGLEBY:** ... you know make your own claims because if you have to employ the professionals to do jobs for you, then of course it reduces your profits at the end of the day. Good luck to you on that one. I mean increasingly students are having to pay so much money ...

**MONFRIES:** Absolutely.

**DUGGLEBY:** ... over for their costs that to be able to run a business and to have a skill to do so is a real bonus. Chris in Mid Wales, you've got some problems.

**CHRIS:** Yes, indeed. I run the Roast Ox Inn in Mid-Wales and, as with a lot of other licensed premises, our trade has absolutely plummeted. We do accommodation and looking towards the summer it is picking up a little bit then, but basically I'm looking for any advice on survival for the next few months until this comes about.

**DUGGLEBY:** Right, well my first advice would be for heaven's sake make ends

meet. Cut your costs as far as you can, but keep the customers coming through the door. What do the rest of the panel think?

**MONFRIES:** I would agree with that. So I mean I guess you might be looking at, with the snow as well, you're probably looking at more local trade than distance travellers, and I don't know whether you've got a good local trade. You can be offering half price meals for the month of January or February or ...

**DUGGLEBY:** A bottle of wine free with any meal over 30 quid, that sort of thing. You've got to think of promotions, Chris. That's the great thing, you know.

**CHRIS:** Yeah, well we've been doing most of that and also we've cut the cost down. At the moment, we've laid most of the staff off.

**DUGGLEBY:** Well that's a shame, but it's inevitable.

**CHRIS:** But most of the actual local trade, they're now doing the inevitable thing of off to the supermarkets where they can get drink a lot cheaper and staying in while the weather's cold.

**DUGGLEBY:** The point you've raised there, Chris, about just laying off staff. I think we ought to just mention a little bit about laying off staff. It's not that easy. You've got to be fairly careful, haven't you?

**ALAMBRITIS:** Yes, you do. Employment legislation is very tough and very tight. What I would imagine is that Chris has a personal relationship with the staff. The staff are local, they understand the situation, but nevertheless, Chris, go through ACAS who can give very good advice as well. Hopefully there are no problems.

**DUGGLEBY:** The great thing when you're in this situation, the temptation is to borrow sometimes. You borrow your way out of trouble instead of trading your way out of trouble.

**HARBER:** I mean that's the difficulty. I mean if you're looking at it ... If you really trust in your business, then you should be the person putting up the finance on it. But there is a lot of risk involved in that. One thing I would say is there's a good organisation called the Licence Trade Charity, which are quite useful for people in the licensing trade to get some advice.

**DUGGLEBY:** And another point, Chris, you might consider is if you can perhaps galvanise the local press or get them interested in some sort of maybe competition or with a few prizes or you know free dinner for anybody who does something, maybe involve some charitable element to it. You know get your name into the local area. You know, make sure that you're getting what business is available because it's highly competitive and it is dog eat dog. You know if you've got another two or three pubs competing in that field, you've got to make sure you're at the cutting edge of it.

**ALAMBRITIS:** Other companies who in the good days used to go to fairly expensive hotels for their conference meetings will be looking to reduce those costs, so it could be that you could be that sort of venue as it were for well run meetings at a good rate.

**DUGGLEBY:** And one final point, Chris, and that is I know from my own experience looking round the local papers and looking round, what you see around February 14<sup>th</sup> is Valentine's Day dinners and they're all sold out. You know so pack the place out for Valentine's Day because you can make some good money on that sort of thing. Any event that you can pick up on, any national day or you know Mother's Day, Father's Day, any of these things - do a special spread because again you can get your profit margins up on that sort of thing. Right Gordon in Wareham, your call.

**GORDON:** Yes, hello. I'm thinking of taking things a step further; and when you get to the point where your business is untenable, I was wondering what the situation with benefits was because obviously if you're running a business or self-employed, you're not eligible for unemployment benefit.



**DUGGLEBY:** Yeah, we touched on this a bit earlier actually. So just sort of repeat basically, Stephen, that it is difficult, isn't it, to get these two ...

**ALAMBRITIS:** Yes it's wholly unfair, Gordon, really is unfair. Self-employed people pay their national insurance contributions - different ones, class 2/class 4 maybe - but get very little back for it. And when you go to your Job Centre Plus, you say you're self-employed, you may have to wait a few weeks, 14 weeks before you can get back into the system. There should be more job centres now or the government is putting in small business advisers, managers who should have a better understanding of the self-employed.

**DUGGLEBY:** Okay. Fascinating email from Kevin in Newcastle. Now he runs a business which has two garages, and these garages are the business and he and his wife own the company and they're running it. Now his wife has suggested that she would quite like to run one garage while he runs the other and I guess there's some interesting competition between the two of them. Nonetheless, they're saying, Mary, are there any tax consequences of this? What about possible losses on one garage rather than the other and can you unscramble a business and sort of separate it off if you're a married couple?

**MONFRIES:** A number of points there. Before I get into the tax, just quickly you know it might be you might want to be looking at that, so you can have limited liability on trading risk of one and not have it affect the other. That might be one reason why they want to do it or, as you say, marital competition. But on the tax side, just be a little bit careful if this is something you're starting up because if you are making losses on one still while the other one's making profits, you're not going to be offsetting two and you're going to be paying tax heavily on one and not getting any relief losses on the other. Equally, I don't know what's in the people's minds here, but it may ooh, gosh, if we have two companies, that means we'll take longer before we're above the limits on paying higher rates of corporation tax, etcetera.

**DUGGLEBY:** And VAT?

**MONFRIES:** And VAT. But be careful. Certainly for corporation tax rates and things, the rules will look at companies under the same ownership and they'll include connected persons (i.e. husband and wife) in that.

**ALAMBRITIS:** The word disaggregation comes into mind there. There are some instances where a couple are in the same business. One will trade and run the business from Monday to Wednesday. The other one will run it from Thursday to Sunday, for example. That allows them to have smaller enterprises below certain thresholds, certain levels, but the taxman's not happy with that arrangement.

**DUGGLEBY:** But essentially if you've got two garages, I mean those would be split-able businesses?

**MONFRIES:** Yeah.

**DUGGLEBY:** They are clear cut, operating obviously on two different sites, able to be developed in two different ways. I mean one might, for example, have a local supermarket in there or something. So I mean I can see the point. They probably feel that they could make more money with two businesses than one. If they can't make more money with two businesses than one, then this is a complete waste of time.

**MONFRIES:** (*over*) Why do it?

**DUGGLEBY:** We shall not know the answer to that, but we shall know the question from Suzanne in Shaftesbury who's with us now. Suzanne?

**SUZANNE:** Oh hello. Thank you. My question was I have a business account, an online business account with Abbey. Before Christmas a client of mine paid a cheque of £10,000, which I put into my account and unfortunately for reasons that he - I think he wrote the wrong cheque from the wrong cheque book - his cheque bounced. And since then, for the last 4 weeks, my account has been blocked. I've been unable to pay money in; cheques that I've written out have not been honoured. And I just wanted to

know whether they can do that or not?

**DUGGLEBY:** So let's be clear. This is not a bad debt?

**SUZANNE:** No.

**DUGGLEBY:** It's just a payment that came in, which was misidentified ...

**SUZANNE:** Yeah.

**DUGGLEBY:** ... but you have rectified that or tried to rectify it?

**SUZANNE:** Well he actually has sent another cheque in, but they've refused to put that into my account.

**DUGGLEBY:** Oh dear!

**SUZANNE:** So I've got £5,000 or so in there and I can't get at it.

**DUGGLEBY:** They've refused to put ano... Dear oh dear! Well Ed, try quickly. We haven't got much time.

**HARBUR:** Well make it formal. If it's going back and forth, nothing is happening properly, make a formal complaint to the bank. They'll have to investigate it then. If it's not done within 8 weeks, take it to the Ombudsman.

**SUZANNE:** Okay, thank you very much.

**DUGGLEBY:** Stephen?

**ALAMBRITIS:** Yeah, I think see if there is a manager - a relationship manager, a

bank business relationship manager. Try and get away from the branch ... I know you're online, but there will be a relationship manager somewhere. Try and speak to someone and resolve the issue.

**SUZANNE:** Alright, thank you very much.

**DUGGLEBY:** Okay, just time for one more email. And this is from Kevin in Gateshead and he says, 'I was self-employed prior to retirement. I have now retired.' Mary, can he destroy his records and *when* can he destroy his records having retired?

**MONFRIES:** Not yet. Enjoy 6 years in the sunshine and on the golf course first.

**DUGGLEBY:** 6 years after you've closed the business? So the sixth year runs on and on and on?

**ALAMBRITIS:** One of the pieces of advice we give to FSB members is don't elapse your membership even though you've retired because the taxman could be after you as a former small business for 6 years hence.

**DUGGLEBY:** And of course the interesting thing about this is personal records - i.e if you were just an ordinary taxpayer and were employed as opposed to self-employed - then the limit's come right down, hasn't it? It's now only about a year or ...

**MONFRIES:** A bit longer than that, I think.

**DUGGLEBY:** It's not very long. It's less than 2 years, isn't it?

**MONFRIES:** It's not as much as 6.

**DUGGLEBY:** Yeah. But even if you had a smidgeon of a small business going with it, unfortunately that dictates all the records. It's not just your business records. It's all your personal tax records - bank statements and ...

**MONFRIES:** Yes and I don't know whether we're talking about boxes of files that go in a loft here or whether it's something you have to pay for storage for - but safety first, I think.

**DUGGLEBY:** Okay, well thanks for that, panel: Stephen Alambritis, Mary Monfries and Ed Harber. Remember you can get more information on the issues we've raised during the programme by ringing us on 0800 044 044. Alternatively you can log into our website, [bbc.co.uk/moneybox](http://bbc.co.uk/moneybox). Let us know what area of personal finance you'd like us to deal with on Money Box Live, listen to any of the recent programmes again or download a podcast. In the meantime, join Paul Lewis for Money Box at noon on Saturday and I'll be back same time next week taking your calls on equity release - more usually known as home income plans.