

Buying a franchise

Buying a franchise allows you to set up your own business without starting from scratch. You use a tried and tested formula, and benefit from the experience and support of the franchisor (the company offering the franchise).

Franchisees can enjoy many of the benefits of self-employment with less risk. Successful franchise operations have a much lower failure rate than completely new businesses. You can make a good living but you need to be aware of the potential pitfalls.

This briefing outlines:

- The advantages and disadvantages of buying a franchise.
- How to evaluate a franchise.
- Negotiating to buy a franchise.

1 The advantages

1.1 A franchise is usually based on a proven **business idea**. You are basically copying a product or service which the franchisor has already shown can work (but see **3**).

- It is easy to check with existing franchisees whether the business really works.
- A good franchisor will continuously research and update the business idea.

1.2 You may be able to use a recognised **brand name**. It can be easier to sell to customers who are familiar with the name.

- You will benefit from any national advertising or promotion undertaken by the franchisor. This is often funded by additional management fees.

- You will also be able to use any trademarks the franchisor owns.

1.3 A good franchise operation will give you full **support**. Typically, this includes:

- Introductory training, usually covering general skills (eg bookkeeping), as well as training for that particular business.
- Help in setting up the business such as finding suitable premises.
- A detailed operations manual which tells you how to run the business.
- Ongoing support and advice.

Top franchisors often provide a franchise award manual. It will contain all the information needed to conduct due diligence.

1.4 You will almost always be given exclusive rights to the franchise in a specified region or to an exclusive client base.

- There will still be competition from other related businesses.

1.5 Financing the business is likely to be more straightforward. It can be easier to borrow money to invest in a franchise with a good reputation than to find backing for an unproven start-up.

- Some franchisors have relationships with banks and can help you borrow money, and local enterprise initiatives may supply start-up finance.

2 The disadvantages

2.1 The **cost** may be more than meets the eye.

- You pay a fee to buy into the franchise (often £5,000 to £10,000, but it can be as much as £250,000).
You also have the usual business costs (premises and equipment, stock and other supplies). Some of these will be bought from the franchisor.
- You pay a continuing royalty on sales, or a management fee, regardless of whether you are making a profit or not. This can be a fixed amount or a percentage of sales or a mixture of both.
- Some extra costs may be charged separately. For example, a contribution towards the franchisor's advertising costs or fees for the training you receive.

As a possible future franchisee, you need to be happy that the franchisor's services will justify all these costs, which will continue even after you have set up.

2.2 You have to agree to operate within certain **limits**.

The contract between you and the franchisor will usually regulate what you are allowed to do.

- You cannot change the business. For example, you cannot introduce new products to suit your local market.
 - You can only sell your franchise to a buyer approved by the franchisor.
- ### 2.3 Your relationship with the franchisor means you are exposed to certain **risks** which are outside your control.

- The risk of the franchisor failing to fulfil its obligations (eg providing support in the form of brand advertising or training).
- The risk of the franchisor going out of business.
- The risk of the franchisor being sold to a new owner who changes the operation or is simply more difficult to deal with (see **3.2**).
- The risk of actions by the franchisor or other franchisees giving the brand a bad reputation.

Types of business arrangement

A Some of the most successful franchises offer a full **business blueprint**.

This briefing concentrates on this type of franchise, which is known as a business-format franchise. Examples are Burger King and Prontaprint.

B Many other franchises offer a **less complete** package. For example:

- Distributorships and dealerships. You have an agreement to sell the product, but do not usually trade under the franchise name and have more scope to run the business as you see fit.
- Agencies. You sell goods on behalf of the supplier.
- Licences. You can make and sell the licensor's product, usually with no restrictions on how you run your business.

C **Multi-level marketing** (or network marketing) is sometimes regarded as a form of franchising.

Self-employed distributors sell goods on a manufacturer's behalf, earning commission on their own sales and on sales made by secondary distributors they have recruited.

- It is often difficult to make a good return from this sort of arrangement, unless you can recruit many other distributors.
- There are special regulations governing this loose type of business arrangement.

3 Evaluating a franchise

The franchisor should provide a prospectus that answers all the basic questions.

3.1 What is the **business**? You need enough detail to give you a broad understanding of the business concept.

- What trading locations or territories are being offered?
- Who are the competitors? A good franchisor should provide a realistic assessment of the competition.
- What steps does the franchisor take to extend and update the business concept?

3.2 Who is the **franchisor**?

- How long has the business been going?
- How long has it been a franchisor?
Many franchisors are members of the British Franchise Association (see **6.1**). If yours is not, why not?
- What experience and achievements do the key people have?
- How solid are the franchisor's finances?

Ask for three years' audited accounts and a bank reference.

- How many UK franchisees does the franchisor have? If all its franchisees are abroad, or only a few are in the UK, this shows the concept is not well tested in this country. Ask how the concept has been piloted. If it has not, why not?
- How many franchisees have failed? Check the reasons for failures.
- Is the franchisor completely independent? If not (for example, if the franchisor is the UK licensee of a US company), check what the original owner's rights are and how these could affect you.

3.3 How much **support** will you receive?

- What training is provided at the start?
- Will you get help to set up the business? Some franchisors will provide advice on the premises and equipment you need, legal support (eg with planning permission), and so on.
- What continuing support is provided? This can vary widely from almost nothing to full support.
- Can you get help when you need it? The franchisor may have support staff you can telephone whenever necessary.
- Does the franchisor pass on its market research to you?

3.4 What are the terms of the **franchise agreement**?

- How long will the franchise agreement run (typically five to ten years)? Check whether you have an option to renew the franchise after this time.
- Will you have exclusive rights in your area for the full term of the franchise?
- What conditions and restrictions are there if you want to sell the franchise?
- What happens if you die or cannot continue in business for some reason?

4 Costs and returns

4.1 What are the **costs**?

- How much is the up-front fee? Good franchisors will usually make most of their profits from the continuing stream of royalty payments from successful franchises. The initial fees should only reflect the costs of franchise development and administration.
- How much will you need to invest? Check that the franchisor's figures include realistic costs. Ask whether items you buy through the franchisor (eg a sub-lease on

premises) will include any mark up.

- What percentage royalty is payable and how is it assessed? Some franchisors reduce the percentage payable once a set turnover is reached. By growing the business over that threshold you can increase your profitability.
- What price is charged for materials bought from the franchisor (eg stocks)? The franchisor may mark up the prices. Alternatively, you may benefit from the franchisor's buying power.
- What other charges (eg promotions, training) will you have to pay? Find out exactly what you get for your money.

4.2 What **financial performance** can you expect?

- What actual returns are existing franchisees achieving (see **5.3**)? Be aware that the earliest franchises may have cornered the easiest or most profitable territories.
- What financial returns are projected for new franchises? Projections of very high profits from a small investment are probably unrealistic.

5 Final reality checks

Do not commit yourself in any way before completely evaluating the franchise.

Do not pay any non-refundable deposit and do not part with money until the draft agreement is seen by a lawyer.

5.1 Visit the **franchisor**. Ask specific questions about anything which is not clear from the prospectus.

- Do the people seem honest and open?
- Are they trying too hard to sell the franchise to you? Do not allow yourself to be hurried into making a decision.

5.2 Get a sample **contract** for your lawyer to examine.

- Never enter into any franchise agreement without legal advice.
- Use a lawyer who has experience of franchises. Many large legal firms have a specialist, while smaller ones may have individuals with relevant expertise.

5.3 Visit at least two **franchisees** — and phone at least three more. This will help you find out what the risks and opportunities are.

- Ask them how their business is going,

what they think of the franchisor, and what problems they are having.

- Insist on a full list of all present and past franchisees, including any that have failed. Beware of franchisors who refuse to reveal this information.

5.4 Carry out your own **market research** in your proposed territory. Even if the business works elsewhere, you need to be sure it will work in your area.

- What possible customers are there?
- What competition is there?
- What are the long-term prospects?

5.5 Prepare a **business plan**, just as you would for any other start-up business. Base this on your market research and on your own financial projections — not those provided by the franchisor.

- Consult your professional advisers for any help you need.

- Many of these advertisements are for untried franchises or multi-level marketing schemes, which should be approached with some scepticism.

6.5 Go to franchise **exhibitions**. There are major annual franchise exhibitions in Birmingham and London.

- The bfa can provide details of specialist and regional exhibitions.

6.6 You may want to talk to franchise **consultants**. Reputable franchise consultants generally work on behalf of the franchisor to develop the franchise package.

6 Further information

If you are seriously thinking about buying a franchise, gather information from a variety of sources. Aim to know as much about the industry and the market as you would if you were starting your own business from scratch.

6.1 Contact the **British Franchise Association** (bfa) (www.thebfa.org.uk; 01235 820470).

- The bfa publishes a variety of handbooks and supporting information, including a full list of bfa members (franchisors and advisers).
- For further help and advice visit www.whichfranchise.com or www.franchiseadvice.com.

6.2 Talk to your **bank**.

- Most banks have franchising specialists and can offer information and advice.

6.3 Read the **trade press**. Publishers include:

- Franchise Development Services (01603 620301 or www.fdsfranchise.com).
- Franchise World (020 8605 2555 or www.franchiseworld.co.uk).
- Business Franchise (www.businessfranchise.com).

6.4 Keep an eye on the **rest of the press**.

Many franchisors advertise in the business-opportunities sections of national papers.

© BHP Information Solutions Ltd 2011. ISSN 1469-0470. All rights reserved. No part of this publication may be reproduced or transmitted without the written permission of the publisher. This publication is for general guidance only. The publisher, expert contributors and distributor disclaim all liability for any errors or omissions. Consult your local business support organisation or your professional adviser for help and advice.