We set out below our fees applicable to our debt recovery services.
We appreciate that non-payment of debts may cause clients cash flow difficulties, and it is important before clients engage us that they have transparency as to the costs involved and the basis of our charges.
The basis of our charges are fixed fees based on a percentage of the debt value for undisputed debts particularly where the Late Payment of Commercial Debt Regulations are applicable together with hourly rates, based on the experience of the Fee earner that will be dealing with a matter. We set out the hourly rates below.

All our charges attract VAT which is payable at the current rate of 20% VAT is not recoverable from the debtor and remains the responsibility of the client. We will provide a VAT invoice where appropriate.

Fee Earner Qualifications, Experience and Hourly Rates

Our Litigation department is headed and ran by Russell Dutton a litigation solicitor with over 30 years post qualification experience and the managing director of the firm.

Russell manages all matters which are the subject of court proceedings. He conducts all litigation within the firm. Russell is assisted by Iain Bould in the litigation claims.

Our debt department is managed and ran by **Iain Bould** who has more than 30 years' experience in acting for commercial clients in recovering Business to Business debt. Iain has during over 3 decades recovered millions of pounds.

He offers practical solutions with a proven track record.

The following hourly rates are charged undertaken by fee earners in our Debt Recovery Department:

Russell Dutton - £280.00 per hour plus vat (subject to annual reviews) we will inform a client of any increase to hourly rates charged before applying the increase.

Iain Bould – £250 per hour plus vat (subject to annual reviews) we will inform a client of any increase to hourly rates charged before applying the increase.

In respect to all matters we will first review your case and issues and provide you with the basis upon we will act whether it will be an hourly rate, fixed fee or on a contingent (no-win no- fee basis). You can then make an informed basis as to what option is best for you, having been provided with transparency.

Undisputed Debt Recovery and Pre-Action Work

In many cases it is not necessary to issue court proceedings to recover a debt. Most debts can be recovered by alternative means including:

1. Sending a Letter before action.
2. Service of a Statutory Demand.
3. Pre-action Correspondence and negotiations.
4. Telephone Chase/negotiations.

(“Pre-Action Services”)
It may even be the case that a debt is not disputed but paid upon commencement of court proceedings. In respect to undisputed debt cases, we will provide the following additional services:

5. Drafting the claim form and particulars of claim.
6. Arranging for court proceedings to be issued by the Court and served on the Defendant.
7. Requesting Judgment.
8. Discuss and advise in respect of enforcement procedures and protocols.
9. Take enforcement steps.

The following are the anticipated timescale for dealing with Undisputed Debt Recovery and Pre-Action Work:

Taking instructions, providing initial advice, drafting and serving a Demand – 2 weeks from commencement of retainer.
If debt is not paid and there is no response from the debtor, drafting claim form and particulars of claim for issuing by the Court – 4 weeks from commencement of retainer.

If no response to claim form application for judgment –6 weeks from commencement of retainer.

Obtaining default Judgment – 8 weeks from commencement of retainer.
The above timescales are our best estimate of timescales. We are however beholden to the Court which is responsible for processing and serving claim forms and issuing judgments.
In respect to Pre-Action Services and Undisputed Debt cases we work on a contingency basis, namely we will be paid a percentage of debt that we recover on your behalf. Nothing will be chargeable unless we are successful and recover money from the debtor on your behalf.

Please note whilst clients will not have to pay us up front for Pre-Action Services and commencement of court proceedings in respect to undisputed debts, they will have to pay court fees, which are fees charged by His Majesty’s Court and Tribunal Service for issuing proceedings (please see information below).

For example:

We are instructed to act in the recovery of a £10,000 debt. On the face of our instructions there is no dispute.
We undertake the following work is undertaken:

1. Review of documents and taking instructions.
2. Preparing a letter of demand.
3. Preparation of Claim Form and issuing of proceedings.
4. Following service of the Claim Form the Defendant pays the debt owing (£10,000).
5. Our fees in this example would be 20% of £10,000, namely £2,000 plus vat (a total of £2,400). In addition, a claim is made to recover the Court Fee paid to issue the claim (in this case the court issue fee would be £455).

If court proceedings must be issued court fees will have to be paid by the client as a disbursement. Information regarding Court issue fees are set out below.

Court Fees for Issuing Proceedings

The court will charge a fee for the issuing a claim form assessed by the value of the claim.
A table of the court fees that you will have to pay to issue proceedings. As these fees are disbursements (unlike our charges) VAT is not chargeable in respect to the same.

Up to £300	£35
More than £300 but no more than £500	£50
More than £500 but no more than £1,000	£70
More than £1,000 but no more than £1,500	£80
More than £1,500 but no more than £3,000	£115
More than £3,000 but no more than £5,000	£205
More than £5,000 but no more than £10,000	£455
More than £10,000 but no more than £200,000	5% of the value of the claim
More than £200,000	£10,000

Disputed Debt Cases (Claims £10,000 or less)

For defended claims with a value of less than £10,000 the proceedings are likely to be allocated to what is known as the Small Claims Track.
In the small claims track, there is limited costs recovery. Unless there are arguments of unreasonable conduct) clients will not recover our fees from the debtor even if successful. They will only recover fixed court fees and potentially reasonable travel expenses.

We charge on an hourly rate for dealing with disputed debt matters. How much it will cost depends on the complexity and the issues in dispute. We will provide an estimate of costs (based on our hourly rates) up to and including a small claims hearing before undertaking any work once we have had an opportunity to consider the merits of any defence.

In addition to Court Fees at issue (above) you will also be liable to pay an additional court fee when the claim is listed for a small claims hearing. The amount of the hearing fee is determined by reference to the value of the claim.

Below is a list of hearing fees that you will have to pay:

Small claims track for claims up to £300	£27
Small claims track for claims between £300.01 and £500	£59
Small claims track for claims between £500.01 and £1,000	£85
Small claims track for claims between £1,000.01 and £1,500	£!23
Small claims track for claims between £1,500.01 and £3,000	£185
Small claims track for claims more than £3,000	£346

The following are the anticipated timescale for dealing with Disputed Debt Cases Allocated to the Small Claims Track:
Taking instructions, providing initial advice, drafting and serving a Demand – 2 weeks from commencement of retainer.

Pre-Action correspondence and negotiations –6 weeks from commencement of retainer.

If claim is not settled pre-action the next stage is to issue court proceedings – 8 weeks from commencement of retainer.

The Defendant will have 28 days to file a Defence whereupon pleadings will close, and the case will be ready for allocation to the small claims track and fixing date for a small claims hearing – 12 weeks from commencement of retainer.

Small Claims Hearing (usually no more than 3 hours) – 3 to 6 months from close of pleadings – 24 weeks to 36 weeks from the commencement of our retainer.

The above timescales are our best estimate of timescales. We are however beholden to the Court which is responsible for processing and serving claim forms and issuing directions and fixing the small claims hearing.

Disputed Debt Cases (Claims over £10,000)

For defended claims with a value of more than £10,000 the proceedings are likely to be allocated to what is known as either the Fast Track, Intermediate Track or Multitrack depending on the complexity and value of the case,
The difference between these tracks and the small claims track is that the loser is usually liable for the winner's costs. Please note that this does not mean necessarily that you will recover all costs. Firstly, costs to be paid by the Debtor are assessed by the Court and these costs may be less than you are liable to pay. Secondly the debtor may not be able to pay.
We charge on an hourly rate for dealing with disputed debt matters in the Fast Track, Intermediate Track or Multitrack. How much it will cost depends on the complexity and the issues in dispute.
In addition to our fees there may be other expenses that you will be liable for (called disbursements) which may include-

- Barristers' fees
- Expert Fees
- Law Cost Draftsman Fees.

There will also be the Court Fees to issue (above) and the trial fee.
For fast-track trials (value of claim £25,000 or less) the trial fee will be £545.
For Multitrack trials (value of claim more than £25,000) the trial fee will be £1,175.
We will provide an estimate of costs (based on our hourly rates) and disbursements/court fees up to and including trial before undertaking any work once we have had an opportunity to consider the merits of any defence.
In more complex cases such as this there is always a risk that issues will arise that will impact on the estimate given at the outset. In such cases we will warn you as soon as practicable about any issues which may impact on the estimate and provide you with a revised estimate before additional costs are incurred.

The following are the anticipated timescale for dealing with Disputed Debt Cases Allocated to the Fast Track, Intermediate Track or Multitrack:

1. Taking instructions, providing initial advice, drafting and serving a Demand – 2 weeks from commencement of retainer.
1. Pre-Action correspondence and negotiations –6 weeks from commencement of retainer

1. If claim is not settled pre-action the next stage is to issue court proceedings – 12 weeks from commencement of retainer.

1. The Defendant will have 28 days to file a Defence whereupon pleadings will close, and the case will be ready for allocation to track and fixing date for a case management conference – 16 weeks from commencement of retainer.

1. Listing for a case a management conference when the Court will give case management directions to trial – 40 weeks from commencement of retainer.

1. Trial – 70 weeks from commencement of retainer.

The above timescales are our best estimate of timescales. We are however beholden to the Court which is responsible for processing and serving claim forms and issuing directions and fixing the small claims hearing.

Between phases 5 and 6 above there will be directions that will have to be complied with the so that the matter can progress to either a settlement or trial – mediation, negotiations, disclosure, drafting of witness statements, preparation of schedules of loss (if required), expert evidence (if required), preparation of trial bundles, case summaries, chronologies, skeleton arguments and instructions with brief to Counsel.

Insolvency Proceedings

As an alternative to debt recovery via court proceedings you may elect to pursue via insolvency proceedings. Such an approach is only possible where a debt is genuinely not disputed.

Insolvency proceedings usually start with the service of a statutory demand. Preparation of a statutory demand is dealt with as part of our Undisputed Debt Recovery Service (above)

If a statutory demand is ignored or not satisfied the next step would be to issue a bankruptcy petition if the debtor is an individual or a winding up petition if the debtor is a company.

We charge on an hourly rate for this work (see hourly rates above). In addition, disbursements may be payable including:

1. Court Fees

2. Official Receiver Deposit
3. Barrister Fees for representation at the hearing of either a bankruptcy or winding up petition.

In a relatively straightforward case, we would typically estimate costs and disbursements as follows:

Bankruptcy Petition

Our fees for taking instructions, drafting the bankruptcy petition, instructing a process server to serve the Petition, dealing with court directions including drafting and filing witness statements and supporting evidence, preparing for and attending a hearing – £1,500 plus vat

Disbursements:

- Court fee – £302
- Official receiver's Deposit – £1500
- Process server's fees – £150 plus vat

Winding up Petition

Our fees for taking instructions, drafting the winding up petition, instructing a process server to serve the Petition, dealing with court directions including drafting and filing witness statements and supporting evidence, preparing for hearing including briefing Counsel – £1,500 plus vat

Disbursements:

- Court fee – £302
- Official receiver's Deposit – £2,600
- Process server's fees – £150 plus vat
- London Gazette Advert – £101.52 plus vat
- Counsel's fees – £500 plus

The above cost estimate assumes (a) that the insolvency proceedings will not be opposed and (b) there will only be one hearing.

For more complex case we will review the issues and provide a bespoke estimate based on the circumstances to include our additional time and barrister costs.

The following are the anticipated timescales for dealing with Insolvency Proceedings:

- Taking instructions, providing initial advice, drafting and serving a Statutory Demand – 2 weeks from commencement of retainer. A debtor has 21 days to respond to a statutory demand.

- Drafting and issuing a Bankruptcy Petition or Winding up Petition – 7 weeks from commencement of retainer.

- Hearing of either Bankruptcy Petition or Winding up Petition – 15 weeks from commencement of retainer.

The above timescales are our best estimate of timescales. We are however beholden to the Court which is responsible for processing and serving petitions and fixing hearing dates.