



Ashtons Legal Debt Recovery Service

At Ashtons Legal our debt recovery experts recognise that recovering unpaid invoices can be frustrating and time-consuming. We therefore understand the need for our clients to pursue unpaid invoices efficiently and vigorously in a cost-effective manner.

Our debt recovery service is run by a specialist team, Abbie Clapham and Chloe Blake and is led by Leah Newcombe.

We aim to offer a personal service and pride ourselves on the level of service we provide to clients.

We can recover debts of any size quickly and efficiently, with minimum cost to you.

The individual dealing with the case not only knows and understands the case but knows and understands you and your business.

We aim to recover your debts for you as quickly and efficiently as we can.

We act for:

- PLCs
- Owner managed businesses
- Individuals
- Trustees in bankruptcy
- Liquidators.

If the debtor decides to defend the proceedings, we can advise you on the appropriate options available and, if necessary, re-allocate your case within the Dispute Resolution Department.

We can also advise you on possible funding options to help you fight the case, please see the website for further information or contact us to discuss these options.

If you have international debts, we can advise you on how best and where to pursue these debts.

Step 1 – Letter Before Action

The first step is to send out a letter before action. We aim to send out the letter before action as soon as reasonably possible after receiving your completed instruction form.

The letter before action will demand payment within 14 days where the debtor is a business.

If the debtor is an individual, the Pre-Action Protocol for Debt Claims requires us to give the debtor 30 days to respond and/or make payment. If the debtor does respond with a reply form within the required period, then the protocol requires the creditor to wait 30 days from the date of receipt of the completed reply form (or from any request for disclosure of documents) before starting proceedings.

The letter before action may also include a claim for interest/costs and statutory compensation for late payment under the Late Payment of Commercial Debts (Interest) Act 1998 as follows:

- For debts up to £999.99 = £40
- £1,000 to £9,999.99 = £70
- £10,000 + = £100

Often the letter before action prompts a response from the debtor.

Step 2 – Court Proceedings or Statutory Demand

The second step, if no response is received, is to issue court proceedings or, if appropriate, serve a statutory demand on the debtor.

This will include a claim for the debt, court fees, costs, statutory compensation for late payment (where appropriate) and interest.

Interest can be recovered either:

1. Under the terms of the contract with the debtor
2. Pursuant to the County Courts Act 1984 – currently 8% from the due date of the invoice to Judgment
3. Pursuant to the Late Payment of Commercial Debts (Interest) Act 1998 – currently 8% above the Bank of England base rate.

In some circumstances, a statutory demand may be served on the debtor. This would fall outside of our debt recovery service and referred to our Insolvency Team.

Step 3 – Enforcement

The third step once Judgment has been obtained is to enforce the Judgment. There are a number of enforcement options available, and we can instruct bailiffs under our fixed fee debt recovery service.

If you wish to consider another method of enforcement, we will provide you with a quote for assisting.

Our Debt Recovery Charges

Letter Before Action

Debt £	Our Fees £ (excl VAT)
Up to 999.99	150
1,000 to 9,999.99	250
10,000 to 25,000	580
25,000 +	Quote required

Issue of proceedings

Debt £	Court Fees £	Our Fees £ (excl VAT)
0 to 300	35	200
300.01 to 500	50	200
500.01 to 1,000	70	200
1,000.01 to 1,500	80	500
1,500.01 to 3,000	115	500
3,000.01 to 5,000	205	500
5,000.01 to 10,000	455	750
10,000.01 to 25,000	5% of the value of the claim	Fixed Recoverable Costs
25,000 +	5% of the value of the claim	Quote required

Entering Judgment

	Court Fees £	Our Fees £ (excl VAT)
1. In default of an acknowledgment of service		
£25 to £5,000.00	0	75
£5000 plus	0	150
2. In default of a defence		
£25 to £5,000.00	0	75
£5,000 plus	0	150
3. On Admission		
£25 to £5,000.00	0	75
£5,000 plus	0	150

Enforcement

Debt £	Court Fees £	Our Charges £ (excl VAT)
Warrant of Execution – County Court Bailiff		
0–599	91	150
Writ of Execution – High Court Enforcement Officer		
600+	78	150

N.B. If unsuccessful, the High Court Enforcement Officer will also charge £75.00 + VAT abortive fee.

Please note that we will require our fees and the court fees to be paid on account at the start of each step.

We will send you a receipted invoice at the end of each step. Where possible, we will seek to recover some costs from the debtor.

For debts up to £100,000 recoverable costs are fixed in line with the Civil Procedure Rules. We will advise you on what fixed costs may be able to be recovered.

Our fees for debts between £10,000 to £25,000 are set in accordance with what you can recover under the fixed costs regime.

“Ashtons Legal Debt Recovery team attracts high praise from clients.”

Legal 500

More information

To discuss how we can help you, please contact us:

E: enquiry@ashtonslegal.co.uk

T: 0800 915 6037



Bury St Edmunds | Cambridge | Ipswich | Leeds | Norwich

www.ashtonslegal.co.uk