

For businesses (debts up to £100,000)

At Foys, we deal with debt recovery issues for both businesses and individuals.

In respect of cost recovery for businesses and individuals, we charge on a time spent basis. The total cost will depend on the level of complexity and value of debt and of course whether or not the matter settles before any final Court hearing.

Work carried out will normally be charged at our standard hourly rates, which are as follows (as per professional guidelines for our geographical area):-

Fee Earner	Hourly Rate (Excluding VAT)
Solicitors with over eight years post qualification experience including at least eight years litigation experience.	£282
Solicitors and Legal Executives with over four years post qualification experience including at least four years litigation experience	£242
Other Solicitors and Legal Executives and Fee Earners of equivalent experience.	£210
Trainee Solicitors, Paralegals and other Fee Earners.	£150

The above rates do not include VAT. (Which will be charged at 20%)

“Disbursements” referred to in this pricing structure relate to additional fees payable during the course of your instructions to us. Potential disbursements include travelling and parking expenses to attend meeting or hearings; Expert Report fees; Court fees etc. We handle the payment of the disbursements on your behalf to ensure a smoother process.

In respect of Court fees, when a claim is issued at Court, a Court issue fee is payable and the table below illustrates the relevant Court fees as at November 2024 (these fees are subject to change):-

Claim Amount	Paper form fee
Up to £300	£35
£300.01 to £500	£50
£500.01 to £1000	£70
£1000.01 to £1500	£80
£1500.01 to £3000	£115
£3000.01 to £5000	£205
£5000.01 to £10000	£455
£10000.01 to £100,000	5% of the claim

Claims up to and including £10,000 ie Debt Value are usually allocated to what is known as the Small Claims Track of the County Court, which are typically claims requiring up to half a days Court time for a final hearing. Please note that it is rare for either party to recover their costs for a Small Claims Track matter (except for limited recoverable fixed costs).

Claims from £10,000 – £25,000 are usually allocated to what is known as the Fast Track of the County Court. This is a more involved and expensive process in comparison to the Small Claims Track.

Claims where the debt is between £25,000.01 – £100,000 are usually allocated to what is known as the Multi Track of either the County Court or the appropriate sub division of the High Court. This is the most involved Track of the Court and involves an even more lengthy and expensive process. One of the additional features of the Multi Track is the requirements for what is known as Cost Management and Budgeting, which in itself is quite an involved and costly process.

The successful party (be it Claimant or Defendant) in either a Fast Track or Multi Track case is usually awarded costs on what is known as a standard basis.

As an estimate of costs we would expect costs for dealing with debt recovery matters to be as follows:-

- **Small Claims Track**– £2,000 – £3,000 plus VAT at 20% and disbursements.
- **Fast Track matters**– £10,000 – £20,000 plus VAT at 20% and disbursements.
- **Multi Track cases**- £40,000 or more plus VAT at 20% and disbursements.

The above estimates will depend on the level of complexity, whether or not the debt is disputed and whether or nor enforcement action is required if a claim is successful. These cost estimates are for cases that proceed to trial. We would expect costs to be less (in some cases significantly) if the claim settles without the need for a final hearing.

Our fees mentioned above include:-

- Taking your instructions and reviewing documentation.
- Undertaking appropriate Searches.
- Sending a Letter Before Action.
- Receiving payment and sending onto you, or if the debt is not paid, drafting and issuing a Claim.
- Where no Acknowledgement of Service or Defence is received, applying to the Court to enter Judgement in default.
- When Judgement in default is received, write to the other side to request payment.
- If payment is not received within the time scales set, providing you with advice on next steps and likely costs.
- If the Claim is defended then representing you up to and including a final hearing, including consideration of both parties' documents, preparation of any Cost Budget, preparation of Trial Bundles, preparation of Witness Statements, Instructions to a Barrister for the hearing and representation at any hearing.

The length of time it takes to deal with a debt recovery matter will depend on the complexity and whether or not a case is defended.

If a claim is not defended and a Defendant makes payment promptly upon receipt of our Letter before Action, we would expect it to take approximately 4 – 6 weeks from receipt of instructions from you to receipt of payment from the other side.

If Judgement in default is obtained or enforcement action is required we would expect it to take approximately 6-24 weeks (taking into account potential Court delays), from receipt of instructions from you to receipt of payment from the other side.

Other issues

We provide an initial free consultation which will allow us to explore different funding options with you and prospects of your case.

You will find further relevant information about debt recovery claims on our website.

Debt recovery claims for businesses will be handled by our Mr Nigel Walshe, Mr Clive Alton and Mr Liam Bawden.

Nigel Walshe – Solicitor

Nigel graduated from the University of Oxford in 1975 and has an MA in Classics and Philosophy. Thereafter he trained in London and qualified as a Solicitor in 1978. He has throughout his legal career practised in many areas of Civil Litigation including Personal Injury, Clinical Negligence and Probate/Estate Disputes. Nigel joined Foys Solicitors in 2005 and has been based at our Worksop Office since 2017.

Clive Alton – Associate Solicitor

Clive Alton LLB (Hons) is an Associate Solicitor who qualified in 1988 having studied Law at Liverpool University and Chester College of Law. He has worked for Foys since 2022 in their Dispute Resolution Department and is primarily based at our Doncaster Office and deals with matters covering a wide range of disputes.

Liam Bawden – Dispute Resolution Executive

Liam Bawden is an Associate Member of the Chartered Institute of Legal Executives (CILEx) and is currently working towards qualifying as a CILEx Lawyer. He is a Dispute Resolution Executive based at our Doncaster Office and has been in the legal sector for seven years. Liam joined Foys in November 2024, and deals with a variety of Dispute Resolution cases.