

# Angles



## Tell us your problems.....

Whether you are looking for advice on best practice for your business or have a specific problem that requires third party assistance, come and talk to us.

Incasso are pleased to announce the launch of their new consultancy service, celebrating further development of the Credit Management solutions available to you and your company.

With our commitment to client service, we have worked closely with our clients to resolve many different problems that fall outside the realms of debt recovery, and this has led to appointments for the consultancy team.

The team, led by Ron Lack and Lesley Berner-Hope, deliver a complete review of your credit control function and current debt ledger. Complete with full diagnostics and detailed reports, our consultants aim to highlight any shortcoming or failings, and provide realistic solutions and options.

A recent consultation delivered to Leeds-based S&B Building proved beneficial to the company, with the Group Financial Controller, saying;

“Incasso were extremely professional throughout the whole process. From the initial consultation right through to the final meeting with the Directors of S&B, they clearly understood what we were looking to gain from the process. They were able to provide detailed analysis, reports and advice on how to help S&B achieve their targets.”

**If you are interested in somebody conducting an independent review of your business practices or require help on specific credit management problems please contact Ron Lack on 0845 404 1532.**

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## There are some things that only women can get right...

And those would be eating, drinking, watching a female comedienne - all in the shoe-Mecca that is Harvey Nichols!

On Thursday, 17th February 2005, Incasso invited 60 of our female clients to attend our now (in) famous Ladies Only Event, Incasso And The City. After a rather potent cocktail reception, guests sat down to a four-course meal, prepared by Harvey Nichols' award-winning chef, Richard Allen.



The extremely funny and insightful Mandy Muden, who mercilessly, and quite rightly, chose our male staff members to persecute with "gentle" humour, provided entertainment!

The feedback was wonderful, with one attendee saying, "The venue, food, company and entertainment were all first class".

The evening was a great success, enjoyed by all, and will continue to be one of the most important events that Incasso keeps in future diaries.

## Duty Free – but not enforcement free!

Incasso's High Court Enforcement Officer, John Marston, tells us of a typical day;

"In August 2004 a client sent us a writ of Fife directing us to seize an aircraft at Gatwick Airport. A substantial sum of money was owed and the claimant knew that an aeroplane belonging to the debtor was due to land.

Hitting the ground running is very important especially when seizing an aeroplane. Timing also matters as if you are late and the plane has taken off then, well, what can I say!

We seized the plane and held it whilst the funds were transferred into our bank account. We had a mild panic when it was pointed out that having seized the plane we were responsible for parking at £500.00 every fifteen minutes.

This concentrated everyone's minds and we achieved turnaround in two hours flat. Everyone got paid and the passengers never found out what was going on. Job done!"



## There's no limit to your recovery ....

The law in general, and Insolvency in particular, can move quite quickly, and as a result, parties intending to take action should always be aware of the issue of **limitation**.

Subject to certain caveats, any claim or proceedings relating to an order of the court must usually be brought within 6 years of the events in question, according to the provisions of the **Limitation Act 1980**. S.24 of the act states that: "an action shall not be brought upon any judgment after the expiration of six years from the date on which the judgment became enforceable". Or so we thought....

The goalposts have now been moved significantly by the Court of Appeal case of **Ridgeway Motors (Isleworth) Ltd. v ALTS Ltd.**, decided last month. The facts of the case were that ALTS had succeeded in obtaining a judgment against Ridgeway over six years ago and issued a winding-up petition against them. This led Ridgeway to make an application to the court to "strike out" the winding-up petition on the basis that enforcement of a judgment over 6 years old is precluded by the Limitation Act, as described above.

The Court, however, ruled against them, finding that S.24 (1) the Limitation Act was meant to restrain suing for a "judgment upon a judgment", as opposed to this situation, which saw the Court dealing with an application to enforce a judgment through insolvency proceedings, which they were willing to treat differently.

In the Court's opinion, a **winding-up or bankruptcy petition** was not to be interpreted as an action upon a judgment, or a process of executing the original judgment or order, but as something else entirely - a "wider legal proceeding" to collectively enforce an admitted or proven debt.

So what does this mean? Although it remains to be seen at the moment whether or not the case will be subject to appeal by the House of Lords, there is every possibility that Creditors who have previously been advised that a debt was irrecoverable may well now be able to pursue them.

We have consulted with the Courts, in particular the Royal Courts of Justice, who have confirmed that they will **allow any debts over 6 years to be included in either winding up or bankruptcy proceedings**.

If you require further information regarding this decision or advice on how this may assist your recovery procedures, please do not hesitate to contact;

**Mark Taylor**  
**DDI:0845 404 1566**  
**mtaylor@incasso.co.uk**

## **A Champion Conference to attend!**

Incasso will be exhibiting at the Champion Accountants Annual Conference 2005, in Manchester on 21<sup>st</sup> April 2005.

With talks from Mike Finnigan, Frank Furness, Johnny Apples, Tom Bloxham and Ged Cosgrove, attendees will learn the secrets to;

- Growing their business
- Motivating their people
- Using goals to change their lives
- Influencing their market

If you would like to attend this power-packed, business advice conference, please contact;  
**Allison Higson, Champion Accountants, 0161 703 2500**

**[www.incasso.co.uk](http://www.incasso.co.uk)**

## Breaking News....Breaking News....Breaking News...

Incasso will be hosting a number of breakfast and lunch seminars at our Leeds and Birmingham offices throughout March and April.

Each seminar will focus on one of the following topics;

- “Information at your fingertips” The extranet facility
- “Streamlining your credit control”
- “Your creditors – are they pulling the illegal wool over your eyes” Fraudulent creditors

If you are interested in attending any of the above seminars, please email [jpeacock@incasso.co.uk](mailto:jpeacock@incasso.co.uk).

## Spotlight on... Business Development Team

Incasso’s Leeds Business Development Team is comprised of three members, dedicated and responsible for capturing new business, maintaining client relationships, marketing and corporate hospitality;

**Jessica Peacock, Marketing Executive** – Jessica has been with Incasso for 2 years, starting as a Business Development Assistant. She is responsible for marketing the name and services of Incasso, all client hospitality and the new website. During two years of client events, Jessica claims to be responsible for attendees to have gained at least a stone in weight and a few possible cases of alcohol poisoning!

**Mark Taylor, Business Development Manager** – Mark has been with Incasso for 5 years, building up strong relationships with over 500 clients in that time. Mark is the first point of contact for new business and has been integral to Incasso’s membership on many benchmarking groups and debt recovery panels. He is also an important contributor to our marketing initiatives and client events, although as a new Dad to Molly Rose, has had to swap sporting luncheons for Cow & Gate recently.

**Laura Geall, Collections Manager** – Laura joined Incasso a staggering 11 years ago as an Admin Assistant, and is now responsible for the collections and trace teams. As well as this, Laura contributes vastly to acquiring new business and maintaining client relationships. Attending client hospitality events and conferences is also a major part of Laura’s work, although she prefers Harvey Nichols Ladies Evening to standing on an exhibition stand for 8 hours!



If you have any questions regarding this newsletter or would like to discuss anything further please contact Jessica Peacock, on 0845 404 1630, or email [jpeacock@incasso.co.uk](mailto:jpeacock@incasso.co.uk)

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