

Updated Regularly [*last updated 16-20 Fri-20-Mar-20*]

INTRODUCTION

The last few weeks have seen an unprecedented set of events and circumstances around the World. Maybe not since the Cuban Missile Crisis in 1962 or the Spanish Flu outbreak of 1918 have the lives of everybody been turned upside down so quickly and worryingly.

The level of concern in the UK has been increasing since the start of February leading to a budget focused on providing support to our economy. Only a matter of days later, Chancellor Rishi Sunak, was standing next to the Prime Minister and Chief Medical Officer outlining another series of initiatives designed to help business with the promise that “we will do whatever it takes” (already pledging £330bn of Government backed loan guarantees, via a new Emergency Fund).

There is genuine concern and worry amongst the business community, but we want you to know that our team are ready to help you, your and the wider business community get through this crisis.

Whilst the primary concern of any organisation is the wellbeing and safety of their employees a plan needs to be put in place now to ensure there is a sustainable platform to operate from as the crisis is navigated and then left behind.

We have put together a series of short snippets that you might find useful. These focus particularly around finance and employee issues as these are the two most common queries we have fielded in the last few days.

CORONAVIRUS JOB RETENTION SCHEME

The Government has announced a new scheme to protect people’s jobs during the crisis. The scheme is open to all UK businesses and will see the Government pay part of the wages of employees that would otherwise have been laid off. The scheme will be open for an initial three months from 1 March however Rishi Sunak said “... and I will extend the scheme for longer if necessary”.

This is a grant from the Government, not a loan, so it will not need to be repaid.

To access the scheme employees, or certain employees, need to be designated as “furloughed workers”. You will need to notify these workers of the change, in writing (email will be fine) making sure you follow a fair selection process. It’s worth noting that the Government is not changing employment law to allow this to change in status. Therefore, making this change to an employees status remains subject to employment law.

You have the option of topping up the remaining 20%, but it is not mandatory.

You must not make the employees redundant and guidance will most likely be issued, in due course, about the time frame the Government expects you to keep them employed after society and business can return to normal. If you have already laid staff off, you can reverse this decision if you wish, as this scheme is backdated to 1st March.

HMRC are developing a system that will allow employers to provide this information through an online portal and once processed they will issue reimbursement. At the time of writing this (21 March 2020) there was no method of reimbursing these costs and the system isn’t expected to be available until April. Therefore, managing cash during this intervening period is still crucial (see our advice about cashflows later in this guide).

There is a cap on the reimbursement of £2,500 of the employee's wage costs per month, based on their regular salary. It should also be noted that the employee should be shown on the February pay run and that a claim will be possible for periods from 1 March 2020. It is not clear yet how much those on zero hours' contracts or fluctuating wages will be treated, but it is expected that it will be either the amount which was paid through last month's payroll or an average of the past few months.

Careful planning and consideration of employee's contracts of employment is required when considering this scheme but it is certainly a significant boost to companies in what are unprecedented times.

HELP FOR SELF EMPLOYED

The government has been criticised for not helping the many Self Employed workers that don't trade from a property and therefore don't qualify for the £10,000 cash grant or Business Rates discount.

The news that income tax payments due on 31 July 2020 and VAT payments due in the period between 20 March 2020 and 30 June 2020 can be deferred until later in this tax year may help some start to balance the books. And "Time to Pay" arrangements will still be possible for those who need a slightly longer period to catch up.

Maybe Rishi Sunak understands that for many of the millions of Self Employed people out there, their families' financial future is linked to the business and maybe that's why he's directed support through the benefits system.

Both Universal Credit standard allowance and Working Tax Credit basic elements will be increased by £1,000 a year for the next 12 months. To ensure that the Self Employed benefit the minimum income floor (MIF) has also been removed. The MIF is a measure that assumes that Self Employed workers earn a certain level of income. By eliminating this, it opens more benefits to people who are Self Employed "at a rate equivalent to Statutory Sick Pay for employees" according to the Chancellor.

There has also been an increase in support for renters with an increase in Local Housing Allowance that will cover at least 30% of market rents and also the previously announced three-month mortgage holiday.

In summary it still feels like the Self Employed are not been supported as well as others in the economy but as we have seen this week, all that could change and we expect to see further announcements early next week.

CASH FLOW

We understand that cashflow will inevitably be an issue for businesses in the coming weeks. The impact of less cash coming in from customers mixed with payments that need to be made and commitments to employees will more than likely lead to a quick deterioration in cash balances.

One of the first steps that we would recommend is forecasting cashflows for the next four or five months. This doesn't need to be done with expensive software or apps but can be plotted on a piece of paper or in excel, but it does need to carefully identify on a monthly basis the cash you expect to receive and pay out. This cash flow forecast should also include estimates for various tax payments, Corporation Tax, VAT and PAYE. These can be based on your last payments as a guide.

We are often asked how to forecast cash receipts. As you want a guide to the receipts you might get, look back through bank statements or your book keeping records to see what daily, weekly or monthly averages you have been achieving and use these.

Once you have established the baseline cash position you should then look at flexing the cash receipts to allow for a slow down in money coming into the business. This will hopefully then give you an idea of where your cash position will be if things deteriorate and people stop paying their bills.

Armed with this information you will then be able to make some decisions about what mitigating actions you might be able to take. Some of the other articles in this guide provide information about some grants and sources of funding that might be available to you.

It is important that you plan your cashflow carefully and where shortfalls are predicted plan to fill the gaps with mitigating actions you can take and also using the support schemes that are available.

WORKING CAPITAL

In these difficult times, the following points are intended to help maintain a fluid movement of cash into your business:

1. Invoicing

- Issue invoices more regularly and consider invoicing upfront or sending interim bills.
- Look at offering discounts, for example 5% if payment is made within 7 days to bring forward receipt of the money.
- If taking on any new customers ensure you use a credit check report for example, Experian.

2. Debt Collection

- If you use a cloud-based accounting package, look at the possibility of automating your debt collection system, for example Chaser.
- If you have debts beyond your payment terms look at placing the invoice with a debt collection company.
- Look at financing your debtors using invoice discounting.
- If you have individual large sum invoices look at single invoice finance.
- If customers are struggling to pay be flexible and allow a payment plan by way of monthly direct debit.

3. Stock

- Look at your various stock lines and operate a just in/just out system.

4. Payment to Creditors

- Contact your suppliers to discuss extending terms or agreeing a payment plan.
- If offered an early payment discount by individual suppliers, look at settling their invoices first.

5. Capital Expenditure

- If considering purchasing capital equipment, investigate leasing the equipment rather than purchasing.
- Purchase any new equipment via a hire purchase agreement.
- Extend the term of the hire purchase agreement to reduce the monthly payments.

6. Cash

- Transfer any excess cash into a deposit account.
- Look at other investment opportunities whereby you still have quick access to the funds if required.

TIME TO PAY (TTP) ARRANGEMENTS

'All businesses and self-employed people in financial distress, and with outstanding tax liabilities, may be eligible to receive support with their tax affairs through HMRC's Time To Pay service. These arrangements are agreed on a case-by-case basis and are tailored to individual circumstances and liabilities.'

'If you are concerned about being able to pay your tax due to COVID-19, call HMRC's dedicated helpline on 0800 0159 559.' – From the gov.uk website.

A TTP is an arrangement to allow a business suffering temporary financial difficulties to pay its tax liabilities over an extended period of time rather than on the day they fall due. VAT, PAYE and Corporation Tax can all be subject to TTP arrangements.

Following announcements on the 20 March 2020 TTP arrangements will only be needed for PAYE and Corporation Tax deferral whilst the VAT and Income Tax deferral schemes are in place. Once those schemes come to an end, TTP options will be open again. This will remove some of the strain on HMRC contact centres in the short-term.

TTP is appropriate where the business is suffering temporary financial difficulties rather than fundamental ongoing financial difficulties. In this regard, the government has already recognised that TTP is a valid route for businesses suffering as a result of the current ongoing Covid-19 pandemic.

The government has set up a dedicated HMRC Coronavirus Helpline - **0800 015 9559**. This helpline is currently open Monday to Friday 8am to 8pm and Saturday between 8am and 4pm. HMRC has stated that this helpline can be used to:

- Agree instalment arrangements
- Suspend debt collection proceedings
- Cancelling penalties and interest where you have administrative difficulties contacting or paying HMRC immediately

We can help you with this process or you can call the helpline yourself. HMRC prefer that they are approached before the liability falls due though historically, they have still considered matters if they were contacted after the due date.

In normal circumstances during the call you would need to explain what has caused the problems and have a clear idea of how much you could afford to pay (ideally supported by cashflow projections). Typically, HMRC have tried to keep the length of TTP arrangements to 6 months or less though longer arrangements have been achieved in the past. Things might be slightly different in the current climate; we have seen instances of HMRC simply 'parking' payments for 2 months to allow some time for conditions to improve. It seems that HMRC are being helpful, but we anticipate that they will be receiving a very large number of calls.

If you or your accountant is unable to speak to HMRC in the days approaching your due date for payment, as an additional option, you may wish to write to HMRC, setting out the reasons for your late payment and that you would wish to agree a TTP arrangement, but haven't been able to make contact with HMRC. Post it so that it is recorded as being delivered. We expect that this would avoid any eventual penalties when HMRC are able to revert to a normal level of activity.

“TIME TO PAY PLUS” ADDITIONAL MEASURES ALLOWING THE DEFERRAL OF VAT AND INCOME TAX ANNOUNCED

In a measure to probably take the pressure off HMRC's TTP teams, a new VAT and Income Tax deferral scheme was announced by Rishi Sunak. We understood that HMRC were agreeing nearly all Time To Pay requests so this announcement really just formalises the situation and with some clients reporting waiting times on the phone of around two hours it's clear that the system was nearly breaking point.

VAT

The scheme, open to all UK businesses and automatic so no application required, will allow the deferral of VAT payments from 20 March until 30 June 2020. This effectively covers a whole quarter of payments. VAT due on any periods ending on 29 February 2020 would have been due by 7 April which is within the deferral period. The key to watch for here is that for February stagger periods the May VAT liability will still be due on 7 July 2020.

Businesses have until the end of the 2020-2021 tax year so in theory 5 April 2021 to settle the deferred amounts accrued during this period.

If there is a downturn in trade, this would affect the next quarter's VAT due anyway, and any repayments are being processed as normal.

Income Tax

The next announcement should really help the self-employed. Second Payments On Account (POA's) were due on 31 July 2020. These are now also deferred until 31 January 2021 where the balancing payment for the tax year 5 April 2020 and first POA for the following year are due.

Again this is an automatic scheme open to all tax payers in Self-Assessment (SA). It will be important to get 5 April 2020 tax returns done quickly to establish the true liability so that cash flow planning can be done ahead of January 2021.

The .gov website says that no penalties or interest will be charged in the deferral period.

BUSINESS RATES RELIEF FOR CERTAIN RETAIL, HOSPITALITY AND LEISURE BUSINESSES

The Chancellor announced that all retail, hospitality and leisure businesses will not have to pay business rates for the tax year 2020/21.

Shops, pubs, clubs, theatres, cinemas, music venues, restaurants and any other businesses in the hospitality, leisure and retail sectors with a rateable value of less than £51,000 will also receive a cash grant of up to £25,000 per business to help bridge through this period.

For businesses which do have a policy that covers pandemics, the government's action is sufficient and will allow businesses to make an insurance claim against their policy.

All enquiries on the eligibility for, or provision of, the reliefs should be directed to the relevant local authority. Please note reliefs are not currently the same for businesses in Scotland.

GRANT SCHEME FOR SMALL BUSINESSES

The government is providing funding for local authorities by making cash grants of £10,000 available to very small businesses with rateable values below £15,000. Already part of the Small Business Rate Relief (SBRR) or Rural Rate Relief, the one-off grant of £10,000 will aim to help businesses meet their ongoing costs. This was previously announced in the Budget on 10 March 2020 to be a grant of £3,000. There will also be a further £25,000 grants for retail, hospitality and leisure businesses operating from smaller premises, with a rateable value over £15,000 and below £51,000.

If your business is eligible for SBRR or Rural Business Rate Relief, you will be contacted by your local authority – you do not need to apply. Funding for the scheme will be provided to local authorities by government in early April.

BUSINESS INTERRUPTION LOAN SCHEME

The Coronavirus Business Interruption Loan Scheme (CBILS) was announced by the Chancellor in his Spring Budget 2020. It is temporarily replacing the Enterprise Finance Guarantee (EFG), with the British Business Bank offering a higher percentage guarantee over business loans to give lenders greater confidence in providing finance to SMEs.

The scheme supports funding for SMEs who don't have appropriate assets to offer as security and the directors aren't willing or able to offer personal guarantees. It is therefore not always relevant to companies which are asset heavy.

The British Business Bank initially offered to guarantee up to 80% of a funding line, subject to a maximum of £1.2 million however this was increased to £5.0 million on 17 March 2020. In new announcements made on 20 March 2020 this scheme will now be interest free for 12 months.

To be eligible to apply for CBILS, you must meet the following criteria:

- Be UK based with turnover less than £41 million per annum
- Operate within an eligible sector
- Have a sound borrowing proposal (i.e. be an attractive company) but with insufficient security (assets) to meet a lender's requirements
- Not have received de minimis state aid beyond €200,000 in the current or previous two fiscal years

The specific details of who would meet the criteria for this funding haven't yet found their way to the frontline staff; affordability assessments still apply, and funding applications still require credit committee approval. At present it is estimated that this scheme will take 4-12 weeks to access.

A drawback is that only 12 financial institutions can provide finance through the EFG, so unless it is to be extended across more institutions, the range of funding packages available will be limited.

We are in regular contact with funders to get the latest on this policy in practice and will post updates here as we receive them. The British Business Bank is still updating its website but current information can be found at <https://www.british-business-bank.co.uk/ourpartners/supporting-business-loans-enterprise-finance-guarantee/#eligibility-restrictions>.

If there is a need for immediate funding you should explore your options as soon as possible.

NEW OFF-PAYROLL WORKING TAX ADMINISTRATION RULES

The new administration rules for IR35, planned to be introduced 1 April 2020, will now be delayed 1 year.

HOW TO APPROACH BANKS

Most banks are maintaining that it is business as usual, as far as possible, and that they are here to support their customers throughout these unprecedented times. Several of the major British banks have set-up dedicated Covid-19 helplines for their customers to call for guidance and information. Business owners should look to take advantage of all the support available to them and take the opportunity to speak to their lenders about concerns they have.

Proactive, regular communication with lenders is recommended. If you are predicting a down-turn in trade or your cash-flow projections reveal a potential liquidity issue in the next couple of months, it is best to speak to your bank as soon as possible to discuss the potential impact on your business. The quicker you raise any concerns, the better chance you might have to get the flexibility that your business might need over the coming months. It may also afford you more time to discuss a range of options and solutions.

Banks and mortgage lenders have also voluntarily agreed to offer customers three month-payment holidays. Businesses should look to take advantage of this where it is felt their business will benefit, therefore discuss this with your bank at the earliest opportunity.

Keep in touch with your bank as much as possible over the next few months and talk to us if you need a sounding board to discuss your lending and cash-flow needs, or to assist with producing any information requested from your bank. The banks, together with the Government and your advisers are here to help whilst we're all in this together.

CAPITAL EXPENDITURE DEFERRAL

In a time of uncertainty any capital expenditure needs to be assessed to determine if it is either essential for the continued running of the business or will generate significant new cash inflows.

It isn't advisable for a business to use available cash or overdraft to fund capital expenditure as this will deplete the working capital and potentially make it less resilient.

There are many sources of finance for capital expenditure such as hire purchase and leasing which can match the expenditure more in line with the useful life of the particular asset, resulting in less pressure on cashflow and working capital.

Capital expenditure relating to your computer system is potentially one area where expenditure cannot easily be deferred, if for example staff are now working from home the robustness of your system could be even more critical. Replacing in-house servers with a cloud-based subscription alternative might now be a more cost-effective alternative to consider. Another way of deferring expenditure in replacing computer servers at the end of their lives is to explore whether extended warranties can be purchased, and servers instead replaced on a one by one basis.

LOAN HOLIDAYS/ DEFERRING LEASE PAYMENTS

In recognition of the fact that the challenges faced by businesses as a result of Covid-19 are likely to quite quickly trickle down to staff and the general public, the government has announced that mortgage lenders will support individuals that are experiencing financial difficulties as a result of Covid-19 by providing mortgage payment holidays of up to three months. For individuals needing this support, the mortgage provider should be the first point of contact.

Whilst the loan holiday support is aimed at homeowners, such support is not currently extended to include buy to let mortgages so landlords should carefully check what protection, if any, is in place to protect rental income.

Recognising the fact that many individuals occupy their homes on a rental basis, it is expected that the government will bring in measures to support tenants experiencing financial difficulties as a result of Covid-19, although further details are not currently available.

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Identify any surplus property you occupy on short term arrangements so that you can consider vacating them saving unnecessary costs. For example, are you storing obsolete stock or old paperwork in off-site warehouses? Do you really need to, or could you relocate these to your main premises (even in temporary containers in your carpark) or decide to destroy?

If your staff are now working from home to some extent, then some initial thought could be given to your requirements for space in the future. If working from home is successful and becomes the expected norm for many staff how much space will you need in the future?

Once the above points have been considered it is advisable to approach your landlords at the earliest opportunity in order to negotiate deferred payments. Banks have pledged to support landlords with mortgage and loan payment holidays so the sooner you approach your landlords the more likely it is that they can make suitable arrangements with their bank and therefore be more agreeable to deferred rent payments.

TAX REFUNDS

If you believe your business will be due a tax refund soon, it might be worth you or us completing and submitting the return/claim sooner than usual. Such situations might include:

- A VAT return refund (due to lower sales than usual)
- An income tax or corporation tax refund (due to suffering trading losses which can be carried back and set against past year profits).

MISSING COMPANY DEADLINES

Concerned about missing company accounts filing deadlines?

Companies House has released new guidance on what to do should you feel that you might not be able to file your company's accounts on time. Whilst their line is very much that accounts and other documents such as the annually filed Confirmation Statement must still be filed they do advise that if immediately before the filing deadline it becomes apparent that accounts will not be filed on time they will accept an application to extend the period allowed for filing.

The key message is to act now and not leave it until the filing deadline has passed. Make an application early as they are likely to be inundated with extension requests and their team is likely to be disrupted too.

STATUTORY SICK PAY (SSP)

The government announced on 4 March 2020 that emergency legislation would be introduced for the payment of statutory sick pay (SSP) to employees with the coronavirus. They will be entitled to receive SSP from day one, not day four, of their illness.

From 13 March 2020, all those who are advised to self-isolate due to the coronavirus outbreak are entitled to be paid SSP, provided they meet the other qualifications. Currently, this is expected to last for a period of eight months.

Paying staff during the coronavirus epidemic

Businesses with fewer than 250 employees (employed as of 28 February 2020) can reclaim the cost of providing Statutory Sick Pay (SSP) to employees off work due to the coronavirus.

The government will work with employers over the coming months to set up the repayment mechanism but says that the eligibility criteria will be as follows:

- This refund will cover up to 2 weeks' SSP per eligible employee who has been off work because of COVID-19
- Employers should maintain records of staff absences and payments of SSP, but employees will not need to provide a GP fit note
- Eligible period for the scheme will commence the day after the regulations on the extension of SSP to those staying at home comes into force.

ACAS has issued helpful advice on certain scenarios and how businesses should approach them.

USING HOLIDAY AND FLEXIBLE WORKING

As a result of the coronavirus outbreak, organisations may see an increasing number of staff wanting to cancel pre-booked periods of annual leave. Whilst it is up to the employer whether they choose to approve or deny such requests, they should consider whether permitting this may be a key method of maintaining staff morale.

If a business has to go into a temporary closure, or an employee is asked to self-isolate but feels well enough to work, permitting a period of annual leave could be an alternative to laying-off staff, or a solution if an employee cannot work from home. However, it should be remembered that organisations must provide at least twice the amount of time of the leave they want staff to take if they wish to enforce it. In this situation, they should instead seek to negotiate a period of leave.

TAKING TIME OFF TO CARE FOR SOMEBODY

Employees are entitled to take a reasonable amount of unpaid time off to take action in relation to unforeseen events involving a dependant, defined as follows:

- spouse/civil partner
- child
- parent
- person who lives in the same household but is not a tenant, lodger, boarder or employee
- those who reasonably rely on you for the provision of care or for assistance if they fall ill. This could be, for example, an elderly neighbour.

It is not possible to define what a reasonable amount of time is because this will depend on the specific circumstances in question. The same event may require varying amounts of time off for different people, or even the same person if it happens more than once on different occasions.

MARKETING – THE OUTSIDE WORLD

Your customers will want to know that there is someone there who cares about their business, they will also want to know whether you are still 'open for business'. However, email traffic is currently full of companies communicating their COVID-19 policies, this will soon lose impact and will be ignored/deleted.

Over the next few days, ensure you have emailed or spoken to all of your customers, if this is not possible – contact your key customers first and gradually work through the list. Where possible, provide reassurances about your resilience and ways in which you can help them or avenues in which you can collaborate to overcome economic difficulties.

Most importantly, do not use this as an opportunity to sell. If you can, send the emails yourself (bearing in mind GDPR regulations) and do not use generic marketing or ‘contact us’ emails if you are asking your marketing team/others to help with this.

INTERNAL COMMUNICATION

It is vital to know the facts and communicate proactively with all employees-using clear, compassionate, and understandable messages. This not only demonstrates leadership, but also provides reassurance and instils a sense of trust among employees.

An internal communication plan should be established (if you haven’t one in place already), or updated, as a means of reaching employees through combinations of emails, intranet postings, flyers/ posters, manager talking points, FAQs or a website hub. The plan should identify simple, key messages, along with a reliable process for providing continual updates and collecting feedback from employees.

State the facts: Connect employees to timely, accurate information from the Government. Provide clear instructions about what to do if employees suspect they have been exposed to Coronavirus (COVID-19).

Demystify the fear and outline the steps you are taking on behalf of employees: Communicate the facts from authoritative resources on how Coronavirus is spread and how to avoid infection. Clearly articulate and communicate preventive actions you are taking to avert or contain transmission of Coronavirus at work (focus on technology and techniques for employee safety, hygiene, disposal).

Promote safety steps that employees can take at work: Use posters, memos, emails, intranet postings, manager talking points, FAQs, etc. to promote preventative actions employees can take (hygiene and avoidance) – see Government recommendations. (Describe the impact this would have to the business, the potential impact of an outbreak on your operations, services, travel, supply chain, business, revenues, etc., so employees can plan accordingly).

Summarise company policies/procedures: Attendance, paid time off, payroll, travel, and group meetings, work-from-home policies where possible (to potentially limit any spread of the virus among employees/ reduce human-to-human contact).

Promote safe travel policies: Consider your stance on employee travel and restrictions. Promote alternatives to travel, such as web conferencing and phone meetings. If employees must travel, offer clear guidance on safety protocols, referring to guidance from the Government.

The frequency of the communications will depend on the business need, but in general the information should be cascaded whenever there is a change of direction or policy that impacts the business and employees. In addition, if there has been no material change to the situation for several days, it is good practice to send communications that reiterate the current situation within the business.

And finally...

The government’s latest advice for business can be found at:

<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses>.

All businesses will be trying to deliver as normal as possible service despite these unprecedented circumstances. The advice contained in this alert is relevant and correct up to 20 March 2020.

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