

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

<b>1</b>	<b>Company details</b>	
Company number	0 0 8 7 1 5 8 2	→ <b>Filling in this form</b> Please complete in typescript or in bold black capitals.
Company name in full	Zephyr Ducts and Fittings Limited	
<b>2</b>	<b>Liquidator's name</b>	
Full forename(s)	Charles Michael	
Surname	Brook	
<b>3</b>	<b>Liquidator's address</b>	
Building name/number	The Media Centre	
Street	7 Northumberland Street	
Post town	Huddersfield	
County/Region		
Postcode	H D 1 1 R L	
Country		
<b>4</b>	<b>Liquidator's name ①</b>	
Full forename(s)	Allan Christopher	① <b>Other liquidator</b> Use this section to tell us about another liquidator.
Surname	Cadman	
<b>5</b>	<b>Liquidator's address ②</b>	
Building name/number	The Media Centre	② <b>Other liquidator</b> Use this section to tell us about another liquidator.
Street	7 Northumberland Street	
Post town	Huddersfield	
County/Region		
Postcode	H D 1 1 R L	
Country		

LIQ03

Notice of progress report in voluntary winding up

6

Period of progress report

From date

<sup>d</sup>3<sup>d</sup>1

<sup>m</sup>0<sup>m</sup>7

<sup>y</sup>2<sup>y</sup>0<sup>y</sup>2<sup>y</sup>1

To date

<sup>d</sup>3<sup>d</sup>0

<sup>m</sup>0<sup>m</sup>7

<sup>y</sup>2<sup>y</sup>0<sup>y</sup>2<sup>y</sup>2

7

Progress report

☐ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

<sup>d</sup>2<sup>d</sup>1

<sup>m</sup>0<sup>m</sup>9

<sup>y</sup>2<sup>y</sup>0<sup>y</sup>2<sup>y</sup>2

**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Michelle Louise Chatterton**

Company name **Poppleton & Appleby**

Address **The Media Centre**

**7 Northumberland Street**

Post town **Huddersfield**

County/Region

Postcode 

H	D	1		1	R	L
---	---	---	--	---	---	---

Country

DX

Telephone **01484 437 432**

**Checklist**

**We may return forms completed incorrectly or with information missing.**

**Please make sure you have remembered the following:**

- ☒ The company name and number match the information held on the public Register.
- ☒ You have attached the required documents.
- ☒ You have signed the form.

**Important information**

**All information on this form will appear on the public record.**

**Where to send**

**You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)**

**ZEPHYR DUCTS AND FITTINGS LIMITED**  
**(In Creditors' Voluntary Liquidation)**

**ANNUAL PROGRESS REPORT**  
**FOR THE PERIOD 31 JULY 2021 TO 30 JULY 2022**

**Charles Michael Brook**  
**Allan Christopher Cadman**  
**Poppleton & Appleby**  
**The Media Centre**  
**7 Northumberland Street**  
**Huddersfield**  
**HD1 1RL**

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## **1. INTRODUCTION**

Charles Michael Brook and Allan Christopher Cadman of Poppleton & Appleby, The Media Centre, 7 Northumberland Street, Huddersfield, HD1 1RL were appointed Joint Liquidators of Zephyr Ducts and Fittings Limited ("the Company") on 31 July 2020.

Charles Michael Brook and Allan Christopher Cadman are authorised to act as an insolvency practitioner in the UK by the Insolvency Practitioners Association. There has been no change in the office holder since the date of Liquidation.

The purpose of this report is to detail the acts and dealings as Joint Liquidators of the Company for the period 31 July 2021 to 30 July 2022 ('the Review Period') and it should be read in conjunction with previous reports and correspondence to creditors.

Statutory Information in relation to the Company and the Joint Liquidators is attached at Appendix 1.

Information about the way that we will use, and store personal data on insolvency appointments can be found at <https://www.pandanorthern.co.uk/your-questions-answered/documents/>. If you are unable to download this, please contact us and a hard copy will be provided to you.

## **2. ADMINISTRATION AND PLANNING**

The Joint Liquidators are required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvency estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that the work carried out is to high professional standards. A detailed list of these tasks may be found at Appendix 3.

## **3. REALISATION OF ASSETS**

The Joint Liquidators' Receipts and Payments Account for the Review Period is enclosed at Appendix 2.

The Joint Liquidators are required to maximise realisations for the benefit of the Company's creditors. Professional agents may be required to carry out negotiations, provide inventories and valuations. Assistance may be required from solicitors to complete sales and collect debts owed to the Company. All works done by the Joint Liquidators with regard to the realisation of assets is carried out purely for the purpose of realising assets for the benefit of creditors generally.

Details of the sale of the assets and the realisations were set out in the Joint Liquidators previous progress reports. The only asset still being realised was the monthly payments under the terms of the settlement agreement as detailed below.

### **Antecedent Transactions**

As previously reported a full and final settlement of £40,000.00 was agreed with the Directors, of which £30,000.00 was paid on completion of the agreement with the remaining balance of £10,000.00 due in instalments over 6 months. Payments under the terms of the agreement have been received in full, with the sum of £8,333.34 being received during the Review Period.

## **Rent**

In accordance with the agreement between the Joint Liquidators and the Directors a further payment of £5,735.92 was received in respect of the rent due for the period of occupation by Airwaze Fabrications Limited. This sum was subsequently paid to the landlord of the premises for the rent due in respect of the same period, thereby reducing the landlords unsecured claim in the liquidation.

## **4. ENQUIRIES AND INVESTIGATIONS**

During the Review Period, the Joint Liquidators' carried out an initial review of the Company's affairs in the period prior to appointment. This included seeking information and explanations from the Directors by means of questionnaires; making enquiries of the Company's accountants; reviewing information received from creditors; and collecting and examining the Company's bank statements, accounts and other records.

This initial assessment has been completed and the Joint Liquidators did identify some transactions which were investigated and a recovery made for creditors. Further details of this can be found in section 3.

In addition to the financial benefit to creditors, the work carried out by the Joint Liquidators was necessary to meet their statutory duties as well as conduct appropriate enquiries and investigations into potential rights of actions to enhance realisations.

## **5. CREDITORS' CLAIMS**

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, the Joint Liquidators have to carry out key tasks which are detailed at Appendix 3. Whilst these tasks will not increase the financial return to creditors, no distributions can be made unless the claims are assessed and agreed. Furthermore, liaising with creditors directly with regards to their queries will aid their understanding of the liquidation process. The following sections explain the anticipated outcomes to creditors and any distributions paid.

### **Secured Creditor**

Midland Bank Plc ('HSBC') hold a debenture dated 16 July 1992 granting them a fixed and floating charge over the assets of the Company.

HSBC have confirmed that they do not have a claim in the liquidation as a secured creditor and therefore will not be relying upon their fixed or floating charge.

### **Preferential creditors**

Employees were shown in the Statement of Affairs to be owed £1,422.58 in respect of unpaid wages and holiday pay. A claim has been received from The National Insurance Fund for the sum of £8,148.66 in respect of the monies paid by them to the former employees.

In addition the employees themselves have a combined preferential claim of £1,364.51 in relation to unpaid wages and holiday pay over that which was paid by the Redundancy Payments Service.

On 9 November 2021 a notice of intended dividend was issued to the preferential creditors, and on 10 December 2021 a first and final dividend of 100p/£ was declared and paid to the preferential creditors, whose claims totalled £9,513.17.

### **Prescribed Part**

Where a floating charge is created after 15 September 2003 a prescribed part of the company's net property shall be made available to the unsecured creditors after paying the preferential creditors.

The floating charge held by HSBC was granted on 16 July 1992 and therefore as the Company has not granted a floating charge after 15 September 2003 the prescribed part will not apply in this matter.

### **Unsecured creditors**

The Company's Statement of Affairs showed HM Revenue and Customs ('HMRC') being owed the sum of £17,186.51. A claim of £xx has been received from HMRC which was admitted for dividend purposes.

Other unsecured creditors in the Statement of Affairs totalled £138,199.49, including the sum of £129,296.22 in respect of the monies due to the former employees for Redundancy and Notice Pay.

To date claims totalling £151,711.87 have been received by the Joint Liquidators, including a claim of £102,816.17 from the National Insurance Fund in respect of the unsecured monies paid to the former employees.

On 16 June 2022 a notice of intended dividend was issued to the preferential creditors, and on 19 July 2022 a first and final dividend of 48.50p/£ was declared and paid to the unsecured creditors, whose claims has been agreed. The total sum paid to unsecured creditors is £73,580.00.

There will be no further dividend to the unsecured creditors.

### **Reporting**

The Joint Liquidators have met their statutory duties to report to creditors, as listed below. In consideration for the need for transparency and engagement with creditors, care has been taken to ensure that reports and other communications with creditors have provided useful details of the strategies pursued and the outcomes anticipated.

During the course of the liquidation the following key documents have been issued:

- Joint Liquidators Fee Report dated 8 June 2021;
- The first progress report for the period to 30 July 2021; and
- This second progress report for the period to 30 July 2022.

## **6. THE JOINT LIQUIDATORS' REMUNERATION & EXPENSES**

### **Pre-Appointment Fees**

The Joint Liquidators are authorised to draw a Statement of Affairs fee of £7,000.00 plus VAT and expenses. The sum of £7,000.00 plus VAT was paid in full by the Company prior to the Joint Liquidators' appointment and is therefore not detailed on the enclosed Receipts and Payments Account.



## Joint Liquidators' Remuneration

On 30 June 2021 creditors passed the following resolution in respect of the Joint Liquidators' remuneration:

1. That the Joint Liquidators' be paid a set amount of £10,000.00 plus VAT for the liquidation in respect of the Required Work and a percentage of asset recoveries as outlined in the Joint Liquidators' fees Proposal

The Joint Liquidators' fee estimate was set out in their report dated 8 June 2021. This estimate stated that the Joint Liquidators be paid a set amount of £10,000.00 plus VAT in respect of the required work, and a percentage of asset recoveries as follows:

ASSETS PER S OF A	RATE %
Plant and Machinery, Furniture and Equipment and Motor Vehicles	10
Book Debts	20
Utility Refunds	15
Recoveries from Directors	25
Cash at Bank	10
DVLA Refund	10

During the Review Period the Joint Liquidators have drawn fees totalling £21,437.72 plus VAT, bringing total fees paid to £31,437.72 plus VAT. There are no further fees to be drawn by the Joint Liquidators.

The work undertaken in respect of these fees is detailed at Appendix 3 as well as within the body of the report.

## Joint Liquidators' Expenses

Details of the expenses incurred during the Review Period and paid are detailed on the enclosed Receipts and Payments Account. Those expenses that have been incurred and not yet paid are detailed on the expenses summary at Appendix 4. Also included in Appendix 4 is a comparison between the expenses likely to be incurred in the Liquidation and the original expenses estimate, together with reasons why any expenses are likely to exceed that estimate.

## Professional Fees

Walker Singleton have been paid a fee of £3,163.20 plus VAT for providing a valuation of the Company's assets.

Ramsdens Solicitors have been paid a fee of £1,946.00 for assisting the Joint Liquidators in the disclaimer of the lease of the Company's trading premises, as well as advising the Joint Liquidators on their investigations into the dividend payments made to the directors, and preparing the settlement agreement.

ERA Solutions have been paid fees to date of £470.00 plus VAT for their assistance in calculating the employee preferential and unsecured claims.

A copy of 'A Creditors Guide to Liquidators' Fees' may be found at:

<https://www.r3.org.uk/index.cfm?page=1210>

A hard copy of the Creditors' Guide may be obtained on request.

## **7. CREDITORS' RIGHTS**

An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Joint Liquidators' remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Joint Liquidators' fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

## **8. EC REGULATIONS (WHETHER PROCEEDINGS ARE MAIN PROCEEDINGS OR TERRITORIAL)**

The Company's centre of main interest was 8 Commerce Way, Leighton Buzzard, LU7 4RW in respect of its registered office and in respect of the trading address. It is therefore considered that the EC Regulations will apply. These proceedings are main proceedings as defined in Article 3 of the EC Regulation.

## **9. CONCLUSION**

The Joint Liquidators have now concluded all matters in relation to the liquidation and will shortly be taking steps to close the liquidation. The Joint Liquidators envisage that they will be in a position to issue their Final Report within the next 3 months.

If you require any further information please contact Michelle Chatterton on 01484 437432.



**Charles M Brook**  
**Joint Liquidator**

## **APPENDIX 1**

### **STATUTORY INFORMATION**

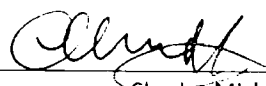
Court	None	
Company Name	Zephyr Ducts and Fittings Limited	
Previous Name	None	
Trading name	Zephyr Ducts and Fittings	
Company Number	00871582	
Registered Office	c/o Poppleton & Appleby, The Media Centre. 7 Northumberland Street, Huddersfield, HD1 1RL	
Former Registered Office	8 Commerce Way, Leighton Buzzard, LU7 4RW	
Trading Address	8 Commerce Way, Leighton Buzzard, LU7 4RW	
Officeholders	Charles Michael Brook	Allan Christopher Cadman
Office Holder Numbers	9157	9522
Officeholders address	Poppleton & Appleby, The Media Centre, 7 Northumberland Street, Huddersfield, HD1 1RL	
Date of appointment	31 July 2020	

## **APPENDIX 2**

**RECIEPTS AND PAYMENTS ACCOUNT FOR THE PERIOD 31 JULY 2021 TO 30 JULY 2022  
TOGETHER WITH A CUMULATIVE RECEIPTS AND PAYMENTS ACCOUNT FOR THE  
DURATION OF THE LIQUIDATION**

**Zephyr Ducts and Fittings Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £	From 31/07/2021 To 30/07/2022 £	From 31/07/2020 To 30/07/2022 £	
ASSET REALISATIONS			
	Antecedent Transactions	8,333.34	40,000.00
33,497.92	Book Debts	NIL	31,491.37
8,999.73	Cash at Bank	NIL	20,172.67
	DVLA Refund	NIL	152.49
600.00	Furniture & Equipment	NIL	NIL
6,000.00	Motor Vehicles	NIL	NIL
32,000.00	Plant & Machinery	NIL	25,000.00
	Rent	5,735.92	5,735.92
NIL	Stock	NIL	NIL
1,000.00	Utility Refunds (estimated)	223.61	4,046.21
	VAT Refund	309.94	309.94
		14,602.81	126,908.60
COST OF REALISATIONS			
	Agents/Valuers Fees (1)	NIL	3,163.20
	Bank Charges	13.88	76.85
	ERA Fees	470.00	470.00
	Legal Fees (1)	NIL	1,946.00
	Office Holders Fees	21,437.72	31,437.72
	Rents Payable	5,735.89	5,735.89
	Specific Bond	63.60	413.40
	Stationery & Postage	NIL	36.54
	Statutory Advertising	NIL	189.00
		(27,721.09)	(43,468.60)
PREFERENTIAL CREDITORS			
(1,422.58)	DE Arrears & Holiday Pay	8,148.66	8,148.66
	Employee Arrears/Hol Pay	1,364.51	1,364.51
		(9,513.17)	(9,513.17)
UNSECURED CREDITORS			
(195.97)	Banks/Institutions	NIL	NIL
	DE	49,865.66	49,865.66
(129,296.22)	Employees	171.84	171.84
(17,186.51)	HM Revenue and Customs	7,524.67	7,524.67
(3,100.00)	Landlord	15,753.96	15,753.96
(5,607.30)	Trade & Expense Creditors	263.87	263.87
		(73,580.00)	(73,580.00)
DISTRIBUTIONS			
(7,500.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(82,210.93)		(96,211.45)	346.83
REPRESENTED BY			
	Bank 1 Current		346.83
			346.83

  
 Charles Michael Brook  
 Joint Liquidator

## APPENDIX 3

### DETAILED LIST OF WORK UNDERTAKEN DURING THE REVIEW PERIOD

General Description	Includes
<b>Administration and Planning</b>	
Statutory/advertising	Filing of documents to meet statutory requirements Advertising in accordance with statutory requirements Quarterly VAT returns Annual CT returns Bonding of the case and monitoring
Document maintenance/file review/checklist	Filing of documents Periodic file reviews Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Preparing and submitting correspondence to Bank Bank account reconciliations Correspondence with Bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case General communications with directors and meetings
Books and records / storage	Dealing with records in storage Sending job files to storage
<b>Investigations</b>	
SIP 2 Review	Collection, and making an inventory, of company books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reconstruction of financial affairs of the company Reviewing company's books and records Preparation of deficiency statement Review of specific transactions and liaising with directors regarding certain transactions Liaising with the committee/creditors or major creditors about further action to be taken Advising OR of any matters that may be relevant to their reporting requirements on the director(s)
Statutory reporting on conduct of director(s)	Preparing statutory investigation reports Liaising with Insolvency Service Submission of report with the Insolvency Service Preparation and submission of supplementary report if required Assisting the Insolvency Service with its investigations
<b>Realisation of Assets</b>	
Book Debts	Collecting supporting documentation Reviewing and assessing debtors ledgers Issuing request for repayment from outstanding debtors
Recoveries from Directors	Monitoring receipt of payment from the directors
<b>Creditors</b>	
Employees	Collating information as to employees and their entitlements Submitting RP14 and RP14A to Redundancy Payments Service ('RPS') and corresponding in relation to the processing of the claims Assisting employees with submission of their claims and responding to general enquiries Reviewing and agreeing claim from RPS
Pension	Submission of S.120 Notice

<b>General Description</b>	<b>Includes</b>
	Corresponding with pension companies and requesting the scheme be closed Corresponding with the PPF and the Pensions Regulator
Creditor Communication	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post
Dealing with proofs of debt ("POD")	Receipting and filing POD when not related to a dividend
Reporting	Preparing and issuing annual report to creditors
Processing Proofs of Debts	Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD Adjudicating POD Request further information from claimants regarding POD Preparation of correspondence to claimant advising outcome of adjudication Seeking solicitors' advice on the validity of secured creditors' claims and other complex claims
Dividend Procedures	Preparation of correspondence to creditors advising of intention to declare distribution Advertisement of notice of proposed distribution Preparation of distribution calculation Preparation of correspondence to creditors announcing declaration of distribution Preparation of cheques/BACS to pay distribution Preparation of correspondence to creditors enclosing payment of distribution Dealing with unclaimed dividends

## APPENDIX 4

### EXPENSES SUMMARY FOR THE REVIEW PERIOD & COMPARISON WITH ESTIMATE

Below are details of the Joint Liquidators' expenses for the period under review and the total to date, together with a comparison to the original expenses estimate.

The Joint Liquidators are entitled to pay Category 1 expenses from the funds held in the liquidation estate without approval. All Category 2 expenses require creditor approval.

Expenses	Original expenses estimate £	Actual expenses incurred in the Review Period £	Actual expenses incurred to date £	Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)
<b>Category 1 Expenses</b>				
Agents Fees – Walker Singleton	3,163.20	0.00	3,163.20	
ERA Fees	360.00	470.00	470.00	
Legal Fees – Ramsdens Solicitors	3,000.00	0.00	1,946.00	
Advertising	288.45	103.50	292.50	
Bonding	413.40	63.60	413.40	
Storage and Destruction	100.00	184.44	184.44	
Stationery / fax / postage / telephone (*)	36.54	0.00	36.54	

#### Agents Fees

Walker Singleton have been paid a fee of £3,163.20 plus VAT for providing a valuation of the Company's assets and advising on the offer received from Airwaze. The agents were chosen based upon their professional qualifications and also taking into account the nature and complexity of the assignment.

#### Legal Fees

Ramsdens Solicitors have been paid a fee of £1,946.00 plus VAT for assisting the Joint Liquidators with pursuing the antecedent transactions against the directors and agreeing a settlement, as well as assisting the Joint Liquidators with disclaiming the lease of the Company's trading premises. The solicitors were chosen based upon their professional qualifications and also taking into account the nature and complexity of the assignment.

#### ERA Fees

ERA Solutions have been paid a fee of £470.00 plus VAT for calculating the employees' preferential and unsecured claims in the liquidation for the purpose of paying a dividend. Whilst this is a task that could be carried out by the Joint Liquidators it was more cost effective to instruct ERA Solutions as the likely time costs incurred by the Joint Liquidators in calculating the claims would outweigh the costs incurred by ERA Solutions.

#### Bonding

In all insolvency matters, office holders are required to put in place security for the proper performance of their functions. The security is known as a bond and in this matter the specific premium payable has amounted to £413.40.



## **Advertising**

The Joint Liquidators have placed the following legal notices in the London Gazette through their advertising agents, Courts Advertising Limited:

- Notice of Appointment
- Resolutions of Winding Up
- Notice of Intended Dividend

The sum of £189.00 plus VAT has been paid to Courts Advertising Limited in this regard with a further payment of £103.50 plus VAT being paid after the end of the Review Period.

## **Postal charges**

Wherever possible the cost of providing circulars to creditors will be minimised by placing the documentation in a password protected web portal, which will enable creditors to view, download and print reports as they require. Some postal charges are however inevitable to notify creditors of the publication of each report.

As you know, postal charges are set by the Royal Mail. Communicating with creditors is a statutory cost.

(\*) With effect from 1 April 2021 postage costs fall as Category 2 expenses which require creditor approval. As such the Joint Liquidators no longer propose to recover postal charges.

## **Storage and Destruction**

The Joint Liquidators are obliged by statute to take control of the Company's books and records and to store them until after the dissolution of the Company. The basis on which storage charges are recovered is set out in the enclosed tariff and disbursement sheet

## **APPENDIX 5**

### **POPPLETON & APPLEBY CHARGING POLICY DOCUMENT**

## CHARGING AND EXPENSES POLICY STATEMENT EFFECTIVE FROM 1<sup>st</sup> July 2022

### Introduction

Current insolvency legislation provides for the manner in which insolvency practitioners' fees and expenses are charged in insolvency assignments. The legislation permits insolvency practitioners to seek the bases for their fees on a time cost basis, a percentage of realisation basis, on a fixed fee basis or on a mix of these bases.

The basis of fees for each individual insolvency appointment are subject to approval by a committee of creditors if appointed, failing which by creditors in a decision-making process or by the Court. Further information regarding the approval of office holders' fees in insolvency cases can be found within Statement of Insolvency Practice 9 (SIP9), please see under further information at the foot of this document for information on how to download guides to fees.

Once the basis of office holders' fees has been approved it is reported to any committee and to creditors generally within the next statutory report.

### Fixed Fee Basis

It is possible for an insolvency practitioner to seek to be paid on a fixed fee basis. Where this is the case, further information will be provided to explain why this would be considered appropriate.

### Percentage Basis

The legislation provides for fees to be charged on a percentage of the value of property with which an insolvency practitioner deals with. Different percentages can be used for different assets or types of assets. When seeking creditor approval for this basis, further information will be provided for creditors to judge the appropriateness of this basis.

### Time Cost Basis

Insolvency Practitioners are permitted to seek approval for their fees to be paid on a time cost basis. This is based on hours spent by office holders and their staff in dealing with matters relating to the particular insolvency or specific activities within a case where time costs are sought. When seeking resolutions for fees to be paid on a time cost basis, stakeholders will be provided with a full explanation as to why time costs are considered appropriate together with sufficient information to assist in their making an informed judgement of the office holders' requests.

Partners and staff are allocated an hourly charge out rate which is reviewed annually. The current charge out rates of this Firm are set out as follows:

Grade of Staff	Hourly Chargeout Rate
Office Holder (Partner)	£450.00
Office Holder (Non Partner)	£415.00
Senior Manager	£355.00
Manager	£285.00
Administrator	£210.00
Cashier	£210.00
Trainee/Support Staff	£ 95.00

### Staff Allocation

The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The constitution of the team allocated to insolvency assignments will usually consist of an Office Holder, a Senior Manager and/or Manager and an Administrator or Assistant. The exact constitution of a case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment. The charge out rates scheduled above provides details of all grades of staff and their respective experience levels.

### Professional Advisors

It is usual in insolvency cases that specialist professional advisors are engaged to advise on matters which are case specific. Ordinarily but not exclusively these will include solicitors, employment law consultants, asset agents and accountants. Stakeholders will be advised of such advisors which could be expected to be used within a case together with an expected fee arrangement.

Our choice will be based on our perception of their qualification, experience and ability to perform the type of work sought including the complexity and nature of the assignment upon which they are asked to assist.

Charles M Brook, Allan C Cadman and Michelle L Chatterton are authorised by the Insolvency Practitioners Association to take insolvency appointments in the UK.

Members or employees acting as Administrator or Liquidator do so as agents of the company to which they are appointed and without personal liability.

Poppleton & Appleby is the trading style of Churchill Corporate Solutions LLP which is a limited liability partnership registered in England and Wales, registered number OC393802. Registered Office: Westminster House, 10 Westminster Road, Macclesfield, Cheshire, SK10 1BX. A full list of members is available for inspection at 16 Oxford Court, Bishopsgate, Manchester, M2 3WQ.

### Expenses

Expenses are any payments from an estate which are neither office holders' remuneration or a distribution to a creditor or a member. Expenses also include disbursements. Disbursements are payments which are first met by the office holder (or their firm) and then reimbursed from the appropriate estate.

Expenses are divided into those that do not need approval before they are charged to the estate (Category 1) and those which do (Category 2).

### Category 1 Expenses

- These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. Category 1 expenses can be paid without prior approval.

### Category 2 Expenses

- These are payments to associates or which have an element of shared costs. Before being paid, Category 2 expenses require approval in the same manner as an office holder's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement.

### Expenses Policy

This Practice does not seek to recharge shared or overhead costs to individual estates. Expenses are demonstrable as directly attributable to an individual estate.

The allocation of expenses between Category 1 (no creditor approval necessary) and Category 2 (approval required) is carried out on a case by case basis and in consideration of the particular suppliers of the service.

Examples of expenses regularly incurred on insolvency casework include the following:

- Advertising and legal notices
- Specific Bond
- Solicitors' costs
- Agents' & Valuers' costs
- ERA and Pensions Specialist costs
- Accountancy costs
- Invoiced storage costs

The above list is not exhaustive and do not constitute shared or overhead costs. Whilst this Firm or its staff have no legal association with suppliers of these services, there are active professional relationships, which are entered into and maintained purely on the basis of the professional competency of the suppliers providing the service.

### Use of Sub-Contractors

With the exception of ERA services, it is not the policy of this Firm to sub-contract out services or tasks which can be carried out by this Firm. ERA services are excluded from this policy because we frequently conclude when dealing with cases that a better service provision can be made in respect of this aspect of insolvency work by suppliers who specialise in the handling of employee claims. In respect of all other sub-contract engagements, work that is passed to third parties requires specialist qualifications and/or expertise to satisfactorily complete the task in question and is considered on a case by case basis.

### VAT

VAT at the prevailing rate is applied to office holders' fees and expenses. In Company and Individual Voluntary Arrangements, VAT may not apply following the decision in PAYMEX versus HMRC.

### FURTHER INFORMATION: Creditors Rights

SIP9 provides information for creditors in relation to the fees charged by Office Holders. These can be accessed from the link below:

[Link to SIP9](#)

Alternatively, a copy can be provided by request to either office.

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