In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

# LIQ03 Notice of progress report in voluntary winding up





04/01/2021

|                      |                          | COMPANIES HOUSE  |
|----------------------|--------------------------|--|
| 1                    | Company details          |  |
| Company number       | 0 1 3 5 7 2 8 7          | → Filling in this form Please complete in typescript or in |
| Company name in full | WARBOYS SERVICES LIMITED | bold black capitals.                                       |
|                      |                          |  |
| 2                    | Liquidator's name        |  |
| Full forename(s)     | Michael                  |  |
| Surname              | Rose                     |  |
| 3                    | Liquidator's address     |  |
| Building name/number | M1 Insolvency            |  |
| Street               | Gothic House             |  |
|                      | Barker Gate              |  |
| Post town            | Nottingham               |  |
| County/Region        |                          |  |
| Postcode             | NG 1 1 J U               |  |
| Country              |                          |  |
| 4                    | Liquidator's name o      |  |
| Full forename(s)     |                          | Other liquidator Use this section to tell us about         |
| Surname              |                          | another liquidator.  |
| 5                    | Liquidator's address ❷   |  |
| Building name/number |                          | Other liquidator Use this section to tell us about         |
| Street               |                          | another liquidator.  |
|                      |                          |  |
| Post town            |                          |  |
| County/Region        |                          |  |
| Postcode             |                          |  |
| Country              |                          |  |

LIQ03
Notice of progress report in voluntary winding up

| 6                      | Period of progress report   |   |
|------------------------|---|---|
| From date              | d 2   d 1   m 1   m 2   y 2   y 0   y 1   y 9   |   |
| To date                | $\begin{bmatrix} ^{d}2 \end{bmatrix} \begin{bmatrix} ^{d}0 \end{bmatrix} \begin{bmatrix} ^{m}1 \end{bmatrix} \begin{bmatrix} ^{m}2 \end{bmatrix} \begin{bmatrix} ^{y}2 \end{bmatrix} \begin{bmatrix} ^{y}0 \end{bmatrix} \begin{bmatrix} ^{y}2 \end{bmatrix} \begin{bmatrix} ^{y}0 \end{bmatrix}$ |   |
| 7                      | Progress report   |   |
|                        | The progress report is attached   |   |
|                        |   |   |
| 8                      | Sign and date   |   |
| Liquidator's signature | Signature X   | - |
| Signature date         | 36 726/26   |   |

# LIQ03

Notice of progress report in voluntary winding up

| Prese                       | inter information  |
|-----------------------------|--|
| you do it wi<br>on the form | have to give any contact information, but if<br>ill help Companies House if there is a query<br>. The contact information you give will be |
| visible to se               | archers of the public record.  |
| Contact name                | Susan Emerson  |
| Company name N              | // Insolvency  |
| Address                     | <br>Sothic House   |
| E                           | Barker Gate  |
| N                           | Nottingham   |
| Post town                   |  |
| County/Region               |  |
| Postcode                    | NG1 1JU  |
| Country                     |  |
| DX                          |  |
| Telephone C                 | 0115 941 1467  |
| ✓ Check                     | dist   |
|                             | turn forms completed incorrectly or nation missing.  |
|                             | ce sure you have remembered the  |
| following:                  | pany name and number match the   |
|                             | tion held on the public Register.  |
|                             | e attached the required documents.   |
| You have                    | e 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.

## **7** Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email 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

# Liquidator's Annual Progress Report to Creditors & Members for the Year ended 20 December 2020

# **WARBOYS SERVICES LIMITED**

- in Liquidation

**30 December 2020** 

#### **CONTENTS**

- 1 Introduction and Statutory Information
- 2 Progress of the Liquidation
- 3 Creditors
- 4 Liquidator's Remuneration
- 5 Creditors' Rights
- 6 Next Report

#### **APPENDICES**

- A Receipts and Payments Account for the Period from 21 December 2019 to 20 December 2020 and Cumulative Receipts and Payments Account for the Period since the Liquidator's Appointment
- B Time Analysis for the Period from 21 December 2019 to 20 December 2020
- C Cumulative Time Analysis for the Period since the Liquidator's Appointment
- D Additional information in relation to Liquidator's Fees, Expenses & Disbursements
- E Privacy Notice

#### 1. Introduction and Statutory Information

- 1.1 I, Michael Rose of M1 Insolvency, Gothic House, Barker Gate, Nottingham NG1 1JU, was appointed as Liquidator of WARBOYS SERVICES LIMITED (the Company) on 21 December 2017. This progress report covers the period from 21 December 2019 to 20 December 2020 (the Period) and should be read in conjunction with any previous progress reports which have been issued.
- 1.2 Information about the way that we will use, and store personal data on insolvency appointments may be found in the attached Privacy Notice.
- 1.3 The principal trading address of the Company was Unit 8 & 9 Osprey Court, Hinchingbrooke Business Park, Huntingdon, Cambridgeshire, PE29 6FN.
- 1.4 The registered office of the Company has been changed to c/o M1 Insolvency, Gothic House, Barker Gate, Nottingham NG1 1JU and its registered number is 01357287.

#### 2. Progress of the Liquidation

- 2.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period and an explanation of the work done by the Liquidator and his staff.
- 2.2 At Appendix A is my Receipts and Payments Account for the Period, together with a cumulative Receipts and Payments Account for the period from the date of my appointment as Liquidator to the end of the Period.
- 2.3 The following is a summary of work carried out in the period of this report.

#### Creditors

Dealing with creditor queries and liaising with creditors regarding their claims, providing acknowledgements where requested.

Preparation and filing of annual report to creditors.

#### **Employees**

Writing to employees to agree their claims.

Reviewing and agreeing the RPS preferential claim.

Further Correspondence with Clumber Consultancy regarding the Company's pension scheme and additional schemes identified in the period.

Appointment of new trustees to a company pension scheme

#### <u>Assets</u>

Payment of solicitors' fees for lease disclaimer regarding the company's leasehold property.

#### <u>Investigation</u>

Corresponding with the directors and continuing my investigation into the Company's affairs.

#### Statutory, Administration and Planning

Preparation of post-liquidation VAT and corporation tax returns.

Maintenance of estate bank accounts including reconciliation.

Statutory bonding.

Internal case reviews and progression of case.

#### Administration (including statutory compliance & reporting)

- An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work I anticipated would need to be done in this area was outlined to creditors in my initial fees estimate/information.
- 2.5 Where the costs of statutory compliance work or reporting to creditors exceeds the initial estimate, it will usually be because the duration of the case has taken longer than anticipated, possibly due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on the Liquidator.
- 2.6 As noted in my initial fees estimate/information, this work will not necessarily bring any financial benefit to creditors but is required on every case by statute.

#### Realisation of Assets

#### Bank Interest

- 2.7 I have received bank interest in the sum of £41 in the period and have paid tax on interest received of £31.
- 2.8 It is considered that the work the Liquidator and his staff have undertaken to date will bring a financial benefit to creditors. This may be a distribution to secured creditors of the Company only (from which a Prescribed Part fund may be derived for the benefit of unsecured creditors) or may, depending on realisations and the extent of any 3<sup>rd</sup> party security, result in a distribution to the preferential and unsecured creditors of the Company.

#### **Creditors (claims and distributions)**

- 2.9 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. A liquidator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.
- 2.10 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 2.11 The above work will not necessarily bring any financial benefit to creditors generally, however a liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.
- 2.12 I consider the following matters worth noting in my report to creditors at this stage:
  - there are approximately seventy-one unsecured creditor claims in this case with a value per the director's statement of affairs of £946,402.
  - dealing with the claims of twelve employees;
  - I anticipate claims from preferential creditors totalling £13,218; and
  - in addition to a NEST Scheme the Company operated several other pension schemes, these have been passed to Clumber Consultancy whose fees paid to date total £5,300 of which £2,600 was paid in the period of this report. This included their appointment as trustees to a company pension scheme.

#### Investigations

You may recall from my first progress report to creditors that some of the work the Liquidator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (CDDA 1986) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Liquidator can pursue for the benefit of creditors.

- 2.14 My report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986 was submitted during the first year of the liquidation and is confidential.
- 2.15 Since my last progress report, I would advise that no further asset realisations have come to light that may be pursued by me for the benefit of creditors, however my investigations are ongoing.
- 2.16 Unfortunately, due to lockdown and COVID-19 19 Restrictions the speed of progressing the investigation matters has been affected due to my ability to access records and have face to face meetings being severally restricted. However, with the expect end to COVID-19 19 in early 2021. I expect that investigation matters will be completed as soon as practically possible.

#### Matters still to be dealt with

- Resolution of ownership of chattel assets.
- Completion of investigation matters.
- Payment of a dividend to preferential creditors.

#### 3. Creditors

#### Secured Creditors

3.1 Royal Bank of Scotland Plc holds a fixed and floating charge over the Company's assets. At the date of the liquidation the indebtedness to the secured creditor was estimated at £Nil which was later confirmed.

#### **Preferential Creditors**

3.2 A summary of preferential claims is detailed below.

| TOTAL  | £13,218  | £11,149                      |
|--|--|------------------------------|
| Department for Business,<br>Energy & Industrial Strategy<br>(BEIS) | £9,088   |                              |
| Employee claims (total number of claims = twelve)                  | £4,130   | £11,149                      |
| Preferential claim   | Landard Comment of the Comment of the Landard Comment of the Comme | Statement of Affairs Claim £ |

3.3 I would anticipate a dividend to preferential creditors once investigation matters are resolved.

#### **Unsecured Creditors**

- 3.4 I have received claims totalling £69,857 from nineteen creditors. I have yet to receive claims from fifty creditors whose debts total £775,794 as per the Company's statement of affairs.
- 3.5 The Company granted a floating charge to Royal Bank of Scotland Plc on 26 July 2006. Accordingly, I am required to create a fund out of the Company's net floating charge property for unsecured creditors (known as the Prescribed Part). However, the secured creditor has no outstanding liability, therefore the balance of available funds after settling preferential creditors will be payable to the unsecured creditors.
- 3.6 I would confirm that any dividend to unsecured creditors is dependent upon the outcome of investigation matters and resolution of chattel ownership.

#### 4. Liquidator's Remuneration

- 4.1 Creditors approved that the basis of the Liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation. My fees estimate/information was originally provided to creditors when the basis of my remuneration was approved and was based on information available to me at that time, it was then increased by creditors on 21 February 2019.
- 4.2 However, because of ongoing matters outlined in my previous Annual Report, a further revised fee estimate was provided and approved by creditors by correspondence on 21 February 2020.
- 4.3 A copy of that estimate is reproduced below:

| Category of work                                      | Estimated<br>Number<br>of Hours | Average blended charge out rate £ | Estimated cost |
|---|---------------------------------|-----------------------------------|----------------|
| Administration (inc statutory compliance & reporting) | 55.3                            | 173.36                            | 9,587          |
| Realisation of assets                                 | 36.5                            | 171.64                            | 6,265          |
| Creditors (claims and distributions) *                | 70.2                            | 167.75                            | 11,776         |
| Investigations  | 10.5                            | 198.29                            | 2,082          |
| Case specific matters (employees)                     | 19                              | 169.74                            | 3,225          |
| Case specific matters (pensions)                      | 10.7                            | . 196.36                          | 2,101          |
| Total estimated fees                                  | 202.2                           | 173.27                            | £35,036        |

4.4 My time costs for the Period are £5,112. This represents 25.9 hours at an average rate of £197.37 per hour. Attached as Appendix B is a Time Analysis which provides

details of the activity costs incurred by staff grade during the Period in respect of the costs fixed by reference to time properly spent by me in managing the Liquidation. To date, £24,000 plus disbursements of £Nil has been drawn on account.

- Also attached as Appendix C is a cumulative Time Analysis for the period from 21 December 2017 to 20 December 2020 which provides details of my time costs since my appointment. The cumulative time costs incurred to date are £30,060. This represents 157.8 hours at an average rate of £190.50 per hour.
- 4.6 I now consider that the fee estimate I previously provided for the liquidation is insufficient to complete my duties because of:
  - ongoing disputes arising from ownership of the chattel assets.
  - additional pension schemes have been identified, including death benefit schemes and money purchase plan which has necessitated the removal of me as trustee and appointment of Clumber Consultancy as Principal Employer.
  - dealing with the claims of the Company's creditors has taken more time than initially anticipated as I anticipate further work on agreeing unsecured claims; and
  - investigation matters are ongoing and slowed due to COVID-19 issues.
- 4.7 The above have resulted in the liquidation entering a fourth year.
- The new liquidator (See para 6.1) will in the New Year seek approval for fees to agree the completion of investigation matters, and the payment of a Preferential and or unsecured dividend if applicable and then closure of the Liquidation. It is anticipated that this will be a fee in the region of £12,500 giving a total liquidation cost of £45,000, compared to the revised estimate of £35,036.
- 4.9 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or may be downloaded from www.icaew.com/en/technical/insolvency/creditors-guides.
- 4.10 Attached as Appendix D is additional information in relation to the Liquidator's fees, expenses, and disbursements, including where relevant, information on the use of subcontractors and professional advisers.

#### 5. Creditors' Rights

5.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.

5.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged, or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

#### 6. Next Report

- A Court Order dated 20 November 2020, will appoint Philip Anthony Brooks and Julie Elizabeth Willetts of Blades Insolvency Services, Charlotte House, 19b Market Place, Bingham, Nottingham, NG13 8AP as Joint Liquidators of the Company from 31 December 2020 due to the retirement of Michael Rose as a Licence Holding Insolvency Practitioner:
- They will be required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless they have concluded matters prior to this, in which case they will write to all creditors with their final account.
- 6.3 If you have any queries in relation to the contents of this report, I may be contacted by telephone on 0115 941 1467 or by email at info@m1insolvency.co.uk.

Yours faithfully

M Rose Liquidator

Encs

# Liquidator's Abstract of Receipts & Payments

WAR01 WARBOYS SERVICES LIMITED (CVL)

| Statement<br>Of Affairs |                               | From 21/12/2019<br>To 20/12/2020 | From 21/12/201<br>To 20/12/202 |
|-------------------------|-------------------------------|----------------------------------|--------------------------------|
|                         | FLOATING CHARGE ASSETS        |                                  |                                |
| 12,400.00               | Plant & Machinery             | 0.00                             | 17,931.6                       |
| 1,800.00                | Stock and Work In Progress    | 0.00                             | 15,721.0                       |
| ·                       | Phoenix Life Payment          | 0.00                             | 5,214.4                        |
|                         | Suspence                      | 0.00                             | 10,000.0                       |
|                         | Sundry Receipts               | 0.00                             | 119.                           |
|                         | Insurance Refund              | 0.00                             | 3,400.                         |
|                         | Telephone numbers             | 0.00                             | 1,200.                         |
| 1,200.00                | Office Furniture & Equipment  | 0.00                             | 1,775.                         |
| 30,000.00               | Debtors                       | 0.00                             | 14,921.                        |
| 2,491.60                | Balance at Bank               | 0.00                             | ,<br>7,434.                    |
| _,                      | Bank Interest Gross           | 40.28                            | 361.                           |
| 15,323.56               | HMRC - VAT                    | 0.00                             | 0.                             |
| . 5,020.00              |                               | 40.28                            | 78,079.                        |
|                         | COSTS                         |                                  |                                |
|                         | Liquidator's Remuneration     | 0.00                             | 24,000.                        |
|                         | Agent's Fees and Expenses     | 0.00                             | 7,460.                         |
|                         | Pension Review and Claims     | 2,600.00                         | 5,300                          |
|                         | Legal Fees                    | 1,539.00                         | 1,714.                         |
|                         | Debt Collection Expenses      | 0.00                             | 1,284                          |
|                         | Statutory Advertising         | 0.00                             | 169                            |
|                         | Sundry Expenses/Disbursements | 0.00                             | 125                            |
|                         | Rates                         | 0.00                             | 303                            |
|                         | Insurance                     | 0.00                             | 392.                           |
| •                       | Tax on Deposit Interest       | 31.16                            | 31.                            |
|                         | Costs of Creditors Decision   | 0.00                             | 6,000                          |
|                         |                               | (4,170.16)                       | (46,779.9                      |
|                         | PREFERENTIAL CREDITORS        |                                  |                                |
| (11,149.49)             | Wages & Holiday Pay           | 0.00                             | 0.                             |
|                         | ·                             | 0.00                             | 0.                             |
|                         | UNSECURED CREDITORS           | <del></del>                      |                                |
| (113,085.15)            | Trade & Expense Claim         | 0.00                             | 0.                             |
| (21,240.52)             | Inland Revenue - PAYE & NIC   | 0.00                             | 0.                             |
| (901.04)                | Shareholders Loan Accounts    | 0.00                             | 0.                             |
| (811,175.17)            | Inter Company Accounts        | 0.00                             | 0.                             |
| (121,175.40)            | Employee Claims               | 0.00                             | 0.                             |
|                         | DISTRIBUTIONS                 | 0.00                             | 0.                             |
| (400 007 00)            | DISTRIBUTIONS                 | 0.00                             | •                              |
| (108,237.00)            | Issued Share Capital          | 0.00                             | 0.                             |
|                         |                               |                                  |                                |
| 1,123,748.61)           |                               | (4,129.88)                       | 31,299.                        |
|                         | REPRESENTED BY                |                                  |                                |
|                         | Bank 1                        | (4,765.49)                       | 30,473.                        |

| Statement<br>Of Affairs | From 21/12/2019<br>To 20/12/2020 | From 21/12/2017<br>To 20/12/2020 |
|-------------------------|----------------------------------|----------------------------------|
| VAT Control Account     | 827.80                           | 1,885.18                         |
| VAT Paid/Received       | (192.19)                         | (1,058.78)                       |
|                         | (4,129.88)                       | 31,299.60                        |
|                         | M                                | Roc                              |
| I .                     |                                  | Michael Rose<br>Liquidator       |

# WARBOYS SERVICES LIMITED (In Creditors' Voluntary Liquidation)

#### APPENDIX B

Summary of Liquidator's Time Costs from 21 December 2019 to 20 December 2020

|                         | Par   | Partner  |       | istrator | Junior Ad | ministrator | Total |          | Average     |
|-------------------------|-------|----------|-------|----------|-----------|-------------|-------|----------|-------------|
|                         | Units | Cost     | Units | Cost     | Units     | Cost        | Units | Cost     | Hourly Rate |
|                         |       | £        |       | £        |           | £           |       | £        | £           |
| Statutory & Review      | -     | -        | 6     | 102.00   |           | -           | 6     | 102.00   | 170.00      |
| Receipts & Payments     | 50    | 1,250.00 | 24    | 408.00   |           | -           | 74    | 1,658.00 | 224.05      |
| Insurance               | -     |          | 2     | 34.00    |           | -           | 2     | 34.00    | 170.00      |
| Assets                  | 13    | 325.00   | -     | -        | -         | -           | 13    | 325.00   | 250.00      |
| Liabilities             | 30    | 750.00   | 26    | 442.00   | 59        | 619.50      | 115   | 1,811.50 | 157.52      |
| Landlords               | 6     | 150.00   | -     | -        | -         | -           | 6     | 150.00   | 250.00      |
| Investigations          | -     | -        | -     | -        | 1         | 10.50       | · 1   | 10.50    | 105.00      |
| Employee Claims         | 40    | 1,000.00 | -     | -        | 2         | 21.00       | 42    | 1,021.00 | 243.10      |
| Total                   | 139   | 3,475.00 | 58    | 986.00   | 62        | 651.00      | 259   | 5,112.00 |             |
| Average Hourly Rate (£) |       | 250.00   |       | 170.00   |           | 105.00      |       | 197.37   | :           |

All Units are 6 minutes

# WARBOYS SERVICES LIMITED (In Creditors' Voluntary Liquidation)

APPENDIX C

Summary of Liquidator's Time Costs from 21 December 2017 to 20 December 2020

|                         | Partner |           | Admir | nistrator | Junior Ad | Administrator To | Total | Total     |             |
|-------------------------|---------|-----------|-------|-----------|-----------|------------------|-------|-----------|-------------|
|                         | Units   | Cost      | Units | Cost      | Units     | Cost             | Units | Cost      | Hourly Rate |
|                         |         | £         |       | £         |           | £                |       | £         | £           |
| Statutory & Review      | 15      | 375.00    | 43    | 731.00    |           | •                | 58    | 1,106.00  | 190.69      |
| Receipts & Payments     | 126     | 3.150.00  | 116   | 1,972.00  | 40        | 420.00           | 282   | 5,542.00  | 196.52      |
| Insurance               | 10      | 250.00    | 91    | 1,547.00  |           |                  | 101   | 1,797.00  | 177.92      |
| Assets                  | 147     | 3,675.00  | 41    | 697.00    | 3         | 31.50            | 191   | 4,403.50  | 230.55      |
| Liabilities             | 88      | 2,200.00  | 110   | 1,870.00  | 206       | 2,163.00         | 404   | 6,233.00  | 154.28      |
| Landlords               | 11      | 275.00    | -     | -         | -         | -                | 11    | 275.00    | 250.00      |
| General Administration  | -       | -         | 4     | 68.00     | 39        | 409.50           | 43    | 477.50    | 111.05      |
| Appointment             | 23      | 575.00    | 18    | 306.00    | 22        | 231.00           | 63    | 1,112.00  | 176.51      |
| Investigations          | 113     | 2,825.00  | 45    | 765.00    | 16        | 168.00           | 174   | 3,758.00  | 215.98      |
| Employee Claims         | 150     | 3,750.00  | 84    | 1,428.00  | 17        | 178.50           | 251   | 5,356.50  | 213.41      |
|                         | ,       |           |       |           |           |                  |       |           |             |
| Total                   | 683     | 17,075.00 | 552   | 9,384.00  | 343       | 3,601.50         | 1,578 | 30,060.50 |             |
|                         |         |           |       |           |           |                  |       |           |             |
| Average Hourly Rate (£) | =       | 250.00    | =     | 170.00    | . =       | 105.00           | _     | 190.50    |             |

All Units are 6 minutes

#### Appendix D

#### Additional Information in Relation to the Liquidator's Fees, Expenses & Disbursements

#### 1 Staff Allocation and the Use of Sub-Contractors

- 1.1 The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 1.2 The constitution of the case team will usually consist of a Partner, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment.
- 1.3 We are not proposing to utilise the services of any sub-contractors in this case.

#### 2 Professional Advisors

2.1 On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

| Name of Professional Advisor             | Basis of Fee Arrangement                                 |
|--|--|
| Fraser Brown (legal advice)              | £175 fixed fee   |
| DLA Piper (Legal Advice Lease)           | Fixed fees plus disbursement                             |
| Colligant Ltd (book debts)               | £20% of debts recovered                                  |
| Eddisons (valuation and disposal advice) | £180 Hourly rate + 10% of realisations and disbursements |
| Clumber Consultancy (pension advice)     | Set fee  |

2.2 Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

#### 3 Liquidator's Expenses & Disbursements

3.1 The estimate of expenses (including disbursements) which were anticipated at the outset of the liquidation was provided to creditors when the basis of my fees was approved, a copy of which is set out below:

| Expense   | Estimated cost £ |
|---|------------------|
| Debt collection costs                           | 6,000            |
| Solicitors' costs                               | 1,000            |
| Agents' costs                                   | 4,000            |
| Accountants' costs                              | 250              |
| Statutory advertising                           | 270              |
| Specific penalty bond                           | 170              |
| External storage of company's books and records | 50               |
| External meeting room hire                      | . 125            |
| Insolvency system fee                           | 1,450            |
| Contingency                                     | 1 935            |
| Category 2 disbursements charged by the firm    |                  |
|   | £14,500          |

# Current position of Liquidator's expenses

3.2 An analysis of the expenses paid to the date of this report, together with those incurred but not paid at the date of this report is provided below:

|   | Paid Prior to<br>the period<br>covered by<br>this report<br>£ | Paid in the period covered by this report | Incurred but<br>not paid to<br>date<br>£ | Total<br>anticipated<br>cost<br>£ |
|---|---|---|--|-----------------------------------|
| Agents' costs                                       | 7,461   | _   | _  | 7,461                             |
| Solicitors' costs                                   | 175 <sup>.</sup>  | 1,539                                     |  | 2,000                             |
| Book debt collection                                | 1,285   | <u>-</u>                                  | -  | 1,285                             |
| Statutory advertising                               | 169   | -   | -<br>-                                   | 169                               |
| Specific penalty bond                               | -   | -   | 540                                      | - 760                             |
| External storage of books and records               | -   | - :                                       | 77                                       | 110                               |
| Property costs for auction                          | 695   | -   | -  | 695                               |
| Insolvency system fee                               | · 125   | <del>-</del>                              | 14                                       | 150                               |
| Postage   | -   | -   | 188                                      | 200                               |
| Pension advice                                      | 2,700   | 2,600                                     | -  | 7,000                             |
| Category 2 disbursements:<br>Business mileage @ 45p |   |   |  | .:                                |
| per mile<br>Reports @ £3 each<br>Letters @ £1 each  | - <u>-                                    </u>                | -   | 130<br>687<br>71                         | 150<br>750<br>120                 |
|   | 12,610  | 4,139                                     | £1,707                                   | £20,850                           |

- 3.3 Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also, chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case. These disbursements are included in the tables of expenses above.
- Category 2 disbursements do require approval from creditors. These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis such as internal room hire, document storage or business mileage. Details of Category 2 disbursements charged by this firm (where appropriate) were provided at the time the Liquidator's fees were approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

#### 4 Charge-Out Rates

4.1 M1 Insolvency's current charge-out rates effective from commencement are detailed below. Please note this firm records its time in minimum units of 6 minutes.

4.2

| STAFF GRADE          | CHARGE-OUT RATES FROM 06 JANUARY 2014<br>(UP TO £ PER HOUR) |
|----------------------|---|
| Partner              | 250   |
| Administrator        | 170   |
| Junior Administrator | 105   |

Privacy Notice APPENDIX E

#### Use of personal information

We process personal information to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are Data Controllers of personal data in so far as defined by data protection legislation. M1 Insolvency will act as Data Processor on their instructions about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data will be kept secure and processed only for matters relating to the insolvency procedure being dealt with.

#### The data we may process

The personal data insolvency practitioners may process in most cases will be basic details that may identify an individual and will typically be sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive, for example health records and this sensitive data will usually have been created before our appointment. Although we will take appropriate steps to safeguard sensitive data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we will not be processing sensitive data.

#### **Sharing information**

We may share personal data with third parties where we are under a legal or regulatory duty to do so, or it is necessary for the purposes of undertaking our work as insolvency practitioners. We may also share personal data to lawfully assist the police or other law enforcement agencies with the prevention and detection of crime, where disclosure is necessary to protect the safety or security of any persons and/or otherwise as permitted by the law.

#### How long will we hold it?

Personal data will be retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this may be up to 6 years after which it will be destroyed.

#### What are your rights?

You have the right to receive the information contained in this document about how your personal data may be processed by us.

You also have the right to know that we may be processing your personal data and, in most circumstances, to have information about the personal data of yours that we hold, and you may ask for certain other details such as what purpose we may process your data for and how long we will hold it.

Individuals have the right to request that incorrect or incomplete data is corrected and in certain circumstances, you may request that we erase any personal data on you which may be held or processed as part of our work as insolvency practitioners. If you have any complaints about how we handle your personal data, please contact Michael Rose, email address info@m1insolvency.co.uk, so we may resolve the issue, where possible. You also have the right to lodge a complaint about any use of your information with the <u>Information Commissioners Office</u> (ICO), the UK data protection regulator.