

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

FRIDAY



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A13

23/02/2024

#188

COMPANIES HOUSE

### 1 Company details

Company number 0 1 3 5 7 2 8 7

Company name in full Warboys Services Limited

→ Filling in this form  
Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Julie Elizabeth

Surname Willetts

### 3 Liquidator's address

Building name/number Charlotte House

Street 19B Market Place

Post town Bingham

County/Region Nottingham

Postcode N G 1 3 8 A P

Country

### 4 Liquidator's name ①

Full forename(s) Philip Anthony

Surname Brooks

① Other liquidator  
Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number Charlotte House

Street 19B Market Place

Post town Bingham

County/Region Nottingham

Postcode N G 1 3 8 A P

Country

② Other liquidator  
Use this section to tell us about  
another liquidator.

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**6** Period of progress report

From date	<sup>d</sup> 2	<sup>d</sup> 1	<sup>m</sup> 1	<sup>m</sup> 2	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2
To date	<sup>d</sup> 2	<sup>d</sup> 0	<sup>m</sup> 1	<sup>m</sup> 2	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 3

**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X *John G. Smith*

X

Signature date

<sup>d</sup>2<sup>d</sup>2<sup>m</sup>0<sup>m</sup>2<sup>y</sup>2<sup>y</sup>0<sup>y</sup>2<sup>y</sup>4

LIQ03

Notice of progress report in voluntary winding up



**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 **Christine Lingard**

Company name

Address

Post town

County/Region

Postcode

Country

DX

Telephone



**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)

Our ref JW/W2858/A  
23 February 2024

**TO ALL MEMBERS AND CREDITORS**

Dear Sir/Madam

**WARBOYS SERVICES LIMITED  
IN CREDITORS VOLUNTARY LIQUIDATION**

This is my report to members and creditors following the sixth anniversary of the commencement of the liquidation. The report should be read in conjunction with earlier reports to creditors.

This practice uses personal information to fulfil the legal obligations of our Insolvency Practitioners under the Insolvency Act and other relevant legislation and to fulfil the legitimate interests of keeping creditors and others informed about the insolvency proceedings. You can find more information on how we use your personal information in our privacy statement which may be viewed on our website at [www.bladesinsolvency.co.uk](http://www.bladesinsolvency.co.uk)

If creditors have any queries concerning the conduct of the liquidation, or if they wish to obtain hard copies of any of the documents made available online they should contact Louise Irving of this office by telephone on 01949 831260 or email [l.irving@bladesinsolvency.co.uk](mailto:l.irving@bladesinsolvency.co.uk)

Yours faithfully  
for and on behalf of  
WARBOYS SERVICES LIMITED



**J Willetts**  
Joint Liquidator

Enc

*Julie Willetts and Philip Anthony Brooks are Licensed Insolvency Practitioners bound by the Insolvency Code of Ethics*

Our ref JW/2858/A  
23 February 2024

**WARBOYS SERVICES LIMITED  
IN LIQUIDATION**

**LIQUIDATORS' ANNUAL PROGRESS REPORT PURSUANT TO SECTION 104A  
INSOLVENCY ACT 1986**

**Introduction**

The company went into liquidation on 21 December 2017. This report covers the period from 21 December 2020, being the date of my last annual progress report, to 20 December 2023 ("the Period") and should be read in conjunction with earlier reports.

**Company and liquidators' details**

Company registered number:	01357287
Nature of business:	Metal fabrication
Former trading address:	Units 8 & 9 Osprey Court Hinchingsbrooke Business Park Huntingdon Cambridgeshire, PE29 6FN
Date of liquidators' appointment:	21 December 2017
Names of joint liquidators:	J Willetts and P A Brooks appointed 31 December 2020 M Rose ceased to act 31 December 2020
Registered office address:	Charlotte House 19B Market Place Bingham Nottingham, NG13 8AP

**Liquidators' receipts and payments account**

A summary of the liquidators' receipts and payments is attached, together with a summary of transactions in the Period, which I believe is self-explanatory.

All funds have been held in bank accounts in the name of the insolvent estate.

### **Realisation of assets**

- The sole realisation in the Period has been interest of £183.00 in respect of funds held on deposit.

### **Expenditure in the liquidation**

- There has been no expenditure in the Period.

### **Creditors' claims and dividends**

- **Secured**

The Royal Bank of Scotland Plc holds a debenture conferring fixed and floating charges over the company's assets. There was no indebtedness to the charge holder at the date of liquidation.

- **Preferential**

The Redundancy Payments Office has submitted a preferential claim for £9,087 in respect of unpaid wages and holiday pay. The estimated liability reported in the statement of affairs was £11,149.

- **Non-preferential**

Claims have been received from twenty-one non-preferential creditors totalling £190,947. A further fifty-one creditors recorded in the statement of affairs with claims totalling £879,546 have not submitted a claim. The statement of affairs disclosed seventy-one creditors with claims totalling £1,067,577.

- **Dividend prospects**

There will be insufficient funds after accounting for the costs of liquidation, to allow for the payment of a dividend to any class of creditor.

## Liquidators' fees and expenses

The liquidators have incurred expenses of £2,387 which may be summarised as follows:

Type of expense	Brought forward	Incurred this period	Carried forward
	£	£	£
Statutory advertising	270	-	270
Liquidators' bond	650	-	650
Software licence	250	-	250
Storage	127	-	127
Postage	188	-	188
Mileage	888	-	888
Website hosting	7	7	14
<b>Total</b>	<u>2,380</u>	<u>7</u>	<u>2,387</u>

The following resolution was approved by creditors on 21 December 2017 by way of postal correspondence:

- 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.

The basis of my firm's fees has been agreed by creditors since the end of the period.

To reduce the level of professional costs certain work has been conducted by staff under the liquidators' supervision. The level of staff has been selected based upon the nature and complexity of the assignment.

The current hourly charge-out rate for each grade of staff is detailed on the attached summary of fees and expenses. All staff involved in the assignment have been charged directly to the case and there has been no general overhead allocation in respect of support staff. There has been no increase in the hourly rates charged by my firm during the Period.

A copy of "Liquidation: A Guide for Creditors on Insolvency Practitioner Fees" published by the Association of Business Recovery Professionals to supplement Statement of Insolvency Practice number 9 ("SIP 9"), a statement of best practice agreed by the various insolvency regulatory authorities, may be found at <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees>

The liquidators have incurred time costs of £53,384 in respect of work in connection with the liquidation which represents a total of 290.80 hours spent at an average hourly rate of £183.58. This compares to an average hourly rate at the date of my last annual report of £181.65.

During the Period I have incurred time costs of £7,336 which represents a total of 37.30 hours spent at an average hourly rate of £196.68.

The principal work undertaken in the Period has been that necessary to comply with my statutory and regulatory obligations, while conducting further investigations into a number of company transactions and potential breaches of the Insolvency Act 1986.

Appendix A attached to this report summarises the liquidators' time costs and the nature of work undertaken since the date of liquidation and during the Period.

I intend to draw the balance of funds on account of the time costs in accordance with the postal resolution obtained since the end of the period.

### **Investigation into the affairs of the company**

As previously reported, the previous liquidator undertook a proportionate investigation into the company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest; potential recoveries, the amount of funds likely to be available to pay the costs of an investigation and the relevant costs involved.

Certain transactions were identified with associated companies which may be subject to challenges under the insolvency act 1986. After meeting with the director, a commercial settlement was reached, thereby avoiding the necessity of legal action being taken.

### **Company Directors Disqualification Act 1986**

In accordance with the provisions of the Company Directors Disqualification Act 1986, I confirm that the previous liquidator submitted a report on the conduct of the directors of the company to the Department for Business, Energy and Industrial Strategy during the first year of the liquidation.

### **Professional advisors**

The following professional advisors have been engaged during the liquidation:

<b>Name of advisor</b>	<b>Nature of work</b>	<b>Basis of fees</b>
Clumber Consultancy	Pension advice	Fixed fee

Eddisons Commercial Limited	Asset realisations	Fees and commission
Colligant Limited	Debt collection	Time costs
Fraser Brown LLP	Legal advice	Time costs
DLA Piper LLP	Legal advice	Time costs

The choice of each advisor was based upon the assessment of their experience and ability to undertake this type of work, taking account of the complexity of the case.

### **Outstanding matters**

Several matters were identified by the previous liquidator and have subsequently been reviewed by me. These relate to potential breaches of the Insolvency Act 1986, potential claims against an associated company, and various intercompany transactions. As I reported above, a commercial settlement has been agreed with the director since the end of the period and the liquidation is now substantially complete. I expect to be in a position to issue my final report to members and creditors within two months.

### **Complaints**

Whilst my firm strives to provide a professional and efficient service, it is in the nature of insolvency proceedings for disputes to arise from time to time. If you have any complaints about this case, you should, in the first instance, put details of your complaint in writing to my firm. This will formally invoke our complaints procedure and we will endeavour to deal with your complaint in writing within a period of twenty-one days of receipt.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, if you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an online form available at [www.gov.uk/complain-about-insolvency-practitioner](http://www.gov.uk/complain-about-insolvency-practitioner)

### **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 liquidators' remuneration and expenses, within twenty-one 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 liquidators' fees and the amount of any proposed expenses or expenses already incurred, within eight weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

To comply with the Provision of Services Regulations, some further general information about this practice may be found at [www.bladesinsolvency.co.uk](http://www.bladesinsolvency.co.uk). A hard copy is available on request.

Please do not hesitate to contact me should you require any further information.

A handwritten signature in black ink, appearing to read 'J Willetts', written in a cursive style.

**J Willetts**  
Joint Liquidator

**WARBOYS SERVICES LIMITED  
IN LIQUIDATION**

**LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT  
FOR THE PERIOD FROM 21 DECEMBER 2017 TO 20 DECEMBER 2023**

Statement of affairs	From 21/12/2017 to 20/12/2022	From 21/12/2022 to 20/12/2023	Total
£	£	£	£
<b>RECEIPTS</b>			
12,400 Plant and machinery	17,931.69		17,931.69
1,800 Stock and work in progress	15,721.03		15,721.03
1,200 Office furniture and equipment	1,775.00		1,775.00
30,000 Trade debts	14,921.82		14,921.82
2,492 Cash at bank	7,434.97		7,434.97
15,323 Pre appointment VAT	-		-
Life insurance surrender	5,214.43		5,214.43
Cash in hand	10,000.00		10,000.00
Telephone numbers	1,200.00		1,200.00
Insurance refund	3,400.00		3,400.00
Vehicle licence refund	119.16		119.16
Interest	386.25	174.21	560.46
	<u>78,104.35</u>	<u>174.21</u>	<u>78,278.56</u>
<b>PAYMENTS</b>			
Liquidators' remuneration	33,560.50		33,560.50
Liquidators' cost of decision	6,000.00		6,000.00
Liquidators' expenses	2,274.33		2,274.33
Agent's fees	7,460.67		7,460.67
Legal fees	1,714.00		1,714.00
Debt collection fees	1,284.81		1,284.81
Pension consultant	5,300.00		5,300.00
Property expenses	695.06		695.06
Tax on interest	38.76		38.76
Bank charges	2.10		2.10
	<u>58,330.23</u>	<u>0.00</u>	<u>58,330.23</u>
<b>Balance on hand</b>	<u>19,774.12</u>	<u>174.21</u>	<u>19,948.33</u>
<b>Represented by:</b>			
Bank accounts			19,948.33
VAT control			4,155.24
			<u>19,948.33</u>

## WARBOYS SERVICES LIMITED

## LIQUIDATORS' TIME COST SUMMARY

PERIOD FROM 21 DECEMBER 2017 TO 20 DECEMBER 2023

Classification of work function	Partner Hours	Administrator Hours	Junior Administrator & support staff Hours	Total hours	Time costs £	Average hourly rate £
Statutory review	13.50	37.00		50.50	7,538	149.27
Receipts and payments	13.70	14.00	26.90	54.60	8,446	154.69
Insurance	1.00	9.30		10.30	1,831	177.77
Assets	16.30	4.10	0.30	20.70	4,807	232.22
Liabilities	12.90	13.60	26.50	53.00	8,347	157.49
General administration	5.60	1.10	7.70	14.40	2,264	157.22
Appointment	2.70	1.80	2.20	6.70	1,216	181.49
Investigations	40.40	4.50	1.70	46.60	11,335	243.24
Case specific	23.70	8.40	1.90	34.00	7,600	223.53
<b>Total hours</b>	<b>129.80</b>	<b>93.80</b>	<b>67.20</b>	<b>290.80</b>		
<b>Total costs (£)</b>	<b>34,087</b>	<b>13,680</b>	<b>5,617</b>		<b>53,384</b>	<b>183.58</b>

PERIOD FROM 21 DECEMBER 2022 TO 20 DECEMBER 2023

Classification of work function	Partner Hours	Administrator Hours	Junior Administrator & support staff Hours	Total hours	Time costs £	Average hourly rate £
Statutory and review	9.20	7.00		16.20	3,092	190.86
Receipts and payments			2.90	2.90	203	70.00
Insurance						
Assets						
Liabilities						
General administration	5.00	0.40	3.30	8.70	1,571	180.57
Appointment						
Investigations	9.50			9.50	2,470	260.00
Case specific						
<b>Total hours</b>	<b>23.70</b>	<b>7.40</b>	<b>6.20</b>	<b>37.30</b>		
<b>Total costs (£)</b>	<b>6,162</b>	<b>740</b>	<b>434</b>		<b>7,336</b>	<b>196.68</b>

## **WARBOYS SERVICES LIMITED**

### **Summary of work undertaken to be read in conjunction with the time cost summary:**

#### **Administration and planning**

*An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. This work will not necessarily result in any financial benefit to creditors but is required on each case by statute.*

##### **(i) Case planning**

- Setting initial case strategy taking into account the specific circumstances of the case.
- Case handover from previous liquidator, review file and set case strategy.
- Setting up physical and electronic case files.
- Periodic review of case strategy and varying strategy as appropriate in the light of case progress.
- Conducting regular file reviews to ensure compliance to identify any other matters requiring attention.

##### **(ii) Administrative set-up**

- Reviewing and taking possession of company records and preparing detailed summary of records held.
- Obtaining a specific penalty bond.
- Making arrangements for storage and retrieval of records. Dealing with general correspondence arising on the case.

##### **(iii) Appointment notification, filing and advertising**

- Dealing with requirements for notification of appointment with the Registrar of Companies.
- Arranging notification of appointment to creditors and the London Gazette.
- Notification of appointment to company advisors.

##### **(iv) Maintenance of records**

- Opening liquidation bank accounts and processing transactions in relation to funds received and payments made.
- Arranging notification of appointment to creditors.
- Dealing with related filing and processing requirements.

##### **(v) Statutory reporting**

- Statutory reporting including submission of reports to creditors.
- Dealing with related filing and processing requirements.
- Filing returns at Companies House.

#### **Investigations**

- Review of previous Liquidator's investigation file.
- Consideration of investigation strategy.
- Investigations of potential breaches of the Insolvency Act of intercompany transactions.
- Correspondence with the director.

#### **Realisation of assets**

- Realisation of plant and machinery, stock, office furniture and telephone numbers.
- Realisation of the life insurance policy.
- Instruction of a debt collection agency to realise company debts.

#### **Creditors**

- Correspondence and telephone conversations with creditors in response to general enquiries and concerns.
- Completing documentation for submission to the Redundancy Payments Office.
- Corresponding with employees regarding their claims.
- Liaising with the Redundancy Payments Office regarding employee claims.

## BLADES INSOLVENCY SERVICES PRACTICE FEE RECOVERY POLICY

### Introduction

The insolvency legislation was changed in October 2015, with limited exceptions, for insolvency appointments made from that time. This sheet explains how we intend to apply the alternative fee bases allowed by the legislation when acting as office holder in insolvency appointments. The legislation allows different fee bases to be used for different tasks within the same appointment. The fee basis, or combination of bases, set for a particular appointment is/are subject to approval, generally by a committee if one is appointed by the creditors, failing which the creditors in general meeting, or the Court.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. Details about how an office holder's fees may be approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/>. Alternatively, a hard copy may be requested from Blades Insolvency Services, Charlotte House, 19B Market Place, Bingham, Nottingham, NG13 8AP. Please note that we have provided further details in this policy document.

Once the basis of the office holder's remuneration has been approved, a periodic report will be provided to any committee as well as to each creditor. The report will provide a breakdown of the remuneration drawn. If approval has been obtained for remuneration on a time costs basis, i.e. by reference to time properly spent by members of staff of the practice at our standard charge-out rates, the time incurred will also be disclosed, whether drawn or not, together with the average, or "blended" rates of such costs. Under the legislation, any such report must disclose how creditors can seek further information and challenge the basis on which the fees are calculated and the level of fees drawn in the period of the report. Once the time to challenge the office holder's remuneration for the period reported on has elapsed, then that remuneration cannot subsequently be challenged.

Under some old legislation, which still applies for insolvency appointments commenced before 6 April 2010, there is no equivalent mechanism for fees to be challenged.

### Time cost basis

When charging fees on a time costs basis we use charge-out rates appropriate to the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6 minute units, with supporting narrative to explain the work undertaken.

### Charge-out rates:

Grade of staff	Current charge-out rate per hour, effective from 1 November 2018 £	Previous charge-out rate per hour, effective from 1 November 2011 £
Partner	285	260
Administrator	110	100
Junior Administrator	80	70
Cashier	80	70

These charge-out rates charged are reviewed annually and, where relevant, are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. The work is generally recorded under the following categories:

- Administration and planning
- Investigations
- Realisation of assets
- Creditors
- Trading
- Case specific matters

In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and on new appointments we may seek approval for our fees to be based on a percentage basis or as a fixed sum, both of which are explained further below.

When we seek time costs approval we have to provide a fees estimate. That estimate acts as a cap on our time costs so that we cannot draw fees of more than the estimated time costs without further approval from those who approved our fees. When seeking approval for our fees, we will disclose the work that we intend to undertake, the hourly rates we intend to charge for each part of the work, and the time that we think each part

of the work will take. We will summarise that information in an average or "blended" rate for all of the work being carried out within the estimate. We will also say whether we anticipate needing to seek approval to exceed the estimate and, if so, the reasons why we think that may be necessary.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions and the value and nature of the property with which the office holder has to deal.

If we subsequently need to seek authority to draw fees above the estimate, we will explain why we have exceeded, or are likely to exceed, the estimate, any additional work undertaken or proposed to be undertaken, the hourly rates proposed for each part of the work and the time that the additional work is expected to take. As with the original estimate, we will say whether we anticipate needing further approval and, if so, why we think it may be necessary to seek further approval.

#### **Percentage basis**

The legislation allows fees to be charged on a percentage of the value of the property with which the office holder has to deal (realisations and/or distributions). Different percentages can be used for different assets or types of assets. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a percentage basis more often. A report accompanying any fee request will set out the potential assets in the case, the remuneration percentage proposed for any realisations and the work covered by that remuneration, as well as the expenses that will be, or are likely to be, incurred. Expenses can be incurred without approval but must be disclosed to help put the remuneration request into context.

The percentage approved in respect of realisations will be charged against the assets realised and, where approval is obtained on a mixture of bases, any fixed fee and time costs will then be charged against the funds remaining in the liquidation after the realisation percentage has been deducted.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional nature falling on the office holder, the effectiveness with which the office holder has carried out their functions and the value and nature of the property with which the office holder has to deal.

If the basis of remuneration has been approved on a percentage basis, then an increase in the amount of the percentage applied can only be approved by the committee or

creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the percentage applied. If there has not been a material and substantial change in the circumstances then an increase can only be approved by the Court.

#### **Fixed fee**

The legislation allows fees to be charged at a set amount. Different set amounts can be used for different tasks. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a fixed fee basis more often. A report accompanying any fee request will set out the set fee that we propose to charge and the work covered by that remuneration, as well as the expenses that will be, or are likely to be, incurred. Expenses can be incurred without approval but must be disclosed to help put the remuneration request into context.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions and the value and nature of the property with which the office holder has to deal.

If the basis of remuneration has been approved on a fixed fee basis then an increase in the amount of the fixed fee can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the fixed fee. If there has not been a material and substantial change in the circumstances then an increase can only be approved by the Court.

#### **Members' Voluntary Liquidations and Voluntary Arrangements**

The changes in legislation that took effect from 1 October 2015 did not apply to Members' Voluntary Liquidations (MVL), Company Voluntary Arrangements (CVA) or Individual Voluntary Arrangements (IVA). In MVL's, the company's members set the fee basis, often as a fixed fee. In CVA's and IVA's, the fee basis is set out in the proposals and creditors approve the fee basis when they approve the arrangement.

#### **All bases**

With the exception of IVAs and CVAs which are VAT exempt, the office holder's remuneration invoiced to the insolvent estate will be subject to VAT at the prevailing rate.

### Agent's costs

Charged at cost based upon the charge made by the agent instructed.

The term agent includes:

- Solicitors / legal advisors
- Auctioneers / valuers
- Accountants
- Quantity surveyors
- Estate agents
- Other specialist advisors

In appointments made after 1 October 2015, the office holder will provide details of expenses to be incurred, or likely to be incurred, when seeking fee approval. When reporting to the committee and creditors during the insolvency appointment the actual expenses incurred will be compared with the original estimate provided.

### Expenses

In accordance with SIP 9 the basis of allocation in respect of expenses incurred by the office holder in connection with the administration of the estate must be fully disclosed to creditors. Expenses are categorised as either category 1 or category 2.

Category 1 expenses are directly referable to an invoice from a person or party, who is not an associate of the office holder, which is either in the name of the estate or Blades Insolvency Services. In the case of the latter, the invoice will refer to, and therefore can be directly attributed to, the estate. These expenses are recoverable in full from the estate without the prior approval of creditors, either by a direct payment from the estate or, where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party.

Examples of category 1 expenses are statutory advertising, external meeting room hire, specific bond insurance and search fees.

A software licence fee of £125.00 will be charged to each case. This is a fixed fee, irrespective of the duration of the insolvency procedure.

A website hosting fee of £7.00 is payable in respect of each annual and final report.

The actual cost of postage will be separately charged to the estate. (No charge is made for individual letters relating to the administration of the insolvent estate).

Category 2 expenses are directly referable to the estate and may be payments that have been made to an associate of the office holder or which have an element of shared or

allocated costs. These may be incurred by the practice and recharged to the estate; they are not attributed to the estate by a third party invoice.

These expenses are recoverable in full from the estate, subject to the basis of the expense charge being approved by creditors in advance.

Examples of category 2 expenses are record storage and mileage.

It is proposed that the following category 2 expenses are recovered:

Record storage	£10.00 box per annum (to include the cost of transport and eventual destruction of the records)
Mileage	45p per mile