

In accordance with  
Rule 3.35 of the Insolvency  
(England and Wales)  
Rules 2016 Paragraph  
49(4) of Schedule B1  
to the Insolvency Act  
1986 and regulation 9(5)  
of The Administration  
(Restrictions on Disposal  
etc. to Connected Persons)  
Regulations 2021.

# AM03

## Notice of administrator's proposals



Companies House

THURSDAY



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01/06/2023

#36

COMPANIES HOUSE

### 1 Company details

Company number 0 2 0 5 5 1 4 2

Company name in full Ashley Electrical Wholesalers Limited

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

### 2 Administrator's name

Full forename(s) C H I

Surname Moore

### 3 Administrator's address

Building name/number Emerald House

Street 20-22 Anchor Road

Post town Aldridge

County/Region Walsall

Postcode W S 9 8 P H

Country

### 4 Administrator's name ①

Full forename(s)

Surname

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

### 5 Administrator's address ②

Building name/number

Street

Post town

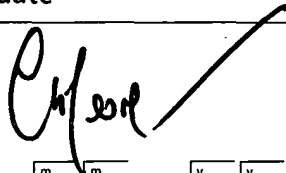
County/Region

Postcode

Country

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

AM03  
Notice of Administrator's Proposals

<b>6</b>	<b>Statement of proposals</b>																	
	<input checked="checked" type="checkbox"/> I attach a copy of the statement of proposals																	
<b>7</b>	<b>Qualifying report and administrator's statement <sup>①</sup></b>																	
	<input type="checkbox"/> I attach a copy of the qualifying report	<b>①</b> As required by regulation 9(5) of The Administration (Restrictions on Disposal etc. to Connected Persons) Regulations 2021)																
	<input type="checkbox"/> I attach a statement of disposal																	
<b>8</b>	<b>Sign and date</b>																	
Administrator's Signature	Signature X  X																	
Signature date	<table border="1"><tr><td>d</td><td>3</td><td>d</td><td>1</td><td>m</td><td>0</td><td>m</td><td>5</td><td>y</td><td>2</td><td>y</td><td>0</td><td>y</td><td>2</td><td>y</td><td>3</td></tr></table>	d	3	d	1	m	0	m	5	y	2	y	0	y	2	y	3	
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# AM03

## Notice of Administrator's Proposals



### 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	Simon R Wall									
Company name	K J Watkin & Co.									
Address	Emerald House									
	20-22 Anchor Road									
Post town	Aldridge									
County/Region	Walsall									
Postcode	W	S	9		8	P	H			
Country										
DX										
Telephone	01922 452881									



### 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 and dated 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)

**Administrator's Proposals relating to**  
**Ashley Electrical Wholesalers Limited ("the Company") – In Administration**

**Issued on: 22 May 2023**

**Delivered to creditors on: 2 June 2023**

I am the Administrator of the Company and these are my statutory proposals relating to the Company.

## 1. STATUTORY INFORMATION

### Company Information

Company name: Ashley Electrical Wholesalers Limited  
Previous name:  
Trading name:  
Company number: 02055142  
Date of incorporation: 15 September 1986  
Trading address: Unit 3, 101 Ettingshall Road, Wolverhampton, WV2 2JP  
Current registered office: Emerald House, 20-22 Anchor Road, Aldridge, Walsall, WS9 8PH  
Former registered office: Unit 3, 101 Ettingshall Road, Wolverhampton WV2 2JP  
Principal trading activity: Retail of Electrical Supplies

### Appointment Details

Administrator C H I Moore  
Administrator's address K J Watkin & Co. Emerald House, 20-22 Anchor Road, Aldridge, Walsall, WS9 8PH  
Date of appointment 25 April 2023  
Court name and reference High Court of Justice Business and Property Courts in Birmingham  
CR-2023-BHM-000193  
Appointment made by: Mr Brian John Harris  
Officers of the Company:

<i>Directors:</i>	<i>Name:</i>	<i>Shareholding</i>
	Brian John Harris	87
	Cynthia Harris	13

<i>Company secretary:</i>	<i>Name:</i>	<i>Shareholding</i>
	Cynthia Harris	13

## Share capital

### *Authorised*

100 ordinary shares £1 each

### *Allotted, called up and fully paid*

100 ordinary shares of £1.00 each

## Charges

The Company has given a Mortgage Debenture dated 21 January 1987 to National Westminster Bank Plc conferring on the holder a fixed and floating charge over the Company's assets.

The Company has also given a Legal Mortgage dated 30 January 1987 to National Westminster Bank Plc conferring on the holder a fixed and floating charge over the Company's assets.

## 2. CIRCUMSTANCES LEADING TO THE APPOINTMENT OF THE ADMINISTRATOR

Creditors should note that, unless otherwise stated, this section of my proposals has been prepared based on information provided to me by the directors of the Company and not from my personal knowledge as Administrator.

The business began trading in 1985 and was incorporated as a limited company in September 1986. The Company traded as an electrical wholesaler from its trading address at Unit 3, 101 Ettingshall Road, Wolverhampton WV2 2JP.

The Company purchased this property in January 1987 using a loan from National Westminster Bank Plc which was secured by two fixed and floating charges created on 21 January 1987 and 30 January 1987.

This loan from Natwest was paid in full, but the Company retained an overdraft of £40,000 which remains secured by the fixed and floating charge.

The Company has traded profitably for the majority of its existence, at its peak turning over £1m per year.

A summary of the Company's recent trading performance is shown below.

	<b>Draft Accts to 31/10/22 £</b>	<b>Statutory Accts to 31/10/21 £</b>	<b>Statutory Accts to 31/10/20 £</b>
Turnover	72,318	217,533	229,804
Cost of Sales	(139,810)	(162,683)	(183,307)
	—	—	—
Gross (Loss)/Profit	(67,492)	54,850	46,497
Overheads	(92,854)	(59,552)	(45,527)
	—	—	—
Net (Loss)/Profit	(160,346)	(4,702)	970
	==	==	==

It should be noted that the draft accounts have not been verified for accuracy and therefore may not reflect the Company's true trading position.

The Company's financial difficulties began with the Covid-19 pandemic with the Company being closed for months due to the restrictions. Trade remained slow on the lifting of these restrictions and never returned to pre-pandemic levels.

The Company Director stopped paying himself in January 2022 to help support the business through this difficult time.

At the end of 2022, the Company had a large debtor of circa. £40,000 who would not pay. A debt collector was instructed to collect the debt and accepted a payment plan of £1,000 per month. This was catastrophic to the Company's cash flow.

Due to the cashflow issues caused, two suppliers took the Company to court to obtain judgement against it.

As the Company did not have the funds to discharge these debts and, under the threat of bailiff enforcement, the Director had no alternative but to seek advice from an Insolvency Practitioner.

I first met the Company Director on 2 March 2023. Following this meeting and gathering further information, I advised that the Company was insolvent and recommended that an Administration would likely achieve a better result to creditors than a Liquidation.

As set out in my proposals below, I am looking to achieve a sale of the business and assets as a whole, which will likely achieve a better result than should the assets be sold on a break-up basis.

Prior to the commencement of the Administration K J Watkin & Co. acted as advisors to the Board as a whole acting on behalf of the Company. No advice was given to the individual directors regarding the impact of the insolvency of the company on their personal financial affairs. Whilst not formally in office at that time, K J Watkin & Co. was still required to act in its dealings with the Company in accordance with the Insolvency Code of Ethics.

On 25 April, 2023, I was appointed by Mr Brian John Harris as Administrator of the Company and took over from the Board responsibility for the management of the affairs, business and property of the Company.

### **3. OBJECTIVES OF THE ADMINISTRATION AND THE ADMINISTRATOR'S STRATEGY FOR ACHIEVING THEM**

As Administrator of the Company, I am an officer of the Court, and must perform my duties in the interests of the creditors as a whole in order to achieve the purpose of the Administration, which is to achieve one of the three objectives set out in the insolvency legislation, namely to:

- (a) rescue the Company as a going concern; or
- (b) achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in Administration); or
- (c) realise property in order to make a distribution to one or more secured or preferential creditors.

Objective (a) could not be achieved as no purchaser could be found for the shares of the Company and the nature of the Company's trading and its financial circumstances meant that a Company Voluntary Arrangement was not appropriate.

As a result, I am seeking to achieve objective (b) for the Company, and will do this by seeking to sell the business and assets as a whole rather than on a break-up basis. I have instructed our agent, Richard Mascall of MGR Appraisals, to market the business which he has done so and a number of interested parties have come forward. This should result in enhanced realisations for the Company's physical assets and freehold property.

The insolvency legislation has set a 12 month maximum duration for Administrations, unless the duration is extended by the Court or the creditors. If I am unable to complete the Administration of the Company within 12 months then I will either apply to the Court, or seek a decision from the creditors to extend the duration of the Administration.



#### **4. ACTIONS OF THE ADMINISTRATOR FOLLOWING APPOINTMENT**

Since I was appointed Administrator, I have written to all creditors informing them of the Administration. I have written to interested parties such as the Company's accountants and bankers. I have assisted the Directors in the preparation of the Statement of Affairs. I have liaised with the Company's bookkeeper and arranged for the Company's records to be brought up to date. I have arranged for an insurance policy to protect the Company's property and physical assets. I have gathered information regarding the Company's book debts and have made contact with the debt collector instructed on one large debtor. I had to undertake this work either as part of my routine administrative functions, or in order to protect and realise the assets of the Company.

With regards the realisation of the Company's physical assets, I have instructed our agent, Richard Mascall MRICS of MGR Appraisals, to market the business and liaise with interested parties. I have also liaised with interested parties and provided information with regards the business. Should an acceptable offer for the Company's business as a whole not be received, I will instruct our agent to realise the Company's physical assets on a break-up basis. I have also been approached by interested parties in the assets on a break-up basis.

With regards the freehold property, the property was valued by Peter Vass MRICS of Colliers International. I have made contact with an interested party who had made an informal offer for the property. I have also instructed solicitors to act on this sale. No offer has been accepted at this point. We will await to see what offers are received for the business as a whole to include the freehold property are received before considering any other offers or marketing of the property.

In addition to the above, I have undertaken routine statutory and compliance work set out at Appendix 1. These are tasks that are required by statute or regulatory guidance, or are necessary for the orderly conduct of the proceedings, and whilst they do not produce any direct benefit for creditors, they still have to be carried out.

#### **5. FINANCIAL POSITION OF THE COMPANY**

A summary of the Company's estimated financial position as at 25 April 2023, which is known as a Statement of Affairs, is attached at Appendix 6.

##### **Comments on the Statement of Affairs**

##### **5.1. Freehold land and buildings**

The Company's land and buildings were valued by Peter Vass MRICS of Colliers International. The valuation used for this Statement of Affairs is on a best case scenario basis. The Company borrowed money against its land and buildings and as a result they are held as security by National Westminster Bank Plc.

The freehold property is being marketed as part of the sale of the business as a whole. An informal offer has also been received which is higher than the best case valuation. After a period of marketing, I will consider the offers received. If neither are acceptable, I may look to market the property through Colliers International.

## **5.2. Fixtures and Fittings**

The Company's fixtures and fittings have been valued by Richard Mascall of MGR Appraisals.

These assets are being marketed as part of the business as a whole and will likely achieve enhanced realisations if a sale of this nature is achieved.

## **5.3. Stocks**

The Company's stocks have been valued by Richard Mascall of MGR Appraisals.

These stocks are being marketed as part of the business as a whole and will likely achieve enhanced realisations if a sale of this nature is achieved.

## **5.4. Book debts**

The realisable value given to book debts takes into account known bad debts of £818.44 and estimates that 20% of other debts will not be paid.

## **5.5. Prescribed part**

There are provisions of the insolvency legislation that require an Administrator to set aside a percentage of a Company's assets for the benefit of the unsecured creditors in cases where the Company gave a "floating charge" over its assets to a lender on or after 15 September 2003. This is known as the "prescribed part of the net property." A Company's net property is that left after paying the preferential creditors, but before paying the lender who holds a floating charge. An Administrator has to set aside:

- 50% of the first £10,000 of the net property; and
- 20% of the remaining net property;

up to a maximum of £800,000.

The Company gave a fixed and floating charge to National Westminster Bank Plc on 21 January 1987 and a further fixed and floating charge on 30 January 1987. The money due to Natwest Bank Plc will be fully repaid from the fixed charge they hold over book debts. As a result, I will not have to pay them any money under their floating charge, and the prescribed part provisions will not apply. In addition, since this charge was given before 15 September 2003 the prescribed part provisions will not apply.

## **6. ADMINISTRATOR'S RECEIPTS AND PAYMENTS ACCOUNT**

There have been no receipts or payments to date.

## **7. PROPOSED FUTURE ACTIONS OF THE ADMINISTRATOR TO ACHIEVE THE OBJECTIVE OF THE ADMINISTRATION**

In order to achieve the objective of the Administration of the Company I propose to market and sell the business and assets as a whole. I aim to achieve this by instructing our agent, Richard Mascall MRICS of MGR Appraisals, to market the business and assets via our agent's social media, website, an email blast and via ipbid.com. This has already been done and a number of interested parties identified.

A sale of the business and assets as a whole would result in better realisations for the Company's physical assets, stocks and freehold property.

Should an acceptable offer for the Company's business as a whole not be received, I will instruct our agent to realise the Company's physical assets on a break-up basis.

With regards the freehold property, the property was valued by Peter Vass MRICS of Colliers International. I have made contact with an interested party who had made an informal offer for the property. I have also instructed solicitors to act on this sale. No offer has been accepted at this point. I will await to see what offers are received for the business as a whole, to include the freehold property, before considering any other offers or marketing of the property.

I propose to collect the Company's book debts myself, with the exception of one large debtor where a debt collector has already been instructed and a payment plan been agreed. If required, I may look to instruct a debt collector to collect and remaining debtors.

Based on current known information about the Company's financial position, the Company does not appear to have any preferential creditors.

Based on current known information about the Company's financial position, and after taking into account the anticipated office holders' fees and expenses, I think that a dividend will be paid to unsecured creditors, as shown by the enclosed estimated outcome statement at Appendix 5.

## **8. ADMINISTRATOR'S REMUNERATION AND EXPENSES**

I attach a copy of my practice fee recovery policy. In this case I am seeking to fix the basis of my remuneration on a time cost basis as detailed below:

### Time costs:

I propose to seek approval on a time cost basis. i.e. by reference to time properly spent by me and members of staff of the practice at our standard charge out rates. When I seek approval for my fees on a time cost basis I have to provide a fees estimate. That estimate acts as a cap on my time costs so that I cannot draw fees of more than the total estimated time costs without further approval from those who approved the fees. I attach at Appendix 3 a "Fees estimate summary" that sets out the work that I intend to undertake, the hourly rates I intend to charge for each part of the work, and the time that I think each part of the work will take. It includes a summary of that information in an average or "blended" rate for all of the work being carried out within the estimate. In summary, I am seeking to be remunerated on a time cost in respect of the work my staff and I undertake in respect of the following categories of work.

**Administration:** This represents the work that my staff and I have to undertake in respect of the routine administrative functions of the case, including preparing, reviewing and issuing statutory reports. It also includes my control and supervision of the work done by my staff on the case together with the supervisory functions of my managers. Such work does not give direct financial benefit to the creditors, but I have to undertake it in order to meet my obligations under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that I must follow.

**Realisation of assets:** This represents the work I will undertake to protect and then realise the Company's assets. It also includes work in connection with supervising the professional advisors that I intend to instruct to assist me in realising the Company's assets. More details about those professional advisors is set out below. If the Company's assets are recovered, I will first use the proceeds to meet the costs and expenses of the case and then distribute any balance to the creditors in the statutory order of priority.

### **Creditors:**

**Claims of creditors** – I need to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of my management of the case, and to ensure that I have accurate information about who to send notices and reports to. I will also have to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. I am required to undertake this work as part of my statutory functions.

**Dividends** – I have to undertake certain statutory formalities in order that I can pay a dividend to creditors. This includes writing to all creditors who have not lodged proofs of debt and reviewing the claims and supporting documentation lodged by creditors in order to formally agree their claims, which may involve requesting additional information and documentation from the creditors.

Investigations: The insolvency legislation gives me powers to take recovery action in respect of what are known as antecedent transactions, where assets have been disposed of prior to the commencement of the insolvency procedure and also in respect of matters such as misfeasance and wrongful trading. I am required by the Statements of Insolvency Practice to undertake an initial investigation in all cases to determine whether there are potential recovery actions for the benefit of creditors.

If I identify potential recoveries, or matters for further investigation, then I will need to undertake additional work to investigate them in detail and attempt recovery where necessary. I cannot fix the basis of my remuneration for dealing with such unknown or uncertain assets at present, and if such assets are identified I will seek approval for an appropriate fee basis.

I am also required by legislation to report to the Secretary of State on the conduct of the directors. I have to undertake this work to enable me to comply with this statutory obligation, which is of no direct benefit to the creditors, although it may identify potential recovery actions.

More details of the tasks included in these categories are included in the fees estimate. I estimate that the total time costs that I will incur in undertaking these tasks in this case will be £34,130 at a "blended" rate of £341.30 per hour.

To date a total of 16.6 hours have been spent undertaking tasks in respect of these categories of work, and total time costs to date are £5,971.50 charged at an average charge out rate of £359.73. Details of the time units used and current charge-out rates are provided in our practice fee recovery sheet, a copy of which is enclosed. I also attach an analysis of time costs incurred to date by reference to grade of staff and tasks undertaken by reference to the different categories of work.

This fees estimate has been provided to creditors at an early stage in my administration of the case and before I have full knowledge of the case. While all possible steps have been taken to make this estimate as accurate as possible, it is based on my current knowledge of the case and my knowledge and experience of acting as office holder in respect of cases of a similar size and apparent complexity. As a result, the fees estimate does not take into account any currently unknown complexities or difficulties that may arise during my administration of the case.

If my time costs incurred on the case exceed the estimate, or are likely to exceed the estimate, I will provide an explanation as to why that is the case in the next progress report I send to creditors. Since I cannot draw remuneration in excess of my fees estimate without first obtaining approval to do so, then where I consider it appropriate in the context of the case, I will seek a resolution to increase the fee estimate so that I will then be able to draw additional remuneration over and above this fees estimate.

I only anticipate needing to seek approval to draw fees in excess of the estimate if any currently unknown complexities or difficulties arise during my administration of the case; or if my initial investigations identify further areas of investigation, potential further asset recoveries and any associated recovery actions; or if the realisation of assets gives rise to the need to participate in arbitration or legal proceedings.

Based on the value of the known assets of the Company I anticipate being able to draw my fees estimate in full.

Expenses are any payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements. Disbursements are payments which are first met by the office holder and then reimbursed to the office holder from the estate. Expenses are split into:

- category 1 expenses, which are payments to persons providing the service to which the expense relates who are not an associate of the office holder; and
- category 2 expenses, which 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.

The following professional advisors have undertaken work on this case to date:

Professional Advisor	Nature of Work	Fee Arrangement
MGR Appraisals	Valuing and realising assets	Percentage of Realisations
Colliers International	Valuing and realising assets	Percentage of Realisations
LPL Group	Debt Collection	Percentage of Realisations
Clarke Willmott	Legal advice	Time Costs

MGR Appraisals have been instructed to value the Company's physical assets. They are currently marketing the business as a whole with a view to realising the Company's assets.

Colliers International were instructed to value the Company's property. They will also be asked their opinion on any offers received and may be instructed to market the property.

Clarke Willmott advised on the appointment as Administrator. They have now been instructed to act for us on the sale of the freehold property.

My choice of professional advisors was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also confirmed that they hold appropriate regulatory authorisations. I consider that the basis on which they will charge their fees represents value for money.

I have not paid any category 1 expenses to date.

I anticipate that category 1 expenses totalling £10,027 will arise in this case, together with any subsequent Liquidation, as detailed in Appendix 4. I am able to pay expenses without needing to obtain approval, but when I issue statutory reports in the Administration or any subsequent Liquidation, I will compare the actual expenses incurred with the original estimate provided and will explain any material differences.

I am required to seek approval before I can pay any expenses to associates, or pay expenses where there is an element of shared costs, which are known as category 2 expenses.

I have not incurred any category 2 expenses to date.

Information about the expenses with an element of share costs that I intend to recover, and the basis on which they are to be recovered, are included in my practice fee recovery policy.

I anticipate that category 2 expenses totalling £121 will arise in this case, together with any subsequent Liquidation, and I am seeking a decision from creditors to enable me to pay such expenses. In total, I anticipate that category 1 and category 2 expenses of £10,148 will arise in this case (together with any subsequent Liquidation).

I have already commented in this report about the likelihood of a return being made to each class of creditor of the Company, but also attach at Appendix 5 an estimated outcome statement. This sets out in numerical form the anticipated realisations that will be made, based on the estimated value of the Company's assets as detailed earlier in my report, together with the estimated payments to be made, based on my proposed remuneration and estimated expenses as detailed above. While every effort has been taken to make this as accurate as possible, creditors will appreciate that it will be affected by any differences between the amounts actually realised compared with the estimated value of assets, and by any differences between actual expenses incurred and those included in my estimate.

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 Guidance Notes issued with Statement of Insolvency Practice 9, and they can be accessed at <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29113/page/1/administration-a-guide-for-creditors-on-insolvency-practitioner-fees/>. There are different versions of these Guidance Notes, and in this case please refer to the most recent version. Please note that we have also provided further information about an office holder's remuneration and expenses in our practice fee recovery sheet, which is enclosed.

## **9. PRE-ADMINISTRATION COSTS**

The Board of Directors instructed me to assist them in placing the Company in Administration on 30 March 2023. They agreed that I should be paid my pre-administration costs as a fixed fee of £3,000.

In addition to my own time costs, the following expenses were incurred. Solicitor's fees total £2,501.70 for legal advice and filing of notices at court for our appointment as Administrator. I also incurred a valuation fee of £500 from MGR Appraisals for the valuation of the Company's physical assets and a valuation fee of £1,000 from Colliers International for the valuation of the Company's freehold property.

The following work was undertaken. I have set up the case both as a physical and electronic file. I have carried out a number of checks on the Directors and Shareholders to formally identify them as required under The Money Laundering, Terrorist Funding and Transfer of Funds (Information on the Payer) Regulations 2017. I liaised with our solicitors to produce the required notices and oversaw the Board Meetings and having the required notices sworn. I contacted Natwest Bank regarding their fixed charge over the freehold property and served on them the Notice of Intention to Appoint an Administrator. I instructed and liaised with MGR Appraisals and Colliers International to arrange the valuations of the Company's assets.

I also assisted the Board take the appropriate steps to place the Company into Administration. This task, together with some of the other tasks mentioned above are required by statute or regulatory guidance, and whilst they do not produce any direct benefit for creditors, they still have to be carried out.

The following statement sets out my pre-administration costs incurred. The statement also shows those fees and expenses that were paid prior to the Administration and those where approval is being sought to pay them from Administration funds.

Description	Paid pre-appointment £	To be paid £
Administrator's pre-appointment remuneration	Nil	3,000
Valuation agents	Nil	500
Property Valuation agent	Nil	1,000
Total	Nil	4,500

If a Creditors' Committee is appointed, it will be for the Committee to approve payment of the pre-administration costs that have not yet been paid. If a Committee is not appointed, then since the pre-administration costs that have not yet been paid cannot be approved as part of these proposals, I will be seeking a separate decision from the creditors in accordance with rule 3.52 at the same time I seek a decision from them on whether or not to approve these proposals.

Clarke Willmott Solicitors undertook the necessary legal formalities to put the company into Administration. Their costs for providing that work were £2501.70. This amount will be paid as an expense of the Administration without needing to obtain the approval of creditors.

## **10. ADMINISTRATOR'S INVESTIGATIONS**

I have a duty to consider the conduct of those who have been directors of the Company at any time in the three years preceding the Administration. I am also required to investigate the affairs of the Company in general in order to consider whether any civil proceedings should be taken on its behalf. I should be pleased to receive from you any information you have that you consider will assist me in this duty. I would stress that this request for information forms part of my normal investigation procedure.



## **11. EC REGULATION ON INSOLVENCY PROCEEDINGS**

I consider that these are “COMI proceedings” since the Company’s registered office and its trading address is in the United Kingdom, such that its centre of main interest is in the United Kingdom.

## **12. ADMINISTRATOR’S PROPOSALS**

In order to achieve the objective set out at section 3 above, I formally propose to creditors that:

- (a) I continue to manage the business, affairs and property of the Company in order to achieve the purpose of the Administration. In particular that I:
  - (i) market the business as a whole, failing which sell the Company’s assets on a break-up basis;
  - (ii) sell the Company’s assets at such time(s) on such terms as we consider appropriate;
  - (iii) investigate and, if appropriate, pursue any claims that the Company may have against any person, firm or Company whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or Company which supplies or has supplied goods or services to the Company; and
  - (iv) do all such things and generally exercise all my powers as Administrator as I consider desirable or expedient at my discretion in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these proposals.
- (b) the Administration will end by placing the Company into Creditors’ Voluntary Liquidation, and propose that I, C H I Moore am appointed the Liquidator of the Company.

Creditors may nominate a different person(s) as the proposed liquidator(s), but they must make the nomination(s) at any time after these proposals are delivered to them, but before they are approved. Information about the approval of the proposals is set out at section 13.
- (c) the Administration will end by the presentation of a winding up petition to the Court for the compulsory liquidation of the Company, and propose that I, C H I Moore am appointed the Liquidator of the Company by the Court.
- (d) the Administration of the Company will end by filing notice of dissolution with the Registrar of companies. The Company will then automatically be dissolved by the registrar of companies three months after the notice is registered.

### 13. APPROVAL OF PROPOSALS

I am seeking decisions by correspondence from the creditors to approve my proposals, approve my pre-administration costs, fix the basis of my remuneration, and to approve my category 2 expenses. If a creditor wishes to vote on the decisions, they must complete and return the enclosed voting form to me by no later than 23.59 on 19 June 2023, the decision date. If a creditor has not already submitted proof of their debt, they should complete the enclosed form and return it to me, together with the relevant supporting documentation. A vote on the decisions by a creditor will not count unless they have lodged proof of their debt by no later than 23.59 on 19 June 2023.

Creditors are also invited to determine whether to form a Creditors' Committee, and a notice of invitation to form a Creditors' Committee and further instructions are enclosed. To enable the creditors to make an informed decision as to whether they wish to either seek to form a Committee, or to nominate themselves to serve on a Committee, further information about of the role of the Committee and what might be expected from its members has been prepared by R3 and can be found is available at the link <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/creditor-guides/more/29111/page/1/liquidation-creditors-committees-and-commissioners/>.

**Please note that I must receive at least one vote by the decision date or the decisions will not be made. I would therefore urge creditors to respond promptly.**

Should any creditor or group of creditors wish to request a physical meeting of creditors, they must do so within 5 business days of the delivery of the notice that accompanies this letter. Such requests must be supported by proof of their debt, if not already lodged. I will convene a meeting if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."

### 14. FURTHER INFORMATION

To comply with the Provision of Services Regulations, some general information about K J Watkin & Co., including about our complaints policy and Professional Indemnity Insurance, can be found in the attached summary sheet.

If creditors have any queries regarding these proposals or the conduct of the Administration in general, or if they want hard copies of any of the documents made available on-line, they should contact Simon R Wall on the above telephone number, or by email at [simon@kjwatkin.co.uk](mailto:simon@kjwatkin.co.uk).

Yours faithfully  
For and on behalf of  
Ashley Electrical Wholesalers Limited



C H I Moore  
Administrator

The Administrator is an agent of the Company and act without personal liability.

## **Notice of decisions by correspondence**

### **Ashley Electrical Wholesalers Limited - In Administration**

#### **Company Registration Number 02055142**

Notice is given by C H I Moore to the creditors of Ashley Electrical Wholesalers Limited that set out below are decisions for your consideration under paragraph 51 of Schedule B1 of the Insolvency Act 1986. Please complete the voting section below indicating whether you are in favour or against the following decisions:

- i). That the Administrator's proposals be approved.
- ii). That the Administrator's pre-Administration costs, the details of which are set out in the Administrator's proposals and issued with the notice of the decision procedure, be approved.
- iii). That the Administrator's fees will be charged by reference to the time properly spent by them and their staff in dealing with the matters relating to the Administration, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time the work is undertaken and subject to the fees estimate set out in the Administrator's proposals and issued with the notice of the decision procedure.
- iv). That the Administrator be permitted to recover category 2 expenses as set out in the practice fee recovery policy.

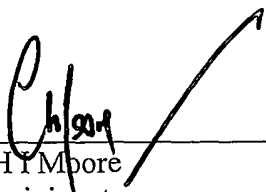
**The final date for votes is 26 June 2023, the decision date.**

1. In order for their votes to be counted creditors must submit to me their completed voting form so that it is received at K J Watkin & Co., Emerald House, 20-22 Anchor Road, Aldridge, Walsall, WS9 8PH by no later than 23.59 hours on 26 June 2023. It must be accompanied by proof of their debt, (if not already lodged). Failure to do so will lead to their vote(s) being disregarded.
2. Creditors must lodge proof of their debt (if not already lodged) at the offices of C H I Moore by no later than 23.59 on 26 June 2023, without which their vote will be invalid.
3. Creditors with claims of £1,000 or less must have lodged proof of their debt for their vote to be valid.
4. Any creditors who have previously opted out from receiving documents in respect of the insolvency proceedings are entitled to vote on the decision(s) provided they have lodged proof of their debt.
5. Creditors may, within 5 business days of delivery of this notice to them, request a physical meeting of creditors be held to determine the outcome of the decision(s) above. Any request for a physical meeting must be accompanied by valid proof of their debt (if not already lodged). A meeting will be convened if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."

6. Creditors have the right to appeal a decision of the convener made under Chapter 8 of Part 15 of The Insolvency (England and Wales) Rules 2016 about Creditors' Voting Rights and Majorities, by applying to Court under Rule 15.35 of The Insolvency (England and Wales) Rules 2016 within 21 days of the Decision Date.

Creditors requiring further information regarding the above, should either contact me at Emerald House, 20-22 Anchor Road, Aldridge, Walsall, WS9 8PH, or contact Simon R Wall by email at [simon@kjwatkin.co.uk](mailto:simon@kjwatkin.co.uk), or by phone on 01922 452881.

22 May 2023

  
C H I Moore  
Administrator

**Ashley Electrical Wholesalers Limited - In Administration**

**Company Registration Number 02055142**

**Voting on Decisions**

- i). That the Administrator's proposals be approved.

For / Against

- ii). That the Administrator's pre-Administration costs, the details of which are set out in the Administrator's proposals and issued with the notice of the decision procedure, be approved.

For / Against

- iii). That the Administrator's fees will be charged by reference to the time properly spent by them and their staff in dealing with the matters relating to the Administration, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time the work is undertaken and subject to the fees estimate set out in the Administrator's proposals and issued with the notice of the decision procedure.

For / Against

- iv). That the Administrator be permitted to recover category 2 expenses as set out in the practice fee recovery policy.

For / Against

**TO BE COMPLETED BY CREDITOR WHEN RETURNING FORM:**

Name of  
creditor: \_\_\_\_\_

Signature of  
creditor: \_\_\_\_\_

(Complete the following if signing on behalf of creditor, e.g. director/solicitor)

Capacity in which  
signing  
document: \_\_\_\_\_

Dated \_\_\_\_\_

## **Notice of invitation to form a Creditors' Committee**

**Ashley Electrical Wholesalers Limited – In Administration**  
**In the High Court of Justice Business and Property Courts in Birmingham Number**  
**CR-2023-BHM-000193**

**Company Registration Number 02055142**

**NOTICE IS GIVEN** by C H I Moore to the creditors of Ashley Electrical Wholesalers Limited of an invitation to establish a Creditors' Committee under rule 3.39 of The Insolvency (England and Wales) Rules 2016.

1. In addition to seeking a decision on the matters set out in the accompanying notice, creditors are also invited to determine by correspondence, at the same time, whether a Creditors' Committee should be established.
2. A Committee may be formed if a minimum of 3 and a maximum of 5 creditors are willing to become members.
3. Nominations can only be accepted for a creditor to become a member of the Committee if they are an unsecured creditor and have lodged a proof of their debt that has not been disallowed for voting or dividend purposes.
4. The specified date for receipt of nominations for creditors to act as a member of the Committee under rule 3.39 of The Insolvency (England and Wales) Rules 2016 is 26 June 2023, the Decision Date.
5. Please complete the form sent with this notice and include the name and address of any person you wish to nominate to act as a member of the Committee. The completed document should be returned to K J Watkin & Co. of Emerald House, 20-22 Anchor Road, Aldridge, Walsall, WS9 8PH so that it is received by no later than 23.59 hours on 26 June 2023, the decision date.

Note: Further information on the rights, duties and the functions of a Committee is available in a booklet published by the Association of Business Recovery Professionals (R3). This booklet can be accessed at <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/creditor-guides/more/29111/page/1/liquidation-creditors-committees-and-commissioners/>. If you require a hard copy of the booklet please contact Simon R Wall of K J Watkin & Co. by email at [simon@kjwatkin.co.uk](mailto:simon@kjwatkin.co.uk), or by phone on 01922 452881.

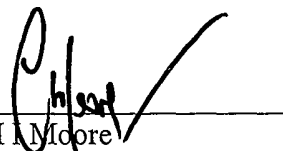
**The final date for votes to establish a committee is 26 June 2023, the decision date.**

1. In order for their votes to be counted creditors must submit to me their completed voting form so that it is received at K J Watkin & Co., Emerald House, 20-22 Anchor Road, Aldridge, Walsall, WS9 8PH by no later than 23.59 hours on 26 June 2023. It must be accompanied by proof of their debt, (if not already lodged). Failure to do so will lead to their vote(s) being disregarded.

2. Creditors must lodge proof of their debt (if not already lodged) at the offices of C H I Moore by no later than 23.59 on 26 June 2023, without which their vote will be invalid.
3. Creditors with small debts, that is claims of £1,000 or less, must have lodged proof of their debt for their vote to be valid.
4. Any creditors who have previously opted out from receiving documents in respect of the insolvency proceedings are entitled to vote on the decision provided they have lodged proof of their debt.
5. Creditors may, within 5 business days of delivery of this notice to them, request a physical meeting of creditors be held to determine the outcome of the decision above. Any request for a physical meeting must be accompanied by valid proof of their debt (if not already lodged). A meeting will be convened if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."
6. Creditors have the right to appeal a decision of the convener made under Chapter 8 of Part 15 of The Insolvency (England and Wales) Rules 2016 about Creditors' Voting Rights and Majorities, by applying to Court under Rule 15.35 of The Insolvency (England and Wales) Rules 2016 within 21 days of the Decision Date.

Creditors requiring further information regarding the above, should either contact me at Emerald House, 20-22 Anchor Road, Aldridge, Walsall, WS9 8PH, or contact Simon R Wall by telephone on 01922 452881, or by email at [simon@kjwatkin.co.uk](mailto:simon@kjwatkin.co.uk).

22 May 2023

  
C H I Moore  
Administrator

**Ashley Electrical Wholesalers Limited - In Administration**  
**In the High Court of Justice Business and Property Courts in Birmingham Number**  
**CR-2023-BHM-000193**

**Company Registration Number 02055142**

**Decision**

1. That a Creditors' Committee should be established.

For/Against

**Please note that if creditors vote to establish a Committee, then unless at least 3 nominations for creditors to act as Committee members are received at the same time, it will be necessary to convene a further decision procedure to decide which creditors are to act as Committee members. That will involve incurring additional costs, so if you intend to vote to establish a Committee, please also nominate either yourself or another creditor to act as a Committee member.**

I wish to nominate the following creditor to act as a member of the Committee:

Name of nominated creditor \_\_\_\_\_

**TO BE COMPLETED BY CREDITOR WHEN RETURNING FORM:**

Name of creditor: \_\_\_\_\_

Signature of creditor: \_\_\_\_\_

(Complete the following if signing on behalf of creditor, e.g. director/solicitor)

Capacity in which signing document: \_\_\_\_\_

Dated: \_\_\_\_\_

Note: The completed form should be delivered to C H I Moore, either by posting it to K J Watkin & Co. of Emerald House, 20-22 Anchor Road, Aldridge, Walsall, WS9 8PH, or by emailing it to [simon@kjwatkin.co.uk](mailto:simon@kjwatkin.co.uk).



**PROOF OF DEBT**  
**under rule 14.4 The Insolvency (England and Wales) Rules 2016**

**Ashley Electrical Wholesalers Limited - In Administration**  
**In the High Court of Justice Business and Property Courts in Birmingham**  
**Number CR-2023-BHM-000193**

**Date of Administration: 25 April 2023**

1	Name of creditor:	
2	Address of creditor:	
3	Claim, including VAT, as at date of Administration:  Less: any payments made after that date in relation to the claim; any deduction for discounts (except a discount for immediate or early settlement) which would have been available but for the insolvency proceedings; and any adjustment as a result of set-off  Total claim, including VAT	£  £  £
4	The amount of any uncapitalised interest that is include in the claim, if any.	£
5	Particulars of how and when the debt was incurred	
6	Please provide details of any documents by which debt can be substantiated:  <i>(Notes - copies need not be supplied unless specifically requested by the office holder)</i>	
7	Particulars and value of any security held and the date it was given:	
8	Signature of creditor or authorised person:  NAME, IN BLOCK LETTERS:  Creditor's reference:	
9	Position or relationship with creditor:  <i>(eg, director, accountant, credit controller etc)</i>	

**Guidance notes re preferential debts:**

For claims arising in insolvencies commencing on or after 15 September 2003 the categories of preferential debts under section 386(1) of the Insolvency Act 1986, are as follows:

- (a) pension scheme contributions;
- (b) remuneration etc of employees;
- (c) levies on coal and steel production.

**VAT bad debt relief**

The provisions of the Finance Act 1990, came into effect on 26 July 1990, and introduced changes in the way that VAT on bad debts is recovered.

Your claim overleaf must be quoted inclusive of VAT. You may claim relief on your VAT return when the debt is at least six months old and has been written off. This system can also be applied to debts for any supplies made between 1 April 1989, and 25 July 1990, and such debts must be claimed gross overleaf. Any dividend you receive in respect of this claim will include payment in respect of the VAT element of your debt and you will be responsible for declaring such VAT to HM Revenue & Customs.

## Appendix 1

### 1. Administration

This represents the work involved in the routine administrative functions of the case by the office holder and their staff, together with the control and supervision of the work done on the case by the office holder and their managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Setting up physical/electronic case files.
- Setting up the case on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and other required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond.
- Dealing with all routine correspondence and emails relating to the case.
- Opening, maintaining and managing the office holder's estate bank account.
- Creating, maintaining and managing the office holder's cashbook.
- Undertaking regular bank reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a monthly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing 6 monthly progress reports to creditors and members.
- Filing returns at Companies House.
- Preparing and filing VAT returns.
- Preparing and filing Corporation Tax returns.

### 2. Creditors

Claims of creditors - the office holder needs to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors. The office holder also needs to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holder is required to undertake this work as part of his statutory functions.

## **Appendix 2: Details of work to be undertaken in the Administration and subsequent Liquidation**

### **A. Work for which the Administrator is seeking to be remunerated on a time basis:**

#### Administration:

Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.

Setting up physical/electronic case files.

Setting up the case on the practice's electronic case management system and entering data.

Issuing the statutory notifications to creditors and other required on appointment as office holder, including gazetting the office holder's appointment.

Obtaining a specific penalty bond (this is insurance required by statute that every insolvency office holder has to obtain for the protection of each estate).

Preparing, reviewing and issuing proposals to the creditors and members.

Filing the proposals at Companies House.

Seeking approval of the proposals by way of a decision by correspondence.

Reporting on the outcome of the approval of the proposals to the creditors, Companies House and the Court.

Dealing with all routine correspondence and emails relating to the case.

Opening, maintaining and managing the office holder's estate bank account.

Creating, maintaining and managing the office holder's cashbook.

Undertaking regular reconciliations of the bank account containing estate funds.

Reviewing the adequacy of the specific penalty bond on a monthly basis.

Undertaking periodic reviews of the progress of the case.

Overseeing and controlling the work done on the case by case administrators.

Preparing, reviewing and issuing 6 month progress reports to creditors and members.

Filing progress reports at Companies House.

Preparing and filing VAT returns.

Preparing and filing Corporation Tax returns.

Seeking closure clearance from HMRC and other relevant parties.

Preparing, reviewing and issuing final reports to creditors and members.

Filing final reports at Companies House.

#### Realisation of assets:

Arranging suitable insurance over assets.

Regularly monitoring the suitability and appropriateness of the insurance cover in place.

Corresponding with debtors and attempting to collect outstanding book debts.

Supervising the work of advisors instructed on the case to assist in dealing with the collection of book debts; obtaining reports and updates from them on the work done; and checking the adequacy of the work done.

Liaising with the bank regarding the closure of the account.

Instructing agents to value known assets.

Liaising with agents to realise known assets.

Instructing solicitors to assist in the realisation of assets.

Obtaining details from mortgagees about debts secured over the Company's freehold property

Instructing solicitors to assist in the realisation of the freehold property.

Liaising with the secured creditors over the realisation of the assets subject to a mortgagee or other charge.

#### Creditors:

Dealing with creditor correspondence, emails and telephone conversations regarding their claims.

Maintaining up to date creditor information on the case management system.

Issuing a notice of intended dividend and placing an appropriate gazette notice.

Reviewing proofs of debt received from creditors, adjudicating on them and formally admitting them for the payment of a dividend.

Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.

Calculating and paying a dividend to creditors, and issuing the notice of declaration of dividend.

#### Investigations:

Recovering the books and records for the case.

Listing the books and records recovered.

Submitting an online return on the conduct of the directors as required by the Company Directors Disqualification Act.

Conducting an initial investigation with a view to identifying potential asset recoveries by seeking and obtaining information from relevant third parties, such as the bank, accountants, solicitors, etc.

Reviewing books and records to identify any transactions or actions the office holder may take against a third party in order to recover funds for the benefit of creditors.

### Appendix 3

K J Watkin & Co.

Office Holder's fee estimate summary

Case name: Ashley Electrical Wholesalers Limited

Date of report: 22 May 2023

The office holder is seeking to be remunerated on a time cost basis. We use charge out rates appropriate to the skills and experience of a member of staff and the work that they perform, recording time spent in six minute units. Narrative is recorded to explain the work undertaken and the time spent is analysed into different categories of work. In this document the estimated time that will be spent from his appointment to the closure of the case that will be spent undertaking the work in each category has been multiplied by the applicable charge out rate for each member of staff that it is anticipated will undertake work in that category to arrive at the estimated total time costs attributable to that category of work on the case. The sum of all the estimates for the different categories of work is the total estimated time costs to undertake all the necessary work on the case.

Time costs are set out on the attached 'Practise Fee and Recovery Policy for K J Watkin & Co.' Fee and expense rates are subject to review on 1 January of each year.

	Partner	Senior Manager	Manager	Cashier	Senior Administrator	Administrator	Support Staff	Total
	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours
Classification of work function								
Administration & planning	5.00		30.00	5.00		5.00	10.00	55.00
Investigations	1.00		2.00					3.00
Realisation of assets	2.00		20.00					22.00
Trading								0.00
Creditors			20.00					20.00
<b>Total Hours</b>	<u>8.00</u>	<u>0.00</u>	<u>72.00</u>	<u>5.00</u>	<u>0.00</u>	<u>5.00</u>	<u>10.00</u>	<u>100.00</u>
<b>Current Charge-Out Rates (£)</b>	525.00	435.00	365.00	270.00	270.00	190.00	135.00	<b>Blended Rate</b> 341.30
<b>Total predicted fees (£)</b>	<u>4,200.00</u>	<u>0.00</u>	<u>26,280.00</u>	<u>1,350.00</u>	<u>0.00</u>	<u>950.00</u>	<u>1,350.00</u>	<u>34,130.00</u>

Note: This estimate has been provided to creditors at an early stage in the administration of the case and before the office holder has full knowledge of the case. Whilst all possible steps have been taken to make this estimate as accurate as possible, it is based on the office holder's current knowledge of the case and his knowledge and experience of acting as office holder in similar cases. As a result, the estimate does not take into account any currently unknown complexities or difficulties that may arise during the administration of the case.

If the time costs incurred on the case by the office holder exceed the estimate, or is likely to exceed the estimate, the office holder will provide an explanation as to why that is the case in the next progress report sent to creditors. Since the office holder cannot draw remuneration in excess of this estimate without first obtaining approval to do so, then where the office holder considers it appropriate in the context of the case, he will seek a resolution to increase the fee estimate so that he will then be able to draw additional remuneration over and above this estimate.

#### Appendix 4

K J Watkin & Co.

#### Office Holder's expense estimate summary

Case name: Ashley Electrical Wholesalers Limited

Date of report: 22 May 2023

	Category 1 Expense £	Category 2 Expense £	Total £
<b>General Case Administration</b>			
Specific penalty bond	680.00		680.00
Advertising	297.00		297.00
Travel		121.00	121.00
Room Hire			0.00
<b>Investigations</b>			
Collection of books and records			0.00
Storage of books and records			0.00
<b>Realisation of Assets</b>			
Insurance	750.00		750.00
Clearance of premises and records	750.00		750.00
Book keepers Fees	1,000.00		1,000.00
Supply of Utilities	750.00		750.00
Agents Fees	2,700.00		2,700.00
Legal Fees	2,950.00		2,950.00
<b>Creditors</b>			
Photocopying			0.00
Postage	150.00		150.00
Gazette notice of any dividend			0.00
<b>Total predicted expenses (£)</b>	<b>£ 10,027.00</b>	<b>121.00</b>	<b>10,148.00</b>

Note: This estimate has been provided to creditors at an early stage in the administration of the case and before the office holder has full knowledge of the case. Whilst all possible steps have been taken to make this estimate as accurate as possible, it is based on the office holder's current knowledge of the case and his knowledge and experience of acting as office holder in similar cases. As a result, the estimate does not take into account any currently unknown complexities or difficulties that may arise during the administration of the case.

If this estimate is exceeded, or is likely to be exceeded then the office holder will provide an explanation as to why that is the case in the next progress report sent to creditors and provide a revised estimate.

## Appendix 5

### Ashley Electrical Wholesalers Limited - in Administration

#### Estimated Outcome Statement as at 22 May 2023

	£	£	Note
	Estimated Rate of Dividend		
<b>Freehold Property</b>		110,000.00	
Less: Costs of realisation		(4,950.00)	1
<b>Less: Natwest Bank Plc</b>	100p in the £	<u>(39,824.16)</u>	
Surplus as regards Fixed Charge Holder		65,225.84	
<b>Estimated Floating Charge Asset Realisations</b>			
Fixtures & Fittings		500.00	
Stocks		1,500.00	
Book Debts		35,167.18	
Cash in Hand		2,660.00	
VAT Refund		<u>1,055.81</u>	
		40,882.99	
<b>Anticipated Costs of Realisations</b>			
Pre-Appointment Fee		3,000.00	
Other Pre-Appointment Costs		4,001.70	
Liquidator's Fees		34,130.00	
Liquidator's Expenses		<u>5,998.00</u>	
		(47,129.70)	
Surplus Availablefor Unsecured Creditors		58,979.13	
<b>Unsecured Creditors</b>	32p in the £	<u>(184,003.67)</u>	
Deficiency as regards unsecured creditors		<u>(125,024.54)</u>	

#### Note

The Estimated outcome statement is prepared net of VAT.

#### 1. Costs of Realisations

The anticipated costs of the realisation of the freehold property are:

Agents Fees £1,200

Legal Fees £2,950



**STATEMENT OF AFFAIRS**

Name of Company  
Ashley Electrical Wholesalers Limited

Company Number  
02055142

In the  
High Court of Justice Business and Property Courts in  
Birmingham

Court case number  
CR-2023-BHM-193

Statement as to the affairs of

Ashley Electrical Wholesalers Limited  
Emerald House  
20-22 Anchor Road  
Aldridge  
Walsall  
WS9 8PH

on the 25 April 2023, the date that the company entered administration.

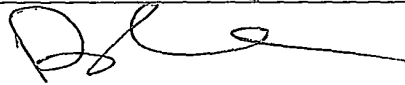
**Statement of Truth**

I believe the facts stated in this statement of affairs are a full, true and complete statement of the affairs of the above named company as at 25 April 2023 the date that the company entered administration. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Full Name

Brian Morris

Signed



Dated


19/5/23

Ashley Electrical Wholesalers Limited  
Company Registered Number: 02055142  
Statement Of Affairs as at 25 April 2023

A - Summary of Assets

Assets	Book Value £	Estimated to Realise £
<b>Assets subject to fixed charge:</b>		
Freehold Land & Property	20,419.00	110,000.00
Natwest Bank Plc		(39,824.16)
		<u>70,175.84</u>
		70,175.84
<b>Assets subject to floating charge:</b>		
<b>Uncharged assets:</b>		
Fixtures & Fittings		500.00
Stocks	15,000.00	1,500.00
Book Debts	44,777.41	35,167.18
Cash in Hand	2,660.00	2,660.00
VAT Refund	1,055.81	1,055.81
		<u>111,058.83</u>
<b>Estimated total assets available for preferential creditors</b>		<b>111,058.83</b>

Signature



Date

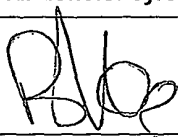
19/5/23

Ashley Electrical Wholesalers Limited  
Company Registered Number: 02055142  
Statement Of Affairs as at 25 April 2023

A1 - Summary of Liabilities

	Estimated to Realise £
<b>Estimated total assets available for preferential creditors (Carried from Page A)</b>	<b>111,058.83</b>
<b>Liabilities</b>	
<b>Preferential Creditors:-</b>	
	<u>NIL</u>
<b>Estimated deficiency/surplus as regards preferential creditors</b>	<b>111,058.83</b>
<b>2nd Preferential Creditors:-</b>	
	<u>NIL</u>
<b>Estimated deficiency/surplus as regards 2nd preferential creditors</b>	<b>111,058.83</b>
Debts secured by floating charges pre 15 September 2003	
Other Pre 15 September 2003 Floating Charge Creditors	<u>NIL</u>
	<b>111,058.83</b>
Estimated prescribed part of net property where applicable (to carry forward)	<u>NIL</u>
<b>Estimated total assets available for floating charge holders</b>	<b>111,058.83</b>
Debts secured by floating charges post 14 September 2003	
	<u>NIL</u>
<b>Estimated deficiency/surplus of assets after floating charges</b>	<b>111,058.83</b>
Estimated prescribed part of net property where applicable (brought down)	<u>NIL</u>
<b>Total assets available to unsecured creditors</b>	<b>111,058.83</b>
<b>Unsecured non-preferential claims (excluding any shortfall to floating charge holders)</b>	
Trade & Expense Creditors	55,553.85
Director's Loan Account - B Harris	24,501.82
Natwest Bank Plc - BBL	42,573.59
Funding Circle	61,374.41
	<u>184,003.67</u>
<b>Estimated deficiency/surplus as regards non-preferential creditors (excluding any shortfall in respect of F.C's post 14 September 2003)</b>	<b>(72,944.84)</b>
<b>Estimated deficiency/surplus as regards creditors</b>	<b>(72,944.84)</b>
Issued and called up capital	
Ordinary Shareholders	100.00
	<u>100.00</u>
<b>Estimated total deficiency/surplus as regards members</b>	<b>(73,044.84)</b>

Signature



Date

19/5/23

**K J Watkin & Co.**  
**Ashley Electrical Wholesalers Limited**  
**Company Registered Number: 02055142**  
**B - Company Creditors**

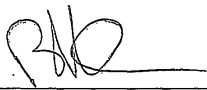
Key	Name	Address	£
CA0000	Ansell Electrical Products (opted out)	Unit 6B, Stonecross Industrial Park, Yew Tree Way, Warrington, WA3 3JD	658.34
CB0000	B M Electrical Wholesalers	59/60 Dudley Road, Wolverhampton, West Midlands, WV2 3BP	289.20
CC0000	Castlec Ltd	Unit 2A Pill House, Severnbridge Ind Est, Caldicot, Monmouthshire, NP26 5JP	505.74
CC0001	Central Cables Ltd	Unit 8 Brindleys Business Park, Chaseside Drive, Staffs, WS11 7GD	547.56
CC0002	Cleveland Cable Company Ltd	Riverside Park Road, Middlesborough, Cleveland, TS2 1QW	2,739.92
CC0003	Cobra Cable Managment Ltd	157 Hollywood Lane, Birmingham, B47 5QZ	103.57
CD0000	Deta Electrical Company Ltd	Credit Office, Unit 1C The Vo-TEC Centre, Hambridge Lane, Newbury, RG14 5TN	23.82
CE0000	EnviroVent Ltd	Harrogate West Business Park , Unit 1 Bardner Bank, Killinghall, Harrogate, North Yorkshire, HG3 2SP	2,966.84
CE0001	E T C Electrical Supplies	Unit 2 Church Street, Moxley, Wednesbury, West Midlands, WS10 8RD	40.62
CE0002	Europa Components	Europa House, Airport Way, Luton, Beds, LU2 9NH	270.05
CF0000	Finelite Ltd	HSBS Invoice Finance UK Ltd, Cannon House, Chatswold Road, Worthing, West Sussex, BN11 1NA	1,560.60
CF0001	Funding Circle Eclipse Lending Limited	SCR Team, 71 Queen Victoria Street, London, EC4V 4AY	61,374.41
CG0000	Geddes Business Systems Ltd	18 Lindon Road, Peterborough, PE2 8AR	3,306.54
CH0001	Mr Brian John Harris	Unit 3, 101 Ettingshall Road, Wolverhampton, WV2 2JP	24,501.82
CK0000	Kempston Controls	Shirley Road, Rushden, Northants, NN10 6BZ	17.90
CL0000	Lindab Ltd	Units 9-10 Carousel Way, Riverside Business Park, Northampton, NN3 9HG	385.10
CM0000	Marshall - Tufflex Ltd	55-65 Castleham Road, St Leonards on Sea, East Sussex, TN38 9NU	963.48
CM0001	Megs Ltd	Unit 9A Delta Trading Estate, Bilston Road, Wolverhampton, WV2 2QD	1,340.42
CM0002	Metro Prepaid Ltd	Unit 1 Tims Boatyard, Timsway, Staines-Upon-Thames, Middlesex, TW18 3JY	167.76
CM0003	M L Accessories Ltd	Unit E Chiltern Park, Boscombe Road, Dunstable, Beds, LU5 4LT	2,057.50
CN0000	Natwest Bank Plc	RBS Cyan Building, Ground Floor, Manvers, Rotherham, S63 5AD Security Given: Fixed and Floating Charge; Date Given: 21/01/1987; Amount: 39824.16	39,824.16
CN0001	Natwest Bank Plc - BBL	RBS Cyan Building, Ground Floor, Manvers, Rotherham, S63 5AD	42,573.59
CP0000	P&K Ltd	Unit 2 Oxford Street, Bilston Ind Est, Bilston, West Midlands, WV14 7EG	3,936.00
CP0001	Pitacs Ltd	Bradbourne Point, Bradbourne Drive, Tilbrook, MK7 8AT	16,266.19
CR0000	R S Components	PO Box 99, Birchington Road, Corby, Northants, NN17 9RS	1,210.18
CR0001	R S Electrical Supplies	Unit 2 City Estate, Corngreaves Road, Cradley Heath, West Midlands, B64 7EP	84.42

Signature

K J Watkin & Co.  
Ashley Electrical Wholesalers Limited  
Company Registered Number: 02055142  
B - Company Creditors

Key	Name	Address	£
CS0000	Securiflex Ltd	Unit 27-28 Mackay Industrial Est, Henfield Road, Small Dole, Henfield, BN5 9XR	969.60
CS0001	SGD Solas Geal UK Ltd	Unit 32 Junction 1, Junction One Business Park, Valley Road, Birkenhead, Merseyside	119.59
CS0002	Stearn Electric Co Ltd	Credit Office, Unit 1C Votec House, Hambridge Lane, Newbury, RG14 5TN	682.37
CS0003	Sunny Eletcricl Supplies	61 Corporation Street, Walsall, WS1 4EZ	12,125.86
CT0000	Termination Technology Ltd	Unit 1 4B, 4C & 4D Croftend Ind Est, Croftend Road, St George, Bristol, BS5 7UW	1,249.08
CT0001	TI Midwood & Co Ltd	Green Lane, Wardle, Nantwich, Cheshire, CW5 6BJ	109.49
CU0000	Unicrimp	Solcome House, Mariner, Lichfield Road Industrial Estate, Tamworth, Staffs, B79 7UL	680.66
CU0001	United Electrical Products Ltd	Unit 19 Planetary Industrial Estate, Planetary Road, Wednesfield, Wolverhampton, WV13 3XA	175.45
34 Entries Totalling			223,827.83

Signature



K J Watkin & Co.  
Ashley Electrical Wholesalers Limited  
Company Registered Number: 02055142  
C - Shareholders

Key	Name	Address	Type	Nominal Value	No. Of Shares	Called Up per share	Total Amt. Called Up
HH0000	Mr Brian John Harris	Unit 3, 101 Ettingshall Road, Wolverhampton, WV2 2JP	Ordinary	1.00	87	1.00	87.00
HH0001	Mrs Cynthia Harris	Unit 3, 101 Ettingshall Road, Wolverhampton, WV2 2JP	Ordinary	1.00	13	1.00	13.00
2 Ordinary Entries Totalling					100		

Signature 

**SIP 9 - Time & Cost Summary**

Period: 25/04/23..22/05/23

## Time Summary

Classification of work function	Hours					Time Cost (£)	Average hourly rate (£)
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & planning	0.00	10.10	0.00	0.20	10.30	3,724.50	361.60
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisations of assets	0.00	5.70	0.00	0.00	5.70	2,080.50	365.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.30	0.00	0.30	0.60	166.50	277.50
Case specific matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Hours</b>	<b>0.00</b>	<b>16.10</b>	<b>0.00</b>	<b>0.50</b>	<b>16.60</b>	<b>5,971.50</b>	<b>359.73</b>
<b>Total Fees Claimed</b>						<b>0.00</b>	

## PRACTICE FEE RECOVERY POLICY FOR K J WATKIN & CO.

### Introduction

The insolvency legislation was changed in October 2015, with one or two 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 can be accessed at <https://www.icaew.com/en/technical/insolvency/insolvency-regulations-and-standards/statements-of-insolvency-practice-sips-england>. Alternatively a hard copy may be requested from C H I Moore of K J Watkin & Co. 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 and also 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.

### Chargeout Rates

Grade of staff	Current charge-out rate per hour, effective from 2023 £	Previous charge-out rate per hour, effective from 2022 £
Partner	525	480
Senior Manager	435	395
Manager	365	330
Assistant Manager	320	290
Cashier	270	245
Senior Administrator	270	245
Administrator	190	170
Support Staff	135	125

These charge-out rates charged are reviewed on 1 January each year and 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.

When we seek time costs approval we have to set out 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 that 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 in excess of the estimate, we will say 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. 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 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 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. A report accompanying any fee request will set out the set fee that we proposed 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 legislation changes 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 MVLs, the company’s members set the fee basis, often as a fixed fee. In CVAs and IVAs, 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 Individual Voluntary Arrangements and Company Voluntary Arrangements which are VAT exempt, the officeholder’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 new 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 course of the insolvency appointment the actual expenses incurred will be compared with the original estimate provided.

## Disbursements

In accordance with SIP 9 the basis of disbursement allocation in respect of disbursements incurred by the Office Holder in connection with the administration of the estate must be fully disclosed to creditors. Disbursements are categorised as either Category 1 or Category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or K J Watkin & Co.; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the estate. These disbursements 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 disbursements are statutory advertising, external meeting room hire, external storage, specific bond insurance and Company search fees.

Category 2 expenses are incurred by the firm and recharged to the estate; they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of category 2 disbursements are internal room hire, internal storage and mileage.

It is proposed that the following Category 2 disbursements are recovered:

Mileage	45p per mile
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## **PROVISION OF SERVICES REGULATIONS SUMMARY SHEET FOR K J WATKIN & CO.**

The following information is designed to draw the attention of interested parties to the information required to be disclosed by the Provision of Services Regulations 2009.

### **The Practice**

K J Watkin & Co. is a sole proprietorship with the trading style of C H I Moore t/a K J Watkin & Co and trading from Emerald House, 20-22 Anchor Road, Aldridge, Walsall WS9 8PH.

### **Licensing Body**

Mr C H I Moore is licensed to act as an Insolvency Practitioner in the United Kingdom by the Institute of Chartered Accountants in England and Wales (ICAEW).

### **Rules Governing Actions**

All IPs are bound by the rules of their professional body, including any that relate specifically to insolvency. The rules of the professional body that licences K J Watkin & Co.'s IP can be found at <http://www.icaew.com/en/members/regulations-standards-and-guidance/insolvency/insolvency-regulations-and-guidance>. In addition, IPs are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at <https://www.r3.org.uk/technical-library/england-wales/sips/>.

### **Ethics**

All IPs are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at <http://www.icaew.com/en/technical/insolvency/insolvency-regulations-and-standards>.

### **Complaints**

At K J Watkin & Co. we always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of a particular case then in the first instance you should contact the IP acting as office holder.

If you consider that the IP has not dealt with your comments or complaint appropriately you should then put details of your concerns in writing to our complaints officer Mr C H I Moore, K J Watkin & Co., Emerald House, 20-22 Anchor Road, Aldridge, Walsall WS9 8PH. This will then formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior partner unconnected with the appointment.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that 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 on-line form available at [www.gov.uk/complain-about-insolvency-practitioner](http://www.gov.uk/complain-about-insolvency-practitioner); or you can email [insolvency.enquiryline@insolvency.gov.uk](mailto:insolvency.enquiryline@insolvency.gov.uk); or you may telephone 0300 678 0015. Information on the call charges that apply is available at <https://www.gov.uk/call-charges>.

### **Professional Indemnity Insurance**

K J Watkin & Co.'s Professional Indemnity Insurance is provided by Liberty Mutual Insurance Europe SE, 5-7 rue Léon Laval, L-3372 Leudelange, Grand Duchy of Luxembourg. This professional indemnity insurance provides worldwide coverage.

## **VAT**

K J Watkin & Co. is registered for VAT under registration no. 559 3875 84.

## **Bribery Act 2010**

K J Watkin & Co. is committed to applying the highest standards of ethical conduct and integrity in its business activities. Every employee and individual acting on K J Watkin & Co.'s behalf is responsible for maintaining our reputation and for conducting company business honestly and professionally.

K J Watkin & Co. take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate.

K J Watkin & Co. requires all those who are associated with it to observe the highest standards of impartiality, integrity and objectivity.

K J Watkin & Co. prohibits anyone acting on its behalf from:

- bribing another person. A bribe includes the offering, promising or giving of any financial or other type of advantage;
- accepting a bribe. This includes requesting, agreeing to receive or accepting any financial, or another kind of advantage;
- bribing a foreign public official; and
- condoning the offering or acceptance of bribes.

K J Watkin & Co. will:

- avoid doing business with others who do not accept our values and who may harm our reputation;
- maintain processes, procedures and records that limit the risk of direct or indirect bribery;
- promote awareness of this policy amongst its staff, those acting on its behalf and entities with which it has any commercial dealings;
- investigate all instances of alleged bribery, and will assist the police, and other authorities when appropriate, in any resultant prosecutions. In addition, disciplinary action will be considered against individual members of staff;
- review this policy regularly and update it when necessary.

## **Data Protection**

During the course of K J Watkin & Co.'s engagement with the Company prior to the formal appointment of an officeholder, the Board and/or the shareholders of the Company may disclose personal data to us in order that we may provide our services to the Company. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679, as supplemented by the Data Protection Act 2018, together with other laws which relate to privacy and electronic communications. In this clause, we refer to these laws as "Data Protection Law". In providing our services, we act as an independent controller and are, therefore, responsible for complying with Data Protection Law in respect of any personal data we process in providing our services to the Company. The Company is also an independent controller responsible for complying with Data Protection Law in respect of the personal data you process and, accordingly, where personal data is disclosed to us you confirm that such disclosure is fair and lawful and otherwise does not contravene Data Protection Law. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

Please be aware K J Watkin & Co. also uses personal information in order to fulfil the legal obligations of our Insolvency Practitioner under the Insolvency Act and other relevant legislation, and also to fulfil the legitimate interests of keeping creditors and others informed about the insolvency proceedings.