

In accordance with
Rule 18.8 of the
Insolvency (England &
Wales) Rules 2016.

WU07

Notice of progress report in a winding-up by the court



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number	0	2	7	5	0	5	4	9
Company name in full	Penclawdd Shellfish Processing Co. Limited							

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

2 Liquidator's name

Full forename(s)	John Dean
Surname	Cullen

3 Liquidator's address

Building name/number	2 Sovereign Quay
Street	Havannah Street
Post town	Cardiff
County/Region	
Postcode	C F 1 0 5 S F
Country	

4 Liquidator's name ①

Full forename(s)	Rachel Helen
Surname	Lai

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

5 Liquidator's address ②

Building name/number	2 Sovereign Quay
Street	Havannah Street
Post town	Cardiff
County/Region	
Postcode	C F 1 0 5 S F
Country	

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

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Period of progress report

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

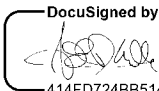
7

Progress report

<div><input checked="" type="checkbox"/> The progress report is attached</div>	
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8

Sign and date

Liquidator's signature	<div>Signature</div> <div><div>X</div><div><div>DocuSigned by:</div><div><div>414FD724BB51443...</div></div></div><div>X</div></div>	
Signature date	<div><div>d</div><div>26</div></div> <div>Jan-2023</div> <div><div>m</div><div></div></div> <div><div>y</div><div></div></div> <div><div>y</div><div></div></div> <div><div>y</div><div></div></div> <div><div>y</div><div></div></div>	

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**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 Iona Murray

Company name Menzies LLP

Address 2 Sovereign Quay

Havannah Street

Post town Cardiff

County/Region

Postcode C F 1 0 5 S F

Country

DX DX 200767 Cardiff Bay

Telephone 029 2049 5444

**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 or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Note:
All items detailed on the receipts and payments account are shown net of VAT as the Company was VAT registered and VAT has therefore been recovered for the benefit of the liquidation estate.

John Dean Cullen
Joint Liquidator
26 January 2023 15:37

PENCLAWDD SHELLFISH PROCESSING CO. LIMITED - **IN COMPULSORY LIQUIDATION ("THE COMPANY")**

IN THE HIGH COURT OF JUSTICE NUMBER 006733 OF 2019

JOINT LIQUIDATORS' PROGRESS REPORT PURSUANT TO RULE 18.2 OF THE INSOLVENCY (ENGLAND & WALES) RULES 2016

FOR THE PERIOD 2 DECEMBER 2021 TO 1 DECEMBER 2022

DATED 27 JANUARY 2023

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3. Investigations into the affairs of the Company
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7. Further information
8. Concluding remarks

APPENDICES

1. Statutory information
2. Joint Liquidators' receipts and payments account
3. Joint Liquidators' analysis of time costs and narrative of work undertaken
- 4.. Joint Liquidators' comparison of fees estimate and time costs incurred
5. Joint Liquidators' comparison of estimated expenses and costs incurred and paid

1. INTRODUCTION AND EXECUTIVE SUMMARY

1.1 I was appointed Joint Liquidator of the Company on 2 December 2019. I now present my progress report for the third year of the liquidation, pursuant to Rule 18.2 of the Insolvency (England & Wales) Rules 2016 ("the Rules").

1.2 The Company's statutory information is attached at Appendix 1 of this report.

Executive summary

1.3 A winding up order was made against the Company on 27 November 2019, following the petition of Holland Shellfish International UK Ltd ("the petitioning creditor") presented to the Court on 9 October 2019. On 2 December 2019, Rachel Helen Lai and I were appointed Joint Liquidators of the Company by the Secretary of State.

1.4 Rachel Helen Lai and I were previously appointed as Joint Provisional Liquidators of the Company on 12 November 2019 following an Order made by the petitioning creditor. We acted in this capacity for the period from 12 November 2019 to 27 November 2019, the date the winding up order was made.

1.5 As at the date of my appointment as Joint Liquidator, the Company had ceased trading and accordingly I took steps to realise the remaining assets with a view to distributing the funds to creditors, after costs, in the prescribed order of priority. As Liquidator, I am also obliged to investigate the Company's affairs. I remind creditors that my investigations are extensive and remain ongoing. At the outset, it was not anticipated that I would be in a position to declare a dividend to any class of creditor within the liquidation. Based on current known information about the Company's financial position, and after taking into account my estimated fees and expenses, this continues to be the case. I refer you to section 4 below.

1.6 I attach at Appendix 2 a receipts and payments account for the period ended 1 December 2022, which I have reconciled to the financial records that I am required to maintain with the Insolvency Services Account operated by The Insolvency Service in respect of the liquidation. All receipts and payments are shown net of VAT as the Company was VAT registered, and VAT has therefore been recovered for the benefit of the liquidation.

1.7 As at 1 December 2022, the balance of funds amounting to £21,040.16 was held in an interest-bearing estate account with the Insolvency Service. The Company is due a VAT reclaim in an amount of £590.92, and this is awaited from HM Revenue and Customs ("HMRC").

2. PROGRESS AND ASSET REALISATIONS

Bank interest

2.1 The sum of £168.14 of bank interest, gross of taxation, has been generated from the monies held in the estate account during this reporting period. The Insolvency Service levy a 20% taxation charge on interest generated on the account, such that the net interest received into the estate was £134.51. This is detailed on the receipts and payments account as at Appendix 2.

Director's loan account ("DLA")

- 2.2 I remind creditors that the last set of financial statements as at 31 March 2018 detailed an amount of £35,727.00 owing to the Company in respect of a DLA. To date, no response has been received to my requests for repayment. This matter remains ongoing.

Leasehold property

- 2.3 The Company was party to a lease for property at Unit 20b Crofty Industrial Estate, Crofty, Swansea ("Unit 20b"). Owing to the minimal value in the lease, during the period under review, I formally disclaimed the leasehold land and contents of Unit 20b, and provided a copy of the disclaimer to HM Land Registry, Companies House and other relevant parties.

Other assets

- 2.4 I have been contacted by a connected party to the Company regarding possible assets of the Company. I have requested further information to corroborate this information, and I await this information.
- 2.5 Should creditors be aware of any other assets in this matter, I should be grateful if you would contact my colleague, Iona Murray, on 03309 129 144, or by email at IMurray@menzies.co.uk. In the meantime, my enquiries and investigations regarding the assets of the Company are ongoing.

3. INVESTIGATIONS

- 3.1 For the avoidance of doubt, the Official Receiver is responsible for any reporting obligations under S7(3) of the Company Directors Disqualification Act 1986. The content of that report is confidential.
- 3.2 I have undertaken an initial investigation into the Company's affairs to establish whether there were any asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved.
- 3.3 Specifically, I have recovered, listed and reviewed the Company's accounting records, obtained and reviewed copy bank statements for months prior to the Company ceasing to trade, and I have compared this information with the Company's last set of accounts. During this reporting period, a thorough review of all files available to me has been undertaken, and I am considering my next steps.
- 3.4 Matters requiring further investigation that may lead to potential recovery actions have been identified, and the work outlined above was undertaken to further those investigations with a view to making recoveries for the benefit of the creditors.
- 3.5 Due to the extensive nature of my investigations, I am unable, at present, to provide any specific detail on the matter, as to do so would prejudice the outcome of any action taken as a result of my investigations.

4. LIABILITIES AND DIVIDEND PROSPECTS

Secured creditors

- 4.1 The Company has granted a fixed and floating charge to National Westminster Bank Plc ("NatWest"). I am, however, not aware of any sum due to NatWest from the Company.

- 4.2 The legislation requires that if the Company has created a floating charge on or after 15 September 2003, a prescribed part of the Company's net property (i.e., the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case, I am not aware of any sum being due to NatWest under their charge such that the prescribed part provisions do not apply.

Preferential creditors

- 4.3 The Company had nine employees, not including the three directors. All employees were made redundant by Company on 12 April 2019, by which date the Company had effectively ceased to trade.
- 4.4 Claims from former employees in respect of arrears of wages, up to a maximum of £800 per employee, and accrued holiday pay rank preferentially in that they are paid ahead of floating charge and ordinary unsecured creditors. Where an employee's claim is paid by the Redundancy Payments Service ("RPS"), the RPS have a subrogated preferential claim in the liquidation.
- 4.5 The RPS have submitted a preferential claim within the liquidation in the sum of £63.64 in respect of their subrogated claim for settling the Company's outstanding contributions to the occupational pension scheme.
- 4.6 There are currently insufficient funds to enable a dividend to be paid to the preferential creditor.

Non-preferential unsecured creditors

- 4.7 The Company's records detail 43 unsecured creditors with an estimated total liability of £455,018.41. This includes a sum of £151,024.00 owing to connected companies, Holland Shellfish International UK Ltd and LA Parsons Limited, a sum of £67,195.52 owing to former employees in respect of redundancy pay and payment in lieu of notice. There is also an estimated total liability of £236,798.89 owing to trade and expense creditors. To date, I have received claims from 16 creditors at a total of £267,728.76.
- 4.8 There are currently insufficient funds to enable a dividend to be paid to the unsecured creditors.

5. JOINT LIQUIDATORS' REMUNERATION AND EXPENSES

Joint Liquidators' remuneration

- 5.1 Following a decision by correspondence on 17 February 2021, it was resolved that my remuneration be fixed by reference to time properly spent by myself and my staff in attending to matters arising in the liquidation based on a fees estimate of £53,002.00 plus VAT. The fees estimate acts as a cap, and I cannot draw remuneration in excess of that estimate without first seeking approval from the creditors.
- 5.2 My total time costs to 1 December 2022 amount to £97,170.20, representing 259.80 of hours worked at a blended charge out rate of £374.02 per hour, of which £25,481.00 was charged in the period since my last report to creditors, at a blended charge out rate of £255.83 per hour. The actual blended charge out rate incurred compares with the estimated blended charge out rate of £254.45 in my fees estimate.
- 5.3 I attach at Appendix 3, a breakdown of these time costs by work category and staff grade, together with a narrative explanation of work done in the period since my last report to creditors.
- 5.4 I have not been able to draw any remuneration in this period, or during the liquidation period to date.

- 5.5 Given the size and technical nature of the liquidation, much of the work described in the sections above was undertaken by myself, a manager, a senior administrator and an administrator. Additional assistance was provided by cashiers dealing with banking and statutory duties, and administrators offering various support services. All time spent on administering various duties was charged directly to the case in 6-minute units.
- 5.6 As at 1 December 2022, the total time costs that I have incurred in the liquidation have exceeded the total estimated remuneration which was set out in my fees estimate, when my remuneration was authorised by the creditors. Please see Appendix 4 which details the actual time costs incurred as compared to the fees estimate previously provided to creditors. As you will see, the time costs incurred was exceeded by an amount of £44,168.20.
- 5.7 I have exceeded my fees estimate owing to the extent of the matters arising as a result of my investigations into the affairs of the Company, which has identified potential recovery actions. Currently, I do not intend to draw remuneration in excess of the fees estimate and so will not be seeking a decision to increase my fees at this time.
- 5.8 I will seek approval to increase my fees estimate if my additional work leads to asset recoveries, further areas of investigation or associated action, such as arbitration or legal proceedings.
- 5.9 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.menzies.co.uk/helping-you/business-recovery/fees-guide/>. There are different versions of these Guidance Notes, and in this case please refer to the version for appointments after September 2015.

Professional and sub-contractors' fees, and other expenses

- 5.10 Appendix 5 provides an explanation of the categories of expenses which may be drawn from the liquidation without creditor approval and those which require creditor approval. Appendix 5 details the expenses I estimated that I would incur in this matter when my remuneration was authorised by the creditors and compares them with those incurred and drawn to date.
- 5.11 I have incurred total expenses of £57,270.83 since my appointment as Liquidator, of which £815.12 was incurred in the period since my last report to creditors. I have drawn £40,253.80 from the estate to 1 December 2022, of which £541.78 was drawn in the period since my last report to creditors. Menzies LLP has paid £2,335.53 on behalf of the liquidation estate, which I have not as yet been able to reimburse from the estate.
- 5.12 The following expenses were incurred in the period since my last progress report:

Details of expense	Amount incurred/ accrued in the reporting period
Category 1 expenses	
Bank charges	£88.00
DTI cheque / BACS fees	£0.15
Insurance	£420.00
Tax on interest received	£33.63
Storage costs	£273.34

Category 2 expenses	
None	£Nil

- 5.13 The Company's books and records were stored with storage agent, P.A Miller, until his retirement on 31 March 2022. Following his retirement, the Company's books and records were transferred to my new storage agent, The Maltings, who charge for storage per box, per week.

Costs of the petitioning creditor

- 5.14 I have received the costs of the petitioning creditor from their solicitors. I understand that the petitioning creditor incurred costs of £13,800.00 plus VAT in respect of preparing the winding up petition to be presented at Court. The petitioning creditor also paid legal costs during the provisional liquidation of £1,855.00 plus VAT. They also paid a deposit of £1,600.00 to the Secretary of State. The costs of the petitioning creditor rank as an expense of the estate, such that they will be paid in the prescribed order or priority as and when funds permit.

- 5.15 I have used the following agents, professional advisors and subcontractors in the reporting period:

Professional advisor	Nature of work	Basis of fees
P.A Miller	Storage agents	Fixed fee
The Maltings	Storage agents	Fixed fee

- 5.16 The choice of professionals 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 considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and am satisfied that they are reasonable in the circumstances of this case.
- 5.17 As at 1 December 2022, I do not anticipate that the expenses I will incur in this matter will exceed the total expenses I estimated I would incur when my remuneration was authorised by the creditors.
- 5.18 Based on my knowledge of the case to date, I do not anticipate being able to draw my time costs and expenses, which I have estimated at £112,627.63 in full. As a result, it is not anticipated that there will be a return to the preferential and unsecured creditors.

6. CREDITORS' RIGHTS TO FURTHER INFORMATION AND TO CHALLENGE LIQUIDATORS' REMUNERATION AND EXPENSES

Creditors' right to request information

- 6.1 Any secured creditor, or an unsecured creditor with the support of at least 5% in value of unsecured creditors or with the leave of court, may (in writing) request me to provide additional information regarding remuneration or expenses already supplied within this report. In accordance with rule 18.9(2) of the Rules, such a request or application for leave must be made within 21 days of receipt of this report.

Creditors' right to challenge remuneration and/or expenses

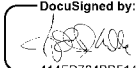
- 6.2 Any secured creditor, or an unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the court, may apply to court for one or more orders under Rule 18.36(4) or 18.37(4) of the Rules. In accordance with rule 18.34(3) of the Rules such applications must be made within eight weeks of receipt of this report.

7. FURTHER INFORMATION

- 7.1 The Joint Liquidators are data controllers of personal data as defined by the relevant provisions of the applicable data protection legislation. Menzies LLP will act as a data processor on their instructions. Personal data will be kept secure and processed only for matters relating to the insolvency appointment. Full details of our privacy notice is at the following link: <https://www.menzies.co.uk/legal/>.
- 7.2 To comply with the Provision of Services Regulations, some general information about Menzies LLP, including about our complaints policy and Professional Indemnity Insurance, can be found at <https://www.menzies.co.uk/legal/>

8. CONCLUDING REMARKS

- 8.1 The liquidation will remain open until my investigations have been fully resolved. I estimate that this will take at least another year and once resolved, I will be in a position to conclude the liquidation.
- 8.2 I will report again on the progress of the liquidation after the next anniversary of the liquidation or in the final account, whichever is earlier.
- 8.3 Should you require further information, or if you want hard copies of any of the documents made available on-line, please contact my colleague Iona Murray by email at IMurray@menzies.co.uk, or by phone on +44 (0)3309 129144.

DocuSigned by:

4175D724BB51443
John Dean Cullen
Joint Liquidator

APPENDIX 1

STATUTORY INFORMATION

Company name:	Penclawdd Shellfish Processing Co. Limited
Company number:	02750549
Registered office:	2 Sovereign Quay, Havannah Street, Cardiff, CF10 5SF
Former registered office:	68 Argyle Street, Birkenhead, Merseyside, CH41 6AF
Former trading address:	Unit 28, Crofty Industrial Estate, Penclawdd, Swansea, SA4 3YA
Principal trading activity:	Processing and preserving of fish, crustaceans and molluscs
Joint Liquidators' names:	John Dean Cullen and Rachel Helen Lai
Joint Liquidators' address:	2 Sovereign Quay, Havannah Street, Cardiff, CF10 5SF
Date of appointment:	02 December 2019
Court name and reference:	High Court of Justice 006733 of 2019
Contact details of Joint Liquidators:	Iona Murray by email at IMurray@menzies.co.uk, or by phone on +44 (0)3309 129144
Details of any changes of Liquidator:	There have been no changes of Liquidator during the winding up.

APPENDIX 2

JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT

Appendix 2
Penclawdd Shellfish Processing Co. Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

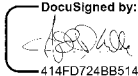
Statement of Affairs		From 02/12/2021 To 01/12/2022	From 02/12/2019 To 01/12/2022
	ASSET REALISATIONS		
NIL	Leasehold Property	NIL	NIL
51,000.00	Factory Equipment	NIL	41,000.00
10,700.00	Plant & Vehicles	NIL	8,000.00
1,400.00	Office Furniture & Equipment	NIL	1,000.00
Uncertain	Directors' Loan Account	NIL	NIL
	Intellectual Property	NIL	750.00
	Insurance Refund	NIL	1,400.32
831.75	Cash at Bank	NIL	831.75
	Business Rates Refund	NIL	1,033.96
	Petitioner's Deposit	NIL	1,600.00
	Bank Interest Gross	168.14	205.26
	Sundry Refunds	NIL	6,063.59
		168.14	61,884.88
	COST OF REALISATIONS		
	Official Receiver's Admin Fee	NIL	5,000.00
	DTI Cheque/BACS Fees	0.15	1.05
	Official Receiver's General Fee	NIL	6,000.00
	Tax on interest received	33.63	41.06
	Agents/Valuers Fees	NIL	8,978.80
	Agents Disbursements	NIL	17,048.09
	Legal Fees	NIL	1,500.00
	Legal Disbursements	NIL	150.00
	Sundry refunds	NIL	NIL
	Pension Agent	NIL	600.00
	Storage Costs	NIL	250.80
	Insurance of Assets	420.00	420.00
	Bank Charges	88.00	264.00
		(541.78)	(40,253.80)
	UNSECURED CREDITORS		
(236,798.89)	Trade & Expense Creditors	NIL	NIL
(67,195.52)	Employees	NIL	NIL
(151,024.00)	Inter-Company Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(4,425,000.00)	Preference Shareholders	NIL	NIL
(218,397.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(5,034,483.66)		(373.64)	21,631.08
	REPRESENTED BY		
	ISA main account IB		21,040.16
	Vat Control Account		590.92
			21,631.08

Note:

All items detailed on the receipts and payments account are shown net of VAT as the Company was VAT registered and VAT has therefore been recovered for the benefit of the liquidation estate.

Appendix 2
Penclawdd Shellfish Processing Co. Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

Statement of Affairs	From 02/12/2021 To 01/12/2022	From 02/12/2019 To 01/12/2022
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DocuSigned by:

414FD724BB51443...

John Dean Cullen
Joint Liquidator

APPENDIX 3

JOINT LIQUIDATORS' ANALYSIS OF TIME COSTS FOR THE PERIOD FROM 2 DECEMBER 2021 TO 1 DECEMBER 2022

PENCLAWDD SHELLFISH PROCESSING CO. LIMITED - IN LIQUIDATION

APPENDIX 3

TIME CHARGE OUT SUMMARY FOR THE PERIOD FROM 2 DECEMBER 2021 TO 1 DECEMBER 2022

Classification of Work Function	HOURS					Total Hours	Time Costs £	Blended Hourly Rate £
	Partner/ Director	Manager	Senior	Administrator	Support			
Brought Forward From 01/12/2021						160.20	71,689.20	244.92
Administration & Planning	1.90	34.90	1.50	14.70	1.10	54.10	13,094.00	242.03
Realisation of Assets	0.20	4.00	-	1.70	-	5.90	1,606.00	272.20
Creditors	0.10	1.90	0.10	0.60	-	2.70	713.00	264.07
Investigations	0.90	35.40	-	0.60	-	36.90	10,068.00	272.85
Total Hours	3.10	76.20	1.60	17.60	1.10	99.60		
Total Costs	1,533.00	20,626.00	384.00	2,846.00	92.00		25,481.00	255.83
Total Carried Forward						259.80	97,170.20	374.02
Total Fees Drawn to Date:							-	
Balance of Time Costs Accrued but Unpaid							97,170.20	

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS		
	<u>From 1 June 2022</u>	<u>1 Oct 2021 to 31 May 2022</u>
	£ per hour	£ per hour
Partner/Director	500-580	450-525
Manager	300-450	270-400
Senior	270-280	240-250
Administrator	150-220	135-200
Support Staff	120	105
Note 1	There may have been a number of promotions through the various grades during the period of the administration.	
Note 2	Overhead costs are reflected in the charge out rates detailed.	
Note 3	The charge-out rate of the Insolvency Practitioners for this assignment is currently £530 and £500 per hour, and the administrator is £150 per hour.	
Note 4	Time is recorded in minimum units of 6 minutes.	

APPENDIX 3 CONTINUED

JOINT LIQUIDATORS' NARRATIVE OF WORK UNDERTAKEN IN THE PERIOD 2 DECEMBER 2021 TO 1 DECEMBER 2022

A description of the work undertaken since my last progress report is as follows:

1 ADMINISTRATION AND PLANNING

There are certain aspects of the case that are required by statute and for the efficient running of the case. They are not expected to provide a direct quantifiable benefit to creditors; however, without them, other aspects of the case which do provide a quantifiable benefit to creditors would be less efficient. They include the maintenance of physical case files and electronic case management information, the periodic review of files, strategic case planning and the routine administration of the case. It also includes the preparation of documentation and reports, and dealing with routine correspondence relating to the liquidation.

Specifically:

Reporting

Time incurred during this period relates to the preparation and circulation of the annual progress report for circulation to members and creditors to advise upon the progress made during the liquidation over the year.

Internal reviews

File reviews have been conducted during this reporting period to ensure that all administrative matters are being appropriately progressed, and also to meet internal compliance standards.

Cashiering

I am obliged to keep a record of each transaction I enter into. Time spent during this period refers to time spent by my cashiers processing payments and recording interest received, preparing and submitting the necessary paperwork required to settle invoices, and reconciling the estate account.

It also includes producing and maintaining the receipts and payments account and monitoring the level and the appropriateness of the specific penalty bond in place.

Corporation Tax

During this reporting period, time has been spent continuously contacting HM Revenue and Customs ("HMRC") for the corporation tax returns submitted by the Company pre-liquidation in order that I may review and use the information contained within those returns to prepare the post-liquidation corporation tax returns required to be submitted. This was done via postal letters and telephone conversations.

Once the pre-liquidation returns were received, time was spent engaging the tax department within Menzies and liaising with them and gathering and supplying any additional information required by them to enable the post-liquidation returns to be submitted. This involved collaboration across different levels of my staff.

Time was thereafter spent preparing and submitting the post-liquidation returns to HMRC.

2 ASSET REALISATIONS

Net asset realisations provide the financial benefit to creditors and their quantum directly contributes to any dividend ultimately available to creditors.

The Company was previously party to a lease at Unit 20b. Time was spent during this period reviewing the lease, and subsequently formally disclaiming any interest that the Company had in that lease. The notice of disclaimer was thereafter circulated to the relevant parties, including but not limited to, HM Land Registry and Companies House.

In addition to this, time was spent taking phone calls and emails from connected parties to the Company regarding potential asset recoveries available for the estate.

3 INVESTIGATIONS

Complying with statutory requirements will not necessarily produce a financial benefit to creditors but may identify potential avenues which could lead to a recovery for the benefit of creditors.

Time costs were incurred by myself and my staff in further reviewing the Company's books and records, both electronical and physical, that are within my possession. Concurrent to reviewing the files, points of action, and points for further investigation have been noted and discussed with the relevant members of my team.

The time taken under investigations is commensurate of the extent and complexities of the investigations identified. I am unable, at present, to provide specific details of these investigations, as to do so may prejudice the outcome of any action taken.

4 CREDITORS (CLAIMS AND DISTRIBUTION)

Time spent in this category included receiving confirmation from Clumber Consultancy Limited ("Clumber"), specialist pension advisers, regarding the closure of the occupational pension scheme operated by the Company.

Following confirmation of the scheme's closure, I wrote to the RPS to request their subrogated preferential claim within the liquidation. Once their claim was received, I updated my internal case management information.

APPENDIX 4

JOINT LIQUIDATORS' COMPARISON OF FEES ESTIMATE AND COSTS INCURRED

PENCLAWDD SHELLFISH PROCESSING CO. LIMITED - IN LIQUIDATION

APPENDIX 4 JOINT LIQUIDATORS' COMPARISON OF FEES ESTIMATE AND TIME COSTS INCURRED

Classification of Work Function	Fee Estimate			Actual - 02/12/2019 to 01/12/2022		
	Total Hours	Total Time Costs	Blended Hourly Rate	Total Hours	Total Time Costs	Blended Hourly Rate
		£	£		£	£
Administration & Planning	75.10	19,757.00	263.08	148.00	37,066.70	250.45
Realisation of Assets	25.40	7,160.00	281.89	32.20	9,336.50	289.95
Creditors	24.50	5,920.00	241.63	26.70	6,254.00	234.23
Investigations	83.30	20,165.00	242.08	185.40	44,513.00	240.09
Total Hours	208.30			392.30		
Total Time Costs		53,002.00			97,170.20	
Blended Hourly Rate			254.45			247.69
Total Fees Drawn to date					-	
Balance of Time Costs Accrued but Unpaid					97,170.20	

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS		
	From 1 June 2022	1 Oct 2021 to 31 May 2022
	£ per hour	£ per hour
Partner/Director	500-580	450-525
Manager	300-450	270-400
Senior	270-280	240-250
Administrator	150-220	135-200
Support Staff	120	105
Note 1	There may have been a number of promotions through the various grades during the period of the administration.	
Note 2	Overhead costs are reflected in the charge out rates detailed.	
Note 3	The charge-out rate of the Insolvency Practitioners for this assignment is currently £530 and £500 per hour, and the administrator is £150 per hour	
Note 4	Time is recorded in minimum units of 6 minutes.	

APPENDIX 5

JOINT LIQUIDATORS' COMPARISON OF ESTIMATED EXPENSES COSTS INCURRED AND PAID

Details of Expense	Estimated amount £	Incurred in the provisional liquidation £	Incurred prior to the period £	Incurred in the period £	Total incurred to date £	Paid during the period £	Total paid by the estate £
Category 1 expenses							
Bank charges	220.00	-	176.00	88.00	264.00	88.00	264.00
DTI cheque / BACS fees	-	-	0.90	0.15	1.05	0.15	1.05
Statutory advertising	83.02	83.02	83.02	-	83.02	-	-
Specific penalty bonding	320.00	-	320.00	-	-	-	-
Insurance	280.00	280.00	-	420.00	420.00	420.00	420.00
Tax on interest received	-	-	7.43	33.63	41.06	33.63	41.06
DVLA search	5.00	-	5.00	-	5.00	-	-
Official Receiver's general fee	6,000.00	-	6,000.00	-	6,000.00	-	6,000.00
Official Receiver's administration fee	5,000.00	-	5,000.00	-	5,000.00	-	5,000.00
Professional and Sub-Contractors' fees							
Lambert Smith Hampton	5,000.00	3,500.00	5,478.80	-	5,478.80	-	8,978.80
Agents' disbursements	11,597.60	5,450.49	11,597.60	-	11,597.60	-	17,048.09
Legal fees	3,500.00	-	1,500.00	-	1,500.00	-	1,500.00
Legal disbursements	-	-	150.00	-	150.00	-	150.00
Pension agent	1,340.00	-	950.00	-	950.00	-	600.00
Provisional Liquidators' remuneration	14,966.50	-	14,996.50	-	14,996.50	-	-
Provisional Liquidators' expenses	9,313.51	-	9,313.51	-	9,313.51	-	-
Agents' fees							
Storage costs	2,000.00	-	1,196.95	273.34	1,470.29	-	250.80
Category 2 expenses							
None	-	-	-	-	-	-	-
Totals	59,625.63	9,313.51	56,775.71	815.12	57,270.83	541.78	40,253.80

EXPENSES

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

Category 1 expenses

Specific expenditure relating to the administration of the insolvent estate and payable to a person or persons who are not associates of the office holder is recoverable without creditor approval. Such expenditure is made if funds are available from the insolvent estate. If funds are not available, then payment is made from this firm's office account and reimbursed from the estate should funds become available.

Category 1 expenses will generally comprise external supplies of incidental services specifically identifiable to the case. Typical items include legal fees, agents' fees, sub-contractors' fees, statutory advertising, insurance of assets, search fees, specific penalty bonding, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 expenses

These are expenses that are directly referable to the administration of the insolvent estate and are made to associates of the officeholder or have an element of shared costs.

Category 2 expenses require creditor approval.

Menzies LLP do not as a matter of policy seek approval of, or claim any, Category 2 expenses other than those which are paid to associates of the office holder.