

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

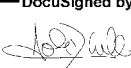
1		Company details							
Company number	0	2	7	5	0	5	4	9	→ Filling in this form Please complete in typescript or in bold black capitals.
Company name in full	Penclawdd Shellfish Processing Co. Limited								
2		Liquidator's name							
Full forename(s)	John Dean								
Surname	Cullen								
3		Liquidator's 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 ❶							
Full forename(s)	Rachel Helen								❶ Other liquidator Use this section to tell us about another liquidator.
Surname	Lai								
5		Liquidator's address ❷							
Building name/number	2 Sovereign Quay								❷ Other liquidator Use this section to tell us about another liquidator.
Street	Havannah Street								
Post town	Cardiff								
County/Region									
Postcode	C	F	1	0		5	S	F	
Country									

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6	Period of progress report											
From date	^d 0	^d 2	^m 1	^m 2	^y 2	^y 0	^y 2	^y 0				
To date	^d 0	^d 1	^m 1	^m 2	^y 2	^y 0	^y 2	^y 1				

7	Progress report											
<input checked="" type="checkbox"/> The progress report is attached												

8	Sign and date											
Liquidator's signature	<div>Signature</div> <div>X</div> <div>DocuSigned by:  C05673676A12475...</div>								X			
Signature date	^d 3	^d 1	^m 0	^m 1	^y 2	^y 0	^y 2	^y 2				

WU07

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

**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 Penny Elvin

Company name Menzies LLP

Address 2 Sovereign Quay

Havannah Street

Post town Cardiff

County/Region

Postcode CF10 5SF

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

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

Statement of Affairs £	From 02/12/2020 To 01/12/2021 £	From 02/12/2019 To 01/12/2021 £
	ASSET REALISATIONS	
	Bank Interest Net of Tax	29.69
	Business Rates Refund	NIL
831.75	Cash at Bank	1,033.96
Uncertain	Directors' Loan Account	831.75
51,000.00	Factory Equipment	NIL
	Insurance Refund	41,000.00
	Intellectual Property	1,400.32
	Leasehold Property	750.00
NIL	Office Furniture & Equipment	NIL
1,400.00	Petitioner's Deposit	1,000.00
	Plant & Vehicles	1,600.00
10,700.00	Sundry Refunds	8,000.00
	6,063.59	6,063.59
	6,093.28	61,709.31
	COST OF REALISATIONS	
	Agents Disbursements	NIL
	Agents/Valuers Fees	17,048.09
	Bank Charges	478.80
	DTI Cheque/BACS Fees	88.00
	Legal Disbursements	176.00
	Legal Fees	0.90
	O.R. Remuneration	150.00
	Pension Agent	1,500.00
	Storage Costs	1,500.00
	250.80	11,000.00
	(3,068.50)	(39,704.59)
	UNSECURED CREDITORS	
(67,195.52)	Employees	NIL
(151,024.00)	Inter-Company Creditors	NIL
(236,798.89)	Trade & Expense Creditors	NIL
	NIL	NIL
	DISTRIBUTIONS	
(218,397.00)	Ordinary Shareholders	NIL
(4,425,000.00)	Preference Shareholders	NIL
	NIL	NIL
(5,034,483.66)	3,024.78	22,004.72
	REPRESENTED BY	
	ISA main account IB	21,413.80
	Vat Control Account	590.92
		22,004.72

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.

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

IN THE HIGH COURT OF JUSTICE, BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES,
INSOLVENCY AND COMPANIES LIST (ChD), NUMBER 006733 **OF 2019** (**"THE COURT"**)

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

FOR THE PERIOD 2 DECEMBER 2020 TO 1 DECEMBER 2021

DATED: 31 JANUARY 2022

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4. Joint Liquidators' comparison of original fee estimate and actual time costs incurred
5. Comparison of estimated expenses and actual costs incurred

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 second 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 On 27 November 2019 a winding up order was made against the Company upon 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 of Menzies LLP, 2 Sovereign Quay, Cardiff, CF10 5SF, were appointed Joint Liquidators of the Company by the Secretary of State.

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

1.5 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 and my investigations are continuing. At the outset it was anticipated I would not be in a position to declare a dividend to any class of creditor and based on current known information about the Company's financial position, and after taking into account the estimated office holder's fees and expenses, this continues to be the case. I refer you to section 4 below.

1.6 The manner in which the affairs of the Company have been managed since my last progress report is set out below.

1.7 I attach at Appendix 2 a receipts and payments account for the period ended 1 December 2021, which I have reconciled to the financial records that I am required to maintain and, with the Insolvency Services Account operated by The Insolvency Service in respect of the Liquidation. All receipts and payments are shown net of VAT.

1.8 The balance of funds amounting to £21,413.80 in the floating charge account are held in an Insolvency Service estate bank account which is interest bearing.

2. PROGRESS/ASSET REALISATIONS

Bank interest net of tax

2.1 The sum of £29.69 was received in the reporting period in respect of net bank interest which had accrued on the account held for the purposes of the liquidation.

Sundry refunds

2.2 During the period to which this report relates, I became aware that the Company was due a refund in respect of a credit balance held on their electricity account relating to their former trading premises. I liaised with the utility provider and the sum of £6,063.59 was received.

Director's loan account

- 2.3 As previously reported, the Company's last set of financial statements as at 31 March 2018 detailed an amount owing to the Company in respect of a directors' loan account ("DLA"). I have reviewed management accounts available in respect of the DLA. As no response has been received from the director to previous correspondence, I chased the director requesting payment of the sum of £35,727. This matter remains ongoing.

Leasehold property

- 2.4 Following a search of the Company's details at HM Land Registry, I became aware of a long-term lease in the Company's name for the property known as Unit 20b Crofty Industrial Estate, Crofty, Swansea. I obtained a copy of the lease and instructed my agent to attend the property to secure any assets which may have been held there. I have also arranged for insurance to be put in place to protect the Company's interests. It has been claimed that the assets identified are owned by a third party and my enquiries in this matter remain ongoing. It is thought that there is little value in the lease and I suspect the lease will be disclaimed following the conclusion of my enquiries.

Other assets

- 2.5 If creditors are aware of any other assets in this matter, I should be grateful if you would contact my colleague Penny Elvin on 029 2067 4996. In the meantime, my enquiries and investigations are ongoing in respect of the assets of the Company and further potential recoveries for the benefit of creditors.

3. INVESTIGATIONS

- 3.1 I have undertaken an initial investigation into the Company's affairs to establish whether there are any potential asset recoveries or conduct matters that justify further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved.
- 3.2 I have continued my investigations into the affairs of the Company and further reviewed the Company's accounting records, both physical and electronic, and reviewed additional copy bank statements for the years prior to the Company ceasing to trade and performed a bank analysis. I have continued to make enquiries with various parties as appropriate, including but not limited to the Company's former accountants, the former bookkeeper, the parent company and the director to gather information surrounding the Company's assets.
- 3.3 As previously reported, my investigations in this matter are extensive and remain ongoing. I am sure that creditors appreciate I am currently unable to give specific detail of my investigations as to do so may prejudice the outcome of any action taken as a result of my investigations.
- 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 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.

4. LIABILITIES AND DIVIDEND PROSPECTS

4.1 LIABILITIES

Secured creditors

- 4.1.1 The Company granted a fixed and floating charge to National Westminster Bank Plc ("NatWest"). However, I am not aware of any sum due to NatWest from the Company.
- 4.1.2 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 due to NatWest under their floating charge such that the prescribed part provisions do not apply.

Preferential creditors

- 4.1.3 I am not aware of any preferential creditors in this matter in respect of arrears of wages and holiday pay. However, as previously reported, I instructed Clumber Consultancy Ltd ("Clumber") to deal with the Company's pension scheme held with NEST pension ("NEST").
- 4.1.4 During the period to which this report relates, Clumber submitted a claim to the Redundancy Payments Service ("RPS") in respect of unpaid pension contributions. An element of this claim will rank as preferential which will be claimed by the RPS in the liquidation once the sums have been paid to NEST, so that the funds can be appropriately invested for the former employees.
- 4.1.5 Where an employee's claim is paid by the RPS, the RPS have a subrogated preferential claim in the liquidation.

Non-preferential unsecured creditors

- 4.1.6 The Company's records detailed unsecured creditors with an estimated total liability of £455,018.41. This includes a sum of £151,024 owing to connected companies, Holland Shellfish International UK Ltd and LA Parsons Limited, and 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.
- 4.1.7 I have received claims from 13 trade and expense creditors at a total of £82,526.93. I have not yet received any claims from the connected companies or from the RPS in respect of payments made to former employees for redundancy pay and payments in lieu of notice.

4.2 DIVIDEND PROSPECTS

Preferential creditors

- 4.2.1 There are currently insufficient funds to enable a dividend to be paid to the preferential creditors.

Unsecured creditors

- 4.2.2 There are currently insufficient funds to enable a dividend to be paid to the unsecured creditors.

5. JOINT LIQUIDATORS' REMUNERATION & 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 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 2021 amount to £71,689.20, representing 292.70 hours of work at a blended charge out rate of £244.92 per hour, of which £39,271.20 was charged in the period since 2 December 2020, at a blended charge out rate of £245.14 per hour. The actual blended charge out rate incurred compares with the estimated blended charge out rate of £254.45 in my fees estimate. You will note that the blended rate charged is lower than the estimated blended charge out rate in my fee 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 the period of the liquidation 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 me, a manager and a senior 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 2021, 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 fee estimate provided to creditors in my report dated 27 January 2021. As you will see, the time costs incurred was exceeded by an amount of £18,687.20.
- 5.7 The reasons for exceeding the fee estimate are due to the extent of matters arising during my investigations into the affairs of the Company which identified potential recovery actions. Additional time has also been incurred in dealing with a former trading premises that I was not previously aware of; and obtaining details of the lease in place and potential assets remaining on the premises. 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 estimate.
- 5.8 I only anticipate needing to seek approval to draw fees in excess of my fee estimate if my additional work leads to further areas of investigation, potential further asset recoveries and any 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.
- 5.11 I have incurred total expenses of £45,188.36 since my appointment as Liquidator of which £2,878.20 was incurred in the period since my last report to creditors. Please note that expenses in the sum of £9,633.51 were incurred whilst I was in office as Provisional Liquidator. I have drawn £30,231.86 to 1 December 2021, of which £3,068.50 was drawn in the period since my last report to creditors.
- 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 fee	£0.90
Agents fees	£478.80
Legal fees	£1,500.00
Legal disbursements	£150.00
Pension agent	£600.00
Storage costs	£149.40
Category 2 Expenses	
None	£Nil

- 5.13 Storage costs of £149.40 were incurred during this period, of which £149.40 were paid during this period.
- 5.14 Bank charges were incurred and paid in the reporting period in the sum of £88.00. In addition a bacs fee of £0.90 was incurred and paid.

Petitioning creditors' costs

- 5.15 I have received costs from the petitioning creditor's solicitors. I understand that the petitioning creditor incurred costs in the sum of £13,800 plus VAT in respect of the preparing of the winding up petition. They also paid legal costs during the Provisional Liquidation in the sum of £1,855 plus VAT. The petitioning creditor further paid a deposit in the sum of £1,600 to the Secretary of State. The costs of the petitioning creditor rank as an expense of the estate and will be paid in the prescribed order of priority as and when funds permit.

Provisional liquidators costs

- 5.16 I have received a sealed order from the Court confirming that the Joint Provisional Liquidators costs in the sum of £37,777.81 (inclusive of VAT) be paid as an expense of the winding up of Penclawdd Shellfish Processing Co. Limited. This Order also released the Provisional Liquidators from any and all liability.

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

Professional advisor	Nature of work	Basis of fees
Clumber Consultancy	Dealing with pension scheme	Fixed fee
Lambert Smith Hampton	Valuer/Agent	Time costs
Marsh Restructuring and Recovery Practice	Insurance broker	Fixed premium
P A Miller	Books and records agent	Fixed fee
Capital Law Limited	Solicitors	Time costs

5.18 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.

5.19 Due to its specialised nature, I sub-contracted some of the work we are required to undertake as Joint Liquidators, namely dealing with any issues arising from the occupational pension scheme ran by the Company (i.e. liaison with the Pension Regulator, the Pension Protection Fund and the pension providers). I sub-contracted this work to Clumber Consultancy, who are not associated with either of the Joint Liquidators, and I am satisfied that taking this approach ensured that the best value and service was provided to creditors, because they are specialists in this type of work and, because their agreed fees were cheaper than doing it in house. Clumber Consultancy have charged £950.00 for undertaking that work, which has been paid in full, with £600.00 being paid in the period since my last report.

5.20 Capital Law were instructed to assist with an application to Court for the expenses incurred by the Provisional Liquidators be paid as an expense of the liquidation of the Company. They have charged £1,500.00, plus legal expenses of £150.00 for Counsel and Court fees, for undertaking that work, which has been paid in full in the period since my last report.

5.21 Lambert Smith Hampton attended and secured the assets in the property known as Unit 20b Crofty Industrial Estate, Crofty, Swansea. They incurred expenses of £478.80 in arranging a locksmith to attend the property which has been paid in full during the reporting period.

5.22 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.

5.23 As at 1 December 2021 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.

5.24 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 £117,157.56 in full and, expect to draw only £98,470.36. As a result, it is not anticipated that there will be a return to 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

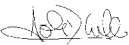
- 6.2 Any secured creditor, or an unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the court, may apply to court for one or more orders under Rule 18.36(4) or 18.37(4) of the Rules. In accordance with rule 18.34(3) of the Rules such applications 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 into the affairs of the Company have been fully resolved. I estimate that this will take approximately one more 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 Penelope Elvin by email at PElvin@menzies.co.uk, or by phone on +44 (0) 29 2067 4996

DocuSigned by:

C05673676A12475...
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:	2 December 2019
Court name and reference:	High Court of Justice 006733 of 2019
Contact details of Joint Liquidators:	Penelope Elvin by email at PElvin@menzies.co.uk , or by phone on +44 (0) 29 2067 4996
Details of any changes of Liquidator:	There have been no changes of Liquidator during the winding up.

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

Statement of Affairs		From 02/12/2020 To 01/12/2021	From 02/12/2019 To 01/12/2021
	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 Net of Tax	29.69	29.69
	Sundry Refunds	6,063.59	6,063.59
		6,093.28	61,709.31
	COST OF REALISATIONS		
	O.R. Remuneration	NIL	11,000.00
	DTI Cheque/BACS Fees	0.90	0.90
	Agents/Valuers Fees	478.80	8,978.80
	Agents Disbursements	NIL	17,048.09
	Legal Fees	1,500.00	1,500.00
	Legal Disbursements	150.00	150.00
	Sundry refunds	NIL	NIL
	Pension Agent	600.00	600.00
	Storage Costs	250.80	250.80
	Bank Charges	88.00	176.00
		(3,068.50)	(39,704.59)
	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)		3,024.78	22,004.72
	REPRESENTED BY		
	ISA main account IB		21,413.80
	Vat Control Account		590.92
			22,004.72

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.

PENCLAWDD SHELLFISH PROCESSING CO. LIMITED - IN LIQUIDATION

APPENDIX 3

TIME CHARGE OUT SUMMARY FOR THE PERIOD FROM 2 DECEMBER 2020 TO 1 DECEMBER 2021

HOURS						Total Hours	Time Costs £	Blended Hourly Rate £
Classification of Work Function	Partner/ Director	Manager	Senior	Administrator	Support			
Brought Forward From 1 December 2020						132.50	32,418.00	244.66
Administration & Planning	6.10	5.80	30.40	3.90	4.90	51.10	12,704.20	248.61
Realisation of Assets	3.60	2.20	4.60	-	0.60	11.00	3,330.00	302.73
Creditors	-	0.30	4.00	-	0.40	4.70	1,042.50	221.81
Investigations	9.00	0.50	75.20	-	8.70	93.40	22,194.50	237.63
Total Hours	18.70	8.80	114.20	3.90	14.60	160.20		
Total Costs	8,371.00	2,447.50	26,283.00	715.00	1,454.70		39,271.20	245.14
Total Carried Forward						292.70	71,689.20	244.92
Fees Drawn for Period Ended:								
01/12/2020							-	
01/12/2021							-	
Total Fees Drawn to Date:							-	
Balance of Time Costs Accrued but Unpaid							71,689.20	

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS		
	<u>From 1 October 2021</u>	<u>1 Oct 2020 to 30 Sept 2021</u>
	£ per hour	£ per hour
Partner/Director	450-525	425-525
Manager	270-400	260-360
Senior	240-250	230-250
Administrator	135-200	100-205
Support Staff	105	100
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 Practitioner for this assignment is currently £480 per hour, and the administrator is £240 per hour.		
Note 4 Time is recorded in minimum units of 6 minutes.		

JOINT LIQUIDATORS' NARRATIVE OF WORK UNDERTAKEN IN THE PERIOD 2 DECEMBER 2020 TO 1 DECEMBER 2021

Penclawdd Shellfish Processing Co. Limited - In Compulsory Liquidation ("the Company")
In The High Court of Justice Number 006733 of 2019

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

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, periodic review of files, strategic case planning and the routine administration of the case, preparation of documentation and reports and dealing with correspondence.

Specifically:

Reporting

Preparation of a progress report to members and creditors for circulation following the anniversary of the case to advise upon the progress made over the year. Included within the first annual progress report was a fee estimate. Time was spent preparing the detailed fee estimate and documents associated with the decision by correspondence procedure. Following the passing of the deadline for votes to be received, time was spent dealing with voting forms and preparing the necessary paperwork to record the outcome of the decision procedure.

A significant amount of time was spent gathering information regarding the costs incurred whilst in office as a Provisional Liquidator from various parties. Time was spent preparing a detailed report to the Court and liaising with my solicitors to make a Court application for the expenses of the Provisional Liquidator to be paid as an expense of the liquidation. Time was spent reviewing draft witness statements and documents required to make the Court application.

Time has been spent preparing VAT returns and submitting them to HM Revenue and Customs.

Cashiering

The time costs incurred in this category has included lodging receipts, preparing and processing invoices for payments, reconciling the bank account and producing the receipts and payments account.

Asset realisations

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

Sundry Refund

Time has been spent reviewing the case for the receipt of the refund due to the company from their utilities provider and dealing with the receipt once received.

Director's Loan Account ("DLA")

Time costs have been incurred in reviewing the financial information available in the Company's records to evidence the sum due to the Company in respect of the overdrawn DLA. Time has also been spent chasing the director for repayment of the outstanding sum.

Leasehold Property

Time has been spent conducting searches at HM Land Registry and obtaining a copy of a lease in the Company's name. I have obtained insurance to cover the property and the potential assets held on site and completed the insurance questionnaire. Time was spent instructing my agent to attend the premises to secure the assets and I have liaised with my agent regarding a claim that the assets are owned by a third party.

Creditors (claims and distribution)

Time spent in this category included dealing with routine correspondence, queries and taking telephone calls from creditors. Time was also spent maintaining creditor information on the electronic case management files as well as the physical case files.

Pension

Time costs were also incurred liaising with my pension agent to deal with outstanding pension contributions within the pension scheme operated by the Company. Time was spent liaising with them and the pension provider to obtain information and completion of the relevant forms to claim the unpaid pension contributions from the Redundancy Payments Office.

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.

Further investigation

Time costs were incurred in relation to matters identified for further investigation. Time has been spent holding strategy meetings to discuss findings and to share information amongst the team working on the case.

A large amount of time has been incurred in reviewing the Company's physical and electronic records and corresponding with various parties to obtain information surrounding the assets of the Company, to better understand the position prior to the Company entering into liquidation. Time has also been spent reviewing the Company's fixed asset register and pursuing various lines of enquiries to ascertain the position regarding the assets detailed therein and the information surrounding the disposal of certain assets.

Time has been spent performing a detailed bank analysis and reviewing the Company's physical books and records to ascertain if a period of missing bank statements had been delivered up and were being held in storage by the agent.

Time has also been incurred in liaising with the Company's former bookkeeper regarding the production of management accounts and the information contained in them in relation to various areas identified.

Time costs were incurred in reviewing correspondence and information received from the Official Receiver to progress my investigations.

My investigations in this matter remain ongoing.

PENCLAWDD SHELLFISH PROCESSING CO. LIMITED - IN LIQUIDATION

APPENDIX 4 - FEE ESTIMATE COMPARISON AGAINST TIME COSTS INCURRED

Classification of Work Function	Fee Estimate			Actual - 02/12/2019 - 01/12/2021		
	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	93.90	23,972.70	255.30
Realisation of Assets	25.40	7,160.00	281.89	26.30	7,730.50	293.94
Creditors	24.50	5,920.00	241.63	24.00	5,541.00	230.88
Investigations	83.30	20,165.00	242.08	148.50	34,445.00	231.95
Total Hours	208.30			292.70		
Total Time Costs		53,002.00			71,689.20	
Blended Hourly Rate			254.45			244.92
Total Fees Drawn to date				-		
Balance of Time Costs Accrued but Unpaid				71,689.20		

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS		
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Partner/Director	450-525	425-525
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Senior	240-250	230-250
Administrator	135-200	100-205
Support Staff	105	100
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.	
	The charge-out rate of the Insolvency Practitioner for this assignment is currently £480 per hour, and the administrator is	
Note 3	£240 per hour	
Note 4	Time is recorded in minimum units of 6 minutes.	

APPENDIX 5

JOINT LIQUIDATORS' COMPARISON OF ESTIMATED EXPENSES & ACTUAL COSTS INCURRED & PAID

Details of expense	Estimated amount £	Incurred in the provisional liquidation	Incurred/ accrued in the period since last report £	Total incurred/ accrued to date £	Paid in period since last report £	Total paid to date £
<u>Category 1 expenses</u>						
O.R. Remuneration	11,000.00	-	-	11,000.00	-	11,000.00
Bank charges	220.00	-	88.00	176.00	88.00	176.00
DTI cheque/bacs fees	-	-	0.90	0.90	0.90	0.90
Statutory advertising - various notices relating to the Company have to be placed in the London Gazette	83.02	83.02	-	0.00	-	83.02
Specific penalty bonding - this is insurance required by statute that every officeholder has to obtain for the protection of each estate, with the premium being based on the value of the Company's assets	320.00	320.00	-	0.00	-	320.00
Insurance of assets - it is necessary to insure the Company's assets prior to their sale	280.00	280.00	-	280.00	-	0.00
DVLA search	5.00	-	-	5.00	-	5.00
<u>Professional and subcontractors fees</u>						
Lambert Smith Hampton, a professional firm of independent agents, have been instructed by the Liquidator to undertake an independent valuation of the Company's assets and market these assets for sale. Their fees will be charged on a percentage of realisations	5,000.00	3,500.00	478.80	5,478.80	478.80	8,978.80
Agents' disbursements inc general travel, locksmith and security	11,597.60	5,450.49	-	11,597.60	-	17,048.09
Capital Law have been instructed to make an application to Court to agree the Provisional Liquidators costs. Their fees were charged on a time costs basis	3,500.00	-	1,500.00	1,500.00	1,500.00	1,500.00
Legal disbursements	0.00	-	150.00	150.00	150.00	150.00
Pension agent	1,340.00	-	600.00	950.00	600.00	950.00
Provisional Liquidators' remuneration	14,966.50	-	-	14,996.50	-	0.00
Provisional Liquidators' expenses	9,313.51	-	-	9,313.51	-	0.00
<u>Agent's fees</u>						
Collection, listing and storage of books and records - An agent has been instructed to collect the books and records of the Company. The books and records will be stored by the agent throughout the period of the liquidation and for one year following the dissolution of the Company. The fee basis is on a fixed fee	2,000.00	-	149.40	1,196.95	250.80	1,196.95
<u>Category 2 expenses</u>						
None	-	-	-	-	-	-
Totals	59,625.63	9,633.51	2,878.20	45,468.36	3,068.50	30,231.86

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 those which are paid to associates of the office holder.