

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](http://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	Menzies LLP
Street	5th Floor, Hodge House
Post town	114-116 St Mary Street
County/Region	Cardiff
Postcode	C F 1 0 1 D Y
Country	

### 4 Liquidator's name ❶

Full forename(s)	Rachel Helen
Surname	Lai

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

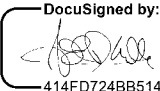
### 5 Liquidator's address ❷

Building name/number	Menzies LLP
Street	5th Floor, Hodge House
Post town	114-116 St Mary Street
County/Region	Cardiff
Postcode	C F 1 0 1 D Y
Country	

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

WU07

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

6	Period of progress report											
From date	<div>d</div> <div>0</div>	<div>d</div> <div>2</div>	<div>m</div> <div>1</div>	<div>m</div> <div>2</div>	<div>y</div> <div>2</div>	<div>y</div> <div>0</div>	<div>y</div> <div>2</div>	<div>y</div> <div>2</div>				
To date	<div>d</div> <div>0</div>	<div>d</div> <div>1</div>	<div>m</div> <div>1</div>	<div>m</div> <div>2</div>	<div>y</div> <div>2</div>	<div>y</div> <div>0</div>	<div>y</div> <div>2</div>	<div>y</div> <div>3</div>				
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><div>DocuSigned by:</div><div></div><div>414FD724BB51443...</div></div>								<div>X</div>			
Signature date	<div>d</div> <div>1</div>	<div>d</div> <div>0</div>	<div>m</div> <div>0</div>	<div>m</div> <div>1</div>	<div>y</div> <div>2</div>	<div>y</div> <div>0</div>	<div>y</div> <div>2</div>	<div>y</div> <div>4</div>				

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 **Jonah Sutton**Company name **Menzies LLP**Address **5th Floor Hodge House****114-116 St Mary Street**Post town **Cardiff**

County/Region

Postcode

C	F	1	0	1	D	Y
---	---	---	---	---	---	---

Country

DX

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**

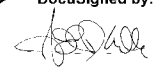
For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**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)**

09 January 2024 14:25

**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.

DocuSigned by:  
  
4114ED724BB51443...

---

**John Dean Cullen**  
Joint Liquidator

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 TO 2 DECEMBER 2022 TO 1 DECEMBER 2023

DATED 10 JANUARY 2024

## CONTENTS

1. Introduction and executive summary
2. Progress and asset realisations
3. Investigations
4. Liabilities and dividend prospects
5. Joint Liquidators' remuneration and expenses
6. Creditors' rights to further information and to challenge liquidators' remuneration and expenses
7. Further information
8. Concluding remarks

## APPENDICES

1. Statutory information
2. Joint Liquidators' abstract of 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 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 fourth 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 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 2023, 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 as the Company was VAT registered, and VAT has therefore been recovered for the benefit of the estate.

1.7 As at 1 December 2023, the balance of funds amounting to £4,819.56 was held in an interest-bearing estate account with the Insolvency Service.

## 2. PROGRESS AND ASSET REALISATIONS

### Bank interest

2.1 The sum of £313.47 of bank interest, gross, has been generated from the monies held in the estate account during the 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 £250.78. This is detailed on the receipts and payments account as at Appendix 2.

### Directors overdrawn 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. During the reporting period, I have liaised with the director to seek recovery of this amount. In the time since the end of the reporting period and preparing this report, I have agreed a settlement of £25,000 from the director, on the understanding that this is received into the estate no later than 25 February 2024. The director will make three payments and I confirm that the first payment of £10,000 has been received. As the funds were received outside the reporting period, they do not appear on my receipts and payments account. A further £10,000 is due by 25 January 2024 and the remaining £5,000 is to be paid by 25 February 2024.

### Other assets

2.3 I previously reported having been contacted by a connected party to the Company regarding possible assets of the Company. I requested further information to corroborate this information but have yet to



receive this. During this period, I have had contact from another connected party who reports having knowledge of the Company's affairs and I have again requested supporting information and evidence to be delivered to me but to date, nothing has been received.

- 2.4 Should creditors be aware of any other assets in this matter, I should be grateful if you would contact my colleague, Jonah Sutton, on 03309 129349, or by email at JSutton@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 identified matters requiring further investigation that may lead to potential recovery actions of assets and additional monies for the estate, the work was undertaken to progress those investigations with a view to making recoveries in the best interests of the creditors. During the period, I have carried out further reviews of the Company's records and, subsequently, made enquiries of a number of third parties.
- 3.3 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 If the Company creates a floating charge on or after September 15, 2003, a prescribed portion of the Company's net property (i.e., the money that would otherwise be accessible to the charge holder) must be set aside for distribution to unsecured creditors. In this case, I am unaware of any sum being due to NatWest under their charge such that the prescriber 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 for wage arrears, 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. When the Redundancy Payments Service ("RPS") pays an employee's claim, the RPS has a subrogated preferential claim in the liquidation.
- 4.5 As previously reported, the RPS lodged a preferential claim in the amount of £63.64 in respects of their subrogated claim for settling the Company's unpaid 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 forty-three unsecured creditors with an estimated total liability of £455,018.41. This includes the sum of £151,024.00 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. To date, I have received claims from fifteen creditors at a total of £267,253.67.

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 appropriately spent by myself and my staff in attending to matters arising in the Liquidation, based on a fee estimate of £53,002.00 plus VAT. The fee estimate serves 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 2023 amount to £138,866.70, made up of 613.60 hours' work at a blended charge out rate of £226.31 per hour, of which £41,696.50 was charged in the period since my last report to creditors, at a blended charge out rate of £188.42 per hour. The actual blended charge out rate incurred compares with the estimated blended charge out rate of £254.45 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 during the liquidation to date.
- 5.4 During the period I have drawn £14,966.50 in respect of provisional Liquidators' fees as authorised by the Court. I have not been able to draw any remuneration in respect of my post-appointment time 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 me, a manager, 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 2023, the total time costs that I have incurred in the Liquidation have exceeded the total estimated remuneration which was set out in my fee 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 previously provided to creditors. As you will see, the time costs incurred were exceeded by an amount of £85,864.70.
- 5.7 The fee estimate has been exceeded due 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 fee 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 fee 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/feesguide/>. 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 £33,332.66 since my appointment as Liquidator of which £331.84 was incurred in the period since my last report to creditors. Since my appointment as Joint Liquidator, I have drawn £66,722.30 to 1 December 2023, of which £2,075.47 was drawn in the period since my last report to creditors. The amount drawn includes £33,623.52 of expenses incurred whilst acting as Provisional Liquidator. Menzies LLP has paid £508.88 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
<b>Category 1 Expenses</b>	
Tax on interest received	£62.69
ISA BACS Fees	£0.45
Storage Costs	£180.70
Bank Charges	£88.00
<b>Category 2 Expenses</b>	
None	£Nil

- 5.13 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 occupational pension	Fixed costs
The Maltings	Storage	Per box, per week

- 5.14 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.
- 5.15 As at 1 December 2023, 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.
- 5.16 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 current investigations and any new matters that come to light have been fully resolved. I estimate that this will take approximately take at least six months 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 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 Jonah Sutton by email at JSutton@menzies.co.uk, or by phone on +44 (0)330 912 9349.

DocuSigned by:  
  
414FD724BB51443...  
John Dean Cullen  
Joint Liquidator

## APPENDIX 1

### STATUTORY INFORMATION

Company name:	Penclawdd Shellfish Processing Co. Limited
Company number:	02750549
Registered office:	Menzies LLP, 5th Floor, Hodge House, 114-116 St Mary Street, Cardiff, CF10 1DY
Former registered office:	2 Sovereign Quay, Havannah Street, Cardiff, CF10 5SF
Former trading address:	68 Argyle Street, Birkenhead, Merseyside, CH41 6AF
Principal trading activity:	Processing and preserving of fish, crustaceans and molluscs
Joint Liquidators' names:	John Dean Cullen and Rachel Helen Lai
Joint Liquidators' address:	5th Floor Hodge House, 114-116 St Mary Street, Cardiff, CF10 1DY
Date of appointment:	2 December 2019
Court name and reference:	High Court of Justice 006733 of 2019
Contact details of Joint Liquidators	Jonah Sutton by email at JSutton@menzies.co.uk, or by phone on +44 (0)330 912 9349.
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 02/12/2022 To 01/12/2023	From 02/12/2019 To 01/12/2023
	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	313.47	518.73
	Sundry Refunds	NIL	6,063.59
		313.47	62,198.35
	PROVISIONAL LIQUIDATION COSTS		
	Provisional Liquidators' Fees	14,966.50	14,966.50
	Agents Disbursements	NIL	5,450.49
	Agents Fees	NIL	3,500.00
	Insurance of Assets	NIL	280.00
	Legal Fees	NIL	1,500.00
	Legal Disbursements	NIL	150.00
	Statutory Advertising	83.02	83.02
		(15,049.52)	(25,930.01)
	COST OF REALISATIONS		
	Statutory Advertising	83.02	83.02
	Tax on interest received	62.69	103.75
	ISA BACS fees	0.45	1.50
	Agents/Valuers Fees	NIL	5,478.80
	Agents Disbursements	NIL	11,597.60
	Specific Bond	320.00	320.00
	Sundry refunds	NIL	NIL
	Pension Agent	350.00	950.00
	Storage Costs	1,171.31	1,422.11
	Insurance of Assets	NIL	140.00
	Bank Charges	88.00	352.00
	Official Receiver's General fee	NIL	6,000.00
	Official Receiver's Administration fee	NIL	5,000.00
		(2,075.47)	(31,448.78)
	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

<u>(5,034,483.66)</u>	<u>(16,811.52)</u>	<u>4,819.56</u>
REPRESENTED BY		
ISA main account IB		4,819.56
		<u>4,819.56</u>

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 3

**JOINT LIQUIDATORS' ANALYSIS OF TIME COSTS AND NARRATIVE OF WORK UNDERTAKEN IN THE PERIOD 2 DECEMBER 2022 TO 1 DECEMBER 2023**

TIME CHARGE OUT SUMMARY FOR THE PERIOD FROM 02.12.2022 to 01.12.2023

Classification of Work Function	HOURS					Total Hours	Time Costs £	Blended Hourly Rate £
	Partner/ Director	Manager	Senior	Administrator	Support			
Brought Forward From 01.12.2022						392.30	97,170.20	247.69
Administration & Planning	2.60	13.70	0.70	53.50	4.10	74.60	14,970.50	200.68
Realisation of Assets	0.50	0.10	-	-	-	0.60	280.00	466.67
Creditors	0.30	2.20	-	8.60	-	11.10	2,382.50	214.64
Investigations	5.70	6.50	-	122.80	-	135.00	24,063.50	178.25
Total Hours	9.10	22.50	0.70	184.90	4.10	221.30		
Total Costs	4,938.50	7,336.00	210.00	28,801.50	410.50		41,696.50	188.42
Total Carried Forward						613.60	138,866.70	226.31
Total Fees Drawn to Date:							-	
Balance of Time Costs Accrued but Unpaid							138,866.70	

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS			
	From 1 September 2023	1 June 2022 to 31 August 2023	
	£ per hour	£ per hour	
Partner/Director	530-640	500-580	
Manager	330-495	300-450	
Senior	300-310	270-280	
Administrator	165-245	150-220	
Support Staff	130	120	
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 £585 per hour, and the administrator is £165 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 2022 TO 1 DECEMBER 2023**

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 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 and statutory advertising.

Specifically:

Reporting

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

File reviews

File reviews have been conducted during the reporting period to ensure that all administrative matters are being progressed in a timely manner and to meet compliance standards.

Cashiering

Time incurred during this period relates to time spent by my cashiers processing payments and recording interest received; reconciling the bank account, producing the receipts and payments, and continuing to monitor the specific penalty bond in place to ensure it remains at an appropriate level.

Other

Time was spent liaising with the director in relation to my investigations and the outstanding DLA.

#### **2 ASSET REALISATIONS**

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

Time was spent furthering potential asset recoveries available for the estate.

#### **3 INVESTIGATIONS**

Complying with statutory obligations 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 was spent carrying out further reviews of the Company records and following up lines of enquiries with third parties. Time has been spent holding meetings with my investigation team to monitor and progress the investigations.

The time spent on investigations is commensurate with the scope and complexities of the investigations identified. I am currently unable to provide specific details about these investigations as to do so may prejudice the outcome of any action taken as a result of the investigations.

#### 4 CREDITORS

Time was spent preparing and filing the Company's annual Corporation Tax return together with VAT returns as required.

Time was spent dealing with routine correspondence with creditors and dealing with enquiries from a number of creditors.

## APPENDIX 4

**JOINT LIQUIDATORS' COMPARISON OF FEES ESTIMATE AND TIME COSTS INCURRED**

Classification of Work Function	Fee Estimate			Actual - 02.12.2019 to 01.12.2023		
	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	222.60	52,037.20	-
Realisation of Assets	25.40	7,160.00	281.89	32.80	9,616.50	-
Creditors	24.50	5,920.00	241.63	37.80	8,636.50	-
Investigations	83.30	20,165.00	242.08	320.40	68,576.50	-
<b>Total Hours</b>	<b>208.30</b>			<b>613.60</b>		
<b>Total Time Costs</b>		<b>53,002.00</b>			<b>138,866.70</b>	
<b>Blended Hourly Rate</b>			<b>254.45</b>			<b>226.31</b>
Total Fees Drawn to date				-		
Balance of Time Costs Accrued but Unpaid				138,866.70		

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS		
	From 1 September 2023	1 June 2022 to 31 August 2023
	£ per hour	£ per hour
Partner/Director	530-640	500-580
Manager	330-495	300-450
Senior	300-310	270-280
Administrator	165-245	150-220
Support Staff	130	120
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 £585 per hour, and the administrator is £165 per hour	
Note 4	Time is recorded in minimum units of 6 minutes.	

## APPENDIX 5

## JOINT LIQUIDATORS' COMPARISON OF ESTIMATED EXPENSES AND ACTUAL COSTS

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 £
<b><u>Category 1 expenses</u></b>							
Bank charges	220.00	-	264.00	88.00	352.00	88.00	352.00
DTI cheque / BACS fees	-	-	1.05	0.45	1.50	0.45	1.50
Statutory advertising	83.02	83.02	83.02	-	166.04	83.02	166.04
Specific penalty bonding	320.00	-	320.00	-	320.00	320.00	320.00
Insurance of assets	280.00	280.00	140.00	-	420.00	-	420.00
Tax on interest received	-	-	41.06	62.69	103.75	62.69	103.75
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
<b><u>Professional and Sub-Contractors' fees</u></b>							
Lambert Smith Hampton	5,000.00	3,500.00	5,478.80	-	8,978.80	-	8,978.80
Agents' disbursements	11,597.60	5,450.49	11,597.60	-	17,048.09	-	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	350.00	950.00
Provisional Liquidators' remuneration	14,966.50	14,996.50	-	-	14,996.50	-	14,996.50
Provisional Liquidators' expenses	9,313.51	9,313.51	-	-	9,313.51	-	9,313.51
<b><u>Agents' fees</u></b>							
Storage costs	2,000.00	-	1,470.29	180.70	1,650.99	1,171.31	1,422.11
<b><u>Category 2 expenses</u></b>							
None	-	-	-	-	-	-	-
<b>Totals</b>	<b>59,625.63</b>	<b>33,623.52</b>	<b>33,000.82</b>	<b>331.84</b>	<b>66,956.18</b>	<b>2,075.47</b>	<b>66,722.30</b>

## 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.