

In accordance with  
Rule 18.7 of the  
Insolvency (England &  
Wales) Rules 2016 and  
Sections 92A, 104A and  
192 of the Insolvency  
Act 1986.

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

THURSDAY



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A13

13/08/2020

#364

COMPANIES HOUSE

### 1 Company details

Company number 0 3 0 5 6 1 4 6

Company name in full Paperback Collection and Recycling Limited

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

### 2 Liquidator's name

Full forename(s) Christopher

Surname Ratten

### 3 Liquidator's address

Building name/number 3 Hardman Street

Street

Post town Manchester

County/Region

Postcode M 3 3 H F

Country

### 4 Liquidator's name ①

Full forename(s) Lindsey J

Surname Cooper

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

### 5 Liquidator's address ②

Building name/number 3 Hardman Street

Street

Post town Manchester

County/Region

Postcode M 3 3 H F

Country

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

LIQ03

Notice of progress report in voluntary winding up

**6 Period of progress report**

From date	<sup>d</sup> 2	<sup>d</sup> 5	<sup>m</sup> 0	<sup>m</sup> 6	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9
To date	<sup>d</sup> 2	<sup>d</sup> 4	<sup>m</sup> 0	<sup>m</sup> 6	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0

**7 Progress report**
☒ The progress report is attached
**8 Sign and date**

Liquidator's signature

Signature

X



X

Signature date

<sup>d</sup>1<sup>d</sup>3<sup>m</sup>0<sup>m</sup>8<sup>y</sup>2<sup>y</sup>0<sup>y</sup>2<sup>y</sup>0

LIQ03

## Notice of progress report in voluntary winding up

**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name

Company name **RSM Restructuring Advisory LLP**

Address

**9th Floor****3 Hardman Street**

Post town

**Manchester**

County/Region

Postcode

**M****3****3****H****F**

Country

DX

Telephone

**0161 830 4000****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)

**In the matter of**

**Paperback Collection and Recycling Limited In Liquidation  
(‘the Company’)**

**Joint Liquidators' progress report**

**13 August 2020**

**Christopher Ratten and Lindsey J Cooper  
Joint Liquidators**

**RSM Restructuring Advisory LLP  
9th Floor  
3 Hardman Street  
Manchester  
M3 3HF  
Tel: 0161 830 4000  
Email: [restructuring.manchester@rsmuk.com](mailto:restructuring.manchester@rsmuk.com)**

## **Sections**

1. Progress of the liquidation
2. Details of what remains to be done and matters preventing closure
3. Creditors' claims and dividend prospects
4. Receipts and payments summary
5. Joint Liquidators' remuneration and expenses
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7. Creditors' right to information and ability to challenge remuneration and expenses

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- G. Joint Liquidators' time cost analysis for the period from 25 June 2019 to 24 June 2020
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- I. Notice of a Qualifying Decision Procedure
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- K. Invitation to form a committee & committee consent to act
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This report has been prepared in accordance with relevant legislation to provide creditors, members and the registrar of companies with information relating to the progress of the liquidation in the period from 25 June 2019 to 24 June 2020. This report should be read in conjunction with any previous reports that have been issued, copies of which are available on request.

This report has been prepared solely to comply with the statutory requirements the relevant legislation. It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the Company. Any estimated outcomes for creditors are illustrative and may be subject to significant change.

Neither the Joint Liquidators nor RSM Restructuring Advisory LLP accept any liability whatsoever arising from any decision or action taken or refrained from because of information contained in this report.

## **1 Progress of the liquidation**

### **1.1 Realisation of assets**

The Joint Liquidators are obliged to collect in and distribute the Company's assets. In some cases this does not result in sufficient realisations to enable a financial return to creditors, after taking into account the costs and expenses of realisation and dealing with the legislative requirements of administering the case. Details of the realisations made are set out below, with information relating to dividends, if any, contained within Appendix B.

### **1.2 Bank Interest**

Bank interest in the sum of £811 has been received in the period.

### **1.3 Investigations**

In accordance with our statutory obligations, we have filed the appropriate documentation in relation to the conduct of the directors.

We can advise you that, following our initial assessment, no further investigations were deemed necessary.

### **1.4 Administration and planning**

Certain aspects of the work that the Joint Liquidators undertake are derived from the underlying legal and regulatory framework for cases of this nature. This work, which does not usually result in any direct financial return to creditors, is a necessary aspect of ensuring that the Joint Liquidators are complying with both their legislative and best practice responsibilities, and ensuring that the case is managed efficiently and effectively. It includes matters such as:

- Periodic case reviews, ongoing case planning and strategy
- Maintaining and updating computerised case management records
- Dealing with routine correspondence not attributable to other categories of work
- Ongoing consideration of ethical and anti-money laundering regulations
- General taxation matters, including seeking tax clearance from HMRC
- Preparation of receipts and payments accounts, maintenance of cashiering records
- Preparing, reviewing and issuing final report to creditors and other parties
- Filing of final documentation at Companies House, Court and other relevant parties
- General administrative matters in relation to closing the case
- Pension schemes, liaising with PPF/Pensions Regulator/Trustees

## **2 Details of what remains to be done and matters preventing closure**

### **2.1 Assets remaining to be realised**

There are no assets remaining to be realised.

### **2.2 Other outstanding matters**

In the period since our last report we have been primarily engaged in attempting to resolve the complex legal position associated with actions taken by the Natural Resources Body for Wales ("NRW") against the directors and the Company in liquidation. The key points are summarised below.

#### **Section 59 Notice / Re: Doonin Plant Limited [2018] ScotCS CSOH 89**

As previously advised, in September 2018 we received a letter from NRW in respect of the Company. This referred to a Statutory Notice issued on 6 June 2018 under Section 59 of the Environmental Protection Act 1990 (prior to the liquidation) in respect of controlled waste on a site at Penrhos, Holyhead, Anglesey operated by Orthios.

Given the case law arising from Re: Doonin Plant Limited [2018] ScotCS CSOH 89 ('Doonin'), we sought legal advice as to the implications of this case in so far as they affect the payment of costs of compliance with the Notice as an expense of the liquidation.

If the principles of Doonin were to be applicable, the payment of costs associated with the clean up of the Penrhos property would be payable as an expense of the liquidation in priority to any distribution to secured creditors. This meant that we were unable to make any distribution to the secured creditors until the position was resolved.

Our solicitors, Taylors, instructed Counsel on this matter and their advice was received at the end of May 2019.

Ordinarily, in England and Wales, the liability for clean up costs could be disclaimed by the liquidator of the Company as "onerous property". However, it was possible that if NRW appealed against this, then a Court may find that the costs were to be an expense of the liquidation.

Taylors then wrote to NRW to set out the position of the liquidators of the Company such that Doonin does not apply and to request a meeting to reach agreement in this regard.

### **Criminal litigation**

Unfortunately NRW refused to do so and in August 2019, a summons was filed against the Company in the Caernarfon Magistrates court by NRW with a hearing date of 5 September 2019 (subsequently adjourned). The directors, Gordon and Terry Anderson had also been sent the Summons which was under criminal proceedings for the waste left on site at Penrhos and also Deeside in contravention of conditions in the environmental permit granted by NRW. We immediately invited NRW to withdraw or adjourn the hearing, but they did not agree.

It is our understanding that NRW took this course of action as a matter of policy as they intended to proceed with the criminal proceedings and to obtain a Proceeds of Crime Order ("POCA") or confiscation order against the Company and therefore gain control of funds held within the liquidation which would otherwise be distributed to secured creditors (after the costs of the liquidation). This is against insolvency legislation and the priority of creditor claims.

It was never the intention of the liquidators to become embroiled with the criminal action commenced by NRW as there would be no benefit to the creditors. Clearly any offences were committed prior to the Company entering liquidation and the liquidators had no direct knowledge of or involvement in the Company's affairs at the time.

We attempted to extract ourselves by agreement and by appeal through the Court. At all stages we have sought expert legal advice and the agreement of the secured creditors to the course of action proposed and the associated costs.

It was impossible to simply ignore these proceedings as the Company was required to participate. This has therefore meant that we have had to engage solicitors and legal counsel to represent the Company at the various hearings.

In a Compulsory Liquidation there is an automatic stay of proceedings which is defined in the insolvency legislation. This provision does not apply in a Creditors' voluntary liquidation. On advice from solicitors and counsel it felt that an application to the Court under S126 of the Insolvency act for directions for an order on the stay on the proceedings should be made. This application was made in October 2019 by the liquidators but unfortunately the Court did not grant an order and therefore the liquidators had to continue to defend the position in the Magistrates Court. The liquidators subsequently lodged an appeal against this decision but do not intend to run with the appeal as the matter has now been resolved by the later court clarification.

At the Magistrates Court hearing which took place on 6 November 2019, our solicitors advised the Court that the liquidator was not involved in the Company's actions prior to the liquidation having only such knowledge of them as had been provided by the directors, and that we had lodged an appeal against the proceedings. As such a plea of not guilty was entered. A further Court hearing date was set for 6 December 2019.

At this point, we sought the agreement of NRW that any POCA/ confiscation order would not apply against the Company. We intended to make a guilty plea on behalf of the Company if that was obtained. NRW declined to respond.

It became apparent from the actions of NRW that their emphasis had shifted from pursuing Doonin (i.e. seeking the payment of clean up costs of the Company's sites as an expense of the liquidation in priority to the secured creditors) to attempting to obtain a POCA order against the Company in order to get control of the funds held in the liquidation.

Matters were made even more difficult by the fact that there is no direct authority which deals with the application of POCA in liquidation.

At the hearing on 6 December the Court set out a timetable for the key dates involved in the criminal prosecution trial which was expected to last for a significant period of time. Until this matter had been resolved it meant that the liquidator would not have been in a position to distribute the funds that they were holding and would continue to incur legal costs in attending hearings that they had no real interest in.

Our solicitors again sought agreement from NRW that the liquidators could exit the criminal proceedings and to obtain clarity that NRW would not try to claim POCA if any award was made against the Company by the Court. It was our legal advice that POCA should not apply and that any award made against the company would rank as an unsecured creditor claim.

Despite our best efforts to enter into negotiations with NRW to bring the liquidators' involvement to an end and seek their agreement not to pursue a POCA claim, they continued to remain silent.

As no response was again received, our solicitor's advice was to lodge an application in the High Court for clarity on POCA before we lodged the Company's plea position. The application and guilty pleas by the Company to all charges were lodged in April 2020.

At this point, NRW accepted that the liquidators' view in respect of POCA was correct and made clear to the Court that they would not be seeking an order under POCA against the Company.

At a hearing in the High Court on 6 May 2020, the Court directed that the liquidators were able to distribute funds to the secured creditors. This prolonged and complex legal matter is therefore satisfactorily concluded and steps will now be taken to make a distribution to the secured creditors and to conclude the liquidation.

### **3 Creditors' claims and dividend prospects**

Dividend prospects and projected returns to creditors are attached, including any amount due to under the prescribed part, if any.

The Joint Liquidators are obliged to deal with a number of matters in relation to creditors to comply with both the legislative and best practice requirements and to ensure creditors are kept informed. Creditors will only derive an indirect financial return from this work on cases where a dividend has been paid. These matters include:

- Preparation and issue of progress reports and associated documentation;
- Maintenance of schedules of preferential and unsecured creditors' claims;
- Dealing with correspondence and telephone calls;
- Where necessary, consideration of creditors' claims; acceptance or rejection of claims and complying with legislative obligations in relation to adjudication of creditors' claims generally for voting and, if applicable, dividend purposes;
- Review of creditor claim supporting documentation; and
- Calculation and payment of dividend(s) to one or more classes of creditors.

#### **3.1 Prescribed part**

The 'Prescribed Part' is a statutory amount set aside for unsecured creditors from funds ('Net Property') available to a Qualifying Floating Charge Holder ('QFCH'). The amount of Net Property is calculated on a sliding scale up to a maximum of £600,000 before costs depending on when the floating charge was created and whether or not it is a first ranking floating charge.

The amount of the Prescribed Part of the assets under Section 176A of the Insolvency Act 1986 is currently estimated at c.£26,000.



#### 4 Receipts and payments summary

We attach a summary of our receipts and payments for the period from 25 June 2019 to 24 June 2020, along with cumulative figures where applicable.

##### VAT basis

Receipts and payments are shown net of VAT with any amount due to or from HM Revenue and Customs shown separately.

#### 5 Joint Liquidators' remuneration and expenses

##### 5.1 Pre-appointment fees and expenses

The pre appointment remuneration was approved on 26 July 2019 by the unsecured creditors on the following basis:

Pre Appointment	£
Chattel asset agent valuation	23,729.00
Legal fees Taylors	8,500.00
Legal fees Weightmans LLP	13,000.00
<b>Total</b>	<b>45,229.00</b>

##### 5.2 Authority for remuneration, disbursements and expenses

The Joint Liquidators' remuneration was approved on 26 July 2019 by the unsecured creditors on the following basis:

On the basis of time costs in respect of work undertaken limited to the sum of £61,086 (plus VAT) in accordance with the fee estimate dated 26 July 2019.

This was increased to £86,611 on 4 September 2019, with unsecured creditors approval.

##### 5.2.1 Remuneration and expenses incurred in the period from 25 June 2019 to 24 June 2020 and since appointment

Sums drawn, both in respect of the current period of the report, and since appointment, in accordance with the relevant approval(s) set out above, are detailed in the attached receipts and payments account.

The Joint Liquidators are required to report remuneration 'charged' in the period. This reflects the time charged to the case for any category of work where remuneration has been approved on a time cost basis. The Joint Liquidators can only draw remuneration based on time costs, that has been approved in accordance with the fee estimate(s), as set out above.

The Joint Liquidators have incurred time costs of £49,102 in the current period. An analysis of time incurred in the period is attached.

Since the date of appointment, the Joint Liquidators have incurred time costs totalling £111,749.50. Of this, a total of £76,000 (plus VAT) has been paid and £35,749.50 remains outstanding.

##### 5.2.2 Request to approve additional remuneration

The Joint Liquidators have incurred significant additional time costs in the period, in excess of the previous fee estimate of £86,611 in dealing with the complex legal matters and Court proceedings relating to actions brought against the Company by NRW in respect of Re: Doonin Plant Limited and criminal liability. The Joint Liquidators are therefore requesting an increase in remuneration.

If so approved, the maximum amount that the Joint Liquidators will be able to draw in relation to remuneration will be £106,611, i.e. this is a cap on the total of the fee estimate. The Joint Liquidators will not be allowed to draw more than that without obtaining further approval.

On current information, should the creditors approve this request, the Joint Liquidators do not anticipate that it will be necessary to seek any further approval for additional fees.

### **5.3 Expenses and disbursements**

Attached are the Joint Liquidators' charging, expenses and disbursement policy statement, together with the current rates. Details of the expenses (including category 1 and category 2 disbursements) that the Joint Liquidators have incurred in the period of the report are attached.

The legal fees are higher than original estimated due to the necessity of dealing with the legal actions brought by NRW, however these increased fees have been approved by the floating charge creditors which is required under rule IR16 6.42(4)(a).

#### **5.3.1 Other professional costs**

Whilst professional costs are not subject to approval by the relevant approving body, all professional costs are subject to review before being paid.

Taylor's Solicitors have been retained as legal advisors in view of their general experience and expertise in these matters. In addition to dealing with the NRW actions against the Company, they have advised us on the asset sale, the security position and the disclaiming of the leases held in the Company. We have agreed their remuneration on the basis of their standard hourly charge-out rates, plus VAT and disbursements. In the period of this report Taylor's Solicitors have received the sum of £52,652.50.

Subsequent to the date of this report the sum of £16,689.52 has been paid to Taylor's Solicitors, but is not reflected on the attached receipts and payments account.

The increased legal fees have been approved by the floating charge creditors which is required under rule IR16 6.42(4)(a)

Counsel's fees of £19,500 have been paid in the period in respect of the action brought against the Company by NRW.

Natural Resources Body for Wales had a cost award in the sum of £4,300 that has been settled from the Liquidation estate and is reflected on the attached receipts and payments account.

### **6 Notice of Qualifying Decision Procedure**

The Joint Liquidators are requesting creditors agree the basis upon which they are to be remunerated and may draw disbursements in accordance with the notice attached at Appendix J.

If so approved, the maximum amount that the Joint Liquidators will be able to draw in relation to their post-appointment fees will be £106,611 unless they obtain further approval.

Accordingly, you are requested to complete and return the enclosed Voting Paper together with a completed Proof of Debt form to RSM Restructuring Advisory LLP 9th Floor, 3 Hardman Street, Manchester, M3 3HF by no later than the decision date stated in the notice attached. Documents sent by fax are acceptable. If you have previously submitted a proof of debt form in these proceedings, there is no requirement to submit a further form unless your claim has changed.

### **7 Creditors' right to information and ability to challenge remuneration and expenses**

In accordance with the relevant legislation creditors have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses.

If you wish to make a request for further information, then it must be made within 21 days of receipt of this report in writing by either by (i) any secured creditor or (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors.

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court on the grounds that the remuneration charged, the basis fixed or expenses incurred by the liquidator are in all the circumstances excessive.

Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question.

A Creditors' Guide to Liquidators' Fees, which provides information for creditors in relation to the remuneration of a Liquidator, can be accessed at <https://rsmuk.ips-docs.com> under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing.

Should you have any further queries please do not hesitate to contact me.



**Christopher Ratten**  
**RSM Restructuring Advisory LLP**  
**Joint Liquidator**

Christopher Ratten is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales  
Lindsey J Cooper is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales  
Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment

## Appendix A

### Statutory information

<b>Company information</b>	
Company name:	Paperback Collection and Recycling Limited
Company number:	03056146
Date of incorporation:	12 May 1995
Trading name:	Paperback Collection and Recycling Limited
Trading address:	3 Hardman Street Manchester M3 3HF
Principal activity:	Treatment and disposal of non-hazardous waste
Registered office:	RSM Restructuring Advisory LLP, 9th Floor, 3 Hardman Street, Manchester, M3 3HF
Previous registered office:	Unit 1-1A & 2, Parkway, Deeside Industrial Park, Deeside CH5 2NS

<b>Liquidation information</b>		
Joint Liquidator:	Christopher Ratten and Lindsey J Cooper	
Date of appointment:	25 June 2018	
Correspondence address & contact details of case manager:	Alex Collier 0161 830 4053 RSM Restructuring Advisory LLP, 9th Floor, 3 Hardman Street, Manchester, M3 3HF	
Name, address & contact details of Joint Liquidator:	<b>Primary Office Holder</b> Christopher Ratten MANCHESTER 3 Hardman Street, Manchester, M3 3HF 0161 830 4000 IP Number: 9338	<b>Joint Office Holder:</b> Lindsey J Cooper MANCHESTER 3 Hardman Street, Manchester, M3 3HF 0161 830 4031 IP Number: 008931

## Appendix B

### Dividend prospects

	Owed*	Paid to date	Estimated future prospects
Secured creditor (1): Finance Wales Investment Limited	£7,000 and £294,688	Nil	Nil
Secured creditor (2): Triodos Bank NV	£133,000	Nil	c.£90,000
Secured creditor (3): Santander UK PLC	£19,000	Nil	Nil
Secured creditor (4): HSBC Bank PLC	£370,000	Nil	Nil
Preferential creditors	£15,017	NIL	Paid in full
Unsecured creditors	£1,090,117	NIL	Estimated 1-2p in the £ via prescribed part
Estimated net property	c.£119,000		
Estimated prescribed part available for unsecured creditors	c.£26,000		

Any estimated outcome for creditors is illustrative and may be subject to change.

## Appendix C

### Summary of receipts and payments

#### Paperback Collection and Recycling Limited In Liquidation Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £	From 25/06/2019 To 24/06/2020 £	From 25/06/2018 To 24/06/2020 £
	<b>SECURED ASSETS</b>	
	Asset Finance	NIL
	Book Debts	NIL
	Office Equipment	NIL
	Plant & Machinery	NIL
	Stock / WIP	NIL
		259,312.26
	<b>COSTS OF REALISATION</b>	
	Legal Fees / Disbs	NIL
		6,951.00
		(6,951.00)
	<b>SECURED CREDITORS</b>	
(367,264.73)	Secured Creditor Control	NIL
		NIL
	<b>ASSET REALISATIONS</b>	
	Bank Interest Gross	811.04
	Cash in Hand	1,272.37
15,017.00	Furniture & Equipment	0.35
	Innovate UK Grant Funds	NIL
	Motor Vehicle Surplus	34,465.20
	Motor Vehicles	1,924.20
	Pre-Apt VAT	29,500.00
	Sundry Receipt	84,000.00
		0.81
		811.04
		151,162.93
	<b>COST OF REALISATIONS</b>	
	Agents / Valuers Fees	NIL
	Bond	23,644.63
	Council Fees	NIL
	Grant Claim Report	85.00
	Insolvency Point	19,500.00
	Legal Fees/Disbs	500.00
	Mileage	13.00
	NRW Costs	76,400.50
	Office Holders Fees	105.40
	Pension Agent	4,300.00
	Pre Appointment Legal fees	30,000.00
	Stationery, Postage, Office costs	150.00
	Statutory Advertising	7,660.17
	VAT - Irrecoverable	204.00
		195.00
		364.20
		500.00
		(106,797.50)
		(209,426.90)
	<b>PREFERENTIAL CREDITORS</b>	
(16,985.50)	Employee Arrears/Hol Pay	NIL
		NIL
	<b>FLOATING CHARGE CREDITORS</b>	
(823,688.00)	Claims	NIL
		NIL
	<b>UNSECURED CREDITORS</b>	
(94,794.34)	Employees	NIL
(1,795,773.25)	Trade & Expense Creditors	NIL
		NIL
	<b>DISTRIBUTIONS</b>	
(1,673.00)	Ordinary Shareholders	NIL

**Paperback Collection and Recycling Limited  
In Liquidation  
Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £	From 25/06/2019 To 24/06/2020 £	From 25/06/2018 To 24/06/2020 £
	NIL	NIL
<b>(3,085,161.82)</b>	<b>(105,986.46)</b>	<b>194,097.29</b>
REPRESENTED BY		
RBSLiq		184,830.69
Vat Control Account		
Unassigned		(10,450.47)
VAT Inputs (Outputs)		5,719.13
VAT Paid (Received)		(16,566.48)
Vat Receivable		30,564.42
		<b>194,097.29</b>

## Appendix D

### RSM Restructuring Advisory LLP current charging, expenses and disbursements policy statement

#### Charging policy

- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time.
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by partners, directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate.
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done.
- The current charge rates for RSM Restructuring Advisory LLP Manchester are attached.
- Time billed is subject to Value Added Tax at the applicable rate, where appropriate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it.
- RSM Restructuring Advisory LLP's charge out rates are reviewed periodically.

#### Expenses and disbursements policy

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate.
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to the relevant approving party, but do not require approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 1' disbursements.
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest, require the approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 2' disbursements.
- A decision regarding the approval of category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP Manchester will be sought from the relevant approving party in accordance with the legislative requirements.
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of the relevant approving party.
- Expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate, where appropriate.



## Appendix E

### RSM Restructuring Advisory LLP Manchester current charge out and category 2 disbursement rates

<b>Hourly charge out rates</b>		
	<b>Rates at commencement £</b>	<b>Current rates £</b>
Partner	480	525
Directors / Associate Directors	365 to 425	385-475
Manager	230 to 350	245-335
Assistant Managers	225 to 230	240-245
Administrators	171 to 190	105-240
Support staff	160 to 195	195

<b>Category 2 disbursement rates</b>	
Subsistence	£25 per night (from 3 <sup>rd</sup> September 2013)
Travel (car)	42.5p per mile (from 1 April 2011)
'Tracker' searches	£10 per case

## Appendix F

### Statement of expenses incurred in the period from 25 June 2019 to 24 June 2020

Expenses (excluding category 2 disbursements) Type and purpose	Incurred in period	
	Paid £	Unpaid £
Statutory Advertising	195.00	-
Council Fees	19,500.00	-
Legal Fees	52,652.50	16,689.52
NRW Costs	4,300.00	-
Pension	150.00	-
Storage costs	-	100.00
<b>Sub Total</b>	<b>76,797.50</b>	<b>16,789.52</b>
<b>Category 2 disbursements</b>		
<b>Recipient, type and purpose</b>		
RSM Restructuring Advisory LLP - Mileage	-	-
<b>Sub Total</b>	<b>-</b>	<b>-</b>
<b>Total</b>	<b>76,797.50</b>	<b>16,789.52</b>

The increased legal fees have been approved by the floating charge creditors which is required under rule IR16 6.42(4)(a).

**NOTE:** This appendix may include estimated amounts where actual invoices have not been received. The amounts paid in the period are shown in the attached receipts and payments account. Invoices may have been paid in a period after that in which they were incurred.

# Appendix G

## Joint Liquidators' time cost analysis for the period from 25 June 2019 to 24 June 2020

SIP9 Time Report - Level 2

Paperback Collection and Recycling Limited

1103484-701 ..... Post Appointment CVL

For the period 25/06/2019 to 24/06/2020

Period	Hours Spent	Partners	Directors / Associate Directors	Managers	Assistant Managers	Administrators	Assistants & Support Staff	Total Hours	Total Time Costs	Average Rates
From Jan 2003	Administration and Planning									
	Case Management	0.1	1.6	36.5	0.0	4.0	0.5	42.7	£ 12,982.00	304.03
	Pension Scheme	0.0	0.0	0.0	0.0	0.2	0.0	0.2	£ 40.00	200.00
	Post-appointment - general	0.0	0.0	0.0	0.0	0.0	0.6	0.6	£ 114.00	190.00
	Receipts and Payments	0.3	0.6	0.0	0.0	9.3	8.0	18.2	£ 3,453.50	189.75
	Tax Matters	0.3	0.0	0.4	0.0	4.5	0.0	5.2	£ 1,078.50	207.40
	Total	0.7	2.2	36.9	0.0	18.0	9.1	66.9	£ 17,668.00	264.10
	Investigations									
	Investigations/CDDA	0.0	0.0	0.4	0.0	0.0	0.0	0.4	£ 120.00	300.00
	Total	0.0	0.0	0.4	0.0	0.0	0.0	0.4	£ 120.00	300.00
	Realisation of Assets									
	Land and Property	0.0	1.5	0.0	0.0	0.0	0.0	1.5	£ 675.00	450.00
	Total	0.0	1.5	0.0	0.0	0.0	0.0	1.5	£ 675.00	450.00
	Creditors									
	Other Creditor Meetings and Reports	0.5	0.7	20.6	0.0	1.9	0.0	23.7	£ 7,170.00	302.53
	Secured Creditors	5.3	3.5	0.6	0.0	0.0	0.0	9.4	£ 4,537.50	482.71
	Unsecured Creditors	0.5	0.0	1.7	0.0	0.0	0.0	2.2	£ 806.50	366.59
	Total	6.3	4.2	22.9	0.0	1.9	0.0	35.3	£ 12,514.00	354.50
	Case Specific Matters - Legal Matters									
	Legal Matters	21.2	8.5	10.1	0.0	0.6	0.0	40.4	£ 18,125.00	448.64
	Total	21.2	8.5	10.1	0.0	0.6	0.0	40.4	£ 18,125.00	448.64
	Total Hours (From Jan 2003)	28.2	18.4	70.3	0.0	20.5	9.1	144.5	£ 49,102.00	339.81
	Total Time Cost (From Jan 2003)	£ 14,805.00	£ 7,348.50	£ 21,878.00	£ 0.00	£ 3,343.50	£ 1,729.00	£ 49,102.00		
Total Hours		28.2	18.4	70.3	0.0	20.5	9.1	144.5	£ 49,102.00	339.81
Total Time Cost		£ 14,805.00	£ 7,348.50	£ 21,878.00	£ 0.00	£ 3,343.50	£ 1,729.00	£ 49,102.00		
Average Rates		525.00	447.86	311.21	0.00	163.10	190.00	339.81		

# SIP9 Time Report - Level 2

Paperback Collection and Recycling Limited

1103484-701 ..... Post Appointment CVL

For the period 25/08/2018 to 24/06/2020

Period	Hours Spent	Partners	Directors / Associate Directors	Managers	Assistant Managers	Administrators	Assistants & Support Staff	Total Hours	Total Time Costs	Average Rates
From Jan 2003	Administration and Planning									
	Appointment	0.9	0.0	0.0	0.0	3.1	0.0	4.0	£ 1,039.00	259.75
	Background Information	0.0	0.0	0.0	5.9	0.0	0.0	5.9	£ 1,327.50	225.00
	Case Management	3.3	9.3	49.1	12.6	15.7	0.5	90.5	£ 26,631.50	294.27
	Director(s)/debtor/bankrupt	0.7	2.0	0.4	2.0	0.6	0.0	5.7	£ 1,954.50	342.89
	Pension Scheme	0.0	0.0	0.0	0.0	4.4	0.0	4.4	£ 782.00	177.73
	Post-appointment - general	0.0	0.0	0.0	0.5	2.9	4.9	8.3	£ 1,383.00	166.63
	Receipts and Payments	0.7	1.2	0.0	0.0	29.2	15.4	46.5	£ 8,380.00	180.22
	Tax Matters	0.7	0.0	4.2	0.0	12.7	0.0	17.6	£ 3,821.00	217.10
	<b>Total</b>	<b>6.3</b>	<b>12.5</b>	<b>53.7</b>	<b>21.0</b>	<b>68.6</b>	<b>20.8</b>	<b>182.9</b>	<b>£ 45,318.50</b>	<b>247.78</b>
	Investigations									
	Investigations/CDDA	1.0	0.0	0.4	8.6	1.7	0.0	11.7	£ 2,804.00	239.66
	<b>Total</b>	<b>1.0</b>	<b>0.0</b>	<b>0.4</b>	<b>8.6</b>	<b>1.7</b>	<b>0.0</b>	<b>11.7</b>	<b>£ 2,804.00</b>	<b>239.66</b>
	Realisation of Assets									
	Assets - general/other	0.0	1.5	5.1	6.7	0.2	0.0	13.5	£ 3,881.50	287.52
	Chattels	0.0	2.0	0.0	0.0	0.0	0.0	2.0	£ 850.00	425.00
	HP/Leasing creditors	0.0	0.0	0.0	1.0	1.0	0.0	2.0	£ 395.00	197.50
	Land and Property	1.0	4.0	0.0	1.8	0.2	0.0	7.0	£ 2,746.50	392.36
	ROTF / Third Party Assets	0.3	0.5	0.0	0.0	0.7	0.0	1.5	£ 494.00	329.33
	Sale of business	1.5	7.5	0.3	0.6	0.0	0.0	9.8	£ 4,152.50	423.72
	<b>Total</b>	<b>2.8</b>	<b>15.5</b>	<b>5.4</b>	<b>10.0</b>	<b>2.1</b>	<b>0.0</b>	<b>35.8</b>	<b>£ 12,518.50</b>	<b>349.71</b>
	Creditors									
	1st creditors/shareholders meetings and reports	0.0	1.2	0.0	3.2	0.0	0.0	4.4	£ 1,230.00	279.55
	Employees	0.1	0.0	2.1	1.0	1.0	0.0	4.2	£ 854.50	203.45
	Other Creditor Meetings and Reports	1.5	0.7	20.9	10.0	4.0	2.2	39.3	£ 10,785.00	274.43
	Secured Creditors	8.9	13.7	3.8	0.9	0.8	0.0	28.1	£ 12,267.00	436.55
	Unsecured Creditors	0.5	0.0	2.3	0.2	11.5	0.0	14.5	£ 2,662.00	183.59
	<b>Total</b>	<b>11.0</b>	<b>15.6</b>	<b>29.1</b>	<b>15.3</b>	<b>17.3</b>	<b>2.2</b>	<b>90.5</b>	<b>£ 27,788.50</b>	<b>307.17</b>
	Case Specific Matters - Shareholders									
	Shareholders / Members	1.0	0.0	0.0	0.0	0.5	0.0	1.5	£ 610.00	406.67
	<b>Total</b>	<b>1.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.5</b>	<b>0.0</b>	<b>1.5</b>	<b>£ 610.00</b>	<b>406.67</b>
	Case Specific Matters - Legal Matters									
	Legal Matters	26.4	9.6	12.8	2.3	0.6	0.0	51.7	£ 22,699.00	439.05
	<b>Total</b>	<b>26.4</b>	<b>9.6</b>	<b>12.8</b>	<b>2.3</b>	<b>0.6</b>	<b>0.0</b>	<b>51.7</b>	<b>£ 22,699.00</b>	<b>439.05</b>
	<b>Total Hours (From Jan 2003)</b>	<b>48.5</b>	<b>53.2</b>	<b>101.4</b>	<b>57.2</b>	<b>90.8</b>	<b>23.0</b>	<b>374.1</b>	<b>£ 111,749.50</b>	<b>298.72</b>
	<b>Total Time Cost (From Jan 2003)</b>	<b>£ 25,187.50</b>	<b>£ 23,471.00</b>	<b>£ 30,987.50</b>	<b>£ 13,252.50</b>	<b>£ 14,481.00</b>	<b>£ 4,370.00</b>	<b>£ 111,749.50</b>		
	<b>Total Hours</b>	<b>48.5</b>	<b>53.2</b>	<b>101.4</b>	<b>57.2</b>	<b>90.8</b>	<b>23.0</b>	<b>374.1</b>	<b>£ 111,749.50</b>	<b>298.72</b>
	<b>Total Time Cost</b>	<b>£ 25,187.50</b>	<b>£ 23,471.00</b>	<b>£ 30,987.50</b>	<b>£ 13,252.50</b>	<b>£ 14,481.00</b>	<b>£ 4,370.00</b>	<b>£ 111,749.50</b>		
	<b>Average Rates</b>	<b>519.33</b>	<b>441.18</b>	<b>305.60</b>	<b>231.69</b>	<b>159.48</b>	<b>190.00</b>	<b>298.72</b>		

## Revised Estimate of the Joint Liquidators' fees

Paperback Collection and Recycling Limited In Liquidation										
As at: 10 August 2020										
	Budgeted hours									
	Partners	Directors / Associate Directors	Managers	Assistant Managers	Administrators	Assistants / Support Staff	Other	Total Hours	Total Cost	Average Hourly Rate
Charge rate	£519	£441	£307	£232	£160	£190	£0			
ADMINISTRATION AND PLANNING										
Appointment documentation	0.90	-	-	-	3.10	-	-	4.00	£083	£241
Background Information	-	-	-	5.90	-	-	-	5.90	£1,387	£232
Case Management	4.30	13.30	52.50	15.60	15.90	0.50	-	102.10	£30,456	£298
Closure	-	2.00	4.00	-	-	-	-	6.00	£2,110	£352
Director(s) / debtor / bankrupt	0.70	2.00	0.70	2.00	0.60	-	-	6.00	£2,020	£337
Pension Scheme (administration)	-	-	-	-	4.40	-	-	4.40	£703	£160
Post-appointment general	-	-	-	0.50	2.90	4.90	-	8.30	£1,510	£182
Pre-appointment Matters	-	-	-	-	-	-	-	£0	£0	
Receipts & payments	0.70	1.20	-	-	29.60	17.10	-	48.60	£8,869	£182
Statement of Affairs preparation	-	-	-	-	-	-	-	£0	£0	
Tax Matters	0.60	-	4.20	-	14.00	-	-	19.00	£3,940	£207
	7.40	18.50	61.40	24.00	70.50	22.50	-	204.30	£51,937	£254
INVESTIGATIONS										
DTI / Official Receiver	-	-	-	-	-	-	-	£0	£0	
Investigations / CDDA	1.00	-	0.40	8.60	1.70	-	-	11.70	£2,908	£248
	1.00	-	0.40	8.60	1.70	-	-	11.70	£2,908	£248
- floating & uncharged assets										
Assets general - other	-	1.50	5.10	6.70	0.20	-	-	13.50	£3,811	£282
Chattels	-	2.00	-	-	-	-	-	2.00	£882	£441
Debtors & Sales Finance	-	-	-	-	-	-	-	£0	£0	
Hire purchase / leasing creditors	-	-	-	1.00	1.00	-	-	2.00	£391	£196
Land & Property	1.00	4.00	-	1.60	0.20	-	-	7.00	£2,733	£390
Retention of Title / Third party assets	0.30	0.50	-	-	0.70	-	-	1.50	£488	£325
Sale of Business	1.50	7.50	0.30	0.50	-	-	-	9.80	£4,296	£438
Stock & WIP	-	-	-	-	-	-	-	£0	£0	
	2.80	15.50	5.40	10.00	2.10	-	-	35.80	£12,602	£352
	2.80	15.50	5.40	10.00	2.10	-	-	35.80	£12,602	£352
CREDITORS										
1st creditors / shareholders meetings & reports	-	1.20	-	3.20	-	-	-	4.40	£1,271	£288
Committee	-	-	-	-	-	-	-	£0	£0	
Deferred / Postponed creditors	-	-	-	-	-	-	-	£0	£0	
Employees	0.10	-	2.10	1.00	1.00	-	-	4.20	£1,088	£258
Other creditor meetings & reports	1.50	0.70	28.00	10.00	4.00	2.20	-	46.40	£13,052	£281
Preferential creditors	-	-	-	-	-	-	-	£0	£0	
Secured creditors	8.90	16.70	8.80	3.90	0.80	-	-	39.10	£15,722	£402
Unsecured creditors	0.50	3.00	5.50	8.20	11.50	-	-	28.70	£7,007	£244
	11.00	21.60	44.40	26.30	17.30	2.20	-	122.80	£38,139	£311
CASE SPECIFIC MATTERS										
Legal Matters	26.40	9.60	13.00	2.30	0.60	-	-	51.90	£22,568	£435
Shareholders	1.00	-	-	-	0.50	-	-	1.50	£599	£400
	27.40	9.60	13.00	2.30	1.10	-	-	53.40	£23,165	£43
Total Hours	49.60	65.20	124.60	71.20	92.70	24.70	-	428.00		
Total time costs	£25,765	£28,765	£38,226	£16,496	£14,804	£4,693	£0	£128,750		
Average hourly rate								£301		

## Scope and Assumptions

Activity	Scope and assumptions
Administration and planning	<p>Work that must be carried out in order to comply with statutory requirements imposed by the insolvency legislation.</p> <p>This includes filing and advertising of appointment documents, filing of Statement of Affairs, handling of receipts and payments, submission of VAT and Corporation Tax returns, undertaking file reviews, case planning and strategy, dealing with redirected mail, convening any non-statutory meetings, dealing with the winding up of pension scheme and case closure formalities.</p> <p>The budget assumes that there are that no creditors' committee is appointed.</p>
Realisation of assets Floating Charge	<p>All aspects of the realisation of assets including identifying, securing and insuring assets such as stock and WIP with no contentious matters.</p> <p>Dealing with Retention of Title claims and the return of third party assets.</p> <p>The Joint Liquidators have provided updates to the floating charge creditors in respect to Re: Doonin Plant Limited [2018] ScotCS CSOH 89 and POCA action taken by the NRW. In addition, the Joint Liquidators have obtained approval from the floating charge creditors in respect to legal fees which is required under rule IR16 6.42(4)(a).</p>
Creditors	<p>Includes dealing with creditor queries, agreement of claims, distributions to creditors.</p> <p>Also includes preparation of statutory formal reports to creditors.</p>
Investigations	<p>Collection and review of accounting records in order to identify any potential or actual asset recoveries, review any potential antecedent transactions, transactions at under value or voidable dispositions.</p> <p>Reporting to the Department of Business Innovation and Skills on the conduct of the Company's directors.</p> <p>The budget assumes that the Office Holders' investigations uncover no material antecedent transactions which require legal advice or recovery action being undertaken.</p>
Case specific matters	<p>A large amount of time has been incurred in respect to defending the Re: Doonin Plant Limited [2018] ScotCS CSOH 89 and POCA action from NRW, full detail of this is detailed in section 2.2 of the report.</p>

## **Appendix I**

### **Notice of Qualifying Decision Procedure**

**Paperback Collection and Recycling Limited In Liquidation**

**Company No: 03056146**

**Christopher Ratten and Lindsey J Cooper appointed as Joint Liquidators to the above company on 25 June 2018**

**Notice delivered to the creditors on: 13 August 2020**

**Decision date: 31 August 2020**

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**Notice Seeking Decision by a Qualifying Decision Procedure Pursuant to Section 246ZE of the Insolvency Act 1986 and**

**Rule 18.24 of the Insolvency (England and Wales) Rules 2016 where the Liquidators request the creditors approve an increased fee**

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**Notice is hereby given to the creditors of the above named company seeking their decision on the following matters:**

1. That in accordance with the revised fees proposal provided to creditors on 13 August 2020 the Joint Liquidators shall be authorised to draw remuneration in respect of work undertaken based upon time costs limited to the sum of £106,611 (plus VAT).
2. To appoint a Liquidation Committee to assist the Joint Liquidators **(Note: If you vote in favour of this resolution please ensure you nominate a representative).**

The decision is being sought by correspondence.

A voting form is attached, detailing the matters which require your decision, which should be completed and returned to me on or before the decision date.

Please note that to be able to vote you must have submitted a proof of debt form on or before the decision date, and that proof must have been admitted for the purposes of entitlement to vote.

CREDITORS who have OPTED OUT from receiving notices may nevertheless vote if the creditor provides a proof and voting form in accordance with the above provisions.

CREDITORS whose debts are treated as a SMALL DEBT in accordance with Rule 14.31(1) of the Insolvency (England and Wales) Rules 2016 must still deliver a proof if they wish to vote. Rule 14.31(1) states that Office Holders may treat a debt, which is a small debt according to the accounting records or the statement of affairs of the company, as if it were proved for the purposes of paying a dividend. Small debts are defined in Rule 14.1(3) as a debt (being the total amount owed to a creditor) which does not exceed £1,000).

The decisions on the matters above will be deemed to have been made at 23.59 hours on the decision date unless the threshold for requisitioning a physical meeting is met or exceeded within the requisite time scale.

A creditor who disagrees with the manner in which they are treated in relation to the above decision procedure may appeal to the Court within 21 days of the decision date.

### **Request for Physical Meeting**

Creditors may request that a physical meeting of creditors should be held to consider the proposed decisions by providing written notice of their request (together with a completed proof of debt) on or before 18 August 2020 to:

Alex Collier

RSM Restructuring Advisory LLP, 9th Floor, 3 Hardman Street, Manchester, M3 3HF

Tel: 0161 830 4000

Email: [restructuring.manchester@rsmuk.com](mailto:restructuring.manchester@rsmuk.com)

A physical meeting will be held if requisitioned by either 10% in value of the company's creditors, or 10% in number of the company's creditors or 10 of the company's creditors (collectively 'the requisition threshold'). If

the threshold is met or exceeded, the proposed decision procedure will be terminated (and the proposed decisions will not be deemed to have been made) and a physical meeting of creditors will then be held.

#### **Establishment of committee**

Unsecured creditors have the right to decide whether a liquidation committee should be established, if sufficient creditors are willing to be members of a committee. Specific nominations for committee membership will be sought by correspondence. Any queries should be communicated to this office by telephone, email or in writing. Guidance on acting as a committee member can be found at the R3 website, [www.R3.org.uk](http://www.R3.org.uk). A hard copy can be requested by telephone, email or in writing to this office.

You may also wish to note that R3 have also produced guidance on the different insolvency processes, which can again be located at their website.

#### **Name, address & contact details of Joint Liquidator**

##### **Primary Office Holder**

Christopher Ratten  
RSM Restructuring Advisory LLP  
3 Hardman Street, Manchester, M3 3HF  
Tel: 0161 830 4000  
Email: [restructuring.manchester@rsmuk.com](mailto:restructuring.manchester@rsmuk.com)  
IP Number: 9338

##### **Joint Office Holder:**

Lindsey J Cooper  
RSM Restructuring Advisory LLP  
3 Hardman Street, Manchester, M3 3HF  
Tel: 0161 830 4000  
Email: [restructuring.manchester@rsmuk.com](mailto:restructuring.manchester@rsmuk.com)  
IP Number: 008931

Dated: 13 August 2020



**Christopher Ratten**  
**RSM Restructuring Advisory LLP**  
**Joint Liquidator**

**NOTE: Please complete the enclosed proof of debt form and return it together with a detailed statement of your account, and voting form, and any other relevant documentation to Alex Collier, RSM Restructuring Advisory LLP, 9th Floor, 3 Hardman Street, Manchester, M3 3HF.**



## Appendix J

### Voting paper

**Paperback Collection and Recycling Limited In Liquidation**

**Company No: 03056146**

**Christopher Ratten and Lindsey J Cooper appointed as Joint Liquidators to the above company on 25 June 2018**

**Notice delivered to the creditors on: 13 August 2020**

**Decision date: 31 August 2020**

---

**Voting Paper – Qualifying Decision Procedure pursuant to Rule 18.24 of the Insolvency (England and Wales) Rules 2016 where the Liquidators request the creditors approve an increased fee**

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If you wish your vote to be counted please ensure you return this form, duly completed together with a proof of debt form (if one has not already been submitted) and a detailed statement of your claim **on or before the decision date stated above.**

### Voting instructions for decisions

\* delete as applicable

1. That in accordance with the revised fees proposal provided to creditors on 13 August 2020 the Joint Liquidators shall be authorised to draw remuneration in respect of work undertaken based upon time costs limited to the sum of £106,611 (plus VAT).	<b>For / Against*</b>
2. To appoint a Liquidation Committee to assist the Joint Liquidators <b>(Note: If you vote in favour of this resolution please ensure you nominate a representative below)</b>	<b>For / Against*</b>
Name, address and contact details of nominated creditors (up to 5) for whom you wish to vote for appointment to the creditors' /liquidation committee of Paperback Collection and Recycling Limited. Note: each creditor must complete a consent to act form (see attached)	
1.	
2.	
3.	
4.	
5.	

\*I/We confirm that \*I am, am not / \*we are, are not a connected party or associate of the company as defined by Sections 249 and 435 of the Insolvency Act 1986.

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

Address of creditor \_\_\_\_\_

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Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Name in BLOCK LETTERS \_\_\_\_\_

Position of signatory in relation  
to creditor, if not the creditor \_\_\_\_\_

## **Appendix K**

### **Invitation to form a committee**

**Rule 10.76 of the Insolvency (England and Wales) Rules 2016**

**Paperback Collection and Recycling Limited IN LIQUIDATION**

**CHRISTOPHER RATTEN AND LINDSEY J COOPER appointed as Joint Liquidators to the above bankrupt on 25 June 2018**

**Notice delivered to the creditors on: 13 August 2020**

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### **Notice to creditors and contributories inviting establishment of committee**

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**Notice is hereby given that** creditors are invited to decide whether a creditors' committee ('committee') should be established, provided that there are no fewer than three and no more than five creditors wishing to be represented on the committee. Nominations are invited for membership of any committee so established, such nominations to be received at 9th Floor, 3 Hardman Street, Manchester, M3 3HF no later than 18 August 2020. Nominations will only be accepted from creditors who have submitted a proof of debt which is not fully secured and has neither been disallowed for voting purposes nor wholly rejected for dividend purposes.

Please note that, in order for a creditors' committee to be formed, there must be at least three creditors wishing to be represented on the committee. There can be no more than five committee members.

Guidance on acting as a committee member can be found at the R3 website, [www.R3.org.uk](http://www.R3.org.uk). A hard copy can be requested by telephone, email or in writing to this office.

You may also wish to note that R3 have also produced guidance on the different insolvency processes, which can again be located at their website.

Enclosed with this notice are a proof of debt form and a consent to act, both of which should be completed and returned to the above address by the date given above in order for your nomination to the committee to be considered further. If you have already submitted a proof of debt form you do not need to do so again.

#### **Name, address & contact details of Joint Liquidator**

##### **Primary Office Holder**

Christopher Ratten  
RSM Restructuring Advisory LLP  
3 Hardman Street, Manchester, M3 3HF  
Tel: 0161 830 4000

Email: [restructuring.manchester@rsmuk.com](mailto:restructuring.manchester@rsmuk.com)  
IP Number: 9338

##### **Joint Office Holder:**

Lindsey J Cooper  
RSM Restructuring Advisory LLP  
3 Hardman Street, Manchester, M3 3HF  
Tel: 0161 830 4031

Email: [restructuring.manchester@rsmuk.com](mailto:restructuring.manchester@rsmuk.com)  
IP Number: 008931

Dated: 13 August 2020



**Christopher Ratten**  
**RSM Restructuring Advisory LLP**  
**Joint Liquidator**

**NOTE:** Please complete the enclosed proof of debt form and consent to act form and return them, to Alex Collier, RSM Restructuring Advisory LLP 9th Floor, 3 Hardman Street, Manchester, M3 3HF.

**Committee consent to act**

**Rule 17.5 of the Insolvency (England and Wales) Rules 2016**

**Paperback Collection and Recycling Limited In Liquidation**

**Christopher Ratten and Lindsey J Cooper appointed as Joint Liquidators to the above debtor on 25 June 2018**

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**Liquidation committee consent to act**

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***If you personally are a creditor, please complete only Part A of this form***

***If you represent a creditor (eg your employer), please complete only Part B***

**Part A**

I hereby consent to act as a member of the Liquidation committee in respect of the Creditors of the above-named. I also confirm my eligibility\* to act.

Your name:

Your address:

Telephone:

E-mail:

Please sign here:

Dated:

**Part B**

I am duly authorised by proxy to act as a representative of the below named creditor as its representative on the Liquidation committee in respect of the Creditors of the above-named, and hereby consent to do so. I also confirm my eligibility\* to act.

Representative's name:

Creditor represented:

Representative's position in  
relation to the creditor:

Representative's address:

Telephone:

E-mail:

Please sign here:

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

**\* Eligibility for membership of the Liquidation committee**

A creditor is eligible to be a member of the committee if:

- a) They have proved for a debt,
- b) The debt is not fully secured, and
- c) Their claim has neither been wholly disallowed for voting purposes nor wholly rejected for the purpose of distribution

A committee member cannot be:

- a) An undischarged bankrupt (or, in Scotland, a person whose estate has been sequestrated and who has not been discharged),
- b) Subject to a full or interim Bankruptcy Restriction Order or Undertaking, or a Debt Relief Restrictions Order or Undertaking,
- c) Be a disqualified director
- d) A person to whom a moratorium period under a debt relief order applies.

## Appendix L

### Proof of debt form

#### Rule 14.4 Insolvency (England and Wales) Rules 2016

#### Proof of Debt

<b>Paperback Collection and Recycling Limited In Liquidation</b> <b>Company No: 03056146</b> <b>Christopher Ratten and Lindsey Cooper appointed as Liquidators to the above company on 25 June 2018</b>		
Relevant date for creditors' claims: 25 June 2018		
1	Name of creditor If a company please also give company registration number	
2	Address of creditor for correspondence.	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the relevant date. Less any payments made after that date in relation to the claim, any deduction in respect of discounts and any adjustment by way of mutual dealings and set off in accordance with relevant legislation	£
4	Details of any documents by reference to which the debt can be substantiated. There is no need to attach them now unless the Joint Liquidator has requested it	
5	If amount in 3 above includes outstanding uncapitalised interest please state amount.	£
6	Particulars of how and when debt incurred If you need more space append a continuation sheet to this form	
7	Particulars of any security held, the value of the security, and the date it was given.	£ Date
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates.	
	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Date	
	Position with or in relation to creditor	
	Address of person signing (if different from 2 above)	

