

# AM23

## Notice of move from administration to dissolution



Companies House

SATURDAY



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15/02/2020

#140

COMPANIES HOUSE

### 1 Company details

Company number 03349189

Company name in full Orchid Plastics Limited

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

### 2 Court details

Court name High Court of Justice Business and Property Courts in  
Manchester - Company & Insolvency List (CHD)

Court number 2122 of 2018

### 3 Administrator's name

Full forename(s) Richard

Surname Pinder

### 4 Administrator's address

Building name/number Leonard Curtis

Street 22 Gander Lane

Barlborough

Post town Chesterfield

County/Region

Postcode S434PZ

Country

AM23

Notice of move from administration to dissolution

**5 Administrator's name ①**

Full forename(s)

Sean

Surname

Williams

**① Other administrator**

Use this section to tell us about another administrator.

**6 Administrator's address ②**

Building name/number

Leonard Curtis

Street

22 Gander Lane

Barlborough

Post town

Chesterfield

County/Region

Postcode

S 4 3 4 P Z

Country

**② Other administrator**

Use this section to tell us about another administrator.

**7 Final progress report**

I have attached a copy of the final progress report

**8 Sign and date**Administrator's  
signature

Signature

X

RCRL

X

Signature date

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AM23

## Notice of move from administration to dissolution

**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	Keith Turpin
Company name	Leonard Curtis
Address	22 Gander Lane
	Barlborough
	Chesterfield
Post town	
County/Region	
Postcode	S 4 3 4 P Z
Country	
DX	
Telephone	01246 385 775

**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)



**LEONARD CURTIS**  
BUSINESS RESCUE & RECOVERY

**ORCHID PLASTICS LIMITED**  
**(IN ADMINISTRATION)**

Registered Number: 03349189

Court Ref: 2122 of 2018

High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD)

**Joint Administrators' final progress report in accordance  
with Rules 3.53 and 18.3 of the Insolvency (England and Wales) Rules 2016**

**Report period**  
**21 August 2019 to 14 February 2020**

**14 February 2020**

**Richard Pinder and Sean Williams - Joint Administrators**  
**Leonard Curtis**  
**22 Gander Lane, Barlborough, Chesterfield S43 4PZ**  
**Tel: 01246 385 775 Fax: 01246 385 776**  
**recovery@leonardcurtis.co.uk**  
**Ref: A/45/KT/O220H/1010**

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**STRICTLY PRIVATE AND CONFIDENTIAL  
NOT FOR PUBLICATION**

**TO: THE REGISTRAR OF COMPANIES  
ALL CREDITORS  
ALL MEMBERS**

**1 INTRODUCTION**

- 1.1 This report has been produced in accordance with Rules 3.53 and 18.3 of the Insolvency (England and Wales) Rules 2016 ("the Rules") to provide creditors with an update on the progress of the Administration of Orchid Plastics Limited ("the Company") for the period from 21 August 2019 to 14 February 2020. This is the Joint Administrators' final progress report to creditors.
- 1.2 The Administration of the Company is now for practical purposes complete. Section 10 of this report deals with how the Joint Administrators intend to bring the Administration to an end.
- 1.3 Much of the information contained in this report encompasses the whole period of the Administration. Please be aware, however, that where reference is made to "the period of this report", this specifically means 21 August 2019 to 14 February 2020, being the period since the end of the period covered by the last progress report.

**2 STATUTORY INFORMATION**

- 2.1 Richard Pinder and Sean Williams were appointed as Joint Administrators of the Company in the jurisdiction of High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD), number 2122 of 2018 on 21 February 2018. The Administration appointment was made by the Directors. The Joint Administrators can confirm that there has been no change in office-holder since the date of Administration.
- 2.2 The Administration is being handled by the Barlborough office of Leonard Curtis ("LC") which is situated at 22 Gander Lane, Balborough, Chesterfield, S43 4PZ.
- 2.3 The principal trading address of the Company was The Lime Store, Florence Road Industrial Estate, Kelly Bray, Callington, Cornwall PL17 8EQ. The business traded under its registered name.
- 2.4 The registered office address of the Company at the date of the appointment of the Joint Administrators was The Lime Store, Florence Road, Kellybray, Callington, Cornwall, PL17 8EQ. Following the appointment, this was changed to 22 Gander Lane, Balborough, Chesterfield, S43 4PZ on 9 March 2018. The registered number of the Company is 03349189.
- 2.5 For the purposes of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 (as amended), it should be noted that during the period in which the Administration Order is in force, any act or function required or authorised under any enactment to be done by the Joint Administrators may be exercised by all or any of the persons holding that office.
- 2.6 The Company's main centre of operations is based in the UK. The EC Regulation on Insolvency Proceedings applies and the proceedings are main proceedings under the Regulation.

**3 JOINT ADMINISTRATORS' PROPOSALS**

- 3.1 Attached at Appendix A is a summary of the Joint Administrators' approved proposals for achieving one of the three statutory purposes of Administration.

- 3.2 The Proposals were deemed approved by creditors on 25 April 2018.
- 3.3 There have been no major amendments to, or deviations from, the proposals during the course of the Administration to date.
- 3.4 The objective of the Administration is to achieve a better result for the Company's creditors as a whole than would be likely if the Company were to be wound up (without first being in administration).
- 3.5 We consider this objective has been achieved for the following reasons:
- The pre-packaged sale of the business has resulted in enhanced realisations of the equity available in the Company's financed assets;
  - A value has been extracted from the Company's goodwill;
  - The Purchaser has maintained current management which has preserved the continuity of the Company's customer relationships. This has resulted in an enhanced recovery of the Company's book debt ledger which has reduced the Company's indebtedness to Ultimate Invoice Finance Limited ("Ultimate") and improve the position for creditors generally; and
  - The transfer of employees has resulted in the avoidance of claims on redundancy.
- 3.6 We also consider that we have achieved a further statutory objective by realising property in order to make a distribution to one or more secured or preferential creditors. Goodwill realisations from the pre-packaged sale of the Company's business and assets were distributed to Funding Circle Recoveries Limited (The Security Holder) as Security Agent for the Various Lenders ("Funding Circle") under the terms of its fixed charge security. In addition, book debts subject to an invoice finance facility in favour of Ultimate were distributed to Ultimate under the terms of its fixed charge security.

#### **4 PROGRESS OF THE ADMINISTRATION**

- 4.1 Attached at Appendix B is the Joint Administrators' receipts and payments account for the period from 21 August 2019 to 14 February 2020. Cumulative figures have also been provided to reflect transactions for the whole of the Administration period to date.

##### **Sale of Business**

- 4.2 As previously reported to creditors, the business and assets of the Company were sold on 21 February 2018 to Revolution Mouldings Limited ('the Purchaser'), a company with a common shareholder and director, Geoff Stockley, to the Company.
- 4.3 The agreed sale consideration was £35,000, of which £3,000 was payable on completion followed by 8 monthly instalments of £3,375 and a final instalment of £5,000. The sale consideration was secured by way of a personal guarantee provided by Geoff Stockley and the Joint Administrators also obtained security from the Purchaser by way of a fixed and floating charge debenture over the assets.
- 4.4 Payments of £31,000 were received and £4,000 remained severely overdue. The Joint Administrators were in discussions with the Purchaser in order to try and obtain the outstanding amount. However, no further monies were forthcoming and consequently, the Joint Administrators commenced legal proceedings against the Purchaser and the guarantor.
- 4.5 As a result the guarantor reached an agreement with Funding Circle to pay the remaining £4,000 directly as opposed to Funding Circle receiving a distribution from the Administration under their fixed charge .

## ORCHID PLASTICS LIMITED – IN ADMINISTRATION

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Consequently, this has reduced the goodwill amounts in the previously reported column of the Receipts and Payments Account by £4,000 and correspondingly increased the receipts to Beneficial interest in financed assets and Plant & Machinery by £2,279 and £1,721 respectively.

### **Book debts**

- 4.6 The Company operated a book debt ledger which was subject to an invoice discounting facility with Ultimate Invoice Finance Limited ("Ultimate"). As at the date of Administration, the gross value of the outstanding ledger was £173,561 with a corresponding balance of £133,163 due to Ultimate.
- 4.7 Ultimate advised that debt collections totalled £164,002.60. Collection costs and charges totalling £28,227.06 including VAT have been incurred by Ultimate and deducted from the collections.
- 4.8 Collections were sufficient to repay Ultimate in full.
- 4.9 The current account had a surplus credit balance of £2,612.54, which was paid over to the Administration estate during the period of this report.

### **Cash at Bank**

- 4.10 At the date of appointment the Company's bank account was in credit to the sum of £5,232.55. These funds have been received into the Joint Administrators' bank account.

### **Inter-Company Loan Account**

- 4.11 As previously reported, the Company's management accounts to 30 September 2017 indicated that a balance of £633,131 is owed to the Company by a connected company, Global Plastic Solutions (Southern) Limited ("GPSS"). GPSS is the Company's shareholder.
- 4.12 Following a review of the Company's records we considered that a balance of £637,130.66 remained due from GPSS to the Company.
- 4.13 The last set of audited accounts for GPSS showed net assets of £162,087 as at 30 April 2018.
- 4.14 As previously reported, the Joint Administrators took initial steps to recover this debt by writing to GPSS. The Joint Administrators received a response from GPSS, who indicated that it was not in a position to repay the amount owed to the Company.
- 4.15 The Joint Administrators instructed solicitors to issue a demand letter to GPSS but received no response.
- 4.16 GPSS was dissolved at Companies House on 24 September 2019.
- 4.17 Following discussions with GPSS's accountant, it was not considered economically beneficial to have GPSS restored at Companies House and further investigation conducted as there was unlikely to be any financial benefit to the Administration estate after taking account of the likely associated costs and liabilities.

### **Directors' Loan Accounts**

- 4.18 Following an initial review of the Company's records, the Joint Administrators identified an outstanding director's loan account totalling £69,539. The director was contacted in regards to repayment of this amount and the Joint Administrators issued a demand letter in this respect. The director disputed the debt and advised he would challenge any legal action taken against him.



## **ORCHID PLASTICS LIMITED – IN ADMINISTRATION**

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- 4.19 The Joint Administrators also identified a further loan account of £14,371 due from another director. The director was contacted in regards to repayment of this amount and the Joint Administrators issued a demand letter in this respect. No response was received from the director to any of the approaches.
- 4.20 Consequently, the Joint Administrators decided that it would not be financially economical to continue to pursue the directors for the debts given the costs involved and the fact that any recovery would likely to be utilised to discharge the costs of the Administration and thus would be of no benefit to creditors.

### **VAT on Factoring Charges**

- 4.21 £4,370.05 has been recovered in relation to VAT charged by Ultimate on their fees.

### **Dividend Received**

- 4.22 The Company received a dividend of £705.42 from the administration of MG Rover Group Limited, a debtor of the Company.

### **Bank Interest**

- 4.23 Bank interest of £20.93 was received during the period of this report. Bank interest totalled £48.62.

### **Licence to Occupy**

- 4.24 In conjunction with the sale of the Company's business and assets, the Joint Administrators granted the Purchaser a six month licence to occupy the Company's trading premises. The monthly licence fee was £4,000 (plus any applicable VAT) and was payable in advance.
- 4.25 Payments totalling £24,000 were received during the licence period and these funds were remitted to the Company's landlord.

### **Rates Refund**

- 4.26 A rates refund of £251.39 was received from Cornwall Council.

### **Sundry Refund**

- 4.27 A refund of £293.37 was received from EDF Energy in respect of a credit balance on the Company's electricity account.

## **5 INVESTIGATIONS**

- 5.1 Following their appointment, the Joint Administrators considered the information acquired in the course of appraising and realising the business and assets of the Company, together with information provided by the Company's Directors and its creditors, to identify any further possible realisations for the estate and what further investigations, if any, might be appropriate.
- 5.2 As previously reported, that assessment identified the inter-company loan account and Directors' loan account as potential assets of the Company. As detailed at Section 4 above, we have taken steps to try to realise these assets.
- 5.3 The Joint Administrators have complied with their statutory obligations under the Company Directors Disqualification Act 1986 and the appropriate report has been submitted to the relevant authority.

**6 JOINT ADMINISTRATORS' REMUNERATION AND DISBURSEMENTS**

**Pre-Administration Costs**

- 6.1 On 20 April 2018, the secured creditors consented to the following pre-Administration costs and expenses being paid as an expense of the Administration:

		Total amount charged	Amount paid	Amount unpaid
Charged by	Services provided	£	£	£
LC	Marketing of the Company and negotiation of the sale to the Purchaser	24,022.50	24,022.50	-
Hewitt Card	Valuation of the Goodwill	1,500.00	1,500.00	-
CAM	Valuation of assets and disbursements	4,122.30	4,122.30	-
Freeths LLP	Dealing with sale contract, debenture and licence to occupy	4,000.00	4,000.00	-
	<b>TOTAL</b>	<b>33,644.80</b>	<b>33,644.80</b>	<b>-</b>

These costs have now been paid and are detailed in the receipts and payments account attached at Appendix B.

**Joint Administrators' Remuneration**

- 6.2 On 20 April 2018, the secured creditors agreed that the basis of the Joint Administrators' remuneration be fixed by reference to time properly spent by them and their staff in attending to matters arising from the Administration for an amount not exceeding £38,738, as set out in a Fees Estimate.
- 6.3 The Joint Administrators' time costs are summarised below:

	Hours No.	Rate / hr £	Total value of time £
Time previously reported	198.4	288.21	57,181.00
Time incurred in the period from 21 August 2019 to 31 January 2020	26.6	311.17	8,277.00
<b>Total Administrators' time costs</b>	<b>225.0</b>	<b>290.92</b>	<b>65,458.00</b>

- 6.4 The time charged by the Joint Administrators for the period from 21 August 2019 to 31 January 2020 amounts to £8,277.00. This represents 26.6 hours at an average rate of £311.17 per hour. A summary of time costs incurred in the period is attached at Appendix C. A detailed description of work undertaken attributable to each category of time costs and an explanation of why it was necessary for that work to be performed is also provided at Appendix C. Please note that further time costs have been incurred since 31 January 2020 in preparing this report and preparing the Administration for closure.
- 6.5 In addition, a summary of the Joint Administrators' total time costs encompassing the whole of the Administration incorporating a comparison with time costs as set out in the Joint Administrators' Fees Estimate, is attached at Appendix D.
- 6.6 You will note that time costs incurred exceed the time as set out in the Fees Estimate.

6.7 The areas where significant variances have occurred relate to the following categories:-

Category	Estimate (£)	Actual (£)	Variance (£)
Statutory & Review	4,188.50	11,757.00	7,568.50
Receipts & Payments	2,655.50	6,350.50	3,695.00
Assets	5,677.00	8,661.50	2,984.50
Liabilities	7,441.00	17,297.00	9,856.00

#### **Statutory & Review**

Time spent in the Statutory & Review category has exceeded the Fees Estimate by £7,568.50. This was due to additional reviews undertaken of the case file, as a result of the period of the Administration being extended, by senior members of the Administration staff in order to ensure that the case was progressed as planned. Consequently, the case administrator actioned the review points raised. Further unanticipated time was incurred in reviewing time costs and billing.

#### **Receipts & Payments**

Time spent in the Receipts & Payments category has exceeded the Fees Estimate by £3,695.00. This was due to more time, than was anticipated, being spent in respect of the payment of rent due to the landlord under the licence to occupy and additional reconciliations of the bank account by the Joint Administrators.

#### **Assets**

Time spent in the Assets category has exceeded the Fees Estimate by £2,984.50. This was due to the protracted nature of pursuing the outstanding deferred consideration, the debt due from the inter-company account with GPSS and the debt due from the directors' loan accounts.

#### **Liabilities**

Time spent in the Liabilities category has exceeded the Fees Estimate by £9,856.00. This was due to a significant amount of time being spent in relation to responding to creditor enquiries and reporting to creditors. Time has also been incurred in preparing and submitting documents to the secured creditors in order to obtain their consent to an extension of the Administration and recording their decision, which was not anticipated at the outset.

6.8 Further guidance may be found in "A Creditors' Guide to Administrators' Fees" (Version 4 – April 2017) which may be downloaded from:

<https://www.r3.org.uk/what-we-do/publications/professional/fees>

6.9 If you would prefer this to be sent to you in hard copy please contact Keith Turpin of this office on 01246 385 775.

6.10 The remuneration drawn by the Joint Administrators totals £5,270.00 plus VAT.

6.11 The balance of time costs incurred will be written off.

#### **Joint Administrators' Statement of Likely Expenses**

6.12 Creditors will recall that the Joint Administrators have previously circulated a 'Statement of Likely Expenses' in this matter.

Expenses are separated into the following categories:

- (i) **Standard Expenses:** this category includes expenses payable by virtue of the nature of the Administration process and / or payable in order to comply with legal or regulatory requirements.
- (ii) **Case Specific Expenses:** this category includes expenses likely to be payable by the Joint Administrators in carrying out their duties in dealing with issues arising in a particular case. Also included within this category are costs that are directly referable to the Administration but are not paid to an independent third party (and which may include an element of allocated costs).

These are known as “Category 2 disbursements” and are subject to the approval of the creditors. On 20 April 2018, the secured creditors also approved that category 2 disbursements could be drawn by the Joint Administrators, as detailed at Appendix G.

- 6.13 A copy of the Joint Administrators’ statement of likely expenses, together with comparative details of expenses incurred during the current reporting period and confirmation as to whether those amounts are paid or unpaid is set out at Appendix E.
- 6.14 You will note that, in general, the nature and value of expenses incurred to date fall within those anticipated within the original statement of expenses.
- 6.15 During the Administration, the following professional advisors have been used due to their expertise in the specific service provided:-

<b>Name of Professional Advisor</b>	<b>Service Provided</b>	<b>Basis of Fees</b>
Freeths	Legal advice	Time costs
Hewitt Card	Accountancy	Time costs
CAPA	Property rates refund	% of realisations
Insol	Pension advice	Fixed fee

- 6.16 Attached at Appendix G is additional information in relation to the firm’s policy on staffing, the use of sub-contractors, disbursements and details of our current charge-out rates by staff grade. Please be aware that the firm’s charge out rates have been amended with effect from 1 August 2019.
- 6.17 Under Rule 18.9 of the Rules, within 21 days of receipt of this report, a secured creditor, or an unsecured creditor with either the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or with the permission of the court, may make a written request to the Joint Administrators for further information about remuneration or expenses set out in this report.
- 6.18 Under Rule 18.34 of the Rules, 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 the court, on the grounds that the basis fixed for the Joint Administrators’ remuneration is inappropriate, or the remuneration or expenses charged by the Joint Administrators are, in all the circumstances, excessive.
- 6.19 The application must be made no later than eight weeks after receipt of the progress report that first reports the fee basis, the charging of the remuneration or the incurring of the expenses in question.
- 6.20 Unless the court orders otherwise, the costs of the application shall be paid by the applicant and are not payable as an expense of the Administration.

**7 OUTCOME FOR CREDITORS**

**7.1 Secured Creditors**

**Ultimate**

- 7.2 The Company operated an invoice finance facility with Ultimate, and had been granted fixed and floating charge security from the Company by virtue of a debenture created on 30 December 2016. At the date of Administration, the gross value of the outstanding ledger was £173,561 with a corresponding balance of £133,163 due to Ultimate. It was anticipated that debtor collections would be sufficient to repay Ultimate's capital indebtedness in full under the terms of its fixed charge security in relation to book debts. Collections of £164,002.60 have been sufficient to enable Ultimate to be repaid in full including their termination fees and charges.

**Funding Circle**

- 7.3 Funding Circle provided a loan to the Company to assist with working capital and at the date of appointment were owed £75,976.86. The loan was secured by way of a debenture incorporating fixed and floating charge security over the Company's assets. The debenture was created on 10 September 2012. Funding Circle received a distribution of £4,500.00 from the net realisation of goodwill of £6,000 after deducting the costs of realisation of Hewitt Card. As detailed at 4.5, the balance of goodwill is being paid direct by the guarantor.

**Preferential Claims**

- 7.4 The only categories of claims which have preferential status are those of employees in respect of wages, accrued holiday pay and certain pension contributions. I can confirm that all employees were transferred to the Purchaser under the relevant TUPE regulations, therefore no preferential claims were received in the Administration.

**Prescribed Part**

- 7.5 The Insolvency Act 1986 provides that, where a Company has created a floating charge after 15 September 2003, the Administrator must make a prescribed part of the Company's net property available to unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured claims.
- 7.6 Asset realisations were not sufficient to enable a distribution to the floating charge holder and as such a prescribed part fund was not available.

**Unsecured Non-Preferential Claims**

- 7.7 There were insufficient funds available to enable any form of distribution to unsecured creditors.

**8 MATTERS STILL TO BE DEALT WITH**

- 8.1 All matters have been dealt with and consequently the Administration has now concluded.

**9 EXTENSIONS TO THE ADMINISTRATION**

- 9.1 The appointment of administrators ordinarily ceases to have effect at the end of the period of one year from the date of their appointment.
- 9.2 In certain circumstances it may be necessary to extend the administrators' term of office.

## ORCHID PLASTICS LIMITED – IN ADMINISTRATION

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9.3 In this case, consent to a twelve-month extension of the Administration was obtained from each of the secured creditors in order to:

- Collect the outstanding balance of the deferred consideration;
- Progress realisations in respect of the inter-company loan;
- Progress realisations in respect of the Directors' loan accounts;
- Conclude pension matters;
- Undertake further distributions to the secured creditors; and
- Defray the unpaid remuneration and expenses

9.4 No further extensions are required.

## 10 ENDING THE ADMINISTRATION

10.1 The Administration is now for practical purposes complete. As there are insufficient funds available to allow payment of a dividend to unsecured creditors in this case, the appropriate exit route from the Administration is Dissolution of the Company. Attached at Appendix H is Notice of Move from Administration to Dissolution. On the registration of this Notice by Companies House, the Administration will be brought to an end and the appointment of the Joint Administrators will cease to have effect.

10.2 At the end of the period of three months beginning with the date of registration of the Notice of Move from Administration to Dissolution at Companies House, the Company will be dissolved.

10.3 The Joint Administrators will be discharged from liability in respect of any action(s) of theirs as Joint Administrators immediately upon their appointment ceasing to have effect.

## 11 DATA PROTECTION

11.1 Finally, when submitting details of your claim in the administration, you may disclose personal data to the Joint Administrators. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679 as supplemented by the Data Protection Act 2018, together with other laws which relate to privacy and electronic communications. The Joint Administrators act as Data Controllers in respect of personal data they obtain in relation to this administration and are therefore responsible for complying with Data Protection Law in respect of any personal data they process. The Joint Administrators' privacy notice, which is attached to this report at Appendix I, explains how they process your personal data. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

If you wish to discuss the issues raised in this report or require any additional information please contact this office.

Yours faithfully

For and on behalf of

**ORCHID PLASTICS LIMITED**



**RICHARD PINDER  
JOINT ADMINISTRATOR**

Richard Pinder and Sean Williams are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants in England and Wales under office holder numbers 19470 and 11270, respectively

The affairs, business and property of the Company are being managed by the Joint Administrators, who act as agents of the Company without personal liability.

**SUMMARY OF JOINT ADMINISTRATORS' PROPOSALS**

1. The Joint Administrators continue to manage the business, affairs and property of the Company in such a manner as they consider expedient with a view to achieving the statutory purposes of the Administration.
2. If appropriate, the Joint Administrators take any action they consider necessary with a view to the approval of a Company Voluntary Arrangement ("CVA") or Scheme of Arrangement in relation to the Company.
3. If appropriate, the Joint Administrators file a notice with the Registrar of Companies in order that the Administration will cease and the Company will move automatically into Creditors' Voluntary Liquidation. It is further proposed that Richard Pinder and/or Sean Williams be appointed (Joint) Liquidator(s) of the Company and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them. NB. Creditors may nominate a different person as the proposed Liquidator, provided that the nomination is made after receipt of these proposals and before the proposals are approved.
4. Alternatively, if appropriate, the Joint Administrators apply to Court under Para 65 (3) of Schedule B1 to the Insolvency Act 1986 (as amended) for permission to make a distribution to the unsecured creditors within the Administration.
5. In the event that there are no monies remaining to be distributed to creditors and as soon as all matters relating to the Administration have been completed, the Joint Administrators file a Notice with the Registrar of Companies that the Company should be dissolved.
6. The Joint Administrators investigate and, if appropriate, pursue any claims that they or the Company may have against any directors or former directors, other third parties, officers or former officers, advisers or former advisers of the Company.
7. The Company may be placed into compulsory liquidation in circumstances where assets are still to be realised or investigations concluded yet there will be no return to unsecured creditors. In these circumstances it is further proposed that Richard Pinder and/or Sean Williams be appointed (Joint) Liquidator(s) of the Company and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them.
8. The Joint Administrators shall do all such other things and generally exercise all of his powers as contained in Schedule 1 of the Insolvency Act 1986, as he considers desirable or expedient to achieve the statutory purpose of the Administration.

## APPENDIX B

## SUMMARY OF JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM 21 AUGUST 2019 TO 14 FEBRUARY 2020 AND CUMULATIVE TO 14 FEBRUARY 2020

	Estimated to realise £	Previously Reported £	This Period £	Cumulative £
<b>RECEIPTS</b>				
<b>Asset Specifically Pledged</b>				
Goodwill	10,000.00	6,000.00	-	6,000.00
<b>Assets Not Specifically Pledged</b>				
Seller's Records	50.00	50.00	-	50.00
Beneficial Interest in Financed Assets	11,000.00	11,000.00	-	11,000.00
Work in Progress	1,000.00	1,000.00	-	1,000.00
Plant & Machinery	8,500.00	8,500.00	-	8,500.00
Stock	4,000.00	4,000.00	-	4,000.00
Office Furniture & Equipment	450.00	450.00	-	450.00
Cash at Bank	-	5,232.55	-	5,232.55
Sundry Refund	-	293.37	-	293.37
Licence to Occupy	24,000.00	24,000.00	-	24,000.00
Rates Refund	-	251.39	-	251.39
VAT on factoring charges	-	4,370.05	-	4,370.05
Dividend Received	-	705.42	-	705.42
Book Debt Surplus	-	-	2,612.54	2,612.54
Bank Interest	-	27.69	20.93	48.62
	<u>59,000.00</u>	<u>65,880.47</u>	<u>2,633.47</u>	<u>68,513.94</u>
<b>PAYMENTS</b>				
<b>Pre-Appointment</b>				
Leonard Curtis		(21,900.00)	(2,122.50)	(24,022.50)
Accountants' Fees - Hewitt Card		(1,500.00)	-	(1,500.00)
Solicitors' Fees - Freeths		(4,000.00)	-	(4,000.00)
Agents' Fees -CAM		(4,122.30)	-	(4,122.30)
<b>Post-Appointment</b>				
Joint Administrators' Fees		-	(5,270.00)	(5,270.00)
Solicitors' - Freeths		(160.30)	-	(160.30)
Rent - Landlord		(24,000.00)	-	(24,000.00)
Category 1 Disbursements		(298.20)	(226.98)	(525.18)
Bank Charges		(45.00)	-	(45.00)
Agent's Fees – Insol		-	(300.00)	(300.00)
Agent's Fees - CAPA		(62.85)	-	(62.85)
Corporation Tax		-	(5.81)	(5.81)
		<u>(56,088.65)</u>	<u>(7,925.29)</u>	<u>(64,013.94)</u>
<b>DISTRIBUTIONS</b>				
Secured Creditor – The Funding Circle		-	(4,500.00)	(4,500.00)
<b>BALANCE</b>		<u><b>9,791.82</b></u>	<u><b>(9,791.82)</b></u>	<u><b>Nil</b></u>

**Note:** As detailed at 4.5, the realisations in respect of goodwill, plant & machinery and beneficial interest in financed assets have been reallocated in the previous period.



**SUMMARY OF ULTIMATE RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM  
21 AUGUST 2019 TO 14 FEBRUARY 2020 AND CUMULATIVE TO 14 FEBRUARY 2020**

	Previously Reported £	This Period £	Cumulative £
<b>RECEIPTS</b>			
Book debts	164,002.60	-	164,002.60
<b>PAYMENTS</b>			
Collection costs and charges - Ultimate	(28,227.06)	-	(28,227.06)
<b>DISTRIBUTIONS</b>			
Secured Creditor – Ultimate	(133,163.00)	-	(133,163.00)
<b>BALANCE DUE TO ADMINISTRATION</b>	<u>2,612.54</u>	<u>-</u>	<u>2,612.54</u>

## APPENDIX C

**SUMMARY OF JOINT ADMINISTRATORS' TIME COSTS FOR THE PERIOD  
FROM 21 AUGUST 2019 TO 31 JANUARY 2020**

	Total	Average
	Units	Hourly Rate
		£
Statutory and Review	26	280.00
Receipts and Payments	18	361.67
Insurance	26	280.00
Assets	55	302.27
Liabilities	82	310.98
General Administration	8	280.00
Pension Review	4	280.00
LEGAL SERV - Preparation	22	345.00
LEGAL SERV - Drafting docs	15	345.00
LEGAL SERV - Tel Call	3	345.00
LEGAL SERV - Email Out	7	345.00

Total

266 8,277.00

Average Hourly Rate (£)

311.17

All Units are 6 minutes

## DESCRIPTION OF TIME SPENT BY CATEGORY

### Statutory and Review

Time recorded to this category during the reporting period has involved the following:

- Case management reviews. These were carried out throughout the period of the report;
- Following up on intercompany loan, DLA and pension position; and
- Completion of case closing procedures at the end of the case.

### Receipts and Payments

Time recorded to this category during the reporting period has involved the following:

- Regular review of case bank account by the Joint Administrator;
- Preparation of a receipts and payments account for inclusion in the third progress report; Timely completion of all post appointment tax and VAT returns;
- Reposting of vouchers to re-code goodwill; and
- Managing estate expenses.

### Insurance, Bonding and Pensions

Time recorded to this category during the reporting period has involved the following:

- Periodic review of bonding requirements to ensure that creditors are appropriately protected. The bond was reviewed at three month intervals in accordance with best practice;
- Instructing, and liaising with, our pension adviser to review and advise the Joint Administrators on any possible outstanding contributions due to the Company's pension scheme.

### Assets

Time recorded to this category during the reporting period has involved the following:

- Protracted communications in respect of the pursuit of the outstanding deferred consideration, the debt due from the inter-company account with GPSS and the debt due from the directors' loan accounts.

### Liabilities

Time recorded to this category during the reporting period has involved the following:

- Preparation and submission of the third progress report to creditors; and
- Discussions with a new funder for the Purchaser in respect of a waiver of the Company's charge over the Purchaser.

### General Administration

Time recorded to this category during the reporting period has involved the following:

- Discussions with the Joint Administrator in respect of a waiver of the Company's charge over the Purchaser which was required by a new funder.

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## ORCHID PLASTICS LIMITED – IN ADMINISTRATION

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### Pension Review

Time recorded to this category during the reporting period has involved the following:

- Instructing our pension adviser to review the Company's pension scheme in respect of any unpaid pension contributions.

### Legal Services

Time recorded to this category during the reporting period has involved the following:

- Reviewing instruction from the Joint Administrator;
- Drafting a letter of demand to GPSS and the directors;
- Finalising and remitting demand letters; and
- Dealing with responses from one of the directors.

**SUMMARY OF JOINT ADMINISTRATORS' TIME COSTS  
FROM 21 FEBRUARY 2018 TO 31 JANUARY 2020  
INCORPORATING A COMPARISON OF THE JOINT ADMINISTRATORS' INITIAL FEE ESTIMATE  
Incurred to 31 January 2020**

Fees Estimate  
Total

	Units	Cost	Average Hourly Rate	Units	Cost	Average Hourly Rate	Cost	Variance
	No	£	£	No	£	£	£	
Statutory and Review	151	4,188.50	277.38	427	11,757.00	275.34	7,568.50	
Receipts and Payments	105	2,655.50	252.90	211	6,350.50	300.97	3,695.00	
Insurance	21	746.50	355.48	58	1,602.00	276.21	855.50	
Assets	164	5,677.00	346.16	269	8,661.50	321.99	2,984.50	
Liabilities	246	7,441.00	302.48	610	17,297.00	283.56	9,856.00	
Landlords	44	1,596.50	362.84	75	2,508.00	334.40	911.50	
Debenture Holder	63	2,180.00	346.03	12	438.00	365.00	(1,742.00)	
General Administration	125	3,174.50	253.96	165	4,243.00	257.15	1,068.50	
Appointment	147	5,093.00	346.46	147	4,408.50	299.90	(684.50)	
Planning and Strategy	7	296.00	422.86	2	73.00	365.00	(223.00)	
Post Appointment Credits Mngs	120	3,763.50	313.63	153	4,503.00	294.31	739.50	
Investigations	52	1,926.00	370.38	70	1,883.00	269.00	(43.00)	
Pension Review	-	-	-	4	112.00	280.00	112.00	
LEGAL SERV - Preparation	-	-	-	22	759.00	345.00	759.00	
LEGAL SERV - Drafting docs	-	-	-	15	517.50	345.00	517.50	
LEGAL SERV - Tel Call	-	-	-	3	103.50	345.00	103.50	
LEGAL SERV - Email Out	-	-	-	7	241.50	345.00	241.50	
<b>Total</b>	<b>1,245</b>	<b>38,738.00</b>	<b>311.15</b>	<b>2,250</b>	<b>65,458.00</b>	<b>290.92</b>	<b>26,720.00</b>	

**All Units are 6 minutes**

## APPENDIX E

**SUMMARY OF JOINT ADMINISTRATORS' EXPENSES  
FROM 21 AUGUST 2019 TO 14 FEBRUARY 2020  
INCORPORATING A COMPARISON OF THE JOINT ADMINISTRATORS'  
STATEMENT OF LIKELY EXPENSES**

**Standard Expenses**

Type	Charged by	Description	Estimated Amount £	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
AML Checks	Business Tax Centre	Electronic client verification	15.00	20.00	-	20.00	-
Bond Fee	AUA Insolvency Risk Services	Insurance bond	50.00	40.00	-	40.00	-
Company Searches	Companies House	Extraction of company information from Companies House	10.00	-	-	-	-
Document Hosting	Peistar	Hosting of documents for creditors	70.00	127.40	22.40	127.40	-
Software Licence Fee	Peistar	Case management system licence fee	87.00	87.00	-	87.00	-
Statutory Advertising	Courts Advertising	Advertising	92.00	83.02	-	83.02	-
Storage Costs	CAM	Storage of books and records	50.00	167.76	77.88	167.76	-
		<b>Total standard expenses</b>	<b>374.00</b>	<b>525.18</b>	<b>100.28</b>	<b>525.18</b>	<b>-</b>

**Case Specific Expenses**

Type	Charged by	Description	Estimated Amount £	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
Agents' Fees	CAM	Costs of valuing and realising assets	2,500.00	-	-	-	-
Legal Fees	Freeths	Costs of appointed solicitors	4,000.00	160.30	-	160.30	-
Staff Mileage	LC Staff	Category 2 disbursement requiring specific creditor / committee approval	200.00	-	-	-	-
Agents' Fees	Insol	Pension Advice	500.00	300.00	300.00	300.00	-
Accountancy Fees	Hewitt Card	Statement of Affairs	2,500.00	-	-	-	-
Agents' Fees	CAPA	Rates Refund	25% of realisations	62.85	-	62.85	-
Bank Charges	Allied Irish Bank	CHAPS Fee	-	45.00	-	45.00	-
		<b>Total case specific expenses</b>	<b>9,700.00</b>	<b>568.15</b>	<b>300.00</b>	<b>568.15</b>	<b>-</b>

**Note:** The amount shown as paid to Hewitt Card of £1,500 in previous reports was incorrect and referred to their pre-appointment work detailed at 6.1

APPENDIX F

OUTCOME STATEMENT

	Secured (Ultimate) £'000	Secured (Funding Circle) £'000	Financed £'000	Preferential £'000	Unsecured £'000
Amount available to class of creditor	164	5	-	-	-
Amount due to creditor	(133)	(76)	-	-	(535)
Dividend rate (as a %)	100%	6%	0%	0%	0%

## LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS

### LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS

The following Leonard Curtis policy information is considered to be relevant to creditors:

#### Staff Allocation and Charge Out Rates

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is not charged.

Where it has been agreed by resolution that the office holders' remuneration will be calculated by reference to the time properly given by the office holders and their staff in attending to matters as set out in a fees estimate, then such remuneration will be calculated in units of 6 minutes at the standard hourly rates given below. In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to obtain authority from the appropriate body of creditors that their remuneration on such time shall be charged at the higher complex rate given below.

The following hourly charge out rates apply to all assignments undertaken by Leonard Curtis:

6 Jan 2014 onwards	Standard	Complex	1 Aug 2019 onwards	Standard	Complex
	£	£		£	£
Director	450	562	Director	525	656
Senior Manager	410	512	Senior Manager	445	556
Manager 1	365	456	Manager 1	395	494
Manager 2	320	400	Manager 2	345	431
Administrator 1	260	325	Administrator 1	280	350
Administrator 2	230	287	Administrator 2	250	313
Administrator 3	210	262	Administrator 3	230	288
Administrator 4	150	187	Administrator 4	165	206
Support	0	0	Support	0	0

Office holders' remuneration may include costs incurred by the firm's in-house legal team, who may be used for non-contentious matters pertaining to the insolvency appointment.

#### Subcontractors

Where we subcontract out work that could otherwise be carried out by the office holder or his/her staff, this will be drawn to the attention of creditors in any report which incorporates a request for approval of the basis upon which remuneration may be charged. An explanation of why the work has been subcontracted out will also be provided.

#### Professional Advisors

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements.

The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.

#### Expenses

We are required to provide creditors with an estimate of the expenses we expect to be incurred in respect of an assignment and report back to them on actual expenses incurred and paid in our periodic progress reports. There are two broad categories of expenses: standard expenses and case specific expenses. These are explained in more detail below:

- a) Standard Expenses – this category includes expenses which are payable in order to comply with legal or regulatory requirements and therefore will generally be incurred on every case. They will include:



## ORCHID PLASTICS LIMITED – IN ADMINISTRATION

Type	Description	Amount																								
AML checks	Electronic client verification in compliance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017	£5.00 plus VAT per search																								
Bond / Bordereau fee	Insurance bond to protect the insolvent entity against and losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to £1,200.00 dependent on value of assets within case																								
Company searches	Extraction of company information from Companies House	£1.00 per document unless document can be accessed via the free service																								
Document hosting	Hosting of documents for creditors/shareholders. Cost per upload, plus VAT.	<table> <tr> <th>Type</th><th>First 100</th><th>Every addtl 10</th></tr> <tr> <td>ADM</td><td>£14.00</td><td>£1.40</td></tr> <tr> <td>CVL</td><td>£7.00</td><td>£0.70</td></tr> <tr> <td>MVL</td><td>£7.00</td><td>£0.70</td></tr> <tr> <td>CPL</td><td>£7.00</td><td>£0.70</td></tr> <tr> <td>CVA</td><td>£10.00</td><td>£1.00</td></tr> <tr> <td>BKY</td><td>£10.00</td><td>£1.00</td></tr> <tr> <td>IVA</td><td>£10 p.a. or £25 for life of case</td><td></td></tr> </table>	Type	First 100	Every addtl 10	ADM	£14.00	£1.40	CVL	£7.00	£0.70	MVL	£7.00	£0.70	CPL	£7.00	£0.70	CVA	£10.00	£1.00	BKY	£10.00	£1.00	IVA	£10 p.a. or £25 for life of case	
Type	First 100	Every addtl 10																								
ADM	£14.00	£1.40																								
CVL	£7.00	£0.70																								
MVL	£7.00	£0.70																								
CPL	£7.00	£0.70																								
CVA	£10.00	£1.00																								
BKY	£10.00	£1.00																								
IVA	£10 p.a. or £25 for life of case																									
Post re-direction	Redirection of post from Company's premises to office-holders' address	0-3 months £204.00 3-6 months £303.00 6-12 months £490.00																								
Software Licence fee	Payable to software provider for use of case management system	£87.00 plus VAT per case																								
Statutory advertising	Advertising of appointment, notice of meetings etc. - London Gazette - Other	£85.95 plus VAT per advert Dependent upon advert and publication																								
Storage costs	Costs of storage of case books and records	£5.07 plus VAT per box per annum plus handling charges																								

- b) Case-specific expenses – this category includes expenses (other than office-holders' fees) which are likely to be payable on every case but which will vary depending upon the nature and complexity of the case and the assets to be realised. They will include:

Type	Description	Amount
Agents' fees	Costs of appointed agents in valuing and realising assets	Time costs plus disbursements plus VAT
Debt Collection fees	Costs of appointed debt collectors in realising debts	Generally agreed as a % of realisations plus disbursements plus VAT
Legal fees	Costs of externally appointed solicitors. Will generally comprise advice on validity of appointment, drafting of sale contracts, advice on retention of title issues and advice on any reviewable transactions.	Time costs plus disbursements plus VAT
Other disbursements	See <b>disbursements</b> section below	See <b>disbursements</b> section below

### Disbursements

Included within both of the above categories of expenses are disbursements, being amounts paid firstly by Leonard Curtis on behalf of the insolvent entity and then recovered from the entity at a later stage. These are described as Category 1 and Category 2 disbursements.

- a) Category 1 disbursements: These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses (excl. mileage), and equivalent costs reimbursed to the office holder or his or her staff. Category 1 disbursements may be drawn without prior approval.
- b) Category 2 disbursements: These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage. In the event of charging for category 2 disbursements the following items of expenditure are recharged on this basis and are believed to be in line with the cost of external provision:
- |  |   |
|--|---|
| Internal photocopying                      | 10p per copy                                    |
| General stationery, postage, telephone etc | £100 per 100 creditors/ members or part thereof |
| Storage of office files (6 years)          | £81.25 per box                                  |
| Business mileage                           | 45p per mile                                    |

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration.

NOTICE OF MOVE FROM ADMINISTRATION TO DISSOLUTION

# AM23

## Notice of move from administration to dissolution



Companies House

SA

A15 \*A8YUGCV6\*  
15/02/2020 #141  
COMPANIES HOUSE

### 1 Company details

Company number 0 3 3 4 9 1 8 9

Company name in full Orchid Plastics Limited

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

### 2 Court details

Court name High Court of Justice Business and Property Courts in  
Manchester - Company & Insolvency List (CHD)

Court number 2 1 2 2 o f 2 0 1 8

### 3 Administrator's name

Full forename(s) Richard

Surname Pinder

### 4 Administrator's address

Building name/number Leonard Curtis

Street 22 Gander Lane

Barlborough

Post town Chesterfield

County/Region

Postcode S 4 3 4 P Z

Country

AM23

Notice of move from administration to dissolution

**5 Administrator's name ①**

Full forename(s)

Sean

Surname

Williams

① Other administrator

Use this section to tell us about another administrator.

**6 Administrator's address ②**

Building name/number

Leonard Curtis

Street

22 Gander Lane

Barlborough

Post town

Chesterfield

County/Region

Postcode

S 4 3 4 P Z

Country

② Other administrator

Use this section to tell us about another administrator.

**7 Final progress report**

☒ I have attached a copy of the final progress report

**8 Sign and date**

Administrator's  
signature

Signature

X R C R L X

Signature date

<sup>d</sup>1<sup>d</sup>4 <sup>m</sup>0<sup>m</sup>2 <sup>y</sup>2<sup>y</sup>0<sup>y</sup>2<sup>y</sup>0

# AM23

## Notice of move from administration to dissolution



### 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	Keith Turpin
Company name	Leonard Curtis
Address	22 Gander Lane
	Barlborough
	Chesterfield
Post town	
County/Region	
Postcode	S 4 3 4 P Z
Country	
DX	
Telephone	01246 385 775



### 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)

## PRIVACY NOTICE

### Information we collect and hold about you

By requesting details of your claim in this insolvency, we may collect Personal Data from you, particularly if you are a consumer creditor, a sole trader or are lodging a claim in your personal capacity.

Personal Data is information relating to a living individual. Whenever Personal Data is processed, collected, recorded, stored or disposed of it must be done within the terms of the General Data Protection Regulation ("the GDPR"). Examples of Personal Data include but may not be limited to your name, address, telephone number and email contact details.

If you do not provide us with the information we require, this may adversely affect our ability to deal with your claim, but we would ask you not to submit more Personal Data than we request from you.

### Legal justification for processing your Personal Data

The processing of your Personal Data by us is necessary to enable us to comply with legal obligations under the Insolvency Act 1986 and associated legislation which we are subject to as Insolvency Practitioners.

### How we use your information

All information you supply to us is required to enable us to comply with our duties under the Insolvency Act 1986 and associated legislation. It will be used to enable us to assess the extent of the insolvent entity's liabilities, to allow you to vote on any decision procedures, to enable us to communicate with you, to process your claim and to pay any dividends which may be due to you from the insolvent estate.

### Who we share your information with

We may be required to share some of your Personal Data with other creditors. The data which will be shared with other creditors will be limited to that specifically required to be disclosed under insolvency legislation.

We may share some of your information with our Data Processors. Data Processors include solicitors, accountants and employment law specialists who assist us with our duties where required. We will only share your information with our Data Processors if we require their specialist advice. All of our Data Processors are subject to written contracts with us to ensure that your Personal Data is processed only in accordance with the GDPR.

### How long will we hold your Personal Data for?

We will need to hold your Personal Data for a period of time after the insolvency has been concluded. This is to enable us to deal with any queries which might arise. Our Records Management Policy requires us to destroy our physical files 6 years after closure of the case. Electronic data files will be removed from our Case Management System 6 years after conclusion of the case but may be held on our server for a longer period of time but with restricted access.

### Your rights in respect of your Personal Data

You have the right to request access to your Personal Data and to require it to be corrected or erased. You also have the right to request a restriction in the way we process your Personal Data or to object to its processing. You should be aware however that we may not be able to comply with your request if this would affect our ability to comply with our legal obligations.

You have the right to Data Portability. This is a right to have the Personal Data we hold about you to be provided to you in a commonly used and machine-readable format so that you can transfer that Data to another organisation in a way that is not too onerous to upload the Data.

### Your right to complain

You have the right to be confident that we are handling your Personal Data responsibly and in line with good practice. If you have a concern about the way we are handling your Personal Data you should contact our Privacy Manager in the first instance.

If you are unable to resolve your concerns with us, you have the right to complain to the Information Commissioners' Office. The Information Commissioner can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK6 5AF or on 0303 123 1113.

### Contacting us

If you have any questions relating to the processing of your Personal Data, please write to our Privacy Manager at Leonard Curtis, 5<sup>th</sup> Floor, Grove House, 248A Marylebone Road, London NW1 6BB Alternatively our Privacy Manager can be contacted by telephone on 0207 535 7000 or by email: [privacy@leonardcurtis.co.uk](mailto:privacy@leonardcurtis.co.uk).

### Data Controller: LEONARD CURTIS