

LIQ03

Notice of progress report in voluntary winding up



Companies House

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

1 Company details

Company number 03401779

Company name in full Rococo Chocolates Ltd

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Kerry

Surname Bailey

3 Liquidator's address

Building name/number 3 Hardman Street

Street Spinningfields

Post town Manchester

County/Region

Postcode M33AT

Country

4 Liquidator's name ①

Full forename(s) Danny

Surname Dartnaill

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number Thames Tower, Level 12

Street Station Road

Post town Reading

County/Region

Postcode RG11LX

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	^d	2	^d	8	^m	0	^m	5	^y	2	^y	0	
To date	^d	2	^d	7	^m	0	^m	5	^y	2	^y	0	

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

8	Sign and date												
Liquidator's signature	<div>Signature</div> <div>  </div>												
Signature date	^d	2	^d	9	^m	0	^m	6	^y	2	^y	0	

**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	Kerry Bailey
Company name	BDO LLP
Address	5 Temple Square
	Temple Street
Post town	Liverpool
County/Region	
Postcode	L 2 5 R H
Country	
DX	
Telephone	01512 374 500

**Checklist**

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

**Important information**

All information on this form will appear on the public record.

**Where to send**

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

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

Rococo Chocolates Ltd
(In Liquidation)
Joint Liquidators' Trading Account

Statement of Affairs £	From 28/05/2020 To 27/05/2021 £	From 23/05/2019 To 27/05/2021 £
TRADING EXPENSES		
Pension contributions	2,652.97	2,652.97
	<u>(2,652.97)</u>	<u>(2,652.97)</u>
TRADING SURPLUS/(DEFICIT)	<u>(2,652.97)</u>	<u>(2,652.97)</u>

Rococo Chocolates Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £	From 28/05/2020 To 27/05/2021 £	From 23/05/2019 To 27/05/2021 £
ASSET REALISATIONS		
Bank Interest Gross	206.44	206.44
Rates refunds	7,593.88	7,593.88
Surplus from Administration	NIL	410,970.82
Trading Surplus/(Deficit)	(2,652.97)	(2,652.97)
	<u>5,147.35</u>	<u>416,118.17</u>
COST OF REALISATIONS		
Debtor commission	3,208.59	3,208.59
Insurance of Assets	5,113.25	5,113.25
Legal Fees	3,235.50	3,235.50
Pre-administration legal fees and disb	45,770.00	45,770.00
Professional fees	1,907.99	1,907.99
Rents Payable	3,500.00	3,500.00
Statutory Advertising	88.00	88.00
Storage Costs	89.10	89.10
Surplus of LTO funds	1,917.92	1,917.92
	<u>(64,830.35)</u>	<u>(64,830.35)</u>
PREFERENTIAL CREDITORS		
Preferential RPS	6,889.62	6,889.62
Preferential Wages	1,295.57	1,295.57
	<u>(8,185.19)</u>	<u>(8,185.19)</u>
	<u>(67,868.19)</u>	<u>343,102.63</u>
REPRESENTED BY		
Bank 2 Current		325,733.35
Bank 2 Deposit		0.30
Vat Control Account		0.37
Vat Input		20,131.49
Vat Output		(2,762.88)
		<u>343,102.63</u>

Note:

A preferential dividend of 100p in the £ was declared on the 18th November 2020 totalling £7,962.16.

TO ALL CREDITORS AND MEMBERS

29 June 2021

Our Ref KB/JK/00329340/C2

Please ask for: Jasmin Kang
Dial: 07971971015
Email: BRCMTNorthandScotland@bdo.co.uk

Dear Madams/Sirs

Rococo Chocolates Ltd - In Creditors' Voluntary Liquidation ('the Company')
Registered number: 03401779

I set out below an annual progress report in accordance with Section 104A of the Insolvency Act 1986 and Rules 18.3 and 18.7 of the Insolvency (England and Wales) Rules 2016 ('the Rules'). This report covers the period from 27 May 2020 to 26 May 2021 ('the Period').

Professional Information Regarding the Joint Liquidators

The Company was placed into Administration on 23 May 2019. Kerry Bailey (officeholder No: 8780) of BDO LLP, 3 Hardman Street, Manchester, M3 3AT and Danny Dartnail (officeholder No: 10110) of BDO LLP, Level 12, Thames Tower, Station Road, Reading, RG1 1LX were appointed Joint Administrators.

The Company subsequently moved to Liquidation on 27 May 2020, and Kerry Bailey and Danny Dartnail were appointed Joint Liquidators on the same date. The Joint Liquidators carry out their functions jointly and severally meaning any action can be done by one Liquidator or by both of them.

Receipts and Payments

We enclose, for your information, a summary of our Receipts and Payments account showing a balance in hand of £343,103.

Receipts

The receipts shown are largely self-explanatory, although I would comment specifically on the following:

Surplus from the Administration

During the Period, funds totalling £410,971 were transferred into the Liquidation account as a surplus from the preceding Administration.

Rates Refund

Rates refunds totalling £7,594 have been received during the Period. The Joint Liquidators instructed Consultant Property Limited (trading as 'CAPA') on a commission basis, to assist with the realisations of rates refunds. During the Period, £1,668 was paid to CAPA in respect of their commission, which is included within 'Professional Fees' on the Receipts and Payments account.

Bank Interest

Bank interest of £206 has been received during the Period.

Payments

The payments shown are largely self-explanatory, however I would comment specifically on the following:

Trading Expenses

A payment of £2,653 was made to NEST, the Company's pension provider. This was in relation to post-appointment employer and employee pension liabilities accrued in relation to the trading period.

Debtor Commission

As detailed in my previous Administration reports, the Joint Administrators completed a sale of the Company's business and assets on 25 June 2019 to Rococo Chocolates London Limited ('the Purchaser').

As part of the sale agreement, it was agreed that the Purchaser would receive 10% commission in relation to all pre-appointment debtor collections and the collection of wholesale debtors in respect of the trading period. As such, a final payment of commission totalling £3,209 was paid during the Period to the Purchaser in respect of debts received prior to the Period.

Rents Payable

Prior to the appointment of Joint Administrators, the Company held six leases in relation to its five retail stores and head office. As stated in previous reports, licences to occupy were granted to allow the Purchaser to remain in-situ. The Joint Administrators recharged all rental costs to the Purchaser by way of licence to occupy fees. The Purchaser agreed new leases or assignments in respect of all six leasehold premises.

Rent of £3,500 was paid to a landlord during the Period. This payment was fully funded by the Purchaser in the Administration and the funds were transferred to the Liquidation as part of the surplus from the Administration.

During the Liquidation, a reconciliation of the licence to occupy fees was undertaken in order to confirm there were no surplus fees held by the Liquidators. As a result of this reconciliation, £1,918 was refunded to the Purchaser during the Period.

Insurance of Assets

During the Period, the Liquidators settled insurance premium of £5,113. The insurance has been cancelled and no further payments are expected.

Costs in the Liquidation

I additionally provide a summary of the professional fees and other expenses which have been incurred and paid in the Period, together with anticipated future costs.

Professional Fees and Expenses	Incurred in Period £	Paid in the Period £	Incurred cumulatively £	Future costs £
Professional fees - ERA Solutions Limited	Nil	240	240	200
Professional fees - CAPA	Nil	1,668	1,668	Nil
Legal Fees and disbursements	4,726	3,236	61,545	3,500
Total	4,726	5,144	63,453	3,700

Professional fees

During the Period, £240 has been paid to ERA Solutions Limited in relation to assisting with the agreement of preferential claims and the preferential dividend, including the submission of the Real Time Information. Further fees are anticipated in relation to the employee unsecured dividend.

The fees paid to CAPA are in relation to commission associated with the recovery of rates refunds, further detail of which is provided above. No further fees are anticipated.

Legal Fees and disbursements

During the Period, £3,236 has been paid to Addleshaw Goddard LLP ('AG') in relation to general advice provided in the Administration and further advice provided in respect of an unsecured claim, as part of the claims review process.

Legal fees are above the original Fees Estimate as a result of the additional advice required in relation to an unsecured claim.

The total fees and disbursements incurred cumulatively relates to the Administration and the Liquidation. Legal fees totalling £55,077 were settled during the Administration.

During the Period, legal fees totalling £4,726 have been accrued in relation to the review of trademark documentation and filings associated with the transfer of the trade marks in other jurisdictions. Future costs are estimated to be £3,500. The Purchaser has confirmed they will fund associated with the transfer of the trade marks.

Pre-administration legal fees and disbursements

During the Period, £45,770 has been paid to Shoosmiths LLP ('Shoosmiths') in relation to the costs incurred by the applicant in placing the Company into Administration, including Counsel fees and Court fees. No further fees are anticipated.

Progress of the Liquidation

There are no further assets to realise. The Joint Liquidators are reviewing the unsecured creditor claims received and following their review, will issue the notice of intended dividend. Meanwhile, the Joint Liquidators are completing statutory matters, including submitting final Corporation Tax and VAT returns, and settling final costs including the Joint Liquidators' remuneration.

Once the unsecured dividend has been declared and distributed, the Company will move to dissolution.

Assets

I can confirm that there are no assets of a peculiar or special nature which cannot be sold. Consequently, there has been no distribution of unsold assets to creditors, as mentioned in Rules 18.10/14.13 of the Rules.

Future Prospects for CreditorsSecured Creditors

There are no remaining secured creditors of the Company.

Preferential Creditors

Preferential claims are defined as monies owed to former employees in respect of arrears of wages, accrued holiday pay at the date of Administration (being 23 May 2019) and employee pension contribution arrears.

A preferential dividend of 100 pence in the pound was declared in November 2020 and paid in December 2020.

Unsecured Creditors

The Statement of Affairs estimates unsecured creditors of £1.5 million. To date, unsecured creditor claims received but not yet adjudicated, total approximately £1.13 million.

Based on present information, unsecured creditors may receive a dividend of around 25-30 pence in the pound. Please note, this is subject to change. The Joint Liquidators have commenced reviewing unsecured claims and anticipate a notice of intended dividend will be issued in the coming months.

Prescribed Part

Under the provisions of Section 176A of the Insolvency Act 1986, the Joint Liquidators must state the amount of funds available to unsecured creditors in respect of the Prescribed Part. This provision only applies where a company has granted a floating charge to a creditor after 15 September 2003.

Although the Company has granted a floating charge to RBSIF after 15 September 2003, RBSIF was paid in full on 25 June 2019. There will therefore be no floating charge distribution and the provisions of the Prescribed Part will not apply.

Investigations

The Joint Liquidators have a duty to investigate the affairs of the Company and also the conduct of the directors and in respect of the latter, to submit a confidential statutory report to the Secretary of State. I confirm that a report has been submitted in the previous Administration.

We have completed our review of the Company's affairs and assets to establish whether there are any actions that can be investigated for the benefit of the creditors and concluded there are no causes of action to be pursued. The matters that have been investigated include the events leading up to the administration of the company, funding available and introduced and the quantity of certain creditors' claims.

Joint Liquidators' Remuneration

Pursuant to the Rules, the Joint Liquidators are obliged to fix their remuneration in accordance with Rule 18.16. This permits remuneration to be fixed either:

- (1) as a percentage of the assets realised and distributed; and/or
- (2) by reference to the time the Joint Liquidators and the staff have spent attending to matters in the Liquidation; and/or
- (3) as a set amount; and/or
- (4) as a combination of the above.

The Joint Liquidators' remuneration has been approved by creditors on the basis of time properly spent in dealing with issues in the Liquidation. Creditors approved the Joint Liquidators' remuneration on a time cost basis in line with the Fee Estimate uploaded to the portal on 22 December 2020 and approved 11 January 2021.

To date, the Joint Liquidators have not drawn any monies in respect of remuneration as shown on the enclosed Receipts and Payments account.

BDO LLP changed its time recording system with effect from 17 April 2021, I therefore attach two detailed reports of the time incurred by the Joint Liquidators. The first report covers the Period up to 16 April 2021, the second report covers the Period from 17 April 2021 to 26 May 2021.

Time costs to date of £50,706 have been incurred over 246 hours at an average rate of £206 per hour.

Also attached is the original Fees Estimate annotated with a column showing the time costs accrued in respect of each activity.

For guidance, I enclose a document that outlines the policy of BDO LLP in respect of fees and disbursements.

Joint Liquidators' Expenses

Where expenses relating directly to the Liquidation are incurred by an independent third party there is no necessity for these costs to be authorised. These are known as category 1 expenses.

Where expenses relating directly to the estate have been incurred by an associated party or have an element of shared costs, creditor approval is required to pay these expenses from the Liquidation. These are known as category 2 expenses.

Expenses include disbursements (costs incurred which have been paid by the Joint Liquidators and are recharged to the Liquidation).

During the Period, in addition to any professional fees and expenses, category 1 expenses of £140 have been incurred.

The policy of BDO LLP in respect of this Liquidation is not to charge any category 2 expenses with the exception of mileage on the basis of the mileage scale approved by HMRC, being 45p per mile unless otherwise disclosed to creditors. During the Period, no category 2 disbursements have been incurred.

Total expenses of £140 have been incurred in this Liquidation as detailed below.

	Cat. 1 (£)	Cat. 2 (£)	Total (£)
Bonding	100.00	-	100.00
Data Protection Fee	40.00	-	40.00
Total	100.00	-	140.00

No expenses have been drawn to date.

Creditors' rights

I provide at the end of this report, an extract from the Rules setting out the rights of creditors to request further information and/or challenge the remuneration or expenses within the Liquidation.

Creditors may access information setting out creditors' rights in respect of the approval of the Joint Liquidators' remuneration and on the rights, duties and functions of a liquidation committee at <https://www.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides>.

The Joint Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code can be found at: <https://www.icaew.com/technical/ethics/icaew-code-of-ethics/icaew-code-of-ethics>.

The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit <https://www.gov.uk/complain-about-insolvency-practitioner> where you will find further information on how you may pursue the complaint.

If you require any further information please contact me or my colleague Jasmin Kang at BRCMNorthandScotland@bdo.co.uk.

Yours faithfully
for and on behalf of
Rococo Chocolates Ltd



Kerry Bailey
Joint Liquidator
Authorised by the Institute of Chartered Accountants in England & Wales in the UK

Enc

Receipts and Payments Account
SIP 9 Time Cost Report for the Reporting Period 27 May 2020 to 16 April 2021
SIP 9 Time Cost Report for the Reporting Period 17 April 2021 to 26 May 2021
Fee Estimate and Accrued Time Comparison
BDO LLP Policy in Respect of Fees and Disbursements
Statement of Creditors' Rights in respect of Fees and Disbursement

**Rococo Chocolates Ltd
(In Liquidation)
Joint Liquidators' Trading Account**

Statement of Affairs £	From 27/05/2020 To 26/05/2021 £	From 27/05/2020 To 26/05/2021 £
TRADING EXPENSES		
Pension contributions	2,652.97	2,652.97
	(2,652.97)	(2,652.97)
TRADING SURPLUS/(DEFICIT)	(2,652.97)	(2,652.97)

Rococo Chocolates Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £	From 27/05/2020 To 26/05/2021 £	From 27/05/2020 To 26/05/2021 £
ASSET REALISATIONS		
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Rates refunds	7,593.88	7,593.88
Surplus from Administration	410,970.82	410,970.82
Trading Surplus/(Deficit)	(2,652.97)	(2,652.97)
	416,118.17	416,118.17
COST OF REALISATIONS		
Debtor commission	3,208.59	3,208.59
Insurance of Assets	5,113.25	5,113.25
Legal Fees	3,235.50	3,235.50
Pre-administration legal fees and disbs	45,770.00	45,770.00
Professional fees	1,907.99	1,907.99
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Statutory Advertising	88.00	88.00
Storage Costs	89.10	89.10
Surplus of LTO funds	1,917.92	1,917.92
	(64,830.35)	(64,830.35)
PREFERENTIAL CREDITORS		
Preferential RPS	6,889.62	6,889.62
Preferential Wages	1,295.57	1,295.57
	(8,185.19)	(8,185.19)
	343,102.63	343,102.63
REPRESENTED BY		
Bank 2 Current		325,733.35
Bank 2 Deposit		0.30
Vat Control Account		0.37
Vat Input		20,131.49
Vat Output		(2,762.88)
		343,102.63

Note:

A preferential dividend of 100p in the £ was declared on the 18th November 2020 totalling £7,962.16.

Name of Assignment

Rococo Chocolates Ltd - CVL

00329340

Detail of Time Charged and Rates Applicable for the Period From 27/05/2020 to 16/04/2021

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
B. Steps on Appointment														
02 Statutory Documentation			1.25	251.00					1.85	155.40			3.10	406.40
08 Detail Documentation Review	0.25	137.25											0.25	137.25
12 Setting up Internal Files			0.50	123.50									0.50	123.50
sub total	0.25	137.25	1.75	374.50					1.85	155.40			3.85	667.15
B. Steps on Appointment														
C. Planning and Strategy														
07 Strategy Planning	4.15	2,326.65											4.15	2,326.65
99 Other Matters	0.25	197.00											0.25	197.00
sub total	4.40	2,523.65		0.00									4.40	2,523.65
C. Planning and Strategy														
D. General Administration														
02 VAT			0.80	244.10	0.40	57.20			0.50	59.50			1.70	390.80
03 Taxation			1.75	841.50	2.50	567.50			1.75	209.40			6.00	1,620.40
04 Instruct Lease Solicitors					0.40	90.80							0.40	90.80
07 Receipts Payments Accounts	0.20	106.20	6.30	882.70	3.60	801.90	2.20	96.80	25.25	2,110.25	0.10	11.60	37.65	4,009.45
08 Remuneration Issues					4.50	1,063.50							4.50	1,063.50
09 Statutory Matters					2.55	530.25			1.20	217.20			3.75	747.45

Name of Assignment

Rococo Chocolates Ltd - CVL

00329340

Detail of Time Charged and Rates Applicable for the Period From 27/05/2020 to 16/04/2021

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
14 General Discussions			1.00	380.00	0.60	133.50							1.60	513.50
15 Gen Admin Correspondence	1.15	658.65	3.05	760.20	9.15	2,052.75			22.00	2,549.35	2.05	144.90	37.40	6,164.85
sub total	1.35	764.85	12.90	3,110.50	24.00	5,327.40	2.20	96.80	50.70	5,145.70	2.15	155.50	93.30	14,600.75
D. General Administration														
E. Assets Realisation/Dealing														
02 Evaluation/Reconciliation					1.50	327.00							1.50	327.00
07 Debt Collection									0.25	29.75			0.25	29.75
09 Dealing with other Assets	0.60	354.60											0.60	354.60
99 Other Matters									0.30	35.70			0.30	35.70
sub total -	0.60	354.60		0.00	1.50	327.00			0.55	65.45			2.65	747.05
E. Assets Realisation/Dealing														
G. Employee Matters														
04 Pension Issues			0.50	96.00	0.30	68.10			1.05	120.45			1.85	284.55
sub total			0.50	96.00	0.30	68.10			1.05	120.45			1.85	284.55
G. Employee Matters														
H. Creditor Claims														
01 Validity of charges									1.35	160.65			1.35	160.65
03 Preferential Creditors			3.20	1,056.40	3.50	765.00			1.60	134.40			8.30	1,953.80

Name of Assignment **Rococo Chocolates Ltd - CVL** **00329340**

Detail of Time Charged and Rates Applicable for the Period From 27/05/2020 to 16/04/2021

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
04 Non-Preferential Creditors	1.70	658.80	10.90	4,062.05	57.80	11,590.50			21.75	2,136.00	0.50	35.00	87.15	18,552.35
06 Other Creditors			2.00	760.00									2.00	760.00
99 Other Matters									0.95	1,119.95			0.95	1,119.95
sub total - H. Creditor Claims	1.20	658.80	16.10	5,898.45	56.30	12,353.50			25.65	2,653.00	0.50	35.00	99.75	21,598.75
I. Reporting														
01 Statutory Reporting									1.00	119.00	3.90	267.60	4.90	356.60
04 Reporting to Creditors	1.35	797.85	3.00	1,230.25									4.35	2,028.10
sub total - I. Reporting	1.35	797.85	3.00	1,230.25					1.00	119.00	3.90	267.60	9.25	2,414.70
J. Distribution and Closure														
02 Distributions			5.40	2,146.55	4.30	976.10			5.10	478.35			14.80	3,601.00
sub total - J. Distribution and Closure			5.40	2,146.55	4.30	976.10			5.10	478.35			14.80	3,601.00
Net Total													46,437.60	
Secretarial Expense													0.00	
Other Disbursements													0.00	
Billed													0.00	
Grand Total													46,437.60	

FIN - SIP9

Billable Projects Rococo Chocolates Limited>Rococo Chocolates Ltd - CVL>00329340

Transaction Date no earlier than 17/04/2021

Transaction Date no later than 26/05/2021

Tick to include Pre Appointment No

Activity	Partner	Director	Senior Manager	Manager	Senior Executive	Executive	Total hours	Time Costs £	Av. Rate £/h
VAT					1.45		1.45	175.45	121.00
Taxation			1.20	1.70	1.40		4.30	1,259.70	292.95
Instruct/Liase Solicitors				1.10			1.10	249.70	227.00
Gen. Admin/Correspondence			0.10		1.85		1.95	275.45	141.26
GENERAL ADMINISTRATION			1.30	2.80	4.70		8.80	1,960.30	222.76
Sale of Business/Assets		2.75					2.75	1,364.00	496.00
ASSETS REALISATION/DEALING		2.75					2.75	1,364.00	496.00
Non-Preferential Creditors				1.70			1.70	385.90	227.00
Other Creditors					0.70		0.70	126.70	181.00
CREDITOR CLAIMS				1.70	0.70		2.40	512.60	213.58
Distributions				1.90			1.90	431.30	227.00
DISTRIBUTION AND CLOSURE				1.90			1.90	431.30	227.00
Total		2.75	1.30	6.40	5.40		15.85	4,268.20	269.29



Rococo Chocolates Limited – in Liquidation

Fees Estimate to Accrued Time Comparison

Below is the original Fees Estimate annotated with a column showing the time costs accrued in respect of each activity.

Fees Estimate as at 27 May 2020 compared to accrued time to 26 May 2021

Joint Liquidators Fees	Total Hours	Blended Rate £	Estimated Fee £	Accrued Time £
Summary Activity				
A. Pre Appointment Matters	-	-	0.00	0.00
TOTAL			0.00	0.00
B. Steps on Appointment	3.85	173.29	667.15	667.15
C. Planning and Strategy	3.00	549.00	1,647.00	2,523.65
D. General Administration	59.80	152.32	9,108.45	16,561.05
E. Assets Realisation/Dealing	2.05	191.44	392.45	2,111.05
F. Trading Related Matters	0.00	0.00	0.00	0.00
G. Employee Matters	0.70	171.14	119.80	284.55
H. Creditor Claims	91.05	222.39	20,249.05	22,111.35
I. Reporting	21.00	241.43	5,070.00	2,414.70
J. Distribution and Closure	21.05	250.42	5,271.40	4,032.30
TOTAL			42,525.30	50,705.80

You will note that I have exceeded the original Fees Estimate. However, I will not be requesting an increase in my fees at this time.

Detail of Work Undertaken

Further detail in relation to the time incurred in the Period, as detailed in the SIP9 reports attached, is provided below.

Steps upon Appointment

This work includes reviewing statutory documents and issuing initial notices to creditors including the movement from Administration to Liquidation, as per statutory requirements.

Planning and Strategy

Time relates to liaising with key stakeholders and engaging with specialists and planning overarching strategy. This area of work is led by me as partner in conjunction with a Director, with some support below Manager level in documenting and recording proposed strategy.



General Administration

Time in this regard relates preparing and issuing final Corporation Tax and VAT returns, including de-registering the Company from VAT. Due to the complexity of the Corporation Tax returns, advice was sought from a Director in the BDO Tax department.

In addition, general administration of the case including reviewing receipts, processing payments, reviewing the Receipts and Payments account and bi-annual reviews of the Liquidation which includes assessing the progression of the case.

Time also relates to preparing and issuing the remuneration report and obtaining fee approval from the Company's creditors as per the Fees Estimate.

During the Period, time has been spent liaising with lawyers, AG, in relation to the transfer of trademarks.

The majority of this work requires a range of insolvency knowledge and experience, balanced with good accounting and administrative skills and is delegated largely to an Assistant Manager with a suitable level of experience, supervised by a Director.

Asset Realisation/Management

Minimal time has been incurred in relation to the realisation of rates refunds. In addition, time relates to liaising with the Purchaser in respect of the transfer of trademarks following the sale of the Company's business and assets.

Employee Matters

Minimal time has been incurred dealing with the settlement of pension contribution arrears in respect of the Administration trading period.

Creditor Claims and distributions

The majority of time during the Period relates to creditor claims and dividends.

Time relates to reviewing, declaring and paying the preferential dividend. The Joint Liquidators instructed ERA Solutions Limited to assist in this regard.

This also relates to receiving and recording unsecured creditor claims, identifying whether additional supporting evidence is necessary from the creditor, reviewing the Statement of Affairs balances, consulting with AG in relation to a certain creditor claim, writing to creditors who have assigned their claim and answering any queries creditors may have in regards to the timing of the dividend.

This work was be led by a Director, with the majority of the work undertaken by an Assistant Manager and an Executive.

Reporting

Time relates to reporting to creditors including the issuance of the remuneration report. In addition, ad hoc updates have been provided to key creditors of the Company.

The Director is responsible for leading the reporting and delegating the production of the accounts, fee analysis and comparison with estimates to a suitably experienced Assistant Manager.



Rococo Chocolates Ltd - In Liquidation

In accordance with best practice I provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above Company.

The current charge out rates per hour of staff within my firm who may be involved in working on this case are:

GRADE	£
Partner	591-788
Director	330-496
Senior Manager	276-413
Manager	151-302
Senior Executive	121-211
Executive	74-110

This in no way implies that staff at all such grades will work on the case. The rates charged by BDO LLP are reviewed periodically and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records time for this case under the following categories:-

Pre Appointment
Steps on Appointment
Planning and Strategy
General Administration
Asset Realisation/Management
Trading Related Matters
Employee Matters
Creditor Claims
Reporting
Distribution and Closure.

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 10 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

Expenses

Expenses including disbursements (costs incurred in the case which have been paid by the firm and are recharged to the estate) can be divided into two categories.



1) Category 1 expenses

These are expenses relating directly to the estate incurred by an independent third party. In addition to professional fees and expenses, such expenses may include items such as bonding, advertising, insurance, external printing costs, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents and storage of the Company's records.

For cost effectiveness, employee claims review work is sub-contracted to ERA Solutions Limited who are experienced specialists in this area.

Creditor approval is not required to pay category 1 expenses.

2) Category 2 expenses

These are expenses relating directly to the estate which have been incurred by an associated party or which have an element of shared costs.

We propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the Company. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median – less than 10,000 miles per annum) which is the amount the firm pays to staff.

Creditor approval is required to pay category 2 expenses from the estate.

Where applicable, expenses will be subject to VAT at the prevailing rate.

Statement from the Insolvency (England and Wales) Rules 2016 regarding the rights of creditors in respect of the Joint Liquidators' fees and expenses:

Creditors' and members' requests for further information in administration, winding up and bankruptcy

18.9.—(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
 - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
 - (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
 - (d) any unsecured creditor with the permission of the court; or
 - (e) any member of the company in a members' voluntary winding up with the permission of the court.
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.
- (3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—
- (a) providing all of the information requested;
 - (b) providing some of the information requested; or
 - (c) declining to provide the information requested.
- (4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—
- (a) the time or cost of preparation of the information would be excessive; or
 - (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
 - (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
 - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—
- (a) the office-holder giving reasons for not providing all of the information requested; or
 - (b) the expiry of the 14 days within which an office-holder must respond to a request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34.—(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
 - (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
 - (c) the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—
- (a) a secured creditor,
 - (b) an unsecured creditor with either—
 - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii) the permission of the court, or
 - (c) in a members' voluntary winding up—
 - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
 - (ii) a member of the company with the permission of the court.
- (3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ('the relevant report').

Applications under rules 18.34 and 18.35 where the court has given permission for the application

18.36.—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.

- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
 - (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
 - (b) an order reducing any fixed rate or amount;
 - (c) an order changing the basis of remuneration;
 - (d) an order that some or all of the remuneration or expenses in question is not to be treated as expenses of the administration, winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or Liquidator or the administrator's or Liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration, winding up or bankruptcy.

Applications under rule 18.34 where the court's permission is not required for the application

18.37.—(1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
 - (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
 - (b) an order reducing any fixed rate or amount;
 - (c) an order changing the basis of remuneration;
 - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration or winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or Liquidator or the administrator's or Liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration or as winding up or bankruptcy.