

LIQ14

Notice of final account prior to dissolution in CVL



Companies House

FRIDAY



AA5FW0J6

A22

28/05/2021

#39

COMPANIES HOUSE

1 Company details

Company number 0 4 3 7 4 7 0 0
Company name in full Carlton Manor (Plant) Limited

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

2 Liquidator's name

Full forename(s) Jeremy
Surname Bennett

3 Liquidator's address

Building name/number Moorend House
Street Snelsins Lane
Post town Cleckheaton
County/Region West Yorkshire
Postcode B D 1 9 3 U E
Country

4 Liquidator's name ①

Full forename(s)
Surname

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

5 Liquidator's address ②

Building name/number
Street
Post town
County/Region
Postcode
Country

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

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6

Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

7

Final account

☒ I attach a copy of the final account.

8

Sign and date

Liquidator's signature

Signature

X

[Handwritten signature]

X

Signature date

^d2

^d4

^m0

^m5

^y2

^y0

^y2

^y1

LIQ14

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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 **Ian Thompson**

Company name **O'Haras Limited**

Address **Moorend House**

Snelsins Lane

Post town **Cleckheaton**

County/Region **West Yorkshire**

Postcode **B D 1 9 3 U E**

Country

DX **info@oharas.co**

Telephone **01274800380**



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

Statement of Affairs		ALL	ALL
	ASSET REALISATIONS		
	Cash at Bank	6,147.15	
	Bank Interest Gross	2.36	
NIL	CIS Refund	NIL	
Uncertain	Retentions	NIL	
	Rates Refund	8,757.14	
			14,906.65
	COST OF REALISATIONS		
	Specific Bond	96.00	
	Specific Bond re Block Transfer	38.40	
	Statement of Affairs Fee	3,000.00	
	Remuneration	8,851.97	
	Agents Fees	2,627.10	
	Legal Fees re Block Transfer	58.88	
	Statutory Advertising	222.30	
	Advertising Costs re Block Transfer	12.00	
			(14,906.65)
	FLOATING CHARGE CREDITORS		
(1,000.00)	HSBC Bank Plc	NIL	
			NIL
	UNSECURED CREDITORS		
(34,487.94)	Trade & Expense Creditors	NIL	
(9,581.00)	Directors	NIL	
(175,000.00)	HM Revenue & Customs - VAT	NIL	
			NIL
(220,068.94)			(0.00)

 **Jeremy Bennett**
Liquidator

CARLTON MANOR (PLANT) LIMITED
IN LIQUIDATION
(THE 'COMPANY')

**LIQUIDATOR'S FINAL PROGRESS REPORT TO
CREDITORS**

22 MARCH 2021

CONTENTS

- 1 Statutory Information
- 2 Introduction
- 3 Progress of the Liquidation
- 4 Investigations
- 5 Receipts and Payments Account
- 6 Realisation of Assets
- 7 Creditors
- 8 Remuneration and Expenses
- 9 Statement of Creditors' Rights
- 10 Conclusion

APPENDICES

Receipts and Payments Account for the period from 24 December 2020 to 22 March 2021; together with cumulative analysis from 24 December 2018 to 22 March 2021

Appendix A

Statement of Insolvency Practice 9 Time Analysis for the period from 24 December 2020 to 22 March 2021; together with cumulative analysis from 24 December 2018 to 22 March 2021; fees Estimate Summary and Comparison; Addendum to Creditors' Guide to Fees; Schedule of Routine Work; Provision of Services Regulations Summary

Appendix B

1 STATUTORY INFORMATION

Company Number	04374700	
Date of Incorporation	15 February 2002	
Principal Activity	Demolition, renting and leasing of construction and civil engineering machinery and equipment	
Registered Office	Moorend House, Snelsins Lane, Cleckheaton, West Yorkshire, BD19 3UE	
Trading Address	1 The Green, Fairway Industrial Park, Birstall, West Yorkshire, WF17 9QA	
Authorised Share Capital	100 Ordinary £1 shares	
Shareholders	Number Held	Class
Graham Ian Brown	50	Ordinary
Steven Mark Brown	50	Ordinary
Directors (last 3 years)	Appointed	Resigned
Graham Ian Brown	15 February 2002	-----
Steven Mark Brown	15 February 2002	-----

2 INTRODUCTION

- 2.1 Please note that Christopher Brooksbank was replaced by Jeremy Bennett as Liquidator by way of a Court Order dated 05 January 2021, a copy of which can be made available upon request.
- 2.2 The purpose of this report is to detail my acts and dealings as Liquidator of the Company and report on the outcome and conduct of the liquidation for the period 24 December 2020 to 22 March 2021, ('the Reporting Period') and for the period since my appointment from 24 December 2018 to 22 March 2021.

3 PROGRESS OF THE LIQUIDATION

- 3.1 Creditors will note from the Statement of Affairs prepared by the Company directors that the Company detailed assets totalling £63,505 and comprising £47,307 in relation to a CIS refund and £16,198 due in relation to retentions.
- 3.2 The directors estimated that the forecast recovery from these assets was either £Nil (CIS refund) or uncertain (retention claims).
- 3.3 There have been total realisations in this matter of £14,906.65. These are discussed in further detail in 'Realisation of Assets' below.
- 3.4 My investigations into the Company's affairs have now concluded; further information regarding investigations can be found in Section 4, below. There is no prospect of a distribution to creditors in this matter and it is now my intention to move this case to closure.

4 INVESTIGATIONS

- 4.1 In accordance with the Company Directors Disqualification Act 1986 a report on the conduct of the Director of the Company has been submitted to the Department for Business Innovation and Skills. As this is a confidential report, I am unable to disclose the contents.
- 4.2 In line with my duty as Liquidator, I have conducted investigations into the Company's affairs in accordance with Statement of Insolvency Practice 2 ('SIP 2'). When considering whether there were any matters that justified further investigation, I took into account public interest, potential recoveries, the availability of funding for the investigation and the associated costs of the investigation. I can confirm that no claims have been brought against the Director or any third parties following my investigations into the Company's affairs nor did my investigations uncover any potential assets.

5 RECEIPTS AND PAYMENTS ACCOUNT

- 5.1 A copy of the Liquidator's Receipts and Payments account for the Reporting Period is attached at Appendix A.

6 REALISATION OF ASSETS

- 6.1 Following my appointment, I entered into correspondence with HM Revenue & Customs ("HMRC") in respect of the anticipated CIS refund. HMRC has since confirmed that no CIS refund is due.
- 6.2 I can confirm that prior to the Reporting Period I have received cash at bank realisations totalling £5,843.66 and taking the total cash at bank realisation to £6,147.15. These monies relate to retention realisations received into the Company bank account and are reflected in the Receipts and Payments Account as cash at bank. I do not expect to make any further realisations from this source.

6.3 In addition, I have also realised £2.36 prior to the Reporting Period in relation to bank interest along with a refund of business rates liabilities totalling £8,757.14.

6.4 I have not made any realisations during the Reporting Period and do not expect to make any further recoveries in this matter.

7 CREDITORS

Secured Creditors

7.1 HSBC Bank plc ("the Bank") holds a debenture over the Company created on 25 May 2005 and registered on 27 May 2005. Whilst the Statement of Affairs detailed a liability to the Bank of £1,000.00, I have yet to receive a claim from the Bank.

Preferential Creditors

7.2 There are no preferential creditors in this case.

Unsecured Non-Preferential Creditors

7.3 As per the Statement of Affairs prepared by the Company directors at the date of liquidation, there were unsecured creditors totalling £219,068.94. To date I have received claims totalling £464,808.04. The difference in figures I driven by a claim totalling £464,783.03 being submitted by HMRC.

8 DIVIDENDS

Prescribed Part

8.1 Where company assets are secured by a floating charge, the funds in the liquidation estate from realising those assets, after having paid the costs of liquidation and settling the preferential creditors' claims, are available to distribute to the floating charge creditor(s).

8.2 If the charge(s) was created after 15 September 2003, a portion of those funds shall be made available to unsecured, non-preferential creditors. This is called the Prescribed Part.

8.3 As a result of the limited level of asset realisations, after the costs of liquidation there will be insufficient recoveries to enable a Prescribed Payment to be made.

Unsecured Non-Preferential Creditors

8.4 There have been no distributions to this class of creditor, either under the Prescribed Part or otherwise within the Reporting Period.

8.5 Pursuant to Rule 14.37(2) I can confirm that as it is my intention to move this case to closure. I am unable to declare a dividend to any class of creditor due to insufficient asset realisations, after the costs of liquidation.

9 REMUNERATION AND EXPENSES

Pre-Appointment Remuneration

9.2 Authority was given at the meeting of creditors held on 24 December 2018 for me to draw a statement of affairs fee. A professional fee in the sum of £3,000 plus VAT was set out in the board minutes signed by the Director on 13 December 2018. I can confirm that I have drawn this fee in full during the Reporting Period.

Liquidator's Remuneration

9.4 Authority was also given at this meeting for my remuneration to be approved by reference to the time properly given by me and my staff in attending to matters as set out in the Fees Estimate which was circulated to creditors with a letter dated 13 December 2018, such time to be charged at the prevailing standard hourly charge

out rates used by my firm at the time when the work is performed. The Fees Estimate acts as a cap and I cannot draw remuneration in excess of that estimate without first seeking approval from the creditors.

- 9.5 My time costs for the reporting period from 24 December 2020 to 22 March 2021 total £4,180.00 which represents 21.40 hours at an average hourly rate of £195.33. My time costs since my appointment date from 24 December 2018 to 22 March 2021 total £14,355.00 which represents 64.30 hours at an average hourly rate of £223.25.
- 9.6 You will note from the attached Receipts and Payments account that I have drawn £8,851.97 during the Reporting Period in relation to my time costs.
- 9.7 Attached at Appendix B is a comparison of the time costs incurred during the Reporting Period and those anticipated per the Fees Estimate previously provided to creditors.
- 9.8 Attached at Appendices B is an analysis, in accordance with the provisions of Statement of Insolvency Practice 9 ('SIP9') that details my time costs incurred by work category during the Reporting Period. Included with that analysis is a description of the routine work carried out within each of the work categories.
- 9.9 The amounts are derived by reference to normal rates for time properly given by me and my staff in attending to matters arising in the liquidation. The 'Addendum to Creditors' Guide to Fees, also attached at Appendix B, details the current charge out rates.
- 9.10 The actual average charge out rate is lower than the estimated average charge out rate of £235.16 as detailed in the aforementioned Fees Estimate.
- 9.11 Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk>.
- 9.12 I am required, under SIP9, to provide creditors with information relating to the Liquidator's fees. This information is contained within a document entitled "Guide to Liquidators Fees", which is available at <https://www.r3.org.uk/what-we-do/publications/professional/fees>; please note that there are different versions of the Guidance Notes and in this case you should refer to the April 2017 version. If you are unable to access or download a guide, please contact this office and a copy will be provided to you free of charge.

Disbursements

- 9.13 The disbursements charged to the case comprise of external supplies of incidental services specifically identifiable to the case, such as insurances, case advertising, travel invoices, external room-hire and document storage. Also, chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case. The following external disbursements (Category 1) have been incurred:

	Pre- Reporting Period (£)	Reporting Period (£)	Total (£)	Per Fees Estimate (£)
Specific Bond	96.00	38.40	134.40	64.00
Statutory Advertising	199.58	34.72	244.30	225.00
Legal Fees	0.00	58.88	58.88	0.00
Total	295.58	132.00	437.58	289.00

- 9.14 I can confirm that these disbursements have been paid by this firm and recharged to the case.
- 9.15 During the Reporting Period and included with the above analysis, I have incurred disbursements totalling £119.28 in relation to the block transfer and comprising £38.40 in bond, £12.00 advertising and £58.88 in associated legal costs. I have also paid £22.72 relating to the advertising costs incurred prior to the Reporting Period but not previously recharged to the case.
- 9.16 I have also incurred disbursements relating to internal supplies or services specifically identifiable to the case, such as photocopying, postage, telephone and fax. These items are classified as Category 2 disbursements and are charged to the case on the recovery basis detailed in the addendum attached at Appendix B. I can confirm that category 2 disbursements have not been recharged to the case.

Professional Advisors

- 9.17 I can confirm that I have paid a fee of £2,627.10 + VAT during the Reporting Period to LHL Property Auditors in relation to the application and successful refund of business rates payments totalling £8,757.14.

10 STATEMENT OF CREDITORS' RIGHTS

- 10.1 In accordance with Rule 18.9 of the Insolvency (England & Wales) Rules 2016 a secured creditor or unsecured creditors with the concurrence of at least 5% in value of the general body of unsecured creditors are entitled to request further information relating to the Liquidator's remuneration or expenses. Such requests must be made within 21 days of receipt of this report. In the event the requesting unsecured creditor does not hold a concurrence of at least 5% an application to court may be made to obtain the necessary permission. Such applications need to be made within 21 days of receipt of this report.
- 10.2 In addition to the above and in accordance with Rule 18.34 of the Insolvency (England & Wales) Rules 2016, creditors are entitled to make a claim that the Liquidator's remuneration and/or expenses are excessive. Such claims should be made in the form of an application to court no later than 8 weeks after the progress report has been received.
- 10.3 To comply with the Provision of Services Regulations, some general information about O'Haras Limited can be found at Appendix B.

11 CONCLUSION

- 11.1 My administration in this matter has now concluded and a notice to this effect has been circulated with this report. In the event there are no creditors objections during the prescribed period outlined within this notice, following the lodging of the relevant documentation with the Registrar of Companies, I will be granted my release as Liquidator.

Should you require any further information, please do not hesitate to contact Matthew J Harvey on 01274 800 380 or mh@oharas.co

Yours faithfully

J Bennett
Liquidator

APPENDIX A

**RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM 24 DECEMBER 2020
TO 22 MARCH 2021; TOGETHER WITH CUMULATIVE ANALYSIS FROM 24
DECEMBER 2018 TO 22 MARCH 2021**

Carlton Manor (Plant) Limited
(In Liquidation)
Liquidator's Summary of Receipts and Payments

RECEIPTS	Statement of Affairs (ALL)	From 24/12/2018 To 23/12/2020 (ALL)	From 24/12/2020 To 22/03/2021 (ALL)	Total (ALL)
Cash at Bank		6,147.15	0.00	6,147.15
Bank Interest Gross		2.36	0.00	2.36
CIS Refund	NIL	0.00	0.00	0.00
Retentions	Uncertain	0.00	0.00	0.00
Rates Refund		8,757.14	0.00	8,757.14
		14,906.65	0.00	14,906.65

PAYMENTS

Specific Bond		96.00	0.00	96.00
Specific Bond re Block Transfer		0.00	38.40	38.40
Statement of Affairs Fee		0.00	3,000.00	3,000.00
Remuneration		0.00	8,851.97	8,851.97
Agents Fees		0.00	2,627.10	2,627.10
Legal Fees re Block Transfer		0.00	58.88	58.88
Statutory Advertising		199.58	22.72	222.30
Advertising Costs re Block Transfer		0.00	12.00	12.00
HSBC Bank Plc	(1,000.00)	0.00	0.00	0.00
Trade & Expense Creditors	(34,487.94)	0.00	0.00	0.00
Directors	(9,581.00)	0.00	0.00	0.00
HM Revenue & Customs - VAT	(175,000.00)	0.00	0.00	0.00
		295.58	14,611.07	14,906.65

Net Receipts/(Payments)

14,611.07	(14,611.07)	0.00
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MADE UP AS FOLLOWS

Bank 1 Current	14,611.07	(14,611.07)	0.00
	14,611.07	(14,611.07)	0.00

Jeremy Bennett
Liquidator

APPENDIX B

STATEMENT OF INSOLVENCY PRACTICE 9 TIME ANALYSIS FOR THE PERIOD FROM 24 DECEMBER 2020 TO 22 MARCH 2021; TOGETHER WITH CUMULATIVE ANALYSIS FROM 24 DECEMBER 2018 TO 22 MARCH 2021; FEES ESTIMATE SUMMARY AND COMPARISON; ADDENDUM TO CREDITORS' GUIDE TO FEES; SCHEDULE OF ROUTINE WORK; PROVISION OF SERVICES REGULATIONS SUMMARY

Time Entry - SIP9 Time & Cost Summary

C524 - Carlton Manor (Plant) Limited
All Post Appointment Project Codes
From: 24/12/2020 To: 22/03/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	1.70	3.30	0.00	11.90	16.90	3,392.50	200.74
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
General Disbursements	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations	0.00	0.00	0.00	4.50	4.50	787.50	175.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	1.70	3.30	0.00	16.40	21.40	4,180.00	195.33
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Time Entry - SIP9 Time & Cost Summary

C524 - Carlton Manor (Plant) Limited
All Post Appointment Project Codes
From: 24/12/2018 To: 22/03/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	16.30	17.30	0.00	15.10	48.70	11,207.50	230.13
Case Specific Matters	0.00	1.90	0.00	0.00	1.90	380.00	200.00
Creditors	0.50	0.20	0.00	0.00	0.70	190.00	271.43
General Disbursements	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations	0.20	3.80	0.00	4.50	8.50	1,607.50	189.12
Realisation of Assets	0.20	4.30	0.00	0.00	4.50	970.00	215.56
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	17.20	27.50	0.00	19.60	64.30	14,355.00	223.25
Total Fees Claimed						0.00	
Total Disbursements Claimed						125.48	

For the Period 24 December 2018 to 22 March 2021

Carlton Manor (Plant) Limited – In Creditors' Voluntary Liquidation

Comparison Of Time By Staff Grade: Fees Estimate V Actual Time

	Partner		Manager		Senior Administrator		Support Staff		Total Hours		Total Time Costs		Average Hourly Rate	
	Fees Estimate	Actual	Fees Estimate	Actual	Fees Estimate	Actual	Fees Estimate	Actual	Fees Estimate	Actual	Fees Estimate	Actual	Fees Estimate	Actual
Admin & Planning	8.00	1.70	13.50	3.30	0.00	0.00	6.00	11.90	27.50	16.90	£6,375.00	£3,392.50	£231.82	£221.55
Case Specific Matters	1.00	0.00	2.00	0.00	0.00	0.00	1.00	0.00	4.00	0.00	£900.00	£0.00	£225.00	£0.00
Creditors	1.00	0.00	2.00	0.00	0.00	0.00	0.00	0.00	3.00	0.00	£800.00	£0.00	£266.87	£154.55
Investigations	1.50	0.00	3.50	0.00	0.00	0.00	1.00	4.50	6.00	4.50	£1,425.00	£787.50	£237.50	£175.00
Realisations of Assets	2.00	0.00	2.00	0.00	0.00	0.00	1.00	0.00	5.00	0.00	£1,200.00	£0.00	£240.00	£0.00
Total Hours	13.50	1.70	23.00	3.30	0.00	0.00	9.00	16.40	45.50	21.40	£10,700.00	£4,180.00	£235.16	£195.33

For the Period 24 December 2018 to 16 March 2021

Description of Work	Estimated time to be undertaken the work (Hours)	Estimated value of the time costs to undertake the work (£)	Blended charge out rate to undertake the work (£)			
	Fees Estimate	Actual	Fees Estimate	Actual	Fees Estimate	Actual
Administration and Planning	27.50	16.50	£6,375.00	£3,392.50	£231.82	£221.55
This type of work involves:						
<ul style="list-style-type: none">• Case acceptance and ethical reviews.• Completing case strategy notes.• Holding strategy meetings.• Managing and maintaining the case on the Firm's client system and our specialist insolvency software system.• Bank account and administration• Planning/Reviews.• Books and records storage.• Meeting of creditors.						
This work also requires the following reporting requirements as prescribed by statute:						
<ul style="list-style-type: none">• Annual progress reports.• Reporting to Creditors in respect of fee and expenses approvals.• Reporting the outcome of any meetings.• Closure Reporting and convening the final meeting of creditors.• Preparation and lodgement of statutory appointment documents.• Initial notices following appointment.• Case monitoring and statutory compliance, including internal case reviews.• Case bordereau.						
Cashiering work is required to ensure that the estate bank account is operated in accordance with guidance issues by my regulatory body. Work in this regard is likely to involve:						
<ul style="list-style-type: none">• Establishing set up of case details on our insolvency software system.• Setting up bank accounts, including deposit accounts as necessary.• Bank account maintenance, including periodic reconciliations.• Issuing payments and banking receipts and preparing the appropriate paperwork for such transactions.						
This work is necessary to ensure that the case is administered correctly and in line with statutory requirements.						
Taxation work is also required to be completed which will include:						
<ul style="list-style-type: none">• Notifying HM Revenue & Customs ("HMRC") of my appointment and establishing whether they have any						

For the Period 24 December 2018 to 16 March 2021

Description of Work	Estimated time to be undertaken the work (Hours)	Estimated value of the time costs to undertake the work (£)	Blended charge out rate to undertake the work (£)
outstanding claims or ongoing investigations. Such enquiries will assist with my own investigations.			
<u>Case Specific Matters</u>	4.00	0.00	£900.00
This type of work involves any matters that are specific to the complexity and type of case			£0.00
<u>Realisation of Assets</u>	5.00	0.00	£1,200.00
The type of work will involve: <ul style="list-style-type: none"> Realisation of tangible and intangible assets. Book debt collections. Recovery of assets as a result antecedent transactions. 			£0.00
<u>Creditors</u>	3.00	0.00	£800.00
In order to ensure that creditors are dealt with appropriately, the following work has been required: <ul style="list-style-type: none"> Responding to any queries which arise. Logging creditor claims. Convening and attending Creditors' Meetings and preparing minutes of these meetings. Collating information from the Company's records to assist with claim adjudication work. In addition to this, if distributions are anticipated, the following work will be required to prepare the distributions: <ul style="list-style-type: none"> Unsecured creditors – adjudicated of claims, requesting further information where necessary and dealing with rejected claims. 			£0.00
<u>Investigations</u>	6.00	4.50	£1,425.00
This type of work includes: <p>SIP 2 Review:</p> <ul style="list-style-type: none"> Correspondence to request information on the company's dealings, making further enquiries of third parties. Reviewing questionnaires submitted by creditors. Reconstruction of financial affairs of the company. Reviewing company's books and records. Preparation of deficiency statement. Review of specific transactions and liaising with directors regarding certain transactions. Liaising with the committee/creditors 			£787.50
			£237.50
			£175.00

For the Period 24 December 2018 to 16 March 2021

Description of Work	Estimated time to be undertaken the work (Hours)	Estimated value of the time costs to undertake the work (£)	Blended charge out rate to undertake the work (£)
<p>or major creditors about further action to be taken.</p> <p>Reporting on conduct of director(s):</p> <ul style="list-style-type: none"> • Liaising with the Insolvency Service. • Assisting the Insolvency Service with its investigations. <p>If Legal proceedings were required following our investigations, then the following work would be involved:</p> <p>Litigation/Recoveries:</p> <ul style="list-style-type: none"> • Strategy meeting regarding litigation. • Seeking funding from creditors. • Reviewing terms of solicitors' conditional fee agreements. • Preparing brief to solicitors/counsel. • Liaising with solicitors regarding recovery actions. • Dealing with ATE insurers. • Attending to negotiations. • Attending to settlement matters 			
Grand Total For All Categories of Work	45.50	£10,700.00	£4,180.00
	21.40	£235.16	£195.33

Addendum to Creditors' Guide to Fees

Practice Fees and Disbursements Recovery Policy

Introduction

The insolvency legislation was changed in October 2015, with one or two exceptions, for insolvency appointments made from that time. This sheet explains how we intend to apply the alternative fee bases allowed by the legislation when acting as office holder in insolvency appointment. The legislation allows different fee bases to be used for different tasks within the same appointment. The fee basis or combination of bases, set for a particular appointment is/are subject to approval, generally by a committee, if one is appointed by the creditors, failing which the creditors in general or by the court.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk>. Details about how an office holder's fees may be approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at <http://www.r3.org.uk/what-we-do/publications/professional/fees>. Alternatively, a hard copy may be requested from O'Haras Limited of Moorend House, Snelsins Lane, Cleckheaton, West Yorkshire, BD19 3UE.

Once the basis of the office holder's remuneration has been approved, a periodic report will be provided to any committee and also to each creditor. The report will provide a breakdown of the remuneration drawn. If approval has been obtained for remuneration on a time cost basis, i.e., by reference to time properly spent by members of staff of the practice at our standard charge out rates, the time incurred will also be disclosed, whether drawn or not, together with the average, or "blended" rates of such costs. Under the legislation, any such report must disclose how creditors can see further information and challenge the basis on which the fees are calculated, and the level of fees drawn in the period of the report. Once the time to challenge the office holder's remuneration for the period reported on has elapsed, then that remuneration cannot subsequently be challenged.

Under some old legislation which still applies for insolvency appointments commenced before 6 April 2010, there is no equivalent mechanism for fees to be challenged.

Time Cost basis

When charging fees on a time cost basis we use charge out rates appropriate for the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6-minute units with supporting narrative to explain the work undertaken.

Charge out Rates

Grade of Staff	Current Charge out Rate (Effective from 1 January 2013) £ per hour
Director	300 - 400
Senior Manager	250 - 300
Manager	200 - 250
Administrator	175 - 200
Support Staff	150 - 175
Time costs are calculated using 6-minute units.	

These charge out rates are reviewed on 1 January each year and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. The work is generally recorded under the following categories:

- Administration and planning
- Investigations
- Realisations of Assets
- Creditors
- Trading
- Case Specific Matters

When we seek time costs approval, we have to set out a fee estimate. That estimate acts as a cap on our time costs so that we cannot draw fees of more than the estimated time costs without further approval from those who approved our fees. When seeking approval for our fees we will disclose the work that we intend to undertake, the hourly rates we intend to charge for each part of the work and the time that we think each part of the work will take. We will summarise that information in an average or "blended" rate for all of the work being carried out within the estimate. We will also say whether we anticipate needing to seek approval to exceed the estimate and, if so, the reasons that we think may be necessary.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fees reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions and the value and nature of the property with which the office holder has to deal.

If we subsequently need to seek authority to draw fees in excess of the estimate, we will say why we have exceeded, or are likely to exceed the estimate; any additional work undertaken or proposed to be undertaken; the hourly rates proposed for each part of the work; and the time that the additional work is expected to take. As with the original estimate, we will say whether we anticipate needing further approval and, if so, why we think it may be necessary to seek further approval.

Percentage basis

The legislation allows fees to be charged on a percentage of the value the property with which the office holder has to deal (realisations and/or distributions). Different percentages can be used for different assets or types of assets. In cases where we were appointed prior to 1 October 2015 most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 however we do not look to seek our remuneration on a percentage basis.

However, where we do look to recover our fees on a percentage basis a report accompanying any fee request will set out the potential assets in the case, the remuneration percentage proposed for any realisation and the work covered by that remuneration, as well as the expenses that will be or are likely to be incurred. Expenses can be incurred without approval but must be disclosed to help put the remuneration request into context.

The percentage approved in respect of realisations will be charged against the assets realised and where approval is obtained on a mixture of bases. Any fixed fee and time costs will then be charged against the funds remaining in the liquidation after the realisation percentage has been deducted.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fees reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions and the value and nature of the property with which the office holder has to deal.

If the basis of remuneration has been approved on a percentage basis then an increase in the amount of the percentage applied can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of percentage applied. If there has not been a material and substantial change in the circumstances, then an increase can only be approved by the court.

Fixed Fee Basis

The legislation allows fees to be charged at a set amount. Different set amounts can be used for different tasks, in cases where we were appointed prior to 1 October 2015 most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a fixed fee basis more often. A report accompanying any fee request will set out the set fee that we proposed to charge, and the work covered by that remuneration as well as the expenses that will be or are likely to be incurred. Expenses can be incurred without approval but must be disclosed to help put the remuneration request into context.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fees reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions and the value and nature of the property with which the office holder has to deal.

If the basis of remuneration has been approved on a fixed fee basis then an increase in the amount of the fixed fee can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the fixed fee. If there has not been a material and substantial change in the circumstances then an increase can only be approved by the court.

Members' Voluntary Liquidations and Voluntary Arrangements

The legislation changes that took effect from 1 October 2015 did not apply to member' voluntary liquidations (MVL), Company Voluntary Arrangements (CVA) or Individual Voluntary Arrangements (IVA). In MVL's, the Company's members set the fee basis, often as a fixed fee. In CVA's & IVA's, the fee basis is set out in the proposals and creditors approve the fees when they approve the arrangement.

All Bases

With the exception of Individual Voluntary Arrangements and Company Voluntary Arrangement, which are VAT exempt, the officeholder's remuneration invoiced to the insolvent estate will be subject to VAT at the prevailing rate.

Agent's Costs

These are charged at cost, based upon the charge made by the Agent instructed. The term Agent includes:

- Statutory Advertising
- Solicitors/Legal Advisors
- Auctioneers/Valuer's
- Accountants
- Quantity Surveyors
- Estate Agents
- Other Specialist Advisors

In new appointments made after 1 October 2015 the office holder will provide details of expenses to be incurred or likely to be incurred when seeking fee approval. When reporting to the committee and creditors during the course of the insolvency appointment the actual expenses incurred will be compared with the original estimate provided.

Disbursements

In accordance with Statement of Insolvency Practice 9 (SIP 9) the basis of disbursement allocation in respect of disbursements incurred by the Office Holder in connection with the administration of the estate must be fully disclosed to creditors. Disbursements are categorised as either Category 1 or Category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or O'Haras Limited; in the case of the latter, the invoices make a reference to, and therefore can be directly attributed to, the estate. These disbursements are recoverable in full from the estate without the prior

approval of creditors, either by a direct payment from the estate or where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party. Examples of Category 1 disbursements are statutory advertising, external meeting room hire, external storage and archiving costs, specific bond insurance, Company search fees, postage, travel expenses and photocopying (where a third party is used).

Category 2 expenses are incurred by the firm and recharged to the estate; they are not attributed to the estate by a third-party invoice and/or they may include a profit element. These disbursements are recoverable in full from the estate, subject to the bases of the disbursement charge being approved by creditors in advance. Examples of Category 2 disbursements are photocopying (internal), internal room hire, internal storage and mileage.

The following Category 2 disbursements are to be recovered as follows:

Postage:	
1 st Class	£1.10
2 nd Class	£1.00
Airmail	£2.00
Other	According to weight and size
Photocopying	Up to 20p per sheet
Mileage	70p per mile
Internal Room Hire	£25 - £100 per meeting

PROVISIONS OF SERVICES REGULATIONS SUMMARY SHEET FOR O' HARAS LIMITED

The following information is designed to draw the attention of interested parties to the information required to be disclosed by the Provision of Services Regulations 2009.

Licensing Body

Jeremy Bennett is licensed to act as an Insolvency Practitioner ("IP") in the United Kingdom by the Insolvency Practitioners Association ("IPA").

Code of Ethics and Rules Governing Actions

All IP's are bound by the rules of their professional body, including any that relate specifically to insolvency. All IPA members are required to act in accordance with the IPA's Ethics Code for Members as well as complying with the Statement of Insolvency Practice (SIP's) and to take account of guidance given by the IPA. Details of the required code of ethics, regulations and guidance can be found at <http://www.insolvency-practitioners.org.uk/regulation-and-guidance/regulation-and-guidance>.

Data Protection

When submitting details of your claim in the liquidation, you may disclose personal data to the Liquidator. 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 Liquidator acts as Data Controller in respect of personal data he obtains in relation to this liquidation and is therefore responsible for complying with Data Protection Law in respect of any personal data he processes. The Liquidator's privacy notice, which is available on request, explains how we process your personal data. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

Complaints

At O'Haras Limited we always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of a particular case then in the first instance you should contact the IP acting as office holder (Jeremy Bennett).

If you consider that the IP has not dealt with your comments or complaint appropriately you should then put details of your concerns in writing to Stephen O'Hara, addressed to our offices situated at Moorend House, Snelsins Lane, Cleckheaton, West Yorkshire, BD19 3UE who will then endeavour to deal with this.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, if you are not satisfied that your complaint has been resolved or dealt with appropriately, then you may complain to the regulatory body that licenses the insolvency practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Holbeck, Leeds, LS11 9DA and you can make a submission using an on-line form available at: www.gov.uk/complain-about-insolvency-practitioner; or you can email: insolvency.enquiryline@insolvency.gsi.gov.uk; or you may phone: 0300 678 0015 – calls are charged at up to 12p per minute from a land line, or for mobiles, between 3p and 45p per minute if you are calling from the UK.

Professional Indemnity Insurance

O'Haras Limited's professional indemnity insurance is provided by Barbican Protect.

VAT

O'Haras Limited is registered for VAT under registration number 975 6645 64.