

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	0	4	4	4	5	0	1	0
Company name in full	Atlantic Umbrella Company Limited							

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

2 Liquidator's name

Full forename(s)	Stephen
Surname	Berry

3 Liquidator's address

Building name/number	20 Chapel Street
Street	
Post town	Liverpool
County/Region	
Postcode	L 3 9 A G
Country	

4 Liquidator's name

Full forename(s)	Colin
Surname	Wilson

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

5 Liquidator's address

Building name/number	1 Radian Court
Street	Knowlhill
Post town	Milton Keynes
County/Region	Buckinghamshire
Postcode	M K 5 8 P J
Country	

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

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Notice of progress report in voluntary winding up

6 Period of progress report

From date	2	1	0	9	2	0	2	0
To date	2	0	0	9	2	0	2	1

7 ☒ Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 1 ^d 0

^m 1 ^m 1

^y 2 ^y 0 ^y 2 ^y 1

LIQ03

Notice of progress report in voluntary winding up



Presenter information

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

Stephen Michael John Berry

Opus Restructuring LLP

20 Chapel Street

Liverpool

Postcode

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DX

0151 285 2510



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

Continuation page

Name and address of insolvency practitioner



What this form is for

Use this continuation page to tell us about another insolvency practitioner where more than 2 are already jointly appointed. Attach this to the relevant form.¹ Use extra copies to tell us of additional insolvency practitioners.



What this form is NOT for

You can't use this continuation page to tell us about an appointment, resignation, removal or vacation of office.

→ Filling in this form

Please complete in typescript or in bold black capitals.

All fields are mandatory unless specified or indicated by *

1

Appointment type

Tick to show the nature of the appointment:

- ☐ Administrator
- ☐ Administrative receiver
- ☐ Receiver
- ☐ Manager
- ☐ Nominee
- ☐ Supervisor
- ☐ Liquidator
- ☐ Provisional liquidator

¹You can use this continuation page with the following forms:

- VAM1, VAM2, VAM3, VAM4, VAM6, VAM7
- CVA1, CVA3, CVA4
- AM02, AM03, AM04, AM05, AM06, AM07, AM08, AM09, AM10, AM12, AM13, AM14, AM19, AM20, AM21, AM22, AM23, AM24, AM25
- REC1, REC2, REC3
- LIQ02, LIQ03, LIQ05, LIQ13, LIQ14,
- WU07, WU15
- COM1, COM2, COM3, COM4
- NDISC

2

Insolvency practitioner's name

Full forename(s)

Surname

3

Insolvency practitioner's address

Building name/number

Street

Post town

County/Region

Postcode

Country

**ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION ('THE
COMPANY')**

JOINT LIQUIDATORS' ANNUAL PROGRESS REPORT TO CREDITORS

FROM 21 SEPTEMBER 2020 TO 20 SEPTEMBER 2021

Opus Restructuring LLP
4th Floor Euston House
24 Eversholt Street
London
NW1 1DB

This report has been prepared for the sole purpose of updating the creditors for information purposes. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.

Stephen Michael John Berry and Colin David Wilson were appointed Joint Liquidators of the Company on 21 September 2018. The affairs, business and property of the Company are managed by the Joint Liquidators. The Joint Liquidators act as agents of the Company and contract without personal liability.

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

Content

- Administration and Planning
- Enquiries and Investigations
- Realisation of Assets
- Creditors
- Ethics
- Fees and Expenses
- Creditors' Rights
- EU Regulations
- General Data Protection Regulation
- Conclusion

Appendices

- Appendix I - Statutory Information
- Appendix II – Receipts and Payments account for 21 September 2020 to 20 September 2021 ("The Review Period") and for 21 September 2018 to 20 September 2021 ("The Cumulative Period")
- Appendix III - Detailed list of work undertaken in the Review Period
- Appendix IV - Time cost information for the Review & Cumulative Period
- Appendix V - Time costs summary for Review Period, Cumulative & comparison with estimate
- Appendix VI - Expenses summary for Review Period, Cumulative & comparison with estimate
- Appendix VII – Privacy Notice

ADMINISTRATION AND PLANNING

Statutory information

Statutory information may be found at Appendix I.

The Joint Liquidators are required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that work is carried out to high professional standards. A detailed list of these tasks may be found at Appendix III.

The Joint Liquidators have met their statutory and regulatory duties to report to creditors, as listed below. In consideration of the need for transparency and engagement with creditors, care has been taken to ensure that reports and other communications with creditors have provided useful details of the strategies pursued and the outcomes anticipated.

During the Review Period, the following key documents have been issued:

- Annual Progress Report 2019-2020.

Other administration tasks

During the Review Period, the following material tasks in this category were carried out:

- Periodic file reviews including the updating of checklists.
- Filing of documents at Companies House.
- Maintenance of the estate cash book and bank account.
- Receive and follow up of creditor enquiries by telephone and post.
- Receiving and filing of proof of debts and supporting documentation.

Further details in relation to the work carried out can be found later in this report.

ENQUIRIES AND INVESTIGATIONS

As mentioned in my previous progress report, the Joint Liquidators initial review of the Company's affairs in the period prior to appointment revealed matters that needed further investigation and may lead to recoveries for the benefit of creditors.

These investigations have been progressed during the Review Period, however, I am unable to comment of the specifics of my investigations as to not prejudice any potential recoveries or rights of action.

Creditors will be updated upon conclusion of these investigations.

REALISATION OF ASSETS

Please note that no asset realisations have been made during the Review Period, other than the interest received totalling £1,158.30, relating to the funds held in the bank account. Please revert to my previous reports for details of assets realised in the prior period.

VAT Receivable

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

Please note that the Joint Liquidators have experienced difficulties with HM Revenue and Customs ('HMRC') in the Review Period and throughout the Liquidation in relation the disbanding of the VAT group that the Company was party to and the Company's de-registration date to allow them to submit a VAT reclaim. The Joint Liquidators will liaise with HMRC to establish the position and whether HMRC require anything further for the Joint Liquidators in order to expedite this matter and enable the current VAT to be reclaimed and any further VAT.

CREDITORS

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, the Joint Liquidators have had to carry out key tasks which are detailed in the list at Appendix III. The following sections explain the anticipated outcomes to creditors and any distributions paid.

Secured creditors

The Company had granted the following security: -

Type of charge	Date created	Beneficiary
Fixed and Floating charge	16 May 2016	Santander UK Plc
Rent deposit deed	1 May 2007	Kuthe GMBH

The debt due to Santander UK Plc at the date of appointment was nil and a claim has not been received. Additionally, to date, no claim has been received from Kuthe GMBH.

Preferential creditors

As mentioned in my previous report, the Company did not have any employees and the contractors held by the Company were transferred under the Transfer of Undertakings Protection of Employment Regulations 2006. Accordingly, no preferential claims have been submitted.

If any former contractors have been affected by the Company's incorrect submission to HMRC, and not been in touch with either the Joint Liquidators or Clumber Consultancy ERA, please do so as a matter of urgency in order for the issue to be rectified.

Unsecured creditors

As per the Directors' Statement of Affairs, HMRC were shown to be owed £699,081. A claim of £1,214,193 has been received in relation to PAYE and VAT.

The Joint Liquidators have received unsecured creditor claims that were not included in the Directors' Statement of Affairs, totalling £13,826.

Inter-Company Claims

As per Directors' Statement of Affairs, there were intercompany claims totalling £495,116. During the Review Period, the Joint Liquidators have attempted to identify the quantum of these claims in order to reconcile the balances in order to establish the validity of the claims. Due to the quality of the records obtained and the complexity and age of the transactions, the Joint Liquidators have

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

been unable to obtain bank statements from the inception of the Company to establish the starting point of the loans in order to work forward.

As such, due to the lack of evidence to support the information the Directors provided, then the Joint Liquidators are seeking independent advice to confirm that on the basis there is not sufficient evidence to not submit the intercompany claims for the purpose of issuing a dividend.

Dividend prospects

It is anticipated that an 88.73p in the £ distribution will be made to unsecured creditors.

Where a floating charge is created after 15 September 2003 a prescribed part of the Company's net property shall be made available to unsecured creditors.

The Company granted a fixed and floating charge to Santander UK Plc on 16 May 2016. However, there are no amounts due to Santander UK Plc, accordingly, there will be no prescribed part in this Liquidation.

ETHICS

Please also be advised that Joint Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

General ethical considerations

During the Review Period, no new threats to compliance with the Code of Ethics have been identified.

Specialist Advice and Services

When instructing third parties to provide specialist advice and services or having the specialist services provided by the firm, the Joint Liquidators are obligated to ensure that such advice or work is warranted and that the advice or work contracted reflects the best value and service for the work undertaken. The firm reviews annually the specialists available to provide services within each specialist area and the cost of those services to ensure best value. The specialists chosen usually have knowledge specific to the insolvency industry and, where relevant, to matters specific to this insolvency appointment. Details of the specialists specifically chosen in this matter are detailed below:

- Clumber Consultancy ERA – Employment Specialists
- Hill Dickinson LLP – Solicitors
- Leaf Technology – IT Specialists
- Mr Andrew Vinson – Counsel
- David Currie & Co - Valuers

FEES AND EXPENSES

Pre-Appointment Costs

A fixed fee of £12,778 was agreed and paid by the Company prior to the winding-up resolution.

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS'
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The Joint Liquidators' fees

It is the firm's practice to ensure that work is conducted by the appropriate staff member at the appropriate level of experience. Junior members of staff deal with the day to day administration on cases and a manager and/or partner then oversees the work undertaken. Where the issues are complex and litigious, the work will be closely supervised or undertaken by a manager or director and/or partner.

The basis of the Joint Liquidators' fees was approved by creditors on 21 September 2018 in accordance with the following resolution:

- "That the basis of the Joint Liquidators' fees be fixed by reference to the time properly given by the Joint Liquidators and their staff in attending to matters as set out in the fees estimate, totalling £25,937.50. Such time to be charged at the prevailing standard hourly charge out rates used by Opus Restructuring LLP at the time when the work is performed."

Further fees in excess of the fees estimate were approved by the creditors on 30 December 2020 with the following resolution:

- "That in the absence of a Liquidation Committee, the basis of the Joint Liquidators' be authorised to draw a further £328,387.50, as set out in the fees estimate. Such time to be charged at the prevailing standard hourly charge out rates used by Opus Restructuring LLP at the time when the work is performed."

The time costs for the Review Period total £157,682.50, representing 811.70 hours at an average hourly rate of £194.26. The time costs for the Review Period are detailed at Appendix IV.

The total time costs during the Cumulative Period amount to £395,695.00 representing 2,141.40 hours at an average hourly rate of £184.78. The time costs for the Cumulative Period are detailed at Appendix IV.

The sum of £354,325.00 has been drawn on account of time costs incurred and a comparison between the original estimate and time costs to date is given at Appendix V.

Investigations

As you will note from the time cost summary at Appendix V, the majority of the Joint Liquidators time has been incurred in conducting investigations into the Directors conduct and the Company's dealings. As noted above, I cannot comment on the specifics of the Joint Liquidators investigations, however, the time has been incurred in conducting the below work.

- Requesting delivery of the Companies' 771 boxes of records, reviewing the contents with 3 members of staff conducting this review full time. Reviewing the Companies' 120 plus mailboxes containing in excess of 3 million emails.
- Extracting and reviewing the Company's financial data. This review highlighted unusual entries for which there is no explanation and therefore further investigations were required.
- Drafting reports and meeting with the Company's major creditors.
- Interviewing the former directors and key staff members in order to gain further insight into the running of the Company and the roles of both the directors and other senior members of staff and to put to them a number of questions.
- Establishing the intercompany loan position which has entailed reviewing the Company's records and highlighting various intercompany transactions which required further investigations and explanation from the Directors.

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

- Conducting bank analyses of the Company's bank accounts and identifying transactions that require further investigations.
- Liaising with the Company's former bank to obtain additional statements.
- Liaising with the Joint Liquidators solicitors to obtain advice on the course of the assignment and any potential actions that may be taken.
- Reviewing documents received from the Joint Liquidators solicitors in relation to all aspects of the Joint Liquidators investigations.
- Liaising with the Clumber Consultancy regarding payments made to the group pension scheme.

Administration and Planning

The Joint Liquidators have incurred time in relation to the general administration of the Liquidation in conducting the following tasks:

- Drafting statutory reports and issuing to creditors.
- Drafting an update report and issuing to creditors.
- Drafting and issuing documents relating to the creditors' decision procedure.
- Case planning and discussions regarding case strategy.
- Liaising with HMRC in relation to the Company's VAT returns and deregistration.
- Drafting and issuing the Company's corporation tax returns and ensuring payment is made to HMRC regarding any liability.
- Completing statutory forms and ensuring they are issued and filed with the relevant parties.
- Conducting case and file reviews to ensure matters are progressed.

Realisations of Assets

Although no assets have been realised in the Review Period, the Joint Liquidators have undertaken investigations in relation to monies transferred from the Company's account at a time the Company's bankers should have been aware of the Company's financial position.

- Liaising with the Joint Liquidators solicitors regarding the transfer of funds.
- Liaising with the Company's former bankers.
- Collating correspondence with the Company's former bankers.
- Reviewing advice received from the solicitors and Counsel.
- Internal meetings to discuss this matter.

Creditors

The Joint Liquidators have incurred time in completing the following tasks:

- Receiving and responding to calls and emails from former contractors in relation to their personal tax matters.
- Liaising with Clumber Consultancy regarding rectification and resubmission of the contractors' earnings information to HMRC.

Having regard for the costs that are likely to be incurred in bringing this Liquidation to a close, the Joint Liquidators consider that:

- the adjusted fees estimate has been exceeded; and
- the original expenses estimate has been exceeded.

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The main reasons why the fees estimate has been exceeded is due to the extensive investigations in relation the matters outlined above. However, given the realisations in this case to date, the Joint Liquidators do not propose to draw fees in excess of the fees estimate at present.

Expenses

An amended Statement of Insolvency Practice (SIP), SIP 9, was issued on 1 April 2021. The amended SIP 9 has changed some of the terminology and introduced additional disclosure requirements. The information below may therefore not reflect the information previously provided.

The expenses, which include expenses that have been incurred and not yet paid during the Review Period are detailed on Appendix VI. Also included in Appendix VI is a comparison of the expenses likely to be incurred in the Liquidation as a whole with the original expenses estimate, together with reasons where any expenses are likely to exceed that estimate.

The category 1 expenses paid for in the Review Period total £11,745 and are detailed at Appendix II and represent payments to parties not associated with the firm, who have provided services or goods for the administration of the assignment.

The category 2 expenses paid for in the Review Period total £0.29 and are detailed at Appendix II. Please note that some category 2 expenses that have previously been approved and their estimated costs or basis of their cost provided as part of the expenses estimate may not be discharged from the estate from 1 April 2021 and these are detailed at Appendix VI.

Information about this insolvency process may be found on the R3 website at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors' Guide to Fees' together with the firm's charge-out rate and expenses policy may be found at www.opusllp.com. A hard copy of both the Creditors' Guide and the firm's charge-out rate and disbursement policy may be obtained on request.

Other professional costs

Solicitors

Hill Dickinson LLP were instructed as legal advisors to assist the Joint Liquidators in all aspects of the Liquidation where legal advice is deemed necessary, namely their investigations. Their costs have been agreed on the basis of their standard hourly charge out rates, plus expenses and VAT. Hill Dickinson's fees for the Review Period amount to £7,900. The solicitors' total time costs from the date of appointment amount to £32,693.05 of which they have been paid in full.

Agents and valuers

Clumber Consultancy were instructed as agents and valuers in relation to allocating pension scheme member claims to the correct employer. Their costs have been agreed on a fixed-cost basis, plus disbursements and VAT. The agents' fees for the Review Period amount to £2,475 and they have been paid in full.

Leaf Technology were instructed as agents in relation to restore historical Company emails and file data for review by the investigation team from USB Backups. Their costs were agreed on an hourly time-cost basis, plus disbursements and VAT. The agents' fees for the Review Period amount to £425 and they have been paid in full.

CREDITORS' RIGHTS

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An unsecured creditor may, with the permission of the Court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the officeholder's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the Court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to Court to challenge the amount and/or basis of the officeholder's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to Court within the same time limit.

EU REGULATIONS

COMI proceedings, establishment proceedings or proceedings to which the EU Regulation as it has effect in the law of the United Kingdom does not apply.

GENERAL DATA PROTECTION REGULATIONS ('GDPR')

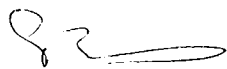
GDPR requires that individuals whose data is being held be contacted and provided with information about their rights. A privacy notice is attached at Appendix VII.

CONCLUSION

The administration of the case will be continuing to finalise the following outstanding matters that are preventing this case from being closed:

- Continue and conclude investigations.
- Deal with HMRC in relation to VAT and tax.
- Review claims and issue a dividend to unsecured creditors.
- Move case to closure.

If you require any further information please contact my colleague, Natalie Crick, at this office or by email to Natalie.crick@opusllp.com



Stephen Michael John Berry
Joint Liquidator

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS'
VOLUNTARY LIQUIDATION

Appendix I

Statutory Information

Company Name	Atlantic Umbrella Company Limited
Former Trading Name	Atlantic Consultancy
Company Number	04445010
Registered Office	c/o Opus Restructuring LLP 4th Floor Euston House 24 Eversholt Street London NW1 1DB
Former Registered Office	c/o Opus Restructuring LLP Evergreen House North Grafton Place London NW1 2DX
Former Registered Office	Unitum House 1 the Chase John Tate Road Hertford SG13 7NN
Office holders	Stephen Michael John Berry & Colin David Wilson
Lead Office holders' address	Opus Restructuring LLP 20 Chapel Street Liverpool L3 9AG
Date of appointment	21 September 2018
Change in office holder	N/A

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS'
VOLUNTARY LIQUIDATION

Appendix II

Receipts and Payments account for the Review Period

Atlantic Umbrella Company Limited - In Creditors Voluntary Liquidation
Joint Liquidators' Abstract of Receipts & Payments

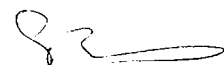
From 21 September 2020 To 20 September 2021

S of A £	From 21/09/20	From 21/09/18
	To 20/09/21	To 20/09/21
ASSET REALISATIONS		
Cash at Bank	NIL	1,560,076.04
Bank Interest Gross	1,158.30	3,776.49
Dividend Received From Voiamo Limited - In Liquidation	NIL	1,962.31
NIL	1,158.30	1,565,814.84
COST OF REALISATIONS		
Postage	(1.89)	(47.63)
Software Fee - VisionBlue	NIL	(185.00)
BIS Bank Charges	(0.12)	(0.12)
Specific Bond	NIL	(1,000.00)
Office Holders Fees	(120,587.50)	(354,325.00)
Agents/Valuers Fees (1)	NIL	(1,250.00)
Corporation Tax	(266.20)	(497.46)
Storage Costs	NIL	(1,161.00)
Statutory Advertising	NIL	(341.28)
Other fees and expenses	NIL	(15.59)
Bank Charges	(2.29)	(2.29)
Refund of funds received post appointment	NIL	(21,094.04)
Photocopying	NIL	(66.90)
Leaf Technology Fees	(425.00)	(1,338.36)
Docusoft Fee	NIL	(45.00)
Professional Fees - Clumber	(2,475.00)	(2,475.00)
Professional fees - Hill Dickinson LLP	NIL	(937.50)
Legal Fees - Hill Dickinson LLP	(7,900.00)	(7,900.00)
Counsel Fees - Mr Andrew Vinson	(937.50)	(937.50)
Hill Dickinson - Travel	(424.50)	(424.50)
NIL	(133,020.00)	(394,044.17)
UNSECURED CREDITORS		
HM Revenue & Customs	NIL	NIL

	Trade Creditor	NIL	NIL
	NIL	NIL	NIL
	(0.00)	(131,861.70)	1,171,770.67

REPRESENTED BY

Vat Receivable	74,410.69
Vat Control Account	42.84
SMJ Berry & CD Wilson Jnt Liq's of Atlantic Umbrella Company Limited	1,097,317.14
	1,171,770.67



Stephen Michael John Berry
Joint Liquidator

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Appendix III

Detailed list of work undertaken for Atlantic Umbrella Company Limited in Creditors' Voluntary Liquidation for the Review Period

Below is detailed information about the tasks undertaken by the Joint Liquidators.

General Description	Includes
Statutory and General Administration	
Statutory/advertising	Filing of documents to meet statutory requirements including annual receipts and payments accounts Annual corporation tax returns Dealing with VAT including returns and liaising with HMRC Bonding the case for the value of the assets
Document maintenance/file review/checklist	Filing of documents Periodic file reviews documenting strategy Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case
Books and records / storage	Dealing with records in storage
Reports	Preparing annual progress report, investigation and general reports to creditors Reporting to HMRC quarterly
Investigations	
Reviewing Documents	Reviewing the company's physical books and records Reviewing the company's electronic books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reconstruction of financial affairs of the company Preparation of deficiency statement Review of specific transactions and liaising with directors regarding certain transactions Liaising with major creditors about further action to be taken Drafting update reports for major creditors
Litigation / Recoveries	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
Realisation of Assets	
Cash at Bank	liaising with solicitors collating information for solicitors reviewing advise received from solicitors and counsel internal meetings regarding specifics and strategy
Case Specific Matters	Dealing with Pension Scheme queries Liaising with Penson provider review of letters and emails in relation to the various pension schemes for the Company
Creditors and Distributions	
Creditor	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post

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General Description	Includes
Communication	
Dealing with proofs of debt ("POD")	Receipting and filing POD when not related to a dividend
Processing proofs of debt	Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD Request further information from claimants regarding POD
Dividend procedures	Preparing to pay a distribution to secured creditors and seeking confirmation of discharged claims

Information relating to Opus Restructuring LLP's Fees and Expenses

Explanation of Opus Restructuring LLP's charging and expense recovery policies

Time recording

Work undertaken on cases is recorded in 6-minute units in an electronic time recording system. Time properly incurred on cases is charged at the hourly rate of the grade of staff undertaking the work that applies at the time the work is done. The current hourly charge-out rates are:

	Rates from 9.1.2013 to 03.05.2020 £'s	Rates effective from 04.05.2020 £'s
Partner	250 - 325	250 – 425
Senior Manager / Director	275 - 300	275 – 350
Assistant Manager / Manager	200 - 250	250 – 275
Junior Administrator / Administrator / Senior Administrator	75 – 175	100 – 225
Cashier	125	150
Support Staff	75	100

Expense recovery

In line with the revised Statement of Insolvency Practice 9 effective from 1 April 2021, creditors will note that in our previous circulars, expenses were known as disbursements. Should any creditor require any clarification on this point or the impact it will have on their claim, please contact us for further information.

Expenses are categorised as either Category 1 or Category 2.

Category 1 expenses will generally comprise of external parties which will include the supplies of incidental services specifically identifiable to the case. Where these have initially been paid by Opus Restructuring LLP and then recharged to the case, approval from creditors is required and are identified as Category 2 expenses. The amount recharged is the exact amount incurred.

Examples of Category 1 expenses include but are not limited to case advertising, invoiced travel, agents' costs and expenses, solicitors' fees and expenses, external room hire, bank charges, Insolv case management charge and properly reimbursed expenses incurred by personnel in connection with the case (including business mileage up to the HMRC approved rate for cases commenced before 1 November 2011). Also included will be services specific to the case where these cannot practically be provided internally such as printing, room hire and document storage.

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Category 2 expenses include elements of shared or allocated costs incurred by Opus and are recharged to the estate; they are not attributed to the estate by a third party invoice and they do not include a profit element. These disbursements are recoverable in full, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of Category 2 expenses are all business mileage (for cases commencing on or after 1 November 2011). Payment of Category 2 expenses require the approval of creditors.

Included in Category 2 expenses are costs incurred with associated parties. These include Forensic work undertaken by Opus Pear Tree Limited albeit this has not been required on this Liquidation.

Appendix IV

Time cost information for the Review Period 21 September 2020 and 20 September 2021

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning							
Case Closure	0.00	0.00	0.00	0.20	0.20	25.00	125.00
Internal Documentation and IT	0.00	0.00	3.10	1.50	4.60	692.50	150.54
Case Planning	5.50	9.10	19.90	0.20	34.70	9,340.00	269.16
Case Reviews including MR1s/MR2s	0.00	0.70	0.80	0.20	1.70	432.50	254.41
Administrative Set Up	0.00	0.00	0.70	0.30	1.00	157.50	157.50
Maintenance of Records	0.00	0.10	5.20	0.00	5.30	1,197.50	225.94
Statutory Reporting and Compliance	0.00	1.90	13.40	0.00	15.30	2,872.50	187.75
Firms Administration - Feeing etc	0.00	4.60	6.10	1.00	11.70	2,612.50	223.29
Cashiering	0.00	1.30	6.10	9.00	16.40	2,712.50	165.40
Statutory forms	0.00	0.00	0.10	0.30	0.40	62.50	156.25
Post appointment Corporation tax	0.00	0.40	0.20	0.50	1.10	207.50	188.64
Post appointment VAT	0.00	3.40	7.60	0.80	11.80	2,530.00	214.41
File Review	50.00	0.00	0.50	0.00	50.50	20,087.50	397.77
	55.50	21.50	63.70	14.00	154.70	42,930.00	277.50
Investigations							
Other Investigations	9.10	4.10	89.50	479.10	581.80	96,860.00	166.48
Internal Documentation	0.00	1.00	4.00	0.00	5.00	1,010.00	202.00
Analysis of financial records	0.00	0.40	2.40	0.00	2.80	635.00	226.79
SIP 2 Review	0.00	0.10	0.00	0.00	0.10	27.50	275.00
Investigation of Wrongful Trading	8.20	0.10	7.50	0.00	15.80	4,995.00	316.14
Investigation of Unfair Preferences	0.00	0.00	5.00	0.00	5.00	1,125.00	225.00
Legal Correspondence	0.00	0.70	2.00	0.00	2.70	657.50	243.52
Correspondence with director	0.00	0.20	0.40	0.00	0.60	135.00	225.00
	17.30	6.60	110.80	479.10	613.80	105,445.00	171.79

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Realisation of Assets							
Legal Matters	0.00	1.80	0.00	0.00	1.80	505.00	280.56
Pensions, policies and investments	0.00	0.00	2.80	0.00	2.80	630.00	225.00
	0.00	1.80	2.80	0.00	4.60	1,135.00	246.74

Trading							
	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Creditors							
Internal Documentation	0.00	0.00	0.30	0.00	0.30	52.50	175.00
Employee Communications	0.00	0.10	3.50	0.00	3.60	770.00	213.89
Correspondence and telephone calls	0.00	0.00	0.40	0.00	0.40	70.00	175.00
Distributions	0.00	0.50	0.80	0.00	1.30	317.50	244.23
Communication with creditors	0.00	2.60	6.10	0.70	9.40	2,097.50	223.14
Ordinary creditors	0.00	0.30	0.00	0.00	0.30	97.50	325.00
Employee claims	0.00	0.00	1.20	0.00	1.20	210.00	175.00
Adjudication on claims	0.00	0.20	0.20	0.00	0.40	100.00	250.00
	0.00	3.70	12.50	0.70	16.90	3,715.00	219.82

Case Specific Matters							
Pre-appointment VAT	0.00	0.00	0.40	0.00	0.40	90.00	225.00
Pension Scheme	0.00	2.10	14.70	4.40	21.20	4,345.00	204.95
accounts review	0.00	0.00	0.10	0.00	0.10	22.50	225.00
	0.00	2.10	15.20	4.40	21.70	4,457.50	205.41

Pre Appointment							
	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Forensics							
	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Total hours	72.80	35.70	205.00	498.20	811.70		
Time costs	29,240.00	10,977.50	43,015.00	74,450.00	157,682.50		
Average hourly rate	401.65	307.49	209.83	149.44	194.26		

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

Summary of Fees		
Time spent in administering the Assignment	Hours	811.70
Total value of time spent to 20 September 2021	£	157,682.50
Total Joint Liquidators' fees charged to 20 September 2021	£	354,325.00

Disbursements			
Description	Total Incurred £		Total Recovered £
CAT 1 Postage		4.78	1.05
CAT 1 Bank charges		0.29	0.17
Totals		5.07	1.22

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

Appendix IV cont...

Time cost information for the Cumulative Period 21 September 2018 and 20 September 2021

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning							
Case Closure	0.00	0.00	0.00	0.20	0.20	25.00	125.00
Internal Documentation and IT	0.00	0.00	24.80	11.00	35.80	4,327.50	120.88
Case Planning	33.80	19.50	21.10	0.20	74.60	21,437.50	287.37
Case Reviews including MR1s/MR2s	9.00	3.80	3.30	0.80	16.90	4,552.50	269.38
Administrative Set Up	3.20	0.00	0.70	1.00	4.90	1,255.00	256.12
Appointment Notification	0.00	0.10	0.00	0.00	0.10	25.00	250.00
Maintenance of Records	0.80	1.90	5.20	0.00	7.90	1,912.50	242.09
Statutory Reporting and Compliance	0.40	3.00	23.80	0.00	27.20	4,782.50	175.83
Firms Administration - Feeing etc	0.00	10.10	16.10	1.00	27.20	5,662.50	208.18
Cashiering	0.00	3.50	10.30	21.60	35.40	5,390.00	152.26
Statutory forms	0.00	0.30	0.80	1.00	2.10	295.00	140.48
Post appointment Corporation tax	0.00	0.70	0.20	1.30	2.20	342.50	155.68
Post appointment VAT	0.00	4.10	8.50	2.00	14.60	2,995.00	205.14
Other post appointment tax matters	0.00	0.10	0.00	0.00	0.10	25.00	250.00
Statutory Meetings	0.60	0.70	0.00	0.00	1.30	370.00	284.62
File Review	95.80	0.00	5.90	0.20	101.90	35,757.50	350.91
	143.60	47.80	120.70	40.30	352.40	89,155.00	252.99
Investigations							
D Reports	0.00	0.70	1.20	0.00	1.90	335.00	176.32
Other Investigations	55.30	13.50	230.00	1,210.90	1,509.70	241,790.00	160.16
Internal Documentation	4.00	3.90	17.10	0.00	25.00	5,025.00	201.00
Analysis of financial records	14.00	1.00	7.40	17.10	39.50	7,307.50	185.00
SIP 2 Review	0.00	0.10	0.00	0.00	0.10	27.50	275.00
CDDA Reports	0.00	0.00	4.40	0.00	4.40	550.00	125.00
Investigation of Wrongful Trading	12.70	0.20	8.50	0.00	21.40	6,700.00	313.08

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

Investigation of Unfair Preferences	8.50	0.00	5.00	0.00	13.50	3,887.50	287.96
Legal Correspondence	0.00	2.20	4.40	0.00	6.60	1,555.00	235.61
Meeting with Directors	2.00	3.10	4.40	3.00	12.50	2,290.00	183.20
Correspondence with director	6.00	1.40	1.00	0.00	8.40	2,475.00	294.64
	102.50	26.10	283.40	1,231.00	1,643.00	271,942.50	165.52

Realisation of Assets							
Sale of Assets	11.30	9.70	4.30	0.00	25.30	6,635.00	262.25
Debt Collection	0.00	0.60	0.00	0.00	0.60	150.00	250.00
Correspondence with Agent	0.00	0.10	2.50	0.00	2.60	337.50	129.81
Legal Matters	1.60	4.70	0.00	0.00	6.30	1,770.00	280.95
Identifying, securing, insuring assets	3.70	0.20	0.00	0.00	3.90	1,252.50	321.15
Pensions, policies and investments	0.00	0.30	2.80	0.00	3.10	705.00	227.42
Other assets	10.00	0.80	0.00	0.00	10.80	3,450.00	319.44
Property, business and asset sales - general	0.00	0.00	0.90	0.00	0.90	112.50	125.00
Cash at Bank	2.50	2.80	5.20	0.00	10.50	2,245.00	213.81
Correspondence/calls and emails with solicitors	1.20	0.00	4.90	0.00	6.10	1,002.50	164.34
	30.30	19.20	20.60	0.00	70.10	17,660.00	251.93

Trading							
	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Creditors							
Internal Documentation	0.00	0.40	0.30	0.00	0.70	152.50	217.86
Employees	0.00	3.30	0.00	0.00	3.30	825.00	250.00
Employee Communications	0.00	0.10	4.10	0.00	4.20	860.00	204.76
Correspondence and telephone calls	0.00	0.00	0.60	0.00	0.60	100.00	166.67
Distributions	0.00	0.50	0.80	0.00	1.30	317.50	244.23
Communication with creditors	5.80	2.60	13.00	0.70	22.10	4,915.00	222.40
Secured Creditors	0.00	0.30	0.00	0.00	0.30	75.00	250.00
Ordinary creditors	0.00	7.00	0.00	0.00	7.00	1,797.50	256.79
Employee claims	0.00	0.00	8.70	0.00	8.70	1,457.50	167.53
Adjudication on claims	0.00	0.20	0.20	0.00	0.40	100.00	250.00
	5.80	14.40	27.70	0.70	48.60	10,600.00	218.11

Case Specific Matters							
Pre-appointment VAT	0.00	0.00	0.40	0.00	0.40	90.00	225.00
Administration & Planning (DO NOT USE THIS	2.60	0.00	0.00	0.00	2.60	845.00	325.00

ANNUAL PROGRESS REPORT OF ATLANTIC UMBRELLA COMPANY LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

CODE)							
legal issues	3.00	0.00	0.00	0.00	3.00	1,035.00	345.00
Pension Scheme	0.00	2.10	14.70	4.40	21.20	4,345.00	204.95
accounts review	0.00	0.00	0.10	0.00	0.10	22.50	225.00
	5.60	2.10	15.20	4.40	27.30	6,337.50	232.14

Pre Appointment							
	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Forensics							
	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Total hours	287.80	109.60	467.60	1,276.40	2,141.40		
Time costs	99,505.00	29,692.50	88,160.00	178,337.50	395,695.00		
Average hourly rate	345.74	270.92	188.54	139.72	184.78		

Summary of Fees		
Time spent in administering the Assignment	Hours	2,141.40
Total value of time spent to 20 September 2021	£	395,695.00
Total Joint Liquidators' fees charged to 20 September 2021	£	354,325.00

Disbursements		
Description	Total Incurred £	Total Recovered £
CAT 1 Bonding	1,000.00	1,000.00
CAT 2 Photocopying	66.90	66.90
CAT 1 Postage	51.36	47.63
CAT 1 Bank charges	2.53	2.41
CAT 1 Other fees and Expenses	15.59	15.59
Totals	136.38	1,132.53

Appendix V

Time costs summary for period, cumulative & comparison with estimate for Atlantic Umbrella Company Limited

	Adjusted fees estimate			Actual time costs incurred during the Review Period			Total time costs incurred to date		
Work category	Number of hours	Blended hourly rate £ per hour	Total fees £	Number of hours	Average hourly rate £ per hour	Total time costs £	Number of hours	Average hourly rate £ per hour	Total time costs £
Administration (including statutory reporting)	261.50	227.58	59,512.50	154.70	277.50	42,930.00	352.4	252.99	89,155.00
Realisation of assets	176.00	206.96	36,425.00	4.60	246.74	1,135.00	70.10	251.93	17,660.00
Creditors (claims and distribution)	263.00	178.61	46,975.00	16.90	219.82	3,715.00	48.60	218.11	10,600.00
Investigations	1,066.00	173.99	185,475.00	613.80	17149	105,455.00	1,643.00	165.52	271,942.50
Case Specific Matters	-	-	-	21.70	205.41	4,457.50	27.30	232.14	6,337.50

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Appendix VI

Expenses summary for period, cumulative & comparison with estimate for Atlantic Umbrella Company Limited Limited in Creditors' Voluntary Liquidation

Below are details of the Joint Liquidators' expenses for the period under review and the total to date.

Expenses	Original expenses estimate £	Actual expenses incurred in the Review Period £	Actual expenses incurred to date £	Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)
Category 1 Expenses				
Legal costs	-	7,900.00		As detailed in the report. The Joint Liquidators investigations and potential action has resulted in additional legal advice from Hill Dickinson.
Legal Expenses	-	424.50	424.50	Hill Dickinson Travel expenses
Counsel Fees	-	937.50	937.50	Mr Andrew Vinson legal assistance via Hill Dickinson
Agents' and valuers' costs	-	-	1,250.00	David Currie & Co were appointed to provide a desktop valuation of Company assets
Advertising	169.20		341.28	The initial post appointment expenses estimate included 2 adverts and the pre-appointment expenses estimate included one advert. This is the cost of all three adverts.
Bonding	120.00	-	1,000.00	Due to the amount of cash at bank received, the bond had to be increased.
Document Storage	500.00	-	1,161.00	Due to the quantum of records received the storage costs are higher than previously envisaged.
Docusoft Fee	45.00	-	45.00	
Meeting Room	150.00	-	0.00	
VisionBlue Fee	185.00	-	185.00	
Leaf Technology	-	425.00	425.00	Appointed to assist extracting emails from Company records for investigation purposes
Clumber Consultancy	-	2,745.00	2,745.00	Clumber Consultancy were instructed as agents and valuers in relation to allocating pension scheme member claims to the correct employer
Postage	-	1.89	47.63	
Category 2 Expenses				
Files and indices	14.00	-	0.00	
Photocopying	412.00	-	66.90	Please be advised that, whilst it was originally envisaged that these expenses would be charged to the estate, this has been no longer allowed since 1 April 2021
Bank Charges	-	2.41	2.41	Please be advised that, whilst it was originally envisaged that these expenses would be charged to the estate, this has been no longer allowed since 1 April 2021

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Appendix VII

Privacy Notice

The following information is provided to comply with the requirements of the General Data Protection Regulation.

This privacy statement describes why and how we collect and use personal data and provides information about individuals' rights. It applies to personal data provided to us, both by individuals themselves or by others. We may use personal data provided to us for any of the purposes described in this privacy statement or as otherwise stated at the point of collection.

Identity and contact details of the controller and where applicable, the controller's representative and the data protection officer	<p>Where an insolvency practitioner of Opus Restructuring LLP is not appointed as office holder, the data controller is either the company/individual on whose instructions Opus Restructuring LLP is acting or it is Opus Restructuring LLP. The contact details of Opus Restructuring LLP are: 20 Chapel Street, Liverpool, L3 9AG, 01908 087220, info@opusllp.com.</p> <p>Where an insolvency practitioner of Opus Restructuring LLP is appointed as office holder and the data processing is carried out as part of their statutory duties, the office holder(s) is/are the data controllers. The Insolvency practitioner(s) can be contacted at: Opus Restructuring LLP, 20 Chapel Street, Liverpool, L3 9AG, 01908 087220, info@opusllp.com.</p>
How we use your personal information	<p>The purpose for which personal information is processed may include any or all of the following:</p> <ul style="list-style-type: none"> • deliver services and meet legal responsibilities • verify identity where this is required • communication by post, email or telephone • understand needs and how they may be met • maintain records • process financial transactions • prevent and detect crime, fraud or corruption • may also need to use data to defend or take legal actions related to the above
Lawful basis for the processing	<p>Most processing is carried out to comply with our legal obligations under statute and other regulatory obligations related to the insolvency process. We also believe our processing is for the legitimate interests of all stakeholders in the insolvency process, as they are entitled to be kept informed and may wish to engagement in the insolvency process. Where Opus Restructuring LLP has engaged with a client to perform a service, we will be required to process data to provide the service in accordance with the contractual terms.</p>
What personal information we hold	<p>The categories are: contact details, financial information and location. In rare cases, we may hold some special category data, e.g. trade union membership or information about individual's health, which will be necessary to administer the insolvency process in line with our legal obligations.</p>
Who we share our data with	<p>Personal data held by us may be transferred to:</p> <p>Other member firms and/or Other offices Details of our member firm/other office locations are available here www.opusllp.com. We may share personal data with other member firms/other offices where necessary for administrative purposes and to provide professional services to our clients.</p> <p>Third party organisations that provide applications/functionality, data processing or IT services to us - We use third parties to support us in providing our services and to help provide, run and manage our internal IT systems. For example, providers of information technology, cloud based software as a service providers, identity management, website hosting and management, data analysis, data back-up, security and storage services. The servers powering and facilitating that cloud infrastructure are located in secure data centres around the world, and personal data may be stored in any one of them.</p> <p>Third party organisations that otherwise assist us in providing goods, services or information</p> <p>Auditors and other professional advisers</p> <p>Law enforcement or other government and regulatory agencies or to other third parties as required by, and in accordance with, applicable law or regulation</p> <p>Occasionally, we may receive requests from third parties with authority to obtain disclosure of</p>

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	personal data, such as to check that we are complying with applicable law and regulation, to investigate an alleged crime, to establish, exercise or defend legal rights. We will only fulfil requests for personal data where we are permitted to do so in accordance with applicable law or regulation.
How long we retain your personal information	We retain personal data for as long as is necessary to achieve the purpose listed above and for any other permissible related purpose. For example, we retain most records until the time limit for claims arising from the activities has expired or otherwise to comply with statutory or regulatory requirements regarding the retention of such records.
Your rights	<p>The GDPR provides the following rights for individuals:</p> <p>Right to inform This privacy notice meets our requirement to inform you of our processing of your data.</p> <p>Access to personal data You have a right of access to personal data held by us as a data controller. This right may be exercised by contacting us at: Opus Restructuring LLP, 20 Chapel Street, Liverpool, L3 9AG, 01908 087220, info@opusllp.com. We will aim to respond to any requests for information promptly, and in any event within one month.</p> <p>Amendment of personal data To update personal data submitted to us, you may email us at info@opusllp.com or, where appropriate, contact us via the relevant website registration page or by amending the personal details held on relevant applications with which you registered.</p> <p>Rights that do not apply in these particular circumstances Not all of the rights under the GDPR are available as one of the reasons we are holding your data is on the basis of it being a legal obligation and therefore the right to erasure, data portability and to object do not apply.</p>
Right to withdraw consent	The data received was not based upon obtaining consent and therefore the right to withdraw consent does not apply.
Changes to our privacy statement	<p>We keep this privacy statement under regular review and will place any updates on our website. Paper copies of the privacy statement may also be obtained by writing to us at Opus Restructuring LLP, 20 Chapel Street, Liverpool, L3 9AG.</p> <p>This privacy statement was last updated on [date].</p>
Complaints	<p>Should you want to complain about our use of personal data, please contact us at Opus Restructuring LLP, 20 Chapel Street, Liverpool, L3 9AG.</p> <p>You also have the right to lodge a complaint with the Information Commissioner's Office ("ICO") (the UK data protection regulator). For further information on your rights and how to complain to the ICO, please refer to the ICO website.</p>
Who provided the personal data	The personal data we have used to contact you was provided by the company/individual (or persons acting on their behalf) on whose instructions we are acting or in relation to which our insolvency practitioner has been appointed. We also access information from the Registrar of Companies and other similar public-access data providers.