

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

LIQ03

Notice of progress report in voluntary winding up



Companies House

FRIDAY



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A16

15/05/2020

#313

COMPANIES HOUSE

1 Company details

Company number 0 5 5 9 1 1 2 8

Company name in full Acorn Bespoke Roofing Limited

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

2 Liquidator's name

Full forename(s) David Norman

Surname Kaye

3 Liquidator's address

Building name/number 50 Trinity Way

Street

Post town Salford

County/Region

Postcode M 3 7 F X

Country United Kingdom

4 Liquidator's name ●

Full forename(s)

Surname

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

5 Liquidator's address ●

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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 **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 **David Kaye**

Company name **Crawfords Accountants LLP**

Address **50 Trinity Way**

Salford

Post town **Manchester**

County/Region

Postcode **M 3 7 F X**

Country

DX

Telephone **0161 828 1000**

 **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.

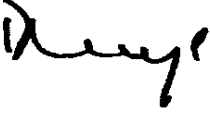
 **Further information**

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

LIQ03

Notice of progress report in voluntary winding up

| | | | | | | | | | | | | | | | | |
|---|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 6 | Period of progress report | | | | | | | | | | | | | | | |
| From date | d | 2 | d | 2 | m | 0 | m | 3 | y | 2 | y | 0 | y | 1 | y | 9 |
| To date | d | 2 | d | 1 | m | 0 | m | 3 | y | 2 | y | 0 | y | 2 | y | 0 |
| 7 | Progress report | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> The progress report is attached | | | | | | | | | | | | | | | | |
| 8 | Sign and date | | | | | | | | | | | | | | | |
| Liquidator's signature | <div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">X</div> <div style="flex-grow: 1; text-align: center;"> <small>Signature</small>  </div> <div style="margin-left: 10px;">X</div> </div> | | | | | | | | | | | | | | | |
| Signature date | d | 1 | d | 5 | m | 0 | m | 5 | y | 2 | y | 0 | y | 2 | y | 0 |

ACORN BESPOKE ROOFING LIMITED IN CREDITORS' VOLUNTARY LIQUIDATION

LIQUIDATOR'S ANNUAL PROGRESS REPORT

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15 May 2020

1. INTRODUCTION

The purpose of this report is to detail my acts and dealing as Liquidator and it should be read in conjunction with my previous correspondence to creditors.

2. BACKGROUND

The members' and creditors' meetings were held on 22 March 2017, when I was appointed Liquidator of the company.

The company's former registered office was 69 Windsor Road, Prestwich, Manchester, M25 0DB. This was changed to Units 13-15 Brewery Yard, Deva City Office Park, Trinity Way, Salford, M3 7BB and later to 50 Trinity Way, Salford, Manchester, M3 7FX.

The company's former trading address was Walton Mill, Millstream Lane, Newton Heath, Manchester, M40 1GT.

The company operated as a roofing contractor and secured its works from Interserve, an intermediary, who outsourced contracts on all manner of buildings for the Government.

The directors believed that the main cause of failure was due to a rebate system introduced by Interserve whereby they demanded a payment of 15% back from their contractors, though no additional services were provided to merit such payment. The Company refused to make such proposed payments and inevitably the relations between the Company and Interserve had worsened as a result of the Company's position in connection with the rebate system. With a significant decline in work, the Company soon encountered cash flow problems and was unable to meet its liabilities as and when they fell due.

The Company's statutory information is appended at Appendix 1.

3. ASSET REALISATIONS

According to the Directors' Statement of Affairs verified by a Statement of Truth lodged in these proceedings, the estimated values of the company's assets were uncertain and therefore no estimates were reported in the Director's Report to creditors.

I can now comment on these assets as follows: -

Factored Book Debts

The Company's book debts were factored with Lloyds TSB Commercial Finance Limited (the Lloyds Commercial") and the sales ledger was reported to have a balance of £89,801 at the date of the liquidation, which related entirely to the debt due from Interserve plc. It is also understood that there was a balance of £86,297 being the disapproved balance and the balance owing to Lloyds Commercial was £36,350. The Director believed that approximately half of this sum was withheld due to the Company's refusal to comply with the "rebate" demanded by Interserve plc, whereas the remaining balance ought to be fully recoverable as there was no dispute.

I received confirmation from Lloyds Commercial that the balance was collected in full and therefore they are no longer a creditor in the liquidation. I requested for the company's sales ledger to be re-assigned back to the company and took over the debt collection exercise with a view to realising further funds into the liquidation for the benefit of the insolvent estate. Due to the age and nature of the reassigned debts, no realisation was achieved.

Motor Vehicles

The company's physical assets comprised two motor vehicles which were independently valued by JPS Chartered Surveyors in the sum of £6,000 on a current market value basis. The directors expressed an interest in acquiring the two motor vehicles from the Liquidator for £6,000, which exceeded their book value, and their offer was considered at the meeting of creditors held on 24 August 2015. With no objection raised at the meeting of creditors, the Agent recommended the sale of the company's two motor vehicles to Adrian Curran and Richard Dunn, who are directors of the company and are therefore connected parties. I am satisfied that the sale was at arm's length, for full value, and was the best price obtainable in the circumstance.

Plant & Machinery and Motor Vehicles

It was originally reported to creditors that the Directors were not entirely certain on the value of the company's assets as access to the storage premises was denied by the landlord. The Director did point out that few if any of those assets remained the property of the company, as the majority of the vehicles and a quantity of plant and machinery had been either lost, scrapped or written off whilst other assets which were of a nature of intangibles had no realisable value.

Following my appointment, I contacted the landlord to ascertain whether or not assets owned by the Company were held at the storage premises. Having considered this further, I formed the opinion that there were only a few assets at the premises and all of these were low value chattel items which are not expected to be realisable and the costs of removing and selling these items would greatly exceed any potential realisable value, if any. Accordingly, I made the decision to abandon these items at the storage premises.

Bank Interest

Bank interest in the sum of £54.03 has been received during the reporting period in respect of funds held in the Liquidator's bank account, totalling £120.25 to date.

Bank Refund

The sum of £2,353.99 has been received during the reporting period in respect of bank charges refund.

Deposit for Costs

The sum of £8,200 was received from the Directors personally to contribute towards the costs of the liquidation.

Recovery from Preference

Following my appointment, I carried out a review of the company's books and records and it became apparent that a number of payments were made by the Company to the Directors which were described as bonuses to clear an overdrawn director's loan account over a period of time.

I calculated that the overdrawn directors' loan account would have been circa £486,312 if the excessive payments described as bonuses had been written back. I instructed Freeths LLP, a firm of solicitors to assist with the claims against the Directors and soon thereafter entered into communications with his legal representative with a view to reaching an agreement over settlement.

I can confirm that an offer of £50,000 was received in settlement of Mr and Mrs Merriman with £20,000 to be paid on execution of the agreement and the balance of £30,000 to be paid over a seven month period by way of £5,000 monthly instalments.

Having considered the size of the claim and the director's ability to repay the debt, my solicitors recommended the acceptance of the offer of £50,000 as set-out above to void the risk of litigation which would carry the risk of incurring irrecoverable costs with no guarantee of a better outcome. On that basis, I accepted the offer and can confirm that £45,000 has been received into the liquidation with a remaining balance of £5,000 which I anticipate will be paid shortly. I can confirm that the consideration was received in full in the sum of £50,000.

4. INVESTIGATION

The appropriate investigation into the company's affairs has been conducted and the relevant form submitted to the Department for Business, Innovation and Skills in accordance with the Company Directors Disqualification Act 1986. The contents of this report are confidential.

I have already explained in this report that I conducted a review of the company's books and records which resulted in a claim against the directors in respect of their overdrawn directors' loan account and that I had reached a full and final settlement of £50,000 with the Directors.

I concluded my investigations into the affairs of the company and did not come across any further transactions which would warrant further detailed investigations and/or might enable recoveries to be made into the estate for the benefit of creditors. I can confirm that the investigative work resulted in a financial benefit to preferential creditors in the liquidation.

In accordance with Statement of Insolvency Practice 13, I can confirm that there were no company's assets sold to any connected party as defined by Section 435 of the Insolvency Act 1986 and therefore disclosure is not applicable in this case.

5. CREDITORS' CLAIMS

Secured Creditor

Lloyds TSB Commercial Finance Limited collected the balance due on their current account in full and no longer a creditor in the liquidation.

Preferential Creditors

Preferential claims arise from arrears of wages and accrued, unpaid holiday pay due to the former employees of the Company who did not receive their full entitlements on redundancy, prior to the former Administration.

The Redundancy Payments Office submitted a preferential claim of £14,326.26 with regards to unpaid wages and accrued holiday pay. Additionally, former employees are estimated to have preferential claims in excess of statutory limits in the region of £61,802.02. Presently, the total preferential claim received into the liquidation stands at £76,128.28 and these claims are in the process of being agreed. Once the preferential claims have all been agreed, I will be in a position to distribute a first and final dividend to preferential creditors in the liquidation.

Unsecured Creditors

The unsecured creditors, as per the Statement of Affairs totalled £665,666.

Claims have been received into the liquidation and these claims will not be agreed as there is no prospect of a dividend to unsecured creditors in the liquidation.

6. DIVIDEND PROSPECTS

Section 176A of the Insolvency Act 1986 (as amended) requires the Liquidator to set aside a percentage of a company's assets for the benefit of the unsecured creditors in cases where the company gave a "qualifying floating charge" over its assets to a lender on or after 15 September 2003. This is known as the "prescribed part of the net property." A company's net property is that left after paying the preferential creditors, but before paying the lender who holds a floating charge.

A Liquidator has to set aside: -

- 50% of the first £10,000 of the net property; and
- 20% of the remaining net property up to a maximum of £800,000 for qualifying floating charges created on or after 6 April 2020.

For qualifying floating charges created pre 6 April 2020, the limit remained at £600,000, except where a deed of priority was entered into such that a post 6 April 2020 charge took precedence.

The register of mortgages and charges records an all assets debenture created on 2 January 2008 in favour of Lloyds TSB Commercial Finance Limited being a fixed and floating charge over the undertaking and all property and assets present and future including goodwill book debts uncalled capital buildings fixtures fixed plant and machinery.

The certificate of registration identifies the chargee as Lloyds TSB Commercial Finance Limited without reference to Lloyds Bank plc. It remains uncertain whether or not the claim from Lloyds Bank plc is a secured or an unsecured claim in the liquidation. Therefore, it has been assumed for these purposes that the security attaches only to Lloyds TSB Commercial Finance Limited and that the debt of Lloyds Bank plc is unsecured, unless there is evidence from Lloyds Bank Plc to indicate otherwise. In any event, the prescribed part provisions do not apply in this case.

Based on current information, there is prospect of a dividend to preferential creditors in the liquidation only after discharging the costs and expenses of the liquidation.

7. COSTS AND EXPENSES

The payments shown on the summary of the attached receipts and payments account are in the main self-explanatory.

Specific Bond

The sum of £276 was paid in respect of specific bond for the insolvent estate.

Statement of Affairs

The agreed fee of £6000+vat has been paid

Office Holder's Fees

£18,000 has been paid on account of my agreed remuneration.

Legal Fees and Legal Disbursements

The sum of £6227.10+vat and a disbursement of £3 has been paid to Freeths LLP for their assistance in the litigation in connection with the director's loan account.

Statutory Advertising

The sum of £205.50 plus VAT was paid in respect of statutory advertising.

Accountancy Fee

The sum of £3,000 was paid to the company's former accountant for their assistance in assisting with the reconciliation of the directors' loan accounts.

Case Management Fee

The sum of £110 was paid for the use of case management software provided by an independent external software provider.

Summary of Costs

The total time spent on this case presently amounts to 94.05 hours reflected in a total time cost of £25,122.25 plus VAT equating to an average hourly rate of £267. As at the date of my last report, the recorded time cost was £23,287.75 plus VAT.

I have drawn a further £8,000 plus VAT on account in respect of my Liquidator's remuneration during the reporting period. I am anticipating further expenditure in the forthcoming period when I will be endeavouring to bring this case to a conclusion and am therefore proposing a revision to the present fee estimate to a capped fixed fee of £30,000 plus VAT in place of the estimate agreed 3 years ago before the complexities of the case had become apparent. It is neither intended nor expected that any further revision will be proposed. The reason for this proposed revision is that my costs have exceeded the original estimate due to the degree of investigation which was required.

To put this into perspective, I would remind creditors that the extra work which I have carried out has resulted in a recovery of £50,000, to the benefit of the preferential creditors, far in excess of the costs of my investigation.

Creditors are directed to the resolutions enclose in appendix 6 with this report in order for them to vote on the proposed revision.

Crawfords rate of hourly charges are: Partner £325, manager £205, assistant £127, cashier £105, junior assistant £88 exclusive of VAT.

In common with all professional firms, charge out rates may increase from time to time over the period of the liquidation.

A summary of time spent in accordance with SIP 9 is attached.

I have set out below a summary of the additional information which will provide creditors with some guidance in respect of work which is likely to be incurred during the remaining period of the liquidation until I am in a position to conclude the liquidation. I must emphasise that these guidance are based solely on present information available and are therefore estimates only. The final position of the liquidation and actual costs may well be different to the guidance provided below.

Anticipated Work

I am continuing with my collection of the re-assigned debtors but it is uncertain if this will result in any recovery due to the age and nature of these re-assigned debts. I am also presently reviewing and agreeing preferential claims with a view to the payment of a dividend, as well as finalising administrative matters with a view to concluding the liquidation.

Anticipated Costs of Work

My on-going costs will primarily relate to on-going collection of the re-assigned debtors, agreeing preferential claims, distributing a first and final dividend to preferential creditors, finalising administrative matters with a view to concluding the liquidation, as well as discharging the costs and expenses of the liquidation. I am confident that the cost of that work can be met within the scope of the revised fee cap which is proposed

Actual Work Done

I have set out the asset realisations achieved in the liquidation in this report, as well as my other statutory and non-statutory work which I am required to undertake as Liquidator of the company. It should be noted that the work set out in this report is intended to provide an overall summary of work carried out by my staff and myself as Liquidator of the company, and does not intend to provide a full and comprehensive coverage of all the work which has been undertaken as to do so would be too onerous and therefore give rise to unnecessary costs.

Actual Costs of Work and Expenses

Please refer to the attached receipts and payments account detailing all the receipts and payments incurred in the liquidation up to the period of reporting. These are all necessary costs which have been incurred during the course of the liquidation.

Financial Benefit of Work to Creditors

There is prospect of a dividend to preferential creditors in the liquidation and I can confirm that all the work which has been undertaken in the liquidation has been necessary in order to wind-up the affairs of the company.

The work undertaken in the liquidation can be summarised broadly under the following headings which is categorised in the same manner as the Liquidator's time costs summary under SIP 9 as follows: -

Administration and Planning – this includes work required by statute and case progression, as well as collating initial information, dealing with appointment and closing formalities, preparing receipts and payments, advertising, preparing fee and expenses estimate, reviewing case strategy, general case management, listing and storing of company's books and records and ensuring compliance with all statutory obligations. Most of this work is required by statute or best practice and does not result in a financial benefit to creditors.

Investigations – reviewing company's books and records and investigations into the affairs of the company and conduct of the directors and filed my report with the Department for Business Energy & Industrial Strategy. Most of this work has give rise to a financial benefit to creditors in the liquidation as it has resulted in a successful recovery of funds for the insolvent estate. In any event, this work also falls under statutory requirements.

Realisation of Assets – recovery of assets for the benefit of the insolvent estate including identifying, securing, insuring and realising assets, instructing and liaising with agents, reviewing, collecting debtors, pursuing antecedent transactions. Most of this work is required by statute - or best practice and does not result in a financial benefit to creditors.

Creditors – dealing with creditors, agreeing creditors' claims, declaring a dividend and distributing dividends, creating and up-dating the list of creditors, responding to enquiries from creditors, reviewing completed creditor claim forms, formally admitting and maintaining claim records. Most of this work is required by statute and any dividends paid will be a financial benefit to creditors.

Trading – the Company did not trade in the liquidation and therefore no time has been spent on this in the liquidation.

Banking – setting up a bank account for the estate and preparing and processing vouchers for the payment of post appointment invoices. Creating remittances and sending payments to settle post appointment invoices. Most of this work is required by statute - or best practice and does not result in a financial benefit to creditors.

Tax – submitting notification to HMRC and submitting relevant tax returns for the liquidation. Most of this work is required by statute - or best practice and does not result in a financial benefit to creditors.

Disbursements

Crawfords disbursement policy is as follows:

Category 1 Disbursements:

- Category 1 expenses are expenses directly attributable to the insolvent case. These include insolvency bonds, advertising, company searches, post redirection orders, postages and travelling and accommodation costs incurred by staff whilst attending to the administration of the insolvent estate.
- Postage will be charged at the first class postage rate prevailing.
- The list as stated above is not exhaustive and any other external supplies and services, specifically identifiable to the case will also be recovered as a category 1 disbursement at cost.

Category 2 Disbursements:

- Category 2 expenses are additional overheads that relate to the insolvent estate but are not directly attributable to it.
- These expenses include, inter alia, stationery, photocopying, storage costs and travel which will be charged at up to 50p per mile.
- Crawfords Accountants LLP does not seek to recover Category 2 disbursements except for travel and business mileage directly attributable to the case.

In accordance with Statement of Insolvency Practice No.9 (SIP 9), creditors must be provided with a statement of all expenses incurred during the period irrespective of whether payment was made during the period. The expenses incurred are itemised in the enclosed receipts and payments account and represent only those expenses properly chargeable and necessarily disbursed in the course of the Liquidation.

Within 21 days from receipt of this report creditors may request further information about the remuneration and expenses. The request must be made in writing and made either by a secured creditor or an unsecured creditor or creditors that total at least 5% in value of unsecured creditors or with the permission of the Court. Other than in specific circumstances, which if applicable I would explain, I will provide this within 14 days.

A copy of the creditors' guide to Liquidator's fees, Crawfords' disbursements policy, creditors' and members' rights to request further information, are available to download from <http://www.crawfordsinsolvency.co.uk/>. Alternatively you may request a copy from this office free of charge by post or e-mail. Information about this insolvency process may be found on the R3 website at <http://www.creditorinsolvencyguide.co.uk/> and www.r3.org.uk/what-we-do/publications/professional/fees.

The General Data Protection Regulation requires that individuals whose data is being held be contacted and provided with information about their rights. A privacy notice is available at <https://www.crawfordsaccountants.co.uk/privacy-policy/>.

Other professional Costs

As sanctioned at the initial meeting of creditors, solicitors and agents may be appointed at my discretion. Agents and debt collectors have been paid on a combination of time spent and level of realisations, where appropriate.

I engaged the services of the following professional firms: -

- Freeths LLP – Solicitors – Time Cost Basis
- Millers Accountants Limited – Chartered Accountants – Time Cost Basis

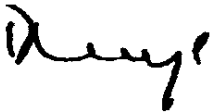
There is an outstanding balance of £89.60 plus VAT to Friths LLP and this will be paid shortly once their final invoice has been received. Having reviewed their fees and charges, I am satisfied that their fees and charges are reasonable.

8. CONCLUSION

The following matters remain to be done in the liquidation: -

- Agreement of preferential claims
- Distribution of a first and final dividend to preferential creditors.
- Finalising administrative matters with a view to concluding the liquidation.

For and on behalf of
Acorn Bespoke Roofing Limited



David Kaye
Liquidator

Statutory Information

| | |
|----------------------------------|--|
| Company Name | Acorn Bespoke Roofing Limited |
| Company Number | 05591128 |
| Date of Incorporation | 23 March 2010 |
| Previous Name | None |
| Principal Activity | Roofing Contractors |
| Former Registered Office | 69 Windsor Road, Prestwich, Manchester, M25 0DB and then changed it to Unit 13-15 Brewery Yard, Deva City Office Park, Trinity Way, Salford, Manchester, M3 7BB |
| Trading Address | Walton Mill, Millstream Lane, Newton Heath, Manchester, M40 1GT |
| Current Registered Office | 50 Trinity Way, Salford, Manchester, M3 7FX |
| Officeholder | David Kaye |
| Officeholder's address | 50 Trinity Way, Salford, Manchester, M3 7FX |
| Date of appointment | 22 March 2017 |
| Changes to Officeholder | None |

**Acorn Bespoke Roofing Ltd - In Creditors Voluntary Liquidation
Liquidator's Abstract of Receipts & Payments**

From 22 March 2019 To 21 March 2020

| S of A £ | From 2 2/03/19 to To 21/03/20 | From 22/03/17 To 21/03/20 |
|-----------------------------|--|--------------------------------------|
| ASSET REALISATIONS | | |
| Bank Interest Gross | 54.03 | 120.25 |
| Bank Refund | 2,353.99 | 2,353.99 |
| Deposit for Costs | NIL | 8,200.00 |
| Recovery from Preference | NIL | 50,000.00 |
| NIL | 2,408.02 | 60,674.24 |
| COST OF REALISATIONS | | |
| Specific Bond | NIL | (276.00) |
| Statement of Affairs Fee | NIL | (6,000.00) |
| Office Holders Fees | (8,000.00) | (18,000.00) |
| Legal Fees | NIL | (6,227.10) |
| Statutory Advertising | NIL | (205.50) |
| Accountancy Fees | NIL | (3,000.00) |
| Case Management Fee | NIL | (110.00) |
| Legal Disbursements | NIL | (3.00) |
| | (8,000.00) | (33,821.60) |
| | (5,591.98) | 26,852.64 |
| REPRESENTED BY | | |
| VAT Recoverable | | 6,472.82 |
| Balance at Bank | | 20,379.82 |
| | | 26,852.64 |



**David N Kaye
Liquidator**

ACORN BESPOKE ROOFING LIMITED - IN LIQUIDATION
LIQUIDATOR'S POST-APPOINTMENT TIME COSTS AND CHARGEOUT SUMMARY

| Classification of Work Function | Partner | Manager | Assistants & Support Staff | Total Hours | Time Cost £ | Average Hourly Rate £ |
|---------------------------------|---------|---------|----------------------------------|----------------|----------------|-----------------------------|
| Administration & Planning | 11.60 | 7.50 | 2.60 | 21.70 | 5,353.80 | 246.72 |
| Investigations | 42.25 | 0.20 | - | 42.45 | 12,605.75 | 296.96 |
| Realisation of Assets | 15.00 | 0.60 | - | 15.60 | 4,865.40 | 311.88 |
| Creditors | 0.40 | 2.70 | 6.00 | 9.10 | 1,355.60 | 148.97 |
| Trading | - | - | - | - | - | - |
| Bank | - | 3.80 | 0.70 | 4.50 | 808.80 | 179.73 |
| Tax | - | 0.60 | 0.10 | 0.70 | 132.90 | - |
| | 69.25 | 15.40 | 9.40 | 94.05 | 25,122.25 | 267.12 |

| | | | |
|---|--------|--------|-------|
| Current Individual Hourly Charge Out Rate £ | 325.00 | 204.00 | 88.00 |
|---|--------|--------|-------|

ACORN BESPOKE ROOFING LIMITED - IN LIQUIDATION
LIQUIDATOR'S FEE ESTIMATE

| Classification of Work Function | Partner | Manager | Assistants & Support Staff | Total Hours | Time Cost £ | Average Blended Hourly Rate £ |
|---------------------------------|---------|---------|----------------------------------|----------------|----------------|--|
| Administration & Planning | 3.00 | 5.00 | 10.00 | 18.00 | 2,960.00 | 164.44 |
| Investigations | 8.00 | 10.00 | 10.00 | 28.00 | 5,360.00 | 191.43 |
| Realisation of Assets | 15.00 | 10.00 | 5.00 | 30.00 | 6,850.00 | 228.33 |
| Creditors | 2.00 | 5.00 | 10.00 | 17.00 | 2,665.00 | 156.76 |
| Trading | - | - | - | - | - | - |
| Bank | 3.00 | 5.00 | 10.00 | 18.00 | 2,960.00 | 164.44 |
| Tax | 3.00 | 5.00 | 10.00 | 18.00 | 2,960.00 | 164.44 |
| | 34.00 | 40.00 | 55.00 | 129.00 | 23,755.00 | 184.15 |

| | | | |
|---|--------|--------|--------|
| Current Individual Hourly Charge Out Rate £ | 295.00 | 185.00 | 115.00 |
|---|--------|--------|--------|

£

The following costs which are included in the above figures have already been incurred: -

25,122.25

ACORN BESPOKE ROOFING LIMITED - IN CREDITORS VOLUNTARY LIQUIDATION

SUMMARY OF COSTS AND EXPENSES

Below are details of the Liquidator's costs and expenses for the period under review and the total to date.

| | Original Estimates | Actual Expenses incurred in the Review Period | Actual Expenses incurred to date | Notes |
|---|-----------------------|---|-------------------------------------|-------|
| | £ | £ | £ | |
| Statutory Bonding | 44.00 | 0.00 | 276.00 | |
| Statement of Affairs (Pre- appointment Fee) | 6,000.00 | 0.00 | 6,000.00 | 1 |
| Office Holder's Remuneration – Time Cost | 23,755.00 | 8,000.00 | 18,000.00 | 2 |
| Office Holder's Disbursements | 100.00 | 0.00 | 0.00 | |
| Accountancy Fee | 5,000.00 | 0.00 | 3,000.00 | |
| Legal Fees | 5,000.00 | 0.00 | 6,227.10 | |
| Legal Disbursements | - | 0.00 | 3.00 | |
| Statutory Advertising | 274.00 | 0.00 | 205.50 | |
| Case Management Fee (Visionblue Solutions) | 110.00 | 0.00 | 110.00 | |
| Agents' and Valueers' Fees and Disbursements | 1,000.00 | 0.00 | 0.00 | |
| Corporation Tax | 10.00 | 0.00 | 0.00 | |

Notes

1. Statement of Affairs fee was approved in the sum of £6,000 plus VAT. The sum of £5,000 plus VAT was drawn by my firm in respect of the Statement of Affairs fee together with a payment of £1,000 plus VAT to Millers Accountants for their assistance in the preparation of the Statement of Affairs in accordance with that resolution.
2. I have drawn a further £8,000 plus VAT on account in respect of the Liquidator's remuneration during the reporting period, totalling £18,000. I intend to draw the balance of the Liquidator's remuneration in due course.

ACORN BESPOKE ROOFING LIMITED - IN CREDITORS VOLUNTARY LIQUIDATION WORK UNDERTAKEN BY THE LIQUIDATOR DURING THE REPORTING PERIOD

I have set-out below the key areas of work which have been undertaken by the Liquidator and his staff during the reporting period in the liquidation. This list is a summary of the routine work undertaken during the reporting period and is not intended to be an exhaustive list.

| Administration and Planning | Work Undertaken |
|---|--------------------|
| Case set-up and case planning; | |
| Review of case strategy; | |
| Review ethics and money laundering checks; | ✓ |
| Regular case management and reviewing of progress, including regular team update meetings; | ✓ |
| Reviewing and authorising case workers correspondence and other work; | ✓ |
| Dealing with queries arising on appointment; | ✓ |
| Allocating and managing staff/case resourcing and budgeting exercises and reviews; | ✓ |
| Liaising with legal advisors regarding various instructions, including agreeing content of engagement letters; | ✓ |
| Maintenance of office holder's case management records; | ✓ |
| Internal notification of administration of the insolvent estate; | ✓ |
| Complying with internal filing and information recording practices | ✓ |
| Reviewing matters affecting the outcome of the liquidation; | ✓ |
| Statutory Compliance | |
| Liaising with the post-appointment insurance broker to provide information, assess risks and ensure appropriate cover in place and on-going monitoring of the adequacy of the level of insurance premiums; | |
| Notifying creditors of appointment of Liquidator and complying with statutory requirements including but not limited to advertising the appointment of Liquidator and special resolution for winding-up the affairs of the company in London Gazette; filing of Notice of Appointment of Liquidator, special resolutions for the winding-up of the company, Statement of Affairs of the company accompanying by a Statement of Truth, and notice of change of the company's registered office at the Registrar of Companies, circulating a report to creditors following the appointment of Liquidator, notifying HM Revenue and Customs and all interested parties of the appointment of Liquidator; | |
| Obtaining searches and documentary evidence to verify identity of stakeholders to ensure compliance with all applicable current laws and legislations; | |
| Agreeing the basis of the Liquidator's remuneration in accordance with the current applicable legislations, laws and current best practice; | |
| Requesting the delivery of the company's statutory and non-statutory books and records and scheduling of the records received; | |
| Preparing annual reports to creditors and shareholders and reporting on the progress of the efficacy of the liquidation, including filing of receipts and payments account at the Registrar of Companies within the relevant timescales; | ✓ |
| Preparing final report to creditors and shareholders and reporting on the progress of the efficacy of the liquidation, including filing of receipts and payments account at the Registrar of Companies within the relevant timescales; | |
| Preparing minutes of meetings of creditors and shareholders; | |
| Ensuring compliance with all statutory obligations within the relevant timescales; | ✓ |
| Finalising administrative matters and diarise for destruction of company's records in accordance with applicable laws and legislations | |
| Asset Realisation | |
| Reviewing, insuring, and realising assets into the liquidation; | |
| Liaising with agents regarding the sale of business assets; | |
| Reviewing outstanding debtors and management of debt collection strategy; | ✓ |
| Instructing agents to assist with assets realisations and subsequent communications with the agents on the efficacy of the assets realisations; | |
| Instructing solicitors to assist with assets realisations and subsequent communications with the solicitors on the efficacy of the assets realisations; | |

Investigation

Reviewing the company's books and records;
Reviewing the directors' questionnaire;
Preparing CDDA Checklists;
Preparing a statutory report on the conduct of the directors and submitting the report within the relevant timescales.
Reviewing and recovering potential antecedent transactions for the benefit of creditors in the liquidation.

Creditors

Liaising with employees regarding their employment claims; ✓
Dealing with employees' claims and filing of all relevant redundancy forms with the Redundancy Payments Office; ✓
Up-dating the list of secured, preferential, and unsecured creditors; ✓
Responding to enquiries from creditors regarding the administration and submission of their claims; ✓
Reviewing completed forms submitted by creditors, recording claims amounts and maintaining claim records;
Dealing with assignment of debts;
Reviewing and assessing of retention of tile claims

Distribution

Dividend to creditors to creditors in the liquidation.

Cashiering

Opening of the Liquidator's bank account for the liquidation; ✓
Preparing and processing vouchers for the payment of post-appointment invoices; ✓
Creating remittances and sending payments to settle post-appointment invoices; ✓
Reconciling post-appointment bank accounts to internal systems; ✓
Maintenance of accounting records onto a computerised system (e.g. Visionblue Solutions Software); ✓
Monitoring cheque presentations and re-issuing replacement cheques of any unrepresented cheques, where applicable; ✓
Ensuring compliance with appropriate risk management procedures in respect of receipts and payments; ✓

Tax

Analysing VAT related transactions; ✓
Collating information and preparing VAT returns for the post-appointment periods; ✓
Analysing Corporation Tax related transactions; ✓
Collating information and preparing Corporation Tax returns for the post-appointment periods. ✓
Dealing with post-appointment tax compliance ✓

Other

Where applicable - disclaiming of the company's lease and filing of Notice of Disclaimer to all interested parties under the lease;

To All Known Creditors

15 May 2020

Dear Sirs

Acorn Bespoke Roofing Limited – In Liquidation

This report should be read in conjunction with the accompanying annual report to creditors made up to 22 March 2020.

A copy of my receipts and payments account to that date is attached and there have been no changes since that date.

At paragraph 7 of my report I advised that I am convening a creditors' decision by business correspondence in compliance with the Insolvency Rules 2016 for the purpose of changing the basis of the Liquidator's remuneration on a time cost basis to a fixed fee of £30,000 plus VAT for the entire period of the liquidation.

The principal reason for this is the complexity of the investigation which I had to undertake to settle with the director which work resulted in a financial benefit to preferential creditors on the successful recovery of £50,000. There is no question that this would not have been achieved had the work not been undertaken at a senior level. As a result there will be a dividend to preferential creditors.

My cumulative time cost up to my latest annual reporting date of 21 March 2020 was £25,122.25 plus VAT and I have incurred a further £652.80 plus VAT up to date, resulting in a cumulative time cost of £25,775.05 plus VAT.

I have already set out in the annual report details of the work undertaken in the liquidation to date and have further set out details of the work that my staff and I propose to undertake for the remaining period of the liquidation in order to pay the dividend and complete all necessary administrative matters with a view to closing the case as soon as possible.

I estimate that the cost of completing the case will be £6,000 plus VAT which would result in a time charge of just under £32,000 plus VAT but I am proposing to limit that to a fixed fee of £30,000 plus VAT.

I believe that this proposal is now appropriate and reasonable for creditors and is a fair reflection of the work yet to be undertaken.

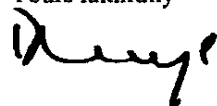
I attach the following documents for your information: -

- Liquidator's receipts and payments account from 22 March 2020 to date
- A statement of work undertaken in the liquidation to date and proposed work to be undertaken for the remaining period of the Liquidation. Please note that parts of this list are standardised and not all of it will be applicable in every case.
- A statement of expenses the Liquidator incurred to date and also expenses which will, or are likely to be, incurred during the remaining period of the Liquidation.
- Liquidator's Revised Fee Estimates and Original Fee Estimates
- Crawfords Accountants LLP charging policy and current charge out rates
- Liquidator's Guide to Fees
- Notice of Decision Procedure
- A proof of debt form (if you have not already submitted your claim in the liquidation)
- A Voting Form (Notice of Creditors' Decision by Business Correspondence)
- Invitation of Creditors' Committee

I will now invite creditors to lodge their voting form to this office by 23:59 on day 8 June 2020 together with a completed proof of debt form if this has not previously been submitted to this office.

Should you have any queries, please do not hesitate to contact this office.

Yours faithfully



David N Kaye
Liquidator

Encs

Acorn Bespoke Roofing Ltd - In Creditors' Voluntary Liquidation

Liquidator's Receipts & Payments Account

From 22 March 2020 To 15 May 2020

| S of A £ | | From 22/03/20 | From 22/03/17 |
|-----------------------------|--------------------------|----------------------|----------------------|
| | | To 15/05/20 | To 15/05/20 |
| ASSET REALISATIONS | | | |
| NIL | Bank Interest Gross | NIL | 120.25 |
| NIL | Bank Refund | NIL | 2,353.99 |
| NIL | Deposit for Costs | NIL | 8,200.00 |
| NIL | Recovery from Preference | NIL | 50,000.00 |
| | | | <hr/> |
| | | NIL | 60,674.24 |
| COST OF REALISATIONS | | | |
| | Specific Bond | NIL | (276.00) |
| | Statement of Affairs Fee | NIL | (6,000.00) |
| | Office Holders Fees | NIL | (18,000.00) |
| | Legal Fees | NIL | (6,227.10) |
| | Statutory Advertising | NIL | (205.50) |
| | Accountancy Fees | NIL | (3,000.00) |
| | Case Management Fee | NIL | (110.00) |
| | Legal Disbursements | NIL | (3.00) |
| | | | <hr/> |
| | | NIL | (33,821.60) |
| | | | <hr/> |
| | | NIL | 26,852.64 |
| | | | <hr/> |

REPRESENTED BY

| | |
|-----------------|-----------|
| VAT Recoverable | 6,472.82 |
| Balance at Bank | <hr/> |
| | 20,379.82 |
| | <hr/> |
| | 26,852.64 |
| | <hr/> |



David N Kaye
Liquidator

**WORK UNDERTAKEN TO DATE
AND
WORK REMAINING TO BE UNDERTAKEN BY THE LIQUIDATOR**

I set out below the work my staff and I have undertaken and will continue to undertake during the remaining period of the Liquidation. I originally reported that the anticipated duration of the liquidation should not be longer than 2 years from the date of my appointment to enable me to complete and fulfil my statutory obligations and administrative duties which fall automatically upon me on my appointment as Liquidator of the company. However, due to the unforeseen complications arising from my investigation work, I am presently into the start of the fourth year of the liquidation but I am now substantially completed my administration of the liquidation to a position where I am now able to take steps to conclude the liquidation.

Specific Work relating to the remaining period of the Liquidation

I set out below the key areas of specific work for this liquidation and these are as follows: -

1 Creditors

- 1.1 Reviewing and agreeing preferential claims.
- 1.3 Reconciling preferential claims with evidence in the company's books and records where there is a discrepancy.
- 1.4 Reviewing additional information requested from creditors in order to agree a figure.
- 1.5 Rejecting claims where appropriate and dealing with any subsequent appeal.
- 1.6 Admitting preferential claims in the liquidation with a view to distributing a first and final dividend to those preferential creditors whose claims have been agreed and admitted for dividend purposes.
- 1.7 On-going communications with creditors relating to the affairs of the liquidation, where applicable.
- 1.8 Distribution of a first and final dividend to preferential creditors in the liquidation.

2 Administration and Planning

- 2.1 Reporting the outcome of the result of the creditors' decision by business correspondence to creditors.
- 2.2 Finalising administrative matters with a view to bringing the liquidation to an end.
- 2.3 Prepare a proposed final account to creditors with full details of the matters dealt with in the liquidation including a receipts and payments account for the entire period of the liquidation.
- 2.4 Circulate the proposed final account to all known creditors and members.
- 2.5 Prepare and file the final account at the Companies House.

3 Cashiering

- 3.1 Undertaking final bank reconciliation.
- 3.2 Creating remittances and sending payments to settle post-appointment invoices including discharging the outstanding costs and expenses of the liquidation.
- 3.3 Maintenance of accounting records onto a computerised system (e.g. Visionblue Solutions Software);
- 3.4 Monitoring cheque presentations and re-issuing replacement cheques of any unrepresented cheques, where applicable;
- 3.5 Ensuring compliance with appropriate risk management procedures in respect of receipts and payments;

Please note that the following list is a standardised schedule of work which is commonly undertaken in every insolvency matter but that not all of this work will be applicable in every case.

Administration and Planning

Case set up and case planning;
Review of case strategy;
Review ethical and money laundering checks;
Regular case management and reviewing of progress, including regular team update meetings;
Reviewing and authorising case workers correspondence and other work;
Dealing with queries arising on appointment;
Allocating and managing staff/case resourcing and budgeting exercises and reviews;
Liaising with legal advisors including agreeing content of engagement letters;

Maintenance of office holder's case management records;
Internal notification of administration of the insolvent estate;
Complying with internal filing and information recording practices
Reviewing matters affecting the outcome of the liquidation;

Statutory Compliance

Liaising with the post-appointment insurance broker to provide information, assess risks and ensure appropriate cover in place and ongoing monitoring of the adequacy of the level of insurance premiums;
Notifying creditors of appointment of Liquidator and complying with statutory requirements including but not limited to advertising the appointment of Liquidator and special resolution for winding up the affairs of the company in London Gazette; filing of Notice of Appointment of Liquidator, special resolutions for the winding up of the company, Statement of Affairs of the company accompanied by a Statement of Truth, and notice of change of the company's registered office at the Registrar of Companies, circulating a report to creditors following the appointment of Liquidator, notifying HM Revenue and Customs and all interested parties of the appointment of Liquidator;
Obtaining searches and documentary evidence to verify identity of shareholders to ensure compliance with all applicable current laws and legislations;
Agreeing the basis of the Liquidator's remuneration in accordance with the current applicable legislations, laws and current best practice;
Requesting the delivery of the company's statutory and non-statutory books and records and scheduling of the records received;
Preparing annual reports to creditors and shareholders and reporting on the progress of the efficacy of the liquidation, including filing of receipts and payments account at the Registrar of Companies within the relevant timescales;
Preparing draft final report and final reports to creditors and shareholders and reporting on the progress of the efficacy of the liquidation, including filing of receipts and payments account at the Registrar of Companies within the relevant timescales;
Preparing minutes of meetings of creditors and shareholders;
Ensuring compliance with all statutory obligations within the relevant timescales;
Finalising administrative matters and diarise for destruction of company's records in accordance with applicable laws and legislations

Asset Realisation

Reviewing, insuring, and realising assets into the liquidation;
Liaising with agents regarding the sale of business assets;
Reviewing outstanding debtors and management of debt collection strategy;
Instructing agents to assist with assets realisations and subsequent communications with the agents on the efficacy of the assets realisations;
Instructing solicitors to assist with asset realisations and subsequent communications with the solicitors on the efficacy of the assets realisations;

Investigation

Reviewing the company's books and records;
Reviewing the directors' questionnaire;
Preparing CDDA Checklists;
Preparing a statutory report on the conduct of the directors and submitting the report within the relevant timescales.
Reviewing and recovering potential antecedent transactions for the benefit of creditors in the liquidation.

Creditors

Liaising with employees regarding their employment claims;
Dealing with employees' claims and filing of all relevant redundancy forms with the Redundancy Payments Office;
Maintaining a list of secured, preferential, and unsecured creditors;
Responding to enquiries from creditors regarding the administration and submission of their claims;
Reviewing completed forms submitted by creditors, recording claims amounts and maintaining claim records;
Dealing with assignment of debts;
Review and assessment of retention of title claims

Distribution

Distributing dividends to creditors at the appropriate time

Cashiering

Opening of the Liquidator's bank account for the liquidation;
Preparing and processing vouchers for the payment of post-appointment invoices;
Creating remittances and sending payments to settle post-appointment invoices;
Reconciling post-appointment bank accounts to internal systems;
Maintenance of accounting records onto a computerised system (e.g. Visionblue Solutions Software);
Monitoring cheque presentations and re-issuing replacement cheques of any unpresented cheques, where applicable;
Ensuring compliance with appropriate risk management procedures in respect of receipts and payments;

Tax

Analysing VAT related transactions;
Collating information and preparing VAT returns for the post-appointment periods;
Analysing Corporation Tax related transactions;
Collating information and preparing Corporation Tax returns for the post-appointment periods.
Dealing with post-appointment tax compliance

Other

Where applicable - disclaiming of the company's lease and filing of Notice of Disclaimer to all interested parties under the lease;

Liquidator's Estimated Costs and Expenses

I am seeking to change the basis of my Liquidator's remuneration from a time cost basis to a fixed fee of £30,000 plus VAT for the entire period of the liquidation. I have set-out the rationale for seeking an increase in the Liquidator's remuneration due to a material and substantial change in the circumstances since the fixing of the Liquidator's remuneration.

Details of my firm's hourly charge out rates are set out in the charging policy which is appended with this letter. Prior to creditors determining the basis upon which I am to be remunerated, I am required to provide a fee estimate and to provide it to each creditor of whose details I am aware so that it can be approved at the same time as the basis of my remuneration.

My revised fee estimate for the liquidation is set out below. Please note that blended hourly rates have been used which take account of the various levels of staff that are likely to undertake each area of work. These can be seen in the average hourly rate column above.

The revised fee estimate proposes to restrict the Liquidator's remuneration to £30,000 plus VAT, of which my present time cost of £25,775.05 plus VAT has already exceeded my proposed fee cap. It is clear that I will incur further time cost up to the conclusion of the liquidation but any time cost I incur over and above £30,000 plus VAT will not be recoverable from the estate and will be written-off as irrecoverable time cost.

For the avoidance of any doubt, the above estimate relates to the period of liquidation only and with a milestone of 4 years assuming that the liquidation will be fully completed within such time period. It therefore does not include any time costs or expenses that will or may be incurred in the liquidation beyond the 4 years from the commencement of the liquidation.

Liquidator's Summary of Time Costs Incurred for the Period from 22 March 2017 to 15 May 2020

| Classification of Work Function | Partner | Manager | Assistants & Support Staff | Total Hours | Time Cost £ | Average Blended Hourly Rate £ |
|---------------------------------|---------|---------|----------------------------------|----------------|-------------------|--|
| Administration & Planning | 11.60 | 10.20 | 2.60 | 24.40 | 5,904.60 | 241.99 |
| Investigations | 42.25 | 0.20 | - | 42.45 | 12,605.75 | 296.96 |
| Realisation of Assets | 15.00 | 0.60 | - | 15.60 | 4,865.40 | 311.88 |
| Creditors | 0.40 | 2.70 | 6.00 | 9.10 | 1,355.60 | 148.97 |
| Trading | - | - | - | - | - | - |
| Bank | - | 4.30 | 0.70 | 5.00 | 910.80 | 182.16 |
| Tax | - | 0.60 | 0.10 | 0.70 | 132.90 | - |
| | 69.25 | 18.60 | 9.40 | 97.25 | 25,775.05 | 265.04 |

| | | | |
|---|--------|--------|--------|
| Current Individual Hourly Charge Out Rate £ | 325.00 | 204.00 | 127.00 |
|---|--------|--------|--------|

Liquidator's Estimated Summary of Time Cost reported in the Fee Estimate dated 28 June 2017

| Classification of Work Function | Partner | Manager | Assistants & Support Staff | Total Hours | Time Cost £ | Average Blended Hourly Rate £ |
|---------------------------------|---------|---------|----------------------------------|----------------|-------------------|--|
| Administration & Planning | 3.00 | 5.00 | 10.00 | 18.00 | 2,960.00 | 164.44 |
| Investigations | 8.00 | 10.00 | 10.00 | 28.00 | 5,360.00 | 191.43 |
| Realisation of Assets | 15.00 | 10.00 | 5.00 | 30.00 | 6,850.00 | 228.33 |
| Creditors | 2.00 | 5.00 | 10.00 | 17.00 | 2,665.00 | 156.76 |
| Trading | - | - | - | - | - | - |
| Bank | 3.00 | 5.00 | 10.00 | 18.00 | 2,960.00 | 164.44 |
| Tax | 3.00 | 5.00 | 10.00 | 18.00 | 2,960.00 | 164.44 |
| | 34.00 | 40.00 | 55.00 | 129.00 | 23,755.00 | 184.15 |

| | | | |
|---|--------|--------|--------|
| Current Individual Hourly Charge Out Rate £ | 325.00 | 204.00 | 127.00 |
| Former Individual Hourly Charge Out Rate £ | 295.00 | 185.00 | 115.00 |

Liquidator's Revised Fee Estimate as at 15 May 2020

I have set out below my revised fee estimate for the period from the date of commencement to the end of the liquidation. This indicates that the revised total time cost from the date of commencement to conclusion of the liquidation will exceed £30,000 plus VAT but I will cap my Liquidator's remuneration on a fixed fee basis to £30,000 plus VAT for the entire period of the liquidation.

The revised fee estimate assumes that the liquidation will be completed within 4 years and does not include any time costs or expenses that will or may be incurred in the liquidation beyond the 4 years from the commencement of the liquidation. I am confident that the liquidation will be concluded within the next 6 months or sooner, if possible.

| Classification of Work Function | Partner | Manager | Assistants & Support Staff | Total Hours | Time Cost £ | Average Blended Hourly Rate £ |
|---------------------------------|---------|---------|----------------------------------|----------------|-------------------|--|
| Administration & Planning | 13.50 | 16.00 | 3.00 | 32.50 | 7,915.50 | 243.55 |
| Investigations | 42.25 | 0.20 | - | 42.45 | 13,772.05 | 324.43 |
| Realisation of Assets | 15.00 | 0.60 | - | 15.60 | 4,997.40 | 320.35 |
| Creditors | 3.00 | 6.00 | 10.00 | 19.00 | 3,079.00 | 162.05 |
| Trading | - | - | - | - | - | - |
| Bank | - | 5.00 | 0.90 | 5.90 | 1,099.20 | 186.31 |
| Tax | - | 1.00 | 0.40 | 1.40 | 239.20 | 170.86 |
| | 73.75 | 28.80 | 14.30 | 116.85 | 31,102.35 | 286.17 |

| | | | |
|--|--------|--------|--------|
| Current Individual Hourly Charge Out Rate £ | 325.00 | 204.00 | 127.00 |
|--|--------|--------|--------|

The Liquidator has set out below a revised list of costs and expenses he expects to incur, or which are likely to be incurred, for entire course of the Liquidation. The figures therefore include costs which have already been incurred to date and details of the actual payments made in the liquidation can be obtained by reference to the attached receipts and payments account made up to the date of this report being 15 May 2020.

The figures shown below should only be used as a guide for parties who have a financial interest in the Liquidation. The list below is not intended to be an exhaustive list. The Liquidator sets out the costs and expenses paid from the estate to date and the proposed costs and expenses to be discharged from the estate up to the end of the liquidation.

Costs of Realisations for the Entire Period of the Liquidation

| | Note | Original Fee Estimate as at 28/6/17 £ | Revised Fee Estimate as at 15/5/20 £ |
|---|------|--|---|
| Statutory Bonding | 1 | 44.00 | 276.00 |
| Statutory Advertising (four adverts) | 2 | 274.00 | 205.50 |
| Case Management Fee (Visionblue Solutions) | 3 | 110.00 | 110.00 |
| Statement of Affairs Fee | 4 | - | 6,000.00 |
| Liquidator's Fee – Time Cost Basis / revised fee cap on fixed fee | 5 | 23,755.00 | 30,000.00 |
| Liquidator's Disbursements | 6 | 100.00 | 100.00 |
| Accountancy Fee | 7 | 5,000.00 | 3,000.00 |
| Legal Fees and Disbursements | 8 | 5,000.00 | 6,319.70 |
| Agents' and Valuers' Fees and Disbursements | 9 | 1,000.00 | NIL |
| Corporation Tax | 10 | 10.00 | 10.00 |
| Total | | 35,293.00 | 46,021.20 |

The Statement of Affairs fee of £6,000 plus VAT was not shown in the above original fee estimates as this is a pre-appointment fee and not for the post-appointment period. For the avoidance of doubt, I can confirm that £5,000 plus VAT was drawn by my firm and £1,000 plus VAT paid to Millers Accountants Limited in respect of the Statement of Affairs fee.

Notes – Costs of Realisations

The estimated costs of realisations including expenses and disbursements are explained further below: -

1 Statutory Bond

I am required to take out a specific bond in respect of the value of the assets. The bond premium for the liquidation is £276 which is based on the assets to be realised in line with the Liquidator's estimated outcome statement. No further premium is payable in the liquidation.

2 Statutory Advertising

I have incurred £205.50 plus VAT in respect of statutory advertising in the liquidation. No further statutory cost is payable in the liquidation.

3 Case Management Fee

The sum of £110 has been paid for the use of case management software provided by an independent external software provider. No further case management is payable in the liquidation.

4 Statement of Affairs Fee

The sum of £5,000 plus VAT was drawn by my firm in respect of the Statement of Affairs fee together with a payment of £1,000 plus VAT to Millers Accountants for their assistance in the preparation of the Statement of Affairs in accordance with the approved fee resolution. Statement of Affairs fee has been paid in full in accordance with the approved fee resolution.

5 Liquidator's Fee

I have drawn a further £8,000 plus VAT on account in respect of the Liquidator's remuneration during the reporting period, totalling £18,000. My present time cost stands at £25,407.85 plus VAT. I propose to restrict my Liquidator's remuneration on a fixed amount of £30,000 plus for the entire period of the liquidation, of which £18,000 plus VAT has been drawn on account to date.

6 Office Holder's Disbursements

I have not incurred any disbursements to date in the liquidation but propose to draw this in due course based on actual cost of the disbursements incurred in the liquidation such as postage costs, which is a category 1 disbursements.

7 Accountancy Fee

The sum of £3,000 was paid to the company's former accountant for their assistance in assisting with the reconciliation of the directors' loan accounts. No further cost is payable to the company's former accountants.

8 Legal Fees and Legal Disbursements

I instructed Freeths LLP to assist with a claim against the directors in respect of their overdrawn directors' loan account in which payments of £6,227.10 plus VAT and disbursements of £3 were paid for their assistance in the liquidation. There is an outstanding balance of £89.60 plus VAT due to Freeths LLP and this will be paid shortly once their final invoice has been received.

9 Agent's Fees

I budgeted for the costs of instructing Agents to assist with the liquidation but this was not necessary and therefore there is a cost saving.

10 Corporation Tax

I do not anticipate any Corporation Tax to be payable in the liquidation.

The above estimates of the Liquidator's costs and expenses are shown net of VAT. The current VAT rate is 20%.

The Liquidator proposes to change the basis of the Liquidator's remuneration to a fixed fee to £30,000 plus VAT as set-out in the attached Liquidator's revised fee estimate.

It should also be noted that the Liquidator is bound by the Insolvency Code of Ethics issued by his authorised regulatory body when carrying out all professional work relating to insolvency appointment. The Liquidator should, if requested, provide details of any threats identified to comply with the fundamental principles and the safeguards applied. If it is not appropriate for the Liquidator to disclose such information, the Liquidator may decline the request and provide a statement to explain why he has done so.

Parties with a financial interest in the Liquidator's administration of the Liquidation may access suitable information setting out their rights (e.g. the R3 Creditor Insolvency Guide), from the following website: - <http://www.creditorinsolvencyguide.co.uk/>.

CRAWFORDS ACCOUNTANTS LLP POLICY ON FEES, BILLING AND DISBURSEMENTS AS AT 1 JUNE 2018

Fee Accrual

The Office Holder is the general name for the Insolvency Practitioner dealing with the case affairs.

Legislation allows different fee basis to be used for insolvency appointment.

In accordance with the Insolvency Rule 2016, the Office Holder may charge appropriate fees for dealing with the case affairs.

It is usual practice for the agreement of fees to be sought on the basis of a set amount in dealing with the case. However on occasion it is necessary to seek agreement of fees on a time cost basis and/or as a fixed percentage of assets realised and/or distributions made.

The precise basis of how fees are to be incurred will be formally given to creditors prior to agreement being sought.

The legal agreement and basis upon which fees are agreed is determined by the relevant category of creditors, details of which are explained within the independent Liquidator's guide to creditors.

Staff

Each member of staff involved on the case will charge fees on an individual basis which shall be calculated in accordance with their experience.

In view of the complexity of the work involved, it is not practice policy to use sub contractors, however details of any sub contractor used shall be provided within the statutory reports.

VAT

Except when acting as Nominee or Supervisor of an insolvent estate, fees will be subject to VAT at the appropriate rate.

Where the case is not registered for VAT, VAT shall be shown as an irrecoverable expense of the estate.

Disbursements

Every case dealt with will incur disbursements.

The Office Holder is required to explain the amount and nature of such disbursements whenever an abstract of accounts is produced.

Regulations require that we separate category one and two disbursements for your information. An explanation of which is as follows:

Category 1 Disbursements:

Category 1 disbursements are expenses directly attributable to the insolvent case. These include insolvency bonds, advertising, company searches, post redirection orders, postages and travelling and accommodation costs incurred by staff whilst attending to the administration of the insolvent estate.

- Postage will be charged at the first class postage rate prevailing.
- The list as stated above is not exhaustive and any other external supplies and services, specifically identifiable to the case will also be recovered as a category 1 disbursement at cost.
- All category 1 disbursements shall be shown in the abstract of accounts suffixed by ⁽¹⁾.

Category 2 Disbursements:

- Category 2 disbursements are additional overheads that relate to the insolvent estate but are either not directly attributable to it, or the exact cost is not ascertainable and therefore cannot be precisely recharged.
- These expenses include, inter alia, stationery, photocopying and storage costs.
- Mileage shall be recharged up to 50 pence per mile.
- Crawfords Accountants LLP does not ordinarily seek to recover Category 2 disbursements except for travel and business mileage directly attributable to the case, but reserves the right to do so, where sanction has been obtained.
- Any authorised category 2 disbursements which have been drawn shall be shown in the abstract of accounts suffixed by ⁽²⁾.

CRAWFORDS ACCOUNTANTS LLP

POLICY ON FEES, BILLING AND DISBURSEMENTS AS AT 1 JUNE 2018 (Continued)

Disclosure of Use of Connected Parties

Please note that where it is necessary to use the services of an external agent who is associated to the Office Holder's business by way of common directors and/or shareholders, it is advised by law, that this shown as a category 2 disbursement. Kindly note that no additional profit element has been charged in regard to these services.

Charge Out Rates

A table of hourly charge out rates are provided below:

| Charges for Usual Cases | (£) | Charges for Complex Cases | (£) |
|-------------------------|-----|---------------------------|-----|
| Partner | 325 | Partner | 468 |
| Manager | 204 | Manager | 330 |
| Assistant | 127 | Assistant | 198 |
| Cashier | 105 | Cashier | 165 |
| Junior Assistant | 88 | Junior Assistant | 138 |

The basis upon which the Office Holder determines the appropriate charge out rate on the complexity of the case is detailed in the independent Creditors Guide to Liquidators' fees, available by post or email, free of charge from this office.

Further, the Office Holder reserves the right to uplift the hourly rates in accordance with inflation annually, without further recourse to the creditors.

Support Staff

It is not practice policy to charge for administrative support.

Recording of Fees

Time is formally recorded in prescribed categories in units of 6 minutes.

All units of time properly spent, shall be recorded on a formal time management system and retained throughout appointment.

Reporting of Fees

All reports and correspondence detailing fees incurred and indeed drawn will provide the legal basis upon which fees have been incurred and from whom sanction was given in relation to those fees.

Such information shall be contained within statutory progress reports and be in the prescribed form. When providing such a report, under existing Insolvency Regulations, creditors are able to request further and better particulars of fees and disbursements where they believe further explanation is required.

The exact basis of how requisite members and creditors may request such information is attached.

It should also be noted that the Liquidator is bound by the Insolvency Code of Ethics issued by his authorised regulatory body when carrying out all professional work relating to insolvency appointment. The Liquidator should, if requested, provide details of any threats identified to compliance with the fundamental principles and the safeguards applied. If it is not appropriate for the Liquidator to disclose such information, the Liquidator may decline the request and provide a statement to explain why he has done so.

Creditors' and members' requests for further information in liquidation
Extracts of Rule 18.9 of the Insolvency Rules 2016

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

- (a) a secured creditor;
- (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
- (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
- (d) any unsecured creditor with the permission of the court; or
- (e) any member of the company in a members' voluntary winding up with the permission of the court.

(2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.

LIQUIDATIONS - A CREDITORS' GUIDE TO INSOLVENCY PRACTITIONERS' FEES

ENGLAND AND WALES

1 Introduction

- 1.1 When a company goes into liquidation the costs of the proceedings are paid out of its assets. The creditors, who hope to recover some of their debts out of the assets, therefore have a direct interest in the level of costs, and in particular the remuneration of the insolvency practitioner appointed to act as liquidator. The insolvency legislation recognises this interest by providing mechanisms for creditors to fix the basis of the liquidator's fees (also referred to in this guide as 'remuneration'). This guide is intended to help creditors be aware of their rights to approve and monitor fees, explains the basis on which fees are fixed and how creditors can seek information about expenses incurred by the liquidator and challenge those they consider to be excessive.

2 Liquidation procedure

- 2.1 Liquidation (or 'winding up') is the most common type of corporate insolvency procedure. Liquidation is the formal winding up of a company's affairs entailing the realisation of its assets and the distribution of the proceeds in a prescribed order of priority. Liquidation may be either voluntary, when it is instituted by resolution of the shareholders, or compulsory, when it is instituted by order of the court.
- 2.2 Voluntary liquidation is the more common of the two. An insolvent voluntary liquidation is called a creditors' voluntary liquidation (often abbreviated to 'CVL'). In this type of liquidation an insolvency practitioner acts as liquidator throughout and the creditors can participate in the appointment of the liquidator. A solvent liquidation is called a members' voluntary liquidation. It should be noted that this guide does not extend to members' voluntary liquidations as the fees in these cases are not determined by the creditors.
- 2.3 In a compulsory liquidation, the function of the liquidator is, in most cases, initially performed not by an insolvency practitioner but by an official called the official receiver. The official receiver is an officer of the court and an official belonging to The Insolvency Service. In most compulsory liquidations, the official receiver becomes liquidator immediately on the making of the winding-up order. Where the specialist skills of an insolvency practitioner are required or the majority of creditors request the appointment of an insolvency practitioner, an insolvency practitioner will usually be appointed to act as liquidator in place of the official receiver. Where an insolvency practitioner is not appointed the official receiver remains as liquidator.
- 2.4 Where a compulsory liquidation follows immediately on an administration the court may appoint the former administrator to act as liquidator. In such cases the official receiver does not become liquidator. An administrator may also subsequently act as liquidator in a CVL.

3 The liquidation committee

- 3.1 In a liquidation (whether voluntary or compulsory) the creditors have the right to appoint a committee called the liquidation committee, with a minimum of 3 and a maximum of 5 members, to monitor the conduct of the liquidation and approve the liquidator's fees. An invitation to decide on whether a committee is to be established will be sent to creditors at the same time as a decision is sought on the appointment of a liquidator. In cases where a liquidation follows immediately on an administration any committee established for the purposes of the administration will continue in being as the liquidation committee.
- 3.2 The liquidator must call the first meeting of the committee within 6 weeks of its establishment and subsequent meetings must be held either at specified dates agreed by the committee, or when requested by a member of the committee, or when the liquidator decides he needs to hold one. The liquidator is required to report to the committee at least every 6 months on the progress of the liquidation, unless the committee directs otherwise. This provides an

opportunity for the committee to monitor and discuss the progress of the insolvency and the level of the liquidator's fees.

4 Fixing the liquidator's fees

4.1 Basis

4.1.1 The basis for fixing the liquidator's fees is set out in Rules 18.16, 18.17, 18.19 and 18.20 of the Insolvency (England and Wales) Rules 2016. The Rules state that the basis of fees must be fixed:

- as a percentage of the value of the assets which are realised, distributed or both, by the liquidator
- by reference to the time properly given by the liquidator and his staff in attending to matters arising in the liquidation, or
- as a set amount.

4.1.2 Any combination of these bases may be used to fix the fees, and different bases may be used for different things done by the liquidator. Where the fee is fixed as a percentage, different percentages may be used for different things done by the liquidator.

4.2 Advance information where fees are not based on time costs

4.2.1 Prior to the determination of the basis of fees, the liquidator must give the creditors details of the work the liquidator proposes to undertake, and the expenses he considers will be, or are likely to be, incurred.

4.3 Fees estimates where fees are to be based on time costs

4.3.1 Where the liquidator proposes to take fees based on time costs, he must first provide the creditors with detailed information in the form of a 'fees estimate'. A fees estimate is a written estimate that specifies –

- details of the work the liquidator and his staff propose to undertake;
- the hourly rate or rates the liquidator and his staff propose to charge for each part of that work;
- the time the liquidator anticipates each part of that work will take; whether the liquidator anticipates it will be necessary to seek approval or further
- approval under the Rules; and
- the reasons it will be necessary to seek such approval.

4.3.2 In addition, the liquidator must give the creditors details of the expenses he considers will be, or are likely to be, incurred.

4.4 Who fixes the fees?

4.4.1 It is for the liquidation committee (if there is one) to determine on which of these bases, or combination of bases, the fees are to be fixed. Where it is fixed as a set amount or a percentage, it is for the committee to determine the amount, percentage or percentages to be applied. Rule 18.16 says that in arriving at its decision the committee shall have regard to the following matters:

- the complexity (or otherwise) of the case;
- any responsibility of an exceptional kind or degree which falls on the liquidator in connection with the insolvency;
- the effectiveness with which the liquidator appears to be carrying out, or to have carried out, his duties;

- the value and nature of the property with which the liquidator has to deal.

4.4.2 If there is no liquidation committee, or the committee does not make the requisite determination, the liquidator's fees may be fixed by a decision of the creditors by a decision procedure. The creditors take account of the same matters as apply in the case of the committee.

4.4.3 If the fees are not fixed as above, it will be fixed in one of the following ways. In a CVL, it will be fixed by the court on application by the liquidator, but the liquidator may not make such an application unless he has first tried to get his fees fixed by the committee or creditors as described above, and in any case not later than 18 months after his appointment. In a compulsory liquidation, it will be calculated in accordance with a scale set out in the Rules.

4.4.4 Where the liquidation follows directly on from an administration in which the liquidator had acted as administrator, the basis of fees fixed in the administration continues to apply in the liquidation).

5. Review of fees

5.1 Where there has been a material and substantial change in circumstances since the basis of the liquidator's fees were fixed, the liquidator may request that it be changed. The request must be made to the same body as initially approved the fees, and the same rules apply as to the original approval.

6 What information should be provided by the liquidator?

6.1 General principles

6.1.1 The liquidator should provide those responsible for approving his fees with sufficient information to enable them to make an informed judgement about the reasonableness of the liquidator's request. The information should be presented in a manner which is transparent, consistent throughout the life of the case and useful to creditors, while being proportionate to the circumstances of the case.

6.1.2 A proposed liquidator may issue a fees estimate to creditors prior to being appointed liquidator.

6.1.3 The liquidator should disclose:

- payments, fees and expenses arising from the administration paid to the liquidator or his or her associates;
- any business or personal relationships with parties responsible for approving the liquidator's fees or who provide services to the liquidator in respect of the insolvency appointment where the relationship could give rise to a conflict of interest.

6.1.4 The liquidator should inform creditors and other interested parties of their rights under insolvency legislation, and should advise them how they may access suitable information setting out their rights within the first communication with them and in each subsequent report.

6.1.5 Where the liquidator sub-contracts out work that could otherwise be carried out by the liquidator or his staff, this should be drawn to the attention of creditors with an explanation of why it is being done.

6.2 Key issues

6.2.1 The key issues of concern to those with a financial interest in the level of payments from the insolvency estate will commonly be:

- the work the liquidator anticipates will be done, and why that work is necessary; and the anticipated cost of that work, including any expenses expected to be incurred in connection with it;
- whether it is anticipated that the work will provide a financial benefit to creditors, and if so what anticipated benefit (or if the work provided no direct financial benefit, but was required by statute);
- the work actually done and why that work was necessary;
- the actual costs of the work, including any expenses incurred in connection with it, as against any estimate provided;
- whether the work has provided a financial benefit to creditors, and if so what benefit (or if the work provided no direct financial benefit, but was required by statute).

6.2.2 When providing information about payments, fees and expenses, the liquidator should do so in a way which facilitates clarity of understanding of these key issues. Narrative explanations should be provided to support any numerical information supplied. Where it is practical to do so, the liquidator should provide an indication of the likely return to creditors when seeking approval for the basis of his fees.

6.2.3 When approval for a fixed amount or a percentage basis is sought, the liquidator should explain why the basis requested is expected to produce a fair and reasonable reflection of the work that the liquidator anticipates will be undertaken.

6.3 Fee estimates and subsequent reports

6.3.1 When providing a fees estimate, the liquidator should supply that information in sufficient time to facilitate those with the authority to approve fees making an informed judgement about the reasonableness of the liquidator's requests. The estimate should clearly describe what activities are anticipated to be conducted in respect of the estimated fee.

6.3.2 When subsequently reporting to creditors, the actual hours and average rate (or rates) of the costs charged for each activity should be provided for comparison.

6.4 Disbursements

6.4.1 Costs met by and reimbursed to the liquidator in connection with the liquidation will fall into two categories:

- Category 1 disbursements: These are payments to independent third parties where there is specific expenditure directly referable to the liquidation. Category 1 disbursements can be drawn without prior approval, although the liquidator should be prepared to disclose information about them in the same way as any other expenses.
- Category 2 disbursements: These are costs that are directly referable to the liquidation but not to a payment to an independent third party. They may include shared or allocated costs that may be incurred by the liquidator or their firm, and that can be allocated to the liquidation on a proper and reasonable basis. Category 2 disbursements require approval in the same manner as a liquidator's fees.

6.4.2 When seeking approval, the liquidator should explain, for each category of cost, the basis on which the charge is being made. If the liquidator has obtained approval for the basis of Category 2 disbursements, that basis may continue to be used in a sequential appointment where further approval of the basis of remuneration is not required, or where the liquidator is replaced.

6.4.3 The following are not permissible as disbursements:

- a charge calculated as a percentage of fees;
- an administration fee or charge additional to the liquidator's fees; recovery of basic overhead costs such as office and equipment rental, depreciation and finance charges.

6.5 Payment of pre-appointment expenses

6.5.1 The following categories of expenses may be paid out of the company's assets, either before or after the commencement of the winding up, as an expense of the winding up:

- any reasonable and necessary expenses of preparing the statement of affairs
- any reasonable and necessary expenses of the decision procedure or deemed consent procedure to seek a decision from the creditors on the nomination of liquidator

6.5.2 If payment has not been made pre-commencement of the liquidation, payment may not be made to the liquidator or any associate of the liquidator, otherwise than with the approval of the liquidation committee, creditors or the court.

6.5.3 Disclosure should be made of amounts already paid to the liquidator in respect of pre-appointment costs, giving the amounts paid, the name of the payer, and its relationship to the estate and the nature of the payment.

6.5.4 Disclosure should follow the principles and standards as set out in this Guidance.

6.6 Realisations for secured creditors

6.6.1 Where the liquidator realises an asset on behalf of a secured creditor and receives remuneration out of the proceeds (see paragraph 11.1 below), he should disclose the amount of that remuneration in any reports he sends to creditors.

7. Exceeding the amount set out in the fees estimate

7.1 Fees cannot be drawn in excess of the fees estimate without approval by the body which fixed the original basis of the fee. The request for approval must specify –

- the reason why the liquidator has exceeded, or is likely to exceed, the fees estimate;
- the additional work the liquidator has undertaken or proposes to undertake;
- the hourly rate or rates the liquidator proposes to charge for each part of that additional work;
- the time that additional work has taken or the liquidator anticipates that work will take;
- whether the liquidator anticipates that it will be necessary to seek further approval; and
- the reasons it will be necessary to seek further approval.

8. Progress reports and requests for further information

8.1 The liquidator is required to send annual progress reports to creditors. In addition to the items described above and especially those in paragraph 6.2.1, the reports must include:

- details of the basis fixed for the fee of the liquidator (or if not fixed at the date of the report, the steps taken during the period of the report to fix it);
- if the basis has been fixed, the fee charged during the period of the report, irrespective of whether it was actually paid during that period (except where it is fixed as a set amount, in which case it may be shown as that amount without any apportionment for the period of the report);
- if the report is the first to be made after the basis has been fixed, the fee charged during the periods covered by the previous reports, together with a description of the things done during those periods, irrespective of whether payment was actually made during the period of the report;
- a statement of the expenses incurred by the liquidator during the period of the report, irrespective of whether payment was actually made during that period;
- details of progress during the period of the report, including a summary of the

- receipts and payments during the period;
- details of what needs to be done;
- where appropriate, a statement setting out whether, at the date of the report –
 - the fee expected to be charged is likely to exceed the fees estimate or any approval given;
 - the expenses incurred or expected to be incurred are likely to exceed, or have exceeded, the details given to the creditors prior to the determination of the basis of fees; and
 - the reason for that excess.
- a statement of the creditors' rights to request further information, as explained in paragraph 8.2, and their right to challenge the liquidator's fees and expenses.

8.2 Within 21 days of receipt of a progress report a creditor may request the liquidator to provide further information about the fees and expenses set out in the report. A request must be in writing, and may be made either by a secured creditor, or by an unsecured creditor with the concurrence of at least 5% in value of unsecured creditors (including himself) or the permission of the court.

8.3 The liquidator must provide the requested information within 14 days, unless he considers that:

- the time and cost involved in preparing the information would be excessive, or
- disclosure would be prejudicial to the conduct of the liquidation or might be expected to lead to violence against any person, or
- the liquidator is subject to an obligation of confidentiality in relation to the information requested,

in which case he must give the reasons for not providing some or all of the information.

8.4 Any creditor may apply to the court within 21 days of the liquidator's refusal to provide the requested information, or the expiry of the 14 days' time limit for the provision of the information.

9. Provision of information – additional requirements

9.1 The liquidator must provide certain information about the time spent on the case, free of charge, upon request by any creditor, director or shareholder of the company.

9.2 The information which must be provided is –

- the total number of hours spent on the case by the liquidator or staff assigned to the case;
- for each grade of staff, the average hourly rate at which they are charged out;
- the number of hours spent by each grade of staff in the relevant period.

9.3 The period for which the information must be provided is the period from appointment to the end of the most recent period of six months reckoned from the date of the liquidator's appointment, or where he has vacated office, the date that he vacated office.

9.4 The information must be provided within 28 days of receipt of the request by the liquidator, and requests must be made within two years from vacation of office.

10. What if a creditor is dissatisfied?

10.1 Except in cases where there is a liquidation committee it is the creditors as a body who have authority to approve the liquidator's fees.

10.2 If a creditor believes that the liquidator's fees are excessive, the basis is inappropriate, or

the expenses incurred by the liquidator are in all the circumstances excessive he may, provided certain conditions are met, apply to the court.

- 10.3 Application may be made to the court by any secured creditor, or by any unsecured creditor provided at least 10 per cent in value of unsecured creditors (including himself) agree, or he has the permission of the court. Any such application must be made within 8 weeks of the applicant receiving the liquidator's progress report in which the charging of the fees or incurring of the expenses in question is first reported (see paragraph 8.1 above). If the court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give the liquidator a copy of the application and supporting evidence at least 14 days before the hearing.
- 10.4 If the court considers the application well founded, it may order that the fees be reduced, the basis be changed, or the expenses be disallowed or repaid. Unless the court orders otherwise, the costs of the application must be paid by the applicant and not out of the assets of the insolvent company.
- 10.5 On receipt of the liquidator's final account creditors have 8 weeks in which they may challenge the liquidator's fees and expenses as set out above.

11. What if the liquidator is dissatisfied?

- 11.1 If the liquidator considers that the fees fixed by the liquidation committee, or in the preceding administration, is insufficient or that the basis used to fix it is inappropriate he may request that the amount or rate be increased, or the basis changed, by decision of the creditors. If he considers that the fees fixed by the liquidation committee, the creditors, in the preceding administration or in accordance with the statutory scale is insufficient, or that the basis used to fix it is inappropriate, he may apply to the court for the amount or rate to be increased or the basis changed. If he decides to apply to the court he must give at least 14 days' notice to the members of the committee and the committee may nominate one or more of its members to appear or be represented at the court hearing. If there is no committee, the liquidator's notice of his application must be sent to such of the creditors as the court may direct, and they may nominate one or more of their number to appear or be represented. The court may order the costs to be paid out of the assets.

12 Other matters relating to fees

- 12.1 Where the liquidator realises assets on behalf of a secured creditor he is entitled to be remunerated out of the proceeds of sale in accordance with a scale set out in the Rules. Usually, however, the liquidator will agree the basis of his fee for dealing with charged assets with the secured creditor concerned.
- 12.2 Where two (or more) joint liquidators are appointed it is for them to agree between themselves how the fee payable should be apportioned. Any dispute between them may be referred to the court, the committee or the creditors.
- 12.3 If a new liquidator is appointed in place of another, any determination, decision or court order which was in effect immediately before the replacement continues to have effect in relation to the remuneration of the new liquidator until a further determination, decision or court order is made.
- 12.4 Where the basis of the fees is a set amount, and the liquidator ceases to act before the time has elapsed or the work has been completed for which the amount was set, application may be made for a determination of the amount that should be paid to the outgoing liquidator. The application must be made to the same body as approved the fees. Where the outgoing liquidator and the incoming liquidator are from the same firm, they will usually agree the apportionment between them.
- 12.5 There may also be occasions when creditors will agree to make funds available themselves to pay for the liquidator to carry out tasks which cannot be paid for out of the assets, either because they are deficient or because it is uncertain whether the work undertaken will result

in any benefit to creditors. Arrangements of this kind are sometimes made to fund litigation or investigations into the affairs of the insolvent company. Any arrangements of this nature will be a matter for agreement between the liquidator and the creditors concerned and will not be subject to the statutory rules relating to remuneration.

13. Effective date

This guide applies where a liquidator is appointed on or after 1 October 2015, or where information is provided by the liquidator about fees, expenses or other payments after 6 April 2017.

NOTICE OF DECISION PROCEDURE

Company Name: Acorn Bespoke Roofing Limited (in Liquidation) ("the Company")
Company Number: 05591128

This Notice is given under Rule 15.8 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the Liquidator of the Company, David Kaye, of Crawfords Accountants LLP, 50 Trinity Way, Salford, Manchester, M3 7 FX (telephone number +44 (0)161 828 1000).

It is proposed that the following decisions be made:

1. That a Creditors Committee be established.
2. That the Liquidator's remuneration be changed to a fixed fee of £30,000 plus VAT for the entire period of the liquidation by reference to work properly given by the Liquidator and his staff in attending to matters arising in the Liquidation, and that the Liquidator be authorised to draw such remuneration on account from the Liquidation estate as and when funds allow up to the total revised fixed fee.

Also provided is a voting form on which creditors may signify their decisions on the above matters. All voting forms, together with a proof of debt if one has not already been submitted, must be completed and returned to the Liquidator by one of the methods set out below:

By post to: Crawfords Accountants LLP, 50 Trinity Way, Salford, Manchester, M3 7FX
By fax to: 0161 832 1829
By email to: david.kaye@crawfordsinsolvency.co.uk

Please note that, if you are sending votes by post, you must ensure that you have allowed sufficient time for the forms to be delivered to the address above by the Decision Date set out below. An email is treated as delivered at 9am on the next business day after it was sent.

All voting forms and proofs of debt must be delivered by the Decision Date: 23:59 on 8 June 2020.

If the Liquidator has not received a proof of debt by the time specified above (whether submitted previously or as a result of this Notice), that creditor's vote will be disregarded. Any creditor whose debt is treated as a small debt (i.e., not exceeding £1,000) in accordance with Rule 14.31(1) of the Rules must still deliver a proof if the creditor wishes to vote. A creditor who has opted out from receiving notices may nevertheless vote if the creditor also provides a proof by the Decision Date.

Creditors who meet one or more of the statutory thresholds listed below may, within 5 business days from the date of the delivery of this Notice, require a physical meeting to be held to consider the matter.

Statutory thresholds to request a meeting: 10% in value of the creditors
10% in number of the creditors
10 creditors

A creditor may appeal a decision by application to the court in accordance with Rule 15.35 of the Rules. Any such appeal must be made not later than 21 days after the Decision Date.

| | |
|--|---|
| Name of Insolvency Practitioner: | David Kaye |
| Nature of Appointment: | Liquidator |
| Date of Appointment: | 24 July 2018 |
| Address of Insolvency Practitioner: | 50 Trinity Way, Salford, Manchester, M3 7FX |
| IP Number: | 2194 |
| Contact Name: | Tony Chan |
| Email Address: | david.kaye@crawfordsinsolvency.co.uk |
| Telephone Number | +44 (0)161 828 1000 |

Signed


David Kaye
Liquidator

Dated: 15 May 2020

Authenticated and dated by David Kaye, Liquidator of Acorn Bespoke Roofing Limited

ACORN BESPOKE ROOFING LIMITED – IN LIQUIDATION
NOTICE OF CREDITORS' DECISION BY BUSINESS CORRESPONDENCE

Name of Creditor _____

Address _____

The purpose of this creditors' decision by business correspondence is to consider the establishment of a creditors' committee and to change the Liquidator's Remuneration to a fixed fee basis for the entire period of the administration of the liquidation.

The decisions are as follows: -

- | | |
|--|--------------|
| 1. That a Creditors Committee be established | *For/Against |
| 2. That the Liquidator's remuneration be changed to a fixed fee of £30,000 plus VAT for the entire period of the liquidation by reference to work properly given by the Liquidator and his staff in attending to matters arising in the Liquidation, and that the Liquidator be authorised to draw such remuneration on account from the Liquidation estate as and when funds allow up to the total revised fixed fee. | *For/Against |

* Please delete as applicable to indicate your voting instructions

Signed: _____ Dated: _____

Name in capitals: _____

Position with, or relationship to, creditor or other authority for signature: _____

Are you the sole member/shareholder of the creditor (where it is a company)? Yes / No

Please complete this form and return it, along with a completed proof of debt if you have not submitted one previously, so that it is delivered by 23:59 on 8 June 2020.

Post: Crawfords Accountants LLP, 50 Trinity Way, Salford, Manchester, M3 7FX

Fax: 0161 832 1829

**Email: please scan in a signed copy of this form and attach it as a PDF to
david.kaye@crawfordsinsolvency.co.uk**

PROOF OF DEBT – GENERAL FORM**ACORN BESPOKE ROOFING LIMITED
IN CREDITORS' VOLUNTARY LIQUIDATION**

Date of resolution for voluntary winding-up 22 March 2017

| DETAILS OF CLAIM | | |
|---|--|---|
| 1. | Name of Creditor (if a company, its registered name) | |
| 2. | Address of Creditor (i.e. principal place of business) | |
| 3. | If the Creditor is a registered company: <ul style="list-style-type: none"> • For UK companies: its registered number • For other companies: the country or territory in which it is incorporated and the number if any under which it is registered • The number, if any, under which it is registered as an overseas company under Part 34 of the Companies Act | |
| 4. | Total amount of claim, including any Value Added Tax, as at the date of insolvency, less any payments made after this date in relation to the claim, any deduction under R14.20 of the Insolvency (England & Wales) Rules 2016 and any adjustment by way of set-off in accordance with R14.24 and R14.25 | £ |
| 5. | If the total amount above includes outstanding uncapitalised interest, please state | YES (£) / NO |
| 6. | Particulars of how and when debt incurred | |
| 7. | Particulars of any security held, the value of the security, and the date it was given | |
| 8. | Details of any reservation of title in relation to goods to which the debt relates | |
| 9. | Details of any document by reference to which the debt can be substantiated. [Note the officeholder may call for any document or evidence to substantiate the claim at his discretion] | |
| 10. | Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 | Category Amount(s) claimed as preferential £ |
| AUTHENTICATION | | |
| Signature of Creditor or person authorised to act on his behalf | | |
| Name in BLOCK LETTERS | | |
| Date | | |
| If signed by someone other than the Creditor, state your postal address and authority for signing on behalf of the Creditor | | |
| Are you the sole member of the Creditor? | | YES / NO |

ACORN BESPOKE ROOFING LIMITED – IN LIQUIDATION

NOTICE OF INVITATION TO FORM A CREDITOR COMMITTEE

This Notice is given under Rule 10.76 of the Insolvency Rules (England & Wales) 2016 (“the Rules”). It is delivered by David Kaye, the Liquidator, of Crawfords Accountants LLP at 50 Trinity Way, Salford, Manchester, M3 7FX (telephone number +44 (0)161 828 1000).

Creditors are invited to nominate creditors (which may include themselves) by completing the section below and returning this Notice to the Trustee in Bankruptcy at this office by one of the following methods:

By post to: 50 Trinity Way, Salford, Manchester, M3 7FX
By email to: david.kaye@crawfordsinsolvency.co.uk

Please note that, if you are sending nominations by post, you must ensure that you have allowed sufficient time for the Notice to be delivered to the address above by the date set out below. An email is treated as delivered at 9am on the next business day after it was sent.

All nominations must be delivered by: 4pm on 5 June 2020

Nominations can only be accepted if the Convener of the meeting is satisfied as to the nominated creditor’s eligibility under Rule 17.4 of the Rules.

For further information on the role of Creditors’ Committees, go to:

<https://www.r3.org.uk/media/documents/publications/professional/R3%20Guide%20to%20Creditors%20Committees.pdf>

ACORN BESPOKE ROOFING LIMITED – IN LIQUIDATION
NOMINATIONS FOR MEMBERS OF A CREDITOR COMMITTEE

On behalf of (name of Creditor):

at (address of Creditor):

I nominate the following creditor(s) to be member(s) of a Creditor Committee (provide name(s) and address(es)):

1.

2.

3.

Signed:

Dated:

Name in capitals:

Position with, or relationship to, Creditor or other authority for signature: _____

Are you are the sole member/shareholder of the Creditor (where it is a company)? Yes / No