

WU07

Notice of progress report in a winding-up by the court



Companies House



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19/11/2021

#100

COMPANIES HOUSE

FF FRIDAY

1 Company details

Company number 0 5 6 3 6 1 4 9

Company name in full Amos Commercial Limited

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

2 Liquidator's name

Full forename(s) Paul

Surname Boyle

3 Liquidator's address

Building name/number Suite 2D Queens Chambers

Street 5 John Dalton Street

Post town Manchester

County/Region

Postcode M 2 6 E T

Country

4 Liquidator's name ①

Full forename(s) David

Surname Clements

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

5 Liquidator's address ②

Building name/number Suite 2D Queens Chambers

Street 5 John Dalton Street

Post town Manchester

County/Region


Postcode M 2 6 E T

Country

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

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Notice of progress report in a winding-up by the court

6	Period of progress report											
From date	^d 2	^d 1	^m 0	^m 9	^y 2	^y 0	^y 2	^y 0				
To date	^d 2	^d 0	^m 0	^m 9	^y 2	^y 0	^y 2	^y 1				
7	Progress report											
<input checked="" type="checkbox"/> The progress report is attached												
8	Sign and date											
Liquidator's signature	<div>Signature</div> <div>X  X</div>											
Signature date	^d 1	^d 2	^m 1	^m 1	^y 2	^y 0	^y 2	^y 1				

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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	Julian Moules
Company name	Harrisons Business Recovery and Insolvency Limited
Address	Suite 2D Queens Chambers 5 John Dalton Street
Post town	Manchester
County/Region	
Postcode	M 2 6 E T
Country	
DX	manchester@harrisons.uk.com
Telephone	0161 876 4567



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

Amos Commercial Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £	From 21/09/2020 To 20/09/2021 £	From 21/09/2018 To 20/09/2021 £
COSTS OF REALISATION		
Legal Fees - Jones and Co	250.00	250.00
137 Park Road - Plumbing Repairs	400.00	400.00
137 Park Road - Management fees	2,975.44	2,975.44
	<u>(3,625.44)</u>	<u>(3,625.44)</u>
ASSET REALISATIONS		
Bank Interest Gross	5.09	17.49
Rent - Park Road Apartment	7,200.00	21,300.00
	<u>7,205.09</u>	<u>21,317.49</u>
COST OF REALISATIONS		
Cat 1 Legal Fees (incurred in Admin.)	NIL	929.38
Cat 1 Search Costs	NIL	1.00
Cat 1 Statutory Advertising	NIL	84.18
Cat 2 Printing, Postage and Stationery	NIL	135.57
Cat 2 Storage Costs	NIL	30.00
DTI Audit Fees	88.00	242.00
DTI Cheque Fees	0.30	1.70
Insurance of Assets	332.66	799.69
O.R.Liquidation Administration Fee	270.00	4,115.00
Sec of State Fees	714.00	2,540.74
	<u>(1,404.96)</u>	<u>(8,879.26)</u>
	2,174.69	8,812.79
REPRESENTED BY		
Bank 2 Current IB		600.09
ISA IB		8,162.55
VAT Receivable		50.15
		8,812.79

**Amos Commercial Limited
- In Liquidation**

**Joint Liquidators' Annual
Progress Report to
Creditors and Members**

12 November 2021

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

CONTENTS

1 Introduction and Statutory Information

2 Progress of the Liquidation

3 Creditors

4 Joint Liquidators' Remuneration

5 Creditors' Rights

6 Next Report

APPENDICES

A Receipts and Payments Account for the period from 21 September 2020 to 20 September 2021

B Cumulative Receipts and Payments Account for the period from 21 September 2018 to 20 September 2021

C Time Analysis for the period from 21 September 2020 to 20 September 2021

D Cumulative Time Analysis for the period from 21 September 2018 to 20 September 2021

E Additional information in relation to Joint Liquidators' Fees, Expenses and Disbursements

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

1 Introduction and Statutory Information

- 1.1 I, Paul Boyle, together with my partner David Clements, of Harrisons Business Recovery and Insolvency Limited, Suite 2D Queens Chambers, John Dalton Street, Manchester M2 6ET was appointed Joint Liquidator of Amos Commercial Limited ('the Company') on 21 September 2018 following the presentation of a petition for the compulsory winding up of the Company. The winding-up order was made on 21 September 2018 in the High Court of Justice, Business and Property Courts in Leeds under court reference number 275 of 2015. This progress report covers the period from 21 September 2020 to 20 September 2021 ('the Period') and should be read in conjunction with the previous progress reports which have been issued.
- 1.2 Information about the way that we will use, and store personal data on insolvency appointments can be found at <https://harrisons.uk.com/privacy-policy> . If you are unable to download this, please contact us and a hard copy will be provided to you.
- 1.3 The trading address of the Company was Alexandra House, Queen Street, Leek, Staffordshire ST13 6LP.
- 1.4 The registered office of the Company was changed to , Suite 2D Queens Chambers, John Dalton Street, Manchester M2 6ET and its registered number is 05636149.

2 Progress of the Liquidation

- 2.1 This section of the report provides creditors with an update on the progress made in the liquidation during the period from 21 September 2020 to 20 September 2021.
- 2.2 At Appendix A is my Receipts and Payments Account for the period from 21 September 2020 to 20 September 2021. At Appendix B is my cumulative Receipts and Payments Account for the period from my appointment on 21 September 2018 to 20 September 2021.
- 2.3 Further information about the basis of remuneration in this case and the Joint Liquidators' time costs can be found in section 4 of this report.

Administration (including statutory compliance & reporting)

- 2.4 The Joint Liquidators must comply with certain statutory compliance matters in accordance with the Insolvency Act 1986 and other related legislation.
- 2.5 As previously advised, statutory compliance and reporting work will not necessarily bring any financial benefit to creditors, but is required on every case by statute.

Realisation of Assets

- 2.6 All properties owned by the Company at the outset of the prior Administration were subject to the mortgage debenture of Sterling Property Developments Limited ('Sterling') which had the sum of £5177167.01 outstanding as at 23 March 2015, immediately prior to the Administration appointment.

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

Asset Realisations – Flat 2, 137 Park Road, Buxton, Derbyshire SK17 6NS

- 2.7 At the appointment of the Joint Administrators on 24 March 2015, the property at Flat 2, 137 Park Road, Buxton, Derbyshire SK17 6NS (Land Registry Title number DY404023) was being actively marketed with an asking price of £169950 although agents Winterhill considered that this was too high and that a more realistic market value for the property would be the sum of £150000.
- 2.8 The property is currently being marketed for sale by auction and creditors will be kept advised of developments in this regard in future reports issued in the compulsory liquidation.

Rental Income from Flat 2, 137 Park Road, Buxton, Derbyshire SK17 6NS

- 2.9 The sum of £7200 has been received in rental income from Flat 2, 137 Park Road, Buxton, Derbyshire SK17 6NS which is paid on a monthly basis. As soon as the property is sold, the rental payments to the liquidation estate will cease.
- 2.10 It is considered that the work the Joint Liquidators and their staff have undertaken to date will bring a financial benefit to creditors. This may be a distribution to the secured creditor of the Company only via the hive down company (from which a Prescribed Part fund may be derived for the benefit of unsecured creditors) or may, depending on realisations and the extent of any 3rd party security, result in a distribution to the preferential and unsecured creditors of the Company.

Creditors (claims and distributions)

- 2.11 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. The Liquidators are not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.
- 2.12 The above work will not necessarily bring any financial benefit to creditors generally, however the Liquidators are required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidators in dealing with those claims.

Investigations

- 2.13 As you may be aware, in a compulsory liquidation the duty to investigate the Company's affairs is the responsibility of the Official Receiver. There is no requirement on the Joint Liquidators to submit a report on the directors' conduct to the Department for Business, Energy and Industrial Strategy, however where matters are brought to the Joint Liquidators' attention these are reported as appropriate to the Official Receiver for further consideration.
- 2.14 Following our investigations and information received from chargeholder Sterling in the prior Administration, there were a number of issues to explore further which might lead to additional recoveries. These further investigations would require the financial support of Sterling and it is now unlikely that it will be commercially viable to proceed in this regard. The Joint Liquidators have asked Sterling to provide a definitive answer regarding this issue and it is anticipated that a decision will be reached in the near future. Creditors will be advised of developments in the next progress report.

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

- 2.15 Since my appointment as Joint Liquidator, I would confirm that no further potential asset realisations have come to light that may be pursued by me for the benefit of creditors other than those in section 2.14 which have already been identified and outlined above.

Matters still to be dealt with

- 2.16 The two remaining matters to be dealt with in the compulsory liquidation are the realisation of the property at Flat 2, 137 Park Road, Buxton, Derbyshire SK17 6NS as outlined at 2.8 above and the completion of the investigations as outlined at 2.14 above.

3 Creditors

Secured Creditors

- 3.2 Sterling Property Developments Limited ('Sterling') holds a fixed and floating charge over the Company's assets and had the sum of £5177167.01 outstanding as at 23 March 2015 immediately prior to the appointment of the Joint Administrators in the former Administration. The validity of the charge has been confirmed by the Joint Liquidators' solicitors in the earlier Administration.

- 3.3 There has been no distribution to Sterling in the compulsory liquidation.

Preferential Creditors

- 3.4 There are no preferential creditors as the Company had no employees.

Unsecured Creditors

- 3.5 I have received no claims from unsecured creditors during the course of the compulsory liquidation. I did receive claims totalling £42519.39 from eleven unsecured creditors in the prior Administration of the Company even though no unsecured creditors had been listed in the Joint Administrators' proposals and I received only a small amount of information from Director Colin Amos. I am therefore unable to estimate whether there are significant further claims still to be submitted by unsecured creditors but have advised in all reports issued that there was no prospect of a dividend declaration to unsecured creditors in any event.
- 3.6 A floating charge formerly held by Lloyds TSB Bank plc was formally assigned to Sterling on 11 October 2011 with the signed agreement of the Director Colin Amos. Accordingly, I am required to create a fund out of the Company's net floating charge property for unsecured creditors known as the 'Prescribed Part'.
- 3.7 After taking into account the costs of the proceedings, however, I do not consider that there will be any net property available with the sole remaining tangible asset being subject to a fixed charge.
- 3.8 I would therefore confirm that it is anticipated there will be insufficient funds realised after defraying the expenses of the liquidation to pay a dividend to unsecured creditors.

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

4 Joint Liquidators' Remuneration

- 4.1 As advised in my final Administration report to creditors dated 5 October 2018 and initial compulsory liquidation letter to creditors dated 2 October 2018, the only asset in the liquidation is subject to a fixed charge and it is not anticipated that there will be any surplus from which the Joint Liquidators would be able to draw remuneration. Accordingly, the Joint Liquidators did not seek fee approval from any class of creditor for remuneration which would not be drawn.
- 4.2 My time costs for the period from 21 September 2020 to 20 September 2021 are £14,102.00. This represents 58.6 hours at an average rate of £240.65 per hour. Attached at Appendix C is a Time Analysis which provides details of the activity costs incurred by staff grade during the period from 21 September 2020 to 20 September 2021. As the Joint Liquidators hold no fee approval as outlined at 4.1 above, no remuneration was drawn.
- 4.3 There is time spent dealing with this matter in the 'Administration and Planning' section of the Time Analysis attached at Appendix C which accounts for time costs of £5,158.50, or the equivalent of 24.1 hours. This includes time spent dealing with the administration of the case, general correspondence in the performance of Joint Liquidators' duties and statutory reporting obligations.
- 4.4 The sum of £7,618.50, or the equivalent of 29.2 hours, has been allocated to 'Realisation of Assets' and has been spent in dealing with the property as outlined at 2.7 to 2.10 above. The sum of £1,325.00, or the equivalent of 5.3 hours has been spent in dealing with the Company's creditors.
- 4.5 Attached at Appendix D is a cumulative Time Analysis for the period from my appointment as Joint Liquidator on 21 September 2018 to 20 September 2021 in respect of the time properly spent in managing the liquidation.
- 4.6 The Joint Liquidators' current outstanding disbursements are outlined at Appendix E.
- 4.7 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from <http://harrisons.uk.com/creditors-guide-fees>.
- 4.8 Attached at Appendix E is additional information in relation to the Joint Liquidators' fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.

5 Creditors' Rights

- 5.1 Within twenty-one days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least five percent in value of the unsecured creditors) may request in writing that the Joint Liquidators provide further information about their remuneration or expenses which have been itemised in this progress report.
- 5.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least ten percent in value of the unsecured creditors) may within eight weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Joint Liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Joint Liquidators, as set out in this progress report, are excessive.

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

6 Next Report

- 6.1 I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final account.
- 6.2 If you have any queries in relation to the contents of this report, I can be contacted by telephone on 07551 783 697 or by email at Manchester@harrisons.uk.com.

Yours faithfully



Paul Boyle
Joint Liquidator

12 November 2021

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

Appendix A

Receipts and Payments Account for the period from 21 September 2020 to 20 September 2021

Amos Commercial Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £	From 21/09/2020 To 20/09/2021 £	From 21/09/2018 To 20/09/2021 £
COSTS OF REALISATION		
Legal Fees - Jones and Co	250.00	250.00
137 Park Road - Plumbing Repairs	400.00	400.00
137 Park Road - Management fees	2,975.44	2,975.44
	(3,625.44)	(3,625.44)
ASSET REALISATIONS		
Bank Interest Gross	5.09	17.49
Rent - Park Road Apartment	7,200.00	21,300.00
	7,205.09	21,317.49
COST OF REALISATIONS		
Cat 1 Legal Fees (incurred in Admin.)	NIL	929.38
Cat 1 Search Costs	NIL	1.00
Cat 1 Statutory Advertising	NIL	84.18
Cat 2 Printing, Postage and Stationery	NIL	135.57
Cat 2 Storage Costs	NIL	30.00
DTI Audit Fees	88.00	242.00
DTI Cheque Fees	0.30	1.70
Insurance of Assets	332.66	799.69
O.R.Liquidation Administration Fee	270.00	4,115.00
Sec of State Fees	714.00	2,540.74
	(1,404.96)	(8,879.26)
	2,174.69	8,812.79
REPRESENTED BY		
Bank 2 Current IB		600.09
ISA IB		8,162.55
VAT Receivable		50.15
		8,812.79

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

Appendix B

Cumulative Receipts and Payments Account for the period from 21 September 2018 to 20 September 2021

Amos Commercial Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £	From 21/09/2018 To 20/09/2021 £	From 21/09/2018 To 20/09/2021 £
COSTS OF REALISATION		
Legal Fees - Jones and Co	250.00	250.00
137 Park Road - Plumbing Repairs	400.00	400.00
137 Park Road - Management fees	2,975.44	2,975.44
	<u>(3,625.44)</u>	<u>(3,625.44)</u>
ASSET REALISATIONS		
Bank Interest Gross	17.49	17.49
Rent - Park Road Apartment	21,300.00	21,300.00
	<u>21,317.49</u>	<u>21,317.49</u>
COST OF REALISATIONS		
Cat 1 Legal Fees (incurred in Admin.)	929.38	929.38
Cat 1 Search Costs	1.00	1.00
Cat 1 Statutory Advertising	84.18	84.18
Cat 2 Printing, Postage and Stationery	135.57	135.57
Cat 2 Storage Costs	30.00	30.00
DTI Audit Fees	242.00	242.00
DTI Cheque Fees	1.70	1.70
Insurance of Assets	799.69	799.69
O.R.Liquidation Administration Fee	4,115.00	4,115.00
Sec of State Fees	2,540.74	2,540.74
	<u>(8,879.26)</u>	<u>(8,879.26)</u>
	<u>8,812.79</u>	<u>8,812.79</u>
REPRESENTED BY		
Bank 2 Current IB		600.09
ISA IB		8,162.55
VAT Receivable		50.15
		<u>8,812.79</u>

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

Appendix C

Time Analysis for the period from 21 September 2020 to 20 September 2021

Time Entry - SIP9 Time & Cost Summary

AMOSC005 - Amos Commercial Limited
Project Code: POST
From: 21/09/2020 To: 20/09/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	0.00	0.00	18.20	5.90	24.10	5,158.50	214.05
Case specific matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	5.30	0.00	5.30	1,325.00	250.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisations of Assets	1.30	0.00	27.90	0.00	29.20	7,618.50	260.91
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	1.30	0.00	51.40	5.90	58.60	14,102.00	240.65
Total Fees Claimed						0.00	

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

Appendix D

Cumulative Time Analysis for the Period from 21 September 2018 to 20 September 2021

Time Entry - SIP9 Time & Cost Summary

AMOSC005 - Amos Commercial Limited
Project Code: POST
From: 21/09/2016 To: 20/09/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	0.00	0.00	76.90	22.20	99.10	22,115.50	223.16
Case specific matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	9.50	0.00	9.50	2,375.00	250.00
Investigations	0.00	0.00	12.90	0.00	12.90	3,225.00	250.00
Realisations of Assets	1.30	0.00	51.10	0.00	52.40	13,418.50	256.08
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	1.30	0.00	150.40	22.20	173.90	41,134.00	236.54
Total Fees Claimed						0.00	

Amos Commercial Limited In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Creditors and Members

Appendix E

Additional Information in Relation to the Joint Liquidators' Fees, Expenses & Disbursements

Staff Allocation and the Use of Sub-Contractors

The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The constitution of the case team will usually consist of a Partner, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment.

We are not proposing to utilise the services of any sub-contractors in this case.

Professional Advisors

On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of Professional Advisor	Basis of Fee Arrangement
Walker Morris LLP (legal advice)	Hourly rate and disbursements
Jones & Co. (legal advice)	Hourly rate and disbursements
AUA Insolvency Risk Services (insurance)	Risk based premium

Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

Current position of Joint Liquidators' expenses

An analysis of the expenses paid to the date of this report, together with those incurred but not paid at the date of this report is provided below:

Amos Commercial Limited In Compulsory Liquidation**Joint Liquidators' Annual Progress Report to Creditors and Members**

	Paid in prior period £	Paid in the period covered by this report £	Incurred but not paid to date £	Total anticipated cost £
Legal Fees – Walker Morris	929.38	Nil	2000.00	5000.00
Legal Fees - Jones & Co	Nil	250.00	Nil	3000.00
Insurance	467.03	352.66	130.00	1120.00
Statutory advertising	84.18	Nil	Nil	84.18
Specific penalty bond	Nil	11.50	Nil	11.50
Park Road management fees	Nil	2975.44	Nil	3700.00
Plumbing Repairs	Nil	400.00	Nil	400.00
HM Land Registry Search	1.00	Nil	Nil	1.00
Category 2 disbursements				
Printing, postage and stationery	135.37	Nil	34.95	200.00
Storage	30.00	Nil	81.00	150.00

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case. These disbursements are included in the tables of expenses above.

Category 2 disbursements do require approval from creditors. These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis such as internal room hire, document storage or business mileage. Details of Category 2 disbursements charged by this firm (where appropriate) were provided at the time the Liquidators' fees were approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

Charge-Out Rates

Harrisons Business Recovery and Insolvency Limited's current charge-out rates effective from each period are detailed below. Please note this firm records its time in minimum units of six minutes.

	From 1 January 2021	2021/2022
	£	£
Partner	450 – 775	450 – 775
Managers	275 – 450	275 – 450
Senior Case Supervisors	200 – 275	200 – 275
Case Supervisors	150 – 200	150 – 200
Assistants/Trainee Case Supervisors	100 – 150	100 – 150