

LIQ03

Notice of progress report in voluntary winding up



Companies House

THURSDAY



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24/09/2020

#253

COMPANIES HOUSE

1 Company details

Company number: 0 5 8 7 8 0 0 2

Company name in full: All About Brands Plc

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

2 Liquidator's name

Full forename(s): Brian Johnson

Surname:

3 Liquidator's address

Building name/number: UHY Hacker Young LLP

Street: Quadrant House

4 Thomas More Square

Post town: London

County/Region:

Postcode: E 1 W 1 Y W

Country:

4 Liquidator's name ①

Full forename(s):

Surname:

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

5 Liquidator's address ②

Building name/number:

Street:

Post town:

County/Region:

Postcode:

Country:

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

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6 Period of progress report

From date	d 2	d 7	m 0	m 7	y 2	y 0	y 1	y 9
To date	d 2	d 6	m 0	m 7	y 2	y 0	y 2	y 0

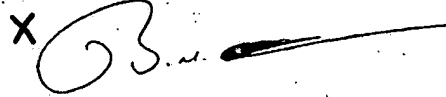
7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X 

X

Signature date

d 2	d 4	m 0	m 9	y 2	y 0	y 2	y 0
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LIQ03

Notice of progress report in voluntary winding up

**Presenter information**

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

Contact name

Brian Johnson

Company name

UHY Hacker Young LLP

Address

Quadrant House

4 Thomas More Square

Post town

London

County/Region

Postcode

E 1 W 1 Y W

Country

United Kingdom

DX

Telephone

020 7 216 4600

**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

**Liquidator's annual
progress report to
creditors and members**

**All About Brands Plc
- In Liquidation**

For the period ended 26 July 2020

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- 2** Progress of the liquidation
- 3** Creditors
- 4** Liquidator's remuneration
- 5** Creditors' rights
- 6** Ethics
- 7** Next report

APPENDICES

- A** Receipts and payments account for the period 27 July 2019 to 26 July 2020 and cumulative to 26 July 2020
- B** Time analysis for the period 27 July 2019 to 26 July 2020
- C** Additional information in relation to liquidator's fees, expenses and disbursements

1 Introduction and statutory information

- 1.1 I, Brian Johnson, formerly of Fisher Partners, was appointed as joint liquidator of All About Brands Plc ("the Company") with Nicholas O'Reilly on 27 July 2012. However, on 31 October 2013, Nicholas O'Reilly retired from Fisher Partners and HW Fisher & Company. In order to deal with the transfer of appointment in an expedient and cost effective manner, David Birne was substituted as joint liquidator in Mr O'Reilly's place, pursuant to an Order of the High Court dated 20 December 2013.
- 1.2 I moved to UHY Hacker Young LLP on 29 May 2019. David Birne resigned as Joint joint liquidator on 20 May 2019, as it was no longer considered expedient for both liquidators to remain in office.
- 1.3 This progress report covers the period from 27 July 2019 to 26 July 2020 and should be read in conjunction with any previous progress reports which have been issued.
- 1.4 The principal trading address of the Company was 77 St Martin's Lane, London WC2N 4AA.
- 1.5 The registered office of the Company has been changed to Quadrant House, 4 Thomas More Square, London E1W 1YW for the purposes of the liquidation and the Company's registered number is 05878002.

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 27 July 2019 to 26 July 2020.
- 2.2 Attached, at Appendix A, is my receipts and payments account for the period 27 July 2019 to 26 July 2020 and cumulative to 26 July 2020.
- 2.3 Attached, at Appendix B, is my time analyses outlining the time spent by myself and my staff during the period 27 July 2019 to 26 July 2020.
- 2.4 Further information about the basis of remuneration agreed in this case and the Liquidator's fees can be found in section 4 of this report.

Administration

- 2.5 A liquidator must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation.
- 2.6 This work includes dealing with the Company's creditors and employees together with administrative tasks associated the appointment, such as agreeing the strategy for the liquidation, filing notices of appointment, statutory advertising, opening and

maintaining the estate cash book and bank accounts and reporting periodically to creditors, HM Revenue & Customs ("HMRC") and the Registrar of Companies.

- 2.7 Creditors should note that this work will not necessarily bring any financial benefit to creditors but is required on every case by statute.

Realisation of assets

Settlement

- 2.8 Creditors will recall that the director, Allan Biggar, has an outstanding loan account with All About Brands Plc.
- 2.9 I had previously reported that I had entered into lengthy discussions with the Mr Biggar in relation to proposals for repayment of the loans (including the loan due to the Company from Life Orientations Limited, of whom Mrs Bridget Biggar, Mr Biggar's wife, is the sole director).
- 2.10 As previously confirmed a settlement agreement was entered into with Mr and Mrs Biggar, with monthly payments being made pursuant to the settlement agreement.
- 2.11 Allan and Bridget Biggar continued to make minimum monthly payments of £500 pursuant to the terms of the settlement agreement. At the end of the first year, 28 February 2018, a larger balancing payment was due to be paid by Mr and Mrs Biggar, to bring the total contributions for the year to £60,000. Unfortunately, this balancing payment was not received and I again entered into correspondence with Mr & Mrs Biggar and their solicitor.
- 2.12 On 13 April 2018, the Financial Conduct Authority ("FCA") obtained a restraint order under the Proceeds of Crime Act 2002. The restraint order prohibits the disposal of assets in relation to the alleged offender, Mr Allan Biggar.
- 2.13 The settlement included the provision of security in respect of the sums payable and after protracted correspondence the paperwork to grant the charge over Mr & Mrs Biggar's matrimonial property was eventually received. In order to register the charge, it was necessary to obtain the consent of Clydesdale Bank. Once this was obtained, I instructed solicitors to take steps to register the charge at the Land Registry.
- 2.14 Following the registration of a restriction over the matrimonial property by the FCA, the Land Registry declined to register the charge due to the FCA's restriction. The Land Registry requires consent from the FCA in order to finalise the registration of the Company's charge. Having provided evidence to the FCA to confirm that the charge was entered into prior to the restriction and would therefore not constitute a dissipation of Mr Biggar's assets, the FCA has acknowledged that the liquidation estate held an unregistered legal charge over the property known as Bluebell House before the Restraint Order was made.

- 2.15 Formal consent from the FCA to facilitate the registration of the charge at the Land Registry has been received and the charge has been registered.
- 2.16 During the period, Mr and Mrs Biggar made payments totalling £10,450.00 against sums due.
- 2.17 It is anticipated that the work that my staff and I have undertaken to date will bring a financial benefit to creditors. This may be a distribution to secured creditors of the Company only (from which a Prescribed Part fund may be derived for the benefit of unsecured creditors) or may, depending on realisation and the extent of any third party security, result in a distribution to the preferential and/or unsecured creditors of the Company.

Secured sum due from Business Edge Network Limited ("BEN")

- 2.18 Creditors will recall that the Company is owed £21,032 by BEN in respect of a secured claim. This claim has survived the successful conclusion of BEN's CVA. I am liaising with the director of BEN to ascertain how best to recover this amount.

Creditors (claims and distributions)

- 2.19 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. I am 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.
- 2.20 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 2.21 The above work will not necessarily bring any financial benefit to creditors generally, however I am 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 a liquidator in dealing with those claims.

Investigations

- 2.22 You may recall from my previous progress reports to creditors that some of the work a liquidator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 ("CDDA 1986") and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that I can pursue for the benefit of creditors.

- 2.23 My report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986 was submitted during the first year of the liquidation and is confidential.
- 2.24 Shortly after appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account information provided by creditors either at the first meeting of creditors or as a response to my request to complete an investigation questionnaire. My investigations revealed certain issues; however I am unable to comment upon them at this point so as to not prejudice current settlement negotiations or any potential future action.
- 2.25 Since my last progress report I would advise that no further asset realisations have come to light that may be pursued by me for the benefit of creditors.

Matters still to be dealt with

As noted above, the liquidation remains open, to await the conclusion of the settlement entered into with Mr and Mrs Biggar and to recover the sum owed by BEN.

3 Creditors

Secured creditors

- 3.1 Clydesdale Bank Plc holds fixed and floating charges over the Company's assets. At the date of the liquidation the indebtedness was estimated at £299,682. I understand that Mr Biggar has been making repayments to Clydesdale Bank Plc under a personal guarantee and that the indebtedness has now reduced.

Preferential creditors

- 3.2 I have received preferential claims from the Company's former employees totalling £17,097.57. The claims relate to arrears of wages up to a statutory limit of £800 per employee and outstanding holiday pay.
- 3.3 I have also received a preferential claim from the Redundancy Payments Services ("RPS"), totalling £4,977. This relates to payments made by the RPS in respect of arrears of wages and outstanding holiday pay.

Unsecured creditors

- 3.4 I have received claims totalling £2,070,470.56 from 32 creditors. I have yet to receive claims from 31 creditors whose debts total £132,229.19 as per the Company's statement of affairs.

- 3.5 The Company granted a floating charge to Clydesdale Bank Plc on 26 October 2006. 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").
- 3.6 Based on present information, I estimate the value of the Company's net floating charge property to be nil. Arising from this, the value of the unsecured creditors' fund is presently estimated to be nil.
- 3.7 As mentioned above, the settlement with two of the directors may provide a small dividend although the likely quantum and timeframe remains at this stage very much uncertain.

4 Liquidator's remuneration

- 4.1 The Creditors' Committee approved that the basis of the liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the liquidation
- 4.2 My time costs for the period 27 July 2019 to 26 July 2020 are £3,779.50. This represents 12.6 hours at an average rate of £299.96 per hour. Attached, as Appendix B, is a time analysis which provides details of the activity costs incurred by staff grade during the period 27 July 2019 to 26 July 2020 in respect of the costs fixed by reference to time properly spent by us in managing the liquidation. During this reporting period, the sum of £10,000.00 was drawn on account.
- 4.3 My time costs for the duration of the liquidation amount to £127,198.20, of which £66,360.94 has been drawn to date.
- 4.4 A copy of 'A Creditors' Guide to Liquidators' Fees' published by the Association of Business Recovery Professionals (R3) is available at <https://www.uhy-uk.com/wp-content/uploads/Liquidations-Creditor-Fee-Guide-April-2017.pdf>
- 4.5 Attached, as Appendix C, is additional information in relation to my fees, expenses and disbursements, including, where relevant, information on the use of subcontractors and professional advisers.

5 Creditors' rights

- 5.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that I provide further information about his 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 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for my remuneration is inappropriate and/or the remuneration charged

or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

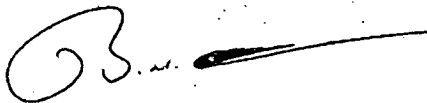
6 Ethics

- 6.1 Please be advised that I am bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.
- 6.2 During this reporting period no new threats to compliance with the Code of Ethics were identified.

7 Next report

- 7.1 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.

Yours faithfully

A handwritten signature in black ink, appearing to read 'B. Johnson', with a long horizontal stroke extending to the right.

**BRIAN JOHNSON
LIQUIDATOR**

Appendix A

Receipts and payments account for the period 27 July 2019 to 26 July 2020 and cumulative to 26 July 2020

S of A		From 27/07/19 To 26/07/20	From 27/07/12 To 26/07/20
£		£	£
ASSET REALISATIONS			
Uncertain	Accrued Income	NIL	NIL
Uncertain	Prepayments	NIL	NIL
Uncertain	Intercompany Book Debts	NIL	NIL
52,206.00	Directors' Loan Account	10,450.00	19,500.00
Uncertain	Secured Loan to Connected Company	NIL	NIL
Uncertain	Book Debts	NIL	36,000.00
Uncertain	Shares and Investments	NIL	NIL
Uncertain	Tax Refund	NIL	1,059.36
450.00	Funds on Account	NIL	1.64
-	Bank Interest Gross	NIL	61.06
-	Interest on Book Debt	NIL	500.00
-	Dividend Received	NIL	29,738.74
52,656.00		10,450.00	86,860.80
COST OF REALISATIONS			
	Specific Bond	NIL	(117.00)
	Statement of Affairs Fee	NIL	(10,000.00)
	Legal Fees	(125.00)	(7,849.00)
	Storage Costs	NIL	(171.95)
	Statutory Advertising	NIL	(185.82)
	Bank Charges	NIL	(0.09)
	The Creditor Gateway fees	(10.00)	(10.00)
	Liquidators Fees	(10,000.00)	(66,360.94)
	Liquidators Expenses	NIL	(712.00)
	Land Registry search fees	NIL	(39.00)
	Companies House search fees	NIL	(50.00)
		(10,135.00)	(85,495.80)
PREFERENTIAL CREDITORS			
(23,663.00)	Employees	NIL	NIL
		NIL	NIL
FLOATING CHARGE CREDITORS			
(299,628.00)	Clydesdale Bank Plc	NIL	NIL
		NIL	NIL

UNSECURED CREDITORS

(214,413.00)	Trade and Expense Creditors	NIL	NIL
(198,732.00)	Employees	NIL	NIL
(325,388.00)	HM Revenue and Customs	NIL	NIL
(1,343,069.00)	Intercompany Creditors	NIL	NIL
(69,000.00)	Unsecured Loans	NIL	NIL
		<hr/>	<hr/>
		NIL	NIL
		<hr/>	<hr/>
		315.00	1,365.00
		<hr/>	<hr/>

REPRESENTED BY

Non-Interest Bearing Current Account

1,365.00

1,365.00

Time analysis
for the period 27 July 2019 to 26 July 2020

Classification of work function	Partner		Director		Manager		Asst Manager		Snr Administrator		Administrator		Junior Administrator		Total Hours	Total Cost £	Avg Hourly Rate
	Hours	£	Hours	£	Hours	£	Hours	£	Hours	£	Hours	£	Hours	£			
Administration & Planning																	
Administrative Set-up	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Appointment Notification	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Case Planning	0.55	261.25	0.00	0.00	1.10	308.00	0.20	46.00	0.00	0.00	0.00	0.00	0.00	0.00	1.85	615.25	332.57
Maintenance of Records	0.00	0.00	0.00	0.00	1.00	250.00	0.60	138.00	0.00	0.00	0.00	0.00	0.00	0.00	1.60	388.00	242.50
Statutory Reporting	0.00	0.00	0.00	0.00	0.00	0.00	3.60	828.00	1.30	156.00	0.00	0.00	0.00	0.00	4.90	984.00	200.82
Realisation of Assets																	
Debt Collection	1.25	593.75	0.00	0.00	0.10	28.00	0.10	23.00	0.00	0.00	0.00	0.00	0.00	0.00	1.45	644.75	444.66
Securing, Insuring Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Property, business and asset sales	2.10	997.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.10	997.50	475.00
Retention of Title	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors																	
Communication with Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.40	92.00	0.10	12.00	0.00	0.00	0.00	0.00	0.50	104.00	208.00
Creditors' Claims	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations																	
SIP 2 Review	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Antecedent Transactions	0.00	0.00	0.00	0.00	0.00	0.00	0.20	46.00	0.00	0.00	0.00	0.00	0.00	0.00	0.20	46.00	0.00
CDDA Reports	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL HOURS	3.90		0.00		2.20		5.10		1.40		0.00		0.00		12.60		
TOTAL TIME CHARGED @	£1,852.50		£0.00		£586.00		£1,173.00		£168.00		£0.00		£0.00		£3,779.50		
Average hourly cost @ All figures are shown net of VAT	475.00		0.00		266.36		230.00		120.00		0.00		0.00				299.96

Appendix C

Additional information in relation to the liquidator's fees, expenses and disbursements

1 Staff allocation and the use of sub-contractors

- 1.1 The general approach to resourcing my assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 1.2 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.
- 1.3 I am not proposing to utilise the services of any sub-contractors in this case.

2 Professional advisors

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

Name of professional advisor	Basis of fee arrangement
Irvine and Partners Solicitors	Hourly rate and disbursements
M Taher & Co Solicitors	Hourly rate and disbursements
Howard Kennedy Solicitors	Hourly rate and disbursements
LSG Solicitors	Hourly rate and disbursements
Willis Group	Risk based premium
AUA Insolvency Risk Services Limited	Risk based premium

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

3 Liquidator's expenses and disbursements

- 3.1 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:

Category 1 disbursements	Paid in prior period £	Paid in the period covered by this report £	Incurred but not paid to date £	Total cost £
Solicitors' costs	7,724.00	125.00	-	7,849.00
Insurance Bordereau	117.00	-	16.00	133.00
Statutory advertising	185.82	-	-	185.82
Companies House search fees	50.00	-	9.00	59.00
External storage of books and records	171.95	-	-	171.95
Land Registry search fees	51.00	-	9.00	60.00
Quo Vadis	700.00	-	-	712.00
Court Search Fee	-	-	10.00	10.00
Vision Blue Fee	-	-	200.00	200.00
Creditor Gateway Fees	10.00	10.00	-	20.00

Category 2 disbursements	Paid in prior period £	Paid in the period covered by this report £	Incurred but not paid to date £	Total cost £
Photocopying	-	-	186.60	242.00
Postage	-	-	285.05	400.00
Room Hire	-	-	125.00	125.00

- 3.2 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.
- 3.3 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 Liquidator's fees were approved by creditors. Any category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

4 Charge-out rates



London office turnaround and recovery charge out rates (per hour)

Rates effective from 1 February 2020 and historic rates

Grade	Rate £/ per hour 2020	Rate £/ per hour 2019	Rate £/ per hour 2017	Rate £/ per hour 2016
Partners	£450 - £750	£450 - £750	£340 - £750	£340 - £750
Directors	£350 - £500	£325 - £725	£275 - £400	£275 - £400
Senior Managers	£300 - £400	£300 - £400	£255 - £320	£255 - £320
Managers	£280 - £350	£280 - £350	£175 - £300	£175 - £300
Assistant managers	£220 - £300	£200 - £300	£165 - £250	£165 - £250
Senior Administrators	£150 - £250	£150 - £250	£135 - £250	£135 - £250
Administrators	£120 - £180	£80 - £180	£80 - £150	£80 - £150
Junior Administrators	£70 - £120	£70 - £120	£70 - £85	£70 - £85

Category 2 disbursements

	Effective from 01.02.20	Previously
Internal storage of Insolvency Practitioner's working papers	£5 per annum for ten years (£50)	£5 per annum for ten years (£50)
Internal meeting room cost	£65 per meeting	£65 per hour
Mileage (own car usage)	45p per mile	45p per mile
Photocopying / stationery / postage	£1 per creditor / statutory correspondence	—

VAT will be charged on the above disbursements where applicable.

Time charging policy

Support staff do not charge their time to each case. Support staff include cashier, secretarial and administration support.

Please be advised that the minimum unit of time recorded is 6 minutes.

UHY Hacker Young LLP
Quadrant House
4 Thomas More Square
London E1W 1YV
T: 020 7216 4890
www.uhy-uk.com

