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



For further information, please refer to our guidance at www.gov.uk/companieshouse

1	Company details		
Company number	0 0 4 5 7 2 5 9	→ Filling in this form Please complete in typescript or in	
Company name in full	RSR Fasteners Limited	bold black capitals.	
2	Liquidator's name		
Full forename(s)	Tommaso Waqar		
Surname	Ahmad		
3	Liquidator's address		
Building name/number	Sussex Innovation		
Street	12-16 Addiscombe Road		
Post town	Croydon		
County/Region			
Postcode	CROOXT		
Country			
4	Liquidator's name •		
Full forename(s)	Paul	● Other liquidator Use this section to tell us about	
Surname	Bailey	another liquidator.	
5	Liquidator's address 🛭		
Building name/number	Sussex Innovation	Other liquidator	
Street	12-16 Addiscombe Road	Use this section to tell us about another liquidator.	
Post town	Croydon		
County/Region			
Postcode	CROOXT		
Country			

LIQ03 Notice of progress report in voluntary winding up

6	Period of progress report
From date	$\begin{bmatrix} d & d & d & d & d & d & d & d & d & d $
To date	
7	Progress report
	☑ The progress report is attached
8	Sign and date
Liquidator's signature	
	× W
Signature date	1   0   1   1   2   0   2   2   1   1   1   1   1   1   1   1

# **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	Harrison Jacques
Company name	Bailey Ahmad Limited
Address	Sussex Innovation
	12-16 Addiscombe Road
Post town	Croydon
County/Region	
Postcode	CROOXT
Country	
DX	
Telephone	020 8662 6070

# ✓ 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.

# *t* 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

# Joint Liquidators' Annual Progress Report to Creditors & Members

RSR Fasteners Limited
- In Creditors' Voluntary Liquidation

Reporting period from 23 September 2021 to 22 September 2022

**10 November 2022** 

# **CONTENTS**

- 1 Introduction and Statutory Information
- 2 Receipts & Payments
- 3 Progress of the Liquidation
- 4 Creditors
- 5 Joint Liquidators' Remuneration
- 6 Creditors' Rights
- 7 Next Report

# **APPENDICES**

- A Receipts and Payments Account for the Period from 23 September 2021 to 22 September 2022
- B Time Analysis for the Period from the 23 September 2021 to 22 September 2022
- **C** Fees Estimate/Information
- **D** Additional information in relation to Joint Liquidators' Fees, Expenses & the use of Subcontractors

# 1 Introduction and Statutory Information

- 1.1 I, Paul Bailey of Bailey Ahmad Limited, Sussex Innovation, 12-16 Addiscombe Road, Croydon, CR0 0XT, was appointed as Joint Liquidator of RSR Fasteners Limited (the Company) on 23 September 2021.
- 1.2 I am authorised to act as an insolvency practitioner in the UK by the ICAEW and am bound by the Insolvency Code of Ethics when carrying out work relating to insolvency appointments. In the event of case related queries, the Liquidators can be contacted on telephone number 0208 662 6070 or by email via info@babr.co.uk.
- 1.3 This progress report provides an update on the conduct of the Liquidation for the period from 23 September 2021 to 22 September 2022 (the Period) and should be read in conjunction with any previous progress reports which have been issued.
- 1.4 Information about the way that the firm will use, and store personal data on insolvency appointments can be found at <a href="https://www.babr.co.uk/glossary-and-guides">www.babr.co.uk/glossary-and-guides</a>. If you are unable to download this, please contact us and a hard copy will be provided to you.
- 1.5 The principal trading address of the Company was Unit 2 Pasadena Close, Hayes, Middlesex, UB3 3NQ.
- 1.6 Since our appointment, the registered office of the Company has been changed to Sussex Innovation, 12-16 Addiscombe Road, Croydon, CR0 0XT and its registered number is 00457259.

# 2 Receipts and Payments

- 2.1 At Appendix A is my Receipts and Payments Account covering the Period of this report.
- 2.2 In Section 3 below, you will find an update on the progress made during the Period in realising the Company's assets and dealing with its affairs.

# 3 Progress of the Liquidation

- 3.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period and an explanation of the work done by the Liquidator and his staff.
- 3.2 We have dealt with the following matters during the period of this report:
  - Preparing and filing a Corporation Tax Return
  - Dealing with ad hoc creditor communication (by post, email and telephone)
  - Carrying out case reviews and regular bond reviews
  - Carrying out monthly bank reconciliations
  - Cashiering matters (including posting transactions to the estate cash book)
  - · Liaising with creditors with charges over asset realisations
  - Liaising with valuation agents regarding the sale of assets
- 3.3 Further detail on the work carried out during the period of this report can be found below.

# Administration (including statutory compliance & reporting)

3.4 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work I anticipated would need to be done in this area was outlined in my initial fees estimate/information which was previously agreed by creditors.

- 3.5 Where the costs of statutory compliance work or reporting to creditors exceeds the initial estimate, it will usually be because the duration of the case has taken longer than anticipated, possibly due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on the Liquidators.
- 3.6 As noted in my initial fees estimate/information, this work will not necessarily bring any financial benefit to creditors but is required on every case by statute.

## **Realisation of Assets**

Book Debts (estimated to realise: £180,000)

- 3.7 The Company's outstanding debtor ledger upon liquidation was £214,000. The Company had a factoring agreement with RBS Invoice Finance Limited.
- 3.8 The sum of £161,922.31 was realised during the reporting period of which £146,290 was settled with RBS Invoice Finance Limited.

Cash at bank

3.9 The sum of £14,212.82 has been realised.

Goodwill - (estimated to realise: £5,000)

Motor vehicles

Property, plant and equipment (estimated to realise: £6,700)

Stock (estimate to realise: £10,000)

3.10 A sale of assets was agreed following various offers being received by agents, Williams & Partners (W&P). liquidation. The goodwill formed part of the asset sale and £1,650 was realised. £59,050 was agreed for three motor vehicles, which were subject to finance and one forklift truck. The finance was settled by the agents as part of the sale agreement. £7,970.49 and £35,500 was realised in respect of the stock, plant and machinery.

VAT Refund

3.11 The sum of £590.15 has been received in respect of VAT refund.

Insurance refund

- 3.12 A return of a premium in the sum of £240.76 has been realised.
- 3.13 It is not anticipated that the work the Liquidators have carried out to deal with the Company's assets will provide a financial benefit to creditors. This is because the value of the recoverable assets are likely to be insufficient to produce a financial benefit after the associated costs of realisation are taken into consideration.

# Creditors (claims and distributions)

- 3.14 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. 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.
- 3.15 Since 1 December 2020, claims from preferential creditors now fall into one of two categories, either ordinary (typically involving employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal, which rank equally among themselves), or secondary (which are claims by HMRC for VAT or other relevant tax

deductions such as PAYE and employee NIC deductions, together with student loans and CIS deductions, which also rank equally among themselves). Ordinary preferential claims rank ahead of secondary preferential claims and all preferential creditors must be paid in full before any distribution can be made to the unsecured creditors of a company.

- 3.16 Work undertaken by a Liquidator in dealing with a company's creditors may only therefore bring a financial benefit to certain classes of creditor such as a secured creditor or the preferential creditors, however a Liquidator is 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 Liquidator in dealing with those claims.
- 3.17 More information on the anticipated outcome for all classes of creditor in this case can be found in Section 4 below.

# Investigations

- 3.18 Some of the work Liquidators are 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 the Liquidators can pursue for the benefit of creditors.
- 3.19 I can confirm that I have submitted a report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986. As this is a confidential report, I am unable to disclose the contents.
- 3.20 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 any information provided by creditors. My investigations have not revealed any issues requiring further report or any further potential recoveries which could be pursued for the benefit of creditors.

# Matters still to be dealt with

- Claim agreement and dividend to preferential creditors.
- · Statutory pension matters to be dealt
- VAT clearance

# 4 Creditors

# **Secured Creditors**

4.1 National Westminster Bank PLC and The Royal Bank of Scotland Commercial Services Limited holds a fixed and floating charge over the Company's assets.

# 4.2 Preferential Creditors

A summary of the ordinary and secondary preferential claims in the liquidation and details of any distributions paid to date can be found below:

Ordinary preferential claims	Agreed Claim £	Statement of Affairs Claim £	Dividend paid p in the £1
Employee claims (Total number of claims = 9)	NA	8,418.82	Nil
Department for Business, Energy & Industrial Strategy (BEIS)	NA	Not listed	Nil
Secondary preferential claims	Agreed Claim £	Statement of Affairs Claim £	Dividend paid p in the £1
HMRC	NA	59,776	Nil

4.3 Based on current information, we anticipated there will be sufficient funds to pay a dividend to the preferential creditors, the details of which will be provided to the preferential creditors in due course.

### **Unsecured Creditors**

- 4.4 The Company's statement of affairs indicated there were one hundred and fourteen creditors whose debts totalled £696,778.85. To date, I have received claims totalling £292,488.58 from thirty seven creditors.
- 4.5 The Company granted a floating charge to National Westminster Bank PLC on 28 June 1999. Accordingly, there is no requirement to create a fund out of the Company's net floating charge property for unsecured creditors (known as the **Prescribed Part**), which only applies to charges created after 15 September 2003.
- 4.6 The Company granted a floating charge to The Royal Bank of Scotland Commercial Services Limited on 21 March 2002. Accordingly, there is no requirement to create a fund out of the Company's net floating charge property for unsecured creditors (known as the Prescribed Part), which only applies to charges created after 15 September 2003.
- 4.7 We would 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.

# 5 Joint Liquidators' Remuneration

- 5.1 Creditors approved that the basis of the Joint Liquidators' remuneration be based on the time spent by them and their staff in dealing with the Liquidation.
- 5.2 Details of our original fee estimate agreed by creditors can be found at Appendix C.
- 5.3 Our time costs for the Period are £48,287 plus VAT. This represents 182.50 hours at an average rate of £264.58 per hour. Attached as Appendix B is a Time Analysis which provides details of the activity costs incurred by staff grade during the Period in respect of the costs fixed by reference to time properly spent by me in managing the liquidation.
- To date, the remuneration to the sum of £40,000 have been drawn by the Joint liquidators during the reporting period.
- 5.5 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from Glossary & guides Bailey Ahmad Business Recovery (babr.co.uk).

5.6 Attached as Appendix D is additional information in relation to the Liquidator's fees and expenses including where relevant, information on the use of subcontractors and professional advisers.

# 6 Creditors' Rights

- 6.1 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 the Liquidators provide further information about their remuneration or expenses which have been itemised in this progress report.
- 6.2 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 the Liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidators, as set out in this progress report, are excessive.

# 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.
- 7.2 If you have any queries in relation to the contents of this report, I can be contacted by telephone on 0208 662 6070 or by email at info@babr.co.uk.

Yours faithfully

Paul Bailey FABRP

Joint Liquidator

# Appendix A

Receipts and payments account for the period 23 September 2021 to 22 September 2022

# RSR Fasteners Limited (In Liquidation) Joint Liquidators' Summary of Receipts & Payments

SECURED ASSETS   1,650.00   1,6	Statement		From 23/09/2021	From 23/09/2022
SECURED ASSETS   1,650.00   1,650.00   1,650.00   1,650.00   1,650.00   1,650.00   1,650.00   1,650.00   1,650.00   1,650.00   1,650.00   161,922.31   161,925.31   161,922.31   161,925.31   161,922.31   161,925.	of Affairs £		To 22/09/2022 f	To 22/09/2022 £
5,000.00   Goodwill   1,650.00   1,650.00   180,000.00   Book debts   161,922.31   161,922.31   161,922.31   161,922.31   163,572.31   164,290.00   146,290.00   146,290.00   146,290.00   1646,290.00   146,290.00   146,290.00   146,290.00   164,290.00   146,290.00				
180,000.00   Book debts				
SECURED CREDITORS   163,572.31   163,572.31   163,572.31   163,572.31   163,572.31   163,572.31   163,572.31   163,572.31   163,272.31   163,272.31   163,272.31   163,272.31   163,272.31   164,290.00   146,290.00   146,290.00   146,290.00   146,290.00   146,290.00   15,600.00   15,600.00   16,000.00   16,000.00   16,000.00   16,000.00   16,000.00   17,970.49   1				
SECURED CREDITORS   146,290.00   146,290.00   146,290.00   (146,290.00)   (146,	180,000.00	Book debts		
(146,290.00)     RBS Invoice Finance     (146,290.00)     (36,50.00)     (36,50.00)     (36,50.00)     (36,50.00)     (36,50.00)     (36,50.00)     (36,50.00)     (36,50.00)     (36,757.80)     (36,757.80)     (36,757.80)     (36,00.00)     (36,00.		05011050 005017000	163,572.31	163,572.31
ASSET REALISATIONS  15,600.00  Cash at bank Insurance refund Motor vehicles Sp050.00 Stock VAT refund Stock Agent's fees Insurance of assets Legal fees Motor vehicle finance Office holders' expenses Office holders' fees Storage costs Storage costs Storage costs  PREFERENTIAL CREDITORS Employee arrears/Holiday pay Sc0,236.13) Banks/Institutions Banks/Institutions Banks/Institutions DISTRIBUTIONS Ordinary shareholders  ASSET REALISATIONS 14,212.82 14,212.82 14,212.82 14,212.82 14,212.82 14,212.82 14,212.82 15,905.00 15,905.00 15,905.00 17,970.49 7,	(146 200 00)		1/6 200 00	146 200 00
ASSET REALISATIONS  15,600.00	(140,290.00)	NDS IIIVOICE FIIIAIICE		
Insurance refund		ASSET REALISATIONS	(=,=,	(= : : , = : : : :
Insurance refund	15,600.00	Cash at bank	14,212.82	14,212.82
Motor vehicles		Insurance refund		240.76
6,700.00 Property, plant and equipment 7,970.49 7,970.49 10,000.00 Stock 35,500.00 35,500.00 35,500.00 YAT refund 590.15				
10,000.00 Stock VAT refund 550.00 35,500.00 17,560.00 590.15 590.00 590.15 590.00 590.15 590.00 590.15 590.00 590.15 590.00 590.	6 700 00			
VAT refund   590.15   590.15   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.23   117,564.22   117,564.22   117,564.23   117,564.22   117,564.23   117,564.22   117,564.23   117,564.22   117,564.23   117,564.22   117,564.23   117,564.22   117,564.23				
117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.22   117,564.23   11,457.95   10,000   1,000	10,000.00			
COST OF REALISATIONS		VATTeluliu		
Agent's fees		COST OF REALISATIONS	117,504.22	117,504.22
Insurance of assets			11.457.95	11,457.95
Legal disbursements				627.20
Legal fees   6,757.86   6,757.86   6,757.86   Motor vehicle finance   47,870.64   47,870.64   47,870.64   47,870.60   260.00				1.00
Motor vehicle finance				
Office holders' expenses				
Office holders' fees				
Storage costs   93.00   93.00   (107,067.65)   (1				
(8,418.82) PREFERENTIAL CREDITORS (8,418.82) Employee arrears/Holiday pay  (59,776.00) HMRC  (59,776.00) HMRC  (50,236.13) Banks/Institutions (40,000.00) Director (106,490.52) Employees (107,067.65) (107,067.65)  (107,067.65) (107,067.65)  NIL  N  NIL  N  NIL  N  (40,000.00) Director  NIL  N  (40,002.00) HM Revenue & Customs - PAYE/NI (416,969.13) Trade and expense creditors  NIL  N  DISTRIBUTIONS  (20,000.00) Ordinary shareholders  NIL  N  REPRESENTED BY  Bank Current Vat payable VAT receivable  (107,067.65)  (107,067.65)  (107,067.65)  (107,067.65)  (107,067.65)  (NIL  N  NIL  N  NIL  N  NIL  N  36,947.3  36,947.3  420,882.2  VAT receivable				
REFERENTIAL CREDITORS   Semployee arrears/Holiday pay   NIL   N   NIL		Storage costs		
(8,418.82)         Employee arrears/Holiday pay         NIL         N           (59,776.00)         HMRC         NIL         N           (59,776.00)         HMRC         NIL         N           UNSECURED CREDITORS         NIL         N           (50,236.13)         Banks/Institutions         NIL         N           (40,000.00)         Director         NIL         N           (106,490.52)         Employees         NIL         N           (9,022.00)         HM Revenue & Customs - PAYE/NI         NIL         N           (416,969.13)         Trade and expense creditors         NIL         N           (20,000.00)         Ordinary shareholders         NIL         N           (20,000.00)         Ordinary shareholders         NIL         N           REPRESENTED BY         Sank Current         36,947.3           Vat payable         (20,882.2           VAT receivable         11,713.7		DDEEEDENTIAL ODEDITORS	(107,067.65)	(107,067.65)
NIL   N   SECONDARY PREFERENTIAL CREDITORS   NIL   N   NIL	(0.440.00)		NIII	N I I I
SECONDARY PREFERENTIAL CREDITORS	(8,418.82)	Employee arrears/Holiday pay		
(59,776.00)       HMRC       NIL       N         UNSECURED CREDITORS       NIL       N         (50,236.13)       Banks/Institutions       NIL       N         (40,000.00)       Director       NIL       N         (106,490.52)       Employees       NIL       N         (9,022.00)       HM Revenue & Customs - PAYE/NI       NIL       N         (416,969.13)       Trade and expense creditors       NIL       N         NIL       N       NIL       N         (20,000.00)       Ordinary shareholders       NIL       N         (639,902.60)       27,778.88       27,778.8         REPRESENTED BY       36,947.3         Bank Current       36,947.3         Vat payable       (20,882.2         VAT receivable       11,713.7		CECOND ADV DDEEEDENTIAL ODEDITORS	NIL	NIL
NIL   N	(			
UNSECURED CREDITORS	(59,776.00)	HMRC		NIL
(50,236.13)       Banks/Institutions       NIL       N         (40,000.00)       Director       NIL       N         (106,490.52)       Employees       NIL       N         (9,022.00)       HM Revenue & Customs - PAYE/NI       NIL       N         (416,969.13)       Trade and expense creditors       NIL       N         NIL       N       NIL       N         NIL       N       NIL       N         (20,000.00)       Ordinary shareholders       NIL       N         (639,902.60)       REPRESENTED BY       27,778.88       27,778.8         REPRESENTED BY       36,947.3       36,947.3         Vat payable       (20,882.2       VAT receivable       11,713.7		LINCECLIDED ODEDITORS	NIL	NIL
(40,000.00)       Director       NIL       N         (106,490.52)       Employees       NIL       N         (9,022.00)       HM Revenue & Customs - PAYE/NI       NIL       N         (416,969.13)       Trade and expense creditors       NIL       N         DISTRIBUTIONS       NIL       N         (20,000.00)       Ordinary shareholders       NIL       N         VAT receivable       27,778.8         27,778.8       27,778.8         27,778.8       27,778.8         27,778.8       27,778.8         27,778.8       27,778.8         27,778.8       27,778.8         27,778.8       27,778.8         27,778.8       27,778.8 <td>(50 236 13)</td> <td></td> <td>NIII</td> <td>NIL</td>	(50 236 13)		NIII	NIL
(106,490.52)       Employees       NIL       N         (9,022.00)       HM Revenue & Customs - PAYE/NI       NIL       N         (416,969.13)       Trade and expense creditors       NIL       N         NIL       NIL       N         NIL       N       NIL       N         (639,902.60)       REPRESENTED BY       27,778.88       27,778.8         REPRESENTED BY       36,947.3       36,947.3         Vat payable       (20,882.2       11,713.7         VAT receivable       11,713.7				
(9,022.00) HM Revenue & Customs - PAYE/NI NIL N (416,969.13) Trade and expense creditors NIL N DISTRIBUTIONS (20,000.00) Ordinary shareholders NIL N N N NIL N N N N N N N N N N N N N N N N N N N				
(416,969.13)       Trade and expense creditors       NIL       N         DISTRIBUTIONS       NIL       N         (20,000.00)       Ordinary shareholders       NIL       N         NIL       N         NIL       N         NIL       N         REPRESENTED BY       27,778.88       27,778.8         Bank Current       36,947.3         Vat payable       (20,882.2         VAT receivable       11,713.7	,			
NIL   N	, ,			
DISTRIBUTIONS   NIL N   NIL	(416,969.13)	rrade and expense creditors		NIL
(20,000.00)         Ordinary shareholders         NIL         N           (639,902.60)         27,778.88         27,778.8           REPRESENTED BY Bank Current Vat payable VAT receivable         36,947.3           (20,882.2         11,713.7		DISTRIBUTIONS	INIL	IVIL
(639,902.60)  REPRESENTED BY  Bank Current  Vat payable  VAT receivable  NIL  N  27,778.88  27,778.8  36,947.3  (20,882.2  11,713.7	(20.000.00)		NIL	NIL
REPRESENTED BY Bank Current Vat payable VAT receivable  Service of the content of	(,,	,		NIL
REPRESENTED BY Bank Current Vat payable VAT receivable  Service of the content of	(620 002 60)	_	27 770 00	27 770 00
Bank Current 36,947.3 Vat payable (20,882.2 VAT receivable 11,713.7	(000,302.00)	REPRESENTED BY		=======================================
Vat payable (20,882.2 VAT receivable 11,713.7				36,947.37
VAT receivable 11,713.7				(20,882.25
				11,713.76
27 770 (				27,778.88

# **Appendix B**

Time analysis for the period 23 September 2021 to 22 September 2022

# Time Entry - Detailed SIP9 Time & Cost Summary

RS04 - RSR Fasteners Limited From: 23/09/2021 To: 22/09/2022 Project Code: POST

Classification of Work Function	Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hou Rate
100 : Admin & Planning	0.00	5.00	22.85	48.50	76.35	16,944.75	221
102 : Case Strategy Review	0.20	2.50	1.05	2.00	5.75	1,810.25	314
103 : Engagement	0.00	0.00	0.00	0.10	0.10	15.00	150
104 : Case Closure	0.00	0.00	0.20	0.00	0.20	45.00	225
402 : Cashiering	0.00	8.40	1.50	1.40	11.30	3,602.00	318
Admin & Planning	0.20	15.90	25.60	52.00	93.70	22,417.00	239
202 : Case specific	0.00	0.70	0.00	0.20	0.90	353.00	392
600 : Case Specific 1	0.00	0.00	2.00	0.00	2.00	450.00	225
Case Specific Matters	0.00	0.70	2.00	0.20	2.90	803.00	276
500 : Creditors	0.00	5.40	15.10	5.80	26.30	6,541.00	248
501 : Reporting	0.00	0.30	0.00	0.00	0.30	132.00	440
502 : Post appointment meetings	0.00	0.00	2.10	0.00	2.10	465.00	221
Creditors	0.00	5.70	17.20	5.80	28.70	7,138.00	248
200 : Investigations	0.00	2.10	3.50	0.80	6.40	1,979.00	309
201 : SIP2 review and CDDA reports	0.00	0.00	0.40	0.00	0.40	100.00	25
Investigations	0.00	2.10	3.90	0.80	6.80	2,079.00	30
	2.42	10.00	10.50	200	22.10	** 500.00	34
300 : Asset Realisation 301 : Book debt Collection	8.40 0.50	12.20 0.40	12.50 16.20	0.00 0.20	33.10 17.30	11,569.00 4,281.00	24 24
Realisation of Assets	8.90	12.60	28.70	0.20	50.40	15,850.00	3:
Total Hours	9.10	37.00	77.40	59.00	182.50	48,287.00	2

# **Appendix C**

Fee estimate

# **RSR Fasteners Limited (the Company)**

# Fees Information in accordance with The Insolvency (England and Wales) Rules 2016 and Statement of Insolvency Practice 9

# **Fees Overview**

Prior to an office holder agreeing the basis of remuneration, details of the work proposed to be done and the expenses it is considered will be, or are likely to be, incurred in dealing with an insolvent's affairs must be provided to creditors.

In addition, where an office holder proposes to take all or any part of this remuneration based on the time spent in dealing with the insolvent's affairs, a *fees estimate* must also be provided. This will outline the anticipated cost of that work, how long it is anticipated the work will take and whether any further approvals may be needed from creditors in due course.

It should be noted that a **fees estimate** may be provided to a particular milestone or for a designated period in a case, where it is not possible to accurately estimate the work that will need to be done at the outset.

Creditors should be aware that the **fees estimate** is based on all of the information available now and may be subject to change due to unforeseen circumstances that may arise during the assignment. If it is considered that this estimate will be exceeded, the office holder will provide an update and seek approval to increase the previously agreed estimate.

# Work anticipated and the likely outcome to creditors

Some of the work undertaken by an office holder is required by statute and may not necessarily provide a financial benefit to creditors. Examples of this work include investigations required by Statement of Insolvency Practice 2 and the Company Directors Disqualification Act 1986 or dealing with the claims of former employees via the National Insurance Fund.

It may also be necessary for an office holder to instruct other parties to assist with the assignment because of a particular expertise that they may bring, such as asset valuation, tax or legal advice. Details of any anticipated expenses can be found at the end of this document, although it should be noted that this may change during the course of an assignment where it is necessary to seek additional expertise or specialist support.

Office holders are also required to comment on whether the work they anticipate doing will provide a financial benefit to creditors and to give an indication of the likely return to creditors when seeking approval for the basis of their remuneration. Due to the complex nature of the work undertaken by insolvency practitioners and the uncertainties that may exist in relation to the realisation of an insolvent's assets at the outset of a case, this position may change during an assignment, therefore updates will be provided in periodic progress reports to creditors.

In this case, it is anticipated that a distribution may become available for the preferential creditors. Further information on this can be found below in the section on 'Creditors (claims and distributions)'.

# **Proposed Fee Basis**

In this case, it is being proposed that the basis of our remuneration as office holders will be based on the time spent by us and our staff in dealing with the insolvent's affairs. Our *fees estimate* is attached to this document which totals £50,051 and is based on all the work we currently propose will be necessary in this assignment. We have post appointment of time costs to date of £22,634, which has principally been involved in the initial statutory work undertaken as well as liaising with agents and solicitors regarding the sale of assets. We have also liaised with RBS Invoice Finance regarding the debtor ledger and commenced the ledger collection exercise. If we consider this estimate will be exceeded, we will notify creditors, provide a revised estimate and seek further approval for our increased

fees. Similarly, we will update creditors in our future progress reports on the amount we anticipate being paid against this estimate.

The remainder of this document contains an explanation of the work we have already undertaken to date and remainder of the work we propose undertaking. Each part of the work to be undertaken will necessarily require different levels of expertise and therefore related cost. To aid understanding, for the purposes of our *fees estimate*, we have indicated an average blended rate of the grades of staff such as myself, the case manager, the case administrator and cashier when estimating the total hours to be spent on each part of the work.

# Outline of work to be done by the office holder

Below are details of the work we have undertaken to date as well as work we propose undertaking in support of our *fees estimate* for the assignment:

# Administration (including statutory compliance & reporting)

Office holders are required to carry out certain tasks in nearly every insolvency assignment, namely administrative duties and dealing with the claims of creditors. Whilst these tasks are required by statute or regulatory guidance, or are necessary for the orderly conduct of the proceedings, they do not necessarily produce any direct financial benefit for creditors, but nonetheless still have to be undertaken.

# This work may include:

- Notifying creditors of the office holder's appointment and other associated formalities including statutory advertising and filing relevant statutory notices
- Securing the insolvent's assets and placing insurance where appropriate
- Preparing and issuing annual progress reports to creditors (and members where applicable)
- Lodging periodic returns with the Registrar of Companies
- Complying with statutory duties in respect of the office holder's specific penalty bond
- Creation and update of case files on the firm's insolvency software
- Redirection of mail to the office holder's premises
- Establishing and holding periodic meetings of any committee formed and associated filing formalities
- Securing the insolvent's books and records
- Pension regulatory reporting and auto-enrolment cancellation
- Completion and filing of the notice of the insolvency with HMRC
- Initial assessment required by Statement of Insolvency Practice 2 and the Company Directors
  Disqualification Act 1986 (CDDA) including the review of the insolvent's books and records and the
  identification of potential further asset realisations which may be pursued in the proceedings
- Submitting a statutory report to the Insolvency Service under the CDDA
- Periodic case progression reviews (typically at the end of Month 1 and every 6 months thereafter)
- Opening, maintaining and managing the insolvent estate cashbook and bank account(s)
- Dealing with all post-appointment VAT and corporation tax compliance as applicable to the proceedings
- Liaison with secured creditors, obtaining charge documents and validating the security
- Dealing with employees to provide support and assistance in lodging any claims they may be entitled
  to make for unpaid wages, holiday pay and other statutory entitlements from the National Insurance
  Fund and the insolvent entity. Liaising with (or appointing) union representatives and payroll
  providers and reviewing employment contracts as necessary
- Closing the case and preparing and issuing the office holder(s) final account to prescribed parties

## Realisation of assets

# Goodwill

The Company's goodwill has been subject to an independent valuation by Williams and Partners Limited. This has been sold to PMI Group for the sum of £2,450.

# Book debts

The Company's debtors are subject to a factoring agreement with RBS Invoice Finance. The director's statement of affairs listed book debts outstanding of £180,000 and the liability to RBS Invoice Finance as £149,290. We have issued our initial letter to the debtors which has resulted in substantial monies being paid into the RBS Invoice Finance account. RBS Invoice Finance have advised that the sum of £45,426.94 is currently outstanding in this respect. It is currently uncertain what further realisations will be made in this respect, however, it is anticipated that RBS Invoice Finance will collect out in full.

# Property, plant and equipment

The Company's property, plant and equipment has been subject to an independent valuation by Williams and Partners Limited. A sale has been agreed for £59,050 to PMI Group of which £42,205.63 has been paid to the relevant finance companies.

# Stock

The Company's stock has been subject to an independent valuation by Williams and Partners Limited. The stock was sold to PMI Group for the sum of £34,500.

# Cash at bank

The sum of £14,212.82 has been received in respect of the cash held as at the date of the liquidation.

Please note that the funds received from the sale to PMI Group are currently being held by our solicitor, Freeths LLP, whom will be transferring the balance into the liquidation account shortly.

Work done by the office holder(s), their staff and any third parties engaged to assist the office holder in realising the insolvent's assets will, it is anticipated, provide a financial benefit to creditors. This may involve realising assets to facilitate a distribution to secured or preferential creditors only, or may, depending on realisations and the extent of any 3<sup>rd</sup> party security, result in a distribution to the unsecured creditors. If there are no assets to be realised and the costs of the proceedings are to be met by way of a contribution from the directors or another third party, then there will be no direct financial benefit to creditors.

# Creditors (claims and distributions)

As office holders, we will deal with all secured, preferential and unsecured creditor correspondence and claims as received, including any claims of creditors under retention of title. Based on the estimated statement of affairs, we currently think that after taking into consideration the costs of realising the assets and dealing with the statutory formalities of the insolvency process and the related costs and expenses, a distribution may become available to the secured and preferential creditors. We will deal with the review and adjudication of creditors' claims as appropriate, if and when it is determined that a dividend is to be declared.

Creditors should note that any possible dividends are currently uncertain due to this being influenced by the results of the asset realised in the liquidation.

It should be noted that the above is based on the estimated statement of affairs and the projected realisable value of the assets which at this stage is unconfirmed, together with the anticipated costs of the proceedings. We will undertake appropriate investigations into and obtain valuations of the insolvent's assets and will update the likely return to creditors in our future progress reports.

# Investigations

As office holders, we are required to conduct investigations into the conduct of the director(s) of the Company and transactions entered into prior to the Company's insolvency, as required by the Company Directors Disqualification Act 1986 and Statement of Insolvency Practice 2 (Investigations by Office Holders in Administrations and Insolvent Liquidations).

This work may not necessarily lead to any financial benefit to creditors yet is work we are required to undertake by statute. Our initial investigations may reveal that further recoveries could be available for the insolvent estate and if this proves to be the case and we consider that further work will be required to pursue these assets, we will refer back to creditors about the likely costs involved in pursuing such recoveries.

# Office Holder's Expenses and the use of Subcontractors

Expenses are payments from an insolvent estate which are neither an office holder's remuneration nor a distribution to a creditor or shareholder. Some expenses can be paid without prior approval from creditors (**Category 1 expenses**) and other expenses which may have an element of shared costs or are proposed to be paid to an associate of the office holder, require approval before they can be paid (**Category 2 expenses**).

Examples of expenses include agent's costs for assisting in the disposal and realisation of assets, legal costs, specialist pensions advice, tax services or other routine expenses associated with an insolvency appointment such as statutory advertising costs, the office holder's specific penalty bond and costs associated with storing books and records. Expenses also include expenses which are payments that are first met by the office holder and then reimbursed at a later date from the estate, usually when realisations permit.

Further details of our firm's Category 2 expenses policy, which explains the basis on which any proposed expenses appearing in the relevant table below are being charged to the estate, is attached for creditors' information. Approval to pay any proposed Category 2 expenses will be sought from creditors at the same time as the basis of the office holder's remuneration is agreed.

Below is a summary of the Category 1 and Category 2 expenses it is considered will be, or are likely to be, incurred in this case. An update will be provided in our first progress report to creditors in due course and then in subsequent reports thereafter until the case is concluded.

# Category 1 expenses

The following Category 1 expenses are currently anticipated on this assignment and do not require prior approval from creditors to be paid:

Expense	Basis of	Service to be provided	Estimated cost
	remuneration/cost		£
Agent's fees & expenses	State basis proposed – if % of realisations, state the %	Eg, valuation, uplift & sale of the insolvent's property or chattel assets via auction/private treaty	15,950
Legal fees & expenses	State basis proposed	Drafting sale agreement/pursuing book debts, other legal recoveries (specify)	8,000
Statutory advertising	Fixed cost	Statutory advertising in London Gazette (if other, state)	249
Specific Penalty Bond	Fixed cost	Statutory bond required in all insolvency appointments for each office holder appointed	400
Insurance	Variable depending on duration of cover	Asset insurance	1,000
External storage costs	£5 per box of records stored	Storage of insolvent's books & records for statutory timescales	1,500

# Category 2 expenses

The following Category 2 expenses are currently anticipated on this assignment and do require prior approval from creditors:

Expense	Basis of remuneration/ cost	Payment to Associate or shared/allocated cost	Service to be provided	Estimated cost £
Business mileage	45p per mile	Allocated cost	Cost reimbursed to office holder or staff member for case-related business mileage	40

# **Subcontractors**

On this assignment, it is proposed that the following subcontractors will be utilised to undertake work that could otherwise be done by the office holder or his/her staff. If further subcontractors are utilised during the assignment that are not foreseen at this stage, this will be reported in subsequent progress reports.

The reasons why it is felt appropriate to utilise subcontractors in this case for the proposed work is also explained against each subcontractor.

Subcontractor	What work does this relate to and why is a subcontractor being used?	Anticipated cost of the services to be provided
Clumber Consulting Limited	Employee claims support, assisting with the submission of ERA claims to the Redundancy Payments Service and agreement of employee claims with the office holder. This may also include the production of P45s for former employees where appropriate.  This is a specialist claims area and we believe greater efficiencies will be created for the former employees and the estate if this sub-contractor works alongside the office holder to assist with the processing of claims, etc.	£950

# Bailey Ahmad Limited's Charge-out rates and Category 2 expenses policy

Attached to this document are details of our firm's current charge out rates and policy regarding the recharge of Category 2 expenses.

It should be noted that our firm's charge-out rates may increase periodically. If any such increases impact on the *fees estimate* for the assignment, creditors will be notified accordingly.

Below are details of our firm's current charge out rates:

Grade	Hourly rate
Director	£440
Senior Manager	£385
Manager	£330
Senior Administrator	£250
Case Administrator	£220
Junior Administrator	£200
Support	£150
Cashier	£220

These are our current charge out rates, which are shown exclusive of VAT. It should be noted that my firm's charge-out rates may increase periodically. If any such increases impact on the fees estimate for the Liquidators, creditors will be notified accordingly.

# Appendix D

# Additional Information in Relation to the Liquidator's Fees, Expenses & the use of Subcontractors

Staff Allocation and the use of Subcontractors

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 have not utilised the services of any subcontractors on 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
Freeths LLP (legal advice)	Fixed fee and disbursements
Williams & Partners (valuation and disposal advice)	Fixed fee and disbursements

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.

# Liquidator's Expenses

The estimate of expenses which were anticipated at the outset of the liquidation was provided to creditors when the basis of my fees was approved. The table below compares the anticipated costs against those incurred to date.

# Category 1 expenses

These expenses do not require prior approval by creditors. The type of expenses that may be charged to a case as a Category 1 expense generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, external room hire and external storage costs. Also chargeable, will be any properly reimbursed expenses incurred by personnel in connection with the case. These expenses may include expenses which are payments first met by an office holder and then reimbursed from the estate.

Expense	Estimated overall cost	Paid in the period covered by this report £	Incurred but not paid to date £
Agent's fees & expenses	11,458	11,458	-
Legal fees & expenses	6,759	6,759	-
Statutory advertising	249	249	-

Specific Penalty Bond	400	260	140
Insurance of assets	627	627	
External storage costs	93	180	-

# Category 2 expenses

These expenses 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 therefore include payments to associates of the office holder or shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis. Details of Category 2 expenses charged by this firm (where appropriate) were provided at the time the Liquidator's fees were approved by creditors.

# **Charge-Out Rates**

Our current charge-out rates and former rates are detailed below. Please note this firm records its time in minimum units of 6 minutes.

Grade	Current hourly rate (£)
Insolvency Practitioner	475
Senior Client Manager Grade 2	425
Senior Client Manager Grade 1	350
Client Manager Grade 3	300
Client Manager Grade 2	250
Client Manager Grade 1	225
•	Former rates until October
Grade	2022
Director	440
Senior Manager	385
Manager	330
Senior Case Administrator	250
Case Administrator	220
Junior Case Administrator	200
Support	150
Cashier	220