

LIQ03

Notice of progress report in voluntary winding up



Companies House

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

1 Company details

Company number 0 4 3 8 9 0 8 6

Company name in full FRK Construction Services Ltd

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Alan

Surname Fallows

3 Liquidator's address

Building name/number 1 City Road East

Street Manchester

Post town

County/Region

Postcode M 1 5 4 P N

Country

4 Liquidator's name ①

Full forename(s) Peter

Surname Anderson

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number 1 City Road East

Street Manchester

Post town

County/Region

Postcode M 1 5 4 P N

Country

② Other liquidator

Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6

Period of progress report

From date

^d0^d5^m0^m2^y2^y0^y2^y0

To date

^d0^d4^m0^m2^y2^y0^y2^y1

7

Progress report

☒ The progress report is attached

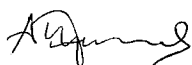
8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d1^d8^m0^m3^y2^y0^y2^y1

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 **Derek Morton**

Company name **Kay Johnson Gee Corporate**

Recovery Limited

Address **1 City Road East**

Manchester

Post town

County/Region

Postcode **M 1 5 4 P N**

Country

DX

Telephone **0161 832 6221**



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

FRK Construction Services Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs		From 05/02/2020 To 04/02/2021	From 05/02/2018 To 04/02/2021
£		£	£
	ASSET REALISATIONS		
	Deposit for costs	NIL	6,000.00
Uncertain	Intercompany Loan	NIL	NIL
		NIL	6,000.00
	COST OF REALISATIONS		
	Bank Charges	10.00	10.00
	Bordereau	45.00	45.00
	Company Search Fee *	11.09	11.09
	Legal Fees (1)	NIL	512.60
	London Gazette Advertising	137.40	137.40
	Statement of Affairs Fee	NIL	5,000.00
	Stationery & Postage *	1.34	1.34
	Storage Costs *	30.90	30.90
		(235.73)	(5,748.33)
	UNSECURED CREDITORS		
(197,065.63)	HM Revenue & Customs (PAYE/NIC)-	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(197,165.63)		(235.73)	251.67
	REPRESENTED BY		
	Current A/c		204.53
	Vat Receivable		47.14
			251.67

Joint Liquidators' Annual Progress Report to Creditors & Members

FRK Construction Services Ltd - In Liquidation

For the Period from 5 February 2020 to 4 February 2021

FRK CONSTRUCTION SERVICES LTD - IN LIQUIDATION

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- 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 5 February 2020 to 4 February 2021 together with a Cumulative Receipts and Payments Account for the Period since the Joint Liquidators' Appointment.
- B** Additional information in relation to Joint Liquidators' Fees, Expenses & Disbursements.
- C** Time Analysis for the Period from 5 February 2020 to 4 February 2021.
- D** Cumulative Time Analysis for the Period since the Joint Liquidators' Appointment.
- E** Joint Liquidators' fees estimate provided to court.

1 Introduction and Statutory Information

- 1.1 I, Alan Fallows, together with Peter Anderson of Kay Johnson Gee Corporate Recovery Limited, 1 City Road East, Manchester, M15 4PN, was appointed as Joint Liquidator of FRK Construction Services Ltd ("the Company") on 5 February 2018. This progress report covers the period from 5 February 2020 to 4 February 2021 ("the Period") and should be read in conjunction with any 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 www.kjgcr.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 principal trading address of the Company was 17 Westwood, Broughton, Brigg, DN20 0AU. The registered office of the Company has been changed to C/o Kay Johnson Gee Corporate Recovery Limited, 1 City Road East, Manchester, M15 4PN and its registered number is 04389086.

2 Receipts and Payments

- 2.1 At Appendix A is my Receipts and Payments Account covering the Period of this report together with a cumulative Receipts and Payments Account for the period from the date of my appointment as Liquidator to the end of the Period covered by 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.

Administration (including statutory compliance & reporting)

- 3.2 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 to creditors in my initial fees estimate/information.
- 3.3 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.
- 3.4 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

Intercompany loan

- 3.5 As detailed in my previous progress report, the intercompany loan is in relation to a final dividend payment totalling £1,006,778. Since my last report I have identified that the dividend was used to purchase a property, which is in the name of FRKC Limited (09187676) a connected company by way of a similar director.
- 3.6 In March 2020, the Director confirmed that the property was on the market for £789,000 and with the funds, it was his intention to discharge the amount due to HM Revenue and Customs

("HMRC"), the Company's only creditor. However, during the last 10 months, the Director has failed to respond to phone calls and emails requesting an update in respect of the sale.

- 3.7 Letters have been drafted to the Director asking him to provide full contact details of the confirmation of the nature of the dividend and whether it was a dividend in cash and/or in specie. Solicitors have also been instructed to assist with this matter.
- 3.8 To date, no letters have been issued by the solicitors, as prior to the date of appointment, the Director suffered a stroke. The Liquidators are trying to contact the Director, to establish his mental and physical wellbeing prior to taking recovery action.

Creditors (claims and distributions)

- 3.9 Further information on the anticipated outcome for creditors in this case can be found at section 4 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.
- 3.10 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 3.11 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.
- 3.12 There are no new matters arising in respect of creditor claims in the period.

Investigations

- 3.13 You may recall from my first progress report to creditors that some of the work the 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.
- 3.14 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

- 3.15 As stated in paragraph 3.5 the intercompany loan, is still subject to an ongoing investigation. However, prior to commencing recovery action, the Liquidators are trying to establish the Director's health and ability to deal with the queries raised in respect of the £1,006,778 dividend.
- 3.16 The Joint Liquidators have made attempts to have the basis of their remuneration agreed by the Company's creditors. No creditors have participated in this process and consequently, the Joint Liquidators will be required to make an application to Court to fix the basis of their remuneration.

4 Creditors

Secured Creditors

- 4.1 The Company did not grant fixed or floating charges over the Company's assets to any secured creditors.

Preferential Creditors

- 4.2 There are no preferential creditors in this matter.

Unsecured Creditors

- 4.3 The sole creditor is HMRC. The Director entered into a settlement agreement with HMRC on 19 March 2019. HMRC provided the settlement calculation to the Joint Liquidators and the Director confirming the settlement amount due amounted to is £219,309.76 including Inheritance Tax ("IHT") and any interest associated with IHT.
- 4.4 I have received a claim totalling £219,309.76 from 1 creditor. No claims are outstanding.
- 4.5 No floating charges were granted to secured creditors by the Company. Accordingly, there is no requirement under s176A of the Insolvency Act 1986 to create a fund out of the Company's net floating charge property for unsecured creditors, known as the Prescribed Part.
- 4.6 There are insufficient funds realised after defraying the expenses of the liquidation to pay a dividend to unsecured creditors.

5 Joint Liquidators' Remuneration

- 5.1 Initially, a resolution agreeing the basis of the Liquidators' remuneration was not sought and it was proposed that this would be sought at a later stage. Details of the arrangements regarding the Liquidators' fee approval was subsequently circulated to creditors, however no votes were received. As such an application was made to court in order to obtain approval for the basis of the Liquidators' remuneration.
- 5.2 The Liquidator's remuneration was agreed on a time costs basis (not exceeding £24,104.58 by the court.
- 5.3 A copy of Joint Liquidators' fees estimate provided to court is attached at Appendix E.
- 5.4 My time costs for the Period are £3,226.10. This represents 10.62 hours at an average rate of £303.78 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.
- 5.5 Also attached as Appendix C is a cumulative time analysis for the period from 5 February 2018 to 4 February 2021 which provides details of my time costs since appointment. The cumulative time costs incurred to date are £17,306.18. This represents 63.93 hours at an average rate of £270.68 per hour. To date, no remuneration has been drawn in respect of the time incurred.
- 5.6 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from <https://www.r3.org.uk/what-we-do/publications/professional/fees>.

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, Derek Morton of my office can be contacted by telephone on 0161 212 8389 or by email at derekmorton@kjgcr.com.

Yours faithfully

Alan Fallows
Joint Liquidator

FRK Construction Services Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs		From 05/02/2020 To 04/02/2021	From 05/02/2018 To 04/02/2021
£		£	£
	ASSET REALISATIONS		
	Deposit for costs	NIL	6,000.00
Uncertain	Intercompany Loan	NIL	NIL
		NIL	6,000.00
	COST OF REALISATIONS		
	Bank Charges	10.00	10.00
	Bordereau	45.00	45.00
	Company Search Fee *	11.09	11.09
	Legal Fees (1)	NIL	512.60
	London Gazette Advertising	137.40	137.40
	Statement of Affairs Fee	NIL	5,000.00
	Stationery & Postage *	1.34	1.34
	Storage Costs *	30.90	30.90
		(235.73)	(5,748.33)
	UNSECURED CREDITORS		
(197,065.63)	HM Revenue & Customs (PAYE/NIC)-	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(197,165.63)		(235.73)	251.67
	REPRESENTED BY		
	Current A/c		204.53
	Vat Receivable		47.14
			251.67

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

1 Staff Allocation and the Use of Sub-Contractors

- 1.1 The general approach to resourcing our 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 On this case we are proposing to use the services of the following sub-contractors:

Service(s)	Provider	Basis of fee arrangement	Cost to date
Pension Review	Evolve IS Limited	Fixed Fee	0.00
Rates Review	PCA	20% of realisations or time costs	0.00

- 1.4 An independent pension agent has been appointed to assist the Liquidator in dealing with pension matters, in accordance with the pension regulations. In addition to this the appointed agent will also assist with the completion of RP15 and filing of S120 forms if appropriate. A decision was taken to appoint the pension agent to effectively deal with the complexities of the pension and the costs of the Liquidators in dealing with the matter would have far exceeded the agreed fixed fee reached with pension agent.
- 1.5 It should be noted that Evolve IS Limited have confirmed that there is no pension in this matter and therefore there will be no charge in respect of their services.
- 1.6 Carndearg Consultants Ltd t/a PCA has been instructed to act on behalf of the Liquidators in relation to various matters concerning Local Authorities and in connection with Non-Domestic Rates and Rating Assessments of the properties occupied or formerly occupied by the occupier. A decision was taken to appoint the PCA to effectively deal with the complexities of the rates refund to establish if any rates refunds are due to the Company.

2 Professional Advisors

- 2.1 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
Gunnercook (legal advice and Fee Resolution)	Hourly rate and disbursements

- 2.2 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.

3 Joint Liquidators' Expenses & Disbursements

- 3.1 The estimate of expenses (including disbursements) which were anticipated at the outset of the liquidation was provided to creditors when the basis of my fees was approved by the court, a copy of which is attached.

- 3.2 The estimate of expenses (including disbursements) which were anticipated at the outset of the liquidation was provided to creditors when the basis of my fees was approved, a copy of which is set out below:

Expense	Estimated cost £ (plus VAT)
AML checks and Company searches	10.00
Storage	10.00
Bank Charges	10.00
Statutory advertising	137.40
Specific penalty bond	45.00

Current position of Joint Liquidators' expenses

- 3.3 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:

	Paid in prior period £	Paid in the period covered by this report £	Incurred but not paid to date £	Total anticipated cost £
Solicitors' costs	512.60	-	-	512.60
Statutory advertising	-	137.40	-	137.40
Specific penalty bond	-	45.00	-	45.00
External storage of books & records	-	30.90	-	50.00
Company Searches and AML checks	-	11.09	-	11.09
Bank Charges	-	10.00	-	10.00
Postage	-	1.34	-	1.34

- 3.4 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.
- 3.5 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.

4 Charge-Out Rates

- 4.1 Kay Johnson Gee Corporate Recovery Limited's current charge-out rates effective from 1 October 2018 are detailed below:

Staff Grade	£ (Per hour)
Appointment Takers	450
Managers	300 to 360
Administrator / Senior Administrator	220 to 250
Cashier / Support Staff	110 to 180

- 4.2 Please note this firm records its time in minimum units of 6 minutes.
- 4.3 Kay Johnson Gee Corporate Recovery Limited's charge-out rates effective from 1 November 2016 to 30 September 2018 are detailed below:

FRK CONSTRUCTION SERVICES LTD - IN LIQUIDATION

Staff Grade	£ (Per hour)
Partner	395
Senior Manager	330
Manager	300
Assistant Manager	275
Senior Administrator	250
Administrator	220
Cashier/ Support Staff	130

Time Entry - SIP9 Time & Cost Summary

FRKC01 - FRK Construction Services Ltd
 Project Code: POST
 From: 05/02/2020 To: 04/02/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Assistant Manager	Senior Administrator	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.30	6.14	0.30	0.00	0.00	0.00	6.74	2,269.20	336.68
Case Specific	0.00	1.00	0.00	0.00	0.00	0.00	1.00	330.00	330.00
Cashiering	0.00	0.00	0.25	1.30	0.00	0.00	1.55	188.00	121.29
Creditors	0.00	0.95	0.00	0.00	0.00	0.00	0.95	313.50	330.00
Investigation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.38	0.00	0.00	0.00	0.00	0.38	125.40	330.00
Statutory Compliance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	0.30	8.47	0.55	1.30	0.00	0.00	10.62	3,226.10	303.78
Total Fees Claimed								0.00	
Total Disbursements Claimed								235.73	

Time Entry - SIP9 Time & Cost Summary

Appendix D

FRKC01 - FRK Construction Services Ltd
Project Code: POST
From: 05/02/2018 To: 04/02/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Assistant Manager	Senior Administrator	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	1.40	13.94	0.30	9.08	1.00	0.00	25.72	7,355.77	285.97
Case Specific	0.00	1.00	0.00	3.67	0.00	0.00	4.67	1,136.52	243.57
Cashiering	0.00	0.00	0.25	2.30	0.00	0.00	2.55	298.00	116.86
Creditors	0.00	8.55	0.00	5.17	0.00	0.00	13.72	3,790.24	276.32
Investigation	0.75	11.50	0.00	0.42	0.00	0.00	12.67	3,837.99	302.99
Realisation of Assets	0.00	0.38	0.25	2.90	0.00	0.00	3.53	534.40	151.39
Statutory Compliance	0.50	0.00	0.00	0.58	0.00	0.00	1.08	353.26	326.19
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	2.65	35.37	0.80	24.11	1.00	0.00	63.93	17,306.18	270.68
Total Fees Claimed								0.00	
Total Disbursements Claimed								235.73	

Estimate of Fees and Expenses for FRK Construction Services Ltd (In Liquidation)

	Total Hours	Avg Hourly Rate £	Time Cost £	Disbursements £	Expenses £
Classification of Work Function					
Admin & Planning					
Appointment Notification/Formalities	5.00	319.00	1,595.00		
Case Filing	1.50	216.67	325.00		
Case Planning	2.00	347.50	695.00		
File Maintenance and Case Review	3.00	290.00	870.00		
Meeting and/or Internal Discussion	2.00	300.00	600.00		
Statutory Reporting	5.50	217.73	1,197.50		
Cashiering					
Cashiering/Invoicing	2.00	285.00	570.00		
Creditors					
General Communication	1.50	300.00	450.00		
H M Revenue & Customs	9.00	272.22	2,450.00		
Postage/Mail	1.00	175.00	175.00		
Unsecured Creditors	2.00	323.75	647.50		
Investigation					
CDDA Reporting	2.00	323.75	647.50		
Investigation					
Completion & Submission of CDDA	1.25	319.00	398.75		
Investigation					
Investigating antecedent transactions	9.00	265.56	2,390.00		
SIP 2 Review	6.00	274.17	1,645.00		
Realisation of Assets					
Agents/Solicitors	7.00	224.29	1,570.00		
Realisation of Assets					
Bank Reconciliation	1.00	175.00	175.00		
Realisation of Assets					
Banking/Cashiering	5.00	219.00	1,095.00		
Realisation of Assets					
Dealing with Assets/Agents	8.00	253.33	2,026.67		
Realisation of Assets					
Identifying, Securing & Insuring Assets	4.00	256.50	2,565.00		
Realisation of Property / Other Assets	11.00	271.82	2,990.00		
Statutory Compliance					
Statutory Duties	8.00	253.33	2,026.67		
	102.75	263.79	27,104.58		
Disbursements					
Category 1 Disbursements				212.40	
Category 2 Disbursements				0.00	
				212.40	
Expenses (*)					
					0.00
Totals	102.75	263.79	27,104.58	212.40	0.00

(*) Details of the expenses the IP considers will be, or are likely to be, incurred during the period of this estimate.

Details of estimated disbursements that will be paid during the period of this estimate.

Category 1 Disbursements

**Estimate of Fees and Expenses for
FRK Construction Services Ltd (In Liquidation)**

Category 1 Disbursements

Bank Charges	10.00
Bordereau Premium	45.00
Company Search & AML Checks	10.00
Statutory Adverts	137.40
Storage	10.00
	<hr/>
	212.40

Notes:

1. Category 1 Disbursements are payable without prior approval as they are payments to independent e.g. advertising, room hire, storage, travel expenses
2. Category 2 Disbursements are costs directly referable to the appointment e.g. Postage, Printing & Stationery, Mileage but as they are not to an independent third party they require approval in the same manner as the fee
3. The figures provided for Expenses are as accurate as possible based on the information available at this time. No prior approval is required for the payments of the expenses as they are regarded as a cost of the administration of the estate
4. Further approval will be sought from the creditors' committee or creditors if the circumstances of the case indicate that the above fee estimate is likely to be exceeded
5. The above estimates are all exclusive of VAT