

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number	0	4	7	9	8	7	5	6
Company name in full	Abbey Garden Machinery Ltd							

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

### 2 Liquidator's name

Full forename(s)	Daniel
Surname	Taylor

### 3 Liquidator's address

Building name/number	683-693 Wilmslow Road
Street	Didsbury
Post town	Manchester
County/Region	
Postcode	M 2 0 6 R E
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.

# LIQ03

## Notice of progress report in voluntary winding up


### 6 Period of progress report

From date	<sup>d</sup> 1	<sup>d</sup> 4	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0
To date	<sup>d</sup> 1	<sup>d</sup> 3	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 1

### 7 Progress report

<input checked="" type="checkbox"/> The progress report is attached
---

### 8 Sign and date

Liquidator's signature	Signature X  X							
Signature date	<sup>d</sup> 0	<sup>d</sup> 9	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 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 **Liam O'Connor**

Company name **Fortis Insolvency Limited**

Address **683-693 Wilmslow Road**

**Didsbury**

Post town **Manchester**

County/Region

Postcode **M 2 0 6 R E**

Country

DX

Telephone **0161 694 9955**

**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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)**

## NOTICE OF A PROGRESS REPORT

Registered №: 04798756

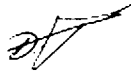
Registered office: Union Mine Road, Pitts Cleave, Tavistock, PL19 0PW

Trading address(es): Union Mine Road, Pitts Cleave, Tavistock, PL19 0PW

This Notice is being delivered by the Office Holder. In accordance with the Rules, a Progress Report dated 09 March 2021 is hereby delivered to Creditors and Members in these proceedings.

Daniel Taylor (IP № 21050) was appointed as Liquidator on 14/01/2020. Alternative contact name in relation to these proceedings: Liam O'Connor. They can be contacted at Fortis Insolvency Limited, 683-693 Wilmslow Road, Didsbury, Manchester, M20 6RE Tel: 0161 694 9955.

**Signed**



Name

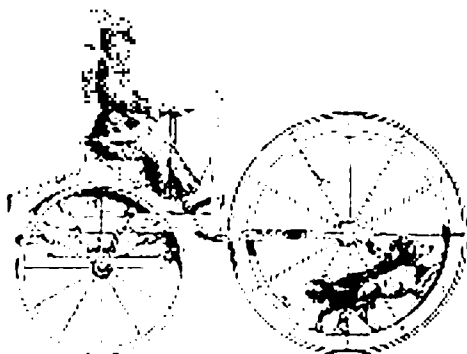
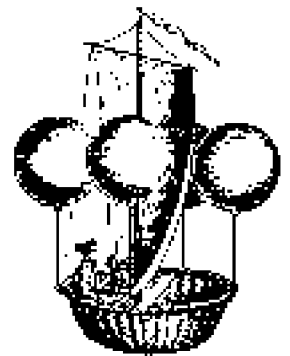
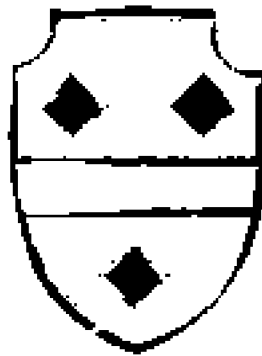
Daniel Taylor

Position

Liquidator

Date

09 March 2021



# Progress Report

**Abbey Garden Machinery Ltd**

09 March 2021

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## GLOSSARY

Term	Definition or Explanation
Company	Abbey Garden Machinery Ltd with registered № 04798756 ['the Company']
Proceedings	Creditors' Voluntary Liquidation
Office Holder Role	Liquidator  Statutory Information in relation to the Office Holder can be found on the Notice of Progress Report that is found at the front of, and forms part of, this Progress Report.
SIP 9	Statement of Insolvency Practice 9 Payments to Insolvency Office Holders and Their Associates
SIP 13	Statement of Insolvency Practice 13 Disposal of Assets to Connected Parties in an Insolvency Process
Review Period	The period this Progress Report covers is from 14 January 2020 to 13 January 2021

## STATUTORY INFORMATION

The majority of statutory information is included on the Notice of Progress Report that is found at the front of, and forms part of, this Progress Report.

There has not been any changes to the Office Holder during the Review Period.

The Receipts and Payments Account for the Review Period is found at Appendix B Receipts & Payments Account. The bank account has been reconciled.

The Company's centre of main interest was in the UK as their registered office and trading address was Union Mine Road, Pitts Cleave, Tavistock, PL19 0PW. Therefore it is considered that the EC Regulations apply. These proceedings are main proceedings as defined in the EC Regulation.

## ADMINISTRATION AND PLANNING

The Liquidator is required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that work is carried out to high professional standards. A detailed list of these tasks may be found in Appendix C Narrative of Work Undertaken.

The Liquidator has met their statutory and regulatory duties to report to creditors, as listed below. In consideration of the need for transparency and engagement with creditors, care has been taken to ensure

that reports and other communications with creditors have provided useful details of the strategies pursued and the outcomes anticipated. During the Review Period, the following key documents have been issued:

- ⚖ The Directors Initial Report to Creditors

During the Review Period, the following material tasks in this category were carried out:

- ⚖ Case reviews, specific bond reviews, etc.
- ⚖ Completing the case diary
- ⚖ Maintaining the estate cash book and carrying out bank account reconciliations

## **INVESTIGATIONS & ENQUIRIES**

During the Review Period, the Liquidator carried out an initial review of the Company's affairs in the period prior to appointment. This included seeking information and explanations from the directors by means of questionnaires; reviewing information received from creditors; and collecting and examining the Company's bank statements, accounts and other records.

The Directors made books and records available and provided completed questionnaires. A Statement of Affairs was also provided.

The information gleaned from this process enabled the Liquidator to meet their statutory duty to submit a confidential report on the conduct of the directors (past and present) to the Insolvency Service.

This work was also carried out with the objective of making an initial assessment of whether there were any matters that may lead to any recoveries for the benefit of creditors. This would typically include any potential claims which may be brought against parties either connected to or who have past dealings with the Company.

This initial assessment has been completed and the Liquidator did not identify any further assets or actions which might lead to a recovery for creditors.

Although this work did not generate any financial benefit to creditors, it was necessary to meet the statutory duties as well as conduct appropriate enquiries and investigations into potential rights of actions to enhance realisations.

## **REALISATIONS OF ASSETS**

Detailed below is key information about asset realisation and strategy, however, more details about the work undertaken may be found at Appendix C Narrative of Work Undertaken. The Liquidator formulated and worked through a realisation strategy that sought to maximise realisations net of costs. The financial benefit of those efforts is described further below.

The Liquidator is aware that the Company sold assets to an unconnected third party pre-Liquidation. The details of the transaction were as follows:

- The transaction was finalised on 23 December 2019.
- The sale included the following: Office Equipment, Plant and Machinery, Stock.



- The assets were valued by JPS Chartered Surveyors ("JPS"), a RICS registered Chartered Surveyor, at £14,700 in situ, £7,900 as individual items for sale and £4,900 subject to a marketing constraint.
- The unconnected purchaser, Bonington PLS, purchased the assets for £10,000 plus VAT.
- JPS fees and disbursements amounted to £3,952.75 plus VAT.

Funds of £7,256.70 (the net figure available to the insolvent estate after the deduction of JPS fees) were realised by the Liquidator following appointment.

As per the Company's last filed accounts to 31 December 2018, there was an outstanding intercompany loan with a book value of £162,012. The sum was owed by parent company Abbey Garden Machinery Holdings Ltd ("Holdings"), a connected enterprise by virtue of shared Directors.

As aforementioned, following appointment, the Liquidator and his staff undertook a detailed review of the Company's affairs, using the available records and bank statements. It became apparent that there were several different lines of expenditure linking the two Companies. These included loan payments both to and from each Company and payments made by both entities on behalf of the other (including creditor payments and business rates).

Holdings owned the commercial premises from which the Company in liquidation traded. This was situated at Union Mine Road, Pitts Cleave, Tavistock, PL19 0PW. The Company had a valid lease on the entirety of the premises. However, Holdings had let units of the premises out to three separate third parties. Holdings collected the respective rents as they fell due.

This led the Liquidator to argue that, because of the valid lease on the entirety of the premises, the rents were in fact due to the Company in liquidation.

Protracted negotiations with Holdings followed and Freeths LLP, a firm of Solicitors experienced in insolvency matters, were instructed to assist the Liquidator in reaching a settlement.

Ultimately, the Liquidator's claim amounted to £171,409.50. A settlement agreement was reached for a total of £135,000, payable at £1,950 per calendar month over 70 months. In return for the discount on the full claim, Holdings agreed to grant the Liquidator a charge over the premises at Union Mine Road, PL19 0PW.

Appropriate permissions were sought and granted by the two other chargeholders and a final charge was created on 15 June 2020 and delivered on 4 July 2020 at Companies House.

It was written into the settlement agreement that the Liquidator would only seek to repossess the property and market for sale in the event that Holdings defaulted on their monthly instalments.

In the period under review, Holdings has maintained payments in line with the settlement agreement, making seven instalments of £1,950 amounting to a total of £13,650.

Creditors will be updated on further progress in due course.

Following appointment, investigations were carried out into whether the Company had any debtors other than the intercompany loan referred to above.

It became apparent that all outstanding book debts had been collected pre-appointment.

Following appointment, the Liquidator opened a line of communication with Dimestream Data ("Dimestream"), who hosted the Company's two websites, abbeygardensales.com and abbeygarden.com, requesting information on the ownership of the websites and whether there was any potential resale value.

They responded by confirming that the site which took revenue, abbeygardensales.com, belonged to Dimestream Data rather than the Company. Appropriate evidence was provided. Dimestream have their own shopping system embedded in the websites they host, allowing them to deduct their fees at the point of sale.

The website abbeygarden.com was owned by the Company. However, this was just a single webpage with details of the Trading Company along with a telephone number. Crucially, it did not include the Dimestream shopping system and therefore had no way of generating revenue.

Consequently, the Liquidator disclaimed any interest in the websites and instructed Dimestream to take down the single webpage.

Any bank interest received into the estate bank account during the Review Period is indicated on the Receipts & Payments Account.

Payments made in association with the realisation of assets during the Review Period are outlined in Appendix B Receipts & Payments Account and discussed in Appendix E Expenses & Disbursements.

## **CREDITORS**

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, the Liquidator has had to carry out key tasks which are detailed in the list at Appendix C Narrative of Work Undertaken. The following sections explain the anticipated outcomes to creditors and any distributions paid. Any distributions paid to date are identified fully within Appendix A Supplementary Information.

The Company had granted the following security:

<b>Type of Charge</b>	<b>Date Created</b>	<b>Beneficiary</b>
Debenture	06/12/2011	Barclays Bank plc

### **Bankers / Financiers**

The debt due to Barclays Bank plc ['the Bank'] at the date of appointment was approximately £24,025. It is anticipated that asset realisations will be sufficient to repay the Bank in full. No funds have yet been distributed.

### **Employee claims**

15 employees were made redundant on 12/11/2019. During the Review Period the following has occurred:

- ⚙ The relevant information for employees to submit claims to the Redundancy Payments Service ['RPS'] has been issued to Employees
- ⚙ Help has been given to employees to enable them to submit their claims online

- ⚖ The relevant forms have been uploaded by the Office Holder to allow the RPS to agree employee claims form the records of the business

The claim from the RPS has not yet been received.

Unsecured creditors were initially estimated to be £496,055.77. Total claims received to date from 25 unsecured creditors are £292,761.76. Further unsecured claims of £260,093.18 remain outstanding. The Liquidator has not yet admitted claims for dividend purposes.

Where a floating charge is created after 15 September 2003 a prescribed part of the company's net property shall be made available to unsecured creditors. This is calculated as:

- ⚖ 50% of the first £10,000 of the net property; and
- ⚖ 20% of the remaining net property up to a maximum of £800,000.

It is anticipated that the secured creditor's claim will be discharged in full and consequently there will be no prescribed part in these proceedings.

#### **Secured Creditors**

It is anticipated that the secured creditor will receive a 100p / £ return based on the current information available. No distributions have yet been paid.

#### **Preferential Creditors**

The Liquidator anticipates being able to pay a distribution of 100p in the £ in respect of known primary preferential claims.

#### **Unsecured Creditors**

It is anticipated that unsecured creditors will receive a dividend distribution. However, the quantum and timing of this payment is currently uncertain. Any dividend is contingent on Holdings maintaining their monthly payment to the intercompany loan settlement agreement referred to above.

#### **MEMBERS**

No distributions to members are anticipated being made in these proceedings.

#### **CASE SPECIFIC MATTERS**

Following an investigation, and the filing of the relevant notices, the Liquidator concluded that the Company did not operate a pension scheme that required either winding up or independent trustees appointing to it.

Outstanding tax returns for the pre appointment period remain the responsibility of the Company.

Post appointment Corporation Tax Returns have been prepared and filed accordingly.

These proceedings are registered for VAT, so post appointment VAT is re-claimable. During the period of this Progress Report, the following has been carried out:

- ⚡ VAT 7 deregistration forms completed & filed
- ⚡ VAT 769 form completed & filed

There is no Liquidation Committee in these proceedings. Should creditors wish to find out how to get more involved in the proceedings, please go to:

<http://www.creditorinsolvencyguide.co.uk/getting-involved/#involvedsix>

## **FEES & EXPENSES**

### **Paid Prior to Appointment**

A fixed fee of £5,000 + VAT was agreed and paid by the Directors prior to the commencement of these proceedings.

It is the firm's practice to ensure that work is conducted by the appropriate staff member at the appropriate level of experience. Junior members of staff deal with the day to day administration on cases and a manager and Office Holder then oversees the work undertaken. Where the issues are complex and / or litigious, the work will be closely supervised or undertaken by a manager or the Office Holder. Fees are drawn in accordance with SIP 9 requirements.

### **Fee Basis**

The basis of the Liquidator's fees was approved by the creditors on 14 January 2020 to be drawn on the following basis:

That the Liquidator's fees be fixed by reference to the time given by him and his staff in attending to matters arising in the Liquidation, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time it was undertaken as detailed in the fees estimate dated 3 January 2020.

### **Quantum**

A forecasted total quantum of Office Holder remuneration is £49,937.50 + VAT of which £17,422.97 has been drawn in the review period.

### **Fair & Reasonable**

The Office Holder believes that the basis of remuneration provides a fair and reasonable reflection of the work undertaken (and yet to do) because it had been identified early on that this matter would be more complex than just a basic liquidation. Time costs will also identify the work required for specific matters relating to the case, for example pursuit of identified antecedent transactions. It is a fair reflection of the work required based on the complexity of this case.

## **Narrative of Work Undertaken**

A narrative of the work undertaken by the Office Holder and their team is found at Appendix C Narrative of Work Undertaken. This Appendix also contains an explanation of the remaining work that the Office Holder intends to carry out in this matter.

## **Calculation of Basis**

### *Time Costs*

The time costs for the period are detailed at Appendix D Time Costs Summary. The sum of £17,422.97 has been drawn on account of time costs incurred. A comparison between the original estimate and time costs to date is also given at Appendix D.

A Fees Estimate was provided as part of the process to fix the basis of the Office Holder's remuneration. The anticipated total remuneration is going to be in line with the fees estimate previously issued.

### *Fees Estimate*

Having regard for the costs that are likely to be incurred in bringing these proceedings to a close, the Liquidator considers that:

- ⚖ the original fees estimate is unlikely to be exceeded.

Appendix E Expenses & Disbursements contains a summary of the expenses drawn during the Review Period and talks specifically about each item.

The category 1 expenses and disbursements paid for in the Review Period are detailed at Appendix B Receipts & Payments Account as well as separately within Appendix E and represent the simple payment of case specific expenses or reimbursement of actual out of pocket payments made in relation to this assignment.

The category 2 disbursements for the Review Period are also discussed at Appendix E.

The basis of calculation of this category of disbursement was disclosed to creditors prior to their approval, which was given on 14 January 2020.

## **Other Professional Costs**

Please see Appendix E Expenses & Disbursements.

Information about this insolvency process may be found on the R3 website at <http://www.creditorinsolvencyguide.co.uk/>

A copy of 'A Creditors' Guide to Fees' together with the firm's charge-out rate and disbursement policy may be found at <http://www.fortisinsolvency.co.uk/guides.html>

A hard copy of both the Creditors' Guide and the firm's charge-out rate and disbursement policy may be obtained on request.

## CREDITORS' RIGHTS

The following may request further details of the Office Holder's remuneration and expenses, within 21 days of receipt of a Progress Report:

- ⚖ A secured creditor
- ⚖ An unsecured creditor with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question)

The following may, within 8 weeks of the receipt of a Progress Report, apply to court to challenge the amount and/or basis of the Office Holder's fees and the amount of any proposed expenses or expenses already incurred:

- ⚖ A secured creditor
- ⚖ An unsecured creditor with the permission of the court or with the concurrence of 10% in value of the unsecured creditors (including the creditor in question)

## CONCLUSION

The administration of the case will be continuing to finalise the following outstanding matters that are preventing this case from being closed:

- ⚖ Collection of the inter-company loan balance

This concludes this Progress Report for this Review Period. If you require any further information, please contact this office.

Signed  \_\_\_\_\_

**Daniel Taylor, Liquidator**

09 March 2021

## APPENDIX A SUPPLEMENTARY INFORMATION

Registered №: 04798756

Registered office: Union Mine Road, Pitts Cleave, Tavistock, PL19 0PW

Trading address(es): Union Mine Road, Pitts Cleave, Tavistock, PL19 0PW

Daniel Taylor (IP № 21050) was appointed as Liquidator on 14/01/2020. Alternative contact name in relation to these proceedings: Liam O'Connor. They can be contacted at Fortis Insolvency Limited, 683-693 Wilmslow Road, Didsbury, Manchester, M20 6RE Tel: 0161 694 9955.

Dividend Type	Date	Admitted Claims	№ Claims	Paid	£ in the £
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No distributions have been made.

## APPENDIX B

**Abbey Garden Machinery Ltd**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

**14/01/2020 to 13/01/2021**

<b>S of A £</b>		<b>£</b>	<b>£</b>
	<b>ASSET REALISATIONS</b>		
7,256.70	Book Debts	7,256.70	
Uncertain	Intercompany Loan	13,650.00	
Uncertain	Other Debtors	NIL	
Uncertain	Company Website	NIL	
	Contributions from Directors	6,000.00	
	Bank Interest Gross	0.87	
			26,907.57
	<b>COST OF REALISATIONS</b>		
	Preparation of S. of A.	5,000.00	
	Office Holder's Fees	17,422.97	
	Irrecoverable VAT	1,000.00	
			23,422.97
	<b>UNSECURED CREDITORS</b>		
(332,804.30)	Trade & Expense Creditors	NIL	
(186,392.88)	Director's Loan Account	NIL	
(56,284.33)	HMRC - VAT	NIL	
(38,644.74)	HMRC - PAYE	NIL	
			NIL
	<b>PREFERENTIAL CREDITORS</b>		
(7,766.85)	RPO - Arrears of Wages & Holiday Pay	NIL	
			NIL
	<b>FLOATING CHARGE CREDITORS</b>		
(24,025.76)	Barclays Bank PLC - QFCH	NIL	
			NIL
	<b>UNSECURED CREDITORS</b>		
(274,965.51)	Trade & Expense Creditors	NIL	
(70,000.00)	RPO - Redundancy & PILN	NIL	
(12,000.00)	Director Loan Accounts	NIL	
(48,811.88)	HMRC: VAT	NIL	
(51,864.54)	HMRC: PAYE	NIL	
(38,413.84)	Consumer Creditors	NIL	
			NIL
	<b>DISTRIBUTIONS</b>		
(100.00)	Ordinary Shareholders	NIL	
			NIL
			<b>3,484.60</b>
	<b>REPRESENTED BY</b>		
	Vat Receivable	3,484.60	
	Client - Interest Bearing	0.00	
	Office Account	0.00	
			<b>3,484.60</b>



## APPENDIX C NARRATIVE OF WORK UNDERTAKEN

Below is detailed information about the tasks undertaken by the Office Holder during the Report Period review period 14 January 2020 to 13 January 2021, as well as an indication of what work the Office Holder Intends.

### Statutory and General Administration

General Description	Includes	Why necessary / potential financial benefit to creditors	Carried out during the Period of the Progress Report	Work the Office Holder Intends
<b>Statutory advertising</b>	Filing of documents to meet statutory requirements including Progress Reports and Receipts & Payments Accounts	These items are required by statute and do not provide any direct financial benefit to creditors.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Bonding the case for the value of the assets		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Advertising in accordance with statutory requirements		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Filing of documents		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Document maintenance / file review / checklist</b>	Periodic file reviews documenting strategy	These items are required to help the Office Holder maintain control and demonstrate case progression.  They do not provide any direct financial benefit to creditors.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Maintenance of statutory and case progression task lists / diaries		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Bank account administration</b>	Preparing correspondence opening and closing accounts	These items are required to ensure that the estate bank account runs smoothly and that the estate's monies are	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Requesting bank statements		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Bank account reconciliations		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

General Description	Includes	Why necessary / potential financial benefit to creditors	Carried out during the Period of the Progress Report	Work the Office Holder Intends
<b>Planning Review</b>	Maintenance of the estate cash book	monitored, controlled and safeguarded.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Banking remittances and issuing cheques / BACS payments	They do not provide any direct financial benefit to creditors.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Discussions regarding strategies to be pursued	These items are required to help the Office Holder maintain control and demonstrate case progression.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case	They do not provide any direct financial benefit to creditors.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Dealing with records in storage	These items are required to help the Office Holder carry out any investigations required that may reveal further possible realisations available to the estate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		There may be a financial benefit to creditors, depending upon whether anything is identified.		
<b>Books and records storage</b>		At the end of the case, and when the review of books and records is complete, items are archived and sent to off-site storage.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Sending job files to storage	The Office Holder is required to keep various records for differing periods of time.		

General Description	Includes	Why necessary / potential financial benefit to creditors	Carried out during the Period of the Progress Report	Work the Office Holder Intends
		These activities do not provide any financial benefit to creditors.		
<b>Reports</b>	Circulating initial report to creditors upon appointment	These items are required by statute and do not provide any direct financial benefit to creditors.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Preparing Progress Report		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Review case to ensure all matters have been finalised		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Submitting final tax return		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Closure</b>	Obtain clearance to close case from HMRC	These items are required by statute and do not provide any direct financial benefit to creditors.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Obtain final accounts from agents, solicitors and others instructed		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Issue Final Account & Progress Report to Creditors & Members		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	File documents with Registrar of Companies		<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Investigations

General Description	Includes	Why necessary / potential financial benefit to creditors	Carried out during the Period of the Progress Report	Work the Office Holder Intends
<b>Initial Review</b>	Collection and making an inventory of Company books and records	These items are required by statute and generally do not provide any direct financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>

General Description	Includes	Why necessary / potential financial benefit to creditors	Carried out during the Period of the Progress Report	Work the Office Holder Intends
Statutory reporting on conduct of director(s)	Correspondence to request information on the of Company's dealings, making further enquiries of third parties	benefit to creditors, unless aspects are identified that may be capable of being pursued.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reviewing questionnaires submitted by the creditors and the directors		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reconstruction of financial affairs of the Company		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reviewing Company's books and records		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Preparation of deficiency statement		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Review of specific transactions and liaising with directors regarding certain transactions		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Preparing statutory investigation reports	These items are required by statute and generally do not provide any direct financial benefit to creditors, unless aspects are identified that may be capable of being pursued.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Liaising with Insolvency Service		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Submission of report with the Insolvency Service		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Strategy meeting regarding litigation	If required, such tasks may well provide a benefit to creditors as they may give enhanced recoveries that the Office Holder was not otherwise expecting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Litigation Recoveries	/ Attending to negotiations		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Attending to settlement matters		<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Realisation of Assets

General Description	Includes	Why necessary / potential financial benefit to creditors	Carried out during the Period of the Progress Report	Work the Office Holder Intends
<b>Debtors</b>	Collecting supporting documentation	These tasks aim to enhance the realisations of this asset category, thus providing realisations into the estate and benefitting creditors (in line with the strict order of priority)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Correspondence with debtors		<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Creditors, Members & Distributions

General Description	Includes	Why necessary / potential financial benefit to creditors	Carried out during the Period of the Progress Report	Work the Office Holder Intends
<b>Creditor Communication</b>	Receive and follow up creditor enquiries via telephone		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Review and prepare correspondence to creditors and their representatives via email and post	Not a statutory requirement, but assists creditors generally in their understanding of the situation faced	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Assisting employees to pursue claims via the RPO		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Corresponding with the PPF and the Pensions Regulator		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Dealing with proofs of debt ['POD']</b>	Receipting and filing POD when not related to a dividend	There is no direct financial benefit to creditors with these tasks, however they assist the Office Holder to maintain an orderly file and up to date information about claims.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Corresponding with RPO regarding POD when not related to a dividend		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Processing proofs of debt</b>	Preparation of correspondence to potential	There is an indirect benefit to creditors as this assists the	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	creditors inviting submission of POD	Office Holder in evaluating the overall liability position of the estate, and hence assist in the forecasting of overall potential outcome to creditors.		
	Receipt of POD		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Admitting POD for voting purposes		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Request further information from claimants regarding POD		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Preparation of correspondence to claimant advising outcome of adjudication		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Adjudicating POD for dividend purposes		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Agreeing allocation of realisations and costs between fixed and floating charges		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Paying distribution to secured creditors and seeking confirmation of discharged claims		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Preparation of correspondence to creditors advising of intention to declare distribution	A statutory requirement, where estate funds permit, providing returns to creditors in strict orders of priority as laid down in statute	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Dividend procedures</b>	Advertisement of notice of proposed distribution		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Preparation of distribution calculation		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Preparation of correspondence to creditors announcing declaration of distribution		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Preparation of cheques/BACS to pay distribution		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Preparation of correspondence to creditors		<input type="checkbox"/>	<input checked="" type="checkbox"/>

enclosing payment of  
distribution

Seeking unique tax reference  
from HMRC, submitting  
information on PAYE/NI  
deductions from employee  
distributions and paying over  
to HMRC

☐
☒

Dealing with unclaimed  
dividends

☐
☒

#### Case Specific Matters

General Description	Includes	Why necessary / potential financial benefit to creditors	Carried out during the Period of the Progress Report	Work the Office Holder Intends
<b>Pension scheme</b>	Identifying whether there is a pension scheme	These items are required by statute and do not provide any direct financial benefit to creditors.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Submitting the relevant notices if a pension scheme is identified		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Tax &amp; VAT</b>	Annual corporation tax returns	These items are required by statute and will not provide any direct financial benefit to creditors, unless a tax refund is due to the estate.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	File VAT 769 Notification		<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Deregister for VAT		<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Time charging policy

This policy applies where a licensed Insolvency Practitioner in this firm is seeking appointment, or is currently acting, as an Office Holder of an insolvent estate and a resolution will be proposed or has been approved authorising fees to be drawn from the estate. Time is charged to the case in 6 minute units. Hourly charges are reviewed annually and may be subject to change.

## Rates

Grade	Current Year: 2020 / 2021	Prior Year: 2019 / 2020
	£ per hour (net of VAT)	£ per hour (net of VAT)
Insolvency Practitioner	525.00	430.00
Director / non- appointment taking Insolvency Practitioner	450.00	375.00
Senior Manager	375.00	235.00
Manager	275.00	205.00
Case Administrator	225.00	175.00
Cashier	175.00	130.00
Support Staff	180.00	110.00



APPENDIX D TIME COSTS SUMMARY

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	2.90	2.30	0.00	18.90	24.10	5,625.50	233.42
Case Specific Matters	2.40	0.00	0.00	7.10	9.50	2,293.50	241.42
Creditors	0.30	0.90	0.00	13.20	14.40	2,716.50	188.65
Investigations	2.60	0.10	0.00	16.40	19.10	4,063.50	212.75
Pre-Appointment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	7.40	0.80	0.00	31.20	39.40	9,037.00	229.37
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	15.60	4.10	0.00	86.80	106.50	23,736.00	222.87
Total Fees Claimed						17,422.97	
Total Disbursements Claimed						0.00	

Time costs summary for period, cumulative & comparison with estimate for Abbey Garden Machinery Ltd

	Original fees estimate			Actual time costs incurred during the Review Period			Total time costs incurred to date		
Work category	Number of hours	Blended hourly rate £ per hour	Total fees £	Number of hours	Average hourly rate £ per hour	Total time costs £	Number of hours	Average hourly rate £ per hour	Total time costs £
Admin & Planning	42.50	233.41	9,920.00	24.10	233.42	5,625.50	24.10	233.42	5,625.50
Case Specific Matters	9.00	291.39	2,622.50	9.50	241.42	2,293.50	9.50	241.42	2,293.50
Creditors	92.50	214.84	19,872.50	14.40	188.65	2,716.50	14.40	188.65	2,716.50
Investigations	25.50	320.00	8,160.00	19.10	212.75	4,063.50	19.10	212.75	4,063.50
Realisation of Assets	36.50	256.51	9,362.50	39.40	229.37	9,037.00	39.40	229.37	9,037.00
<b>Totals</b>	<b>206.00</b>	<b>242.42</b>	<b>49,937.50</b>	<b>106.50</b>	<b>222.87</b>	<b>23,736.00</b>	<b>106.50</b>	<b>222.87</b>	<b>23,736.00</b>

## APPENDIX E EXPENSES & DISBURSEMENTS

Account	Incurred in period	Accrued in period	Total in Period	Forecasted Expenses	Future
Specific Bond	510.00	N/A	510.00		NIL
Statutory Advertising	182.00	N/A	182.00		NIL
Legal Fees	27,102.90	N/A	27,102.90		NIL
Legal Disbursements	100.00	N/A	100.00		NIL

Category 1 disbursements are payments to independent third parties where there is specific expenditure directly referable to the appointment in question. Category 1 disbursements can be drawn without prior approval. These are charged to the estate at cost, with no uplift. Legislation provides that Office Holders may discharge **Category 1 disbursements** from the funds held in the insolvent estate without further recourse to creditors.

### Specific Bond

A specific bond will be obtained for each Office Holder in the proceedings. This is a risk based premium, required by statute, based on the value of the assets that the Office Holder will have under their control, management or care.

### Statutory Advertising

Statutory advertising costs are for where a Notice has to be placed in the London Gazette. The Office Holder may choose to advertise a Notice elsewhere too. Gazette prices are fixed rates per advert.

### VAT

These proceedings are registered for VAT, so post appointment VAT is re-claimable. However, if a cost is paid for outside of the Estate by a third party (for example, a director), then that VAT is not capable of being re-claimed.

### Legal Fees

The Office Holder has instructed solicitors to assist them in these proceedings: Freeths LLP.

They were instructed to assist with:

- Advice regarding the surrender of the Company's lease agreement with Holdings
- Negotiations regarding intercompany loan
- Subsequent settlement agreement
- Registering the Liquidator's charge at Companies House







Their fees are based on Time Cost. An interim invoice has been provided for the sum of £5,000 plus Vat. Total Freeths Time Costs amount to £27,102.90, payment of which is contingent on Holdings maintaining their payments towards the intercompany loan settlement agreement.

There are also £100 Disbursements, £27 of which is subject to Vat.

A total of £2,000 plus Vat has been paid to Freeths since the period under review.

These are expenses, as defined by Statement of Insolvency Practice 9, as expenses that are directly referable to the proceedings, but not payable to an independent third party. They may include shared or allocated costs that may be incurred by the office holder or their firm, and that can be allocated to the appointment on a proper and reasonable basis. They require creditor approval prior to being drawn from the estate. No category 2 disbursements have been drawn.

The items and amounts charged are as follows:

 Dishonoured Cheque £25 per cheque	 File set up £15 per file
 Mileage 55 pence per mile	 Meeting room hire £60 per statutory meeting
 Photocopying 15 pence per sheet	 Storage of Books and Records £10 per standard or £15 per large archive box per month

**Abbey Garden Machinery Ltd**

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