

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	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	^d 1	^d 4	^m 0	^m 1	^y 2	^y 0	^y 2	^y 1	
To date	^d 1	^d 3	^m 0	^m 1	^y 2	^y 0	^y 2	^y 2	

7 Progress report

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

8 Sign and date

Liquidator's signature	Signature X  X								
Signature date	^d 0	^d 9	^m 0	^m 3	^y 2	^y 0	^y 2	^y 2	

**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 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

NOTICE OF A PROGRESS REPORT

Abbey Garden Machinery Ltd in Creditors Voluntary Liquidation

Registered No: 04798756

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

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

Notice

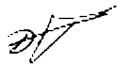
This Notice is being delivered by the Office Holder. In accordance with the Rules, a Progress Report dated 09 March 2022 is hereby delivered to Creditors and Members in these proceedings.

Office Holder Details

Daniel Taylor (IP No 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.

Office Holder to Sign

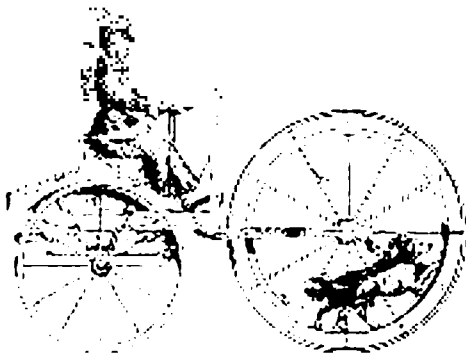
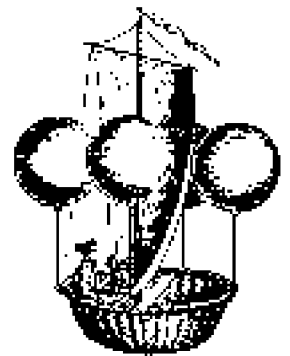
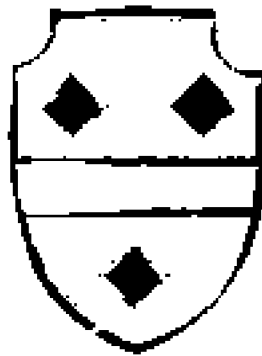
Signed



Name Daniel Taylor

Position Liquidator

Date 09 March 2022



Progress Report

Abbey Garden Machinery Ltd

09 March 2022

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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 from an Estate
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 2021 to 13 January 2022

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; please also see Appendix A Supplementary Information.

Changes to Office Holder

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

Receipts & Payments Account

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

EU Regulations as it has effect in the law of the United Kingdom

The Company's centre of main interest ['COMI'] was in the UK as their registered office address was and their trading address was Union Mine Road, Pitts Cleave, Tavistock, PL19 0PW. These proceedings are COMI proceedings.

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.

Reporting

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:

- ✚ Progress Reports for prior review periods

Other Administration Tasks

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

- ✚ Case reviews, specific bond reviews, etc.
- ✚ Completing the case diary
- ✚ Updating checklists for case management purposes
- ✚ Maintaining the estate cash book & carrying out bank account reconciliations

ETHICS

The Office Holder is bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment. During the Review Period, no new threats to compliance with the Code of Ethics have been identified.

Specialist Advice and Services

When instructing third parties to provide specialist advice and services or having the specialist services provided by the firm, the Office Holder is obligated to ensure that such advice or work is warranted and that the advice or work contracted reflects the best value and service for the work undertaken. The firm reviews annually the specialists available to provide services within each specialist area and the cost of those services to ensure best value. The specialists chosen usually have knowledge specific to the insolvency industry and, where relevant, to matters specific to this insolvency appointment.

Details of any specialists specifically chosen in this matter are detailed in Appendix E Expenses & Disbursements.

INVESTIGATIONS & ENQUIRIES

The initial investigations have been reported on in a prior Progress Report. It is not proposed to duplicate that information here.

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.

Book Debts

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.

Intercompany Loans

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.

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 consideration 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 twelve instalments of £1,950 amounting to a total of £23,400.

Total sums received to the end of the reporting period are £37,050 leaving £97,950 remaining to be paid.

Creditors will be updated on further progress in due course.

Other Debtors

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.

Company Website

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 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.

Payments

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.

Secured Creditors

The Company had granted the following security:

Type of Charge	Date Created	Beneficiary
Fixed and Floating Charge	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.

Preferential Creditors

Fifteen employees were made redundant on 12/11/2019.

Employees were estimated to be owed £7,766.85 in respect of pay arrears and accrued holiday pay. If the RPS pays out to an employee, they stand in the shoes of the employee in these proceedings. The claim from the RPS has not yet been received.

Unsecured creditors

Unsecured creditors were initially estimated to be £496,055.77.

Total unsecured creditor claims received are £297,118.44 from 27 creditors. Further unsecured claims of £257,624.56 remain outstanding. The Liquidator has not yet admitted claims for dividend purposes.

Prescribed Part

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 from asset realisations and consequently there will be no prescribed part in these proceedings.

Dividend Prospects

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 of approximately 7p / £. 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

Pensions

Following an investigation, and 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.

Taxes & VAT

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.

Liquidation Committee ['Committee']

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

Pre-Appointment Costs

Previously Reported

As these costs have been reported fully in previous progress reports (available on the Portal or by requesting all copies in writing addressed to: Fortis Insolvency Limited, 683-693 Wilmslow Road, Didsbury, Manchester, M20 6RE) then it is not proposed to duplicate this information here.

Office Holder's Fees

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: Time Costs

The Office Holder considers this case to be of a high level of complexity. This is because of the matters outlined in this and other Reports.

Quantum

A forecasted total quantum of Office Holder remuneration is £49,937.50 plus VAT of which £24,837.07 has been drawn to date. A sum of £7,414.10 has been received during the Review Period.

Steps Taken to Approve the Fee Basis

Remuneration of the Office Holder was approved in prior periods and no further steps have been taken during the period of this report to fix the basis of Office Holder's remuneration.

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 matter. 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 on this matter.

Calculation of Basis

Time Costs

The time costs for the period are detailed at Appendix D Time Costs Summary. The sum of £24,837.07 has been drawn on account of time costs incurred. A comparison between the original estimate and time costs to date is given at Appendix D Time Costs Summary.

Fees Estimate

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.

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; and
- ⚖ the original expenses estimate is unlikely to be exceeded.

Expenses & Disbursements

An amended Statement of Insolvency Practice (SIP), SIP 9, was issued on 1 April 2021. The amended SIP 9 has changed some of the terminology and introduced additional disclosure requirements. The information below may therefore not reflect the information previously provided.

The expenses (including disbursements) that have been incurred and not yet paid during the period are detailed in Appendix E Expenses & Disbursements. Also included is a comparison of the expenses likely to be incurred in these proceedings as a whole with the original expenses estimate, together with reasons where any expenses are likely to exceed that estimate. The amounts paid in the Review Period are identified in Appendix B Receipts & Payments Account which includes the forecasted total position for the expenses.

The category 1 expenses paid for in the Review Period are detailed at Appendix E Expenses & Disbursements. These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. Category 1 expenses can be paid without prior approval.

The category 2 disbursements for the Review Period are also discussed in Appendix E Expenses & Disbursements. These are payments to associates of the Office Holder or which have an element of shared costs. Before being paid, category 2 expenses require approval in the same manner as an Office Holder's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement.

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

Please note that some category 2 expenses may have previously been approved, and their estimated costs or basis of their cost provided as part of the expenses estimate may not be discharged from the estate from 1 April 2021 and these are identified as part of Appendix E Expenses & Disbursements.

Payments to Associates

The category 2 expenses did not incur any payments due to associates.

Other Professional Costs

Please see Appendix E Expenses & Disbursements.

Further Information

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

Right to Request Further Information

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)

Right to make an Application to Court to Challenge an Office Holder's Remuneration or Expenses

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 Intercompany Loan; and
- ✚ Distributions to secured, preferential and unsecured creditors.

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 2022

APPENDIX A SUPPLEMENTARY INFORMATION

About the Company

Registered №: 04798756

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

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

Office Holder Details

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.

Dividends / Distributions / Consigned Funds

Dividend Type	Date	Admitted Claims	№ Claims	Paid	£ in the £
N/A					

Abbey Garden Machinery Ltd

Liquidator's Summary of Receipts and Payments Account

Statement of Affairs [£]	Receipts & Payments Account				
	To 13/1/2021 [£]	From 14/1/2021 To 13/1/2022 [£]	Payments Account as at 13/1/2022 [£]	Forecasted Future Movements [£]	Estimated Outcome Statement [£]
Asset Realisations					
7,256.70 Book Debts	7,256.70	0.00	7,256.70	0.00	7,256.70
Uncertain Intercompany Loan	13,650.00	23,400.00	37,050.00	97,950.00	135,000.00
Uncertain Other Debtors	0.00	0.00	0.00	0.00	0.00
Uncertain Company Website	0.00	0.00	0.00	0.00	0.00
Contributions from Directors	6,000.00	0.00	6,000.00	0.00	6,000.00
Bank Interest Gross	0.87	2.32	3.19	0.00	3.19
7,256.70	26,907.57	23,402.32	50,309.89	97,950.00	148,259.89
Cost of Realisations					
Preparation of SoA & Other Pre Appointment Fees	5,000.00	0.00	5,000.00	0.00	5,000.00
Liquidator Fees	17,422.97	7,414.10	24,837.07	25,100.43	49,937.50
Legal Fees	0.00	12,000.00	12,000.00	15,102.90	27,102.90
Legal Disbursements	0.00	100.00	100.00	0.00	100.00
Irrecoverable VAT	1,000.00	0.00	1,000.00	0.00	1,000.00
	(23,422.97)	(19,514.10)	(42,937.07)	(40,203.33)	(83,140.40)
Preferential Creditors					
(7,766.85) RPS - Arrears & Holiday Pay	0.00	0.00	0.00	7,766.85	7,766.85
(7,766.85)	0.00	0.00	0.00	(7,766.85)	(7,766.85)
Floating Charge Creditors					
(24,025.76) Barclays Bank PLC - QFCH	0.00	0.00	0.00	24,025.76	24,025.76
(24,025.76)	0.00	0.00	0.00	(24,025.76)	(24,025.76)
UNSECURED CREDITORS					
(274,965.51) Trade & Expense Creditors	0.00	0.00	0.00	18,473.21	18,473.21
(70,000.00) Redundancy Payments Service	0.00	0.00	0.00	4,702.86	4,702.86
(12,000.00) Director Loan Accounts	0.00	0.00	0.00	806.20	806.20
(48,811.88) HMRC: VAT	0.00	0.00	0.00	3,279.36	3,279.36
(51,864.54) HMRC: PAYE	0.00	0.00	0.00	3,484.45	3,484.45
(38,413.84) Consumer Creditors	0.00	0.00	0.00	2,580.79	2,580.79
(496,055.77)	0.00	0.00	0.00	(33,326.88)	(33,326.88)
MEMBERS					
(100.00) Ordinary Shareholders	0.00	0.00	0.00	0.00	0.00
(100.00)	0.00	0.00	0.00	0.00	0.00
(520,691.68) Net Receipts/(Payments)	3,484.60	3,888.22	7,372.82	(7,372.82)	0.00
MADE UP AS FOLLOWS					
Vat Receivable	3,484.60	3,888.22	7,372.82	(7,372.82)	0.00
Client Account - Interest Bearing	0.00	0.00	0.00	0.00	0.00
	3,484.60	3,888.22	7,372.82	(7,372.82)	0.00

APPENDIX C NARRATIVE OF WORK UNDERTAKEN

Detailed Narrative of Work Undertaken & Work Yet to Do

Below is detailed information about the tasks undertaken by the Office Holder during the Report Period review period 14 January 2021 to 13 January 2022, as well as an indication of what work the Office Holder Intends.

Statutory and General Administration 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
Statutory advertising /	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 type="checkbox"/>	<input checked="" type="checkbox"/>
	Advertising in accordance with statutory requirements		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Document maintenance / file review / checklist	Filing of documents		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Periodic file reviews documenting strategy	These items are required to help the Office Holder maintain control and demonstrate case progression.	<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	They do not provide any direct financial benefit to creditors.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bank account administration	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 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
Planning Review	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 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 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.		
Books and records storage		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
Closure		These activities do not provide any financial benefit to creditors.		
	Preparing Progress Report		<input checked="" 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"/>
	Obtain clearance to close case from HMRC		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Obtain final accounts from agents, solicitors and others instructed	These items are required by statute and do not provide any direct financial benefit to creditors.	<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"/>

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
Intercompany Loan	Monitoring contributions	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 checked="" type="checkbox"/>
	Billing and payment of third parties		<input checked="" type="checkbox"/>	<input checked="" 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
Creditor Communication	Receive and follow up creditor enquiries via telephone	Not a statutory requirement, but assists creditors generally in their understanding of the situation faced	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Review and prepare correspondence to creditors and their representatives via email and post		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dealing with proofs of debt ['POD']	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"/>
Processing proofs of debt	Preparation of correspondence to potential creditors inviting submission of POD		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Receipt of POD	There is an indirect benefit to creditors as this assists the Office Holder in evaluating the overall liability position of the estate, and hence assist in the forecasting of overall potential outcome to creditors.	<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"/>
Dividend procedures	Agreeing allocation of realisations and costs between fixed and floating charges	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"/>
	Paying distribution to secured creditors and		<input type="checkbox"/>	<input checked="" type="checkbox"/>

seeking confirmation of discharged claims

Preparation of correspondence to creditors advising of intention to declare distribution

☐
☒

Advertisement of notice of proposed distribution

☐
☒

Preparation of distribution calculation

☐
☒

Preparation of correspondence to creditors announcing declaration of distribution

☐
☒

Preparation of cheques/BACS to pay distribution

☐
☒

Preparation of correspondence to creditors 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
Tax & VAT	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"/>

Current Charge-out Rates for the firm

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: 2021 / 2022	Prior Year: 2020 / 2021
	£ per hour (net of VAT)	£ per hour (net of VAT)
Insolvency Practitioner	525.00	525.00
Director / non-appointment taking Insolvency Practitioner	450.00	450.00
Senior Manager	375.00	375.00
Manager	275.00	275.00
Case Administrator	225.00	225.00
Cashier	175.00	175.00
Support Staff	180.00	180.00

APPENDIX D TIME COSTS SUMMARY

Post Appointment Time Cost Information for Review Period 14 January 2021 to 13 January 2022

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	2.10	5.15	0.00	1.40	8.65	2,851.25	329.62
Case Specific Matters	0.00	3.40	0.00	0.30	3.70	1,002.50	270.95
Creditors	0.00	1.70	0.00	0.00	1.70	467.50	275.00
Investigations	0.00	0.40	0.00	0.00	0.40	110.00	275.00
Pre-Appointment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	1.20	0.00	0.00	1.20	330.00	275.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	2.10	11.85	0.00	1.70	15.65	4,761.25	304.23
Total Fees Claimed						7,414.10	
Total Disbursements Claimed						0.00	

Time Costs Summary Forecast to Actual Comparison

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	8.65	329.62	2,851.25	32.75	258.83	8,476.75
Case Specific Matters	9.00	291.39	2,622.50	3.70	270.95	1,002.50	13.20	249.70	3,296.00
Creditors	92.50	214.84	19,872.50	1.70	275.00	467.50	16.10	197.76	3,184.00
Investigations	25.50	320.00	8,160.00	0.40	275.00	110.00	19.50	214.03	4,173.50
Realisation of Assets	36.50	256.51	9,362.50	1.20	275.00	330.00	40.60	230.71	9,367.00
Totals	206.00	242.42	49,937.50	15.65	304.23	4,761.25	122.15	233.30	28,497.25

APPENDIX E EXPENSES & DISBURSEMENTS

Definitions

According to SIP 9:

The term **associate** is defined in the insolvency legislation. For the purposes of SIP 9, Office Holders should, in addition to the definition in the insolvency legislation, consider the substance or likely perception of any association between the insolvency practitioner, their firm, or an individual within the insolvency practitioner's firm and the recipient of a payment. Where a reasonable and informed third party might consider there would be an association, payments should be treated as if they are being made to an associate, notwithstanding the nature of the association may not meet the definition in the legislation.

Expenses are any payments from the estate which are neither an Office Holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements. Disbursements are payments which are first met by the Office Holder, and then reimbursed to the Office Holder from the estate.

Expenses are divided into those that do not need advance approval before they are charged (category 1) and those that do (category 2).

Category 1 expenses are payments to persons providing the service to which the expense relates who are not an associate of the Office Holder. Category 1 expenses can be paid without prior approval.

Category 2 expenses are payments to associates or which have an element of shared costs. Before being paid, category 2 expenses require approval in the same manner as an Office Holder's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement.

When seeking approval of category 2 expenses, an Office Holder should explain for each expense the basis on which the expense is being charged to the estate.

Any shared or allocated payments incurred by the Office Holder or their firm are to be treated as category 2 expenses and approval sought before payment. This is irrespective of whether the payment is being made to an associate, because the Office Holder will be deciding how the expenses are being shared or allocated between insolvency appointments. Requiring approval of these payments enables those who are approving the expenses to confirm that the approach being taken by the Office Holder is reasonable.

Category 2 Approval

Approval for the drawing of category 2 expenses was given on: 14 January 2020

Statement of Expenses

Expense	Category	Original Expenses Estimate	Expenses Incurred in Review Period	Actual Expenses incurred to date £ (whether or not paid)	Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)
Specific Bond	1	44.00	NIL	430.00	Increase in expected realisations.
Statutory Advertising	1	97.94	NIL	182.00	Incorrect estimate.
Legal Fees	1	N/A	NIL	27,102.90	
Legal Disbursements	1	N/A	NIL	100.00	
Irrecoverable VAT	1	N/A	NIL	1,000.00	Omitted from original estimate.

Specific Bond

A category 1 expense.

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.

As a firm, we hold our general and specific bond with AUA Insolvency Risk Services Ltd ['IRS']. The specific bond costs are applied to the case. As a firm, we do not receive any discounts that are not automatically passed onto the case. We do not believe that this is an Associated Person.

Statutory Advertising

A category 1 expense.

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.

We advertise via Courts Advertising Ltd ['Courts'] (who are specialists in legal and public notice adverts and experienced in insolvency related advertising), utilising standard document templates as provided by them. Gazette prices are fixed rates per advert. As a firm, we do not receive any discounts that are not automatically passed onto the case. We do not believe that this is an Associated Person.

Legal Fees

A category 1 expense.

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 Costs. 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 £12,000 plus VAT has been paid to Freeths in the period under review.

VAT

A category 1 expense.

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. We do not believe that this is an Associated Person.