

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 1 0 1 2 7 4 8 6

Company name in full Church Lane Building Maintenance Ltd

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Martin

Surname Halligan

3 Liquidator's address

Building name/number Wentworth House

Street 122 New Road Side

Post town Horsforth

County/Region Leeds

Postcode L S 1 8 4 Q B

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 | 9 | ^m | 0 | ^m | 5 | ^y | 2 | ^y | 0 | ^y | 2 | ^y | 0 |
| To date | ^d | 1 | ^d | 8 | ^m | 0 | ^m | 5 | ^y | 2 | ^y | 0 | ^y | 2 | ^y | 1 |
| 7 | Progress report | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> The progress report is attached | | | | | | | | | | | | | | | | |
| 8 | Sign and date | | | | | | | | | | | | | | | |
| Liquidator's signature | <div>Signature</div> <div>  </div> | | | | | | | | | | | | | | | |
| Signature date | ^d | 0 | ^d | 6 | ^m | 0 | ^m | 6 | ^y | 2 | ^y | 0 | ^y | 2 | ^y | 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 **Sarah Procter**

Company name **Live Recoveries Limited**

Address
Wentworth House
122 New Road Side

Post town **Horsforth**

County/Region **Leeds**

Postcode **L S 1 8 4 Q B**

Country

DX

Telephone
0113 258 5290

**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

Church Lane Building Maintenance Ltd
(In Liquidation)
Liquidator's Summary of Receipts & Payments

| Statement of Affairs £ | | From 19/05/2020 To 18/05/2021 £ | From 19/05/2020 To 18/05/2021 £ |
|---------------------------|----------------------------|---------------------------------------|---------------------------------------|
| | ASSET REALISATIONS | | |
| | Bank Interest Gross | 0.18 | 0.18 |
| NIL | Building Equipment | NIL | NIL |
| | Cash at Bank | 662.67 | 662.67 |
| NIL | Goodwill | NIL | NIL |
| | | 662.85 | 662.85 |
| | COST OF REALISATIONS | | |
| | Preparation of S. of A. | 3,000.00 | 3,000.00 |
| | | (3,000.00) | (3,000.00) |
| | UNSECURED CREDITORS | | |
| (3,500.00) | Director | NIL | NIL |
| (1.00) | HM Revenue & Customs - CIS | NIL | NIL |
| (1,500.00) | HM Revenue & Customs -- CT | NIL | NIL |
| (20,000.00) | HM Revenue & Customs - VAT | NIL | NIL |
| (31,755.00) | Trade & Expense Creditors | NIL | NIL |
| | | NIL | NIL |
| | DISTRIBUTIONS | | |
| (100.00) | Ordinary Shareholders | NIL | NIL |
| | | NIL | NIL |
| (56,856.00) | | (2,337.15) | (2,337.15) |
| | REPRESENTED BY | | |
| | Bank 1 Current | | 62.85 |
| | Client | | (3,000.00) |
| | Vat Receivable | | 600.00 |
| | | | (2,337.15) |



Live Recoveries

Helping You Navigate Recovery And Insolvency

CHURCH LANE BUILDING MAINTENANCE LTD – IN LIQUIDATION

Company Number: 10127486

Registered Office: c/o Live Recoveries, Wentworth House, 122 New Road Side, Horsforth, Leeds, LS18 4QB

Former Registered Office: 301a Oxford Road, Gomersal, Cleckheaton, BD19 4LA

Liquidator's First Progress Report

Report Dated: 04 June 2021

M P Halligan appointed Liquidator on 19 May 2020

Live Recoveries

Wentworth House | 122 New Road Side | Horsforth | Leeds | LS18 4QB

Tel: 0113 258 5290

Email: mail@liverecoveries.com Web: www.liverecoveries.co.uk

Martin Halligan & David Cockshott are licensed in the United Kingdom to act as Insolvency Practitioners by the Insolvency Practitioners Association
Insolvency Practitioners acting as Administrators or Administrative Receivers contract as agents without personal liability.

Live Recoveries is a trading style of Live Recoveries Limited. Registered Office as above.
Incorporated in England and Wales. Company Registration No: 07561994.

CHURCH LANE BUILDING MAINTENANCE LTD (“the Company”) – IN LIQUIDATION

Company Number: 10127486

Registered Office: c/o Live Recoveries, Wentworth House, 122 New Road Side, Horsforth, Leeds, LS18 4QB

Former Registered Office: 301a Oxford Road, Gomersal, Cleckheaton, BD19 4LA

Trading Address: 301a Oxford Road, Gomersal, Cleckheaton, BD19 4LA

INTRODUCTION

This is my report to members and creditors following the anniversary of my appointment. This report should be read in conjunction with my initial letter to members and creditors following my appointment.

Live Recoveries uses personal information in order to fulfil the legal obligations of our Insolvency Practitioners under the Insolvency Act and other relevant legislation, and also to fulfil the legitimate interests of keeping creditors and others information about the insolvency proceedings. You can find more information on how Live Recoveries uses your personal information on our website at <https://www.liverecoveries.co.uk/wp-content/uploads/2019/08/Privacy-Policy-GDPR.pdf>.

RECEIPTS AND PAYMENTS

A summary of receipts and payments for the period 19 May 2020 to 18 May 2021 is attached at Appendix I. This shows a balance in hand of £663, which has been reconciled against the financial records I am required to maintain. The contents therein are self-explanatory.

Payments are shown net of VAT.

An interest-bearing bank account has been opened with Barclays Bank PLC for the purposes of the Liquidation.

LIQUIDATOR’S ACTION SINCE APPOINTMENT

Administration (including statutory compliance & reporting)

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.

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 Liquidator.

As noted in my initial fees estimate, this work will not necessarily bring any financial benefit to creditors, but is required on every case by statute.

Assets Specifically Pledged

The Estimated Statement of Affairs disclosed no assets specifically pledged.

I can confirm that no specifically pledged assets have been brought to my attention in this reporting period.

Assets Not Specifically Pledged

Goodwill

The Statement of Affairs detailed goodwill with a book value of £5,000 and estimate to realise nil.

Since my appointment, I have been attempting to contact the Company’s accountants in order to obtain a copy of the full account and to understand the initial establishment of the same and to review. I have recently issued a S236 notice to the relevant party in order to assist in my investigations.

The review of the goodwill is ongoing.

Building Equipment

The Statement of Affairs detailed building equipment with a book value of £6,050 and estimate to realise nil. The Director detailed that due to the age and condition of the building equipment that the realisable value would be negligible.

Following my appointment, I requested a schedule of the building equipment from the Director and the accountants. I have been unable to confirm that the schedule provided by the Director is accurate.

The review of the building equipment is ongoing.

Cash at Bank

I have received £663 cash at bank in this reporting period.

Contribution to Costs

I have received a contribution towards the costs of the Liquidation from the Director in the sum of £3,000.

Creditors (claims and distributions)

Further information on the anticipated outcome for creditors in this case can be found at below. The Liquidator is 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.

Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.

The above work will not necessarily bring any financial benefit to creditors generally, however the Liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.

Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company has no current charges registered over its assets.

The legislation requires that if the Company has created a floating charge after 15 September 2003, a prescribed part of the Company's net property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case, there were no creditors secured by a floating charge such that the prescribed part provisions do not apply.

Preferential Creditors

The Statement of Affairs disclosed no preferential creditors. I can confirm that no preferential claims have been received.

Non – Preferential Unsecured Creditors

The Statement of Affairs included £21,501 owed to HM Revenue & Customs ("HMRC"). HMRC have yet to submit a claim in the Liquidation.

The Statement of Affairs included 5 non-preferential unsecured creditors with an estimated total liability of £35,255. I have received claims from 1 of the creditors totalling £3,500. I am yet to receive claims from the other 4 creditors, whose claims were estimated in the sum of £31,755.

DIVIDEND PROSPECTS

Secured Creditors

The Company has no secured assets or creditors.

Preferential Creditors

The Company has no preferential creditors.

Floating Charge Creditors

The Company has no outstanding floating charge creditors.

Non-preferential Unsecured Creditors

On present information, it is unlikely that there will be a distribution to the non-preferential creditors.

INVESTIGATIONS INTO THE AFFAIRS OF THE COMPANY

Following my initial investigation in to the affairs of the Company, the following matters were raised and I have undertaken the following in regard to the same:-

- Upon a review of the Company's bank statements, various transactions required further investigation. I established certain payments in the final period and considered that these may constitute a preference in accordance with S239 of The Insolvency Act 1986. I am continuing to liaise with the Director in relation to this matter and am currently unable to advise on what balance may be recoverable.

PRE-APPOINTMENT REMUNERATION

The Creditors previously authorised the payment of fees of £3,000 for my assistance with preparing the statement of affairs and £3,000 for convening and holding the meeting of members on 19 May 2020.

The fees for preparing the statement of affairs and convening and holding the meeting of creditors has been part paid first from realisations and is shown in the enclosed receipts and payments account. The balance of £3,000 is as yet unpaid as insufficient realisations have been made to date.

LIQUIDATOR'S REMUNERATION

In my initial report to creditors dated 15 June 2020, I set out the basis upon which I proposed to be remunerated. This report detailed a decision by correspondence, the decision date of which was 20 July 2020. Creditors approved my remuneration on a mixed basis, as set out below:-

Fixed Fee

I was authorised to draw a fixed fee of £8,168 for my work in respect of the following categories:-

- Administration and Planning
- Meetings, Reports and Reviews
- Taxation

Specific work undertaken in this regard is detailed in Live Recoveries' fee recovery policy ("the Policy") attached at **Appendix III**.

I have not been able to draw any remuneration in respect of work done for which my fees were approved as a fixed fee.

Time Costs

I was also authorised to draw time costs for my work in respect of the following categories:-

- Investigations
- Realisation of Assets
- Creditors – General Correspondence

This approval was based on my fees estimate of £5,437. The fees estimate acts as a cap and I cannot draw remuneration in excess of that estimate without first seeking approval from the creditors. My total time costs for such work to 18 May 2021 amount to £1,515, representing 6 hours of work at a blended charge out rate of £241 per hour. The blended charge out rate incurred compares with the estimated blended charge out rate of £254 in my fees estimate.

I have not been able to draw any remuneration in respect of work done for which my fees were approved on a time costs basis.

Specific work undertaken in this regard is detailed at **Appendix IV**.

As at 04 June 2021, I do not anticipate that the total time costs I will incur in this matter in respect of the categories of work for which I am being remunerated on a time cost basis will exceed the total estimated remuneration I set out in my fees estimate when my remuneration was authorised by the creditors.

LIQUIDATOR'S EXPENSES

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 include disbursements. Disbursements are payments which are first met by the office holder and then reimbursed to the office holder from the estate. Expenses are split into:-

- Category 1 Expenses – Payments to persons providing the service to which the expense relates who are not an associate of the office holder; and
- Category 2 Expenses – 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 1 Expenses

I have incurred category 1 expenses of £242. I have not been able to draw any category 1 expenses.

Category 2 Expenses

No Category 2 expenses have been incurred.

FURTHER INFORMATION ON FEES AND DISBURSEMENTS

A schedule of Live Recoveries' current fees and disbursements policy from 01 April 2021 together with the appropriate fee policy based on this matter being a time costs basis only from 01 April 2018 is attached at **Appendix III**. Scale rates may increase from time to time over the period of administration on each insolvency case, which is periodically reviewed.

An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

A copy of 'A Creditors Guide to Liquidators' Fees' published by the R3 is available on our website on the 'Resources' link. Please note that there are different versions of the Guidance Notes, and in this case you should refer to the April 2017 version. A hard copy of both of this can be obtained on request from this office.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>.

OTHER PROFESSIONALS / AGENTS EMPLOYED

As Liquidator I have not instructed any other professionals.

MATTERS OUTSTANDING

The remaining outstanding matters in this case are as follows:-

- My investigations and administrative duties are ongoing.

OTHER MATTERS

The Liquidation will remain open until the matters detailed above have been concluded. I estimate that this will take approximately 6 months and once resolved, the Liquidation will be finalised and my files will be closed.

If creditors have any queries regarding the Liquidation, or if they want hard copies of any of the documents available on-line, they should contact Sarah Procter on 0113 258 5290 or by email at sarah.procter@liverecoveries.com.

At Live Recoveries we always strive to provide a professional and efficient service. However, I recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of this case, then in the first instance you should contact me at the address given in this letter

If you consider that I have not dealt with your comments or complaint appropriately you, then put details of your concerns in writing to our complaints officer, Harpreet Basi, Live Recoveries, Wentworth House, 122 New Road Side, Horsforth, Leeds, LS18 4QB. This will formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior member of staff unconnected with the appointment. Please note our full grievance procedure can be seen on our website www.liverecoveries.co.uk.

Yours faithfully

Martin P Halligan

Liquidator

APPENDIX I

SUMMARY OF RECEIPTS AND PAYMENTS

Church Lane Building Maintenance Ltd
(In Liquidation)
LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

| | Statement of affairs £ | From 19/05/2020 To 18/05/2021 £ | From 19/05/2020 To 18/05/2021 £ |
|----------------------------|------------------------------|---------------------------------------|---------------------------------------|
| RECEIPTS | | | |
| Goodwill | NIL | 0.00 | 0.00 |
| Building Equipment | NIL | 0.00 | 0.00 |
| Cash at Bank | | 662.67 | 662.67 |
| Contribution to costs | | 0.00 | 3,000.00 |
| Bank Interest Gross | | 0.18 | 0.18 |
| | | <u>662.85</u> | <u>3,662.85</u> |
| PAYMENTS | | | |
| Preparation of S. of A. | | 3,000.00 | 3,000.00 |
| Trade & Expense Creditors | (31,755.00) | 0.00 | 0.00 |
| HM Revenue & Customs - VAT | (20,000.00) | 0.00 | 0.00 |
| HM Revenue & Customs -- CT | (1,500.00) | 0.00 | 0.00 |
| HM Revenue & Customs - CIS | (1.00) | 0.00 | 0.00 |
| Director | (3,500.00) | 0.00 | 0.00 |
| Ordinary Shareholders | (100.00) | 0.00 | 0.00 |
| | | <u>3,000.00</u> | <u>3,000.00</u> |
| Net Receipts/(Payments) | | <u>(2,337.15)</u> | <u>662.85</u> |
| MADE UP AS FOLLOWS | | | |
| Bank 1 Current | | 62.85 | 62.85 |
| Client | | (3,000.00) | 0.00 |
| VAT Receivable / (Payable) | | 600.00 | 600.00 |
| | | <u>(2,337.15)</u> | <u>662.85</u> |

APPENDIX II

SUMMARY OF LIQUIDATOR'S TIME COSTS

CHURCH LANE BUILDING MAINTENANCE LIMITED - IN LIQUIDATION

TIME COSTS SUMMARY 19 MAY 2020 TO 18 MAY 2021

| Classification of Work Function | Partner | Senior Manager | Manager | Other Seniors | Assistants | Total Hours | Total Cost (£) | Average Hourly Rate (£) |
|---------------------------------|-------------|-------------------|-------------|------------------|------------|----------------|-------------------|-------------------------------|
| Creditors | - | - | - | - | - | - | - | - |
| Asset Realisation | - | - | - | 0.60 | - | 0.60 | 135.00 | 225.00 |
| Investigations | 0.30 | - | 0.60 | 4.80 | - | 5.70 | 1,380.00 | 242.11 |
| TOTAL | 0.30 | - | 0.60 | 5.40 | - | 6.30 | 1,515.00 | 240.48 |

APPENDIX III

LIVE RECOVERIES PRACTICE FEE RECOVERY POLICY

**LIVE RECOVERIES' PRACTICE FEE RECOVERY POLICY
IN CREDITORS' VOLUNTARY LIQUIDATION
AS AT 01 APRIL 2018**

Introduction

The Insolvency (Amendment) Rules 2015 allows different fee bases to be used for different tasks within the same appointment. The fee basis, or combination of bases, set for a particular appointment is/are subject to approval, generally by a Liquidation committee if one is appointed by creditors, failing which by a decision of creditors, or by the Court.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <https://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>. Details about the rights of creditors in relation to an office holder's fees available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at www.liverecoveries.com. Alternatively, a hard copy may be requested from Live Recoveries.

Once the basis of the office holder's remuneration has been approved, a periodic report will be provided to any committee and also to each creditor. The report will provide a breakdown of the remuneration drawn against the approval obtained. If it has been agreed that some or all of the office holder's remuneration will be charged on a time costs basis, i.e. by reference to time properly spent by members of staff of the practice at our standard charge out rates, the time incurred will also be disclosed, whether drawn or not, together with the average, or "blended" rates of such costs. Under the legislation, any such report must disclose how creditors can seek further information and challenge the basis on which the fees are calculated, and the level of fees drawn in the period of the report. Once the time to challenge the office holder's remuneration for the period reported on has elapsed, then that remuneration cannot subsequently be challenged.

Fixed fee

The legislation also allows all or part of the office holder's fees to be agreed as a set amount. Different set amounts can be used for different tasks undertaken by the office holder. A report accompanying any fee request will disclose the set fee that we propose to charge, and the work covered by that remuneration, as well as the expenses that will be, or are likely to be, incurred. Expenses can be incurred without approval but must be disclosed to help put the remuneration request into context.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If the basis of remuneration has been approved on a fixed fee basis then an increase in the amount of the fixed fee can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the fixed fee. If there has not been a material and substantial change in the circumstances, then an increase can only be approved by the Court.

There are certain tasks that have to be undertaken in most liquidations. Although these are required by statute or regulation or are necessary for the orderly conduct of the proceedings, they do not produce any direct benefit for creditors, but still have to be carried out.

The fixed fee has been calculated following a review of the work to be undertaken on each case at the appropriate staff level. The following sets out work undertaken in regard to the fixed fee: -

Administration and planning:

- Case planning - Devising an appropriate strategy for dealing with the case and giving instructions to staff to undertake the work on the case.
- Setting up physical/electronic case files (as applicable).
- Consideration of the fee basis.
- Setting up the case on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and other parties required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond.
- Convening and holding general meetings of creditors and members (as applicable).
- Obtaining the Company's books and records and archiving the same.
- Dealing with all routine correspondence and e-mails relating to the case.
- Opening, maintaining and managing the office holder's estate bank account.
- Creating, maintaining and managing the office holder's cashbook.
- Undertaking monthly/quarterly bank reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a periodic basis.
- Undertaking periodic reviews of the progress of the case.

- Overseeing and controlling the work done on the case by case administrators.
- Filing returns at Companies House.

Meetings Reports and Reviews:

- Preparing and reviewing annual progress reports to creditors and members.
- Preparing and reviewing the final account to creditors and members.

Taxation:

- *Preparing and filing VAT returns.*
- Preparing and filing Corporation Tax returns.
- Seeking closure clearance from HMRC and other relevant parties.

In considering the inherent time involved in undertaken the above work it is considered that the set fee proposed represents an appropriate, reasonable and commensurate reflection of the work which we anticipate will need to be undertaken at this stage. Please note that certain tasks (detailed in italics) may not be required (i.e. the Company may not be registered for VAT) However, any specific individual task does not have a material impact on the consideration given for the fixed fee.

Time Costs

For some of the elements of the work which the office holder is required to carry out, the cost involved cannot be identified with enough certainty at this stage to seek remuneration approval on a fixed cost basis. Therefore, it is proposed to seek approval on a time cost basis for this element of work and an estimate of what the office holder considers these costs may be at this stage is included with the initial report. This estimate acts as a cap on time costs so that fees cannot be drawn in excess of the estimated time costs without further approval from those who approved the initial fees.

When charging fees on a time costs basis the firm uses charge out rates appropriate to the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6-minute units with supporting narrative to explain the work undertaken.

| Grade of staff | Current charge-out rate per hour £ |
|-----------------------|---|
| Partner | 400 |
| Senior Manager | 350 |
| Manager | 300 |
| Administrator | 225 |
| Assistant | 95 |

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. The work is generally recorded under the following categories:

- Administration and Planning
- Investigations
- Meetings, Reports & Reviews
- Realisation of Assets
- Creditors
- Taxation
- Trading

The firm only intend to seek time costs for the following categories:

- Creditors
- Asset Realisations
- Investigations
- Trading (if applicable)

When seeking approval for fees, an office-holder will disclose the work that it intends to undertake, the hourly rates that it intends to charge for each part of the work, and the time that is considered each part of the work will take. The firm will summarise that information in an average or “blended” rate for all of the work being carried out within the estimate. The firm will also say whether it is anticipated needing to seek approval to exceed the estimate and, if so, the reasons that it is considered that may be necessary.

Again information provided should include sufficient details about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the

office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If an office holder subsequently needs to seek authority to draw fees in excess of the estimate, the firm will say why it has been exceeded, or are likely to exceed the estimate; any additional work undertaken, or proposed to be undertaken; the hourly rates proposed for each part of the work; and the time that the additional work is expected to take. As with the original estimate, the firm will state whether it considers further approval to be necessary and, if so, why the firm thinks it may be necessary to seek further approval.

Agent's Costs

Charged at cost based upon the charge made by the Agent instructed, the term Agent includes:

- Solicitors/Legal Advisors
- Auctioneers/Valuers
- Accountants
- Quantity Surveyors
- Estate Agents
- Other Specialist Advisors

The office holder will provide details of expenses to be incurred, or likely to be incurred, when seeking fee approval. When reporting to the committee and creditors during the course of the insolvency appointment the actual expenses incurred will be compared with the original estimate provided.

Disbursements

In accordance with SIP 9 the basis of disbursement allocation in respect of disbursements incurred by the office holder in connection with the administration of the estate must be fully disclosed to creditors. Disbursements are categorised as either Category 1 or Category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or Live Recoveries; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the estate. These disbursements are recoverable in full from the estate without the prior approval of creditors either by a direct payment from the estate or, where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party. Examples of category 1 disbursements are statutory advertising, external meeting room hire, external storage, specific bond insurance and company search fees.

Category 2 expenses are incurred by the firm and recharged to the estate; they are not attributed to the estate by a third-party invoice and/or they may include a profit element. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of category 2 disbursements are photocopying, internal room hire, internal storage and mileage.

It is proposed that the following Category 2 disbursements are recovered:

| Disbursement Type | | Basis of Charge |
|--|--|------------------------|
| Mileage | | 75p per mile |
| Creditor Circulars (incl. stationery, printing and postage) | | At Cost |
| Meeting Room Hire (Physical Meeting) | | £100 per meeting |

**LIVE RECOVERIES' PRACTICE FEE RECOVERY POLICY
IN CREDITORS' VOLUNTARY LIQUIDATION
AS AT 01 APRIL 2021**

Introduction

The Insolvency (Amendment) Rules 2015 allows different fee bases to be used for different tasks within the same appointment. The fee basis, or combination of bases, set for a particular appointment is/are subject to approval, generally by a Liquidation committee if one is appointed by creditors, failing which by a decision of creditors, or by the Court.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <https://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>. Details about the rights of creditors in relation to an office holder's fees available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at www.liverecoveries.com. Alternatively, a hard copy may be requested from Live Recoveries.

Once the basis of the office holder's fees has been approved, a periodic report will be provided to any committee and also to each creditor. The report will provide a breakdown of the fees drawn against the approval obtained. If it has been agreed that some or all of the office holder's fees will be charged on a time costs basis, i.e. by reference to time properly spent by members of staff of the practice at our standard charge out rates, the time incurred will also be disclosed, whether drawn or not, together with the average, or "blended" rates of such costs. Under the legislation, any such report must disclose how creditors can seek further information and challenge the basis on which the fees are calculated, and the level of fees drawn in the period of the report. Once the time to challenge the office holder's fees for the period reported on has elapsed, then that fees cannot subsequently be challenged.

Fixed fee

The legislation also allows all or part of the office holder's fees to be agreed as a set amount. Different set amounts can be used for different tasks undertaken by the office holder. A report accompanying any fee request will disclose the set fee that we propose to charge, and the work covered by that fees, as well as the expenses that will be, or are likely to be, incurred. Expenses can be incurred without approval but must be disclosed to help put the fees request into context.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If the basis of fees has been approved on a fixed fee basis then an increase in the amount of the fixed fee can only be approved by the committee or creditors (depending upon who approved the basis of fees) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the fixed fee. If there has not been a material and substantial change in the circumstances, then an increase can only be approved by the Court.

There are certain tasks that have to be undertaken in most liquidations. Although these are required by statute or regulation or are necessary for the orderly conduct of the proceedings, they do not produce any direct benefit for creditors, but still have to be carried out.

The fixed fee has been calculated following a review of the work to be undertaken on each case at the appropriate staff level. The following sets out work undertaken in regard to the fixed fee:-

Administration and planning:

- Case planning - Devising an appropriate strategy for dealing with the case and giving instructions to staff to undertake the work on the case.
- Setting up physical/electronic case files (as applicable).
- Consideration of the fee basis.
- Setting up the case on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and other parties required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond.
- Convening and holding general meetings of creditors and members (as applicable).
- Obtaining the Company's books and records and archiving the same.
- Dealing with all routine correspondence and e-mails relating to the case.
- Opening, maintaining and managing the office holder's estate bank account.
- Creating, maintaining and managing the office holder's cashbook.
- Undertaking monthly/quarterly bank reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a periodic basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.

- Filing returns at Companies House.

Meetings Reports and Reviews:

- Preparing and reviewing annual progress reports to creditors and members.
- Preparing and reviewing the final account to creditors and members.

Taxation:

- *Preparing and filing VAT returns.*
- Preparing and filing Corporation Tax returns.
- Seeking closure clearance from HMRC and other relevant parties.

In considering the inherent time involved in undertaken the above work it is considered that the set fee proposed represents an appropriate, reasonable and commensurate reflection of the work which we anticipate will need to be undertaken at this stage. Please note that certain tasks (detailed in italics) may not be required (i.e. the Company may not be registered for VAT) However, any specific individual task does not have a material impact on the consideration given for the fixed fee.

Time Costs

For some of the elements of the work which the office holder is required to carry out, the cost involved cannot be identified with enough certainty at this stage to seek fees approval on a fixed cost basis. Therefore, it is proposed to seek approval on a time cost basis for this element of work and an estimate of what the office holder considers these costs may be at this stage is included with the initial report. This estimate acts as a cap on time costs so that fees cannot be drawn in excess of the estimated time costs without further approval from those who approved the initial fees.

When charging fees on a time costs basis the firm uses charge out rates appropriate to the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6 minute units with supporting narrative to explain the work undertaken.

| Grade of staff | Current charge-out rate per hour £ |
|-----------------------|---|
| Partner | 400 |
| Senior Manager | 350 |
| Manager | 300 |
| Administrator | 225 |
| Assistant | 125 |

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. The work is generally recorded under the following categories:

- Administration and Planning
- Investigations
- Meetings, Reports & Reviews
- Realisation of Assets
- Creditors
- Taxation
- Trading

The firm only intend to seek time costs for the following categories:

- Creditors
- Asset Realisations
- Investigations
- Trading (if applicable)

When seeking approval for fees, an office-holder will disclose the work that it intends to undertake, the hourly rates that it intends to charge for each part of the work, and the time that is considered each part of the work will take. The firm will summarise that information in an average or “blended” rate for all of the work being carried out within the estimate. The firm will also say whether it is anticipated needing to seek approval to exceed the estimate and, if so, the reasons that it is considered that may be necessary.

Again, information provided should include sufficient details about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If an office holder subsequently needs to seek authority to draw fees in excess of the estimate, the firm will say why it has been exceeded, or are likely to exceed the estimate; any additional work undertaken or proposed to be undertaken; the hourly rates proposed for each part of the work; and the time that the additional work is expected to take. As with the original estimate, the firm will state whether it considers further approval to be necessary and, if so, why the firm thinks it may be necessary to seek further approval.

Agent's Costs

Charged at cost based upon the charge made by the Agent instructed, the term Agent includes:

- Solicitors/Legal Advisors
- Auctioneers/Valuers
- Accountants
- Quantity Surveyors
- Estate Agents
- Other Specialist Advisors

The office holder will provide details of expenses to be incurred, or likely to be incurred, when seeking fee approval. When reporting to the committee and creditors during the course of the insolvency appointment the actual expenses incurred will be compared with the original estimate provided.

Expenses

In accordance with SIP 9 the basis of expense allocation in respect of expenses incurred by the office holder in connection with the administration of the estate must be fully disclosed to creditors. Expenses are categorised as either Category 1 or Category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or Live Recoveries; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the estate. These expenses are recoverable in full from the estate without the prior approval of creditors either by a direct payment from the estate or, where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party. Examples of category 1 expenses are statutory advertising, external meeting room hire, external storage, specific bond insurance and company search fees.

Category 2 expenses are incurred by the firm and recharged to the estate; they are not attributed to the estate by a third party invoice and/or they may include a profit element. These expenses are recoverable in full from the estate, subject to the basis of the expense charge being approved by creditors in advance. Examples of category 2 expenses are photocopying, internal room hire, internal storage and mileage.

It is proposed that the following Category 2 expenses are recovered:

| Expense Type | | Basis of Charge |
|--|--|------------------|
| Mileage | | 75p per mile |
| Creditor Circulars (incl. stationery, printing and postage) | | At Cost |
| Meeting Room Hire (Physical Meeting) | | £100 per meeting |

APPENDIX IV

SCHEDULE OF WORK TO BE UNDERTAKEN IN RESPECT OF THE ESTIMATION ON TIME COSTS

Creditors

- Unsecured
 - Notification of the Liquidator's Appointment
 - Liaising with creditors in relation to their outstanding claims
 - Logging receipt of proof of debt claim forms and acknowledging receipt, where applicable
 - Issuing the completed progress reports to creditors
 - Reviewing any claims in respect of any retention of title clauses
 - Considering claims for recovery of assets in respect of retention of title requests

Asset Realisations

- Cash at Bank
 - Notification of the Liquidator's Appointment and request for details of the current account balance
 - Request for the credit balance from the Company's bankers
 - Consideration of any set-off request by the bank
 - Administration surrounding receipt of the monies

Investigations

- Review the Company's bank statements to determine whether there have been any inappropriate antecedent transactions.
- Verifying assets insured by the Company.
- Liaising with the Company's accountants in respect of financial disclosure.
- Liaising with the Company's solicitors in respect of any outstanding matters or previous instructions.
- Review to ensure that none of the assets have disappeared.
- Review and archive the Company's books and records.
- Review available documentation to establish the date of insolvency.
- Comparing claims received against claims disclosed in the Estimated Statement of Affairs.
- Comparing the Estimated Statement of Affairs with available financial information.
- Meetings with directors and other Company officers, as necessary.
- Review concerns raised by creditors, as necessary.
- Ensure that co-operation is received from the directors.
- Completing the return to the Insolvency Service
- Considering the various matters in accordance with Statement of Insolvency Practice 2.
- Liaising with the Director and the accountants in relation to the goodwill
- Liaising with the Director and the accountants in relation to the building equipment