

In accordance with  
Rule 18.7 of the  
Insolvency (England &  
Wales) Rules 2016 and  
Sections 92A, 104A and  
192 of the Insolvency  
Act 1986.

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

WEDNESDAY



A15

\*A78170Q2\*

13/06/2018

#286

COMPANIES HOUSE

### 1 Company details

Company number **0 1 8 0 0 8 4 2**

Company name in full **DEANE & AMOS ALUMINIUM SYSTEMS LIMITED**

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

### 2 Liquidator's name

Full forename(s) **GARY STEVEN**

Surname **PETTIT**

### 3 Liquidator's address

Building name/number **9/10**

Street **SCIROCCO CLOSE**

**MOULTON PARK**

Post town **NORTHAMPTON**

County/Region

Postcode **N N 3 6 A P**

Country

### 4 Liquidator's name ①

Full forename(s) **GAVIN GEOFFREY**

Surname **BATES**

① Other liquidator  
Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number **9/10**

Street **SCIROCCO CLOSE**

**MOULTON PARK**

Post town **NORTHAMPTON**

County/Region

Postcode **N N 3 6 A P**

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 2	d 1	m 0	m 5	y 2	y 0	y 1	y 7
To date	d 2	d 0	m 0	m 5	y 2	y 0	y 1	y 8

**7****Progress report**

- The progress report is attached

**8****Sign and date**

Liquidator's signature	Signature 	X					
Signature date	d 1	d 1	m 0 6	y 2	y 0	y 1	y 8

LIQ03

Notice of progress report in voluntary winding up



### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name

Company name  
**PBC BUSINESS RECOVERY**

& INSOLVENCY LIMITED

Address  
**9/10 SCIROCCO CLOSE**

**MOULTON PARK**

Post town  
**NORTHAMPTON**

County/Region

Postcode

<b>N</b>	<b>N</b>	<b>3</b>	<b>6</b>	<b>A</b>	<b>P</b>	<b></b>
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Country

DX

Telephone  
**01604 212150**



### 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)

**DEANE & AMOS ALUMINIUM SYSTEMS LIMITED – IN CREDITORS' VOLUNTARY  
LIQUIDATION**  
**LIQUIDATORS' PROGRESS REPORT TO CREDITORS AND MEMBERS FOR THE YEAR  
ENDING 20 MAY 2018**

**1 Introduction**

1.1 This is my report to members and creditors following the fifth anniversary of my appointment as liquidator. This report should be read in conjunction with my previous reports.

**2 Statutory Information**

2.1 The table below details key information regarding the company and the liquidation.

Company name:	Deane & Amos Aluminium Systems Ltd – In Liquidation
Registered office:	9/10 Scirocco Close, Moulton Park, Northampton, NN3 6AP
Former registered office:	South Portway Close, Round Spinney, Northampton, NN3 8RH
Registered number:	01800842
Date of winding up resolution:	The company entered liquidation on 21 May 2013 as the exit route from administration. The company entered administration on 21 February 2013.
Joint Liquidators' names:	Gary Pettit and Gavin Bates
Joint Liquidators' address:	PBC Business Recovery & Insolvency Ltd ("PBC"), 9/10 Scirocco Close, Moulton Park, Northampton, NN3 6AP
Joint Liquidators' date of appointment:	Mr Pettit was appointed on 21 May 2013. Mr Bates was appointed liquidator on 22 May 2014.
Former Liquidators:	Alan R Price (formerly of this firm) who acted as liquidator from 21 May 2013 until he ceased on 22 May 2014 pursuant to an order of the High Court.

**3 Liquidators' Actions Since Last Report**

3.1 Since my last report to creditors, the joint liquidators have undertaken the following actions:

- i. Investigated the affairs of the company as detailed below.
- ii. Dealt with all routine correspondence and emails relating to the case.
- iii. Maintained and managed (including regular bank reconciliations) the office holder's estate bank account and cashbook.
- iv. Reviewed the adequacy of the specific penalty bond (this is insurance required by statute that every insolvency office holder has to obtain for the protection of each estate).

- v. Undertaken periodic reviews of the progress of the case.
  - vi. Prepared, reviewed and issued annual progress reports to creditors and members.
  - vii. Filed returns at Companies House.
  - viii. Prepared and filed VAT returns.
  - ix. Prepared and filed Corporation Tax returns.
  - x. Dealt with creditor correspondence, emails and telephone conversations regarding their claims.
  - xi. Maintained up to date creditor information on the case management system.
- 3.2 The above list includes certain work that I am required by the insolvency legislation to undertake in connection with the liquidation but provides no financial benefit for the creditors.

#### **4 Receipts and Payments**

- 4.1 My receipts & payments account for the period from 21 May 2017 to 20 May 2018 is attached. The balance of funds is held in an interest bearing estate bank account.

#### **5 Assets**

- 5.1 Other than a small amount of bank interest, there have been no asset realisations in the period and creditors should refer to my previous reports.

#### **6 Investigation into the affairs of the company**

- 6.1 As previously reported, I have been undertaking an investigation into the affairs of the company (and the group of companies of which the company was a member (all of which are in liquidation with myself and Gavin Bates as joint liquidators)). These investigations culminated in legal proceedings being commenced and I am unable to comment further as doing so may prejudice the case.

#### **7 Liabilities**

- 7.1 **Secured Creditors:** An examination of the company's mortgage register held by the Registrar of Companies showed that the company has granted the following charges:

Name of Chargeholder:	Lloyds TSB Commercial Finance Ltd
Date Charge Registered:	29 September 2011
Type of Security	Fixed charge over the book debts and floating charge
Claim on statement of affairs	£142,067
Claim received to date:	NIL as the chargeholder was redeemed in full from book debt collections in the administration

- 7.2 **Preferential Creditors:** The company's records anticipated £18,750 in preferential creditors. All claims received from the employees have been passed to The Redundancy Payments Office.
- 7.3 **Crown Creditors:** The company's records included £416,921 owed to HMRC. HMRC's final claim of £596,197 has been received.
- 7.4 At the time of writing, I have not investigated the reasons for the difference in the level of claim received.
- 7.5 **Non-preferential unsecured Creditors:** The company's records included 96 non-preferential unsecured creditors with an estimated total liability of £338,049. I have received claims from 44 creditors at a total of £911,920. I have not received claims from 52 creditors with original estimated claims of £97,000.
- 7.6 The total of claims received differs from those anticipated due to a claim from the company's landlord (including claims for dilapidations and future rent) which was not detailed in the company's records.

## **8 Dividends**

- 8.1 Until my investigations are finalised, I am unable to comment on the return to creditors with any certainty.

## **9 Post Appointment Remuneration**

- 9.1 My remuneration was previously authorised by the creditors at a meeting held on 2 May 2013 to be drawn on a time cost basis. My total time costs to 20 May 2018 amount to £46,285.39 of which £5,548.50 representing 23.4 hours work, was charged in the period since 21 May 2017.
- 9.2 I have drawn £43,899.89 to 20 May 2018 of which £3,450.58 was drawn in the period since 21 May 2017.
- 9.3 A schedule of my time costs incurred to date and in the period since 21 May 2017 is attached, along with the PBC Business Recovery & Insolvency fee recovery policy.
- 9.4 A description of the routine work undertaken in the liquidation to date is as follows:

1. Administration and Planning

- Preparing the documentation and dealing with the formalities of appointment.
- Statutory notifications and advertising.
- Preparing documentation required.
- Dealing with all routine correspondence.
- Maintaining physical case files and electronic case details.
- Review and storage.
- Case bordereau.
- Case planning and administration.

- Preparing reports to members and creditors.
  - Convening and holding meetings of members and creditors.
2. Cashiering
- Maintaining and managing the liquidator's cashbook and bank account.
  - Ensuring statutory lodgements and tax lodgement obligations are met.
3. Creditors
- Dealing with creditor correspondence and telephone conversations.
  - Preparing reports to creditors.
  - Maintaining creditor information.
  - Reviewing and adjudicating on proofs of debt received from creditors.
4. Investigations
- Review and storage of books and records.
  - Prepare a return pursuant to the Company Directors Disqualification Act.
  - Conduct investigations into suspicious transactions.
  - Review books and records to identify any transactions or actions a liquidator may take against a third party in order to recover funds for the benefit of creditors.
5. Realisation of Assets
- Corresponding with debtors and attempting to collect outstanding book debts.
  - Liaising with agents regarding the chattel assets.

## **10 Liquidators' Expenses**

- 10.1 Creditors authorised that I could draw category 2 disbursements on 2 May 2013.
- 10.2 I have incurred expenses to 20 May 2018 of £805.79 of which £156.02 was incurred in the period since 21 May 2017.
- 10.3 I have drawn my expenses in full.
- 10.4 I have used the following agents or professional advisors in the reporting period:

<b>Professional Advisor</b>	<b>Nature of Work</b>	<b>Basis of Fees</b>
Moon Beever Solicitors	Solicitors	Time costs

- 10.5 Messrs Moon Beever are solicitors who specialise in corporate recovery and insolvency advice. They have many years of experience and work with a number of different insolvency practitioners.
- 10.6 The choice of professionals used was based on my perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them. I have reviewed the fees charged and am satisfied that they are reasonable in the circumstances of this case. It should also be noted that insolvency is a very specialist field. Therefore agents who work for insolvency practitioners have very specialist

knowledge and skill set. There are limited numbers of agents available and they are therefore likely to be acting for this firm on a number of cases.

## **11 Creditors' Rights**

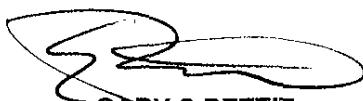
- 11.1 An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question), request further details of the joint liquidators' remuneration and expenses within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.
- 11.2 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 joint liquidators' 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.
- 11.3 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/>. A copy of 'A Creditors Guide to Liquidators' Fees' also published by R3 is available at <http://www.pcbusinessrecovery.co.uk/links>. Please note that there are different versions of the guidance notes and in this case you should refer to November 2011 version. Please note we have provided further details in the attached practice fee recovery sheet.

## **12 Provision of Services Regulations**

- 12.1 To comply with the Provision of Services Regulations, some general information about PBC can be found at <http://www.pcbusinessrecovery.co.uk/provision-of-services-regulations>

## **13 Summary**

- 13.1 The liquidation will remain open until the following matters have been fully resolved:
  - The legal proceedings are concluded.
- 13.2 I estimate that this will take approximately 12 months and once resolved the liquidation will be finalised and our files will be closed.
- 13.3 If creditors have any queries regarding the conduct of the liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Jamie Cochrane on the above telephone number, or by email at [jamiecochrane@pcbusinessrecovery.co.uk](mailto:jamiecochrane@pcbusinessrecovery.co.uk)



**GARY S PETTIT**  
Joint Liquidator

**Deane & Amos Aluminium Systems Limited - In Creditors Voluntary Liquidation**  
**Joint Liquidators' Abstract of Receipts & Payments**  
**From 21 May 2017 To 20 May 2018**

S of A £	From 21/05/17	From 21/05/13
	To 20/05/18	To 20/05/18
<b>ASSET REALISATIONS</b>		
Plant & Machinery	NIL	47,724.00
Computer Equipment	NIL	239.00
WIP	NIL	1,056.71
Book Debts	NIL	35,608.59
Bank Interest Gross	5.83	64.74
Trading Surplus	NIL	46,045.35
Administration Surplus	NIL	3,589.93
VAT refund (From Administration)	NIL	11,764.74
<b>NIL</b>	<b>5.83</b>	<b>146,093.06</b>
<b>COST OF REALISATIONS</b>		
Debt Collection Fees	NIL	(8,902.15)
Petitioners Costs	NIL	(2,368.50)
Specific Bond	NIL	(732.00)
Statement of Affairs Fee	NIL	(525.00)
Liquidators' Fees	(3,450.58)	(43,899.89)
Liquidators' Expenses	(156.02)	(805.79)
Agents/Valuers Fees (1)	NIL	(17,643.80)
Legal Fees	(400.00)	(4,281.00)
Corporation Tax	NIL	(10.00)
Storage Costs	(12.82)	(1,226.56)
Statutory Advertising	NIL	(80.65)
Insurance of Assets	NIL	(814.08)
Administrators' Fees	NIL	(33,063.56)
Administrators' Expenses	NIL	(277.10)
Meeting Room Cost	NIL	(158.33)
Accountancy Fees	NIL	(16,818.00)
Pre-Administrators Fees	NIL	(3,763.60)
<b>NIL</b>	<b>(4,019.42)</b>	<b>(135,370.01)</b>
<b>UNSECURED CREDITORS</b>		
(1,711.17)	Employee	NIL
NIL	HM Revenue & Customs for VAT	NIL
NIL	Landlord	NIL
NIL	PAYE/ NIC	NIL
(336,337.62)	Trade Creditor	NIL
<b>NIL</b>	<b>NIL</b>	<b>NIL</b>
<b>NIL</b>	<b>(4,013.59)</b>	<b>10,723.05</b>
<b>REPRESENTED BY</b>		
Vat Receivable		2,393.12
PBC Bus Recv & Insolv re Deane & Amos Aluminium Systems Ltd		8,329.93
		<hr/>
		10,723.05

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**Gary Steven Pettit**  
**Joint Liquidator**

**Joint Liquidators' Remuneration Schedule**  
**Deane & Amos Aluminium Systems Limited**  
**Between 21 May 2013 and 20 May 2018**

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	16.00	12.90	73.30	20.60	122.80	19,808.45	161.31
Investigations	6.00	0.00	28.20	0.20	34.40	5,747.56	167.08
Realisations	24.70	1.50	12.90	0.30	39.40	11,356.31	288.23
Trading	0.00	0.00	0.20	0.00	0.20	23.71	118.56
Creditors	6.10	0.30	15.70	5.20	27.30	4,481.86	164.17
Case Specific Matters	0.40	0.60	28.50	10.70	40.20	4,867.50	121.08
Distributions	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total hours</b>	<b>53.20</b>	<b>15.30</b>	<b>158.80</b>	<b>37.00</b>	<b>264.30</b>		
<b>Time costs</b>	<b>20,059.36</b>	<b>4,132.10</b>	<b>19,832.17</b>	<b>2,261.76</b>		<b>46,285.39</b>	
<b>Average hourly rate</b>	<b>377.06</b>	<b>270.07</b>	<b>124.89</b>	<b>61.13</b>			<b>175.12</b>

Description	Total Incurred £	Total Recovered £
Mileage	4.45	4.45
Cheque fee	7.00	7.00
Postage/Stamps/Copying/Stationery	384.34	384.34
Insolv Case Administration Fee	110.00	110.00
Global Transfer	300.00	300.00
<b>Totals</b>	<b>805.79</b>	<b>805.79</b>

**Summary of Fees**

Time spent in administering the Assignment	Hours	264.30
Total value of time spent to 20 May 2018	£	46,285.39
Total Joint Liquidators' fees charged to 20 May 2018	£	43,899.89

**Joint Liquidators' Remuneration Schedule**  
**Deane & Amos Aluminium Systems Limited**  
**Between 21 May 2017 and 20 May 2018**

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	1.80	3.40	8.20	0.00	13.40	2,580.50	192.57
Investigations	0.00	0.00	2.10	0.00	2.10	252.00	120.00
Realisations	6.60	0.00	0.00	0.00	6.60	2,508.00	380.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.20	0.00	1.10	0.00	1.30	208.00	160.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Distributions	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total hours</b>	<b>8.60</b>	<b>3.40</b>	<b>11.40</b>	<b>0.00</b>	<b>23.40</b>		
<b>Time costs</b>	<b>3,268.00</b>	<b>912.50</b>	<b>1,368.00</b>	<b>0.00</b>		<b>5,548.50</b>	
<b>Average hourly rate</b>	<b>380.00</b>	<b>268.38</b>	<b>120.00</b>	<b>0.00</b>			<b>237.12</b>

Description	Total Incurred £	Total Recovered £
Postage/Stamps/Copying/Stationery	156.02	156.02
<b>Totals</b>	<b>156.02</b>	<b>156.02</b>

**Summary of Fees**

Time spent in administering the Assignment	Hours	23.40
Total value of time spent to 20 May 2018	£	5,548.50
Total Joint Liquidators' fees charged to 20 May 2018	£	43,899.89

## PRACTICE FEE RECOVERY POLICY FOR PBC BUSINESS RECOVERY & INSOLVENCY LTD

### Introduction

The insolvency legislation was changed in October 2015, with one or two exceptions, for insolvency appointments made from that time. This sheet explains how we intend to apply the alternative fee bases allowed by the legislation when acting as office holder in insolvency appointments. The legislation 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 committee if one is appointed by the creditors, failing which the creditors in general meeting, or 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 <http://www.creditorsinsolvencyguide.co.uk/>. Details about how an office holder's fees may be approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at <http://www.pbcbusinessrecovery.co.uk/links/>. The reader should note there are two versions of these guides and should refer to those titled Post-October 2015. Alternatively a hard copy may be requested from PBC Business Recovery & Insolvency Ltd, 9/10 Scirocco Close, Moulton Park, Northampton, NN3 6AP. Please note that we have provided further details in this policy document.

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. If approval has been obtained for remuneration 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.

Under some old legislation, which still applies for insolvency appointments commenced before 6 April 2010, there is no equivalent mechanism for fees to be challenged.

### Time cost basis

When charging fees on a time costs basis we use 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.

### Charge-out Rates

Grade of staff	Current charge-out rate per hour, effective from 31 March 2017 (£)	Current charge-out rate per hour, effective from 31 March 2013 (£)
Partner (Appointment Takers)	380	377
Manager	275	215-271
Other Senior Professionals	230	176
Case Manager	180	176
Senior Case Administrator	120	119-120
Case Administrator	75	55
Junior Case Administrator	45	44
Assistants & Support Staff		

These charge-out rates charged are reviewed on 31 March each year and are adjusted to take account of inflation and the firm's overheads.

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.
- Realisation of Assets.
- Creditors.
- Trading
- Case specific matters.

In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and on new appointments we now only seek time costs for the following categories:

- Investigations
- Trading
- Distributions of funds to creditors and/or shareholders
- Case Specific Matters

When we seek time costs approval we have to set out a fees estimate. That estimate acts as a cap on our time costs so that we cannot draw fees of more than the estimated time costs without further approval from those who approved our fees. When seeking approval for our fees, we will disclose the work that we intend to undertake, the hourly rates we intend to charge for each part of the work, and the time that we think each part of the work will take. We will summarise that information in an average or "blended" rate for all of the work being carried out within the estimate. We will also say whether we anticipate needing to seek approval to exceed the estimate and, if so, the reasons that we think that may be necessary.

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 we subsequently need to seek authority to draw fees in excess of the estimate, we will say why we have 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, we will say whether we anticipate needing further approval and, if so, why we think it may be necessary to seek further approval.

#### **Percentage basis**

The legislation allows fees to be charged on a percentage of the value of the property with which the office holder has to deal (realisations and/or distributions). Different percentages can be used for different assets or types of assets. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The

legislation changed on 1 October 2015 and we now seek remuneration on a percentage basis more often. A report accompanying any fee request will set out the potential assets in the case, the remuneration percentage proposed for any realisations 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 percentage approved in respect of realisations will be charged against the assets realised, and where approval is obtained on a mixture of bases, any fixed fee and time costs will then be charged against the funds remaining in the liquidation after the realisation percentage has been deducted.

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 percentage basis then an increase in the amount of the percentage applied 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 percentage applied. If there has not been a material and substantial change in the circumstances then an increase can only be approved by the Court.

#### **Fixed fee**

The legislation allows fees to be charged at a set amount. Different set amounts can be used for different tasks. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a fixed fee basis more often. A report accompanying any fee request will set out the set fee that we proposed 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.

### **Members' voluntary liquidations and Voluntary Arrangements**

The legislation changes that took effect from 1 October 2015 did not apply to members' voluntary liquidations (MVL), Company Voluntary Arrangements (CVA) or Individual Voluntary Arrangements (IVA). In MVLs, the company's members set the fee basis, often as a fixed fee. In CVAs and IVAs, the fee basis is set out in the proposals and creditors approve the fee basis when they approve the arrangement.

### **All bases**

With the exception of Individual Voluntary Arrangements and Company Voluntary Arrangements which are VAT exempt, the officeholder's remuneration invoiced to the insolvent estate will be subject to VAT at the prevailing rate.

### **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

In new appointments made after 1 October 2015, 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 S1P 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 PBC Business Recovery & Insolvency Ltd and 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:

Room Hire	40.00	Per formal meeting at firm's offices
Case File Storage & Destruction	20.00	Storage of case files for 6 years after case closure and final shredding – per case (Min. up to 4 case files). Additional files charged at £5 each.
Mileage	0.45	Per mile travelled
Card printing	0.17	Per sheet
Digital photographs	0.50	High Resolution digital photographs - each
Electoral Database Search	1.00	Use of commercial database of electoral rolls
Archive boxes	5.00	Per box
Files & dividers	3.50	Per file
Labels	0.50	Per sheet used
Photocopying	0.15	Per sheet used