

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 3 2 1 2 6 7 5

Company name in full ATS Adhesives Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Nicholas W

Surname Nicholson

3 Liquidator's address

Building name/number Haslers

Street Old Station Road

Post town Loughton

County/Region Essex

Postcode I G 1 0 4 P L

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

^d1^d1^m0^m2^y2^y0^y2^y0

To date

^d1^d0^m0^m2^y2^y0^y2^y1

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X

N. N. S.

X

Signature date

^d2^d5^m0^m2^y2^y0^y2^y1

**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 **Michelle Dean**

Company name **Haslers**

Address **Old Station Road**

Loughton

Post town **Essex**

County/Region

Postcode **I G 1 0 4 P L**

Country

DX

Telephone **020 8418 3333**

**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

ATS Adhesives Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Declaration of Solvency		From 11/02/2020 To 10/02/2021	From 11/02/2019 To 10/02/2021
£		£	£
	ASSET REALISATIONS		
Uncertain	Book Debts	NIL	NIL
512,741.37	Cash at Bank	NIL	512,736.82
479,110.14	Director's Loan Account	NIL	479,110.14
154,457.98	Pafra Adhesives Limited	NIL	154,457.98
7,438.00	Tax Refund	NIL	NIL
		NIL	1,146,304.94
	COST OF REALISATIONS		
	Corporation Tax Penalty	100.00	100.00
	Office Holders Fees	NIL	1,750.00
	Specific Bond	NIL	412.00
	Statutory Advertising	NIL	213.00
		(100.00)	(2,475.00)
	UNSECURED CREDITORS		
	HM Revenue & Customs	225.34	225.34
(1,500.00)	Pre appointment fees	NIL	1,500.00
	Statutory Interest	19.81	19.81
		(245.15)	(1,745.15)
	DISTRIBUTIONS		
	Shareholder Distribution - cash	NIL	985,000.00
	Shareholder Distribution - in specie	NIL	154,457.98
		NIL	(1,139,457.98)
1,152,247.49		(345.15)	2,626.81
	REPRESENTED BY		
	Metro Bank		2,626.81
			2,626.81

Note:

The following distributions have been made to the sole Member:

Date	Rate	Amount	Type
	£ per Ordinary Share		
11/02/19	5,000.00	£500,000.00	Cash distribution
13/02/19	1,544.58	£154,457.98	Distribution in Specie
19/02/19	4,850.00	£485,000.00	Cash distribution

The following distribution had been made to HM Revenue & Customs

Date	Rate	Amount
	p in £	
18/03/20	100	£225.34
18/03/20	Statutory Interest	£19.81

ATS ADHESIVES LIMITED – IN MEMBERS' VOLUNTARY LIQUIDATION

**LIQUIDATORS' PROGRESS REPORT TO MEMBERS FOR THE YEAR ENDING 10
FEBRUARY 2021**

EXECUTIVE SUMMARY

Dominic Dumville and I were appointed Joint Liquidators of the Company at a meeting of Members held on 11 February 2019. Dominic Dumville has subsequently left the Practice and, in accordance with a Court Order dated 16 January 2020, ceased to act as Joint Liquidator.

Since my appointment I have sought to realise the assets as per the Declaration of Solvency which have largely been dealt with, details of which are provided in the report below.

The only matter outstanding is the refund due from HM Revenue & Customs ("HMRC").

The refund has arisen following the repayment of the Director's Loan Account ("DLA"). Having contacted HMRC requesting the refund be paid to the liquidation account, I was advised that this does not become due until nine months and one day after the year end in which the repayment was made, and no allowances are made for a Company which has entered Voluntary Liquidation. I am now able to apply for this refund and have contacted HMRC in this respect. HMRC have confirmed that there is a credit on the account held with them and the payment is being processed. I am monitoring the position and liaising with HMRC until funds are received.

In addition, there is a refund due to the Company in respect of an overpayment of tax in relation to the deferred consideration. HMRC have advised that a repayment has been processed and I am awaiting receipt of funds.

Having advised HMRC of the liquidation, they advised that there were outstanding Returns due in respect of PAYE and penalties had been applied. I liaised with the Company's former accountants who confirmed they had the information required to bring matters up to date. All Returns were filed, and the penalty notices appealed which are no longer showing as being due with HMRC.

HMRC also advised of outstanding Returns in respect of Corporation Tax, penalties had been applied and there was an outstanding liability of circa £140,000. I liaised with the Company's former accountant in order to bring the Returns up to date and confirmed that the liability HMRC purported to be due was incorrect. Correspondence was entered into with HMRC disputing the amounts due and it was established that prior to all pre liquidation Returns being submitted, HMRC raised an assessment which resulted in this liability. The position has since been rectified. In addition, I appealed the penalties which had been applied and these have since been reversed.

In accordance with the Declaration of Solvency, there was a book debt to be collected. This was in respect of a debt purchased by Barclays Finance, of which 20% remained outstanding. I have liaised with Barclays Finance since my appointment and am advised that the outstanding balance has been written off as it became clear that no further funds would be forthcoming from the original debtor. In the circumstances, there will be no further realisations and this asset will be deemed unrealisable.

Given the amount of work that I have had to carry out which was not originally anticipated then I feel it appropriate that I seek an increase in the level of fees I am able to draw for my time spent dealing with the liquidation. It is my intention to seek an increase in the previous cap on my fee by an additional £2,000 plus VAT to be drawn from funds held. Further details of which can be found below.

STATUTORY INFORMATION

Company name:	ATS Adhesives Limited
Registered office:	Haslers, Old Station Road, Loughton, Essex IG10 4PL
Former registered office:	Botany Way, Beacon Hill Industrial Estate, Upminster, RM14 1EH

Registered number:	03212675	
Liquidator's names:	Nicholas W Nicholson	Dominic Dumville
Liquidators' date of:		
Appointment:	11 February 2019	11 February 2019
Removal:		16 January 2020
Liquidator's address:	Old Station Road, Loughton, Essex, IG10 4PL	
Actions of Joint Liquidators'	Any act required or authorised under any enactment to be done by a Liquidator may be done by either or both of the Liquidators acting jointly or alone.	

LIQUIDATORS' ACTIONS LAST REPORT

Since my last report I have continued to liaise with Barclays Finance with regard to the outstanding book debt. Barclays have advised that no further funds have been forthcoming and therefore there will be no further realisations in this respect.

The majority of the time has been spent liaising with HMRC in respect of outstanding matters. I have brought the Company's tax position up to date and all Returns have been submitted in respect of Corporation Tax and PAYE. I have rectified the position in respect of a purported liability in respect of Corporation Tax which was as a result of HMRC raising an assessment. Penalties had also been applied, one of which was acceptable and settled but others were appealed and have been reversed.

I am continuing to liaise with HMRC in respect of the tax refund due to the Company. I am verbally advised by HMRC that there is a credit on the Company's account which is repayable to the liquidation. This is being processed, however is yet to be received and I am monitoring the position. It is expected that this credit is made up of the refund due following the repayment of the DLA together with the overpayment relating to the deferred consideration, however I am yet to receive written confirmation of this.

There is certain work that I am required by the insolvency legislation to undertake in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since my appointment as Liquidator is enclosed at Appendix A.

RECEIPTS AND PAYMENTS ACCOUNT

My Receipts & Payments Account for the period from 11 February 2020 to 10 February 2021 is enclosed.

The balance of funds is held in a non-interest bearing estate bank account.

ASSETS

BOOK DEBTS

The company sold a debt to Barclays Finance and received approximately 80% of the value. Barclays Finance were to pay over the remaining amount once the debtor had repaid the whole sum due.

I have liaised with Barclays Finance to obtain regular updates, however am now advised that they have been unable to realise further funds. In the circumstances, the balance has been written off and there will be no realisations available for the liquidation.

TAX REFUND

The Director settled the amount due to the Company in respect of the overdrawn DLA which allows for a refund of tax paid. An application cannot be made for this refund to be paid over until nine months and one day after the year end in which the overdrawn DLA was repaid and, despite attempts to shorten this period, HMRC make no allowances for a Company in liquidation. I therefore contacted HMRC once the relevant period expired with a view to receiving the refund.

Responses have been somewhat delayed, however I am advised that there is a credit balance due to the Company in the sum of £10,602.97. Whilst I do not have written confirmation as to how this sum is made up, I believe this to comprise the refund due following the repayment of the overdrawn DLA and the overpayment in respect of the deferred consideration.

I am yet to receive funds and am regularly chasing HMRC for updates.

CASH AT BANK

The former Director arranged for the majority of the credit balance held in the Company's bank account to be transferred to the Haslers' client account pending the commencement of liquidation. Following my appointment, this sum was transferred to a liquidation account.

I have contacted the bank advising of the liquidation and requesting that any remaining balance should be transferred to the liquidation account, following which the account shall be closed. I have accordingly received a closing statement from the bank.

DIRECTOR'S LOAN ACCOUNT

The sum of £479,110.14 has been repaid by the Director to the liquidation account, being full settlement of the DLA.

PAFRA ADHESIVES LIMITED

The Company sold its business to Pafra Adhesives Limited prior to the commencement of liquidation. In accordance with the Sale Agreement, a deferred payment was to be made the Company in the estimated sum of £154,457.98. A distribution in specie to the sole Member has taken place reassigning the right to receive these future payments. Following my appointment, I wrote to Pafra Adhesives Limited confirming the position.

LIABILITIES

SECURED CREDITORS

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company granted a Charge to Barclays Bank plc which was created on 14 March 2005. The former Director has confirmed that there are no amounts outstanding to Barclays Bank plc under this Charge.

PREFERENTIAL CREDITORS

The Declaration of Solvency anticipated no preferential creditors and no claims have been received.

CROWN CREDITORS

The Declaration of Solvency included £225.34 owed to HMRC. A dividend was declared to HMRC in order to settle this outstanding liability in full, together with statutory interest.

UNSECURED CREDITORS

The Declaration of Solvency included one other creditor, being Haslers' agreed fee in respect of services provided up to the date of liquidation. The sum of £1,500 has been settled in full and Haslers have waived their right to receive statutory interest on this amount.

SHARE CAPITAL

All creditors have been paid in full, together with statutory interest where applicable, and the following distributions were made to the Members:

Date	Rate £ per Ordinary Share	Amount	Type
11/02/19	5,000.00	£500,000.00	Cash distribution
13/02/19	1,544.58	£154,457.98	Distribution in Specie
19/02/19	4,850.00	£485,000.00	Cash distribution

PRE-APPOINTMENT REMUNERATION

The Board previously authorised the payment of a fee of £1,250 plus VAT for preparing the Declaration of Solvency, producing and circulating the notices for the meeting of Members prior to my appointment at a meeting held on 11 February 2019.

The fee for preparing the Declaration of Solvency and convening the meeting was paid on appointment, and is included in the enclosed Receipts and Payments Account.

LIQUIDATORS' REMUNERATION

My remuneration was previously authorised by Members at a meeting held on 11 February 2019 to be drawn on a time cost basis capped at £1,750 plus VAT. My total time costs to 10 February 2021 amount to £12,853.00, representing 69.40 hours of work at an average charge out rate of £185.20 per hour, of which £6,002.50, representing 33.20 hours of work was charged in the period since 11 February 2020, at an average charge out rate of £180.80 per hour.

I have drawn £1,750.00 plus VAT as agreed to 10 February 2021, none of which was drawn in the period since 11 February 2020.

Schedule of my time costs incurred to 10 February 2021 and in the period since 11 February 2020.

I have incurred time costs in excess of the cap agreed by Members. This is largely due to dealing with taxation matters which was not envisaged upon my appointment. Company Tax and PAYE Returns were outstanding which resulted in HMRC raising assessments and applying penalties. I have liaised with the Company's former accountant in order to bring all taxation matters up to date and entered into significant correspondence with HMRC appealing penalties which had been applied unnecessarily. Such appeals resulted in penalties being reversed.

In addition, I was advised that the payments received by the sole Member in respect of the deferred consideration was less than originally expected. In this respect, there had been an overpayment of tax. I liaised with the Director and former accountant who provided all information required to enable a claim to be made. Accordingly I wrote to HMRC seeking a refund in respect of the overpayment. HMRC have eventually agreed this repayment is due, however has not yet been received and I am continuing to chase HMRC in this respect.

In view of this additional work, I propose seeking increasing the previous cap on my fee by an additional £2,000 plus VAT to be drawn from funds held. My time costs will continue to accrue until I am in a position to obtain my release, however I confirm that, assuming matters do not change from the current situation then I will not seek authorisation to draw any further fees after this increase.

It falls to the Members to approve, or reject, my request for a fee increase. I am seeking a written ordinary resolution of the Members and enclose formal notice of the written resolution being sought. Please consider the resolution and vote 'for' or 'against' where indicated. When you have made your decision, please sign and return the written resolution either by post for my attention at Haslers, Old Station Road, Loughton, Essex, IG10 4PL or by email to michelle.dean@haslers.com.

Please note that, in accordance with section 296(3) of the Companies Act 2006, once you have signified your agreement to a written resolution your agreement may not be revoked.

The replies of all of the Members will be collated, and each resolution will be passed if and when the required majority of more than 50% of Members' votes has been reached. Alternatively, if sufficient Members vote against, the resolution will not be passed if it becomes impossible for the required majority in favour to be achieved.

Please return the written resolutions signifying your agreement as soon as possible, and in any event before 30 April 2021, the final expiry date for their consideration. If Members delay voting beyond this date, or abstain from voting, the Company's business may be inconclusive.

A copy of 'A Members' Guide to Liquidators' Fees' is available at the link <https://www.haslers.com/services/insolvency/> under the 'Tools & Resources' tab. An explanatory note which shows Haslers' fee policy is enclosed

LIQUIDATORS' EXPENSES

I have incurred expenses to 10 February 2021 of £625, none of which was incurred in the period since 11 February 2021.

I have drawn £625 to date, none of which was drawn in the period since 11 February 2021.

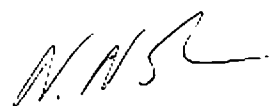
FURTHER INFORMATION

A Member may, with the permission of the court or with at least 5% of the total voting rights of all the Members having the right to vote at general meetings of the company request further details of the Joint Liquidators' remuneration and expenses, within 21 days of receipt of this report.

A Member may, with the permission of the court or with at least 10% of the total voting rights of all the Members having the right to vote at general meetings of the company, apply to Court to challenge the amount of remuneration charged by the Joint Liquidators as being excessive, and/or the basis of the Joint Liquidators' remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their receipt of this report.

The Liquidation will remain open until I have received the refunds due from HMRC as noted in this report, however I am unable to estimate a timescale in this respect.

If members 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 Michelle Dean on 020 8418 3333, or by email at Michelle.Dean@Haslers.com.



NICHOLAS W NICHOLSON
LIQUIDATOR

APPENDIX A

ADMINISTRATION

This represents the work involved in the routine administrative functions of the case by the office holder and their staff, together with the control and supervision of the work done on the case by the office holder and their managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

- Dealing with all routine correspondence and emails relating to the case.
- Maintaining and managing the office holder's estate bank account.
- Maintaining and managing the office holder's cashbook.
- Undertaking regular bank reconciliations of the bank account containing estate funds.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing annual progress reports to Members.
- Filing returns at Companies House.
- Preparing and filing VAT returns.
- Preparing and filing Corporation Tax returns.

CREDITORS

Claims of creditors - the office holder needs to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors. The office holder also needs to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holder is required to undertake this work as part of his statutory functions.

Dividends - the office holder has to undertake certain statutory formalities in order to enable him to pay a dividend to creditors. This include writing to all creditors who have not lodged proofs of debt and reviewing the claims and supporting documentation lodged by creditors in order to formally agree their claims, which may involve requesting additional information and documentation from the creditors.)

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Calculating and paying a dividend to creditors, and issuing the notice of declaration of dividend.

ATS Adhesives Limited
(In Liquidation)
LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

	Declaration of Solvency £	From 11/02/2020 To 10/02/2021 £	From 11/02/2019 To 10/02/2021 £
RECEIPTS			
Book Debts	Uncertain	0.00	0.00
Tax Refund	7,438.00	0.00	0.00
Cash at Bank	512,741.37	0.00	512,736.82
Director's Loan Account	479,110.14	0.00	479,110.14
Pafra Adhesives Limited	154,457.98	0.00	154,457.98
		<u>0.00</u>	<u>1,146,304.94</u>
PAYMENTS			
Specific Bond		0.00	412.00
Office Holders Fees		0.00	1,750.00
Corporation Tax Penalty		100.00	100.00
Statutory Advertising		0.00	213.00
Pre appointment fees	(1,500.00)	0.00	1,500.00
HM Revenue & Customs		225.34	225.34
Statutory Interest		19.81	19.81
Shareholder Distribution - cash		0.00	985,000.00
Shareholder Distribution - in specie		0.00	154,457.98
		<u>345.15</u>	<u>1,143,678.13</u>
Net Receipts/(Payments)		<u>(345.15)</u>	<u>2,626.81</u>
MADE UP AS FOLLOWS			
Metro Bank		129.85	2,626.81
VAT Receivable / (Payable)		(475.00)	0.00
		<u>(345.15)</u>	<u>2,626.81</u>

Note:

The following distributions have been made to the sole Member:

Date	Rate £ per Ordinary Share	Amount	Type
11/02/19	5,000.00	£500,000.00	Cash distribution
13/02/19	1,544.58	£154,457.98	Distribution in Specie
19/02/19	4,850.00	£485,000.00	Cash distribution

The following distribution had been made to HM Revenue & Customs

Date	Rate p in £	Amount
18/03/20	100	£225.34
18/03/20	Statutory Interest	£19.81

ATS Adhesives Limited

Analysis of time costs from 11/02/19 to 10/02/21

	Time recorded (Hours)								
Categories	Partner	Manager	Senior Administrator	Administrator	Junior	Total Time	Total Sum of Charge	Average Hourly Rate	
GENERAL CASE ADMINISTRATION									
Case Planning	0.90	1.50			10.40	12.80	1,279.50	99.96	
Adminstrative Set-up		0.60	1.00	0.20		1.80	423.00	235.00	
Appointment Notification		0.30	5.20			5.50	1,079.50	196.27	
Maintenance of Records		2.10	38.90			41.00	8,185.00	199.63	
Statutory Reporting	0.50	0.70	2.40			3.60	936.50	260.14	
INS Cashiering					2.20	2.20	220.00	100.00	
Total	1.40	5.20	47.50	0.20	12.60	66.90	12,123.50	181.22	
REALISATION OF ASSETS									
Identifying, Securing, insuring Assets	0.10					0.10	30.50	305.00	
Property, Business and Asset Sales	0.30					0.30	58.50	195.00	
Total	0.10					0.30	0.40	89.00	222.50
CREDITORS									
Communications With Creditors	2.10					2.10	640.50	305.00	
Total	2.10					2.10	640.50	305.00	
CASE SPECIFIC MATTERS									
Total									
	1.40	7.40	47.80	0.20	12.60	69.40	12,853.00	185.20	

ATS Adhesives Limited

Analysis of time costs from 11/02/20 to 10/02/21

	Time recorded (Hours)							
Categories	Partner	Manager	Senior Administrator	Administrator	Junior	Total Time	Total Sum of Charge	Average Hourly Rate
GENERAL CASE ADMINISTRATION								
Case Planning	0.20	0.70			6.40	7.30	699.50	95.82
Maintenance of Records		0.20	19.60			19.80	3,883.00	196.11
Statutory Reporting	0.50	0.70	2.40			3.60	936.50	260.14
INS Cashiering					1.20	1.20	120.00	100.00
Total	0.70	1.60	22.00		7.60	31.90	5,639.00	176.77
REALISATION OF ASSETS								
Property, Business and Asset Sales	0.30					0.30	58.50	195.00
Total	0.30					0.30	58.50	195.00
CREDITORS								
Communications With Creditors	1.00					1.00	305.00	305.00
Total	1.00					1.00	305.00	305.00
	0.70	2.60	22.30		7.60	33.20	6,002.50	180.80

Written Resolutions

ATS Adhesives Limited - In Members' Voluntary Liquidation

Company Number 03212675

Members are requested to consider the following written resolution as an Ordinary resolution, and to signify their voting intentions by completing the document and then signing and returning it to the company at Old Station Road, Loughton, Essex, IG10 4PL by no later than 30 April 2021:

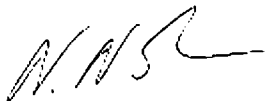
Resolution

"That the Liquidator's fees continue to be charged by reference to the time properly spent by him and his staff in dealing with the matters relating to the liquidation of the Company, but that the cap on their fees be increased by an additional £2,000 plus VAT."

For/Against

DATED THIS 31TH DAY OF MARCH 2021

BY ORDER OF THE LIQUIDATOR



Nicholas W Nicholson
Liquidator

Signed: _____
Peter Caton

Dated: _____

PROVISION OF SERVICES REGULATIONS SUMMARY SHEET FOR HASLERS

The following information is designed to draw the attention of interested parties to the information required to be disclosed by the Provision of Services Regulations 2009.

Licensing Body

Nicholas Nicholson is licensed to act as an Insolvency Practitioner in the United Kingdom by the Institute of Chartered Accountants in England and Wales.

Nicholas Nicholson is a Member of the Insolvency Practitioners Association.

Haslers is also a member of the ICAEW, Institute of Chartered Accountants in England and Wales.

Rules Governing Actions

All IPs are bound by the rules of their professional body, including any that relate specifically to insolvency. The rules of the professional body that licences Haslers' IPs <https://www.icaew.com/-/media/corporate/files/members/regulations-standards-and-guidance/master-insolvency-regulations-and-guidance-notes-010518.ashx?la=en>. In addition, IPs are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at <https://www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice>.

Ethics

All IPs are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at <https://www.icaew.com/-/media/corporate/files/members/regulations-standards-and-guidance/ethics/code-of-ethics-part-d-insolvency-practitioners-1-jan-2011.ashx> IPA - <http://www.insolvency-practitioners.org.uk/regulation-and-guidance/ethics-code>.

Complaints

At Haslers we always strive to provide a professional and efficient service. However, we 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 a particular case then in the first instance you should contact the IP acting as office holder.

If you consider that the IP has not dealt with your comments or complaint appropriately you should then put details of your concerns in writing to our complaints officer Jon O'Shea, Haslers, Old Station Road, Loughton, Essex IG10 4PL. This will then formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior partner unconnected with the appointment.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at www.gov.uk/complain-about-insolvency-practitioner; or you can email insolvency.enquiryline@insolvency.gov.uk; or you may phone 0300 678 0015. Information on the call charges that apply is available at <https://www.gov.uk/call-charges>.

Professional Indemnity Insurance

Haslers' Professional Indemnity Insurance is provided by Axis Speciality SE, of Willis Limited, 51 Lime Street, London EC3M 7DQ. This professional indemnity insurance provides worldwide coverage.

VAT

Haslers is registered for VAT under registration no. 978 0506 90.

Bribery Act 2010

Haslers is committed to applying the highest standards of ethical conduct and integrity in its business activities. Every employee and individual acting on Haslers' behalf is responsible for maintaining our reputation and for conducting company business honestly and professionally.

Haslers take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate.

Haslers requires all those who are associated with it to observe the highest standards of impartiality, integrity and objectivity.

Haslers prohibits anyone acting on its behalf from:

- bribing another person. A bribe includes the offering, promising or giving of any financial or other type of advantage;
- accepting a bribe. This includes requesting, agreeing to receive or accepting any financial, or another kind of advantage;
- bribing a foreign public official; and
- condoning the offering or acceptance of bribes.

Haslers will:

- avoid doing business with others who do not accept our values and who may harm our reputation;
- maintain processes, procedures and records that limit the risk of direct or indirect bribery;
- promote awareness of this policy amongst its staff, those acting on its behalf and entities with which it has any commercial dealings;
- investigate all instances of alleged bribery, and will assist the police, and other authorities when appropriate, in any resultant prosecutions. In addition, disciplinary action will be considered against individual members of staff;
- review this policy regularly and update it when necessary.
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PRACTICE FEE RECOVERY POLICY FOR HASLERS

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.creditorinsolvencyguide.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.haslers.com/services/insolvency/>. Alternatively a hard copy may be requested from Haslers, Old Station Road, Loughton, Essex IG10 4PL. 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.

Chargeout Rates

Grade of staff	Current charge-out rate per hour, effective from 1 April 2020 £	Previous charge-out rate per hour, effective from 1 April 2019 £
Partner – appointment taker	375-510	375-510
Manager	285-320	285-320
Senior Administrator	195-250	195-250
Case Administrator	95-165	95-165
Cashier	100	100

Where necessary and appropriate, members of staff from other departments of the practice will undertake work on a case. They will be charged at their normal charge out rate for undertaking such work.

These charge-out rates charged are reviewed on 1 January 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.
- Maintenance of records
- Investigations.
- Realisation of Assets.
- Creditors.
- Case specific matters.
- Statutory reporting.

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 seek time costs for all categories of work

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.

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 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 Haslers; 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. It is not Haslers' policy to charge for such costs.