

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

FRIDAY



A22 \*A7FF4DZM\* #355  
28/09/2018  
COMPANIES HOUSE

### 1 Company details

Company number 0 3 5 6 5 9 2 4

Company name in full Red Box Design Group Limited

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

### 2 Liquidator's name

Full forename(s) Steven Philip

Surname Ross

### 3 Liquidator's address

Building name/number 1 St James' Gate

Street

Post town Newcastle upon Tyne

County/Region

Postcode N E 1 4 A D

Country

### 4 Liquidator's name

Full forename(s) Matthew

Surname Higgins

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

### 5 Liquidator's address

Building name/number 1 St James' Gate

Street

Post town Newcastle upon Tyne

County/Region

Postcode N E 1 4 A D

Country

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	2	m	0	m	8	y	2	y	0	y	1	y	6
To date	d	1	d	1	m	0	m	8	y	2	y	0	y	1	y	7

### 7 Progress report

☒ The progress report is attached

### 8 Sign and date

Liquidator's signature

Signature

X

*[Handwritten signature]*

X

Signature date	d	2	d	9	m	0	m	9	y	2	y	0	y	1	y	7
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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	Steven Philip Ross
Company name	RSM Restructuring Advisory LLP
Address	1 St James' Gate
Post town	Newcastle upon Tyne
County/Region	
Postcode	N E 1 4 A D
Country	
DX	
Telephone	0191 255 7000



**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)**

**In the matter of**  
**Red Box Design Group Limited ('the company') In Liquidation**

**Joint Liquidators' progress report**

**29 September 2017**

**Steven Philip Ross and Matthew Higgins Joint Liquidators**

**RSM Restructuring Advisory LLP**  
**1 St James' Gate**  
**Newcastle upon Tyne**  
**NE1 4AD**

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## **1 Purpose of report**

This report has been prepared in accordance with insolvency legislation to provide creditors, members and the registrar of companies with information relating to the progress of the liquidation in the period from 12 August 2016 to 11 August 2017.

This report has been prepared solely to comply with the statutory requirements of Section 104A of the Insolvency Act 1986 and the relevant legislation. It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the company. Any estimated outcomes for creditors are illustrative and may be subject to significant change.

RSM Restructuring Advisory LLP was previously named Baker Tilly Restructuring and Recovery LLP until 26 October 2015

Neither the Liquidators nor RSM Restructuring Advisory LLP accept any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in this report

## **2 Progress of the liquidation in the previous twelve months**

The costs incurred to date and those expected to be incurred in dealing with the matters below are set out in detail at Section 7

### **Realisation of assets**

#### **Goodwill**

Goodwill as shown in the last accounts, which had a book value of £1,497,944, had no realisable value in the Liquidation.

#### **Investments – Shares in group undertakings**

The Company owns the shares of two subsidiary undertakings, Red Box Interiors Limited and Red Box Architecture Limited, which had a book value of £2. Both subsidiary undertakings are dormant and as a result, no funds were recovered for the benefit of creditors

#### **Book debts**

Book debts which had a book value of £9,255 were discounted in the directors statement of affairs to realise £5,000 have so far realised £Nil. The book debt was subject to disputes and as a result no funds were recovered for the benefit of creditors

#### **Office furniture and equipment**

Office furniture and equipment were valued at £1,430 by H & H James Sutherland (Auctioneers) Limited (N A V.A.) (Members of The National Association of Valuers and Auctioneers), of Newcastle upon Tyne prior to liquidation. Following liquidation these assets were sold for £2,342.00 plus VAT

#### **Overdrawn Directors loan account**

The Company's records indicated that the Directors were themselves debtors for an overdrawn Directors loan account estimated in the Directors statement of affairs to be in the region of £82,736.

Creditors will recall that the Company's bankers, the Bank of Scotland Plc were overdrawn as at the date of cessation of trading. The statement of affairs indicated that the Bank was owed £158,222 and the Bank held the personal guarantees of the directors

Immediately prior to the meeting of creditors the Directors had repaid their overdrawn Directors loan account directly to the Bank of £157,352, which extinguished the Bank's debt and repaid the overdrawn directors loan account

Shortly after the appointment of the Liquidator, the Bank provided the Liquidator with a cheque for the credit balance held on the bank account totalling £4,332.71

### **Third party contribution towards costs**

I have received a third party contribution towards the costs and expenses of the Liquidation from Barry Farrar a former Director of the Company totalling £3,000

### **Naming Rights**

I have sold the naming rights of the Company to Alan John Smith a former Director of the Company for £500 plus vat.

I have now completed the recovery of assets in this case.

#### **2.1.1 Claim for compensation for mis-selling of interest rate hedging product**

The Joint Liquidators have now completed their investigations and confirmed that whilst the Company was sold an IRHP, there is no evidence of mis-selling and therefore no redress due to the Company

## **2.2 Investigations**

In accordance with our statutory obligations, we have filed the appropriate documentation with the Department for Business, Energy and Industrial Strategy in relation to the conduct of the directors

I can advise you that, following my initial assessment, no further investigations were deemed necessary

### **Administration and planning**

Time has been spent on matters such as filing of appointment documents, handling of receipts and payments account, submission of VAT returns, undertaking file reviews, dealing with post appointment taxation, liaising with directors and shareholders and convening non-statutory meetings

## **3 Details of what remains to be done and matters preventing closure**

### **3.1 Assets remaining to be realised**

All assets have been realised

## **4 Creditors' claims and dividend prospects**

Dividend prospects and projected returns to creditors, where known, are detailed in Appendix A, including any amount due to under the prescribed part. Please note that these are indicative only and should not be used as the sole or principal basis for any bad debt provision or other purposes. They may be subject to revision and additional costs.

The agreement of creditors' claims by the Joint Liquidators is a separate matter and will be dealt with as appropriate in due course, initially by reference to the proofs of debt lodged in the proceedings by creditors themselves.

### **4.1 Prescribed part**

The 'Prescribed Part' is a statutory amount, calculated as a percentage of net floating charge realisations, which entitles unsecured creditors to a share of realisations. This is calculated on a sliding scale up to maximum of £600,000 before costs.

As the Bank was repaid prior to the Liquidation and therefore they do not have a claim under its floating charge.

There are no creditors secured by charges over the assets and undertakings of the company. There is therefore no requirement to estimate the amount of the prescribed part of the assets under Section 176A of the Insolvency Act 1986 (as amended).

## **5 Receipts and payments summary**

We attach as Appendix B a summary of our receipts and payments for the period from 12 August 2016 to 11 August 2017

### **VAT basis**

Receipts and payments are shown net of VAT, with any amount due to or from HM Revenue and Customs shown separately

## **6 Joint Liquidators' remuneration, expenses and disbursements**

### **6.1 Basis of remuneration**

The basis of the Joint Liquidators' remuneration has not yet been approved

### **6.2 Remuneration and expenses (including disbursements) incurred in the period from 12 August 2016 to 11 August 2017**

In accordance with insolvency legislation I am required to report remuneration 'charged' This reflects the (time charged to the case £amount)

I have not drawn any remuneration and cannot do so until the basis of my remuneration has been approved. Once approved, if there are insufficient realisations to allow the Joint Liquidators' approved remuneration to be paid in full, any balance will be written off Details of any write off will be set out in the final report

#### **6.2.1 Expenses and disbursements**

Details of the expenses (which include category 1 and category 2 disbursements) that I have incurred in the period of the report are at Appendix F.

This includes all expenses incurred irrespective of whether they have been paid or not and may include estimated amounts where actual invoices have not been received The amounts paid in the period are also included those payments are shown in the receipts and payments abstract at Appendix B together with cumulative figures.

### **6.3 Approval of my fees and expenses as Liquidator**

#### **6.3.1 Post-appointment fees**

I am seeking approval for my post-appointment fees (remuneration) to be drawn on a time-cost basis in line with the attached estimate (Appendix I)

I am seeking approval for my post-appointment fees (remuneration) of £10,000 plus vat to be drawn on a fixed fee basis. The fixed fee has been requested (rather than any other basis) because it is a fair and reasonable reflection of the work to be undertake.

The fixed fee has been based on the assumptions set out in Appendix I. Should these assumptions prove sufficiently incorrect such that they result in a material and substantial change in circumstances the Liquidator may request a review of remuneration in accordance with the relevant insolvency legislation

#### **6.3.2 Expenses and disbursements**

The Liquidator considers that post-appointment expenses (including category 1 and category 2) disbursements of £547 83 are likely to be incurred. A breakdown of these is attached at Appendix J

#### **6.3.3 Category 2 disbursements**

Category 2 disbursements include elements of shared or overhead costs. Insolvency guidelines require these to be identified separately and subject to approval as if they were remuneration The current rates are shown in Appendix D Category 2 disbursements incurred in the period are detailed in Appendix E and are also shown in Appendix F. No category 2 disbursements have been drawn – and none can be drawn until creditor approval has been obtained

Creditors are requested to approve the attached resolution in respect of these costs



#### **6.4 Other professional costs**

H & H James Sutherland were retained as agents to dispose of the company's tangible assets. I have agreed that they be remunerated on the basis of their standard commission rates, plus disbursements and VAT. They have submitted invoices totalling £1,136 30 plus VAT which have been paid.

For cases commenced on or after 6 April 2008, where the liquidator has litigation expenses exceeding in the aggregate £5,000, which are intended to be paid from floating charge funds, there is a requirement to seek approval/authorisation from the preferential creditors/floating charge holder/court.

#### **7 Notice of Qualifying Decision Procedure (by correspondence)**

In accordance with the relevant legislation, I am requesting creditors to agree, by means of a postal vote, the basis upon which I am to be remunerated and may draw disbursements. The resolutions being sought are set out in the notice attached to this report (Appendix K), together with all other relevant documentation and guidance.

If so approved, the Liquidator will not be allowed to draw more than the fixed fee of £10,000 (plus VAT) unless they obtain further approval of the creditors.

Accordingly you are requested to complete and return the enclosed Postal Voting Paper form (Appendix L), together with a completed Proof of Debt form (Appendix M) to 1 St James' Gate, Newcastle upon Tyne NE1 4AD by no later than the decision date stated in the notice at Appendix K. Documents sent by fax are acceptable, if sufficiently clear. If you have previously submitted a proof of debt form in these proceedings, there is no requirement to submit a further form unless your claim has changed.

A Creditors' Guide to Liquidators' Fees, which provides information for creditors in relation to the remuneration of a Liquidator, can be accessed at <http://rsm-insolvencypoint.com> under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing.

#### **8 Creditors' right to information and ability to challenge remuneration and expenses**

In accordance with the provisions of relevant legislation creditors have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses.

If you wish to make a request for further information then it must be made within 21 days of receipt of this report in writing by either by (i) any secured creditor or (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors.

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court on the grounds that the remuneration charged, the basis fixed or expenses incurred by the liquidator are in all the circumstances excessive.

Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question.

Should you have any further queries please do not hesitate to contact me.

Yours faithfully



**Steven Philip Ross**  
**RSM Restructuring Advisory LLP**  
**Joint Liquidator**

Steven Philip Ross is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales.  
Matthew Higgins is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales.  
Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

## Appendix A

### Statutory, dividend and other information

company name	Red Box Design Group Limited	
Joint Liquidators	Steven Philip Ross and Matthew Higgins	
Date of appointment	12 August 2016	
company number	03565924	
Date of incorporation	18 May 1998	
Trading name	None	
Trading address	Northern Design Centre Baltic Business Quarter Gateshead NE8 3DF	
Principal activity	Architectural activities	
Registered office	RSM Restructuring Advisory LLP, 1 St James' Gate, Newcastle upon Tyne NE1 4AD	
Correspondence address & contact details of case manager	Martin Madgwick RSM Restructuring Advisory LLP, 1 St James' Gate, Newcastle upon Tyne NE1 4AD Email restructuring.newcastle@rsmuk.com	
Name, address & contact details of Joint Liquidators	<b>Primary Office Holder</b> Steven Philip Ross RSM Restructuring Advisory LLP 1 St James' Gate Newcastle upon Tyne NE1 4AD 0191 255 7000 IP Number 9503	<b>Joint Office Holder:</b> Matthew Higgins RSM Restructuring Advisory LLP 1 St James' Gate Newcastle upon Tyne NE1 4AD 0191 255 7000 IP Number: 13570

Dividend prospects	Owed	Paid to date	Estimated future prospects
Secured creditor (1)	£158,222 00	Paid prior to Liquidation	Payment In full by guarantors
Preferential creditors	£29,107 00	NIL	NIL
Unsecured creditors	£327,268 67	NIL	NIL
Estimated net property	£Nil		
Estimated prescribed part available for unsecured creditors	£Nil		

**Receipts and Payments Abstract: 1083949 - Red Box Design Group Limited In Liquidation**

Bank, Cash and Cash Investment Accounts: From: 12/08/2016 To: 11/08/2017

SOA Value £	12/08/2016 to 11/08/2017		Total to 11/08/2017	
	£	£	£	£
<b>ASSET REALISATIONS</b>				
0.00	Bank Interest Gross	0.73	0.73	
0.00	Cash at Bank on Appointment	4,332.71	4,332.71	
0.00	Contingent Assets	3,000.00	3,000.00	
5,000.00	Debtors (Pre-Appointment)	0.00	0.00	
0.00	Furniture and Equipment	2,342.00	2,342.00	
0.00	Naming Rights	500.00	500.00	
1,430.00	Office furniture and equipment	0.00	0.00	
		10,175.44		10,175.44
<b>COST OF REALISATIONS</b>				
0.00	Auctioneer's Charges	(1,136.30)	(1,136.30)	
0.00	Preparation of Statement of Affairs	(1,500.00)	(1,500.00)	
		(2,636.30)		(2,636.30)
<b>PREFERENTIAL CREDITORS</b>				
(13,118.43)	Holiday Pay	0.00	0.00	
(11,290.92)	Wages	0.00	0.00	
		0.00		0.00
<b>FLOATING CHARGE CREDITORS</b>				
(158,222.00)	Floating Charge Claims	0.00	0.00	
		0.00		0.00
<b>UNSECURED CREDITORS</b>				
(1,210.00)	Associated Creditors	0.00	0.00	
(176,201.35)	Deficiency In Security	0.00	0.00	
(164,154.93)	Department of Employment	0.00	0.00	
(7,741.22)	Employees	0.00	0.00	
(26,057.00)	HM Revenue and Customs	0.00	0.00	
(101,145.94)	Trade and Expense Creditors	0.00	0.00	
		0.00		0.00
<b>EQUITY</b>				
(600,000.00)	ordinary shares	0.00	0.00	
		0.00		0.00
(1,252,711.80)		7,539.14	7,539.14	
<b>REPRESENTED BY</b>				
	Interest Bearing Current Account		7,580.28	
	VAT Receivable (Payable)		(41.14)	
			7,539.14	
			7,539.14	

## **Appendix C**

### **RSM Restructuring Advisory LLP**

#### **Charging, expenses and disbursements policy statement**

##### **Charging policy**

- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by partners, directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate.
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done.
- The current charge rates for RSM Restructuring Advisory LLP Newcastle are attached.
- Time billed is subject to Value Added Tax at the applicable rate, where appropriate
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it.
- RSM Restructuring Advisory LLP's charge out rates are reviewed periodically.

##### **Expenses and disbursements policy**

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to the relevant approving party, but do not require approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 1' disbursements
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest, require the approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 2' disbursements
- A resolution to consider approving category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP Newcastle will be proposed to the relevant approving party in accordance with the legislative requirements
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of the relevant approving party
- Expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate, where appropriate

## Appendix D

### RSM Restructuring Advisory LLP

#### Joint Liquidators' current charge out and category 2 disbursement rates

HOURLY CHARGE OUT RATES		
	Rates at commencement £	Current rates £
Partner	350 00 – 440 00	385 00 – 485.00
Directors / Associate Directors	247 50 – 300 00	275 00 – 330 00
Manager	247 50	215 00 to 275.00
Assistant Manager	-	230 00
Administrators	132 00 – 192 50	145 20 – 215.00
Support staff	71 50 – 115 50	78 65 – 127 05

"CATEGORY 2" DISBURSEMENT RATES	
Internal room hire	£100 per hour
Subsistence	£25 per night (from 3 <sup>rd</sup> September 2013) £23 per night (up to 2 <sup>nd</sup> September 2013)
Travel (car)	38p per mile (up to and including 31 March 2010) 40p per mile (from 1 April 2010) 42 5p per mile (from 1 April 2011)
"Tracker" searches	£10 per case

## Appendix E

### Joint Liquidators' category 2 disbursements table

Amounts paid or payable to the Office Holder's firm or to any party in which the office holder or his firm or any associate has an interest		
Recipient, type and purpose	Paid £	Unpaid £
None	Nil	Nil
Total	£Nil	£Nil

## Appendix F

### Statement of expenses incurred by the Joint Liquidators in the period from 12 August 2016 to 11 August 2017

Type and purpose	Incurred in period £
Bond	85.00
Statutory advertising	253.80
Postage	209.03
<b>Total</b>	<b>£547.83</b>

**Red Box Design Group Limited**  
1083949 / 700 CVL - Post Appointment  
For the period 06.08.2016 to 11/08/2017

	From Jan 2003	To Dec 2003	Average Rates
	Particulars	Description / Assets	Total Time Cost
Administration and Planning	Appointment	0.0	£ 660.00
	Background information	0.0	£ 658.35
	Case Management	0.1	£ 659.00
	Pension Scheme	0.0	£ 39.60
	Post-appointment - general	0.0	£ 26.40
	Pre-appointment matters	0.0	£ 39.60
	Receipts and Payments	0.0	£ 1,622.95
	Tax Matters	0.0	£ 299.40
	Total	0.1	£ 4,005.30
Investigations	Investigations/CDDA	0.0	£ 848.10
	Total	0.0	£ 848.10
Realisation of Assets	Assets - general/other	0.0	£ 137.50
	Chattels	0.0	£ 385.00
	Debtors & sales finance	0.0	£ 212.50
	HP/Leasing creditors	0.0	£ 272.25
	Land and Property	0.0	£ 247.50
	Total	0.0	£ 1,254.75
	275.00	0.5	
Creditors	1st creditors/shareholders meetings and reports	0.0	£ 742.50
	Employees	0.0	£ 3,275.25
	Other Creditor Meetings and Reports	0.0	£ 403.45
	Secured Creditors	0.0	£ 163.35
	Unsecured Creditors	0.0	£ 1,185.10
Case Specific Matters - Legal Matters	Total	0.0	£ 5,769.65
	Legal Matters	0.0	£ 632.50
	Total	0.0	£ 632.50
	253.00	2.5	
	253.00	2.5	
Total Hours (From Jan 2003)	Total Time Cost (From Jan 2003)	0.1	£ 12,510.30
		62.2	£ 12,510.30
	201.13		
Total Hours Total Time Cost Average Rates		62.2	£ 12,510.30
		201.13	
		201.13	



## Appendix I Joint Liquidators' fees scope and assumptions

### Joint Liquidators' scope and assumptions

Activity	Scope and assumptions
Administration and planning	<p>Work that must be carried out in order to comply with statutory requirements imposed by the insolvency legislation.</p> <p>This includes filing and advertising of appointment documents, filing of Statement of Affairs, handling of receipts and payments, submission of VAT and income tax issues, pension queries, undertaking file reviews, case planning and strategy, dealing with redirected mail, convening any non-statutory meetings, liaising with the directors, case closure formalities.</p> <p>The fixed fee assumes that there are no pension schemes, that the company's records are up to date, that no liquidation committee is appointed, and that the case can be concluded in 18 months</p>
Realisation of assets	<p>All aspects of the realisation of assets including identifying, securing and insuring assets such as book debts, property, chattels, stock and WIP with no contentious matters. Other matters include dealing with landlords and arranging collection of leased assets.</p> <p>The fixed fee assumes there will be no legal action required to realise the assets, the Liquidator receives full co-operation of the directors and that no contentious matters will arise. The fixed fee also assumes that there are no environmental and/or health and safety issues</p>
Creditors	<p>Includes dealing with creditor queries. The fixed fee assumes claims will be agreed without any dispute, litigation or contentious matters arising and that the company's records are complete and up to date</p>
Investigations	<p>Collection and review of the company's records in order to identify any potential or actual asset recoveries, antecedent transactions, transactions at under value or voidable dispositions</p> <p>Reporting to the Department for Business, Energy and Industrial Strategy on the conduct of the directors</p> <p>The fixed fee assumes that the Liquidator's investigations uncover no material antecedent transactions which require legal advice or recovery action being undertaken.</p>
Trading	<p>No trading is expected</p>

## Appendix J

### Estimate of expenses likely to be incurred by Joint Liquidators in the liquidation

Type and purpose	Incurred in period £
Bond	85.00
Statutory advertising	300.00
Website fee	8.00
Storage agent (collection/storage of records)	250.00
Chattel asset agent valuation	1,136.30
Legal fees	1 500.00
Postage	209.03
<b>Total</b>	<b>£3,488.33</b>

**Appendix K  
Red Box Design Group Limited in liquidation**

**Company No: 03565924**

**Steven P Ross and Matthew Higgins appointed as Liquidators to the above company on 12 August 2016**

**Notice delivered to the creditors on: 3 October 2017**

**DECISION DATE: 17 October 2017**

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**Notice Seeking Decision by a Qualifying Decision Procedure Pursuant to Section 246ZE of the Insolvency Act 1986 and Rule 18.20 of the Insolvency (England and Wales) Rules 2016 where the Liquidators' request the creditors determine the Liquidators' remuneration basis**

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**NOTICE IS HEREBY GIVEN** to the creditors of the above named company seeking their decision on the following matters:

- 1 That in accordance with the fee scope and assumptions provided to creditors, the Liquidator shall be authorised to draw remuneration at the fixed amount of £10,000 (plus VAT)
- 2 That the Liquidator shall be authorised to draw 'category 2' disbursements out of the assets as an expense of the liquidation, at the rates prevailing at the time the cost is incurred, current details of which have been advised
3. To appoint a Liquidation Committee to assist the Liquidators **(Note: If you vote in favour of this resolution please ensure you nominate a representative )**

The decision is being sought by correspondence

A voting form is attached, detailing the matters which require your decision, which should be completed and returned to me on or before the decision date

Please note that, in order to be able to vote you must have submitted a proof of debt form on or before the decision date, and that proof must have been admitted for the purposes of entitlement to vote

CREDITORS who have OPTED OUT from receiving notices may nevertheless vote if the creditor provides a proof and voting form in accordance with the above provisions.

CREDITORS whose debts are treated as a SMALL DEBT in accordance with Rule 14.31(1) of the Insolvency (England and Wales) Rules 2016 must still deliver a proof if they wish to vote. Rule 14.31(1) states that Office Holders may treat a debt, which is a small debt according to the accounting records or the statement of affairs of the company, as if it were proved for the purposes of paying a dividend. Small debts are defined in Rule 14.1(3) as a debt (being the total amount owed to a creditor) which does not exceed £1,000

The decisions on the matters above will be deemed to have been made at 23.59 hours on the decision date unless the threshold for requisitioning a physical meeting is met or exceeded within the requisite time scale.

A creditor who disagrees with the manner in which they are treated in relation to the above decision procedure may appeal to the Court within 21 days of the decision date

**Request for Physical Meeting**

Creditors may request that a physical meeting of creditors be held to consider the proposed decision. Any such request must be made, in writing, to the address below, on or before 9 October 2017. Any such request must be accompanied by a completed form of proof

A physical meeting will be held if requisitioned by either 10% in value of the company's creditors, or 10% in number of the company's creditors or 10 of the company's creditors (collectively 'the requisition threshold'). If the threshold is met or exceeded, the proposed decision procedure will be terminated (and the proposed decisions will not be deemed to have been made) and a physical meeting of creditors will then be held

**Establishment of committee**

Unsecured creditors have the right to decide whether a creditors'/liquidation committee should be established, if sufficient creditors are willing to be members of a committee. Specific nominations for committee membership will be sought by correspondence. Any queries should be communicated to this office by telephone, email or in writing. Guidance on acting as a committee member can be found at the R3 website, [www.R3.org.uk](http://www.R3.org.uk). A hard copy can be requested by telephone, email or in writing to this office

You may also wish to note that R3 have also produced guidance on the different insolvency processes, which can again be located at their website.

**Manager contact details:**

Martin Madgwick  
RSM Restructuring Advisory LLP, 1 St James' Gate, Newcastle upon Tyne NE1 4AD  
Tel: 0191 255 7000  
Email: restructuring.newcastle@rsmuk.com

**Name, address and contact details of Joint Liquidators**

**Primary Office Holder**

Steven Philip Ross  
RSM Restructuring Advisory LLP  
1 St James' Gate  
Newcastle upon Tyne  
NE1 4AD  
Tel: 0191 255 7000  
Email: restructuring.newcastle@rsmuk.com  
IP Number: 9503

**Joint Office Holder:**

Matthew Higgins  
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1 St James' Gate  
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Tel: 0191 255 7000  
Email: restructuring.newcastle@rsmuk.com  
IP Number: 13570

Dated 29 September 2017



**Steven Philip Ross**  
**RSM Restructuring Advisory LLP**  
**Joint Liquidator**

Steven Philip Ross is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

Matthew Higgins is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment

Where partners and staff are acting as administrative receivers and administrators, the affairs business and property of the company over which they are appointed are managed by them as agents and without personal liability and, where acting as LPA or Fixed Charge Receivers, they do so as agents for the mortgagor and without personal liability

**NOTE: Please complete the enclosed proof of debt form and return it together with a detailed statement of your account, and voting form, and any other relevant documentation to Martin Madgwick, at the address above.**

## Appendix L

### Voting paper

**Red Box Design Group Limited In Liquidation**

**Company No: 03565924**

**Steven P Ross and Matthew Higgins appointed as Liquidators to the above company on 12 August 2016**

**Notice delivered to the creditors on: 3 October 2017**

**DECISION DATE: 17 October 2017**

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### Voting Paper – Qualifying Decision Procedure pursuant to

**Rule 18.20 of the Insolvency (England and Wales) Rules 2016 where the Liquidators' request the creditors determine the Liquidators' remuneration basis**

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If you wish your vote to be counted please ensure you return this form, duly completed together with a proof of debt form (if one has not already been submitted) and a detailed statement of your claim **on or before the decision date stated above.**

### Voting Instructions for Decisions

\* delete as applicable

- |    |  |                       |
|----|--|-----------------------|
| 1  | That in accordance with the fee scope and assumptions provided to creditors on 29 September 2017 the Liquidator shall be authorised to draw remuneration at the fixed amount of £10,000 (plus VAT)                                 | <b>For / Against*</b> |
| 1  | That the Liquidator shall be authorised to draw 'category 2' disbursements out of the assets as an expense of the liquidation, at the rates prevailing at the time the cost is incurred current details of which have been advised | <b>For / Against*</b> |
| 2. | <b>(Note: If you vote in favour of this resolution please ensure you nominate a representative below)</b>  | <b>For / Against*</b> |

- |   |    |
|---|----|
| Name, address and contact details of nominated creditors (up to 5) for whom you wish to vote for appointment to the creditors' /liquidation committee of Red Box Design Group Limited | 1. |
|   | 2. |
|   | 3. |
| Note each creditor must complete a consent to act form (see attached)   | 4  |
|   | 5  |

\*I/We confirm that \*I am, am not / \*we are, are not a connected party or associate of the company as defined by Sections 249 and 435 of the Insolvency Act 1986.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name in BLOCK LETTERS

Position of signatory in relation to creditor, if not the creditor

**Appendix M****Rule 14.4 Insolvency (England and Wales) Rules 2016**

<b>Red Box Design Group Limited In Liquidation - company No: 03565924</b>	
<b>Steven P Ross and Matthew Higgins appointed as Liquidators to the above company on 12 August 2016</b>	
Relevant date for creditors' claims 12 August 2016	
1	Name of creditor If a company please also give company registration number
2	Address of creditor for correspondence.
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the relevant date. Less any payments made after that date in relation to the claim, any deduction in respect of discounts and any adjustment by way of mutual dealings and set off in accordance with relevant legislation
4	Details of any documents by reference to which the debt can be substantiated There is no need to attach them now but the Joint Liquidator may call for any document or evidence to substantiate the claim at his discretion
5	If amount in 3 above includes outstanding uncapitalised interest please state amount
6	Particulars of how and when debt incurred If you need more space append a continuation sheet to this form
7	Particulars of any security held, the value of the security, and the date it was given
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates
	Signature of creditor or person authorised to act on his behalf
	Name in BLOCK LETTERS
	Date
	Position with or in relation to creditor
	Address of person signing (if different from 2 above)

This form can be authenticated for submission by email, to , by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office holder. If completing on behalf of a company, please state your relationship to the company