

# Liquidator's Progress Report

# S.192

Pursuant to Sections 92A and 104A and 192  
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

03753992

Name of Company

A B Humbercraft Limited

☒ We

Philip David Nunney, Blades Enterprise Centre, John Street, Sheffield, S2 4SW

Tracy Ann Taylor, Blades Enterprise Centre, John Street, Sheffield, S2 4SW

the liquidator(s) of the company attach a copy of ☒ our Progress Report  
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 12/11/2015 to 11/11/2016

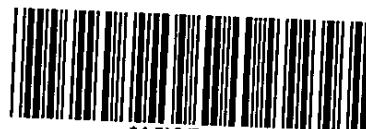
Signed

Date

Abbey Taylor Ltd  
The Blades Enterprise Centre  
John Street  
Sheffield  
S2 4SW

Ref 1567/PDN/DH/ER

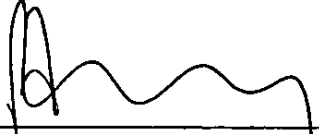
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**A.B. Humbercraft Limited**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**

Statement of Affairs		From 12/11/2015 To 11/11/2016	From 12/11/2014 To 11/11/2016
<b>SECURED ASSETS</b>			
36,859 00	Book Debts	3,154 40	98,535 06
		<u>3,154 40</u>	<u>98,535 06</u>
<b>SECURED CREDITORS</b>			
(26,378 52)	Lloyds Bank Commercial Finance	NIL	24,980 27
		<u>NIL</u>	<u>(24,980 27)</u>
<b>ASSET REALISATIONS</b>			
2,482 70	Funds Held by Third Party	NIL	2,482 70
13,400 00	Asset Sale Proceeds	750 00	12,750 00
	Late Payment Interest	2,175 50	2,175 50
	Business Rates Refund	NIL	102 58
	Vehicle Tax Refund	NIL	1,050 00
	Bank Interest Gross	53 29	98 70
		<u>2,978 79</u>	<u>18,659 48</u>
<b>COST OF REALISATIONS</b>			
	Statement of Affairs Fee	6,000 00	7,500 00
	Liquidators' Remuneration	12,000 00	12,000 00
	Agents/Valuers Fees	630 88	12,399 78
	Agents/Valuers Disbursements	NIL	2,698 81
	Carriage	NIL	13 75
	Statutory Advertising	NIL	202 20
		<u>(18,630 88)</u>	<u>(34,814 54)</u>
<b>PREFERENTIAL CREDITORS</b>			
(9,297 09)	Employees' wages/holiday pay	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<b>UNSECURED CREDITORS</b>			
(58,810 02)	Trade & Expense Creditors	NIL	NIL
(49,733 42)	Employees' notice/redundancy	NIL	NIL
(15,000 00)	Directors	NIL	NIL
(28,261 14)	Lloyds Bank plc	NIL	NIL
(22,011 93)	HM Revenue & Customs (PAYE/NIC)	NIL	NIL
(37,119 08)	HM Revenue & Customs (VAT)	NIL	NIL
(3,857 45)	HM Revenue & Customs (CIS)	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<b>DISTRIBUTIONS</b>			
(100 00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<b>(197,826.95)</b>		<b><u>(12,497.69)</u></b>	<b><u>57,399.73</u></b>
<b>REPRESENTED BY</b>			
	Vat Receivable		6,919 72
	Estate Bank a/c – Interest-Bearing		50,480 01
			<u>57,399 73</u>



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Philip David Nunney  
Joint Liquidator



**A.B. Humbercraft Limited**  
**(In Liquidation)**  
**Supplementary Information**

**Registered Office / Home Address**

Unit B6  
Kingstone Way  
Stockholm Road  
Kingston Upon Hull  
HU7 0XW

**Registered Number**

03753992

**Appointment Details**

First Partner - Philip David Nunney  
Blades Enterprise Centre, John Street, Sheffield, S2 4SW  
Appointment Date - 12/11/2014

Second Partner - Tracy Ann Taylor  
Blades Enterprise Centre, John Street, Sheffield, S2 4SW  
Appointment Date - 12/11/2014

**Changes to Office Holders**

None

**Additional Information**

**Dividends / Distributions / Consigned Funds : E = Equalising**

Dividend Type	Date	Admitted	Number	Paid	p in £
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No Dividends Paid

**Unrealisable Assets**

**Details of Basis of Remuneration**

**Statement of Remuneration / Expenses**  
**For period 12/11/2015 to 11/11/2016**

Account	Incurred In Period	Accrued In Period For Last Period	Accrued In Period	Total In Period
Statement of Affairs Fee	6,000 00	0 00	0 00	6,000 00
Liquidators' Remuneration	12,000 00	0 00	0 00	12,000 00
Agents/Valuers Fees	630 88	0 00	0 00	630 88
	18,630 88	0 00	0 00	18,630 88

**Statement on Fee / Expenses Estimates**

**A.B. Humbercraft Limited – in Creditors' Voluntary Liquidation  
Liquidators' Progress Report to Creditors and Members  
for the year ending 11 November 2016**

**STATUTORY INFORMATION**

Company Name:	A.B. Humbercraft Limited
Registered Office:	Abbey Taylor Limited Blades Enterprise Centre John Street Sheffield South Yorkshire S2 4SW
Former Registered Office:	Unit B6 Kingston Way Stockholm Road Hull HU7 0XW
Registered Number:	03753992
Liquidators' Names:	Philip D Nunney Tracy A Taylor
Liquidators' Address:	Abbey Taylor Limited Blades Enterprise Centre John Street Sheffield S2 4SW
Liquidators' Date of Appointment:	12 November 2014

**LIQUIDATORS' ACTIONS SINCE LAST REPORT**

I would advise that since our last report, the liquidators have sought and made realisations in respect book debts, asset sale proceeds and late payment interest; further details of which are given below. It is our belief that asset realisations are close to completion and dividends shall be declared to preferential and unsecured creditors.

Other than the above matter, there is certain work that we are 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 last progress report is detailed later in this report.

**RECEIPTS AND PAYMENTS ACCOUNT**

I enclose for your information, a summary of our receipts and payments from 12 November 2014 to 11 November 2016 showing a balance in hand of £50,480.01 and report as follows

**REALISATION OF ASSETS**

**Book Debts**

The Directors' Statement of Affairs indicated that the Company had an outstanding debtor ledger with a book value of £282,436.56. The estimated to realise value of these debtors was reduced to reflect aged or disputed debts together with a further 50% reduction to reflect recovery potential in liquidation. The Company's debts were assigned to Lloyds Bank Commercial Finance Ltd (Lloyds) under a factoring

agreement. The Statement of Affairs indicated that Lloyds were owed the sum of £26,378.52 although this did not allow for future costs or cancellation charges

I would refer creditors to our previous progress report with regards to the liquidators' actions up to November 2015. At that time, there remained a couple of debtors outstanding which were still being pursued by the liquidators.

These debtors were referred to Cerberus Receivables Management Ltd, debt recovery specialists, for collection. In respect of one debtor, their investigations revealed that there was little prospect of making any recovery and it was therefore deemed appropriate to cease collection. In respect of a second debtor, a settlement of £3,154.40 was reached and duly received into the liquidation.

The liquidators are satisfied that possible recoveries have now been exhausted and collections efforts have ceased

### **Funds Held by Third Party & Asset Sale Proceeds**

As detailed in the Directors' report to creditors, the directors had instructed VDE Asset Management Limited ("VDE") to realise its tangible assets. Sales totalling £28,280 (inclusive of VAT) were achieved against which VDE had received the sum of £14,880. From these receipts, vehicle finance agreements in the sum of £5,984.04 were to be settled together with the agreed fees of VDE being £6,413.26 (inclusive of VAT). As a result of the deductions, VDE were holding a surplus of £2,482.70 which was duly received into the liquidation estate.

Included within the sales totalling £28,280 was a sale which took place on 24 October 2014 in the sum of £19,400 (inclusive of VAT) to Read Property Maintenance Ltd of which Oliver Read, the son of the directors of A.B. Humbercraft Ltd, is director. The sale included various vehicles together with office furniture, tools and kitchen equipment. An initial payment of £6,000 had been paid to VDE leaving a remaining balance of £13,400 to be paid by deferred consideration at £1,000 per month with a final payment of £400. The Liquidators are uncertain whether the purchaser sought their own advice regarding the sale but can confirm that they have considered the transaction and have concluded that it was fair and reasonable in the circumstances.

To date I would advise that the proceeds in respect of this sale ought to have been received in full. However, a balance of £650 remains outstanding and is being pursued by the liquidators

### **Late Payment Interest**

As detailed in our previous progress report, the liquidators had instructed Interest Collections Limited ("ICL") to investigate and pursue possible unpaid late payment interest due to the Company.

I can confirm recoveries made by ICL has resulted in the sum of £2,175.50 being received into the liquidation estate during the period. I would also advise that subsequent to 11 November 2016, and therefore not shown on the enclosed receipts and payments account, a further £1,161.75 has been received from ICL in this regard. The liquidators have been advised by ICL that they consider their recoveries in this regard to be concluded.

### **Other Assets**

The sum of £102.58 has been received from Hull City Council in respect of a business rates refund due to the Company.

Following disposal of the Company's vehicles, the sum of £1,050 was received from the DVLA in respect of vehicle tax refunds.

The funds in the liquidation have been held in an interest bearing account which has resulted in gross bank interest totalling £98.70

## **CREDITOR CLAIMS**

### **Preferential Creditors**

The Directors' Statement of Affairs estimated that there would be preferential claims in the sum of £9,297.09.

I can confirm that the Liquidators have received a preferential claim in the sum of £6,640.66 from the Redundancy Payments Service together with an estimated balance of employee claims totalling £827.55. However, I would advise that at present these claims have not been reviewed or agreed by the liquidators.

### **Secured Creditors**

As detailed in our previous report, the Company had provided a charge in favour of Lloyds Bank Commercial Finance Ltd in respect of the factoring facility provided. The charge was satisfied in full from book debt realisations and therefore there remains no secured creditors.

### **Unsecured Creditors**

The Directors' Statement of Affairs indicated estimated unsecured claims in the sum of £214,793.04. We have received the following claims although they have not been reviewed or agreed by the liquidators -

	£
HM Revenue & Customs	165,198.11
Redundancy Payments Service	49,323.84
Employees	74.46
Lloyds TSB Bank	28,525.37
30 Trade & Expense Creditors	40,217.70
Total	<u>283,339.48</u>

I would advise that included within the 30 trade creditors above are five creditors with claims totalling £1,850.39 which came to light after our appointment as Liquidators and were therefore not included within the Directors' Statement of Affairs. Also, please note that 22 unsecured creditors with claims in the Directors' Statement of Affairs totalling £40,220.04 have not proved in the liquidation to date.

## **DIVIDEND PROSPECTS**

The legislation requires that if the Company has created a floating charge after 15 September 2003, a prescribed part of the company's net property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case, as the floating charge holder was settled in full from the book debt realisations, the legislation does not apply.

As detailed earlier in this report, a final balance is still being pursued in respect of the asset sale proceeds. Upon conclusion of this matter, the liquidators expect to declare a distribution to preferential creditors; making payment in full. It is also expected that a distribution shall be declared to unsecured creditors which can be presently estimated to be approximately 7p in the pound. However, it is important to note that this estimate does not take into account the future costs of the liquidation and is based upon creditor claims received to date which have not been reviewed or agreed.

## **INVESTIGATIONS INTO THE AFFAIRS OF THE COMPANY**

We undertook an initial investigation into the Company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved.

There were no matters that justified further investigation in the circumstances of this appointment.

Within six months of our appointment as liquidators, we are required to submit a confidential report to the Secretary of State to include any matters which have come to our attention during the course of our work which



may indicate that the conduct of any past or present director would make them unfit to be concerned with the management of a company. I can confirm that our report was submitted.

## **PRE APPOINTMENT REMUNERATION**

At the meeting of creditors held on 12 November 2014, it was resolved that a fee in the sum of £7,500 plus VAT and disbursements be paid in respect of assisting the directors in convening the creditors' meeting, preparing a statement of affairs and report to creditors. This included a fee of £1,500 plus VAT to be paid to Merlin Price in respect of their assistance and the provision of information in connection with the preparation of the Statement of Affairs.

The sum of £1,500 plus VAT had been discharged to Merlin Price previously. Since my last report, the sum of £6,000 plus VAT has been drawn by Abbey Taylor Limited in this regard

Pre-appointment disbursements incurred and paid from the case, net of VAT where applicable, are summarised as follows:

	Incurred (£)	Discharged (£)	Unpaid (£)
Statutory Advertising	67.40	67.40	-
Mileage	61 81	-	61 81
Postage	25 50	-	25.50
Company Searches	1.00	-	1.00
	<u>155 71</u>	<u>67.40</u>	<u>88.31</u>

## **LIQUIDATORS' REMUNERATION**

At the meeting of creditors held on 12 November 2014, it was resolved that the Joint Liquidators be remunerated on a time cost basis. The attached schedules indicate that the time costs of the Liquidators and our staff to 11 November 2016 are £38,508.75 which represents 199 4 hours at an average hourly rate of £193 12, of which £5,451, representing 27.95 hours of work, was charged in the period since our last report at an average hourly rate of £195 03

To date, I can confirm that the sum of £12,000 plus VAT has been drawn from the estate by Abbey Taylor Ltd in respect of this time.

Please refer to the Practise Fee Recovery Policy appended to this report for further information with regard to time recording, an explanation of the liquidators' general routine duties in dealing with a Company in liquidation and disbursements. Work carried out in the period since my last report has involved:

- Corresponding with the purchaser regarding settlement of the asset sale proceeds
- Corresponding with debtors and Cerberus Receivables Management Ltd with regards to collection of outstanding debts
- Corresponding with Interest Collections Limited regarding late payment interest
- Undertaking regular bank reconciliations of the bank account containing estate funds
- Reviewing the adequacy of the specific penalty bond
- Undertaking periodic reviews of the progress of the case
- Dealing with all routine correspondence and emails relating to the case
- Overseeing and controlling the work done on the case by case administrators
- Preparing, reviewing and issuing annual progress reports to creditors and members
- Filing returns at Companies House
- Preparing and filing VAT returns
- Preparing and filing Corporation Tax returns

Details about how an office holder's fees may be approved for each case type are available in a series of guides published by the Association of Business Recovery Professionals (R3) and can be accessed at [www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees](http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees). Alternatively a hard copy may be requested from Abbey Taylor Limited. Please note that there are different versions of the Guidance Notes and in this case you should refer to the November 2011 version.

## LIQUIDATORS' EXPENSES

Expenses incurred and paid from the case, net of VAT where applicable, are summarised as follows.

	12/11/2014 to 11/11/2015		12/11/2015 to 11/11/2016	
	Incurred (£)	Discharged (£)	Incurred (£)	Discharged (£)
Specific Bond	396 00	-	-	-
Statutory Advertising	134.80	134.80	-	-
Postage	27.50	-	30 60	-
	<u>558 30</u>	<u>134.80</u>	<u>30 60</u>	<u>-</u>

	Total	Total	Total
	Incurred (£)	Discharged (£)	Unpaid (£)
Specific Bond	396.00	-	396.00
Statutory Advertising	134 80	134 80	-
Postage	58.10	-	58.10
	<u>588.90</u>	<u>134.80</u>	<u>454.10</u>

Category 2 disbursements incurred and paid from the case, net of VAT where applicable, are summarised as follows

	12/11/2014 to 11/11/2015		12/11/2015 to 11/11/2016	
	Incurred (£)	Discharged (£)	Incurred (£)	Discharged (£)
Mileage	229 29	-	-	-
	<u>229.29</u>	<u>-</u>	<u>-</u>	<u>-</u>

	Total	Total	Total
	Incurred (£)	Discharged (£)	Unpaid (£)
Mileage	229.29	-	229 29
	<u>229 29</u>	<u>-</u>	<u>229.29</u>

The sum of £13.75 was reimbursed from the estate to Read Property Maintenance Ltd in relation to the cost of delivering up Company records to the Liquidators

WPA Chartered Surveyors were paid a fee of £11,768 90 plus VAT together with disbursements totalling 2,698.81 plus VAT I would refer creditors to our previous report for further details but would advise that their fee represented 35% of the amount paid by Sanctuary Housing Association in relation to the outstanding debtor ledger.

£630.88 plus VAT has been paid from the liquidation estate to Cerberus Receivables Management Ltd. This is in respect of their assistance with regards to the pursuit and collection of outstanding debtors and represents 20% of the realisation made by them.

Interest Collections Limited were instructed by the liquidators to provide assistance with the recovery of late payment interest. It was agreed that the expenses and disbursements be funded by Interest Collections Limited with their fees being chargeable against compensation recovered from the debtors.

The choice of professional firms chosen to assist was based on our perception of their experience and ability to perform the type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them. The fees charged have been reviewed and the liquidators are satisfied that they are reasonable in the circumstances of this case

## FURTHER INFORMATION

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 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

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 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.

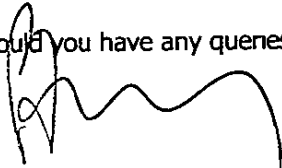
Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at [www.creditorinsolvencyguide.co.uk](http://www.creditorinsolvencyguide.co.uk)

To comply with the Provision of Services Regulations, some general information about Abbey Taylor Limited can be found in the attached summary sheet.

## **CONCLUSION**

As detailed earlier in this report, a final balance is still being pursued in respect of the asset sale proceeds. Upon conclusion of this matter, the liquidators expect to declare distributions to preferential and unsecured creditors.

Should you have any queries regarding this matter please contact David Hurley on 0114 292 2402.



**Philip D Nunney**  
**Joint Liquidator**

**A.B. Humbercraft Limited**  
**(In Liquidation)**

**Joint Liquidators' Summary of Receipts and Payments**

<b>RECEIPTS</b>	<b>Statement of Affairs (£)</b>	<b>From 12/11/2014 To 11/11/2015 (£)</b>	<b>From 12/11/2015 To 11/11/2016 (£)</b>	<b>Total (£)</b>
Book Debts	36,859 00	95,380 66	3,154 40	98,535 06
Funds Held by Third Party	2,482 70	2,482 70	0 00	2,482 70
Asset Sale Proceeds	13,400 00	12,000 00	750 00	12,750 00
Late Payment Interest		0 00	2,175 50	2,175 50
Business Rates Refund		102 58	0 00	102 58
Vehicle Tax Refund		1,050 00	0 00	1,050 00
Bank Interest Gross		45 41	53 29	98 70
		<b>111,061 35</b>	<b>6,133.19</b>	<b>117,194 54</b>
<b>PAYMENTS</b>				
Lloyds Bank Commercial Finance	(26,378 52)	24,980 27	0 00	24,980 27
Statement of Affairs Fee		1,500 00	6,000 00	7,500 00
Liquidators' Remuneration		0 00	12,000 00	12,000 00
Agents/Valuers Fees		11,768 90	630 88	12,399 78
Agents/Valuers Disbursements		2,698 81	0 00	2,698 81
Carnage		13 75	0 00	13 75
Statutory Advertising		202 20	0 00	202 20
Employees' wages/holiday pay	(9,297 09)	0 00	0 00	0 00
Trade & Expense Creditors	(58,810 02)	0 00	0 00	0 00
Employees' notice/redundancy	(49,733 42)	0 00	0 00	0 00
Directors	(15,000 00)	0 00	0 00	0 00
Lloyds Bank plc	(28,261 14)	0 00	0 00	0 00
HM Revenue & Customs (PAYE/NIC)	(22,011 93)	0 00	0 00	0 00
HM Revenue & Customs (VAT)	(37,119 08)	0 00	0 00	0 00
HM Revenue & Customs (CIS)	(3,857 45)	0 00	0 00	0 00
Ordinary Shareholders	(100 00)	0 00	0 00	0 00
		<b>41,163 93</b>	<b>18,630.88</b>	<b>59,794.81</b>
<b>Net Receipts/(Payments)</b>		<b>69,897 42</b>	<b>(12,497 69)</b>	<b>57,399 73</b>
<b>MADE UP AS FOLLOWS</b>				
Vat Receivable		3,193 54	3,726 18	6,919 72
Estate Bank a/c – Interest-Bearing		66,703 88	(16,223 87)	50,480 01
		<b>69,897.42</b>	<b>(12,497.69)</b>	<b>57,399 73</b>

Note All receipts and payments are detailed net of VAT (where applicable)

**ABBAY TAYLOR LIMITED**

**TIME & CHARGEOUT SUMMARIES**

**A.B HUMBERCRAFT LIMITED - IN LIQUIDATION**

**FROM 12/11/2014 TO 11/11/2016**

Classification of work function	Insolvency Practitioner	Manager	Other senior professional	Assistants & support staff	Total hours	Time cost £	Average hourly rate £
Administration & planning	10 50	15 90	17 70	35 65	79 75	13,088 00	164 11
Investigations	0 35	5 50	-	-	5 85	1,213 75	207 48
Realisation of assets	19 45	49 60	19 50	-	88 55	19,438 75	219 52
Creditors	0 80	14 75	9 70	-	25 25	4,768.25	188 84
Trading	-	-	-	-	-	-	-
Total fees claimed - £	10,126 25	17,241 25	7,504 00	3,637 25		38,508 75	
Total hours	31 10	85 75	46 90	35 65	199 40		
Average rate	325 60	201 06	160 00	102 03			

**ABBEEY TAYLOR LIMITED**

**TIME & CHARGEOUT SUMMARIES**

**A.B HUMBERCRAFT LIMITED - IN LIQUIDATION**

**FROM 12/11/2015 TO 11/11/2016**

Classification of work function	Insolvency Practitioner	Manager	Other senior professional	Assistants & support staff	Total hours	Time cost £	Average hourly rate £
Administration & planning	1 15	2 35	-	5 20	8 70	1,394 75	160 32
Investigations	-	-	-	-	-	-	-
Realisation of assets	1 15	9 45	-	-	10 60	2,276.25	214 74
Creditors	0 40	8 25	-	-	8 65	1,780 00	205 78
Trading	-	-	-	-	-	-	-
Total fees claimed - £	896 25	4,022 50	-	532 25		5,451 00	
Total hours	2 70	20 05	-	5 20	27 95		
Average rate	331 94	200 62	-	102 36			

## **PRACTICE FEE RECOVERY POLICY FOR ABBEY TAYLOR LIMITED**

### **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 [www.creditorinsolvencyguide.co.uk](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 [www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees](http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees). Alternatively a hard copy may be requested from Abbey Taylor Limited, Blades Enterprise Centre, John Street, Sheffield, S2 4SW. 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**

<b>Grade of staff</b>	<b>Charge-out rates per hour, effective 01/04/09-09/10/16 (£)</b>	<b>Charge-out rates per hour, effective from 10/10/16 (£)</b>
Partner – appointment taker	325	350
Senior Manager	250	-
Manager	200	250
Supervisor/Senior Administrator	160	200
Case Administrator	130	175
Cashier	100	135
Support Staff	100	135

These charge-out rates charged are reviewed on an annual basis 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 – which includes work such as planning how the case will be administered and progressed, the administrative set up of the case; notifying creditors and others of the appointment, keeping the records relating to the case up to date, and reporting on progress of the case to creditors and others
- Investigations – which includes work such as undertaking an initial review of the financial affairs of the company and bankrupt, undertaking a detailed investigation with a view to making recoveries for the benefit of creditors where matters such as preferences or wrongful trading come to light as a result of the initial review; and reporting to the Insolvency Service on the conduct of the directors
- Realisation of Assets – which includes work such as identifying, securing and insuring assets, dealing with retention of title claims, collecting debts owed; and selling assets

- Creditors – which includes work such as communicating with creditors; dealing with creditors' claims, dealing with employees and liaising with the redundancy payments office, and where funds realised allow, paying dividends to creditors
- Trading – which includes work such as managing and controlling all aspects of the business; and preparing financial records and information relating to that trading

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 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 Abbey Taylor Limited, 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	£75
Mileage	45p per mile
Storage	£2.50 per box per quarter
Photocopying	5p per sheet

## **Provision of Services Regulations Summary Sheet for Abbey Taylor Limited**

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

**Company Name:** Abbey Taylor Limited

**Company Type:** Private Limited Company

**Company Number:** 04992674

**Registered Office:** The Blades Enterprise Centre  
John Street  
Sheffield  
South Yorkshire  
S2 4SW

**Telephone Number:** 0114 292 2402

**Fax Number:** 0114 292 2403

**Email:** info@abbeytaylor.co.uk

**VAT Number:** 836 3500 38

### **Insolvency Practitioners**

Tracy Ann Taylor, Philip David Nunney, Nicola Jane Kirk and Ruth Elizabeth Harris are licensed in the United Kingdom to act as Insolvency Practitioners by The Institute of Chartered Accountants in England and Wales (ICAEW). Copies of the relevant insolvency license certificates and bond schedules as proof of the security required under Section 390(3) of the Insolvency Act 1986 are available for inspection at our offices.

Tracy Ann Taylor, Philip David Nunney, Nicola Jane Kirk and Ruth Elizabeth Harris are also members of the Insolvency Practitioners Association.

### **Rules Governing Actions**

All Insolvency Practitioners are bound by the rules of their professional body, including any that relate specifically to insolvency. The rules of the professional body that licences Abbey Taylor Limited can be found at [www.icaew.com/en/members/regulations-standards-and-guidance/insolvency/insolvency-regulations-and-guidance](http://www.icaew.com/en/members/regulations-standards-and-guidance/insolvency/insolvency-regulations-and-guidance). In addition, IPs are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at [www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice](http://www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice).

### **Ethics**

All Insolvency Practitioners are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at [www.icaew.com/en/technical/insolvency/insolvency-regulations-and-standards](http://www.icaew.com/en/technical/insolvency/insolvency-regulations-and-standards).

### **Governing Law and Jurisdiction**

Abbey Taylor Limited undertakes its activities as an Insolvency Practitioner in accordance with the laws of England and Wales. Any disputes will be governed by and construed in accordance with the laws of England and Wales.

### **Professional Indemnity Insurance**

Novae Group plc  
21 Lombard Street  
London  
EC3V 9AH

Tel. +44 (0) 20 7050 9000

This professional indemnity insurance provides worldwide coverage, excluding professional business undertaken within the United States of America, Canada and any country, territory or jurisdiction in which American or Canadian law (Federal, State or Provincial) is applicable or in which a judgment based upon such law may be enforceable in connection with such work.



## Complaints

Abbey Taylor Limited always strives 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 Insolvency Practitioner acting as office holder.

If you consider that the Insolvency Practitioner has not dealt with your comments or complaint appropriately, you should then put details of your concerns in writing to the Complaints Officer at Abbey Taylor Ltd, Blades Enterprise Centre, John Street, Sheffield, S2 4SW. This will 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.

It is our belief that 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

- In writing to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA
- Using an on-line form available at [www.gov.uk/complain-about-insolvency-practitioner](http://www.gov.uk/complain-about-insolvency-practitioner)
- By emailing [insolvency.enquiryline@insolvency.gsi.gov.uk](mailto:insolvency.enquiryline@insolvency.gsi.gov.uk)
- By calling the Insolvency Service Enquiry Line on 0300 678 0015 (charges may apply)

**PROOF OF DEBT**

A.B. Humbercraft Limited – in Liquidation

**Date of Resolution for Voluntary Liquidation: 12 November 2014**

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 at the date of the liquidation	
4	Details of any documents by reference to which the debt can be substantiated <i>(Copies should be supplied)</i>	
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	
9	<p>Signature of creditor or person authorised to act on his behalf _____</p> <p>Name in BLOCK LETTERS _____</p> <p>Position with or in relation to creditor _____</p> <p>Address of person signing (if different from 2 above)</p>	