

# CVA3

## Notice of supervisor's progress report in voluntary arrangement



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 3 9 8 1 2 9 1

Company name in full The Royal Crown Derby Porcelain Company Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Supervisor's name

Full forename(s) Richard John

Surname Harrison

### 3 Supervisor's address

Building name/number 1 St Peter's Square

Street Manchester

Post town M2 3AE

County/Region

Postcode

Country

### 4 Supervisor's name<sup>①</sup>

Full forename(s) Christopher Robert

Surname Pole

#### ① Other supervisor

Use this section to tell us about  
another supervisor.

### 5 Supervisor's address<sup>②</sup>

Building name/number 1 St Peter's Square

Street Manchester

Post town M2 3AE

County/Region

Postcode


Country

#### ② Other supervisor

Use this section to tell us about  
another supervisor.

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<b>6</b>	<b>Date of voluntary arrangement</b>															
Date	<sup>d</sup>	3	<sup>d</sup>	0	<sup>m</sup>	0	<sup>m</sup>	9	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	2	<sup>y</sup>	0
<b>7</b>	<b>Period of progress report</b>															
Date from	<sup>d</sup>	3	<sup>d</sup>	0	<sup>m</sup>	0	<sup>m</sup>	9	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	2	<sup>y</sup>	0
Date to	<sup>d</sup>	2	<sup>d</sup>	9	<sup>m</sup>	0	<sup>m</sup>	9	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	2	<sup>y</sup>	1
<b>8</b>	<b>Progress report</b>															
<input checked="" type="checkbox"/> I attach a copy of the progress report																
<b>9</b>	<b>Sign and date</b>															
Supervisor's signature	Signature X  X															
Signature date	<sup>d</sup>	2	<sup>d</sup>	2	<sup>m</sup>	1	<sup>m</sup>	1	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	2	<sup>y</sup>	1

# CVA3

## Notice of supervisor's progress report in voluntary arrangement



### 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 Carolyn Foden

Company name Interpath Advisory

Address St Peter's Square

Post town Manchester

County/Region

Postcode M 2 3 A E

Country

DX

Telephone Tel +44 (0) 161 529 8834



### 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 and dated 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)

# Supervisors' Annual Progress Report for the Period from 30 September 2020 to 29 September 2021

The Royal Crown Derby Porcelain  
Company Limited – under a Voluntary  
Arrangement

# Glossary

<b>Claims Date</b>	Means 20 November 2020
<b>The Company</b>	The Royal Crown Derby Porcelain Company Limited
<b>Compromised CVA Creditor</b>	Means any CVA Creditor but not an Excluded Creditor from the CVA but is a Creditor of the Company.
<b>Compromised CVA Creditors' Fund</b>	Fund established by the Company pursuant to Clause 12 of the Proposal and administered by the Supervisors for the benefit of the Compromised CVA Creditors
<b>CVA / Voluntary Arrangement</b>	Company Voluntary Arrangement
<b>Joint Supervisors / We / Our / Us</b>	Richard Harrison of 1 St Peter's Square, Manchester, M2 1EW and Chris Pole of One Snowhill, Snowhill, Queensway, Birmingham, B4 6GH
<b>Interpath</b>	Interpath Advisory Limited
<b>the Period</b>	30 September 2020 to 29 September 2021
<b>the Proposal</b>	The Proposal for the CVA of The Royal Crown Derby Porcelain Company Limited on 30 September 2020

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In the matter of The Royal Crown Derby  
Porcelain Company Limited (the 'Company')  
and in the matter of the Insolvency Act 1986

Please note that KPMG LLP sold its restructuring practice in the UK to Interpath Limited ("Interpath Advisory") on 4 May 2021. This will not have an impact on your day to day dealing with matters relating to the CVA but please note that the details for your primary case contacts may have changed. Please check the insolvency portal at: <http://www.ia-insolv.com/case+INTERPATH+RK82592533.html>.

On 18 March 2021 an order was made in the High Court appointing Richard Harrison as Joint Supervisor of the Company in place of David Costley-Wood, following his retirement. In accordance with the order, creditors and members were given notice of the replacement of David Costley-Wood as Joint Supervisor by advertisement in the London Gazette.

We attach as Appendix 1 a copy of the Supervisors' annual summary of receipts and payments in the Voluntary Arrangement for the Period and we report as follows:

## 1 Receipts

### 1.1 Company contributions to the CVA

The Company has made a contribution of £350,220 into the Compromised Creditors' Payment Fund in accordance with the terms of the CVA.

### 1.2 Bank interest

Bank interest totalling £30 has been received in the Period.

## 2 Payments

### 2.1 Compromised creditors' distribution

During the Period, we distributed £17,568 in relation to the admitted claims of Compromised CVA Creditors. This equated to a dividend of 10p in the £ based on the value of admitted claims.

There small difference between this figure and amount shown in the detailed receipts and payments account attached as Appendix 1 is due to the timing of a dividend cheque cancellation/reissue request from a creditor which was completed outside of the Period.

## **3 Progress of the Arrangement**

### **3.1 Challenge**

No application was made to Court to challenge the CVA following its approval by the creditors and shareholders.

### **3.2 Compromised Creditors' Payment Fund**

In accordance with Clause 12 of the CVA Proposal, the Company has complied with its obligations and made a contribution totalling £350,220 in the Period.

No further contributions are due under the Voluntary Arrangement.

### **3.3 Unsecured creditors and dividends paid**

During the Period, we distributed £17,568 to the Compromised CVA Creditors which equated to a dividend of 10p in the £ based on the value of their admitted claims.

Due to a number of external matters, some claims cannot yet be finalised. We have made the necessary provisions and as such have been able to make an interim distribution to creditors in the Period.

Upon completion of these matters, which we expect to be in early 2022, we will be able to make a second and final distribution and bring the Arrangement to a close.

### **3.4 Anticipated end of the CVA**

The Proposal anticipated that the CVA would be completed by March 2021. However, completion of the CVA has been delayed due to external matters, which could result in additional significant unsecured claims being received. We currently expect that these matters will be resolved early in 2022 and that we should then be in a position to finalise the claims agreement and dividend payment process and complete the CVA.

## **4 Office Holders' Remuneration**

Nominees' fees totalling £16,000 were settled prior to the Supervisors' appointment as disclosed in the Proposal.

In accordance with the terms of the Proposal the Joint Supervisors' remuneration is fixed on the basis of time properly given by them and their staff in dealing with matters arising in the CVA.

Attached at Appendix 2 is a detailed analysis of time spent and charge out rates for each grade of staff for the various areas of work carried out in the Period (as required by the Association of Business Recovery Professionals' Statement of Insolvency Practice No.9) together with details of expenses incurred to date.



In the Period the Joint Supervisors incurred time costs of £81,246, representing 376 hours at an average rate of £216 per hour. This includes tax, VAT and pensions advice from Interpath Advisory in-house specialists. Expenses of £744 were also incurred, shown at Appendix 3.

The Proposal estimated that the total fees to be paid to the Supervisors would be £50,000 plus outlays and VAT thereon. We have incurred more time costs than originally anticipated due to the fact that more time has been incurred on agreeing claims and dealing with the external matters as referred to in section 3.3.

Please note that we intend limit our Supervisors' fees to £50,000 plus VAT and disbursements on this case. No fees have been drawn to date.

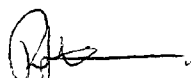
Please note that all staff who have worked on this assignment, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the analysis of time spent. However, the cost of staff employed in central administration functions is not charged directly to this assignment but is reflected in the general level of charge out rates.

A creditors' guide to fees can be found at:

<https://www.r3.org.uk/media/documents/publications/professional/Voluntary%20Arrangement%20Creditor%20Fee%20Guide%20April%202017.pdf>

However, if you are unable to access this guide and would like a copy then please contact Carolyn Foden on 0161 529 8834.

Signed



Dated

22 November 2021

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Richard Harrison

Joint Supervisor

## Appendix 1

## Receipts and payments account for the period 30 September 2020 to 29 September 2021

The Royal Crown Derby Porcelain Company Limited - under a Voluntary Arrangement		
Abstract of receipts & payments		
Statement of affairs (£)	From 30/09/2020 To 29/09/2021 (£)	From 30/09/2020 To 29/09/2021 (£)
FIXED CHARGE ASSETS		
Bank interest, gross	4.68	4.68
	4.68	4.68
ASSET REALISATIONS		
Compromised CVA Creditors' Fund	350,220.00	350,220.00
	350,220.00	350,220.00
OTHER REALISATIONS		
Bank interest, gross	25.36	25.36
	25.36	25.36
UNSECURED CREDITORS		
Compromised CVA Creditors' Distribution	(17,497.35)	(17,497.35)
	(17,497.35)	(17,497.35)
	<b>332,752.69</b>	<b>332,752.69</b>
REPRESENTED BY		
Floating charge current		332,752.69
		<b>332,752.69</b>

## Appendix 2

## Time cost analysis for the Period from 30 September 2020 to 29 September 2021

SIP 9 –Time costs analysis (30/09/2020 to 29/09/2021)			
	Hours	Time Cost (£)	Average Hourly Rate (£)
<b>Administration &amp; planning</b>			
Bankrupt/Director/Member			
Notification of appointment	6.00	2,305.00	384.17
Cashiering			
General (Cashiering)	7.10	1,983.30	279.34
Reconciliations (& IPS accounting reviews)	2.10	842.10	401.00
General			
Books and records	0.20	65.00	325.00
Statutory and compliance			
Appointment and related formalities	22.20	11,657.80	525.13
Budgets & Estimated outcome statements	4.00	1,077.50	269.38
Checklist & reviews	24.70	9,838.10	398.30
Statutory receipts and payments accounts	0.80	188.80	236.00
Strategy documents	9.35	4,358.10	466.11
Tax			
Post appointment corporation tax	3.50	1,325.50	378.71
<b>Creditors</b>			
Creditors and claims			
Agreement of claims	3.40	802.40	236.00
Agreement of unsecured claims	38.20	13,011.20	340.61
General correspondence	33.45	13,213.80	395.03
Notification of appointment	0.50	162.50	325.00
Payment of dividends	7.60	3,038.00	399.74
Employees			
Agreeing employee claims	6.00	1,416.00	236.00
Correspondence	23.10	8,449.30	365.77
Employee Matters / PAYE	16.00	3,776.00	236.00
<b>Investigation</b>			
Directors			
Correspondence with directors	8.00	3,736.00	467.00
<b>Total in period</b>	<b>216.20</b>	<b>81,246.40</b>	<b>375.79</b>

**SIP 9 –Time costs analysis (30/09/2020 to 29/09/2021)**

	Hours	Time Cost (£)	Average Hourly Rate (£)
Brought forward time (appointment date to SIP 9 period start date)	0.00	0.00	
SIP 9 period time (SIP 9 period start date to SIP 9 period end date)	216.20	81,246.40	
Carry forward time (appointment date to SIP 9 period end date)	216.20	81,246.40	

All staff who have worked on this assignment, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the assignment but is reflected in the general level of charge out rates.

All time shown in the above analysis is charged in units of six minutes.

**Charge-out rates (£) for: Restructuring**

Grade	From 01 Jan 2020 £/hr	From 01 Oct 2020 £/hr	From 01 Jan 2021 £/hr
Partner	690	690	690
Director	620	620	620
Senior Manager	560	560	560
Manager	467	467	467
Senior Administrator	325	325	325
Administrator	236	236	236
Support	147	147	147

**Narrative of work carried out for the Period 30 September 2020 to 29 September 2021**

The key areas of work have been:

Cashiering	<ul style="list-style-type: none"> <li>■ opening Supervisors' bank account;</li> <li>■ preparing and processing vouchers for the payment of unsecured dividend cheques;</li> <li>■ bank reconciliations.</li> </ul>
General	<ul style="list-style-type: none"> <li>■ reviewing time costs data and producing analysis of time incurred which is compliant with Statement of Insolvency Practice 9.</li> </ul>
Statutory and compliance	<ul style="list-style-type: none"> <li>■ producing the report of the creditors' decision and outcome of the Shareholders' meeting in respect of the approval of the CVA;</li> <li>■ filing the aforesaid report with the Court, the Registrar of Companies and notifying creditors of the approval of the CVA;</li> <li>■ formulating, monitoring and reviewing the CVA strategy;</li> <li>■ reviewing matters affecting the outcome of the CVA;</li> <li>■ complying with internal filing and information recording practices, including documenting strategy decisions.</li> </ul>
Tax	<ul style="list-style-type: none"> <li>■ notifying HMRC of the approval of the CVA and impact on the Company's VAT return filing.</li> <li>■ liaising with HMRC regarding its unsecured claim.</li> </ul>

Creditors and claims	<p>dealing with creditor correspondence regarding on the ongoing operation of the Company wrongly addressed to the Supervisors;</p> <p>creating and updating the list of Compromised Creditors;</p> <p>requesting creditor claims;</p> <p>responding to enquiries from creditors regarding the CVA and submission of their claims;</p> <p>reviewing claims submitted by creditors, recording claim amounts and maintaining claim records;</p> <p>agreeing Compromised Creditor claims;</p> <p>dealing with an ongoing external matter which may result in additional unsecured creditor claims;</p> <p>initial preparation of this report.</p>
Realisations	<p>monitoring receipt of the CVA contribution.</p>

## Appendix 3                      Expenses for the Period from 30 September 2020 to 29 September 2021

External printing	201.36	NIL	<b>201.36</b>
Postage	352.56	NIL	<b>352.56</b>
Supervisors' insurance bond	190.00	NIL	<b>190.00</b>
<b>Total</b>	<b>743.92</b>	<b>NIL</b>	<b>743.92</b>

### Interpath Advisory Policy for the recovery of expenses

Where funds permit the Supervisors will seek to recover both Category 1 and Category 2 disbursements from the estate. For the avoidance of doubt, such expenses are defined within SIP 9 as follows:

**Expenses:** These are any payments which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements which are payments first met by the office holder, and then reimbursed to the office holder from the estate.

**Category 1 expenses:** These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party who is not an associate of the office-holders. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the Supervisors or their staff.

**Category 2 expenses:** These are costs that are directly referable to the appointment in question but not a payment to an independent third party. These include payments to associates or which have an element of shared costs. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage.

**Associates:** are defined in the insolvency legislation but also extends to parties where a reasonable and informed third party might consider there would be an association between the third party and the office holder or their firm.

The only Category 2 expenses that Interpath Advisory currently include is mileage. Mileage claims fall into three categories:

- use of privately-owned vehicle or car cash alternative – 45 pence per mile.
- use of company car – 60 pence per mile.
- use of Managing Director's car – 60 pence per mile.

For all of the above car types, when carrying passengers an additional 5 pence per mile per passenger will also be charged where appropriate. Any expenses to be paid from the estate are disclosed within the summary of disbursements above.

**[www.interpathadvisory.com](http://www.interpathadvisory.com)**

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