

AM10

Notice of administrator's progress report



Companies House

WEDNESDAY



A72P8Y1K

A14

28/03/2018

#20

COMPANIES HOUSE

1 Company details

Company number 0 4 4 0 4 0 7 8

Company name in full Astley Facades Limited

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

2 Administrator's name

Full forename(s) Peter John

Surname Harold

3 Administrator's address

Building name/number c/o Refresh Recovery Limited

Street West Lancashire Investment Centre, Maple View

White Moss Business Park

Post town Skelmersdale

County/Region Lancashire

Postcode W N 8 9 T G

Country

4 Administrator's name ①

Full forename(s)

Surname

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

5 Administrator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other administrator
Use this section to tell us about
another administrator.

AM10

Notice of administrator's progress report

6 Period of progress report

From date	^d 0	^d 3	^m 0	^m 9	^y 2	^y 0	^y 1	^y 7
To date	^d 0	^d 2	^m 0	^m 3	^y 2	^y 0	^y 1	^y 8

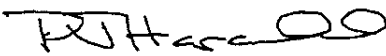
7 Progress report

☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X  X

Signature date

^d 2	^d 6	^m 0	^m 3	^y 2	^y 0	^y 1	^y 8
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**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	Peter John Harold
Company name	Refresh Recovery Limited
Address	c/o Refresh Recovery Limited West Lancashire Investment Centre, Maple View
Post town	Skelmersdale
County/Region	Lancashire
Postcode	WN 8 9 TG
Country	
DX	
Telephone	01695 711200

**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,
Westgate House, 1 The Quadrant, Cardiff, CF14 3UZ.
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Astley Facades Limited
(In Administration)
Administrator's Summary of Receipts & Payments

Statement of Affairs £		From 03/09/2017 To 02/03/2018 £	From 03/03/2017 To 02/03/2018 £
	ASSET REALISATIONS		
25,002.00	Bank Fee Refund	NIL	25,002.00
1,560.00	Plant & Machinery, Furniture & Equip	NIL	1,560.00
6,000.00	Book Debts	NIL	NIL
	Rates Refund	1,036.55	1,036.55
	Bank Interest Gross	1.55	11,190.99
		<u>1,038.10</u>	<u>38,789.54</u>
	COST OF REALISATIONS		
	Bordereau	NIL	196.00
	Administrators Fees	15,000.00	25,000.00
	Pension Advice	NIL	750.00
	Stationery & Postage	NIL	89.03
	Photocopying	NIL	79.65
	Storage Costs	NIL	577.00
	Statutory Advertising	NIL	84.60
	Pension Contributions	97.14	97.14
	Wages & Salaries	NIL	979.89
	PAYE & NI	NIL	117.38
		<u>(15,097.14)</u>	<u>(27,970.69)</u>
(12,682.00)	PREFERENTIAL CREDITORS		
	Employee Arrears/Hol Pay	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
(731,857.00)	FLOATING CHARGE CREDITORS		
	Floating Charge Creditor	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
(294,137.00)	UNSECURED CREDITORS		
(89,618.00)	Trade & Expense Creditors	NIL	NIL
(50,000.00)	Employees	NIL	NIL
(50,000.00)	HM Revenue & Customs - PAYE & NI	NIL	NIL
	HM Revenue & Customs - VAT	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
(100.00)	DISTRIBUTIONS		
	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(1,195,832.00)</u>		<u>(14,059.04)</u>	<u>10,818.85</u>
	REPRESENTED BY		
	Vat Receivable		1,000.00
	Bank 2 Current (Interest Bearing)		9,818.85
			<u>10,818.85</u>

Note:

Astley Facades Limited
(In Administration)
Administrator's Summary of Receipts & Payments

Statement of Affairs £	From 03/09/2017 To 02/03/2018 £	From 03/03/2017 To 02/03/2018 £
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All Estate Bank Accounts are Interest Bearing

Second Progress Report to Creditors

**ASTLEY FACADES LIMITED
(COMPANY NUMBER:04404078)**

**REGISTERED OFFICE: WEST LANCASHIRE INVESTMENT CENTRE, MAPLE VIEW,
WHITE MOSS BUSINESS PARK, SKELMERSDALE LANCASHIRE, WN8 9TG**

**ADMINISTRATOR'S SECOND PROGRESS REPORT TO CREDITORS IN ACCORDANCE
WITH RULE 18.6 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016**

DATE: 26 MARCH 2018

**IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
LIVERPOOL DISTRICT REGISTRY**

COURT NUMBER 115 OF 2017

Contents

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Appendices

1. Receipts and Payments Account
2. Refresh Recovery Ltd Schedule of Charge Out and Disbursements Rates

1. Glossary

the Company	Astley Facades Limited (registration number 04404078)
the Administrator	Peter John Harold of Refresh Recovery Limited, West Lancashire Investment Centre, Maple View, White Moss Business Park, Skelmersdale, Lancashire, WN8 9TG
Refresh Recovery	Refresh Recovery Limited
the Appointment Date	3 March 2017 being the date of appointment of the Administrator
the Appointor	Shaun Maclean
the Directors	Shaun Maclean Martin Holmes Stephen McGowan
the Bank	The Royal Bank of Scotland, the Company's bankers
the Valuers	JPS Chartered Surveyors
the Solicitors	Goldsmith Bowers Solicitors
Prescribed Part	Pursuant to Section 176A of the Act where a floating charge is created after 15 September 2003 a designated amount of the Company's property (floating charge assets less costs of realisation) shall be made available to the non-preferential unsecured creditors.
QFC	Qualifying Floating Charge
CVA	Company Voluntary Arrangement
SoA	Statement of Affairs

RPS	Redundancy Payments Service
TUPE	The Transfer of Undertaking (Protection of Employment) Regulations 2006
BEIS	The Department of Business, Energy and Industrial Strategy
ICAEW	The Institute of Chartered Accountants in England and Wales
the Act	the Insolvency Act 1986 (as amended)
the Rules	the Insolvency (England and Wales) Rules 2016
EC Regulation	EC Regulation on Insolvency Proceedings 2000
Category 1 Disbursements	The Administrator's firms external supplies of incidental services specifically identifiable to the case.
Category 2 Disbursements	The Administrator's firms internal costs and expenses in dealing with the Administration that compromises a cost allocation
SIP 9	Statement of Insolvency Practice 9 (E & W), Remuneration of Office Holders
SIP 13	Statement of Insolvency Practice 13 (E & W), Acquisition of assets of insolvent companies by directors.
SIP 15	Statement of Insolvency Practice 15 (E & W), Reporting and providing information on their functions to Committees in formal insolvencies.

2. Introduction

I write to provide you with an update on the progress of the Administration in accordance with Rule 18.6 of the Insolvency (England and Wales) Rules 2016, covering the 6 month period from 3 September 2017 to 2 March 2018. Please note that the Administration was extended by the consent of the Secured Creditors of the Company until 2 March 2019. This report includes certain information required to be provided to creditors in accordance with the Rules.

This report should be read in conjunction with my previous circulars which can all be found on the following website www.IPS-docs.com. If you would like to receive a hard copy of any previous circulars please contact this office and they will be sent to you. For this reason, it is not proposed to report in detail on matters that have already been dealt with.

As previously advised, Peter John Harold was appointed Administrator of Astley Facades Limited in The High Court of Justice, Chancery Division, Liverpool District Registry on 3 March 2017 under Court administration number 115 of 2017.

The appointment was made by the Appointor, in accordance with Paragraph 14 of Schedule B1 of the Act.

This Administration is being handled by Peter John Harold of Refresh Recovery Limited, West Lancashire Investment Centre, Maple View, White Moss Business Park, Skelmersdale, Lancashire, WN8 9TG. The Administrator's contact details are by phone on 01695 711 200 or via email at info@refreshrecovery.co.uk.

The trading address of the Company was Unit 19 Hurricane Court, Hurricane Drive, Liverpool International Business Park, Liverpool L24 8RL.

The registered office of the Company is C/O Refresh Recovery Limited, West Lancashire Investment Centre, Maple View, White Moss Business Park, Skelmersdale, Lancashire, WN8 9TG, previously Unit 19 Hurricane Court, Hurricane Drive, Liverpool International Business Park Liverpool L24 8RL and its registered number 04404078.

3. Receipts and Payments

A receipts and payments account for the period 3 September 2017 to 2 March 2018 and for the Administration to date is attached at Appendix 1.

4. Progress of the administration

4.1 Administrator's Proposals

The Proposals were circulated to all known members and creditors on 25 April 2017 to consider the Administrator's Proposals. The proposals were deemed approved on 10 May 2017 and notification of the outcome was circulated to creditors on 12 May 2017.

As there was no prospect of a dividend distribution to the unsecured creditors except by way of the Prescribed Part (further details of which are provided within this report below) I sought approval of the following Resolutions from both the Preferential and Secured Creditors. The Preferential Creditors approved my fees as follows:-

Resolution 1

Under Rule 3.52 of the Insolvency Rules and in the absence of a Creditors' Committee, the unpaid pre-administration fees and disbursements as detailed in the Administrator's Proposals be approved. These are as follows:

The Solicitors costs of £1,500 plus VAT

Resolution 2

Under Rule 18.8 of the Insolvency Rules and in the absence of a Creditors' Committee, the remuneration of the Administrator be a fixed fee of £25,000 plus VAT and 20% of realisations plus VAT after deduction of the fixed fee.

Resolution 3

That the Administrator be authorised to draw Category 2 disbursements in accordance with their firm's published tariff.

Resolution 4

The Administrator will be discharged from liability under Paragraph 98 of Schedule B1 to the Insolvency Act 1986 immediately upon his appointment as Administrator ceasing to have effect.

The Preferential Creditors approved these Resolutions on **2 June 2017**. The Administrator has drawn £15,000 towards these costs for the period 3 September 2017 to 2 March 2018 and a total of £25,000 for the entire period of the Administration to date as approved by the Secured creditors.

4.2 Asset Realisations

You may recall that the statutory objective being pursued in the Administration is to realise property in order to make a distribution to one or more secured creditors or preferential creditors.

This section of the report provides creditors with an update on the progress made in the Period, both in terms of the achievement of the statutory objective, but also work which is required of the Administrator under other related legislation.

4.2.1 Book Debts & Retentions

As outlined in my previous progress report the outstanding book debts and retentions were referred to Naismiths Chartered Surveyors ("Naismiths"), a book debt collection agent specialising in construction debts.

There is an outstanding balance due of £6,008 on one contract which "Naismiths" originally considered would realise in a "best case scenario" a sum of £4,000, after allowing for any remedial works to be completed. In a "worst case scenario" the costs may exceed the balance owed and may lead to no further realisations in this matter.

Based on the last interim report received from "Naismiths" on the 28 February 2018 it is unlikely that there will be any further realisations in this matter.

4.2.2 Rates Refund

A rates refund in the sum of £1,036.55 has been received from Wigan Council.

4.2.3 Gross Bank Interest

A sum of £1.55 has been received for the period 3 September 2017 to 2 March 2018.

4.3. Creditors

The Administrator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured

creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.

Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.

The above work will not necessarily bring any financial benefit to creditors generally, however if the Administrator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a Company has, the more time and cost will be involved by the Administrator in dealing with those claims. The Administrator sets out below the position of the creditors to date:-

4.3.1 Employees and Preferential Creditors

As previously advised, the Company had eight employees excluding its Directors. Shortly prior to my appointment five employees were made redundant and upon my appointment a further two employees were made redundant on economic grounds. One employee was retained for a period of one week to assist the Administrator in collating the information required to progress the Administration.

A claim has been received from the Redundancy Payments Office in the sum of £2,511.37 in respect of unpaid wages and accrued holiday pay.

Based on current information, it is likely that a dividend payment will be made to preferential creditors.

4.3.2 Secured Creditors

Following a review of the Register of Mortgages and Charges, held at Companies House on the 15 November 2016 a fixed and floating charge was granted to the QFCH and this was registered at Companies House on 21 November 2016. An estimated sum of £731,857 is owed to the QFCH under this charge and it is not expected to be settled in full from the realisations.

The Company has no further secured creditors.

4.3.3 Prescribed Part

In accordance with Rule 3.35(6)(a)(i) of the Rules, the Administrator must estimate the amount of funds available to unsecured creditors in respect of the Prescribed Part.

This provision applies where the Company has granted a floating charge to a creditor after 15 September 2003. The Company has granted a floating charge to the QFCH registered on 21 November 2016. Based on the realisations on a best case scenario, and after deducting costs (including Corporation Tax on interest) and preferential claims the estimated Prescribed Part is below the prescribed minimum and therefore the Prescribed Part will not apply. Similarly, the provisions of Section 176A (3) and 176A (5) will not apply.

4.3.4 Other Creditors

During the course of the Administration I have received trade and expense creditor claims totalling £945,541. I have received a claim from H M Revenue & Customs in the sum of £9,454 in respect of PAYE/NIC. I have also received a claim from the Redundancy Payments Office in the sum of £20,878 in respect of employee claims for Redundancy & Notice Pay.

Based on current information there is no prospect of a dividend becoming payable to unsecured creditors within this Administration.

4.3.5 Limitation Act

It should be noted that the Limitation Act 1980 continues to apply to all debts due from the Company. Case law indicates that where a company is in administration, time does not stop running for limitation purposes pursuant to the Limitation Act 1980. If you have any concerns in relation to your claim against the Company becoming time-barred during the course of the administration, we strongly recommend that you seek independent legal advice on the options available to you to prevent this.

5. Investigation

Some of the work the Administrator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (CDDA 1986) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Administrator can pursue for the benefit of creditors.

ASTLEY FACADES LIMITED
ADMINISTRATOR'S SECOND PROGRESS REPORT TO CREDITORS
DATE: 26 MARCH 2018

In accordance with SIP 2 I can advise that I have conducted an investigation into the affairs of the Company and I can report that I have not identified any further assets, prior transactions by the Company, or the conduct of any person involved with the Company that could give rise to a recovery for the estate.

During the course of the Administration, to comply with my statutory obligations, I have carried out a review of the Director's conduct and have submitted my report to the Directors Disqualification Unit of the BEIS as required. The contents of this report are confidential.

6. Administrator's Fees and Disbursements

6.1. Pre-Appointment Administrator's Fees and Disbursements

The Administrator's pre-appointment costs were minimal and have therefore been written off.

The Solicitors were instructed to prepare and lodge the appointment documentation and their costs amounted to £1,500 plus VAT. These costs remain outstanding at this present time.

6.2. Administrator's Fees and Disbursements

The Administrator's fees were approved by the Preferential creditors as a fixed fee of £25,000 plus VAT and 20% of realisations plus VAT after deduction of the fixed fee. The Secured Creditors have agreed to the Administrator drawing a sum of £15,000 towards the Administrator's remuneration for the period 3 September 2017 to 2 March 2018 and a total sum of £25,000 for the entire period of the Administration to date as per the Receipts and Payments account.

Details of the Administrator's disbursements incurred to date and paid including the comparison with the estimated disbursements previously disclosed in the Administrator's proposals are set out below and are shown net of VAT:

Supplier	Work Undertaken	Costs incurred	Costs paid	Total costs incurred	Total costs paid	Estimated total costs
Courts Advertising	Advertising	£0.00	£0.00	£84.60	£84.60	£169.20
Refresh Recovery Limited	Photocopying	£7.95	£0.00	£87.60	£79.65	£135.00
Refresh Recovery Limited	Postage	£29.15	£0.00	£118.18	£89.03	£175.00
Willis	Bordereau	£0.00	£0.00	£196.00	£196.00	£196.00
Iron Mountain	Storage Costs	£0.00	£0.00	£577.00	£577.00	£1,000.00

6.3. Professional Advisors

On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of Professional Advisor	Basis of Fee Arrangement
2020 Trustees Limited - for pension advice	Fixed Fee of £750.00
Naismiths Chartered Surveyors – for the pursuit of the outstanding book debts and retentions	20% of net realisations

6.4 Administrator's Charge Out and Disbursement Rates

Details of my firm's current charge out and disbursement rates can be found in the attached schedule.

6.5 Creditors Guide to Fees

A full copy of a creditors' guide to fees can be downloaded from the following site:

http://www.refreshrecovery.com/images/resources/Guide_to_Administrators_Fees_Oct_2015.pdf

7. Creditors' Rights

Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Administrator provide further information about his remuneration or expenses which have been itemised in this progress report.

Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that the basis fixed for the Administrator's remuneration, the remuneration charged or the expenses incurred by the Administrator as set out in this progress report are excessive.

8. Outstanding costs

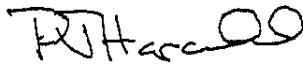
All post appointment expenses that have been incurred and the amounts paid are shown on the table in sections 6.2 & 6.3. The only exceptions are the pre-appointment disbursements disclosed above at section 6.1.

9. Further Reporting

In accordance with Rule 18.6 of the Insolvency (England and Wales) Rules 2016, I will issue a further report in the next six months.

10. Conclusion of the Administration

As it is currently predicted that no funds are available for distribution to the unsecured creditors within this Administration, in accordance with Paragraph 84(1) of Schedule B1 of the Insolvency Act 1986, it is proposed that the Company is moved from Administration to dissolution upon the conclusion of the Administrator's duties.



Peter John Harold
Administrator

Appendix 1 – Receipts and Payments Account

Astley Facades Limited
(In Administration)
Administrator's Summary of Receipts & Payments

Statement of Affairs £		From 03/09/2017 To 02/03/2018 £	From 03/03/2017 To 02/03/2018 £
	ASSET REALISATIONS		
25,002.00	Bank Fee Refund	NIL	25,002.00
1,560.00	Plant & Machinery, Furniture & Equip	NIL	1,560.00
6,000.00	Book Debts	NIL	NIL
	Rates Refund	1,036.55	1,036.55
	Bank Interest Gross	1.55	11,190.99
		<u>1,038.10</u>	<u>38,789.54</u>
	COST OF REALISATIONS		
	Bordereau	NIL	196.00
	Administrators Fees	15,000.00	25,000.00
	Pension Advice	NIL	750.00
	Stationery & Postage	NIL	89.03
	Photocopying	NIL	79.65
	Storage Costs	NIL	577.00
	Statutory Advertising	NIL	84.60
	Pension Contributions	97.14	97.14
	Wages & Salaries	NIL	979.89
	PAYE & NI	NIL	117.38
		<u>(15,097.14)</u>	<u>(27,970.69)</u>
	PREFERENTIAL CREDITORS		
(12,682.00)	Employee Arrears/Hol Pay	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	FLOATING CHARGE CREDITORS		
(731,857.00)	Floating Charge Creditor	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	UNSECURED CREDITORS		
(294,137.00)	Trade & Expense Creditors	NIL	NIL
(89,618.00)	Employees	NIL	NIL
(50,000.00)	HM Revenue & Customs - PAYE & NI	NIL	NIL
(50,000.00)	HM Revenue & Customs - VAT	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(1,195,832.00)</u>		<u>(14,059.04)</u>	<u>10,818.85</u>
	REPRESENTED BY		
	Vat Receivable		1,000.00
	Bank 2 Current (Interest Bearing)		9,818.85
			<u>10,818.85</u>

Note:

Astley Facades Limited
(In Administration)
Administrator's Summary of Receipts & Payments

Statement of Affairs £	From 03/09/2017 To 02/03/2018 £	From 03/03/2017 To 02/03/2018 £
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All Estate Bank Accounts are Interest Bearing

Appendix 2 – Refresh Recovery Limited - Schedule of Charge Out and Disbursements Rates

REFRESH RECOVERY LIMITED'S FEE AND EXPENSES FOR ADMINISTRATORS

1. TIME COST AND CHARGES OUT RATES

Although a resolution for the Administrator's fees was not sought on a time costs basis, it should be noted that the current charge out rates for this Firm are as follows:-

Grade of Staff	(£ per hour)
Insolvency Practitioner/Partner	335
Senior Manager	280
Manager	250
Case Supervisor	180
Senior Case Administrator	140
Case Administrator	100

All charge out rates are subject to periodic review. Any material amendments to charge out rates shall be advised to Creditors (or the Creditors' Committee, if appropriate) in subsequent statutory report. Time spent by support staff for carrying out shorter tasks, such as typing or dealing with post, is not charged to cases but is carried out as an overhead. Only where a significant amount of time is spent at one time on a case is a charge made for support staff. Time is recorded in units of 0.10 of an hour (i.e. 6 minute units).

The work involved in this assignment mainly relates to the following:

Administration and Planning

Administration and planning - This represents the work that is involved in the routine administrative functions of the case by the office holder and his staff, together with the control and supervision of the work done on the case by the office holder. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and regulation. Tasks under this heading will include inter alia:

- Case Planning
- Administrative set up including creation of files on firm's insolvency software
- Maintenance of records
- Opening, maintaining and managing the Estate accounts
- Post appointment VAT compliance
- Liaison with secured creditors, obtaining charge documents and validating security
- Post appointment Corporation Tax compliance
- Securing and Scheduling company's books and records
- Undertaking case progression reviews (typically at the end of month 1 and every six months thereafter) and general management of case
- Routine correspondence and e-mails

Investigation

The insolvency legislation gives the office holder powers to take recovery action in respect of what are known as antecedent transactions, where assets have been disposed of prior to the commencement of the insolvency procedure (and also in respect of matters such as misfeasance and wrongful trading). The office holder is required by the Statements of Insolvency Practice to undertake an initial investigation in all cases to determine whether there are potential recovery actions for the benefit of creditors. If potential recoveries or matters for further investigation are identified then the office holder will need to investigate them in detail and to bring recovery actions where necessary. Such recovery actions will be for the benefit of the creditors. The office holder is also required by legislation to report to the Department for Business, Innovation and Skills on the conduct of the directors and the work to

enable them to comply with his statutory obligations is of no direct benefit to the creditors, although it may identify potential recovery actions. Tasks under this heading will include inter alia:

- Recovering the books and records and reviewing the same
- Review and compliance with Statement of Insolvency (SIP 2)
- Sending out questionnaires to Directors and reviewing the same once completed.
- Review and identify potential asset recoveries by seeking and obtaining information from relevant third parties, such as banks, accountants, solicitors etc
- *Taking actions for recovery if any potential assets are identified*
- Report to the Department of Business, Innovation and Skills in accordance with the Company Directors Disqualification Act 1986 ("CDDA").

Realisation of assets

This is the work that needs to be undertaken to realise the known assets in the case. If this work is undertaken, the office holder anticipates that the assets will realise the estimated to realise amounts provided to creditors. Such realisations will be for the benefit of the creditors. Tasks under this heading will include inter alia:

- Review statement of affairs, accounts and books and records together with communications with directors and other third parties to identify the assets of the company
- Corresponding with Bank to collect Complex fee refund
- Instructing Chartered Surveyors to assist in the realisation of book debts
- Instructing Agents to value chattel assets.
- *Dealing with Agents regarding chattel assets and sale to one of the former directors*
- Liaising with secured creditors over the realisation of the assets subject to a charge
- Liaising with Finance Companies re return of their vehicles

Creditors

Employees - The office holder needs to deal with the ex-employees in order to ensure that their claims are processed appropriately by the Redundancy Payments Office ("RPO"). That work will include dealing with queries received from both the ex-employees and the RPO to facilitate the processing of the claims. The office holder is required to undertake this work as part of his statutory functions.

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

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

Tasks under this heading will include inter alia:

- Communication with creditors by email, post or telephone
- Processing creditors' claims and maintaining up to date creditor information (including employees and any preferential creditors)
- Requesting additional information from creditors in support of their proof of debt
- Liaison with Redundancy Fund
-

- Dealing with pre-appointment taxation issues relating to VAT, PAYE/NI, CIS and Corporation tax
- Adjudicate claims

Statutory Matters

The office holder is obliged follow various statutory and regulatory obligations. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow. Tasks under this heading will include inter alia:

- Notifying creditors of the office holder's appointment and filing statutory appointment documents at Companies House
- Arranging statutory advertising in London Gazette
- Notifications to HM Revenue & Customs re appointment and submission of VAT 769
- Obtaining a specific penalty bond and quarterly reviews
- Preparation of Proposals to be put to creditors
- Filing statutory documents at Companies House following approval or rejection of Proposals
- Submission of progress report and return to Companies House
- Submission of final return to Companies House

Fee Proposal

In the absence of a Creditors' Committee, approval of the Administrator's fee was sought from the secured and preferential creditors. Where this is calculated on a fixed fee basis, consideration has been given both to the work to be undertaken as set out above and time cost incurred in similar Administrations dealt with by Refresh Recovery. In addition to the normal compliance matters, Administrations with more realisable assets involve considerable additional work both in dealing with the realisation of those assets and also with dealing with creditors which are generally of a higher value and volume. Therefore it is considered that the proposed fixed fee and 20% realisations fee after deduction of the fixed fee is an appropriate, reasonable and commensurate reflection of the work likely to be carried out by the Administrator. The fixed fee will be drawn as soon as funds allow after payment of the Pre-Appointment fees and disbursements and the Administrator's category 1 & 2 disbursements. The payment of the fee relating to the realisation of assets will, of course, be paid following the realisations having been achieved and will not be paid on estimated realisations.

A creditors' guide to Administrator's fees is attached. A full copy of this guide can be downloaded from the following site:-

https://www.r3.org.uk/media/documents/publications/professional/Guide_to_Administrators_Fees_Oct_2015.pdf

2. EXPENSES & DISBURSEMENT COSTS

Where the Insolvency Practitioner in the firm acts as office-holder of an insolvent estate, the firm will seek to re-charge these costs (plus VAT where applicable). In such cases to comply with Statement of Insolvency Practice 9 (SIP9), the standard disbursement cost and expense re-charge calculations will be based upon the firm's standard policy which is as follows:

Category 1 Disbursements

These costs will include, among other:-

Statutory Advertising:	As per advertisers/agents invoice currently £84.60 per advert
Statutory Bonding:	Charged at cost
Postal Redirection:	Charged at cost
Courier :	Charged at cost

ASTLEY FACADES LIMITED
ADMINISTRATOR'S SECOND PROGRESS REPORT TO CREDITORS
DATE: 26 MARCH 2018

Postage:	First class postal charges based on the weight of the circular.
Storage:	Pro rata per number of boxes per storage charge invoice. An external storage provider provides this facility to the firm. Current charges are £2.50 for the box and £4.08 per box per annum for the storage
Room Hire:	No charge is made for meeting within the firm's office but charges made by others (including charges by the Landlord for rooms at West Lancashire Investment Centre) are charged at cost
Land Registry Searches:	As per Land Registry invoice
Companies House Search:	As per Companies House invoice
Travel:	Charged at costs for public transport, taxis and car parking
Legal Costs:	As per agreed rates

Category 2 Disbursements

This relates to expenditure which may be directly related to the insolvent estate, or where the costs is apportioned or allocated over a number of such cases and estimates are used in the calculation. Such disbursements require creditor approval.

Photocopier/Paper:	£0.15 per sheet – irrespective of size. Based on average costs of machine consumables (toner cartridges, maintenance etc) and paper
Travel:	45p per mile which is the cost reimbursed to staff

All the above costs are subject to periodic review. Any material amendments to costs shall be advised to Creditors (or the Creditors' Committee, if appropriate) in subsequent statutory reports.