

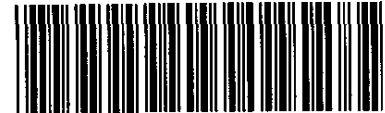
# LIQ03

## Notice of progress report in voluntary winding up



Companies House

THURSDAY



\*A88IADLF\*  
A28 27/06/2019 #35  
COMPANIES HOUSE

### 1 Company details

Company number 05065436

Company name in full Hallmark (East Midlands) Limited

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

### 2 Liquidator's name

Full forename(s) Andrew

Surname Stevens

### 3 Liquidator's address

Building name/number St Helen's House

Street

Post town King Street

County/Region Derby

Postcode DE13EE

Country

### 4 Liquidator's name ①

Full forename(s) Dean Anthony

Surname Nelson

① Other liquidator  
Use this section to tell us about  
another liquidator

### 5 Liquidator's address ②

Building name/number St Helen's House

Street

Post town King Street

County/Region Derby

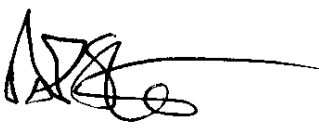
Postcode DE13EE

Country

② Other liquidator  
Use this section to tell us about  
another liquidator

LIQ03

Notice of progress report in voluntary winding up

<b>6</b>	<b>Period of progress report</b>											
From date	<sup>d</sup> 0	<sup>d</sup> 5	<sup>m</sup> 0	<sup>m</sup> 5	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8				
To date	<sup>d</sup> 0	<sup>d</sup> 4	<sup>m</sup> 0	<sup>m</sup> 5	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9				
<b>7</b>	<b>Progress report</b>											
<input checked="" type="checkbox"/> The progress report is attached												
<b>8</b>	<b>Sign and date</b>											
Liquidator's signature	Signature X  X											
Signature date	<sup>d</sup> 2	<sup>d</sup> 4	<sup>m</sup> 0	<sup>m</sup> 6	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9				

LIQ03

## Notice of progress report in voluntary winding up

**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Kieran Marshall**Company name **Smith Cooper**Address **St Helens House****King Street**Post town **Derby**

County/Region

Postcode **D E 1 3 E E**

Country

DX

Telephone **01332 332021****Checklist**

**We may return forms completed incorrectly or with information missing.**

**Please make sure you have remembered the following:**

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

**Important information**

**All information on this form will appear on the public record.**

**Where to send**

**You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**Further information**

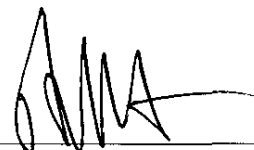
For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)**

**Hallmark (East Midlands) Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Declaration of Solvency £	From 05/05/2018 To 04/05/2019 £	From 05/05/2017 To 04/05/2019 £	
	ASSET REALISATIONS		
	Bank Interest Gross	827.89	835.03
200.00	Cash at Bank	NIL	603.19
	Contribution to Mis-selling claims - J	10,000.00	10,000.00
32,372.00	Directors Loan Account	NIL	NIL
1,000.00	Fixtures, Fittings and Office Equipm	NIL	NIL
	Hitachi Refund	NIL	NIL
40,000.00	Loan to M Lukic	39,760.90	39,760.90
68,431.00	Recoverable ACT (S455 o/d DLA)	NIL	NIL
174,204.00	Sale of Client Book	NIL	175,307.00
	Sundry Refunds	NIL	NIL
		50,588.79	226,506.12
	COST OF REALISATIONS		
	Agents/Valuers Fees - John Pye & S	NIL	150.00
	Corporation Tax	NIL	NIL
	Legal Fees - Lease Disclaim	NIL	513.33
	Office Holders Expenses	NIL	80.45
	Office Holders Fees	1,849.43	9,680.11
	Professional Fees - Creditors Claim	720.00	2,460.00
	Professional Fees - CT Return	NIL	1,000.00
	Specific Bond	NIL	1,050.00
	Stationery & Postage	NIL	42.60
	Statutory Advertising	NIL	257.60
	VAT	369.89	2,710.83
		(2,939.32)	(17,944.92)
	UNSECURED CREDITORS		
(250.00)	Hamson & Wright Holdings Limited	NIL	NIL
(60,208.00)	HMRC - ACT (S455 O/d DLA)	NIL	NIL
(81,296.00)	HMRC - CT on Sale of Client Book	NIL	NIL
	Mr Morecraft	NIL	NIL
	Statutory Interest	NIL	NIL
(7,866.00)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(8,334.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
158,253.00		47,649.47	208,561.20
	REPRESENTED BY		
	Bank 2 Current		208,561.20
			208,561.20

Note:



Andrew Stevens  
Joint Liquidator

**HALLMARK (EAST MIDLANDS) LIMITED  
(IN MEMBERS' VOLUNTARY LIQUIDATION)**

**JOINT LIQUIDATORS' ANNUAL PROGRESS REPORT TO 4 MAY 2019**

**Andrew Paul Stevens**

**Smith Cooper**

**St Helen's House, King Street, Derby, DE1 3EE**

**01332 332021**

**Dean Anthony Nelson**

**Smith Cooper**

**St Helen's House, King Street, Derby, DE1 3EE**

**01332 332021**

**This report has been prepared for the sole purpose of updating the creditors for information purposes. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.**

## DEFINITIONS

"The Act"	Insolvency Act 1986
"The Rules"	Insolvency (England & Wales) Rules 2016
"MVL"	Members' Voluntary Liquidation
"The Joint Liquidators" or "the Liquidators"	Andrew Paul Stevens and Dean Anthony Nelson of Smith Cooper
"The Company"	Hallmark (East Midlands) Limited
"SIP"	Statement of Insolvency Practice
"Review Period"	Period covered by the report from 5 May 2018 to 4 May 2019
"DOS"	The Director's Declaration of Solvency
"EOS"	Estimated Outcome Statement as at 4 May 2019
"R&P"	Receipts and Payments Account
"PP"	Prescribed Part

## **CONTENTS**

1. Executive Summary
2. Administration and Planning (Including Statutory Reporting)
3. Asset Realisations
4. Creditors
5. Distributions to Shareholders
6. Costs and Expenses
7. Further Information
8. Conclusion

## **APPENDICES**

1. Statutory Information
2. The Joint Liquidators' R&P for the Review Period
3. The Joint Liquidators' EOS as at 4 May 2019
4. Detailed Narrative of Work Undertaken in the Review Period
5. Comparison of the Joint Liquidators' Actual Expenses when Compared to the Original Expenses Estimate
6. The Joint Liquidators' Charge Out Rates and Disbursement Policy
7. Privacy Notice

## 1. EXECUTIVE SUMMARY

This Progress Report summarises the progress of the Liquidation for the Review Period.

On 14 July 2017, Andrew Stevens left SA Insolvency and subsequently joined Smith Cooper. As a consequence of this, upon application to the Court, Carrie James was removed as Joint Liquidator and replaced by Dean Anthony Nelson on 31 August 2017.

A summary of key information in this report is detailed below.

### 1.1 Asset Realisations

	Estimated to Realise per DOS	Realisations to Date	Estimated Future Realisations	Estimated Total Realisations
Asset	(£)	(£)	(£)	(£)
Sale of Client Book	174,204	175,307	-	175,307
Loan to M Lukic	40,000	39,761	-	39,761
Directors' Loan Account	32,372	-	68,291	68,291
Contribution to Mis-Selling Claims	-	10,000	26,000	36,000
Cash at Bank	200	603	-	603
Hitachi Refund	-	-	250	250
Fixtures, Fittings and Office Equipment	1,000	-	-	-
Recoverable ACT (S455 o/d DLA)	68,431	-	-	-
Sundry Refunds	-	-	4	4
Bank Interest	-	835	-	835
<b>Total</b>	<b>316,207</b>	<b>226,506</b>	<b>94,545</b>	<b>321,051</b>

### 1.2 Expenses

	Expense Incurred to Date	Estimated Further Expense to Closure	Estimated Total Expense
Expense	(£)	(£)	(£)
<b>Joint Liquidators' Costs and Expenses</b>			
Joint Liquidators' Fees	9,680	12,415	22,095
Joint Liquidators' Expenses	80	-	80
VAT	2,711	2,498	5,208
Specific Bond	1,050	-	1,050
Statutory Advertising	258	74	332
Stationery and Postage	43	-	43
<b>Professional Fees</b>			
Professional Fees – Creditor Claims	2,460	1,000	3,460
Professional Fees – CT Return	1,000	-	1,000
Legal Fees – Lease Disclaim	513	-	513
Agents'/Valuers' Fees	150	-	150
<b>Total</b>	<b>17,945</b>	<b>15,987</b>	<b>33,932</b>



### 1.3 Distributions

Class	Distribution Paid to Date	Estimated Total Distribution, Based Upon the Above
Preferential Creditors	N/A	N/A
Unsecured Creditors	-	100p in the £
Ordinary Shareholders	-	c.£18 per share

### 1.4 Summary of Key Issues Outstanding

The outstanding key issues are as follows:

- Finalise the outstanding claims of mis-selling from former clients;
- Obtain final claim in the Liquidation from HM Revenue and Customs ("HMRC");
- Obtain final tax clearances;
- Pay dividend distribution to unsecured creditors; and
- Pay dividend distribution to members.

### 1.5 Closure

Based on current information, it is anticipated that the Liquidation will be concluded within the next 6 months.

## 2 ADMINISTRATION AND PLANNING (INCLUDING STATUTORY REPORTING)

As Joint Liquidators, we are required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit, they assist in the efficient and compliant progressing of the Liquidation, which ensures that I and my staff carry out our work to high professional standards. The narrative detail in respect of these tasks may be found in Appendix 4.

During the Review Period, the following material tasks in this category were carried out:

- Maintaining case files, which must include records to show and explain the administration and any decisions made by the Joint Liquidators that materially affect the administration of the estate;
- Monitoring and maintaining an adequate statutory bond;
- Conducting periodic case reviews to ensure that the Liquidation is progressing efficiently, effectively and in line with the statutory requirements;
- Maintaining and updating the estate cash book and bank accounts, including bank reconciliations and processing receipts and payments; and
- Periodic tax returns.

## 3 ASSET REALISATIONS

The Joint Liquidators' R&P for the Review Period is attached at Appendix 2.

I have detailed below key information about asset realisation, however more detailed narrative about the work undertaken may be found at Appendix 4.

The following asset realisations have been realised during the Review Period.

### **3.1 Funds Due from M Lukic**

As at the commencement of the Liquidation, the Company was owed £40k by Mr M Lukic. The DOS estimated that this would be realisable in full.

During the Review Period, the Joint Liquidators have liaised with Mr Lukic in respect of the debt, in particular a disputed proportion of the balance owed.

The undisputed amount of £37k was paid to the Joint Liquidators on 18 June 2018.

Further to Mr Lukic's disputes, and following further exchanges of correspondence, it was agreed that he would pay a further c.£2.8k in full and final settlement of the outstanding balance.

The final payment of c.£2.8k was received on 3 September 2018. There will therefore be no further realisations in this respect.

### **3.2 Contributions to Mis-Selling Claims**

The Company has been subject to claims from its former clients in respect of mis-sold products (per section 4.2).

As part of the work for one of the customers, a proportion of their complaint was for products mis-sold to them by pension advisors, Baker Wainwright Limited ("BWL"), which is now dissolved.

During the Review Period, the Joint Liquidators have liaised with the former director of BWL and demanded that compensation be paid to the Company, as a contribution to the mis-sold products.

During the Review Period, an amount of £10k has been received, with further realisations of £26k anticipated. The Joint Liquidators are continuing to liaise with the former director of BWL in respect of further payments.

### **3.3 Bank Interest**

During the Review Period, an amount of c.£0.8k has been received in respect of bank interest, bringing total realisations to c.£0.8k. The bank interest received in the Review Period will be subject to a corporation tax charge from HMRC.

### **Future Asset Realisations**

### **3.4 Director's Loan Account ("DLA")**

Upon the appointment of the Joint Liquidators, there was an overdrawn DLA amounting to c.£32k due from Mr G Hamson.

Since the appointment of the Joint Liquidators, accounts have been prepared by the Company's former accountant, PJ Hamson & Co, showing an amount of c.£68k to be outstanding. Mr Hamson is disputing this amount is outstanding and payable by the Director, stating that he had made further payments to the Company, which will reduce the amount payable.

For the purpose of the EOS, the amount realisable is the amount shown as per the accounts prepared by PJ Hamson & Co.

The DLA is to be distributed in-specie to the shareholders (which is detailed in Section 6 of this report).

### **3.5 Hitachi Refund**

The Company leased a motor vehicle from Hitachi Finance ("Hitachi"). A refund of c.£0.2k is due to the Company from Hitachi, in respect of costs paid in relation to the motor vehicle, which should have formed part of the service agreement entered into for the vehicle.

Following the last report, the Joint Liquidators have liaised with Hitachi, who have requested further information, so they are able to assess whether a refund is due to the Company.

The Joint Liquidators do not have access to the required information. Therefore, it is anticipated that the refund will be distributed in specie to the Company's shareholder, so they are able to pursue the debt personally.

### **3.6 Recoverable ACT (Section 455 ("S455 Tax") Tax due on Overdrawn DLA)**

The Company has previously paid tax on the overdrawn DLA. This is recoverable upon the repayment of the Director's overdrawn DLA (per section 3.4).

Upon repayment (or distribution in-specie), the refund of S455 Tax will be offset against other debts owed by the Company to HMRC, given that the debt outstanding to HMRC is larger than the refund.

### **3.7 Sundry Refunds**

It is anticipated that sundry refunds of c.£4 will be received into the Liquidation estate.

## **4 CREDITORS**

I have had to carry out key tasks which are detailed at Appendix 4.

### **4.1 Secured Creditor**

The Company does not have any secured creditors.

### **4.2 Unsecured creditors**

The DOS estimated that the Company had unsecured creditors in the sum of c.£149.6k.

As previously reported, four claims have been made by former clients asserting that they were advised incorrectly and mis-sold products by the Company, that were not suitable for them and as such they have suffered losses.

Two of the four claims have previously been rejected. During the Review Period, the Joint Liquidators have been dealing with the outstanding claims as follows:

- One claim was upheld, during the Review Period Accord Compliance Consultants Limited ("Accord") have assisted the Joint Liquidators in defending the disputed claim. However, following a decision from the Financial Services Ombudsman, it has been agreed that the claim is payable. Accord have assisted in calculating the value of the claim, which has been quantified as c.£58k. This amount has been included for the purpose of the EOS; and
- The final claim is still being dealt with by the Financial Services Ombudsman.

Excluding the claims from the former clients, to date, claims of c.£5.2k have been received, meaning the Joint Liquidators are currently awaiting further claims of c.£2.6k from trade creditors.

The Joint Liquidators are also awaiting a final claim from HMRC, which cannot be finalised until the claims being dealt with by the Financial Services Ombudsman are finalised. For the purposes of the EOS, it is estimated that c.£50k will be payable to HMRC. However, this will be subject to adjudication, once the final claim is received.

Once all claims have been received and adjudicated, an amount of 100p in the £ will be paid (plus statutory interest) in respect of all agreed creditors' claims.

#### **4.3 Statutory Interest**

Based on anticipated dividend distributions to unsecured creditors, it is anticipated that statutory interest (based on 8% pa of distributions) of c.£18.6k will be paid on agreed/anticipated claims.

## **5 DISTRIBUTIONS TO SHAREHOLDERS**

The following distributions are anticipated to be made to the shareholders:

<b>Distribution</b>	<b>£ per Share to be Distributed</b>	<b>Total Amount to be Distributed (Cash)</b>	<b>Total Amount to be Distributed (In Specie)</b>
		<b>(£)</b>	<b>(£)</b>
First and Final	c.£18 per share	83,586	68,291

A first and final distribution to the Company's Members is expected to be paid when all asset realisations have been finalised, a first and final distribution has been made to the Company's unsecured creditors and tax clearance has been received by HMRC.

## 6 COSTS AND EXPENSES

The payments shown on the Receipts and Payments Account at Appendix 2 are in the main self-explanatory.

### 6.1 **Fixed Fee Agreed with the Directors and Ratified by Members for Work Done Pre-Appointment**

The Members authorised the fee of £1.5k plus VAT for assisting the Members in placing the Company into Liquidation and with preparing the DOS. This has yet to be paid and is included in the amounts outstanding to the unsecured creditors.

### 6.2 **Joint Liquidators' Remuneration**

The Joint Liquidators' remuneration was approved by a resolution of the Members to be paid on the following basis:

- A fixed fee of £7,500;
- 1% of total asset realisations;
- 7.5% of distributions to creditors; and
- 2% of distributions to members.

Based on the EOS, it is estimated that the Joint Liquidators' total fees will be £22,095. To date, fees of £9,680 have been drawn, with £1,849 being drawn during the Review Period. Therefore, further fees of £12,415 are anticipated to be billed, based on current anticipated realisations and distributions.

### 6.3 **Joint Liquidators' Disbursements**

The Joint Liquidators' Category 1 disbursements paid are detailed at Appendix 2 and represent the simple reimbursement of actual out of pocket payments made on behalf of the assignment. During the Review Period, no Category 1 disbursements have been incurred.

The Joint Liquidators' have not incurred any Category 2 disbursements during the Review Period. The basis of calculation of this category of disbursement was disclosed to members prior to the resolution being passed and is also detailed at Appendix 6.

A copy of 'A Members' Guide to Liquidators' Fees' may be found at:

[https://www.r3.org.uk/media/documents/publications/professional/Guide\\_to\\_Liquidators\\_Fees\\_Oct\\_2015.pdf](https://www.r3.org.uk/media/documents/publications/professional/Guide_to_Liquidators_Fees_Oct_2015.pdf).

A hard copy is available on request.

### 6.4 **VAT**

The Company is not registered for VAT, therefore the Joint Liquidators are not able to reclaim VAT on payments. During the Review Period, c.£0.4k has been incurred and paid in this respect.

Further VAT of c.£2.5k is anticipated to be incurred prior to the closure of the case.

## **Other Professional Costs**

### **6.5 Professional Fees – Creditor Claims**

As stated, Accord were instructed to assist the Joint Liquidators in respect of the customer complaints arising from mis-sold products.

During the Review Period, Accord were paid a fixed fee of c.£0.7k for the work undertaken.

It is anticipated that a further £1k will be incurred in respect of Accord's advice in dealing with the outstanding claims.

## **7 FURTHER INFORMATION**

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

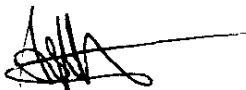
Members of the Company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the Company, or any member with the permission of the Court, may apply to Court to challenge the amount and/or basis of the Joint Liquidators' fees and the amount of any proposed expenses or expenses already incurred on the grounds that they are excessive or inappropriate, within 8 weeks of receipt of this report.

## **8 CONCLUSION**

The administration of the Liquidation will continue in order to finalise the following outstanding matters:

- Finalise the outstanding claims of mis-selling from former clients;
- Obtain final claim in the Liquidation from HM Revenue and Customs ("HMRC");
- Obtain final tax clearances;
- Pay dividend distribution to unsecured creditors; and
- Pay dividend distribution to members.

If you require any further information please contact Kieran Marshall at this office.



Andrew Stevens  
Joint Liquidator

## STATUTORY INFORMATION

<b>Company number</b>	05065436
<b>Date on incorporation</b>	5 March 2004
<b>Trading activities</b>	Financial Intermediation not elsewhere classified
<b>Previous names</b>	N/A
<b>Trading address(es)</b>	38 High Lane West, West Hallam, Ilkeston, Derbyshire, DE7 6HQ

**Registered office**

At the date of Liquidation, the Company's registered office was situated at 38 High Lane West, West Hallam, Ilkeston, Derbyshire, DE7 6HQ

For the purposes of the Liquidation, the Company's registered office was changed to St Helen's House, King Street, Derby, DE1 3EE

<b>Issued share capital</b>	Ordinary shares of £1 each	8,334
		<u>8,334</u>

<b>Shareholders</b>	Gary Hamson	2,000
	Hamson & Wright Holdings Limited	6,334
		<u>8,334</u>

<b>Directors</b> (who held office during the last 3 years)	<b>Name</b>	<b>Appointed</b>	<b>Resigned</b>
	Gary Hamson	5 March 2004	-

<b>Liquidators</b>	Andrew Paul Stevens Smith Cooper St Helen's House King Street Derby DE1 3EE	Dean Anthony Nelson Smith Cooper St Helen's House King Street Derby DE1 3EE
--------------------	--	--

**Bankers** The Company's bankers were Royal Bank of Scotland

On 14 July 2017, Andrew Stevens left SA Insolvency and subsequently joined Smith Cooper. As a consequence of this, upon application to the Court, Carrie James was removed as Joint Liquidator and replaced by Dean Anthony Nelson on 31 August 2017.

**Hallmark (East Midlands) Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

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	Sundry Refunds	NIL	NIL
		50,588.79	226,506.12
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	Legal Fees - Lease Disclaim	NIL	513.33
	Office Holders Expenses	NIL	80.45
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	Stationery & Postage	NIL	42.60
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	Mr Morecraft	NIL	NIL
	Statutory Interest	NIL	NIL
(7,866.00)	Trade & Expense Creditors	NIL	NIL
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		NIL	NIL
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	REPRESENTED BY		
	Bank 2 Current		208,561.20
			<b>208,561.20</b>

Note: Amounts are stated net of VAT.

The bank account is interest bearing.



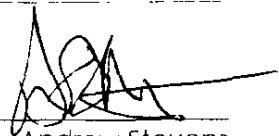
Andrew Stevens  
Joint Liquidator



**Hallmark (East Midlands) Limited**  
**(In Liquidation)**  
**Joint Liquidators' Estimated Outcome Statement**  
**To 04/05/2019**

Declaration of Solvency £		Realised / Paid	Projected	Total £
	<b>ASSET REALISATIONS</b>			
174,204.00	Sale of Client Book	175,307.00	NIL	175,307.00
1,000.00	Fixtures, Fittings and Office Equipment	NIL	NIL	NIL
	Contribution to Mis-selling claims - J B	10,000.00	26,000.00	36,000.00
40,000.00	Loan to M Lukic	39,760.90	NIL	39,760.90
68,431.00	Recoverable ACT (\$455 o/d DLA)	NIL	NIL	NIL
32,372.00	Directors Loan Account	NIL	68,291.00	68,291.00
200.00	Cash at Bank	603.19	NIL	603.19
	Hitachi Refund	NIL	250.00	250.00
	Bank Interest Gross	835.03	NIL	835.03
	Sundry Refunds	NIL	3.60	3.60
		226,506.12	94,544.60	321,050.72
	<b>COST OF REALISATIONS</b>			
	Specific Bond	1,050.00	NIL	1,050.00
	Office Holders Fees	9,680.11	12,414.80	22,094.91
	Office Holders Expenses	80.45	NIL	80.45
	Agents/Valuers Fees - John Pye & Sons	150.00	NIL	150.00
	Legal Fees - Lease Disclaim	513.33	NIL	513.33
	Professional Fees - CT Return	1,000.00	NIL	1,000.00
	Corporation Tax	NIL	157.30	157.30
	VAT	2,710.83	2,497.66	5,208.49
	Professional Fees - Creditors Claim	2,460.00	1,000.00	3,460.00
	Stationery & Postage	42.60	NIL	42.60
	Statutory Advertising	257.60	73.55	331.15
		(17,944.92)	(16,143.31)	(34,088.23)
	<b>UNSECURED CREDITORS</b>			
(7,866.00)	Trade & Expense Creditors	NIL	7,866.00	7,866.00
(250.00)	Hamson & Wright Holdings Limited	NIL	250.00	250.00
(81,296.00)	HMRC - CT on Sale of Client Book	NIL	50,000.00	50,000.00
(60,208.00)	HMRC - ACT (\$455 O/d DLA)	NIL	NIL	NIL
	Statutory Interest	NIL	18,632.21	18,632.21
	Mr Morecraft	NIL	58,335.34	58,335.34
		NIL	(135,083.55)	(135,083.55)
	<b>DISTRIBUTIONS</b>			
(8,334.00)	Ordinary Shareholders	NIL	151,878.94	151,878.94
		NIL	(151,878.94)	(151,878.94)
158,253.00		208,561.20	(208,561.20)	NIL
	<b>REPRESENTED BY</b>			
	Bank 2 Current	208,561.20	(208,561.20)	NIL
		208,561.20	(208,561.20)	NIL

Note: The amounts stated are net of VAT.  
The bank account is interest bearing.

  
Andrew Stevens  
Joint Liquidator

**Narrative detail of work undertaken for Hallmark (East Midlands) Limited (in Members' Voluntary Liquidation) in the Review Period**

<b>General Description</b>	<b>Includes</b>
<b>Administration and Planning</b>	
Statutory/Advertising	Filing of documents to meet statutory requirements
Document Maintenance/File Review/Checklist	Filing of documents Periodic file reviews Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank Account Administration	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning/Review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case
Creditor Reports	Issuing annual progress report to creditors
Member Reports	Preparing and issuing annual progress report and general reports to members Responding to members' queries
<b>Realisation of Assets</b>	
Contribution to Mis-selling Claims	Instructing and liaising with Accord Liaising with the director of BWL regarding balance of compensation owed to the Company Agreeing repayment proposal with director of BWL
Debtors	Liaising with M Lukic regarding outstanding balance Corresponding with member regarding disputes from M Lukic Remittance of balances owed to the Company
Other Assets: Hitachi Refund/ Sundry Refunds	Liaising with Hitachi in respect of the refund and information required Liaising with other parties regarding sundry refunds
<b>Creditors</b>	
Mis-Selling Claims	Extensive liaison with Accord in respect of the claims outstanding Liaising with the Financial Ombudsman regarding their decisions on the claim Liaising with the Financial Ombudsman regarding their progress on one of the outstanding claims Calculation of creditor claim following decisions
Creditor Communication	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via email and post
Dealing with proofs of debt ("POD")	Receipting and filing POD when not related to a dividend
Processing proofs of debt	Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD

General Description	Includes
	Adjudicating POD Request further information from claimants regarding POD Preparation of correspondence to claimant advising outcome of adjudication

## **APPENDIX 5**

### **COMPARISON OF THE JOINT LIQUIDATORS' ACTUAL EXPENSES WHEN COMPARED TO THE ORIGINAL EXPENSES ESTIMATE**

## HALLMARK (EAST MIDLANDS) LIMITED

## COMPARISON OF THE LIQUIDATORS' ACTUAL EXPENSES WHEN COMPARED TO THE ORIGINAL EXPENSES ESTIMATE

Expenses Category 1	Basis	Original Estimate £	Incurred To Date £	Difference £	Incurred During The Review Period £
Specific Bond		390.00	1,050.00	660.00	1,050.00
Statutory Advertising		237.00	257.60	20.60	257.60
Stationery and Postage		80.00	42.60	37.40	42.60
Legal Fees - Lease Disclaim	Fixed		513.33	513.33	513.33
Agents'/Valuers' Fees	Fixed		150.00	150.00	150.00
Professional Fees - CT Return	Fixed		1,000.00	1,000.00	1,000.00
Professional Fees - Creditors Claims	Fixed/Percentage		2,460.00	2,460.00	2,460.00
<b>Total</b>		<b>707.00</b>	<b>5,473.53</b>	<b>4,766.53</b>	<b>5,473.53</b>

Expenses Category 2	Basis	Original Estimate £	Incurred To Date £	Difference £	Incurred During The Review Period £
Mileage	Rates disclosed by Smith Cooper	23.40	80.45	57.05	80.45
<b>Total</b>		<b>23.40</b>	<b>80.45</b>	<b>57.05</b>	<b>80.45</b>

## INFORMATION FOR CREDITORS IN RELATION TO FEES AND DISBURSEMENTS

W	<a href="http://www.smithcooper.co.uk">smithcooper.co.uk</a>
F	01332 650290
VAT	123354934

## INFORMATION RELEVANT AT 1 APRIL 2017

### General information to creditors regarding insolvency matters

Creditors wishing to understand or find out more information in relation to this or any other type of insolvency process may visit the website:

<http://www.creditorinsolvencyguide.co.uk/>

This website is a step-by-step guide designed to help creditors navigate their way through an insolvency process and has been produced by R3, the UK insolvency trade body.

A creditors' guide to the fees payable in an insolvency process and the process an insolvency practitioner is required to adopt for seeking approval of his or her fees may be acquired from the following website:

<https://www.r3.org.uk/what-we-do/publications/professional/fees>

If any party is unable to obtain a copy of either of the above guides, please contact the individual referred to below who will furnish you with a copy, free of charge:

- Contact – Emily Oliver
- Telephone – 01332 332021
- Email – [creditor.correspondence@smithcooper.co.uk](mailto:creditor.correspondence@smithcooper.co.uk)
- Post – St Helen's House, King Street, Derby, DE1 3EE

### Sent from Smith Cooper, St Helen's House, King Street, Derby DE1 3EE

Smith Cooper is the trading name of SC Advisory Services Limited, a company registered in England.  
 Registered number: 7678255  
 Registered Office: St Helen's House, King Street, Derby DE1 3EE  
 A list of directors is available for inspection at the above address.



Dean Anthony Neison, Nicholas Charles Osborn Lee, Andrew Paul Stevens and Michael Paul Roome are licensed in the United Kingdom to act as Insolvency Practitioners by the Institute of Chartered Accountants in England and Wales. They are all bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment, which can be found at <https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>. When acting as Receiver, Administrative Receiver or Administrator they act as agent only, without personal liability and when acting as Administrator, the affairs, business and property of the company are being managed by them.

Regulated by the Institute of Chartered Accountants in England & Wales for a range of investment business activities.

When taking appointments, the firm's licensed Insolvency Practitioners are Data Controllers of personal data as defined by the Data Protection Act 1998 and the General Data Protection Regulations 2018. Smith Cooper will act as Data Processor on their instructions. Personal data will be kept secure and processed only for matters relating to the appointment which they take. For further data please see the firm's privacy policy.

### Information specific to Smith Cooper

Grade	Charge out rate (£ per hour)
Partner	355
Director	255
Manager	190
Assistant Manager	190
Senior Insolvency Administrator	165
Administrator	130
Junior Administrator	90
Cashier	90
Other	60
Time costs are calculated using 6 minute units.	

The Office Holder does not recover the costs of support staff other than where their time is specifically incurred and can be identified in dealing with work undertaken on a specific engagement.

### 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

### Disbursements

In accordance with Statement of Insolvency Practice 9 (SIP9) 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, being expenses directly referable to a third party, eg statutory advertising, external meeting room hire, specific bond insurance and courier costs, external archive, storage and subsequent destruction and Company Search fees, or Category 2, being expenses incurred by the firm and recharged to the estate, which may include a profit element, eg postage, stationery and storage.

Category 1 disbursements are recoverable in full from the estate without the prior approval of creditors. Category 2 disbursements are recoverable in full from the estate, subject to the basis of the disbursement allocation being approved by creditors in advance.

Category 2 disbursements are proposed to be recovered, subject to obtaining the requisite approval, as follows:-

Postage	Charged at actual cost (first class)
Photocopying	Recharged at 17p per sheet
Storage	Charged at cost
Room Hire	£50 per meeting held Smith Cooper offices
Archiving case files & closure	Recharged at £42.70 per box
Archiving records & closure	Recharged at £9.55 per box
Mileage	45p per mile

## Privacy Notice

The following information is provided to comply with the requirements of the General Data Protection Regulation.

This privacy statement describes why and how we collect and use personal data and provides information about individuals' rights. It applies to personal data provided to us, both by individuals themselves or by others. We may use personal data provided to us for any of the purposes described in this privacy statement or as otherwise stated at the point of collection.

<b>Identity and contact details of the controller and where applicable, the controller's representative and the data protection officer</b>	<p>Where an insolvency practitioner of Smith Cooper is not appointed as office holder, the data controller is either the company/individual on whose instructions Smith Cooper is acting or it is Smith Cooper. The contact details of Smith Cooper are: St Helen's House, King Street, Derby, DE1 3EE, 01332 332021, <a href="mailto:creditor.correspondence@smithcooper.co.uk">creditor.correspondence@smithcooper.co.uk</a></p> <p>Where an insolvency practitioner of Smith Cooper is appointed as office holder and the data processing is carried out as part of their statutory duties, the office holders are the data controllers. The insolvency practitioners can be contacted at: Smith Cooper, St Helens House, King Street, Derby, DE1 3EE, 01332 332021, <a href="mailto:creditor.correspondence@smithcooper.co.uk">creditor.correspondence@smithcooper.co.uk</a></p>
<b>How we use your personal information</b>	<p>The purpose for which personal information is processed may include any or all of the following:</p> <ul style="list-style-type: none"><li>• deliver services and meet legal responsibilities</li><li>• verify identity where this is required</li><li>• communication by post, email or telephone</li><li>• understand needs and how they may be met</li><li>• maintain records</li><li>• process financial transactions</li><li>• prevent and detect crime, fraud or corruption</li><li>• may also need to use data to defend or take legal actions related to the above</li></ul>
<b>Lawful basis for the processing</b>	<p>Most processing is carried out to comply with our legal obligations under statute and other regulatory obligations related to the insolvency process. We also believe our processing is for the legitimate interests of all stakeholders in the insolvency process, as they are entitled to be kept informed and may wish to engagement in the insolvency process. Where Smith Cooper has engaged with a client to perform a service, we will be required to process data to provide the service in accordance with the contractual terms.</p>
<b>What personal information we hold</b>	<p>The categories are: contact details, financial information and location. In rare cases, we may hold some special category data, e.g. trade union membership or information about individuals' health, which will be necessary to administer the insolvency process in line with our legal obligations.</p>
<b>Who we share our data with</b>	<p>Personal data held by us may be transferred to:</p> <p>We currently employ the services of TransUnion International UK Limited t/a Call Credit, a credit reference agency, to assist us with</p>



	<p>performing identification checks on our clients for the purposes of compliance with the Money Laundering Regulations. Any personal information received from TransUnion International UK Limited t/a Call Credit will be processed only to confirm your ID to us for the purposes of preventing money laundering or terrorist financing. You can access TransUnion International UK Limited t/a Call Credit's privacy policy at <a href="https://www.transunion.co.uk/legal-information/general-privacy-notice">https://www.transunion.co.uk/legal-information/general-privacy-notice</a> where you will find more information regarding TransUnion International UK Limited t/a Call Credit's data processing activities.</p>
<b>How long we retain your personal information</b>	<p>We retain personal data for as long as is necessary to achieve the purpose listed above and for any other permissible related purpose. For example, we retain most records until the time limit for claims arising from the activities has expired or otherwise to comply with statutory or regulatory requirements regarding the retention of such records.</p>
<b>Your rights</b>	<p>The GDPR provides the following rights for individuals:</p> <p>Right to inform This privacy notice meets our requirement to inform you of our processing of your data.</p> <p>Access to personal data You have a right of access to personal data held by us as a data controller. This right may be exercised by contacting us at <a href="mailto:creditor.correspondence@smithcooper.co.uk">creditor.correspondence@smithcooper.co.uk</a>. We will aim to respond to any requests for information promptly, and in any event within one month.</p> <p>Amendment of personal data To update personal data submitted to us, you may email us at <a href="mailto:creditor.correspondence@smithcooper.co.uk">creditor.correspondence@smithcooper.co.uk</a> or, where appropriate, contact us via the relevant website registration page or by amending the personal details held on relevant applications with which you registered.</p> <p>Rights that do not apply in these particular circumstances Not all of the rights under the GDPR are available as one of the reasons we are holding your data is on the basis of it being a legal obligation and therefore the right to erasure, data portability and to object do not apply.</p>
<b>Right to withdraw consent</b>	<p>The data received was not based upon obtaining consent and therefore the right to withdraw consent does not apply.</p>
<b>Changes to our privacy statement</b>	<p>We keep this privacy statement under regular review and will place any updates on our website. Paper copies of the privacy statement may also be obtained by writing to us at Smith Cooper, St Helens House, King Street, Derby, DE1 3EE.</p> <p>This privacy statement was last updated on 20/05/19.</p>
<b>Complaints</b>	<p>Should you want to complain about our use of personal data, please contact us <a href="mailto:creditor.correspondence@smithcooper.co.uk">creditor.correspondence@smithcooper.co.uk</a></p>

	<p>You also have the right to lodge a complaint with the Information Commissioner's Office ("ICO") (the UK data protection regulator). For further information on your rights and how to complain to the ICO, please refer to the <a href="#">ICO website</a>.</p>
<p><b>Who provided the personal data</b></p>	<p>The personal data we have used to contact you was provided by the company/individual (or persons acting on their behalf) on whose instructions we are acting or in relation to which our insolvency practitioner has been appointed. We also access information from the Registrar of Companies and other similar public-access data providers.</p>