

WU07

Notice of progress report in a winding-up by the court



Companies House

SATURDAY



A19 *A7B5Q06A* #289
28/07/2018
COMPANIES HOUSE

1 Company details

Company number 0 6 2 9 3 6 0 9

Company name in full Fox Wire Limited

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

2 Liquidator's name

Full forename(s) Ashleigh William

Surname Fletcher

3 Liquidator's address

Building name/number Kendal House

Street 41 Scotland Street

Post town Sheffield

County/Region

Postcode S 3 7 B S

Country

4 Liquidator's name ①

Full forename(s) Jeremy Michael

Surname Bennett

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

5 Liquidator's address ②

Building name/number Kendal House

Street 41 Scotland Street

Post town Sheffield

County/Region

Postcode S 3 7 B S

Country

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

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6 Period of progress report

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

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X

X

Signature date

^d 2	^d 5	^m 0	^m 7	^y 2	^y 0	^y 1	^y 8
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**Fox Wire Limited
(In Liquidation)
Joint Liquidators' Trading Account**

Statement of Affairs £		From 12/06/2017 To 11/06/2018 £	From 12/06/2015 To 11/06/2018 £
	POST APPOINTMENT SALES		
27,309.48	Sales Outstanding from Administration	NIL	27,098.64
		NIL	27,098.64
	TRADING EXPENDITURE		
	Electricity	NIL	3,454.12
		NIL	(3,454.12)
27,309.48	TRADING SURPLUS/(DEFICIT)	NIL	23,644.52

Fox Wire Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 12/06/2017 To 11/06/2018 £	From 12/06/2015 To 11/06/2018 £
	GENERAL FIXED CHARGE		
106,184.00	Book Debts	NIL	NIL
(616,672.03)	HSBC Bank Plc	NIL	NIL
		NIL	NIL
	ASSET REALISATIONS		
1,148.00	Plant & Machinery (Due from Admin)	NIL	1,148.00
	Stock	NIL	9,865.45
5,321.00	Scrap (Due from Admin)	NIL	5,321.53
	Cash in Hand	NIL	38,690.00
	Insolvency Service Account Interest	NIL	188.99
	Surplus from Administration	NIL	32,987.56
27,309.48	Trading Surplus/(Deficit)	NIL	23,644.52
	Employee Pension Contributions	NIL	2,483.32
	Contribution to Legal Costs	NIL	1,440.00
		NIL	115,769.37
	COST OF REALISATIONS		
	O.R. Debit Balance	NIL	2,400.00
	Settlement to Legion	NIL	10,000.00
	DTI Cheque Fees	2.20	11.00
	Department of Trade Fees	608.41	14,991.77
	Disbursements		
	Postage	452.14	1,103.35
	Storage	NIL	7,087.50
	Agents Costs		
	Post Appointment Fees	NIL	986.55
	Post Appointment Disbs	NIL	117.80
	Legal Costs		
	Post Appointment Fees	NIL	19,588.00
	Post Appointment Disbs	NIL	3,117.50
	Corporation Tax	NIL	72.40
	Statutory Advertising	NIL	74.90
	Employment Advice	NIL	700.00
	Insurance of Assets	NIL	66.00
	Pension Contributions Refunded	NIL	2,481.12
	Bank Charges	88.00	198.00
		(1,150.75)	(62,995.89)
	PREFERENTIAL CREDITORS		
(54,710.11)	BIS RPO - National Insurance Fund	NIL	NIL
(10,618.26)	Employees - Preferential Creditors	NIL	NIL
		NIL	NIL
	FLOATING CHARGE CREDITORS		
(1,300,000.00)	Finance Yorkshire Equity LLP	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(2,455,622.00)	Trade & Expense Creditors	NIL	NIL
(31,282.94)	Employees - Unsecured Creditors	NIL	NIL
(509,134.49)	BIS RPO - National Insurance Fund	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100,000.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(4,938,077.35)		(1,150.75)	52,773.48
	REPRESENTED BY		

**Fox Wire Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £	From 12/06/2017 To 11/06/2018 £	From 12/06/2015 To 11/06/2018 £
REPRESENTED BY CONTINUED		
VAT Receivable		(3,792.28)
Insolvency Services A/C		56,565.76
		52,773.48
		
	Ashleigh William Fletcher	
	Joint Liquidator	

Fox Wire Limited (In Compulsory Liquidation)

High Court of Justice, Chancery Division,
Leeds District Registry No. 1270 of 2014

Progress report

Period: 12 June 2017 to 11 June 2018

Important Notice

This progress report has been produced solely to comply with our statutory duty to report to creditors and members of the Company on the progress of the liquidation. 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 and members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

Contents

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1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Fox Wire Limited (In Compulsory Liquidation)
"the liquidation"	The appointment of liquidators by the Court pursuant to Section 140 of the Act on 12 June 2015.
"the liquidators", "we", "our" and "us"	Ashleigh William Fletcher of Begbies Traynor (SY) LLP, Kendal House, 41 Scotland Street, Sheffield, S3 7BS, Sheffield.North@Begbies-Traynor.com and Jeremy Michael Bennett formerly of Kendal House, 41 Scotland Street, Sheffield, S3 7BS
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England and Wales) Rules 2016 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act), and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY INFORMATION

Trading name(s)	Fox Wire Limited
Company registered number	06293609
Company registered office	Kendal House, 41 Scotland Street, Sheffield, S3 7BS
Former trading address:	Sheephouse Wood, Stocksbridge, Sheffield, S36 4GS

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date of winding up order:	12 June 2015
Date of liquidators' appointment:	12 June 2015 – Andrew Philip Wood 12 June 2015 – Ashleigh William Fletcher 7 July 2015 – Jeremy Michael Bennett

Changes in liquidator (if any):

Andrew Philip Wood resigned from office as joint liquidator. By an order of the High Court of Justice, dated 7 July 2015, Jeremy Michael Bennett was appointed joint liquidator in his place. As at the date of his appointment, Jeremy Michael Bennett was licenced as an insolvency practitioner by the Insolvency Practitioners Association.

4. PROGRESS DURING THE PERIOD COVERED BY THIS REPORT

This is our third progress report and should be read in conjunction with our previous progress reports

Receipts and Payments

Attached at Appendix 1 is our abstract of receipts and payments for the period from 12 June 2017 to 11 June 2018. Detailed below is an explanation of the transactions which have occurred during the period covered by this report.

Receipts

No receipts have been received during the period covered by this report.

Payments

DTI Cheque Fees

Funds totalling £2.20 have been incurred and discharged as a result of the joint liquidators operating their bank account with the ISA which incurs charges each time cheques are requested etc.

Department of Trade Fees

The sum of £608.41 has been discharged in respect of The Department of Trade fees.

Disbursements

The sum of £452.14 has been discharged in respect of the postage charges incurred in circulating the previous reports to creditors.

Bank Charges

Funds totalling £88.00 have been discharged in respect of the standard bank charges incurred.

Other Matters

Protective Award Payments

As advised in our previous report, the joint liquidators had received a proof of debt form from The Redundancy Payments Office to which, queries were raised in relation to such claim. As a result, a revised claim was received however, no confirmation was received as to whether all protective award payments had been made.

Subsequently, the joint liquidators wrote to The Redundancy Payments Office advising that they were currently taking steps to close the liquidation and that unless confirmation was received within the next 7 days that there were any outstanding issues, that their claim would be deemed as their final claim and that all protective award matters had been resolved.

As no response has been received, the joint liquidators deem that this matter has now been resolved

VAT Receivable

The joint liquidators previously received requests from a third party to reclaim VAT on invoices to the Company, on their behalf. The joint liquidators arranged for the VAT to be reclaimed on their behalf for onwards transmission to the relevant third party upon receipt. However, we received correspondence advising that the third party no longer required the VAT which has resulted in funds being held by the joint liquidators which, require repayment to HM Revenue & Customs, in due course.

What work has been done in the period of this report, why was that work necessary and what has been the financial benefit (if any) to creditors?

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details>. Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors.

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached at Appendix 2. There is an analysis for the period of the report and also an analysis of time spent on the case since the date of our appointment. The details below relate to the work undertaken in the period of the report only. Our previous reports contain details of the work undertaken since our appointment.

General case administration and planning

The joint liquidators have completed works required to maintain the liquidation including periodically reviewing the case to ascertain which works remain outstanding and progressing the case to ensure all statutory requirements have been completed during the course of the liquidation. This has been carried out by way of six monthly case reviews. In addition, the electronic diaries have been updated together with the paper files.

In addition, all statutory documentation which is required to be issued to the relevant parties during the course of the liquidation have been compiled and issued on the statutory due dates.

In addition, an estimated outcome statement has been compiled and internal discussions held with regard to the progress of the case and the next steps to be taken.

There is no financial benefit to creditors from our work in this area. However, we have a duty to undertake this work and therefore these costs cannot be avoided.

Compliance with the Insolvency Act, Rules and best practice

The joint liquidators have prepared and submitted to all relevant parties the statutory liquidators' annual progress report and receipts and payments accounts pursuant to The Insolvency Act 1986 and have dealt with all statutory requirements pursuant to The Insolvency Act and Rules, including reporting to shareholders and creditors.

Also, general banking duties have been carried out including the raising and posting of income and expenditure onto the system when required and ensuring all cash functions are carried out periodically with monthly bank reconciliations being carried out and, any relevant charges being discharged to The DTI and The ISA.

Again, there will be no financial benefit to the creditors from the work carried out in this area. However, we have a duty to undertake this work and therefore, these costs cannot be avoided.

Investigations

The joint liquidators have not expended any time on this particular matter, during the period covered by this report.

Realisation of assets

The joint liquidators have not expended any time on this particular matter, during the period covered by this report.

Trading

As the joint liquidators did not trade the Company, no time has been spent on this particular matter.

Dealing with all creditors' claims (including employees), correspondence and distributions

The joint liquidators have spent time liaising with The Redundancy Payments Office with regard to their claim and the protective award. This has been via written communication and has included reviewing the claim which was received.

In addition, time has been spent compiling an up to date estimated outcome statement for onwards transmission to one of the Company's secured creditors, HSBC Bank plc ("HSBC"), which has provided them with an update on the position regarding the liquidation and, details of a further distributions to them.

The above work has not provided any financial benefit to the Company's creditors however, has ensured that the preferential creditor claims have been finalised and necessary updates have been provided to the secured creditor.

Other matters which includes seeking decisions of creditors via the deemed consent procedure and/or decision procedures, meetings, tax, litigation, pensions and travel

Time has been spent compiling and issuing the relevant VAT returns to HM Revenue & Customs in respect of the joint liquidators VAT they are able to claim within the liquidation proceedings

In addition, time has been spent dealing with third party invoices to enable VAT to be reclaimed on their behalf, for onwards transmission to them.

Also, correspondence has been entered into with the Pensions Regulator, following receipt of queries received from them.

The above work has not provided any financial benefit to the Company's creditors however, the VAT element is of a statutory nature which must be adhered to by the joint liquidators. With regard to the remaining work, this has provided information and assistance required by the parties requesting this.

5. ESTIMATED OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in the former joint administrators final report dated 1 June 2015.

On the basis of realisations to date we estimate an outcome for each class of the Company's creditors as follows:

Secured creditors

HSBC

As previously advised, during the course of the previous administration and the current liquidation, HSBC have received funds directly from HSBC Invoice Finance (UK) Limited ("HSBCIF") under the terms of their fixed charge. We understand that HSBC currently have an outstanding indebtedness in the sum of £197,537.54

No further distributions are anticipated to be paid to HSBC from HSBCIF.

Notwithstanding the above, we anticipate that a further final distribution to HSBC from the liquidation proceedings will be in the estimated sum of £51,581.57. This will result in HSBC suffering an anticipated shortfall of approximately £145,955.67 in this matter.

HSBCIF

HSBCIF were repaid in full during the course of the previous administration.

Yorkshire Finance Equity LP ("YFE")

YFE were owed the sum of £1,300,000.00 as at the date of the former joint administrators' appointment. As HSBC have priority over their charge, and as HSBC will not be repaid in full, YFE will suffer a 100% shortfall of their debt.

Preferential creditors

As advised in Section 4, the joint liquidators wrote to The Redundancy Payments Office advising that they were currently taking steps to close the liquidation and that unless confirmation was received within the next 7 days that there were any outstanding issues, that their claim would be deemed as their final claim and that all protective award matters had been resolved.

As no response was forthcoming, this matter has been deemed as resolved.

No dividend is available for preferential creditors because the funds realised have already been distributed or used or allocated for defraying the expenses of the liquidation and, the balance of funds realised will be distributed to HSBC.

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

Details of how the prescribed part is calculated were provided in our progress report for the period 12 June 2015 to 11 June 2016.

As reported previously, we are aware that as at the date of appointment of the former administrators' there were three unsatisfied floating charges registered on or after 15 September 2003, thereby enforcing the provisions of the prescribed part.

However, there will be no distribution of the prescribed part as our estimate of the Company's net property is less than the minimum prescribed by the Insolvency Act 1986 (Prescribed Part) Order 2003 and we think, in accordance with Section 176A(3)(b) of the Act, that the costs of making a distribution of the prescribed part to unsecured creditors would be disproportionate to the benefits. In addition, as none of the secured creditors have received a floating charge distribution, a distribution under the provisions of the prescribed part will not apply.

On present information we do not intend to make an application to court under Section 176A(5) of the Act for an order not to distribute the prescribed part of net property to the unsecured creditors. However, we reserve our position generally in this regard should circumstances materially change.

Unsecured creditors

Based upon realisations to date and estimated future realisations it is anticipated there will be insufficient funds available to enable a dividend to be paid to the unsecured creditors.

6. REMUNERATION & DISBURSEMENTS

Remuneration

Pursuant to Rule 18.20(4), our remuneration is treated as having been fixed on the same basis as the former administrators, by reference to the time properly given by us (as liquidators) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (SY) LLP in attending to matters arising in the winding up.

Our time costs for the period from 12 June 2017 to 11 June 2018 amount to £7,951.20 which represents 40.4 hours at an average rate of £196.81 per hour.

The following further information in relation to our time costs and disbursements is set out at Appendix 2:

- ☐ Begbies Traynor (SY) LLP's charging policy
- ☐ Time Costs Analysis for the period 12 June 2017 to 11 June 2018

To 11 June 2018, we have not drawn any funds on account of our remuneration, against total time costs of £44,243.00 incurred since the date of our appointment.

Time Costs Analysis

The Time Costs Analysis for the period of this report attached at Appendix 2 shows the time spent by each grade of staff on the different types of work involved in the case, and gives the total costs and average hourly rate charged for each work type. An additional analysis is also attached which details the time costs for the entire period for which we have administered the liquidation.

Please note that each analysis provides details of the work undertaken by us and our staff following our appointment only.

Disbursements

To 11 June 2018, we have also drawn disbursements in the sum of £8,190.85.

Why have subcontractors been used?

Upon the former joint administrators' appointment, Charterfields Limited ("Charterfields") were instructed to assist with the valuation and sale of the Company's assets. As advised in our previous report to creditors for the period 12 June 2015 to 11 June 2016, upon the appointment of joint liquidators there remained outstanding funds in relation to the sale of the Company's plant and machinery and scrap. Such funds were realised with the assistance of Charterfields.

Charterfields were instructed due to their qualifications and skills in relation to valuing assets. They also have a history of marketing assets for sale and maximising realisations.

Irwin Mitchell LLP ("Irwin's") were instructed to provide the joint liquidators with legal assistance. Irwin's were instructed based on their experience of dealing with similar matters. Irwin's are also on HSBC's panel therefore being an approved firm for use where HSBC have a debenture.

Category 2 Disbursements

In accordance with the approval obtained from Company's secured creditors by way of a resolution by correspondence, the following Category 2 disbursements and disbursements which should be treated as Category 2 disbursements have been charged to the case since our last report to creditors in accordance with our firm's policy, a copy of which is at Appendix 2

Other amounts paid or payable to the office holder's firm	
Type and purpose	Amount £
Postage	452.14
TOTAL	452 14

A copy of 'A Creditors' Guide to Liquidators Fees (E&W) 2015' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set can be obtained online at www.begbies-traynor.com/creditorsguides. Alternatively, if you require a hard copy of the Guide, please contact our office and we will arrange to send you a copy.

7. LIQUIDATORS' EXPENSES

A statement of the expenses incurred during the period of this progress report is attached at Appendix 3. A cumulative statement showing the total expenses incurred since the date of our appointment also appears at Appendix 3.

8. ASSETS THAT REMAIN TO BE REALISED AND WORK THAT REMAINS TO BE DONE

Please note that all realisable assets have now been realised within the liquidation proceedings. Once the issues surrounding the VAT have been resolved, the joint liquidators will take steps to formally commence the closure process.

What work remains to be done, why is this necessary and what financial benefit (if any) will it provide to creditors?

General case administration and planning

The joint liquidators will continue to complete works required to maintain the liquidation including a final review of the case to ensure all works have been completed prior to closure of the case.

In addition, all statutory documentation which is required to be issued to the relevant parties during the course of the liquidation will be compiled and issued on the statutory due dates.

There will be no financial benefit to creditors from our work in this area. However, we have a duty to undertake this work and therefore these costs cannot be avoided.

Compliance with the Insolvency Act, Rules and best practice

The joint liquidators will prepare and submit to all relevant parties the statutory liquidators' final report and receipts and payments account pursuant to The Insolvency Act 1986 and deal with all statutory requirements pursuant to The Insolvency Act and Rules, including reporting to shareholders and creditors.

As detailed above, a final review of the case will be carried out to ensure that all matters have been concluded in order that the case can proceed to closure as and when this is applicable.

In addition, banking duties will be carried out by way of posting income and expenditure, bank reconciliations and the processing of bank statements and, arranging for the relevant charges to be discharged.

Also, the joint liquidators will continue to carry out periodic bond reviews to ensure that the case remains adequately bonded

Again, there will be no financial benefit to the creditors from the work carried out in this area. However, we have a duty to undertake this work and therefore, these costs cannot be avoided.

Investigations

As the joint liquidators have concluded their investigations, we do not anticipate that any further work will be carried out in this particular matter.

Realisation of assets

As all realisable assets have been realised within the liquidation proceedings, we do not anticipate that any further work will be carried out in this particular matter.

Trading

As the joint liquidators have not traded the Company, no time will be spent on this particular matter during the liquidation proceedings.

Dealing with all creditors' claims (including employees), correspondence and distributions

The joint liquidators will continue to liaise with the Company's creditors by way of verbal and written communications with regard to any queries they may have during the liquidation proceedings.

In addition, correspondence will continue between the joint liquidators and the secured creditor, HSBC, with regard to the final distribution to them within the liquidation, under the provisions of their fixed charge. This will include calculating and distributing the final funds.

The above work will not provide a financial benefit to the Company's creditors however, will ensure that HSBC receive a further final distribution from the funds held

Other matters which includes seeking decisions of creditors via the deemed consent procedure and/or decision procedures, meetings, tax, litigation, pensions and travel

The joint liquidators will continue to correspond with HM Revenue & Customs with regard to the submission of their VAT returns as and when these fall due. This will include the submission of the final VAT return as and when this is applicable.

In addition, the joint liquidators will continue to correspond with HM Revenue & Customs with regard to the submission of any corporation tax returns which fall due.

Time will also be spent arranging for the VAT previously reclaimed on behalf of the third party, to be repaid to HM Revenue & Customs in due course.

The above work will not financially benefit the Company's unsecured creditors however, is a statutory requirement which is to be carried out by the joint liquidators.

How much will this further work cost?

We anticipate that further costs will be incurred in the approximate sum of £2,500.00 in relation to carrying out the above works, leading up to the closure of the case. Please note that the above work will not provide any financial benefit to the Company's preferential or unsecured creditors however, will result in a final distribution being made to HSBC, one of the Company's secured creditors, under the provisions of their fixed charge security.

Please however note that per the agreement entered into with the secured creditors, no fees will be drawn in respect of the joint liquidators' time costs. Such costs will therefore be written off as irrecoverable.

Expenses

Details of the expenses that we expect to incur in connection with the work that remains to be done referred to above are as follows.

- Future postage costs in circulating this report and the issuing of a final report and other closing paperwork in the sum of £361.00
- Department of Trade Fees in the sum of £200.00 are anticipated to be incurred in relation to quarterly charges which are applied in relation to the ISA account
- DTI fees of £10.00 are also anticipated to be incurred in respect of bank transfer fees

9. OTHER RELEVANT INFORMATION

Investigations

You may be aware that a liquidator has a duty to enquire into the affairs of an insolvent company to determine its property and liabilities and to identify any actions which could lead to the recovery of funds. We can confirm that we have discharged our duties in these respects.

Connected party transactions

We have not been made aware of any sales of the Company's assets to connected parties.

Use of personal information

Please note that in the course of discharging our statutory duties as liquidators, we may need to access and use personal data, being information from which a living person can be identified. Where this is necessary, we are required to comply with data protection legislation. If you are an individual and you would like further information about your rights in relation to our use of your personal data, you can access the same at <https://www.begbies-traynorgroup.com/privacy-notice>. If you require a hard copy of the information, please do not hesitate to contact us.

10. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 18.9 of the Rules, 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, including that creditor, (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission of the court) may request in writing that we provide further information about our remuneration or expenses which have been incurred during the period of this progress report.

Right to make an application to court

Pursuant to Rule 18.34 of the Rules, any secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may within 8 weeks of receipt of this progress report make an application to court on the grounds that the remuneration charged or the expenses incurred during the period of this progress report are excessive or, in relation to the basis fixed for our remuneration, inappropriate.

11. CONCLUSION

As detailed in Section 8 of this report, once the issues surrounding the VAT have been resolved, steps will be taken to arrange for the final distribution to be made to HSBC and the closure process commenced, with the final report being issued shortly thereafter.

We will report again in approximately twelve months time or at the conclusion of the liquidation, whichever is the sooner.



Ashleigh William Fletcher
Joint Liquidator

Dated: 25 July 2018

APPENDIX 1

ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 12 June 2017 to 11 June 2018

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	Statutory Advertising	NIL	74.90
	Employment Advice	NIL	700.00
	Insurance of Assets	NIL	66.00
	Pension Contributions Refunded	NIL	2,481.12
	Bank Charges	88.00	198.00
		(1,150.75)	(62,995.89)
	PREFERENTIAL CREDITORS		
(54,710.11)	BIS RPO - National Insurance Fund	NIL	NIL
(10,618.26)	Employees - Preferential Creditors	NIL	NIL
		NIL	NIL
	FLOATING CHARGE CREDITORS		
(1,300,000.00)	Finance Yorkshire Equity LLP	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(2,455,622.00)	Trade & Expense Creditors	NIL	NIL
(31,282.94)	Employees - Unsecured Creditors	NIL	NIL
(509,134.49)	BIS RPO - National Insurance Fund	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100,000.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(4,938,077.35)		(1,150.75)	52,773.48
	REPRESENTED BY		

Fox Wire Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £	From 12/06/2017 To 11/06/2018 £	From 12/06/2015 To 11/06/2018 £
REPRESENTED BY CONTINUED		
VAT Receivable		(3,792.28)
Insolvency Services A/C		56,565.76
		52,773.48

TIME COSTS AND DISBURSEMENTS

- a. Begbies Traynor (SY) LLP's charging policy;
- b. Time Costs Analysis for the period from 12 June 2017 to 11 June 2018; and
- c. Cumulative Time Costs Analysis for the period from 12 June 2015 to 11 June 2018.

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Best practice guidance² indicates that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories.

- ❑ *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case and referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ❑ *Category 2 disbursements (approval required)* - items of expenditure that are directly related to the case which include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party.

(A) The following items of expenditure are charged to the case (subject to approval):

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 per meeting;
- Car mileage is charged at the rate of 45 pence per mile;
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates;
- Postage is charged based on the actual amount incurred.

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

² Ibid 1

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*:

- Telephone and facsimile
- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Sheffield office as at the date of this report are as follows:

Grade of staff	Charge-out rate (£ per hour) 1 May 2011 – until further notice
Directors/Office Holders	365
Senior Manager	325
Managers	305
Senior Administrators	230
Administrators	191
Junior Administrators	80
Support	40

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in 6 minute units.

SIP9 Fox Wire Limited - Winding Up Compulsory - 91F789615.WUC : Time Costs Analysis From 12/06/2017 To 11/06/2018

Staff Grade	Consultant/Partner	Director	Sr Mngr	Mngr	Asst Mngr	Sr Admin	Admin	Jr Admin	Support	Total hours	Time Cost £	Average hourly rate £
General Case Administration and Planning	Case planning	2.5						2.5		5.2	395.50	175.90
	Administration	2.1				0.2		1.2	0.3	3.8	717.10	188.71
Compliance with the Insolvency Act Rules and best practice	Total for General Case Administration and Planning:	4.6				0.2		3.7	0.3	9.0	1,852.60	183.62
	Appointment											0.00
	Banking and Bonding	0.5		0.2			2.5		4.3	7.5	768.50	102.44
	Case Closure											0.00
	Statutory reporting and statement of affairs	14.3							1.8	16.1	3,947.90	245.21
	Total for Compliance with the Insolvency Act, Rules and best practice:	14.8		0.2			2.5		6.1	23.6	4,716.20	199.84
Investigations	CDDA and investigations											0.00
	Total for Investigations:											0.00
Realisation of assets	Debt collection											0.00
	Property, business and asset sales											0.00
Trading	Retention of Third/Third party assets											0.00
	Total for Realisation of assets											0.00
Dealing with all creditors claims (including employees), correspondence and distributions	Trading											0.00
	Total for Trading:											0.00
Other matters which includes seeking decisions of creditors, meetings, tax, litigation, pensions and travel	Secured	2.3								2.3	609.50	265.00
	Others	2.0					0.2			2.2	547.60	248.91
	Creditors committee											0.00
	Total for Dealing with all creditors claims (including employees), correspondence and distributions:	4.3					0.2			4.5	1,157.10	257.13
	Seeking decisions of creditors											0.00
	Meetings											0.00
	Other					0.2				0.2	28.60	143.00
	Tax	0.7					2.4			3.1	386.70	127.97
	Litigation											0.00
	Total for Other matters	0.7				0.2	2.4			3.3	425.30	128.88
	Total time cost by staff grade	0.2	24.4	0.2		0.2	57.20	3.7	6.4	40.4		
	Average hourly rate £	53.00	6,466.00	37.40	0.00	167.00	448.80	325.60	563.20	7,951.20		
	Total fees drawn to date £	265.00	265.00	0.00		143.00	88.00	88.00	88.00		0.00	196.81

Staff Grade	Constituent/Patient	Director	Srnt Mngt	Mngt	Asst Mngt	Srnt Admin	Admin	Jnr Admin	Support	Total Hours	Time Cost £	Average Hourly rate £
General Case Administration and Planning	Case planning	1.2	5.8	5.8		2.5		4.3		19.6	3,820.50	194.72
	Administration	1.8	5.8	7.5		17.6	0.2	1.2	0.6	34.7	6,010.30	173.21
	Total for General Case Administration and Planning:	3.0	11.6	13.3		20.1	0.2	5.5	0.6	54.3	9,830.80	177.36
	Compliance with the Insolvency Act, Rules and best practice											0.00
	Banning and Bonding		0.5	7.0		4.5	4.3		11.5	27.8	3,260.90	117.30
	Case Closure			8.9						8.9	1,664.30	187.00
	Statutory reporting and statement of affairs		14.3		19.7	5.0			4.8	43.8	8,610.80	196.59
	Total for Compliance with the Insolvency Act, Rules and best practice:		14.8	35.6		9.5	4.3		16.3	80.5	13,536.00	168.15
	Investigations											0.00
	Total for Investigations											0.00
Realisation of assets	Debt collection		0.8	0.8		1.0				2.4	467.20	194.67
	Property, business and asset sales			0.8		3.2				7.4	1,294.40	174.92
	Retention of third party assets										0.00	0.00
	Total for Realisation of assets		1.6	4.0		4.2				9.8	1,761.60	179.78
	Trading											0.00
Dealing with all creditors claims (including employees), correspondence and distributions	Total for Trading:										0.00	0.00
	Secured		7.5	13.7						21.2	4,548.40	214.68
	Others	1.7	5.5	7.1		50.0	7.1		3.8	74.8	9,885.20	132.16
	Creditors committee											0.00
	Total for Dealing with all creditors claims (including employees), correspondence and distributions	1.7	13.0	20.8		50.0	7.2		3.8	96.0	14,434.60	150.36
Other matters which includes seeking decisions of creditors, meetings, tax, litigation, pensions and travel	Steering decisions of creditors											0.00
	Meetings											0.00
	Other					16.7				16.7	2,065.60	124.89
	Tax		1.1	2.0		1.5	3.8		0.8	9.2	1,202.30	130.68
	Litigation	0.4		2.9		6.6				9.9	1,592.10	160.82
	Total for Other matters	0.4	1.1	4.9		24.8	3.8		0.8	35.8	4,860.00	136.31
	Total hours by staff grade	5.1	42.1	78.6		108.6	18.0	5.5	20.5	278.4		
	Total time cost by staff grade:	1,351.50	11,156.50	14,088.20	0.00	13,340.80	1,408.00	464.00	1,804.00		44,243.00	
	Average hourly rate £	265.50	265.50	187.00	0.00	122.84	88.00	88.00	88.00			160.07
	Total fees drawn to date £										0.00	

STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Expenses incurred with entities not within the Begbies Traynor Group				
DTI cheque fees	Department of Trade & Industry	2.20	2.20	-
Department of trade fees	Department of Trade & Industry	608.41	608.41	-
Bank charges	Insolvency Service	88.00	88.00	-

Funds totalling £2.20 have been discharged to The Department of Trade & Industry as a result of cheque requests.

The Department of Trade & Industry have received funds totalling £608.41.

Monthly bank charges totalling £88.00 have been incurred and discharged

CUMULATIVE STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £
O.R. debit balance	Official Receiver	2,400.00
Settlement to Legion	Legion	10,000.00
DTI cheque fees	Department of Trade & Industry	11.00
Department of trade fees	Insolvency Service	14,991.77
Agents costs	Charterfields	986.55
Agents disbursements	Charterfields	117.80
Legal fees	Irwins	19,588.00
Legal disbursements	Irwins	3,117.50
Corporation tax	HM Revenue & Customs	72.40
Statutory advertising	TMP (UK) Limited	74.90
Employment advice	UK Employment Law Consultants	700.00
Insurance of assets	Peter Hoare & Co.	66.00
Pension contributions refunded	Individuals	2,481.12
Bank charges	Insolvency Service	198.00

WU07

Notice of progress report in a winding-up by the court



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 **Ashleigh William Fletcher**

Company name **Begbies Traynor (SY) LLP**

Address **Kendal House**

41 Scotland Street

Post town **Sheffield**

County/Region

Postcode **S 3 7 B S**

Country

DX

Telephone **0114 2755033**



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 or email enquiries@companieshouse.gov.uk

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