

LIQ03

Notice of progress report in voluntary winding up



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number 0 6 7 7 5 7 8 9

Company name in full Lockers & Benches Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Nicola Jane

Surname Kirk

3 Liquidator's address

Building name/number Unit 6 Twelve O'Clock Court

Street Attercliffe Road

Post town Sheffield

County/Region

Postcode S 4 7 W W

Country

4 Liquidator's name ①

Full forename(s) Tracy Ann

Surname Taylor

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number Unit 6 Twelve O'Clock Court

Street Attercliffe Road

Post town Sheffield

County/Region

Postcode S 4 7 W W


Country

② Other liquidator

Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

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

**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

Company name **Abbey Taylor Limited**

Address

Unit 6 12 O'clock Court**Attercliffe Road**

Post town

Sheffield

County/Region

Postcode

S	4		7	W	W		
---	---	--	---	---	---	--	--

Country

DX

Telephone

0114 331 0000**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

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

LOCKERS & BENCHES LIMITED – IN CREDITORS' VOLUNTARY LIQUIDATION

LIQUIDATORS' PROGRESS REPORT TO CREDITORS AND MEMBERS

FOR THE YEAR ENDING 14 FEBRUARY 2022

STATUTORY INFORMATION

Company Name:	Lockers & Benches Limited
Company Number:	06775789
Registered office:	C/O Abbey Taylor Limited Unit 6 12 O'Clock Court, Attercliffe Road, Sheffield, S4 7WW
Former registered office:	Unit B9 Edgefold Industrial Estate, Plodder Lane, Bolton, Lancs, BL4 0LR
Joint Liquidators' Names:	Tracy Ann Taylor and Nicola Jane Kirk
Joint Liquidators' Address:	Abbey Taylor Limited, Unit 6 12 O'clock Court, Attercliffe Road, Sheffield, S4 7WW
Date of Appointment:	15 February 2018
Actions of Joint Liquidators:	Any act required or authorised under any enactment to be done by a Liquidator may be done by either or both Liquidators acting jointly or alone.

LIQUIDATORS' ACTIONS SINCE LAST REPORT

Our duties and functions as Liquidators are the realisation of the Company's assets, investigation of the directors' conduct and the Company's affairs generally, the agreement of the claims of creditors, and the eventual distribution of the Liquidation funds between the creditors in accordance with their legal entitlements, should sufficient realisations permit.

In the period since our last report, the Liquidators have continued to monitor for receipt of distributions from the director's Individual Voluntary Arrangement. We have also received a final distribution in respect of a book debt due from a company in liquidation.

There is certain work that we are required by the insolvency legislation to undertake in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since our last progress report is contained in Appendix 1.

RECEIPTS AND PAYMENTS

Our receipts and payments account for the period from 15 February 2021 to 14 February 2022, together with the cumulative period 15 February 2018 to 14 February 2022, is enclosed. All amounts are shown net of VAT where applicable and we have reconciled the account against the financial records that we are required to maintain. The balance of funds is held in an interest-bearing estate bank account.

ASSETS

Book Debts

During recovery of book debts due to Lockers & Benches Limited, a claim of £294.84 was made in the liquidation of a debtor company, being Cupboards Direct Ltd. During the reporting period, a first and final distribution of £6.92 was received in this regard.

Directors' Loan Account

As detailed in our previous reports, the sum of £8,053.60 was deemed by the Liquidators to be owed to the Company by a former director. The director entered an Individual Voluntary Arrangement ("IVA") on 6 April 2018 and a claim was submitted to the Supervisor.

In the period since our last report, four distributions totalling £169.13 have been received from the IVA. We understand that the IVA is due to continue into 2023 and further distributions are anticipated in due course.

Other Receipts

The funds in the liquidation have been held in an interest-bearing account which has resulted in gross bank interest being received of £15.47, of which £1.02 was received in the period since our last report.

LIABILITIES

Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies shows that the Company did not grant any charges over its assets.

Preferential Creditors

The Director's Statement of Affairs anticipated that there would be no preferential creditors and no such claims have been received.

Non-preferential Unsecured Creditors

The Director's Statement of Affairs indicated estimated unsecured claims in the sum of £232,039.85. We have received the following claims although they have not been reviewed or agreed by the Liquidators:

	£
HM Revenue & Customs	31,142.41
13 Trade and Expense Creditors	<u>98,843.17</u>
	<u>129,985.58</u>

I would advise that included within the trade and expense creditors figure above are claims totalling £5,460.38 received from three parties which were not included within the Directors' Statement of Affairs. Also, please note that 14 unsecured creditors with claims in the Directors' Statement of Affairs totalling £140,593.80 have not proved in the liquidation.

DIVIDEND PROSPECTS

The legislation requires that if the Company has created a floating charge after 15 September 2003, a prescribed part of the Company's net property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case, there are no creditors secured by a floating charge such that the prescribed part provisions do not apply.

Based on anticipated final realisations and the costs of the liquidation, a distribution to non-preferential unsecured creditors might be expected. However, it is considered that insufficient funds are currently held to make it cost effective to declare a distribution at this time.

PRE-APPOINTMENT REMUNERATION

Following a decision by correspondence concluding on 20 March 2018, creditors resolved that a fee in the sum of £6,000 plus VAT and disbursements be paid to Abbey Taylor Limited in respect of assisting the directors in preparing a Statement of Affairs and seeking a decision from creditors on the nomination of a liquidator. This fee was discharged from first realisations into the estate.

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

	Incurred	Discharged	Unpaid
	£	£	£
Postage	41.65	-	41.65
	<u>41.65</u>	<u>-</u>	<u>41.65</u>

LIQUIDATORS' REMUNERATION

Following a decision by correspondence concluding on 20 March 2018, creditors approved the Liquidators being remunerated on a combination of a fixed fee and a percentage basis for different categories of work.

The Liquidators were authorised to draw a fixed fee of £12,000 plus VAT for work relating to routine administration, dealing with creditors, undertaking an initial investigation, and realisation of the Company's tangible assets. In this regard, I can confirm that the sum of £6,500 plus VAT has been discharged from the estate, all of which was drawn in a prior reporting period.

Additionally, the Liquidators were also authorised to draw remuneration representing 25% of any realisations made with respect to outstanding book debts. Debtor collections prior to 15 February 2019 were undertaken and achieved by the Liquidators resulting in an entitlement to remuneration of £1,224.02 plus VAT. Realisations after 15 February 2019 were achieved by debt recovery agents and therefore no remuneration is due to the Liquidators in this regard.

Please refer to the Practise Fee Recovery Policy appended to this report for further information about time recording, an explanation of the liquidators' general routine duties in dealing with a Company in liquidation and disbursements.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at www.creditorinsolvencyguide.co.uk. Details about how an office holder's fees may be approved for each case type are available in a series of Guidance Notes issued with Statement of Insolvency Practice 9, and they can be accessed at:

www.icaew.com/en/technical/insolvency/understanding-business-restructuring-and-insolvency/creditors-guides

Please note that there are different versions of the Guidance Notes and in this case you should refer to the most recent version.

LIQUIDATORS' EXPENSES

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

- category 1 expenses, which are payments to persons providing the service to which the expense relates who are not an associate of the office holder; and
- category 2 expenses, which are payments to associates or which have an element of shared costs. Before being paid category 2 expenses require approval in the same manner as an office holder's remuneration.

No third-party agents or professional advisors have been utilised in the reporting period.

Category 1 expenses incurred by the Liquidators and paid from the case, net of VAT where applicable, are summarised as follows:

	15/02/2018 to 14/02/2021		15/02/2021 to 14/02/2022	
	Incurring	Discharged	Incurring	Discharged
	£	£	£	£
Sanderson Weatherall LLP	5,728.90	5,728.90	-	-
Contract Recovery Solutions Ltd	1,349.28	1,349.28	-	-
Specific Bond	220.00	-	-	-
Statutory Advertising	150.00	150.00	-	-
Postage	89.99	-	20.88	-
	<u>7,538.17</u>	<u>7,228.18</u>	<u>20.88</u>	<u>-</u>
	Total	Total	Total	
	Incurring	Discharged	Unpaid	
	£	£	£	
Sanderson Weatherall LLP	5,728.90	5,728.90	-	
Contract Recovery Solutions Ltd	1,349.28	1,349.28	-	
Specific Bond	220.00	-	220.00	
Statutory Advertising	150.00	150.00	-	
Postage	110.87	-	110.87	
	<u>7,559.05</u>	<u>7,228.18</u>	<u>330.87</u>	

We are required to seek approval before we can pay any expenses to associates or pay expenses where there is an element of shared costs, which are known as category 2 expenses. Following a decision by correspondence concluding on 20 March 2018, creditors approved the Liquidators being permitted to recover category 2 expenses from the estate. Category 2 expenses incurred by the Liquidators and paid from the case, net of VAT where applicable, are summarised as follows:

	15/02/2018 to 14/02/2021		15/02/2018 to 14/02/2022	
	Incurring	Discharged	Incurring	Discharged
	£	£	£	£
JAS Holdings Limited (18 boxes)	540.00	-	140.40	-
	<u>540.00</u>	<u>-</u>	<u>140.40</u>	<u>-</u>
	Total	Total	Total	
	Incurring	Discharged	Unpaid	
	£	£	£	
JAS Holdings Limited (18 boxes)	680.40	-	680.40	
	<u>680.40</u>	<u>-</u>	<u>680.40</u>	

JAS Holdings Limited is included as a category 2 expense since they are an associate by virtue of having common directorship with Abbey Taylor Limited. It is necessary for the office holders to recover and store the books and records for the duration of the Company's winding up and for 12 months after its dissolution, which takes place three months after conclusion of the Liquidation. For this purpose, Abbey Taylor Limited utilises storage space afforded by JAS Holdings Limited and for which a monthly charge is incurred on a "per box" basis, presently 65p per box. 18 boxes of records were delivered up to the Liquidators resulting in the amount accrued to date. It is anticipated that JAS Holdings Limited will continue to provide the Liquidators with this storage service during the remainder of the required period.

The Liquidators would note that subsequent to the creditors approving the Liquidators being permitted to recover category 2 expenses on 20 March 2018, guidance from the insolvency regulators has changed with respect to expenses and the approval required from creditors. As a result of this guidance change and the way in which Abbey Taylor Limited store the Company's books and records, the decision previously approved by creditors with respect to category 2 expenses is no longer deemed suitable. A further decision from creditors is now being sought to authorise the payment of storage costs charged by JAS Holdings Limited.

The Liquidators anticipate that category 2 expenses totalling £1,066.50 will arise in this case, assuming that the director's IVA concludes during 2023 and a distribution to creditors is declared thereafter. This estimate also includes an advanced charge for the 15-month period after conclusion of the liquidation until the records can be destroyed.

The following table represents a comparison between the expenses which were anticipated to be incurred when the Liquidators first reported to creditors and those which have been incurred to date:

	Estimated	Incurred
	£	£
Sanderson Weatherall LLP	4,305.00	5,728.90
Contract Recovery Solutions Ltd	-	1,349.28
Statutory Advertising	225.00	150.00
Postage	100.00	110.87
Specific Bond	70.00	220.00
Storage / JAS Holdings Limited	40.00	680.40
	<u>4,740.00</u>	<u>8,239.45</u>

As at 14 February 2022, you can see from the above that the expenses we have incurred in this matter have exceeded the total expenses we estimated would be incurred when our remuneration was authorised by the creditors. The reasons we have exceeded the expenses estimate are:

- Sanderson Weatherall LLP realised more than the original estimate, increasing their fee. Also, it was necessary for them to incur costs and disbursements which were not known at the time of providing our estimate;
- It was not anticipated that the Liquidators would instruct third party debt collectors. However, it should be noted that the fee paid to Contract Recovery Solutions Ltd was in accordance with, and in lieu of, the Liquidators remuneration agreed by creditors. As such, there is no decrease in the funds available in the estate;
- The Liquidation has continued for longer than originally anticipated;
- Realisations have exceeded those originally envisaged resulting in a higher specific bond cost;
- It was initially estimated that we would receive four boxes of Company records but actually received 18;

FURTHER INFORMATION

An unsecured creditor may, with the permission of the Court, or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question), request further details of the Joint Liquidators' remuneration and expenses within 21 days of their receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the Court, or with the concurrence of 10% in value of the unsecured creditors (including the creditor in question), apply to Court to challenge the amount of remuneration charged by the Joint Liquidators as being excessive, and/or the basis of the Joint Liquidators' remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

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

SUMMARY

The Liquidation will remain open until all asset realisations have been concluded. At present, it is expected that the Director's Individual Voluntary Arrangement shall be concluded during 2023, following which a distribution to Company creditors should be made.

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Abbey Taylor Ltd on 0114 331 0000, or by email at info@abbeytaylor.co.uk.



Nicola J Kirk
Joint Liquidator

Lockers & Benches Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts and Payments

RECEIPTS	Statement of Affairs (£)	From 15/02/2018 To 14/02/2021 (£)	From 15/02/2021 To 14/02/2022 (£)	Total (£)
Plant & Machinery	15,000.00	18,413.00	0.00	18,413.00
Computer & Office Equipment	50.00	0.00	0.00	0.00
Stock	500.00	700.00	0.00	700.00
Book Debts	7,062.25	10,293.19	6.92	10,300.11
Directors Loan Account		322.14	169.13	491.27
Bank Interest Gross		14.45	1.02	15.47
		29,742.78	177.07	29,919.85
PAYMENTS				
Statement of Affairs Fee		6,000.00	0.00	6,000.00
Liquidators' Remuneration		6,500.00	0.00	6,500.00
Agents/Valuers Fees & Disbursements		5,728.90	0.00	5,728.90
Debt Recovery Fees		1,349.28	0.00	1,349.28
Statutory Advertising		150.00	0.00	150.00
Trade & Expense Creditors	(146,508.89)	0.00	0.00	0.00
Directors	(40,000.00)	0.00	0.00	0.00
Santander UK Plc	(18,580.96)	0.00	0.00	0.00
HM Revenue & Customs	(26,950.00)	0.00	0.00	0.00
Ordinary Shareholders	(100.00)	0.00	0.00	0.00
		19,728.18	0.00	19,728.18
Net Receipts/(Payments)		10,014.60	177.07	10,191.67
MADE UP AS FOLLOWS				
Estate Bank a/c – Interest-Bearing		10,014.60	177.07	10,191.67
		10,014.60	177.07	10,191.67

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

Appendix 1 – Details of routine work undertaken since last report

Administration

This represents the work involved in the routine administrative functions of the case by the office holder and their 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 must 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.

- Dealing with all routine correspondence and emails relating to the case.
- Maintaining and managing the office holder's estate bank account.
- Undertaking regular bank reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done by case administrators.
- Preparing, reviewing and issuing an annual progress report to creditors and members.
- Filing a return at Companies House.
- Preparing and filing a Corporation Tax return.

PRACTICE FEE RECOVERY POLICY FOR ABBEY TAYLOR LIMITED

Introduction

The insolvency legislation was changed in October 2015, with one or two exceptions, for insolvency appointments made from that time. This sheet explains how we intend to apply the alternative fee bases allowed by the legislation when acting as office holder in insolvency appointments. The legislation allows different fee bases to be used for different tasks within the same appointment. The fee basis, or combination of bases, set for an appointment is / are subject to approval, generally by a committee if one is appointed by the creditors, failing which the creditors in general meeting, or the Court.

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

Details about how an office holder's fees may be approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at:

www.r3.org.uk/technical-library/england-wales/technical-guidance/fees

Statement of Insolvency Practice 9 can be accessed at www.r3.org.uk/technical-library/england-wales/sips

A hard copy of the documents made available online may be requested free of charge from Abbey Taylor Limited, Unit 6 12 O'clock Court, Attercliffe Road, Sheffield, S4 7WW. Please note that we have provided further details in this policy document.

SIP 9 also contains various requirements that the office holder must comply with in connection with their remuneration, both when seeking approval and when reporting to creditors and other interested parties after approval. One of the matters that an office holder has to comply with is that they must also seek approval for any payments that could reasonably be perceived as representing a threat to the office holder's objectivity or independence by virtue of a professional or personal relationship, including to an associate. Where it is anticipated that such payments will be made in a case they will be separately identified when seeking approval for the basis of the office holder's remuneration.

Other than in respect of Voluntary Arrangements, an office holder is required to record the time spent on casework in all cases, even if they are being remunerated for that work on a basis other than time costs. Time is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. The work is generally recorded under the following categories:

- Case Administration (including statutory reporting) – includes work such as planning how the case will be administered and progressed; the administrative set up of the case; notifying creditors and others of the appointment; keeping the records relating to the case up to date; and reporting on progress of the case to creditors and others.
- Realisation of Assets – includes work such as identifying, securing and insuring assets; dealing with retention of title claims; collecting debts owed; and selling assets.
- Investigations – includes work such as undertaking an initial review of the financial affairs of the company or debtor; undertaking a detailed investigation with a view to making recoveries for the benefit of creditors where matters such as preferences or wrongful trading come to light as a result of the initial review; and reporting to the Insolvency Service on the conduct of the directors.
- Creditors (claims and distributions) – includes work such as communicating with creditors; dealing with creditors' claims; dealing with employees and liaising with the redundancy payments office; and where funds realised allow, paying dividends to creditors.
- Trading – includes work such as managing and controlling all aspects of the business; and preparing financial records and information relating to that trading.
- Case specific matters.

Time cost basis

When charging fees on a time costs basis we use charge out rates appropriate to the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6-minute units, with supporting narrative to explain the work undertaken.

Charge-out Rates

Grade of staff	Rates per hour to 09/10/16 (£)	Rates per hour 10/10/16 - 07/07/19 (£)	Rates per hour from 08/07/19 (£)
Partner	325	350	450 - 650
Manager	200 - 250	250	350 - 400
Other Senior Professionals	160	200	200 - 250
Assistants & Support Staff	100 - 130	135 - 175	150 - 200

These charge-out rates charged are reviewed on an annual basis and are adjusted to take account of inflation and the firm's overheads.

When we seek time costs approval we have to set out a fees estimate. That estimate acts as a cap on our time costs so that we cannot draw fees of more than the estimated time costs without further approval from those who approved our fees. When seeking approval for our fees, we will disclose the work that we intend to undertake, the hourly rates we intend to charge for each part of the work, and the time that we think each part of the work will take. We will summarise that information in an

average or “blended” rate for all the work being carried out within the estimate, and by reference to each separate category of work. The blended rate is calculated as the prospective average cost per hour, based upon the estimated time to be expended by each grade of staff at their specific charge out rate. We will also say whether we anticipate needing to seek approval to exceed the estimate and, if so, the reasons that we think that may be necessary.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If we subsequently need to seek authority to draw fees in excess of the estimate, we will say why we have exceeded, or are likely to exceed the estimate; any additional work undertaken, or proposed to be undertaken; the hourly rates proposed for each part of the work; and the time that the additional work is expected to take. As with the original estimate, we will summarise that information in an average or “blended” rate for all of the work being carried out within the estimate, and by reference to each separate category of work, and will also say whether we anticipate needing further approval and, if so, why we think it may be necessary to seek further approval.

Percentage Basis

The legislation allows fees to be charged on a percentage of the value of the property with which the office holder must deal (realisations and / or distributions). Different percentages can be used for different assets or types of assets. A report accompanying any fee request will set out the potential assets in the case, the remuneration percentage proposed for any realisations and the work covered by that remuneration, which may solely relate to work undertaken in connection with the realisation of the assets, but might also include other categories of work as listed earlier. The report will also include details of the expenses that will be, or are likely to be, incurred.

The percentage approved in respect of realisations will be charged against the assets realised, and where approval is obtained on a mixture of bases, any fixed fee and time costs will then be charged against the funds remaining in the liquidation after the realisation percentage has been deducted.

A percentage relating to distributions made to creditors may also be requested, in order to cover the work associated with the agreement of claims and making the distributions.

The disclosure that we make will include sufficient information about the insolvency appointment to enable understanding of how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal. In order to meet the requirements of SIP 9, it will also explain why the basis requested is expected to produce a fair and reasonable reflection of the work that we anticipate will be undertaken on the case.

If the basis of remuneration has been approved on a percentage basis then an increase in the amount of the percentage applied can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the percentage applied. If there has not been a material and substantial change in the circumstances, then an increase can only be approved by the Court.

Fixed Fee

The legislation allows fees to be charged at a fixed amount and different fixed amounts can be used for different tasks. A report accompanying any fee request will set out the fixed fee that we proposed to charge and the work covered by that remuneration, as well as the expenses that will be, or are likely to be, incurred.

The disclosure that we make will include sufficient information about the insolvency appointment to enable understanding of how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal. In order to meet the requirements of SIP 9 we will also explain why the basis requested is expected to produce a fair and reasonable reflection of the work that we anticipate will be undertaken on the case.

If the basis of remuneration has been approved on a fixed fee basis then an increase in the amount of the fixed fee can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the fixed fee. If there has not been a material and substantial change in the circumstances then, an increase can only be approved by the Court.

Direct Costs

Where we seek approval on a percentage and/or fixed fee basis, in order to meet the requirements of SIP 9 we also have to disclose the direct costs that are included within the remuneration that will be charged on those bases in respect of the work undertaken. The following are direct costs that will be included in respect of work undertaken in respect of each of the standard categories of work where the office holder is to be remunerated for such work on either a percentage or fixed fee basis:

- Case Administration (including statutory reporting) – staff costs
- Realisation of Assets – staff costs
- Investigations – staff costs
- Creditors (claims and distributions) – staff costs
- Trading – staff costs

We do not envisage that we will include any other costs other than staff costs when requesting our fees on a fixed or percentage basis. All other costs required to be paid will be as an expense – however, if on an individual case this position changes this will be brought to the creditors attention.

Mixed Bases

If remuneration is to be sought on a mixed basis, we will make it clear in the report accompanying the request to fix the basis of remuneration which basis will be charged for each category of work that is to be undertaken on the case.

Members' Voluntary Liquidations and Voluntary Arrangements

The legislation is different for members' voluntary liquidations (MVL), Company Voluntary Arrangements (CVA) and Individual Voluntary Arrangements (IVA). In MVLs, the company's members set the fee basis, often as a fixed fee, and SIP 9 does not apply unless the members specifically request it. In CVAs and IVAs, the fee basis is set out in the proposals and creditors approve the fee basis when they approve the arrangement.

All Fee Bases

Except for IVAs and CVAs, which are usually VAT exempt, the office holder's remuneration invoiced to the insolvent estate will be subject to VAT at the prevailing rate.

Expenses

In accordance with Statement of Insolvency Practice 9 (SIP9), expenses are any payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements. Disbursements are payments which are first met by the office holder, and then reimbursed to the office holder from the estate.

Expenses are divided into those that do not need approval before they are charged to the estate (category 1) and those that do (category 2):

- Category 1 expenses: These are payments to persons providing the service to which the expense relates who are not an associate of the office holder.
- Category 2 expenses: These are payments to associates or which have an element of shared costs.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or Abbey Taylor Limited; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the estate. These expenses can be paid without prior approval either by a direct payment from the estate or, where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party. Examples of category 1 expenses are statutory advertising, external meeting room hire, external storage, specific bond insurance and company search fees.

Category 2 expenses are either payments to associates or payments in respect of expenses that have an element of shared costs. These expenses require approval in the same manner as an office holder's remuneration, whether paid directly from the estate or as a disbursement. The practise may seek to recover the following category 2 expenses that include an element of shared costs:

Mileage	45p per mile
Photocopying	5p per sheet

Professional Advisors may be instructed to assist the office holder where they consider that such assistance is required to enable them to administer the case. The fees charged by any professional advisors will be recharged at cost. Where the professional advisor is not an associate of the office holder, it will be for the office holder to agree the basis of their fees. Where the professional advisor is an associate of the office holder, it will be for those responsible for fixing the basis of the office holder's remuneration to approve payments to them. The fees of any professional advisors are subject to the rights of creditors to seek further information about them or challenge them. Professional advisors that may be instructed on a case include:

- Solicitors / Legal Advisors
- Auctioneers / Valuers
- Accountants
- Quantity Surveyors
- Estate Agents
- Other Specialist Advisors

Reporting and Rights to Challenge

Once the basis of the office holder's remuneration has been approved, a periodic report will be provided to any committee and to each creditor. The report will provide a breakdown of the remuneration charged by the office holder in the period covered by the report, i.e., the amount that the office holder is entitled to draw, together with the amount of remuneration actually drawn. If approval has been obtained for remuneration on a time costs basis, the time costs incurred will also be disclosed, whether drawn or not, together with the "blended" rates of such costs. The report will also compare the actual time costs incurred with those included in the fees estimate prepared when fixing the basis of the remuneration, and indicate whether the fees estimate is likely to be exceeded. If the fees estimate has been exceeded, or is likely to be exceeded, the report will explain why that is the case.

The report will also provide information about expenses incurred in the period covered by the report, together with those actually paid, together with a comparison with the estimated expenses. If the expenses incurred, or anticipated to be incurred, have exceeded the estimate provided the report will explain why that is the case.

Under the insolvency legislation the report must also include a statement of the legislative rights of creditors to request further information about the remuneration charged and expenses incurred in the period covered by the report, or to challenge them on the grounds that they are excessive. Extracts of the relevant insolvency rules dealing with these rights are set out below. Once the time period to seek further information about the office holder's remuneration and/or expenses for the period covered by the report has elapsed, then a Court Order is required to compel the office holder to provide further information about the remuneration and expenses. A Court order is required to challenge the office holder's remuneration and/or expenses for the period covered by the report. Once that period has elapsed, then a separate Court Order is required to allow an application out of time.

Under rule 18.9 of the Insolvency (England and Wales) Rules 2006, an unsecured creditor may, with the permission of the Court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the office holder's remuneration and expenses, within 21 days of receipt of any report for the period. Any secured creditor may request the same details in the same time limit.

Under rule 18.34, an unsecured creditor may, with the permission of the Court or with the concurrence of 10% in value of the unsecured creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the office holder's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of any report for the period. Any secured creditor may make a similar application to court within the same time limit.

Provision of Services Regulations Summary Sheet for Abbey Taylor Limited

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

Company Name: Abbey Taylor Limited

Company Type: Private Limited Company

Company Number: 04992674

Registered Office: Unit 6 Twelve O'Clock Court
21 Attercliffe Road
Sheffield
England
S4 7WW

Telephone Number: 0114 331 0000

Fax Number: 0114 331 0260

Email: info@abbeytaylor.co.uk

VAT Number: 836 3500 38

Insolvency Practitioners

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

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

Rules Governing Actions

All Insolvency Practitioners are bound by the rules of their professional body, including any that relate specifically to insolvency. The rules of the professional body that licences Abbey Taylor Limited can be found at:

www.icaew.com/regulation/insolvency/sips-regulations-and-guidance/insolvency-licensing-regulations-and-guidance-notes

In addition, IPs are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at www.r3.org.uk/technical-library/england-wales/sips

Ethics

All Insolvency Practitioners are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at:

www.icaew.com/regulation/insolvency/sips-regulations-and-guidance/insolvency-code-of-ethics

Bribery

Our Practice is committed to carrying on its business fairly, openly and honestly. Our business culture is one where bribery is never acceptable.

We are dedicated to upholding the principles and provisions of The Bribery Act 2010. The Act details offences include bribes paid anywhere in the world by UK citizens or residents, including bribes paid by legal persons as well as individuals. Some of the Act's provisions are relevant to UK businesses (companies and partnerships) operating overseas, and also to foreign businesses operating in the UK.

Governing Law and Jurisdiction

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

Professional Indemnity Insurance

Travelers Insurance Company Limited
One Creechurch Place
Creechurch Lane
London
EC3A 5AF

Tel: +44 (0) 020 3207 6000

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

Complaints

Abbey Taylor Limited always strives to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of a particular case, then in the first instance you should contact the Insolvency Practitioner acting as office holder.

If you consider that the Insolvency Practitioner has not dealt with your comments or complaint appropriately, you should then put details of your concerns in writing to the Complaints Officer at Abbey Taylor Ltd, Unit 6 12 O'clock Court, Attercliffe Road, Sheffield, S4 7WW. This will formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior partner unconnected with the appointment.

It is our belief that most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the Insolvency Practitioner concerned. Any such complaints should be addressed:

- In writing to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA
- Using an on-line form available at www.gov.uk/complain-about-insolvency-practitioner
- By emailing insolvency.enquiryline@insolvency.gov.uk
- By calling the Insolvency Service Enquiry Line on 0300 678 0015 (details of call charges can be found at www.gov.uk/call-charges)