

LIQ03

Notice of progress report in voluntary winding up



Companies House

FRIDAY



A9K5IDEG

A12

18/12/2020

#404

COMPANIES HOUSE

1 Company details

Company number 0 7 3 0 2 0 5 5

Company name in full 4 Seasons Windows Doors and Conservatories Ltd

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Molly

Surname Monks

3 Liquidator's address

Building name/number The Old Bank

Street 187a Ashley Road

Post town Hale

County/Region Cheshire

Postcode W A 1 5 9 S Q

Country

4 Liquidator's name ①

Full forename(s) Darren

Surname Brookes

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number The Old Bank

Street 187a Ashley Road

Post town Hale

County/Region Cheshire

Postcode W A 1 5 9 S Q

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 3	^d 1	^m 1	^m 0	^y 2	^y 0	^y 1	^y 9
To date	^d 3	^d 0	^m 1	^m 0	^y 2	^y 0	^y 2	^y 0

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 1	^d 6	^m 1	^m 2	^y 2	^y 0	^y 2	^y 0
----------------	----------------	----------------	----------------	----------------	----------------	----------------	----------------

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 **Molly Monks**

Company name **Milner Boardman & Partners**

Address
The Old Bank
187a Ashley Road

Post town **Hale**

County/Region **Cheshire**

Postcode

W	A	1	5		9	S	Q
---	---	---	---	--	---	---	---

Country

DX **office@milnerboardman.co.uk**

Telephone **0161 927 7788**

**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.

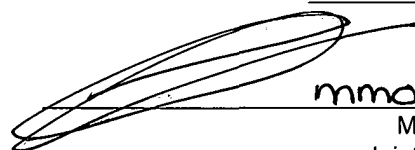
**Further information**

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

4 Seasons Windows Doors and Conservatories Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 31/10/2019 To 30/10/2020 £	From 31/10/2019 To 30/10/2020 £
	ASSET REALISATIONS		
4,944.00	Cash at Bank	4,932.48	4,932.48
7,000.00	Plant, Machinery & unencumbered veh	<u>NIL</u>	<u>NIL</u>
		4,932.48	4,932.48
	COST OF REALISATIONS		
	Bank Charges	31.05	31.05
	ERA/Pension Work	90.00	90.00
	Land Registry Search	11.00	11.00
	Preparation of S. of A.	3,658.60	3,658.60
	Statutory Advertising	<u>159.30</u>	<u>159.30</u>
		(3,949.95)	(3,949.95)
	PREFERENTIAL CREDITORS		
(4,387.00)	Wage Arrears & Holiday Pay	<u>NIL</u>	<u>NIL</u>
		NIL	NIL
	UNSECURED CREDITORS		
(60,421.00)	Connected Company - Everite	NIL	NIL
(9,537.00)	Employees - Redundancy/Notice pay	NIL	NIL
(4,708.00)	HMRC CT	NIL	NIL
(55,171.00)	HMRC PAYE/NIC	NIL	NIL
(45,036.00)	HMRC VAT	NIL	NIL
(5,117.00)	Landlord	NIL	NIL
(80,875.00)	Trade & Expense	<u>NIL</u>	<u>NIL</u>
		NIL	NIL
	DISTRIBUTIONS		
(300.00)	Ordinary Shareholders	<u>NIL</u>	<u>NIL</u>
		NIL	NIL
(253,608.00)		982.53	982.53
	REPRESENTED BY		
	Current Account		200.95
	Vat Control Account		781.58
			982.53


Molly Monks
Joint Liquidator



MILNER BOARDMAN
& PARTNERS
Corporate Recovery

Our ref: DTB/MM/AP/2854/24

16 December 2020

TO ALL MEMBERS AND CREDITORS

Dear Sirs

4 Seasons Windows Doors and Conservatories Limited ("the Company") – In Liquidation

This is our report to members and creditors following the 1st anniversary of our appointment as Joint Liquidators for the period 31 October 2019 to 30 October 2020.

Milner Boardman & Partners uses personal information in order to fulfil the legal obligations of our Insolvency Practitioners under the Insolvency Act and other relevant legislation, and also to fulfil the legitimate interests of keeping creditors and others informed about the insolvency proceedings. You can find more information on how Milner Boardman & Partners uses your personal information on our website at www.milnerboardman.com.

If anyone has any queries regarding the conduct of the Liquidation, they should contact Antonia Pettener by email at antoniap@milnerboardman.co.uk or by phone on 0161 927 7788.

Yours faithfully
for and on behalf of
4 Seasons Windows Doors and Conservatories Limited

Molly Monks
Joint Liquidator



MILNER BOARDMAN
& PARTNERS
Corporate Recovery

4 Seasons Windows Doors and Conservatories Limited IN LIQUIDATION

Joint Liquidators' Progress Report

Covering the Period
31 October 2019 to 30 October 2020

16 December 2020

Milner Boardman and Partners
The Old Bank
187A Ashley Road
Hale
Cheshire
WA15 9SQ

Our Ref: DTB/MM/AP/2854/24

Joint Liquidators'
Progress Report



CONTENTS

1. Statutory Information
2. Executive Summary
3. Joint Liquidators' Actions Since Appointment
4. Receipts and Payments
5. Assets
6. Liabilities
7. Investigation
8. Pre-appointment Remuneration
9. Joint Liquidators' Remuneration
10. Joint Liquidators' Disbursements
11. Further Information
12. Summary

APPENDICES

- | | |
|------------|---|
| Appendix 1 | Receipts and Payments Account |
| Appendix 2 | Milner Boardman and Partners' Fee Recovery Policy |
| Appendix 3 | Provision of Services Summary |



1. Statutory Information

Company Name:	4 Seasons Windows Doors and Conservatories Limited
Company No:	07302055
Trading Address:	14/16 Dinsdale Road Croft Business Park Bromborough CH62 3PY
Registered Office:	The Old Bank 187a Ashley Road Hale Cheshire WA15 9SQ
Former Registered Office:	116 Duke Street Liverpool L1 5JW
Principal Trading Activity:	Manufacturing, supply and fitting of UPVC windows, doors and conservatories.
Joint Liquidators:	Darren Brookes & Molly Monks
Joint Liquidators' Address:	Milner Boardman & Partners ("MBP") The Old Bank 187a Ashley Road Hale Cheshire WA15 9SQ
Date of Appointment:	31 October 2019
Actions of Liquidators:	Any act required or authorised under any enactment to be exercised by either or both of the Liquidators, acting jointly or alone.



2. Executive Summary

- 2.1 The reasons for the failure of the Company, according to the director were competition in the industry making it difficult to obtain profitable work, a change in the direction of products the Company was selling, which led to a loss of customers and being unable to generate sufficient work for the Company to trade profitably.
- 2.2 According to the director's statement of affairs, the assets of the Company were plant, machinery, unencumbered motor vehicles and cash at bank.
- 2.3 The case remains open as we are continuing to pursue Everite Windows Doors and Conservatories Limited ("Everite") for payment for the sale of various assets of the Company, including two vehicles, together with intellectual property and goodwill of the Company.

3. Joint Liquidators' Actions Since Appointment

- 3.1 Our duties and functions as Joint Liquidators are the realisation of the Company's assets, the agreement of the claims of creditors, investigation of the directors' conduct and the Company's affairs generally, and if applicable the eventual distribution of the liquidation funds between the creditors in accordance with their legal entitlements.
- 3.2 In addition to asset realisations as detailed at section 5 and investigations as detailed at section 7, we have undertaken routine statutory work and dealt with a number of administrative matters including reconciling the account and regular reviews of the case. These are tasks that are required by statute or regulatory guidance or are necessary for the orderly conduct of the proceedings, and whilst they do not produce any direct benefit for creditors, they still have to be carried out.
- 3.3 In addition to the case specific matters detailed at sections 5 & 7, there is certain work that we are required by the insolvency legislation to undertake in connection with the Liquidation that provides no financial benefit to the creditors. A description of the routine work undertaken since our appointment is detailed below.
 - Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
 - Setting up physical case files.
 - Setting up the case on the practice's electronic case management system and entering data.
 - Issuing the statutory notifications to creditors and other requirements on appointment as office holders, including gazetting the office holder's appointment.
 - Obtaining a specific penalty bond.
 - Seeking a decision from creditors on the basis of the office holder's remuneration.
 - Dealing with all routine correspondence, emails and telephone calls relating to the case.
 - Opening, maintaining and managing the office holders' estate bank account and cashbook.



- Undertaking regular bank reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a regular basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing and issuing annual progress report to creditors and members.
- Filing returns at Companies House.
- Preparing and filing VAT returns and Corporation Tax returns.
- Dealing with creditor correspondence, emails, and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.

4. Receipts and Payments

- 4.1 A receipts and payments account for the period 31 October 2019 to 30 October 2020 is enclosed with this report at appendix 1.
- 4.2 Receipts for the period total £4,932.48 and relates to the cash at bank.
- 4.3 Payments for the period total £4,731.53 and relate to the statement of affairs fee, ERA/Pension work, Land Registry search fee, statutory advertising and bank charges.
- 4.4 As the Company was registered for VAT, £781.58 can be reclaimed for the benefit of the estate. A claim has been submitted and the refund is awaited.

5. Assets

5 Plant, machinery & unencumbered vehicles

- 5.1.1 Wignall Brownlow LLP ("WB"), a firm of professional, independent MRICS registered valuation agents who hold Professional Indemnity Insurance, were asked to value the tangible assets of the Company. According to the statement of affairs, the Company owned plant, machinery and unencumbered vehicles with a book value of £9,525. WB valued these assets, which consisted of three motor vehicles, with a value of £7,000. This figure was used for the purpose of the statement of affairs.
- 5.1.2 As previously reported, a company known as Everite expressed an interest in acquiring these assets of the Company. Everite is a connected company by way of a common shareholder, namely Roy Griffiths.
- 5.1.3 The Joint Liquidators instructed WB to dispose of the Company's assets. However, following our appointment, it transpired that one of the vehicles had been disposed of prior to our appointment in lieu of an outstanding debt, therefore only two vehicles remained available for sale. The two remaining vehicles were aged, and this significantly reduced the value that could be achieved for the vehicles. The Joint Liquidators are continuing to investigate the pre appointment disposal of the vehicle.



- 5.1.4 We can confirm that on 13 November 2019, Everite made an offer to purchase the two vehicles, together with the intellectual property and goodwill of the Company in the sum of £3,000 plus VAT. This offer was accepted on 6 December 2019 upon the recommendation of WB, and an invoice dated 11 December 2019 was raised.
- 5.1.5 WB confirmed that a sale to the connected company would preserve the value of the assets, as realisations on a breakup basis would be nominal.
- 5.1.6 We can report that, despite numerous requests for payment and having received many assurances of payment, as at the date of this report, payment has not been forthcoming. We have considered uplifting the Company's assets, however, it is anticipated that the costs in arranging this would outweigh the value of the assets, and therefore we have continued to pursue payment of the outstanding invoice.
- 5.1.7 As a result of the non-payment of this invoice and in relation to the disposal of the vehicle prior to our appointment, the Joint Liquidators had no alternative but to instruct solicitors to pursue further. Unfortunately, despite several solicitors' letters having been sent and phone calls been made to Everite, payment has still not been received.
- 5.1.8 Unfortunately, as a result of the restrictions surrounding the Covid 19 outbreak, it has proved more difficult to obtain payment. Everite have been significantly impacted by the pandemic and have seen a reduction in work during 2020. However, the Joint Liquidators intend to continue to pursue Everite for payment and we will report on the outcome in our next report to creditors.
- 5.2 **Cash at bank:** The Company's current account with Lloyds Bank Plc ("Lloyds") was frozen prior to our appointment. The statement of affairs estimated that £4,944 remained in the account. A request was made to Lloyds for the funds to be transferred to the estate account. Following a number of requests to Lloyds for the funds to be transferred, the amount of £4,932.48 was received and the account was closed.

6. Liabilities

6.1 Secured Claims

- 6.1.1 According to Companies House, there are no charges registered over the assets of the Company in this matter.

6.2 Prescribed Part

- 6.2.1 There are provisions of the insolvency legislation that require a Liquidator to set aside a percentage of a Company's assets for the benefit of the unsecured creditors in cases where the Company gave a "floating charge" over its assets to a lender on or after 15 September 2003. This is known as the "prescribed part of the net property"



("prescribed part"). A Company's net property is that left after paying the preferential creditors, but before paying the lender who holds a floating charge. Any costs of the to the floating charge holder must be deducted from floating charge realisations before arriving at an amount for the "net property" of the Company. As a result, the costs associated with realising floating charge assets, paying preferential claims in full, the general costs of winding up and the costs of confirming the validity of the floating charge will have to be deducted before the "net property" is calculated. The "prescribed part" that the Liquidator then must set aside for unsecured creditors is:

- 50% of the first £10,000 of the net property; and
- 20% of the remaining net property;

up to a maximum of £600,000.

In this case, as the Company has not granted a floating charge, therefore the prescribed part provisions do not apply.

6.3 Preferential Creditors

- 6.3.1 The statement of affairs anticipated £4,387 in preferential creditors, relating to employees' claims for wage arrears and holiday pay.
- 6.3.2 Employees submitted their claims to the Redundancy Payment Service ("RPS") and payment was subsequently made to the employees by the RPS. A preferential claim is expected from the RPS in respect of these claims, however, as at the date of this report a proof of debt has not been received.
- 6.3.3 A claim has also been made to the RPS for missing pension contributions to the Company's pension scheme totaling £2,350.14. It is anticipated that there will be a preferential element to this claim, which is estimated at £1,468.75, however, as detailed above, a final proof of debt has not yet been received from the RPS.
- 6.3.4 Based on present information, it is not anticipated that there will be sufficient funds to enable a distribution to be made to preferential creditors in this case.

6.4 Crown Creditors

- 6.4.1 The director's statement of affairs estimated that £104,915 was owed to HM Revenue & Customs ("HMRC") in respect of PAYE/NIC/VAT/CT. A final integrated claim in the sum of £152,650.40 has been received from HMRC. The claim received relates to CT of £9,963.21, which includes penalties and interest, £39,888.50 in respect of VAT, which includes surcharges, and £102,798.69 in respect of PAYE/NIC/CIS, which also includes penalties and interest.



6.5 Non-Preferential Unsecured Creditors

6.5.1 The statement of affairs included 18 unsecured creditors totalling £80,875, being trade and expense creditors. Claims received to date total £18,356, however, not all creditors have submitted their claims in this matter.

6.5.2 In addition to HMRC and the trade creditors, the following were also listed on the statement of affairs:

Employees

According to the statement of affairs, the estimated liability in respect of redundancy and notice pay was £9,537, which was based on estimates. We have not yet received the unsecured claim from the RPS in this matter.

Pension

Although not recorded on the statement of affairs, the unsecured liability in respect of the unpaid pension contributions is estimated at £881.36, however, a final proof of debt is currently awaited.

Landlord

According to the statement of affairs, it was estimated that the landlords of the premises at 14 Dinsdale Road, Bromborough were owed £5,117 in respect of outstanding rent. No final claim has been received from the landlords as at the date of this report.

Connected Company – Everite

According to the statement of affairs, it was estimated that £60,421 was owed to the connected company, Everite. A proof of debt for this amount has been received from Everite.

6.5.3 It is not anticipated that there will be sufficient funds to make a distribution to non-preferential unsecured creditors in this case.

6.5.4 Claims have not been reviewed or agreed for dividend purposes.

7. Investigation

7.1 As part of our duties as Joint Liquidators, we undertook enquiries into the Company's previous trading activities. The purpose of this aspect of the investigation was to ascertain the existence and whereabouts of any Company assets, whether disclosed on the directors' sworn statement of affairs or not. It was also to establish whether any conduct matters justified further investigation taking into account public interest, potential recoveries, funds available to fund an investigation and the cost involved.



- 7.2 Specifically, we obtained and reviewed the Company's bank statements from the Company's bankers; and compared the information in the Company's last set of accounts with that contained in the statement of affairs lodged in the liquidation and made enquiries about the reasons for any changes.
- 7.3 We have also examined the conduct of the individuals concerned in the management of the Company and have, where necessary, interviewed the director of the Company.
- 7.4 Other than the issues mentioned in Section 5.1 there were no other matters that justified further investigation in the circumstances of the case.
- 7.5 Within three months of our appointment as Joint Liquidators, we were required to submit a confidential report to the Secretary of State to include any matters which have come to our attention during the course of my work which may indicate that the conduct of any past or present directors would make them unfit to be concerned with the management of the Company. I can confirm that our report was submitted.

8. Pre Appointment Remuneration

- 8.1 Prior to the liquidation MBP had obtained information about the Company's affairs from the Directors; extracted information about creditors from the Company's accounting records and entered it in our case management system to enable documents to be issued to creditors; assisted the Directors in the preparation of the report; instructed agents to value the Company's assets; written to interested parties such as the Company's accountants and bankers; assisted the Directors in the preparation of the statement of affairs. It was necessary to undertake this work in order to comply with statutory requirements and required practice when placing the Company into liquidation.
- 8.2 Our fee for assisting the directors with preparation of the statement of affairs and arranging the deemed consent procedure for creditors to appoint Joint Liquidators was approved by creditors by way of a decision by correspondence on 21 November 2019. Creditors agreed that a fee of £5,000 plus VAT be paid to MBP.
- 8.3 We can report that £3,658.60 has been paid from first realisations, following the decision date, as detailed on the receipts and payments account.

9. Joint Liquidators' Remuneration

- 9.1 Our remuneration was authorised by creditors, on 21 November 2019, on a fixed fee basis.
- 9.2 The Joint Liquidators were authorised to draw a fixed fee of £7,500 for work in respect of all categories of work. We have not been able to draw any remuneration in respect of work done for which our fees were approved as a fixed fee.



- 9.3 We sub-contracted some of the work that we are required to undertake as Joint Liquidators, namely dealing with staff claims and matters relating to the Company pension scheme. We sub-contracted this work because it is cheaper than doing it in house and the sub-contractor is a specialist at such work. This work was sub-contracted to an unconnected third party organisation, ERA Solutions Limited ("ERA"), who have charged a fixed fee of £500 for undertaking the work, of which £90 has been paid to date, in relation to the pension matters. The fee charged is commensurate with the amount of employees that made claims in this case.
- 9.4 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 <http://www.milnerboardman.com> by clicking on 'useful links' and then 'Creditors Guide to Fees' and 'Guide to Liquidator's Fees'. There are different versions of these Guidance Notes, and in this case please refer to the April 2017 version 4. Please note that we have also provided further details in the Practice Fee Recovery Sheet at appendix 2.

10. Joint Liquidators' Disbursements

- 10.1 With regard to disbursements, specific expenditure relating to the administration of the insolvent's estate and payable to an independent third party is recoverable without creditor approval. Payments made in respect of the above are defined as "Category 1 disbursements". Category 1 disbursements incurred in this case total £4,033.35 since appointment.

- 10.2 We have drawn Category 1 disbursements totalling £291.35 in this case to date.

10.3

Type of expense	Estimated expenses	Amount incurred in reporting period (£)	Amount drawn in reporting period (£)
Specific bond	70	70	0
Land Registry Search	11	11	11
Statutory advertising	159.30	159.30	159.30
ERA /Pension Work	525	500	90
Agents fees	750	1,000	0
Legal Fees	0	2,262	0
Bank charges	40	31.05	31.05
Total	1,555.30	4,033.35	291.35



10.4 Expenditure incidental to the administration of the insolvent's estate, which by its nature includes an element of shared or allocated costs, are recoverable with creditors' approval. Payments in respect of this type of expense are referred to as "Category 2 disbursements". Category 2 disbursements require creditor authorisation before they can be drawn. Category 2 disbursements include staff mileage costs. We were authorised by the creditors by correspondence on 21 November 2019 to draw Category 2 disbursements, however no Category 2 disbursements have been drawn to date.

10.5 We have used the following agents or professional advisors in this reporting period:

Agent/Professional Advisor	Nature of work	Basis of fees
ERA Solutions Ltd ("ERA")	ERA Work	Fixed fee
WB	Valuers	Fixed fee and time costs
Freeths LLP ("Freeths")	Legal work	Time costs

10.6 ERA were instructed to liaise with the employees and to handle any queries and assist with the employees' claims to the RPS. ERA were also instructed to deal with the Company's pension scheme and establish whether there were any missing contributions that could be claimed from the RPS. They also arranged for the missing contributions to be claimed and to be paid to the Trustees of the scheme. ERA have charged a fixed fee for carrying this out.

10.7 WB were instructed to provide a valuation of the assets and to obtain an offer for the assts. WB agreed the sale to Everite and have also been involved in pursuing payment for the assets.

10.8 Freeths were instructed to pursue payment of the outstanding invoice in respect of the sale of the assets and to take the appropriate legal action to recover the outstanding payment.

10.9 The professional advisers were selected on a basis of our perception of their experience and ability to perform this type of work and nature and complexity of the assignment and the basis of our fee arrangement with them. The fees charged have been reviewed and we are satisfied they are reasonable in the circumstances.

10.9 As you can see from the information provided in this report, the expenses we have incurred in this matter are higher than the total expenses we estimated we would incur when our remuneration was authorised by the creditors. The reason for this is the legal fees that have been incurred in pursuing payment for the assets, in addition to the additional work that WB had to carry out in order to obtain an offer and agree a sale to Everite.



11. Further Information

- 11.1 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 Liquidator's 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.
- 11.2 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 Liquidator's as being excessive, and/or the basis of the Liquidator's 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.
- 11.3 To comply with the Provision of Services Regulations, some general information about MBP is in the attached summary sheet at appendix 3.

12. Summary

- 12.1 This concludes the Joint Liquidators' progress report for the year ended 30 October 2020. The liquidation will remain open until the assets of the Company have been realised and our investigations have been completed. We estimate that this will take approximately 6 months and once these matters have been resolved, the liquidation will be finalised, and the files closed. If the liquidation has not been finalised, the next report is due within 2 months of the next year's anniversary, i.e. before 30 December 2021.
- 12.2 If creditors have any queries regarding the conduct of the liquidation, they should contact Antonia Pettener by email at antoniap@milnerboardman.co.uk or by phone on 0161 927 7788.

Yours faithfully
For and on behalf of
4 Seasons Windows Doors and Conservatories Limited


Molly Monks
Joint Liquidator



MILNER BOARDMAN
& PARTNERS
Corporate Recovery


Appendix 1

Receipts and Payments Account

4 Seasons Windows Doors and Conservatories Ltd
(In Liquidation)

JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 31/10/2019 To 30/10/2020 £	From 31/10/2019 To 30/10/2020 £
RECEIPTS			
Plant, Machinery & unencumbered vehicle	7,000.00	0.00	0.00
Cash at Bank	4,944.00	4,932.48	4,932.48
		<u>4,932.48</u>	<u>4,932.48</u>
PAYMENTS			
Preparation of S. of A.		3,658.60	3,658.60
ERA/Pension Work		90.00	90.00
Land Registry Search		11.00	11.00
Statutory Advertising		159.30	159.30
Bank Charges		31.05	31.05
Wage Arrears & Holiday Pay	(4,387.00)	0.00	0.00
Trade & Expense	(80,875.00)	0.00	0.00
Employees - Redundancy/Notice pay	(9,537.00)	0.00	0.00
Connected Company - Everite	Uncertain	0.00	0.00
HMRC PAYE/NIC	(55,171.00)	0.00	0.00
HMRC CT	(4,708.00)	0.00	0.00
HMRC VAT	(45,036.00)	0.00	0.00
Landlord	(5,117.00)	0.00	0.00
Connected Company - Everite	(60,421.00)	0.00	0.00
Ordinary Shareholders	(300.00)	0.00	0.00
Vat Control Account		781.58	781.58
		<u>4,731.53</u>	<u>4,731.53</u>
BALANCE - 30 October 2020			<u><u>200.95</u></u>


mmonks
 Molly Monks
 Joint Liquidator



MILNER BOARDMAN
& PARTNERS
Corporate Recovery

Appendix 2

Milner Boardman & Partners' Practice Fee Recovery Policy

PRACTICE FEE RECOVERY POLICY FOR MILNER BOARDMAN & PARTNERS

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 a particular 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 <http://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.insolvency-practitioners.org.uk. Alternatively a hard copy may be requested from Milner Boardman & Partners. Please note, however, that the guides have not yet been updated for the revised legislation, so we have provided further details in this policy document.

Once the basis of the office holder's remuneration has been approved, a periodic report will be provided to any committee and also to each creditor. The report will provide a breakdown of the remuneration drawn. If approval has been obtained for remuneration on a time costs basis, i.e. by reference to time properly spent by members of staff of the practice at our standard charge out rates, the time incurred will also be disclosed, whether drawn or not, together with the average, or "blended" rates of such costs. Under the legislation, any such report must disclose how creditors can seek further information and challenge the basis on which the fees are calculated and the level of fees drawn in the period of the report. Once the time to challenge the office holder's remuneration for the period reported on has elapsed, then that remuneration cannot subsequently be challenged.

Under some old legislation, which still applies for insolvency appointments commenced before 6 April 2010, there is no equivalent mechanism for fees to be challenged.

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	Current charge-out rate per hour, effective from 1 June 2017 £	Previous charge-out rate per hour, effective from 1 April 2015 £	Previous charge-out rate per hour, effective from 1 November 2008 £
Director	370	370	295 to 370
Appointment Taker	295	N/A	N/A
Senior Manager	255	255	N/A
Manager	215	215	215
Case Administrator	175	175	175
Support Staff	175	175	175

These charge-out rates charged are reviewed each year and may be adjusted to take account of inflation and the firm's overheads.

Time spent on casework 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:

- Administration and Planning
- Investigations
- Realisation of Assets
- Creditors
- Trading
- Case specific matters

In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and on new appointments we now only seek time costs for the following categories, where applicable:

- Investigations
- Distributions
- Trading

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 of the work being carried out within the estimate. 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 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 has to deal (realisations and/or distributions). Different percentages can be used for different assets or types of assets. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a percentage basis more often. 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, as well as the expenses that will be, or are likely to be, incurred. Expenses can be incurred without approval, but must be disclosed to help put the remuneration request into context.

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.

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 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 set amount. Different set amounts can be used for different tasks. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a fixed fee basis more often. A report accompanying any fee request will set out the set 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. Expenses can be incurred without approval, but must be disclosed to help put the remuneration request into context.

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 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.

Members' Voluntary Liquidations and Voluntary Arrangements

The legislation changes that took effect from 1 October 2015 did not apply to Members' Voluntary Liquidations (MVL), Company Voluntary Arrangements (CVA) or Individual Voluntary Arrangements (IVA). In MVLs, the company's members set the fee basis, often as a fixed fee. 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 bases

With the exception of Individual Voluntary Arrangements and Company Voluntary Arrangements which are VAT exempt, the officeholder's remuneration invoiced to the insolvent estate will be subject to VAT at the prevailing rate.

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

In new appointments made after 1 October 2015, the office holder will provide details of expenses to be incurred, or likely to be incurred, when seeking fee approval. When reporting to the committee and creditors during the course of the insolvency appointment the actual expenses incurred will be compared with the original estimate provided.

Disbursements

In accordance with SIP 9 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 or Category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or Milner Boardman & Partners; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the estate. These disbursements are recoverable in full from the estate without the prior approval of creditors 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 disbursements are statutory advertising, external meeting room hire, external storage, specific bond insurance and Company search fees.

Category 2 expenses are incurred by the firm and recharged to the estate; they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of category 2 disbursements are photocopying, internal room hire, internal storage and mileage.

It is proposed that the following Category 2 disbursements incurred in administering the case will be charged as follows:

Room Hire	£30 per hour
Mileage	0.45p per mile (in accordance with HMRC approved rates)
Photocopying	10p per sheet (circulars to creditors only)



Appendix 3

Provision of Service Regulations Summary

PROVISION OF SERVICES REGULATIONS SUMMARY SHEET FOR MILNER BOARDMAN & PARTNERS

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

Licensing Body

Darren Brookes and Molly Monks are licensed to act as Insolvency Practitioners in the United Kingdom by the Insolvency Practitioners Association ("IPA").

Rules Governing Actions

All IPs are bound by the rules of their professional body, including any that relate specifically to insolvency. The rules of the professional body that licences Darren Brookes and Molly Monks of Milner Boardman & Partners ("MBP") can be found at - <http://www.insolvency-practitioners.org.uk>. In addition, IPs are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at <https://www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice>.

Ethics

All IPs are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at <http://www.insolvency-practitioners.org.uk/regulation-and-guidance/ethics-code>.

Complaints

In the first instance, you should contact the Insolvency Practitioner ("IP") acting as office holder. Please note that within MBP there are two Licensed Insolvency Practitioners; Darren Brookes and Molly Monks.

If you consider that the IP has not dealt with your comments or complaint appropriately you should then put details of your concerns in writing to our complaints officer Molly Monks. However, if your complaint is regarding Molly Monks then please contact Darren Brookes.

We will lodge your complaint and open a file, this will be done immediately. We will then investigate your complaint and report to you as soon as possible, usually within five business days.

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 to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at www.gov.uk/complain-about-insolvency-practitioner; or you can email insolvency.enquiryline@insolvency.gsi.gov.uk; or you may phone 0300 678 0015. Information on the call charges that apply is available at <https://www.gov.uk/call-charges>.

Bribery Act 2010

MBP is committed to applying the highest standards of ethical conduct and integrity in its business activities. Every employee and individual acting on MBP's behalf is responsible for maintaining our reputation and for conducting company business honestly and professionally.

MBP take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate.

MBP requires all those who are associated with it to observe the highest standards of impartiality, integrity and objectivity.

MBP prohibits anyone acting on its behalf from:

- bribing another person. A bribe includes the offering, promising or giving of any financial or other type of advantage;
- accepting a bribe. This includes requesting, agreeing to receive or accepting any financial, or another kind of advantage;
- bribing a foreign public official; and
- condoning the offering or acceptance of bribes.

MBP will:

- avoid doing business with others who do not accept our values and who may harm our reputation;
- maintain processes, procedures and records that limit the risk of direct or indirect bribery;
- promote awareness of this policy amongst its staff, those acting on its behalf and entities with which it has any commercial dealings;
- investigate all instances of alleged bribery, and will assist the police, and other authorities when appropriate, in any resultant prosecutions. In addition, disciplinary action will be considered against individual members of staff;
- review this policy regularly and update it when necessary.

Professional Indemnity Insurance

Milner Boardman & Partners' Professional Indemnity Insurance is provided by Travelers Insurance Company Limited 61-63 London Road Redhill Surrey RH1 1NA.

VAT

Milner Boardman & Partners is registered for VAT under registration no 693 3180 22.