

# WU07

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



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 8 0 2 8 1 5 3

Company name in full Eldons Berkeley Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Sean

Surname Bucknall

### 3 Liquidator's address

Building name/number 3rd Floor

Street 37 Frederick Place

Post town Brighton

County/Region Sussex

Postcode B N 1 4 E A

Country

### 4 Liquidator's name ①

Full forename(s) Andrew

Surname Hosking

#### ① Other liquidator

Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number High Holborn House

Street 52 - 54 High Holborn

Post town London

County/Region

Postcode W C 1 V 6 R L

Country

#### ② Other liquidator

Use this section to tell us about  
another liquidator.

WU07

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

**6** Period of progress report

From date	<sup>d</sup> 2	<sup>d</sup> 2	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 1
To date	<sup>d</sup> 2	<sup>d</sup> 1	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2

**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date	<sup>d</sup> 1	<sup>d</sup> 8	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2
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**Presenter information**

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

Contact name **Andy Simpson**

Company name **Quantuma Advisory Limited**

Address **3rd Floor**

**37 Frederick Place**

Post town **Brighton**

County/Region **Sussex**

Postcode **B N 1 4 E A**

Country

DX

Telephone **01273 322400**

**Checklist**

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

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

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

**Important information**

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

**Where to send**

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

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


**Further information**

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

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

**Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors  
(In Liquidation)  
Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £		From 22/01/2021 To 21/01/2022 £	From 22/01/2021 To 21/01/2022 £
	ASSET REALISATIONS		
89.19	Cash at Bank	NIL	NIL
	Petition Deposit	1,600.00	1,600.00
		<u>1,600.00</u>	<u>1,600.00</u>
	COST OF REALISATIONS		
	Bank Charges	88.00	88.00
	O.R.Adminstration Fee	5,000.00	5,000.00
	Sec of State Fees	6,000.00	6,000.00
		<u>(11,088.00)</u>	<u>(11,088.00)</u>
	SECONDARY PREFERENTIAL CREDITORS		
(25,000.00)	HMRC - VAT	NIL	NIL
(4,892.18)	HMRC PAYE/NIC (Employees)	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	UNSECURED CREDITORS		
(174,661.12)	Banks/Institutions	NIL	NIL
(410,078.89)	Client Claims	NIL	NIL
(367,020.26)	Directors	NIL	NIL
(242,280.04)	Trade & Expense Creditors	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(1,223,943.30)</u>		<u>(9,488.00)</u>	<u>(9,488.00)</u>
	REPRESENTED BY		
	ISA NIB		(9,488.00)
			<u>(9,488.00)</u>

  
Sean Bucknall  
Joint Liquidator

# Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors

(In Compulsory Liquidation)

**("the Company")**

## THE JOINT LIQUIDATORS' PROGRESS REPORT

18 March 2022

Sean Bucknall of Quantuma Advisory Limited, 3rd Floor, 37 Frederick Place, Brighton, Sussex, BN1 4EA, and Andrew Hosking of Quantuma Advisory Limited, High Holborn House, 52-54 High Holborn, London WC1V 6RL were appointed Joint Liquidators of Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors on 22 January 2021.

Sean Bucknall is licensed to act as an Insolvency Practitioner by the Insolvency Practitioners Association and Andrew Hosking is licensed to act as an Insolvency Practitioner by the Insolvency Practitioners Association

This report has been prepared for circulation solely to comply with the Joint Liquidator's statutory duty to report to Creditors under the provisions of The Insolvency (England and Wales) Rules 2016 and for no other purpose. This report is intended for the statutory recipients. The report cannot be used or relied upon by any party other than for its intended statutory purpose.

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## ABBREVIATIONS

For the purpose of this report the following abbreviations shall be used:

"the Act"	Insolvency Act 1986
"the Rules"	Insolvency (England and Wales) Rules 2016
"the Joint Liquidators"	Sean Bucknall and Andrew Hosking of Quantuma Advisory Limited
"the Company"	Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors (in Compulsory Liquidation)
"SIP"	Statement of Insolvency Practice (England & Wales)
"Review Period"	Period covered by the report from 22 January 2021 to 21 January 2022
"Whole Period"	Period covered by the report from 22 January 2021 to 21 January 2022

## 1. INTRODUCTION

### Introduction

This report has been prepared to provide Members and Creditors with an update on the progress of the Liquidation of the Company since the appointment of the Joint Liquidators on 22 January 2021.

A schedule of statutory information in respect of the Company is attached at Appendix 1.

### Details of the appointment of the Joint Liquidators

Sean Bucknall and Andrew Hosking of Quantuma Advisory Limited were appointed Joint Liquidators of the Company on 22 January 2021.

The Joint Liquidators confirm that they are authorised to carry out all functions, duties and powers by either one or both of them.

## 2. THE PROGRESS OF THE LIQUIDATION

### The Joint Liquidators' Receipts and Payments Account

Attached at Appendix 2 is a Receipts and Payments account covering the Review Period. In accordance with the requirements of SIP 7, the Joint Liquidators confirm that the account has been reconciled with that held at the bank.

The rest of this report describes the key developments in the Liquidation over the Review Period.

A summary is provided of the main asset realisations during the Review Period and an estimation of those assets yet to be realised, together with details of costs incurred but as yet remaining unpaid.

### Administrative, Statutory & Regulatory Tasks

The Joint Liquidators have met a considerable number of statutory and regulatory obligations. Whilst many of these tasks have not had a direct benefit in enhancing realisations for the insolvent estate, they have assisted in the efficient and compliant progressing of the Liquidation, which has ensured that the Joint Liquidators and their staff have carried out their work to high professional standards. Details of the tasks carried out during the Review Period are included in Appendix 4.

### Realisation of assets

#### Petition Deposit

The petitioning creditor paid a petition deposit of £1,600 as security for payment of fees in the insolvency proceedings. Should there be sufficient relations then this deposit will be repaid to the petitioning creditor.

No further assets were realised in the Review Period.

#### Estimated Future Realisations

#### Cash at Bank

Since the end of the Review Period the Joint Liquidators have recovered a credit balance of £279.82.

#### Rent Deposit

Following a review of the Company records the Joint Liquidators identified a rent deposit paid by the Company of £13,296.00. The Joint Liquidators have been making enquiries as to whether this rent deposit is repayable to the Company.

## Debtors and Work-in-Progress (“WIP”)

The Director has stated that the Debtors and WIP were transferred to Alpha Omega Solicitors with the consideration agreed on the basis that (1) some of the outstanding debts remain unpaid for a long period of time (some in excess of 12 months); (2) some of the claims were undertaken on a funding arrangement basis (where no payment is yet required); (3) a claim and enforcement action will be required to recover some of the debts that remain outstanding and the Company was not in the position to pay the court fees and other disbursements to progress these actions; and (4) the risk to Alpha Omega Solicitors who may not recover the debts.

Certain debtors and WIP were not included in this transfer and the Joint Liquidators have been pursuing these debtors totalling £194,938.11.

Of these excluded debtors:

- One debtor of £7,302.00 had been placed into Administration and subsequently dissolved, with no prospect of recovery.
- A further debtor £66,082.65 has issued proceedings against the Company regarding the deduction of sums from its client account with an Order subsequently obtained requiring the Company to repay the sum of £314,069.47. As a result this debtor has a claim against the Company for this sum.
- Two further debtors of £15,852.36 have disputed the balance stating the Company was never formally instructed.
- The other two debtors have yet to respond, with one of these debtors being a UK establishment of a Nigerian Company.

As a result the Joint Liquidators believe there to be little prospect of any recovery in relation to these excluded book debts.

The director has yet to provide a full breakdown of the Debtors and Work-in-Progress transferred to Alpha Omega Solicitors Limited, nor have the Joint Liquidators been advised of any collections by Alpha Omega Solicitors Limited. Enquiries are therefore ongoing as to the value of these debtors and any recoverable balances.

## Antecedent Transactions

The Joint Liquidators are investigating a number of transactions prior to the Liquidation which may result in a recovery for the benefit of creditors. As these investigations are ongoing and may ultimately be subject to legal proceedings, the Joint Liquidators are currently unable to disclose details but will update creditors accordingly when they are the position to do so.

## 3. CREDITORS: CLAIMS AND DISTRIBUTIONS

### Secured Creditors

The Company had granted the following security:

Type of charge	Date created	Beneficiary	Amount outstanding at 12 January 2021
Debenture	30 January 2017	Arbuthnot Latham & Co Limited	£nil
Debenture	9 November 2012	National Westminster Bank plc	£nil



Whilst the Company has granted the above security the Joint Liquidators have been advised there is no outstanding balance as these charges had been satisfied in full.

#### Preferential Creditors

There are no preferential creditors in this case.

#### Secondary Preferential Creditors

In any insolvency process started from 1 December 2020, HM Revenue and Customs ('HMRC') is a Secondary Preferential Creditor for the following liabilities:

- VAT
- PAYE Income Tax
- Employees' NIC
- CIS deductions
- Student loan deductions

This will mean that, if there are sufficient funds available, any of the above amounts owed by the Company will be paid after the Preferential Creditors have been paid in full.

HMRC's secondary preferential claims relating to PAYE, NIC and VAT were estimated at £29,892.18 in the Director's Estimated Statement of Affairs. To date, HMRC have submitted a claim totalling £50,251.72, of which £50,073.70 relates to its secondary preferential claim.

It is uncertain whether there will be sufficient realisations to pay a dividend to HMRC in respect of their secondary preferential claim.

#### Prescribed Part

Under Section 176A of the Insolvency Act 1986, where after 15 September 2003 a company has granted to a creditor a floating charge, a proportion of the net property of the company must be made available purely for the Unsecured Creditors. This equates to:

- 50% of net property up to £10,000;
- Plus, 20% of net property in excess of £10,000.
- Subject to a maximum of £600,000.

As the secured Creditors had been discharged in full prior to the liquidation there will be no prescribed part.

#### Unsecured Creditors

Unsecured claims were estimated at £1,223,932.49 in the Director's Estimated Statement of Affairs and, to date, unsecured claims have been received totalling £1,005,306.90.

It is uncertain whether a dividend will be paid to Unsecured Creditors as this will be dependent on the realisations being achieved from ongoing investigations and the final costs of the liquidation.

#### Claims Process

Due to the possible distribution to Unsecured Creditors, you are requested to submit claims to the address on the front of this report, marked for the attention of Andy Simpson.

A Proof of Debt form is attached at Appendix 9.

#### 4. OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS

##### Investigations

During the Review Period, the Joint Liquidators carried out an initial review of the Company's affairs in the period prior to appointment. This included seeking information and explanations from the Directors by means of questionnaires; making enquiries of the Company's accountants; reviewing information received from Creditors; and collecting and examining the Company's bank statements, accounts and other records.

This work was also carried out with the objective of making an initial assessment of whether there were any matters that may lead to any recoveries for the benefit of Creditors. This would typically include any potential claims which may be brought against parties either connected to or who have past dealings with the Company.

This initial assessment revealed matters that the Joint Liquidators considered merited further investigation. The Joint Liquidators are currently seeking legal advice regarding a number of potential antecedent transactions and therefore are currently unable to disclose details of these in order not to prejudice any potential legal proceedings. Details will be provided to creditors as and when the Joint Liquidators are able to do so.

##### Pre-Appointment Transactions with Connected Parties

In accordance with the guidance given in SIP13, details of the Company's transactions with connected parties during the two years prior to the Joint Liquidators' appointment, which have recently come to their attention, are provided below:

- The transaction was completed on 9 December 2020.
- The sale, which was completed by means of an agreement, included the following assets:
  - The Goodwill
  - The benefit of the business contracts
  - The office equipment
  - The stock including any work-in-progress
  - The benefit of all the Business Claims
  - The Business Information
  - The Business Intellectual Property Rights
  - The Records
  - The benefit of an all rights to recover the Book Debts, including but not limited to unpaid invoices and all work in progress not yet billed.
- The sale consideration totalled £1.00 plus an additional payment equivalent to 50% of any payment the purchaser received for a book debt after deduction of outstanding disbursements, VAT and any costs incurred in recovering a book debt.
- The purchaser was Alpha Omega Solicitors limited.
- The purchaser is connected to the Company by reason of a mutual director and shareholder, being James Swead.
- The Company was advised by Alpha Omega Solicitors Limited.
- As far as the Joint Liquidators are aware, the purchaser was not independently advised.

The Joint Liquidators ongoing investigations include reviewing this transaction.

Alpha Omega Solicitors limited made an application to court pursuant to section 216 of the Act for the re-use of part of a prohibited name, being Eldons C&P Solicitors, being a similar name to the name of the Company.

The Joint Liquidators opposed this application and following the filing of witness statement with the Court, Alpha Omega Solicitors Limited agreed to withdraw its application and settle the legal costs incurred by the Joint Liquidators in respect of the same. These costs amounting to £3,013.00 inclusive of VAT were subsequently paid directly to the Joint Liquidators' solicitors.

#### Further Information

To comply with the Provision of Services Regulations, some general information about Quantuma Advisory Limited, including the complaints policy and Professional Indemnity Insurance, can be found at <http://www.quantuma.com/legal-information>.

Information about this insolvency process may be found on the R3 website here <http://www.creditorinsolvencyguide.co.uk>.

#### General Data Protection Regulation

In compliance with the General Data Protection Regulation, Creditors, Employees, Shareholders, Directors and any other Stakeholder who is an individual (i.e. not a corporate entity) in these insolvency proceedings is referred to the Privacy Notice in respect of Insolvency Appointments, which can be found at this link <http://www.quantuma.com/legal-notices>.

#### 5. ETHICS

Please note that the Joint Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment. Further information can be viewed at the following link <https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>.

Additionally the Joint Liquidators are also bound by the regulations of their Licensing Bodies.

#### General Ethical Considerations

Prior to the Joint Liquidator's appointment, a review of ethical issues was undertaken and no ethical threats were identified. A further review has been carried out and no threats have been identified in respect of the management of the insolvency appointment over the Review Period.

#### Specialist Advice and Services

When instructing third parties to provide specialist advice and services or having the specialist services provided by the firm, the Joint Liquidator is obligated to ensure that such advice or work is warranted and that the advice or work contracted reflects the best value and service for the work undertaken. The firm reviews annually the specialists available to provide services within each specialist area and the cost of those services to ensure best value. The specialists chosen usually have knowledge specific to the insolvency industry and, where relevant, to matters specific to this insolvency appointment. Details of the specialists specifically chosen in this matter are detailed later in this report.

#### 6. THE JOINT LIQUIDATORS' FEES AND EXPENSES

A copy of 'A Creditors Guide to Liquidators' Fees' effective from 1 April 2021 together with Quantuma Advisory Limited's current schedule of charge-out rates and chargeable expenses, which includes historical charging information, may be found at <https://www.quantuma.com/guide/creditors-guide-fees/>.

A hard copy of both the Creditors' Guide and Quantuma Advisory Limited's current and/or historic charge-out rate and expenses policies may be obtained on request at no cost.

The basis of the Joint Liquidators' fees has not yet been fixed however it is now proposed that the Joint Liquidators' fee should be fixed on the following basis:

- (i) The basis of time properly given by the Joint Liquidators and their staff in attending to matters arising in the Liquidation, such time to be charged at the prevailing standard hourly charge out rates used by Quantuma Advisory Limited at the time the work is performed (plus VAT)

I shall be seeking creditors' approval that our fees as Joint Liquidators be fixed by reference to the time properly given by us and our staff in attending to all matters arising in this Liquidation.

The time costs incurred to date are detailed at Appendix 3 and set out in Appendix 5 are the Joint Liquidators' fees and expenses estimates. A detailed narrative of the work to be undertaken and undertaken by the Joint Liquidator is set out in Appendix 6.

A copy of Quantuma Advisory Limited's current schedule of charge out rates and chargeable expenses is attached at Appendix 7.

#### Expenses

Expenses may be divided into two categories: Category 1 and Category 2:

- Category 1 expenses are payments to persons providing the service to which the expense relates who are not associates of the Joint Liquidators. The Joint Liquidators may discharge Category 1 expenses from the funds held in the insolvent estate without further recourse to creditors.
- Category 2 expenses are payments to associates or which have an element of shared costs. Payments may only be made in relation to Category 2 expenses after the creditors have approved the bases of their calculation.

#### Joint Liquidators Time Costs during the Review Period

The Joint Liquidators' time costs incurred to date (whether or not they have been charged to the estate) are compared with the enclosed fees estimate and the actual time costs incurred to the end of the Review Period. The fees estimate enclosed covers the life of the case.

For a detailed schedule of work undertaken by the Joint Liquidators during the Review Period see Appendix 3. A detailed narrative list of the work undertaken during the Review Period is provided at Appendix 4.

Work category	Fees estimate			Actual time costs incurred during the Review Period		
	No. of hours	Blended hourly rate £	Total fees £	No. of hours	Average hourly rate £	Total time costs £
Administration Planning	102.10	269.38	27,503.50	42.50	227.35	9,662.50
Creditors	65.90	289.04	19,048.00	15.10	284.93	4,302.50
Investigations	307.30	306.10	94,065.00	169.20	294.03	49,750.50
Realisation of Assets	19.80	296.36	5,868.00	7.90	278.54	2,200.50
Cashiering	19.30	168.11	3,244.50	0.80	130.63	104.50
Closing Procedures	1.00	275.00	275.00	-	-	-
<b>TOTAL</b>	<b>515.40</b>	<b>291.04</b>	<b>150,004.00</b>	<b>235.50</b>	<b>280.34</b>	<b>66,020.50</b>

## Joint Liquidators' Expenses

The expenses, which include disbursements that have been incurred and not yet paid during the Review Period and the Whole Period are detailed below. This includes a comparison of the expenses likely to be incurred in the Liquidation as a whole with the enclosed expenses estimate, together with reasons where any expenses are likely to exceed that estimate.

Expenses	Expenses estimate £	Actual expenses incurred in the Review Period £	Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)
Category 1 expenses			
Professional Advice e.g. costs of solicitors, agents & valuers, pensions advisors, employment specialists etc	80,000.00	13,087.17	
Statutory Advertising	176.00	88.00	
Insurance of assets			
Specific Bond	135.00	135.00	
Postage	69.00	30.14	
Storage Costs	500.00	184.00	
Land Registry	20.00	6.00	
Other Category 1 expenses			
Category 2 expenses			
Photocopying, scanning & faxes (per side)	-	-	Please be advised that, whilst it was originally envisaged that these expenses would be charged to the estate as Category 2 disbursements, this has no longer been allowed since 1 April 2021
Company Search	-	-	
Anti-Money Laundering Searches	-	-	
Stationery (Per Report/letter per Member/Creditor)	-	-	
Internal Meeting Room Hire (outside London)	-	-	
Internal Room Hire (in London)	-	-	
Mileage incurred as a result of necessary travel as per HMRC's approved rate (per mile)	-	-	
Professional Services provided by non-insolvency service lines within Quantuma Advisory Limited or by associated Companies within the Corporate Group structure of Quantuma Advisory Limited	-	-	
TOTAL	80,900.00	443.14	

Details of the expenses paid in the Review Period and the Whole Period are shown in the Receipts and Payments account at Appendix 2.

On, Creditors agreed that Category 2 disbursements could be drawn. Please note that some Category 2 expenses that have previously been approved and their estimated costs or basis of their cost provided as part of the expenses estimate may not be discharged from the estate from 1 April 2021. These are indicated in the table above.

### Cost to Closure

As stated above, the Joint Liquidators are seeking creditors' approval of the proposed decisions by means of a vote by correspondence.

Attached at Appendix 8 is a Notice of Decision Procedure, which sets out the following decisions that the Joint Liquidators are asking the creditors to consider:

- That the Joint Liquidators' fees be fixed by reference to the time given by them and their staff in attending to matters arising in the Liquidation, such time to be charged at the prevailing standard hourly charge out rates used by Quantum Advisory Limited at the time the work is performed (plus VAT)

Creditors are invited to vote on these proposed decisions by completing and returning the enclosed voting form (Appendix 8) together with a proof of debt form (Appendix 9), if one has not already been submitted. The Joint Liquidators must receive completed forms by no later than 23.59 on 14 April 2022 to enable the vote to be counted.

Whilst a vote by correspondence is being sought, creditors who meet a statutory threshold as set out in the Notice attached at Appendix 8 can require that a physical meeting of creditors be convened. Such a request must be made to the Joint Liquidators within 5 business days of the date on which this report was delivered. If you wish to request a physical meeting, please set out in writing which of the decision(s) above you wish the meeting to consider.

## Other Professional Costs

### Solicitors

Irwin Mitchell LLP were instructed by the Joint Liquidators to advise on appropriate legal matters. Their costs have been agreed on the basis of their standard hourly charge out rates, plus expenses and VAT. The Solicitors' outstanding time costs for the period to 28 September 2021 amount to £13,087.17 and are yet to be paid.

As stated earlier in this report the legal costs in relation to section 216 application totalling £3,013.30 inclusive of VAT have been paid directly by Alpha Omega Solicitors Limited.

All professional costs are reviewed and analysed before payment is approved.

### **Creditors' right to request information**

Any Secured Creditor, or Unsecured Creditor with the support of at least 5% in value of the Unsecured Creditors or with permission of the Court, may request in writing the Joint Liquidators to provide additional information regarding remuneration or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report.

### **Creditors' right to challenge remuneration and/or expenses**

Any Secured Creditor, or Unsecured Creditor with the support of at least 10% in value of the Unsecured Creditors or with permission of the Court, may apply to the Court for one or more orders, reducing the amount or the basis of remuneration which the Joint Liquidators are entitled to charge or otherwise challenging some or all of the expenses incurred.

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the remuneration and/or expenses being complained of.

Please note that such challenges may not disturb remuneration or expenses disclosed in prior progress reports.

### Future of the Liquidation

The Joint Liquidators are continuing with a number of investigations which may lead to a recovery for the benefit of creditors. The liquidation will therefore be continuing whilst these investigations are completed and any recoverable assets realised for benefit of creditors.

Once all investigations have been concluded should there be funds available for distribution to creditors the Joint Liquidation will issue a Notice of Intended Dividend and adjudicate upon any creditor claims that are received prior to making any distribution(s).

The Joint Liquidators would then issue their final report to members and creditors and seek their release from office.

Should you have any queries in regard to any of the above please do not hesitate to contact Andy Simpson on 01273 322 400 or by e-mail at [Andy.Simpson@quantuma.com](mailto:Andy.Simpson@quantuma.com)

A handwritten signature in black ink, appearing to read 'Sean Bucknall', with a stylized flourish extending from the end.

Sean Bucknall  
Joint Liquidator

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors  
(IN LIQUIDATION)

STATUTORY INFORMATION

Company Name	Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors
Trading Address	7 Ely Place, Ely Place, London, EC1N 6RY
Proceedings	In Liquidation
Date of Appointment	22 January 2021
Joint Liquidators	Sean Bucknall Quantuma Advisory Limited 3 <sup>rd</sup> Floor, 37 Frederick Place Brighton BN1 4EA  Andrew Hosking Quantuma Advisory Limited High Holborn House 52-54 High Holborn London WC1V 6RL
Registered office Address	c/o Quantuma Advisory Limited 3rd Floor, 37 Frederick Place, Brighton, BN1 4EA
Company Number	08028153
Incorporation Date	12 April 2012



Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors  
(IN LIQUIDATION)


THE **JOINT LIQUIDATORS'** RECEIPTS AND PAYMENTS ACCOUNT AS AT 21 JANUARY 2022

VAT Basis

Receipts and payments are shown net of VAT, with any amount due from HM Revenue and Customs shown separately.

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors  
(In Liquidation)  
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 22/01/2021 To 21/01/2022 £	From 22/01/2021 To 21/01/2022 £
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89.19	Cash at Bank	NIL	NIL
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		<u>1,600.00</u>	<u>1,600.00</u>
	COST OF REALISATIONS		
	Bank Charges	88.00	88.00
	O.R.Adminstration Fee	5,000.00	5,000.00
	Sec of State Fees	6,000.00	6,000.00
		<u>(11,088.00)</u>	<u>(11,088.00)</u>
	SECONDARY PREFERENTIAL CREDITORS		
(25,000.00)	HMRC - VAT	NIL	NIL
(4,892.18)	HMRC PAYE/NIC (Employees)	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	UNSECURED CREDITORS		
(174,661.12)	Banks/Institutions	NIL	NIL
(410,078.89)	Client Claims	NIL	NIL
(367,020.26)	Directors	NIL	NIL
(242,280.04)	Trade & Expense Creditors	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
(1,223,943.30)		<u>(9,488.00)</u>	<u>(9,488.00)</u>
	REPRESENTED BY		
	ISA NIB		(9,488.00)
			<u>(9,488.00)</u>

  
Sean Bucknall  
Joint Liquidator

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors  
(IN LIQUIDATION)

SCHEDULE OF THE JOINT LIQUIDATORS' TIME COSTS DURING THE REVIEW PERIOD AND  
THE WHOLE PERIOD

Time Entry - Detailed SIP9 Time & Cost Summary

6007662 - Eldons Berkeley Limited  
From: 22/01/2021 to 21/01/2022  
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
100 : Administration & Planning	1.20	0.00	0.00	0.00	1.20	576.00	480.00
100A : Initial Statutory & General Notifications & Filing	1.00	0.00	1.70	9.60	12.30	2,243.50	182.40
101A : Bonding	0.00	0.00	0.10	0.30	0.40	68.00	170.00
102 : Scheduling Records	0.00	0.00	6.00	0.00	6.00	1,650.00	275.00
102A : Recovering & Scheduling books and records	0.00	0.10	1.10	0.00	1.20	333.50	277.92
103 : IPS Case / File set up/ Filing	0.00	0.30	0.40	3.60	4.30	590.50	137.33
104 : General Administration	0.00	0.80	1.80	2.30	4.90	1,007.50	205.61
105 : Case strategy / Review	0.60	0.80	7.10	1.10	9.60	2,650.00	276.04
106 : VAT & CT matters and returns	0.00	0.30	1.00	1.30	2.60	543.50	209.04
Admin & Planning	2.80	2.30	19.20	18.20	42.50	9,662.50	227.35
600 : Cashiering				0.80	0.80	104.50	130.63
Cashiering	0.00	0.00	0.00	0.80	0.80	104.50	130.63
203 : Creditor correspondence / Call	0.50	0.90	7.10	0.00	8.50	2,474.50	291.12
204 : Unsecured Creditors claims	0.00	0.00	1.90	0.00	1.90	522.50	275.00
204A : Dealing with Pension Schemes	0.00	0.40	1.60	0.30	2.30	604.50	262.83
207C : Dealing with HMRC/RPO Claims	0.00	0.00	0.20	0.00	0.20	55.00	275.00
210 : Secured creditor reports / claims	0.00	0.00	0.30	0.00	0.30	82.50	275.00
212 : Initial Appointment Notifications to Creditors	0.20	0.00	1.70	0.00	1.90	563.50	296.58
Creditors	0.70	1.30	12.80	0.30	15.10	4,302.50	284.93
300 : Investigations	1.60	2.20	2.70		6.50	2,192.50	337.31
300A : SIP 2 Review	4.30	5.40	34.80	8.50	53.00	14,455.50	272.75
301 : CDDA Reports		0.40	0.30		0.70	218.50	312.14
302 : Pursuing Antecedant Transactions	13.90	1.70	14.40		30.00	11,159.00	371.97
303 : Computer and digital record analysis			19.80		19.80	5,445.00	275.00
304 : Forensic accounting analysis			59.20		59.20	16,280.00	275.00
Investigations	19.80	9.70	131.20	8.50	169.20	49,750.50	294.03
401 : Freehold / Leasehold Property			0.30		0.30	82.50	275.00
405 : Debtors		0.80	6.60		7.40	2,063.00	278.78

Time Entry - Detailed SIP9 Time & Cost Summary

6007662 - Eldons Berkeley Limited  
From: 22/01/2021 to 21/01/2022  
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
411 - Cash at Bank			0.20		0.20	55.00	275.00
Realisation of Assets	0.00	0.80	7.10	0.00	7.90	2,200.50	278.54
Total Hours	23.30	14.10	170.30	27.80	235.50	66,020.50	280.34
Total Fees Claimed						0.00	

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors  
(IN LIQUIDATION)

DETAILED NARRATIVE LIST OF WORK UNDERTAKEN BY THE JOINT LIQUIDATORS DURING  
THE REVIEW PERIOD

Description of work undertaken	Includes
<u>ADMINISTRATION &amp; PLANNING</u>	
Administration & Planning	Initial review of handover documents from Official Receiver
Initial Statutory and General Notifications & Filing e.g. Advertising the appointment, undertaking statutory notifications to Companies House, HMRC, the Pension Protection Fund, preparing the documentation and dealing with other notification of appointment	Filing of documents to meet statutory requirements Advertising in accordance with statutory requirements
Obtaining a specific penalty bond.	
Recovering & Scheduling the company's books and records.	Collection and making an inventory of company books and records
Setting up electronic case files and electronic case details on IPS.	
General Administration - Dealing with all routine correspondence and emails relating to the case.	
Case strategy & completing file reviews at 1 month, 2 months & 6 months.	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case Periodic file reviews Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
VAT & Corporation Tax matters and returns.	Preparation and filing of VAT Returns Preparation and filing of Corporation Tax Returns
<u>CREDITORS</u>	
Dealing with creditor correspondence, emails and telephone conversations.	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via email and post
Dealing with Pension Schemes	Corresponding with the PPF and the Pensions Regulator
Dealing with HMRC/RPO claims	Completion of pre-appointment returns
Initial Appointment Notification to Creditors - Preparing the documentation & sending out initial appointment notification to creditors	Initial notification documents to creditors and other relevant parties
<u>INVESTIGATIONS</u>	
Investigations	Correspondence with Official Receiver regarding investigations and director conduct
SIP 2 Review - Conducting an initial investigation with a view to identifying potential asset recoveries by seeking and obtaining information from relevant third parties, such as the bank, accountants, solicitors, etc.	Correspondence to request information on the company's dealings, making further enquiries with numerous third parties Reviewing questionnaires submitted by creditors and Directors Liaising with the instructed solicitors. Reconstruction of financial affairs of the company Reviewing company's books and records Review of specific transactions and liaising with Directors regarding certain transactions Liaising with the major creditors about further action to be taken
Investigating & Pursuing Antecedent Transactions	

Description of work undertaken	Includes
<u>REALISATION OF ASSETS</u>	
Debtors	Collecting supporting documentation Correspondence with debtors Reviewing and assessing debtors' ledgers Dealing with disputes, including communicating with Directors/former staff
Cash at Bank	Contacting the bank to arrange closure of the account and payment of the funds to the estate
Freehold/Leasehold Property	Correspondence with landlord regarding rent deposit
<u>CASHIERING</u>	
Opening, maintaining and managing the Office Holders' cashbook and bank account.	Preparing correspondence opening and closing accounts Requesting bank statements Correspondence with bank regarding specific transfers Maintenance of the estate cash book
Dealing with deposit forms	Banking remittances
Bank Reconciliations	
Preparing & Filing statutory Receipts & Payments accounts	Preparing and filing statutory Receipts and Payments accounts at Companies House

Current Charge-out Rates of the staff working on the case

#### Time charging policy

Support staff and executive assistants do not charge their time to each case except when the initial set up is being performed or when a sizeable administrative task or appropriate ad hoc duty is being undertaken

Support staff include secretarial and administrative support.

The minimum unit of time recorded is 6 minutes.

Rates are likely to be subject to periodic increase.

Grade of Staff	Rate from 15 June 2020
CEO/Managing Director	£480.00 - £580.00
Senior Manager	£340.00
Manager	£310.00
Assistant Manager	£275.00
Senior Administrator	£235.00
Administrator	£200.00
Assistant Administrator	£135.00
Case Accountant	£135.00
Support Staff/Executive Assistant	£100.00 – £105.00

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors  
(IN LIQUIDATION)

**JOINT LIQUIDATORS' FEE AND EXPENSE ESTIMATE**



Estimatated Total Time & Cost Summary

6007662 - Eldons Berkeley Limited  
From: 22/01/2021 to End of Liquidation

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
100 : Administration & Planning	1.20	0.00	0.00	0.00	1.20	576.00	480.00
100A : Initial Statutory & General Notifications & Filing	1.00	0.00	1.70	9.60	12.30	2243.50	182.40
101A : Bonding	0.00	0.00	0.10	0.30	0.40	68.00	170.00
102 : Scheduling Records	0.00	0.00	6.00	0.00	6.00	1650.00	275.00
102A : Recovering & Scheduling books and records	0.00	0.10	1.10	0.00	1.20	333.50	277.92
103 : IPS Case / File set up/ Filing	0.00	0.30	0.40	3.60	4.30	590.50	137.33
104 : General Administration	3.00	5.80	13.00	5.50	27.30	7502.00	274.80
105 : Case strategy / Review	5.70	6.90	27.60	3.10	43.30	12896.50	297.84
106 : VAT & CT matters and returns	0.50	1.30	3.00	1.30	6.10	1643.50	269.43
Admin & Planning	11.40	14.40	52.90	23.40	102.10	27,503.50	269.38
600 : Cashiering	1.00	0.50	1.50	16.30	19.30	3244.50	168.11
Cashiering	1.00	0.50	1.50	16.30	19.30	3,244.50	168.11
650 : Closing Procedures	0.00	0.00	1.00	0.00	1.00	275.00	275.00
Closing Procedures	0.00	0.00	1.00	0.00	1.00	275.00	275.00
203 : Creditor correspondence / Call	1.50	2.40	10.10	0.00	14.00	4244.50	303.18
204 : Unsecured Creditors claims	0.00	0.50	4.10	0.00	4.60	1282.50	278.80
204A : Dealing with Pension Schemes	0.00	0.40	2.10	0.30	2.80	742.00	265.00
206 : Final report	0.50	1.00	3.50	0.00	5.00	1512.50	302.50
207: Payment of Dividends	0.30	1.00	1.50	1.00	3.80	1001.50	263.55
207A: Notice of Intended Dividend	0.00	0.20	1.00	0.40	1.60	391.00	244.38
207B: Reviewing & Adjudicating Creditors' Claims	0.50	1.00	3.50	0.00	5.00	1512.50	302.50
207C : Dealing with HMRC/RPO Claims	0.00	0.50	0.80	1.00	2.30	510.00	221.74
209 : Creditors meetings	0.00	0.30	1.00	0.00	1.30	368.00	283.08
210 : Secured creditor reports / claims	0.00	0.00	0.30	0.00	0.30	82.50	275.00
211 : Annual / Progress report	2.00	4.00	17.30	0.00	23.30	6837.50	293.45
212 : Initial Appointment Notifications to Creditors	0.20	0.00	1.70	0.00	1.90	563.50	296.58
Creditors	5.00	11.30	46.90	2.70	65.90	19,048.00	289.04
300 : Investigations	3.60	5.20	8.90	0.00	17.70	5787.50	326.98
300A : SIP 2 Review	6.30	16.50	53.40	8.50	84.70	23971.50	283.02

Estimataed Total Time & Cost Summary

6007662 - Eldons Berkeley Limited  
 From: 22/01/2021 to End of Liquidation

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
301 : CDDA Reports	0.00	0.40	0.30	0.00	0.70	218.50	312.14
302 : Pursuing Antecedant Transactions	33.60	29.50	51.20	0.00	114.30	39365.00	344.40
303 : Computer and digital record analysis	0.00	0.00	24.70	0.00	24.70	6792.50	275.00
304 : Forensic accounting analysis	0.00	0.00	65.20	0.00	65.20	17930.00	275.00
Investigations	43.50	51.60	203.70	8.50	307.30	94,065.00	306.10
401 : Freehold / Leasehold Property	0.00	1.00	2.00	0.00	3.00	860.00	286.67
405 : Debtors	1.50	2.30	12.40	0.00	16.20	4843.00	298.95
411 : Cash at Bank	0.00	0.00	0.60	0.00	0.60	165.00	275.00
Realisation of Assets	1.50	3.30	15.00	0.00	19.80	5,868.00	296.36
Total Hours	62.40	81.10	321.00	50.90	515.40	150,004.00	291.04
Total Fees Claimed						0.00	

Expenses Estimate	
Legal Fees	80,000.00
Statutory Advertising	176.00
Specific Bon	135.00
Postage	69.00
Storage Costs	500.00
Land Registry Fees	20.00
Total	80,900.00

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors  
(IN LIQUIDATION)

DETAILED SCHEDULE OF WORK UNDERTAKEN AND TO BE UNDERTAKEN

Description of work undertaken	Includes
<u>ADMINISTRATION &amp; PLANNING</u>	
Administration & Planning	Initial review of handover documents from Official Receiver
Initial Statutory and General Notifications & Filing e.g. Advertising the appointment, undertaking statutory notifications to Companies House, HMRC, the Pension Protection Fund, preparing the documentation and dealing with other notification of appointment	Filing of documents to meet statutory requirements Advertising in accordance with statutory requirements
Obtaining a specific penalty bond.	
Recovering & Scheduling the company's books and records.	Collection and making an inventory of company books and records
Setting up electronic case files and electronic case details on IPS.	
General Administration - Dealing with all routine correspondence and emails relating to the case.	
Case strategy & completing file reviews at 1 month, 3 months & 6 months.	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case Periodic file reviews Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
VAT & Corporation Tax matters and returns.	Preparation and filing of VAT Returns Preparation and filing of Corporation Tax Returns
<u>CREDITORS</u>	
Dealing with creditor correspondence, emails and telephone conversations.	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via email and post
Dealing with Pension Schemes	Corresponding with the PPF and the Pensions Regulator
Final Account	
Payment of Dividends - calculating, paying a dividend to creditors & issuing the declaration notice.	Preparation of distribution calculation Preparation of correspondence to creditors announcing declaration of distribution Preparation of cheques/BACS to pay distribution Preparation of correspondence to creditors enclosing payment of distribution
Notice of Intended Dividend - issuing a notice of intended dividend to creditors and advertising where appropriate	Preparation of correspondence to creditors advising of intention to declare distribution Advertisement of notice of proposed distribution
Reviewing and adjudicating creditors' claims - adjudicating claims & requesting additional information in support of claims	Receipt of POD Adjudicating POD Request further information from claimants regarding POD

Description of work undertaken	Includes
	Preparation of correspondence to claimant advising outcome of adjudication Seeking solicitors' advice on the validity of complex claims. Dealing with unclaimed dividends
Dealing with HMRC/RPO claims	
Creditors' Meeting	Preparation of meeting notices, proxies/voting forms and advertisements Notice of meeting to all known creditors Collate and examine proofs and proxies/votes to decide on resolutions Preparation of meeting file, including agenda, certificate of postage, attendance register, list of creditors, reports to creditors, advertisement of meeting and draft minutes of meeting. Responding to queries and questions following meeting Issuing notice of result of meeting.
Annual/Progress Reports	Preparing, circulating and filing progress reports. Disclosure of sales to connected parties
Initial Appointment Notification to Creditors - Preparing the documentation & sending out initial appointment notification to creditors	Preparing a fee estimate for inclusion with the report to creditors.
Interim Fee Report to Creditors	
<u>INVESTIGATIONS</u>	
Investigations	Correspondence with Official Receiver regarding investigations and director conduct
SIP 2 Review - Conducting an initial investigation with a view to identifying potential asset recoveries by seeking and obtaining information from relevant third parties, such as the bank, accountants, solicitors, etc.	Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reconstruction of financial affairs of the company Reviewing company's books and records Preparation of deficiency statement Liaising with the instructed solicitors. Review of specific transactions and liaising with directors regarding certain transactions Liaising with the committee/creditors or major creditors about further action to be taken
Investigating & Pursuing Antecedent Transactions	
<u>REALISATION OF ASSETS</u>	
Freehold/Leasehold Property	Liaising with Landlord regarding rent deposit
Debtors	Collecting supporting documentation Correspondence with debtors Reviewing and assessing debtors' ledgers Dealing with disputes, including communicating with directors/former staff
Cash at Bank	Contacting the bank to arrange closure of the account and payment of the funds to the estate

	Includes
	Preparing correspondence opening and closing accounts Requesting bank statements Correspondence with bank regarding specific transfers Maintenance of the estate cash book
	Issuing cheques/BACS payments
	Banking remittances
	Preparing and filing statutory receipts and payments accounts at Companies House

APPENDIX 7

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors (In Liquidation)

Quantuma Advisory Limited's **Schedule of Current Charge Out Rates & Chargeable Expenses**

## CHARGE OUT RATES

### Staff Allocation & Support Staff

An objective and practical approach is taken to each case which includes active CEO/Managing Director's involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. In accordance with the provisions of Statement of Insolvency Practice 9 (SIP 9), set out below are the current charge out rates per hour for the grades of staff employed within Quantuma Advisory Limited<sup>1</sup> ('Quantuma'), exclusive of VAT.

Grade of Staff	Rate from 15 June 2020
CEO/Managing Director	£480.00 - £580.00
Appointment Taking Director	£400.00 - £500.00
Director	£370.00 - £475.00
Senior Manager	£340.00 – £415.00
Manager	£310.00 - £375.00
Assistant Manager	£275.00 – £335.00
Senior Administrator	£235.00 – £285.00
Administrator	£200.00 – £240.00
Assistant Administrator	£135.00 - £160.00
Case Accountant	£135.00
Junior Administrator	£100.00 - £115.00
Support Staff/Executive Assistant	£100.00 – £135.00

Work undertaken is recorded in 6 minute units in an electronic time recording system. Time properly incurred on cases is charged at the hourly rate of the grade of staff undertaking the work that applies at the time the work is done.

Time spent on casework is recording directly to the relevant case and the nature of the work undertaken is recorded at that time. The work is recorded under the following categories:

- Administration & Planning
- Creditors
- Investigations
- Realisation of Assets
- Trading
- Cashiering
- Closing Procedures

On occasion it may be necessary to change the rates applicable to the work undertaken and if this occurs during the period of the assignment any material changes will be notified to creditors as part of the normal fee reporting procedures. Rates are likely to be subject to periodic increase.

The time of support staff and executive assistants is not charged to a case except when the initial set up is being performed or when a sizeable administrative task or appropriate ad hoc duty is being undertaken.

Details of historic charge out rates are available to review [here](#) or will be provided upon request.

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<sup>1</sup> On 1 August 2020, Quantuma LLP transferred its business to Quantuma Advisory Limited.

### Subcontractors

Details and the cost of any work which has been or is intended to be sub-contracted out that could otherwise be carried out by the office holder or his staff will be provided in any report which incorporates a request for approval of the basis upon which remuneration may be charged.

### EXPENSES

Expenses are any payments from the insolvency 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). The following details are effective from 1 April 2021. Details of historic disbursement charges are available to review [here](#) or will be provided upon request.

#### 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 1 expenses can be paid without prior approval.

Examples of these expenses include, but are not limited to, the following:

Category 1 Expense – effective from 1 April 2021	Basis of Charge
Professional Advice e.g. costs of solicitors, agents & valuers, pensions advisors, employment specialists etc	Typically on a timecosts or fixed fee basis – the basis of charge will be agreed by the office holder so as to represent best value and will be provided in reports to creditors. The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.
Statutory & other Advertising	At cost incurred.
Indemnity Bond	At cost of mandatory cover required in accordance with the Insolvency Act 1986 for each appointment
Insurance of assets	At cost in relation to asset coverage requirements
Travel	All forms other than mileage at actual cost
Room Hire	All external venues at actual cost
Record Listing, Storage & Retrieval	At cost incurred
Printing & Postage costs of external provider.	At cost incurred
Virtual Meeting Platform (from 6/4/17)	At cost incurred

#### Category 2 Expenses

These 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.

The term associate is defined in the insolvency legislation. Additionally SIP 9 directs that where a reasonable and informed third party might consider there would be an association, payments should be



treated as if they are being made to an associate, notwithstanding the nature of the association may not meet the definition in the legislation.

Examples of Category 2 expenses include, but are not limited to, the following:

Category 2 Expense – effective from 1 April 2021	Cost
Mileage incurred as a result of necessary travel as per HMRC's approved rate (per mile)	£0.45
Professional Services provided by non-insolvency service lines within Quantuma Advisory Limited or by associated Companies within the Corporate Group structure of Quantuma Advisory Limited	As advised to creditors on a case by case basis.

The schedule is available for creditors to review at <http://www.quantuma.com/guide/creditors-guide-fees>.

#### VAT

With the exception of Individual Voluntary Arrangements and Company Voluntary Arrangements which are VAT exempt, the office holders' remuneration and expenses invoiced to the insolvency estate will be subject to VAT at the prevailing rate.

#### Creditors' Rights

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 and challenged are available in a series of guides issued with SIP 9 and can be accessed at <https://www.quantuma.com/guide/creditors-guide-fees>. Alternatively hard copies of these documents may be requested free of charge from Quantuma's registered office.

## APPENDIX 8

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors (In Liquidation)

NOTICE OF DECISION PROCEDURE & VOTE BY CORRESPONDENCE FORM

## NOTICE OF DECISION PROCEDURE

Company Name: Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors (In Liquidation)  
(**"the Company"**)

Company Number: 08028153

This Notice is given under Rule 15.8 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the Joint Liquidator of the Company, Sean Bucknall of Quantuma Advisory Limited, 3rd Floor, 37 Frederick Place, Brighton, Sussex, BN1 4EA (Tel No. 01273 322 409), who was appointed by the members and creditors.

It is proposed that the following decisions be made:

1. That the Joint Liquidators' fees be fixed by reference to the time given by them and their staff in attending to matters arising in the Liquidation, such time to be charged at the prevailing standard hourly charge out rates used by Quantuma Advisory Limited at the time the work is performed (plus VAT).

Also provided is a voting form on which creditors may signify their decisions on the above matters. All voting forms, together with a proof of debt if one has not already been submitted, must be completed and returned to the Joint Liquidator by one of the methods set out below:

By post to: Quantuma Advisory Limited, 3rd Floor, 37 Frederick Place, Brighton, Sussex, BN1 4EA

By email to: [BrightonVoting@Quantuma.com](mailto:BrightonVoting@Quantuma.com)

Please note that, if you are sending votes by post, you must ensure that you have allowed sufficient time for the forms to be delivered to the address above by the Decision Date set out below. An email is treated as delivered at 9am on the next business day after it was sent.

All voting forms and proofs of debt must be delivered by the Decision Date: 23.59 on 14 April 2022

If the Joint Liquidator has not received a proof of debt by the time specified above (whether submitted previously or as a result of this Notice), that creditor's vote will be disregarded. Any creditor whose debt is treated as a small debt in accordance with Rule 14.31(1) of the Rules must still deliver a proof if the creditor wishes to vote. A creditor who has opted out from receiving notices may nevertheless vote if the creditor also provides a proof by the Decision Date.

Creditors who meet one or more of the statutory thresholds listed below may, within 5 business days from the date of the delivery of this Notice, require a physical meeting to be held to consider the matter.

Statutory thresholds to request a meeting:	10% in value of the creditors
	10% in number of the creditors
	10 creditors

A creditor may appeal a decision by application to the court in accordance with Rule 15.35 of the Rules. Any such appeal must be made not later than 21 days after the Decision Date.

Signed: \_\_\_\_\_

Sean Bucknall  
Joint Liquidator

Dated: \_\_\_\_\_

18 March 2022

VOTE BY CORRESPONDENCE

Eldons Berkeley Limited t/a Eldons Berkeley Solicitors (in Liquidation)

Name of Creditor: \_\_\_\_\_

Address: \_\_\_\_\_

Decisions:

1	That the Joint Liquidators' fees be fixed by reference to the time given by them and their staff in attending to matters arising in the Liquidation, such time to be charged at the prevailing standard hourly charge out rates used by Quantuma Advisory Limited at the time the work is performed (plus VAT)	*For / Against
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\* Please delete as applicable to indicate your voting instructions

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

Name in capitals: \_\_\_\_\_

Position with, or relationship to, creditor or other authority for signature: \_\_\_\_\_

Are you the sole member/shareholder of the creditor (where it is a company)? Yes / No

Please complete this form and return it, along with a completed proof of debt if you have not submitted one previously, so that it is delivered by 23.59 on 14 April 2022, by:  
Post: Quantuma Advisory Limited, 3rd Floor, 37 Frederick Place, Brighton, Sussex, BN1 4EA  
Email: please scan in a signed copy of this form and attach it as a pdf [BrightonVoting@Quantuma.com](mailto:BrightonVoting@Quantuma.com)

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors (In Liquidation)

PROOF OF DEBT

PROOF OF DEBT - GENERAL FORM

Eldons Berkeley Limited Eldons Berkeley Solicitors

Date of commencement of Creditors' Voluntary Liquidation: 22 January 2021

DETAILS OF CLAIM		
1.	Name of Creditor (if a company, its registered name)	
2.	Address of Creditor (i.e. principal place of business)	
3.	If the Creditor is a registered company: <ul style="list-style-type: none"> <li>For UK companies: its registered number</li> <li>For other companies: the country or territory in which it is incorporated and the number if any under which it is registered</li> <li>The number, if any, under which it is registered as an overseas company under Part 34 of the Companies Act</li> </ul>	
4.	Total amount of claim, including any Value Added Tax, as at the date of administration, less any payments made after this date in relation to the claim, any deduction under R14.20 of the Insolvency (England & Wales) Rules 2016 and any adjustment by way of set-off in accordance with R14.24 and R14.25	£
5.	If the total amount above includes outstanding uncapitalised interest, please state	YES (£ ) / NO
6.	Particulars of how and when debt incurred	
7.	Particulars of any security held, the value of the security, and the date it was given	
8.	Details of any reservation of title in relation to goods to which the debt relates	
9.	Details of any document by reference to which the debt can be substantiated. [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
10.	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986	Category  Amount(s) claimed as preferential £
AUTHENTICATION		
Signature of Creditor or person authorised to act on his behalf		
Name in BLOCK LETTERS		
Date		
If signed by someone other than the Creditor, state your postal address and authority for signing on behalf of the Creditor		
Are you the sole member of the Creditor?		YES / NO

Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors (In Liquidation)

NOTICE OF INVITATION TO FORM A COMMITTEE

## NOTICE OF INVITATION TO FORM A LIQUIDATION COMMITTEE

Company Name: Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors ("**the Company**")  
In Liquidation

Company Number: 08028153

This Notice is given under Rule 6.19 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the Joint Liquidator of the Company, Sean Bucknall of Quantuma Advisory Limited, 3rd Floor, 37 Frederick Place, Brighton, Sussex, BN1 4EA, who was appointed by the Secretary of State.

Creditors are invited to nominate creditors (which may include themselves) by completing the section below and returning this Notice to the Joint Liquidator by one of the following methods:


By post to: Quantuma Advisory Limited, 3rd Floor, 37 Frederick Place, Brighton, Sussex, BN1 4EA  
By email to: [Andy.Simpson@quantuma.com](mailto:Andy.Simpson@quantuma.com)

Please note that, if you are sending nominations by post, you must ensure that you have allowed sufficient time for the Notice to be delivered to the address above by the date set out below. An email is treated as delivered at 9am on the next business day after it was sent.

All nominations must be delivered by: 12noon on 1 April 2022

Nominations can only be accepted if the Joint Liquidators are satisfied as to the nominated creditor's eligibility under Rule 17.4 of the Rules.

For further information on the role of Creditors' Committees, go to <http://www.quantuma.com/guide/guide-creditors-committee>.

Signed:   
Sean Bucknall  
Joint Liquidator

Dated: 18 March 2022

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NOMINATIONS FOR MEMBERS OF A LIQUIDATION COMMITTEE

Company Name: Eldons Berkeley Limited Trading As: Eldons Berkeley Solicitors ("**the Company**")  
In Liquidation

On behalf of (name of Creditor): \_\_\_\_\_ ,

at (address of Creditor): \_\_\_\_\_ ,

I nominate the following creditor(s) to be member(s) of a Liquidation Committee (provide name(s) and address(es)):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Name in capitals: \_\_\_\_\_

Position with, or relationship to, Creditor or other authority for signature: \_\_\_\_\_

Are you the sole member/shareholder of the Creditor (where it is a company)?

Yes / No