

# LIQ03

## Notice of progress report in voluntary winding up



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 6 5 4 5 3 2

Company name in full Nestlink Ltd

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Kikis

Surname Kallis

### 3 Liquidator's address

Building name/number Mountview Court

Street 1148 High Road

Post town Whetstone

County/Region London

Postcode N 2 0 0 R A

Country

### 4 Liquidator's name ①

Full forename(s)

Surname

#### ① Other liquidator

Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

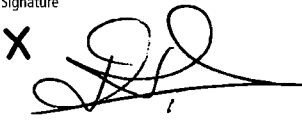
Country

#### ② Other liquidator

Use this section to tell us about  
another liquidator.

# LIQ03

## Notice of progress report in voluntary winding up

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

**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 **Christina Eleftheriou**

Company name **Kallis & Company**

Address **Mountview Court**

**1148 High Road**

Post town **Whetstone**

County/Region **London**

Postcode **N 2 0 0 R A**

Country

DX

Telephone **020 8446 6699**

**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)**



INSOLVENCY PRACTITIONERS

Mountview Court  
1148 High Road  
Whetstone  
London N20 0RA

T: 020 8446 6699  
F: 020 8492 6099  
E: [info@kallis.co.uk](mailto:info@kallis.co.uk)  
W: [www.kallis.co.uk](http://www.kallis.co.uk)

Private and Confidential  
To all known creditors

Our ref NES3389/KK/KG/PC/CNE/GM

Your ref

Date 8 October 2020

Dear Sirs

**Nestlink Ltd ("the Company") – In Creditors' Voluntary Liquidation**

Due to an administrative omission, this is my re-issued report to members and creditors following the 1<sup>st</sup> anniversary of my appointment as Liquidator.

This report has been produced during the Covid-19 restrictions. As a result, we had limited access to our physical case files and had to produce this from incomplete records on our IT system. We have taken every reasonable step to ensure that the information is accurate, but if anything is incorrect or incomplete, we will provide an explanation and corrected information upon request.

Kallis & Company 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 Kallis & Company uses your personal information on our website at [www.kallis.co.uk/legal](http://www.kallis.co.uk/legal).

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Michalis Thomas by email at [mike@kallis.co.uk](mailto:mike@kallis.co.uk), or by phone on 020 8446 6699.

Yours faithfully

Kikis Kallis  
LIQUIDATOR

Enc.

**Nestlink Ltd – In Creditors’ Voluntary Liquidation**

*LIQUIDATOR’S FIRST PROGRESS REPORT IN ACCORDANCE WITH RULE 18.3 OF THE  
INSOLVENCY RULES 2016 FOR THE PERIOD ENDING 06 AUGUST 2020*

Contents:

1. Statutory Information
1. Liquidator's Actions Since Appointment
2. Receipts And Payments
3. Assets
4. Liabilities
5. Dividend Prospects
6. Investigation Into The Affairs Of The Company
7. Liquidator's Remuneration
8. Liquidator's Expenses
9. Further Information
10. Summary

Appendices:

1. Receipts & Payments Account for the period from 07 August 2019 to 06 August 2020
2. A schedule of actions undertaken under each category for the period from 07 August 2019 to 06 August 2020
3. A schedule of Liquidator's time costs incurred for the period from 07 August 2019 to 06 August 2020
4. An explanatory note which shows Kallis & Company's fee policy
5. Proof of debt form

Nestlink Ltd – In Creditors' **Voluntary** Liquidation  
Formerly

## **LIQUIDATOR'S PROGRESS REPORT TO CREDITORS AND MEMBERS**

For the year ending 06 August 2020

### **1. STATUTORY INFORMATION**

Company name:	Nestlink Ltd
Registered office:	Mountview Court, 1148 High Road, Whetstone, London, N20 0RA
Former registered office:	12 Cockfosters parade, Cockfosters Road, Barnet, Herts, EN4 0BX
Registered number:	08654532
Liquidator's name:	Kikis Kallis
Liquidator's address:	Mountview Court, 1148 High Road, Whetstone, London, N20 0RA
Liquidator's date of appointment:	7 August 2019

### **2. LIQUIDATOR'S ACTIONS SINCE APPOINTMENT**

Since my appointment as the Liquidator following the Administration of the Company, I have carried out a number of tasks for the benefit of the liquidation estate, which are detailed below:

- Liaising with the Company Bankers with regards to the closing position of the bank account
- Dealing with HMRC in detail to establish the final position in respect of their investigations

There is certain work that I am required by the insolvency legislation to undertake in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since my appointment as Liquidator is contained in Appendix 2.

### **3. RECEIPTS AND PAYMENTS**

My Receipts & Payments Account for the period from 07 August 2019 to 06 August 2020 is attached at Appendix 1.

The balance of funds are held in an interest bearing estate bank account.

### **4. ASSETS**

All of the Company's assets were realised in the Company's Administration.

### **5. LIABILITIES**

#### Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company has no current charges over its assets.

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

#### Preferential Creditors

The director's statement of affairs did not anticipate that there would be any preferential creditors. However, a claim of £227.27 has been received from The National Insurance Fund.

#### Non-preferential unsecured Creditors

The director's statement of affairs included 8 unsecured creditors with an estimated total liability of £504,174.10, of which £462,467 is owed to HMRC. To date I have received claims from 9 creditors totalling £337,207.88, including HMRC's final claim of £310,656.02. To date I have not received claims from 2 creditor with original estimated claim in the director's statement of affairs of £88,000.

### 6. DIVIDEND PROSPECTS

Preferential Creditors- I am pleased to advise that a first and final dividend of 100p in the £ was paid to all preferential creditors on 1 October 2020.

Unsecured Creditors – I am pleased to advise that a first and final dividend of 9.45p in the £ was paid to all admitted unsecured creditors on 1 October 2020.

### 7. INVESTIGATION INTO THE AFFAIRS OF THE COMPANY

I undertook an initial investigation into the Company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved. I am required by the Statements of Insolvency Practice to undertake such an initial investigation and the work detailed below has been undertaken in connection with that initial investigation. Specifically, I recovered, listed and reviewed the Company's accounting records; obtained and reviewed copy bank statements for the 12 months prior to the Company ceasing to trade 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 the changes.

There were no matters that justified further investigation in the circumstances of this appointment.

Within three months of my appointment as Liquidator, I am required to submit a confidential report to the Secretary of State to include any matters which have come to my attention during the course of my work which may indicate that the conduct of any past or present Director would make them unfit to be concerned with the management of the Company. I would confirm that my report has been submitted.)

### 8. LIQUIDATOR'S REMUNERATION

My remuneration was previously authorised by creditors whilst the Company was in administration, on a fixed fee basis of £41,525.00 in respect of Administration & Planning, Financials, Realisation of Assets, Investigations and Creditors. These fees were in respect of my Administration and Liquidation remuneration. A sum of £31,525 was drawn in the Administration and the balance of £9,725.00 was drawn in the Liquidation.

I have drawn the full amount of £41,525.00 to 06 August 2020. No further fees to be drawn in the case.

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 <https://www.r3.org.uk/technical->



[library/england-wales/technical-guidance/fees/](http://www.kallis.co.uk/library/england-wales/technical-guidance/fees/). Once you access the link, scroll down to “Getting involved: Creditors’ Voluntary Liquidation” for the relevant details.

A copy of ‘A Creditors Guide to Liquidator’s Fees’ also published by R3 can be accessed at <http://www.kallis.co.uk/downloads> by clicking the link underneath “Insolvency Office Holders’ Fees. Please note that there are different versions of these Guidance Notes, and in this case please refer to “Guide to Liquidator’s Fees” under “Version 4 - issued April 2017”.

Kallis & Company’s fee policy, which is enclosed with this report in Appendix 4, can also be accessed at <http://www.kallis.co.uk/downloads> by clicking the link underneath “Kallis & Company’s Fee Policy”.

## 9. LIQUIDATOR’S EXPENSES

I have incurred expenses to 06 August 2020 of £183.00.

I have drawn £183.00 to date.

I have incurred the following expenses in the period since my appointment as Liquidator:

Type of expense	Amount incurred/ accrued in the reporting period
Statutory Advertising	£183.00

I have not incurred any category 2 disbursements in the period since my appointment as Liquidator.

## 10. FURTHER INFORMATION

An unsecured creditor may, with the permission of the Court, or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question), request further details of the 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.

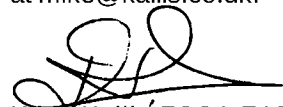
An unsecured creditor may, with the permission of the Court, or with the concurrence of 10% in value of the unsecured creditors (including the creditor in question), apply to Court to challenge the amount of remuneration charged by the Liquidator as being excessive, and/or the basis of the Liquidator’s 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.

To comply with the Provision of Services Regulations, some general information about Kallis & Company can be found at [www.kallis.co.uk/legal](http://www.kallis.co.uk/legal).

## 11. SUMMARY

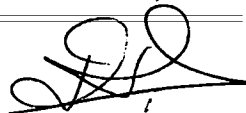
The Liquidation will remain open until all administrative matters are resolved. I estimate that this will take approximately 6 months and once resolved the Liquidation will be finalised and our files will be closed.

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Michalis Thomas on 020 8446 6699, or by email at [mike@kallis.co.uk](mailto:mike@kallis.co.uk).



KIRI KALLIS FCCA FABRP  
LIQUIDATOR

**Nestlink Ltd**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**  
**To 06/08/2020**

<b>S of A £</b>		<b>£</b>	<b>£</b>
	<b>ASSET REALISATIONS</b>		
15,000.00	Goodwill	NIL	
55,000.00	Furniture Fixtures Fittings and Equipm	NIL	
9,998.00	Stock	NIL	
1.00	Forward Bookings	NIL	
1.00	Employee Contracts	NIL	
Uncertain	Amex receipts	NIL	
	Surplus from Administration	37,165.45	
Uncertain	PDQ bankings	NIL	
	VAT receivable from Admin	9,094.04	
			46,259.49
	<b>COST OF REALISATIONS</b>		
	Administrator Fees	9,725.00	
	Statutory Advertising	183.00	
			(9,908.00)
	<b>UNSECURED CREDITORS</b>		
(11,707.10)	Trade & Expense Creditors	NIL	
Uncertain	Directors	NIL	
(30,000.00)	Banks/Institutions	NIL	
(8,467.00)	HM Revenue & Customs (PAYE)	NIL	
(118,000.00)	HM Revenue & Customs (CT)	NIL	
(281,000.00)	HM Revenue & Customs (Accrued VA	NIL	
(55,000.00)	HMRC VAT current period	NIL	
			NIL
<b>(424,174.10)</b>			<b>36,351.49</b>
	<b>REPRESENTED BY</b>		
	VAT Receivable		1,981.60
	Bank 1 Current Interest Bearing		32,992.77
	Vat Control Account		1,377.12
			<b>36,351.49</b>
			
			Kikis Kallis Liquidator

## APPENDIX 2 - A SCHEDULE OF ACTIONS UNDERTAKEN

### 1. Administration & Planning

- 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 required on appointment as office holder, 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.
- Seeking a decision from creditors to increase the office holder's remuneration.
- Dealing with all routine correspondence and emails relating to the case.
- Opening, maintaining and managing the office holder's estate bank account.
- Undertaking regular bank reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing an annual progress report to creditors and members.
- Filing returns at Companies House.

### 2. Financials

- Maintaining and managing the office holder's estate bank account.
- Maintaining and managing the office holder's cashbook.
- Preparing and filing VAT returns.
- Preparing and filing Corporation Tax returns.
- Undertaking regular bank reconciliations of the bank account containing estate funds.

### 3. Investigations

- Preparing a report or return on the conduct of the directors as required by the Company Directors Disqualification Act.
- 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.
- Reviewing books and records to identify any transactions or actions the office holder may take against a third party in order to recover funds for the benefit of creditors.

### 4. Creditors

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Issuing a notice of intended dividend and placing an appropriate gazette notice.
- Reviewing proofs of debt received from creditors, adjudicating on them and formally admitting them for the payment of a dividend.
- Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.
- Calculating a dividend to creditors, and issuing the notice of declaration of dividend.

## Analysis of Office Holder's time costs for the period 07/08/2019 To 06/08/2020



### Classification of Work Content

	Partner Hours	Senior Manager Hours	Manager Hours	Senior Hours	Support Hours	Total Hours	Total Cost (GBP)	Average Hourly Rate (GBP)
<b>Administration &amp; Planning</b>	<b>2.10</b>	<b>4.90</b>	<b>0.00</b>	<b>4.80</b>	<b>0.20</b>	<b>12.00</b>	<b>2,742.00</b>	<b>228.50</b>
AD1.1 - Case planning and review	1.60	4.90	0.00	0.00	0.00	6.50	1,899.50	292.23
AD1.2 - Ongoing administration matters	0.50	0.00	0.00	3.30	0.20	4.00	640.00	160.00
AD1.3 - Statutory notices & reporting	0.00	0.00	0.00	1.50	0.00	1.50	202.50	135.00
<b>Financials</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.20</b>	<b>2.80</b>	<b>3.00</b>	<b>321.00</b>	<b>107.00</b>
AD2.2 - Banking and reconciliations	0.00	0.00	0.00	0.00	0.90	0.90	99.00	110.00
AD2.3 - Expense reviews and payments	0.00	0.00	0.00	0.20	1.90	2.10	222.00	105.71
<b>Realisation of Assets</b>	<b>0.50</b>	<b>2.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3.00</b>	<b>921.00</b>	<b>307.00</b>
AD3.1 - Dealing with agents, asset and business sales	0.00	2.50	0.00	0.00	0.00	2.50	733.50	293.40
AD3.3 - Book debt collection	0.50	0.00	0.00	0.00	0.00	0.50	187.50	375.00
<b>Investigations</b>	<b>0.00</b>	<b>5.10</b>	<b>0.00</b>	<b>2.70</b>	<b>0.00</b>	<b>7.80</b>	<b>1,861.00</b>	<b>238.59</b>
AD4.1 - SIP 2 review & CDDA reports	0.00	5.10	0.00	0.00	0.00	5.10	1,496.50	293.43
AD4.3 - Investigations - antecedent transactions/misconduct	0.00	0.00	0.00	2.70	0.00	2.70	364.50	135.00
<b>Creditors</b>	<b>0.90</b>	<b>13.10</b>	<b>0.00</b>	<b>1.00</b>	<b>2.00</b>	<b>17.00</b>	<b>4,464.50</b>	<b>262.62</b>
AD5.1 - Communication with creditors	0.90	11.90	0.00	0.90	1.00	14.70	3,977.00	270.54
AD5.2 - Creditors' claims (including Employees' and other preferential creditors')	0.00	1.20	0.00	0.10	1.00	2.30	487.50	211.96
<b>Total Hours</b>	<b>3.50</b>	<b>25.60</b>	<b>0.00</b>	<b>8.70</b>	<b>5.00</b>	<b>42.80</b>		<b>240.88</b>
<b>Total Fees (GBP)</b>	<b>1,150.00</b>	<b>7,474.00</b>	<b>0.00</b>	<b>1,137.50</b>	<b>548.00</b>		<b>10,309.50</b>	

#### APPENDIX 4 - PRACTICE FEE RECOVERY POLICY FOR KALLIS & COMPANY

## PRACTICE FEE RECOVERY POLICY FOR KALLIS & COMPANY

### 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/helpsheets/>. 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 <http://www.kallis.co.uk/downloads>. Alternatively a hard copy may be requested from Kallis & Company, Mountview Court, 1148 High Road, London N20 0RA. Please note, that 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.

Grade of staff	Current charge-out rate per hour, effective from 01/10/2019	Previous charge-out rate per hour, effective from 01/10/2017	Previous charge-out rate per hour, effective from 01/10/2015	Previous charge-out rate per hour, effective from 01/10/2012
Senior Partner / appointment taker	£420			
Partner / appointment taker	£320-340	£295-375	£340-375	£275-£335
Senior Manager	£295	£285	£285	£275
Manager	£240	£225	£225	£170-£275
Senior/Case Administrator	£110-150	£125-175	£150-175	£90-£175
Support Staff	£100-110	£85-100	£85-100	£60-£85

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.

### Chargeout Rates

Where necessary and appropriate, members of staff from other departments of the practice will undertake work on a case. They will be charged at their normal charge out rate for undertaking such work.

These charge-out rates charged are reviewed on periodic basis and are 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; Financials; 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 continue to seek time costs for the majority of our cases.

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 Kallis & Company; 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 are recovered:

Room Hire	£50 per hour
Mileage	<a href="http://www.gov.uk/government/publications/rates-and-allowances-travel-mileage-and-fuel-allowances">www.gov.uk/government/publications/rates-and-allowances-travel-mileage-and-fuel-allowances</a>
Storage	£15 per box per annum
Destruction Costs	£5.50 per box

## APPENDIX 5 – PROOF OF DEBT FORM



Proof of Debt – General Form

Name of Company in Liquidation:	<div>Nestlink Ltd</div>
Company Registration Number:	<div>08654532</div>
Date of Liquidation:	<div>7 August, 2019</div>
1 Name of creditor  (If a company, please also provide the company registration number).	<div></div>
2 Correspondence address of creditor (including any email address)	<div></div>
3 Total amount of claim (£)  (include any Value Added Tax)	<div></div>
4 If amount in 3 above includes (£) outstanding uncapitalised interest, state amount.	<div></div>
5 Details of how and when the debt was incurred. (If you need more space, attach a continuation sheet to this form)	<div></div>
6 Details of any security held, the value of the security and the date it was given.	<div></div>
7 Details of any reservation of title claimed in respect of goods supplied to which the debt	<div></div>

relates.

8 Details of any document by reference to which the debt can be substantiated

9 Signature of creditor  
(or person authorised to act on the creditor's behalf)

10 Address of person signing if different from 2 above

11 Name in BLOCK LETTERS:

12 Position with, or relation to, creditor

13 Date of signature

Admitted to vote for

Admitted for dividend for

Amount (£)

Amount (£)

Date

Date

Kikis Kallis  
LIQUIDATOR

Kikis Kallis  
LIQUIDATOR

Notes:

1. There is no need to attach them now but the office holder may ask you to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the

chairman or convenor of any qualifying decision procedure.

2. This form can be authenticated for submission by email by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office holder. If completing on behalf of a company, please state your relationship to the company.