

LIQ03

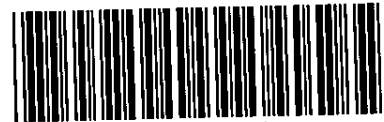
Notice of progress report in voluntary winding up



Companies House

For further information, please

SATURDAY



A20 *A7968EIZ* 30/06/2018 #18
COMPANIES HOUSE

| | |
|----------------------|------------------------|
| 1 | Company details |
| Company number | 0 6 3 0 6 7 7 7 |
| Company name in full | PEAK (2007) LIMITED |

filling in this form
Please complete in typescript or in bold black capitals.

| | |
|------------------|--------------------------|
| 2 | Liquidator's name |
| Full forename(s) | Dominic |
| Surname | Dumville |

| | |
|----------------------|-----------------------------|
| 3 | Liquidator's address |
| Building name/number | Old Station Road |
| Street | Loughton |
| Post town | Essex |
| County/Region | |
| Postcode | I G 1 0 4 P L |
| Country | |

| | |
|------------------|---------------------------------------|
| 4 | Liquidator's name ¹ |
| Full forename(s) | Nicholas W |
| Surname | Nicholson |

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

| | |
|----------------------|--|
| 5 | Liquidator's address ² |
| Building name/number | Old Station Road |
| Street | Loughton |
| Post town | Essex |
| County/Region | |
| Postcode | I G 1 0 4 P L |
| Country | |

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

LIQ03

Notice of progress report in voluntary winding up


6 Period of progress report

| | | | | | | | | | |
|-----------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|--|
| From date | ^d 0 | ^d 1 | ^m 0 | ^m 5 | ^y 2 | ^y 0 | ^y 1 | ^y 7 | |
| To date | ^d 3 | ^d 0 | ^m 0 | ^m 4 | ^y 2 | ^y 0 | ^y 1 | ^y 8 | |

7 Progress report

The progress report is attached

8 Sign and date

| | | | | | | | | | |
|------------------------|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|--|
| Liquidator's signature | Signature X  X | | | | | | | | |
| Signature date | ^d 3 | ^d 0 | ^m 0 | ^m 4 | ^y 2 | ^y 0 | ^y 1 | ^y 8 | |

LIQ03

Notice of progress report in voluntary winding up

Presenter information

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

Contact name **Dominic Dumville**

Company name **Haslers**

Address **Old Station Road**

Loughton

Post town **Essex**

County/Region

Postcode **I G 1 0 4 P L**

Country

DX

Telephone **020 8418 3333**

Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

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

Important information

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

Where to send

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

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

Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

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

PEAK (2007) LIMITED
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

| Statement of Affairs £ | From 01/05/2017 To 30/04/2018 £ | From 01/05/2012 To 30/04/2018 £ |
|--|---------------------------------------|---------------------------------------|
| ASSET REALISATIONS | | |
| Book Debts | NIL | 30,044.65 |
| Administration VAT Refund | NIL | 13,066.99 |
| Insurance Claim | NIL | 500.00 |
| Surplus from Administration | NIL | 70,064.43 |
| Bank Interest Gross | 51.20 | 468.45 |
| | <u>51.20</u> | <u>114,144.52</u> |
| COST OF REALISATIONS | | |
| Specific Bond | NIL | 400.00 |
| Former Administrators Fees | NIL | 577.09 |
| Joint Liquidators' remuneration | NIL | 54,500.00 |
| Office Holders Expenses | NIL | 75.05 |
| Travel | NIL | 1,564.78 |
| Agents/Valuers Fees (1) | NIL | 700.00 |
| Legal Fees (1) | 5,000.00 | 20,000.00 |
| Legal Disbursements | 10,035.58 | 10,723.08 |
| Corporation Tax | NIL | 174.71 |
| Stationery & Postage | NIL | 109.34 |
| Storage Costs | 129.60 | 860.70 |
| Statutory Advertising | NIL | 153.00 |
| Land Registry fees | NIL | 190.00 |
| | <u>(15,165.18)</u> | <u>(90,027.75)</u> |
| UNSECURED CREDITORS | | |
| (2,217,853.13) Trade and Expense Creditors | NIL | NIL |
| | <u>NIL</u> | <u>NIL</u> |
| DISTRIBUTIONS | | |
| (10,000.00) Ordinary Shareholders | NIL | NIL |
| | <u>NIL</u> | <u>NIL</u> |
| (2,227,853.13) | <u>(15,113.98)</u> | <u>24,116.77</u> |
| REPRESENTED BY | | |
| Vat Receivable | | 25.92 |
| Barclays Bank plc | | 24,090.85 |
| | | <u>24,116.77</u> |



Dominic Dumville
Joint Liquidator

PEAK (2007) LIMITED – IN CREDITORS' VOLUNTARY LIQUIDATION

JOINT LIQUIDATORS' PROGRESS REPORT TO CREDITORS AND MEMBERS
FOR THE YEAR ENDED 30 APRIL 2018

EXECUTIVE SUMMARY

The Company was previously in administration before converting to liquidation on 1 May 2012, Richard Hooper and Nick Nicholson were appointed Joint Liquidators on the same day.

In this case we initially identified potential claims and have undertaken extensive investigations with the advice of our solicitors, Moon Beaver.

Adverse costs insurance has been obtained and proceedings have been issued against a number of individuals.

The final return to creditors will be entirely dependent upon a successful conclusion to these legal proceedings.

STATUTORY INFORMATION

| | |
|--|---|
| Company name: | Peak (2007) Limited |
| Registered office: | Haslers, Old Station Road, Loughton IG10 4PL |
| Former registered office: | 9 Kellet Close, Martland Business Park, Wigan WN5 0LP |
| Registered number: | 06306777 |
| Joint Liquidators' names, address' and appointment dates | <p>Nicholas Nicholson Haslers, Old Station Road, Loughton, Essex IG10 4PL Appointed: 01/05/2012</p> <p>Dominic Dumville Haslers, Old Station Road, Loughton, Essex IG10 4PL Appointed: 15/04/2016</p> |
| Previous Office Holder: | <p>Richard Hooper Haslers, Old Station Road, Loughton, Essex IG10 4PL Appointed: 01/05/2012 Resigned: 15/04/2016</p> |
| Actions of Joint Liquidators' | Any act required or authorised under any enactment to be done by a Liquidator may be done by either or both of the Liquidators acting jointly or alone. |

JOINT LIQUIDATORS' ACTIONS SINCE LAST REPORT

As set out in more detail later in this report, a detailed and extensive investigation into the affairs of the company and the conduct of directors has been undertaken. This investigation covered a number of different aspects.

I have explored at length with my legal advisors my findings from the investigation and it has been determined that there are certain elements constituted viable claims. Accordingly, legal proceedings against a number of parties have been commenced.

Prior to commencing legal proceedings I was able to obtain insurance cover for adverse costs. The insurance is necessary to protect the Joint Liquidators from personal liability in the event that proceedings are unsuccessful and we, as applicants, are ordered to pay the respondents' costs. In the event of a successful outcome the insurance premium, together with my solicitors costs, will be paid out of sums recovered.

During the reporting period lengthy replies have been received from the Respondents including which have been responded to in a timely manner via my solicitors.

The nature of litigation is such that predicting when the legal proceedings might conclude is difficult, but in my experience it can take up to 3 years.

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

RECEIPTS AND PAYMENTS

My Receipts & Payments Account for the period from 1 May 2012 to 30 April 2018 is enclosed.

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

ASSETS

BANK INTEREST

Gross bank interest of £468.45 was received, of which £51.20 was received since 1 May 2017.

No other assets have been realised in the period since 1 May 2017.

LIABILITIES

SECURED CREDITORS

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.

GI (UK) Investments Limited ("GI") previously registered a charge against the Company's assets. GI did not provide the information we requested in respect of their alleged liability. Since GI has now been dissolved, I am not anticipating a claim from the secured creditor and therefore the prescribed part provisions will not apply.

PREFERENTIAL CREDITORS

The statement of affairs anticipated £23,777.45 in preferential creditors. Claims totaling £15,263.00 have been received to date.

CROWN CREDITORS

The statement of affairs included £117,600 owed to HMRC. A claim of £311,184.55 has been received from HMRC.

A claim for the amount of £165,623.54 has also been received from the redundancy payments office in respect of their unsecured claim in this matter.

UNSECURED CREDITORS

The statement of affairs included 115 unsecured creditors with an estimated total liability of £1,969,075.70. I have received claims from 15 creditors at a total of £643,567.43. To date I have not received claims from 100 creditors with original estimated claims in the statement of affairs of £992,916.47.

DIVIDEND PROSPECTS

SECURED CREDITORS

On the basis of the information presently available, there is no further liability to any secured creditor in this case.

PREFERENTIAL CREDITORS

The final outcome to preferential creditors will be dependent upon the outcome of our investigations and any action taken as a result of those investigations.

UNSECURED CREDITORS

As previously reported, the final outcome to creditors will be entirely dependent upon a successful conclusion of the ongoing legal proceedings. My costs, including legal expenses and my outstanding fees will need to be settled from any realisations from legal proceedings prior to a dividend being paid to unsecured creditors.

INVESTIGATION INTO THE AFFAIRS OF THE COMPANY

As previously reported, an investigation has been undertaken 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.

During my review a number of transactions came to light which required in-depth investigation and analysis. My team experienced considerable difficulties in obtaining the information required. These difficulties prolonged the investigation and caused unnecessary time costs to be incurred. The required information has been obtained and the in-depth review was concluded.

As indicated in the last report, I had identified a number of potential claims against both individuals and companies. Legal advice had been obtained as to the viability and recoverability of those identified claims which confirmed that the claims should be made.

The companies have been dissolved and proceedings have been issued against individuals, on advice and with the protection of adverse costs insurance cover.

At this stage I am unable to provide any more detail as doing so could prejudice the chances of the future success of the litigation.

JOINT LIQUIDATORS' REMUNERATION

Our remuneration was previously authorised by creditors at a meeting held on 28 June 2012 to be drawn on a time cost basis. My total time costs to 30 April 2018 amount to £388,652.42, representing 1,219.58 hours of work at an average charge out rate of £318.63 per hour, of which £77,752.50, representing 203 hours of work, was charged in the period since 1 May 2017, at an average charge out rate of £383.02 per hour.

I have drawn £54,500 to 30 April 2018, none of which was drawn in the period since 1 May 2017.

A schedule of my time costs incurred to date and in the period since 1 May 2017 is enclosed.

The complex and non-routine nature of the claims being made and the Respondents in this case means that I am required to use highly experienced staff to undertake the review and analysis in this 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 <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors Guide to Liquidators' Fees' also published by R3, is available at the link <https://www.haslers.com/services/insolvency/>. Please note that there are different versions of the Guidance Notes and in this case you should refer to the November 2011 version. An explanatory note which shows Haslers's fee policy is enclosed

JOINT LIQUIDATORS' EXPENSES

I have incurred expenses to 30 May 2018 of £34,905.86 of which £219.42 was incurred in the period since 1 May 2017. I have also incurred legal fees and expenses on which I comment below.

I have drawn expenses of £34,775.95 to date, of which £15,165.18 was drawn in the period since 1 May 2017.

I have incurred the following expenses, in addition to legal fees and expenses on which I comment below, in the period since my last progress report:

| Type of expense | Amount incurred/ accrued in the reporting period: |
|-----------------|---|
| Property search | £89.82 |
| Storage costs | £129.60 |

I have used the following agents or professional advisors in the reporting period:

| Professional Advisor | Nature of Work | Basis of Fees |
|----------------------|-----------------|-------------------------|
| Storage | Storage | Fixed fee |
| Land Registry | Property search | Fixed fee |
| Moon Beaver | Solicitors | Time costs on CFA basis |

Moon Beaver, Solicitors, have, to date, been paid £20,000 in relation to their time costs incurred in this matter and currently have unbilled work in progress amounting to £141,621 plus disbursements of £96,960.72, but excluding VAT of which approximately £169,581 was incurred during the period since 1 May 2017. The disbursements include counsel's fees. Moon Beaver and appointed counsel will also be entitled to receive an uplift on their time costs on a successful outcome in this matter. Moon Beaver and their appointed Counsel have assisted me in dealing with the legal claims mentioned above together with the replies, enquiries and negotiations arising from that claim.

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also consider that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and am satisfied that they are reasonable in the circumstances of this case.

FURTHER INFORMATION

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

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

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

SUMMARY

The Liquidation will remain open until the litigation has been fully resolved. I estimate that this will take approximately two years 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 Glenn Adams by email at Glenn.Adams@Haslers.com, or by phone on 020 8418 3333.



DOMINIC DUMVILLE
JOINT LIQUIDATOR

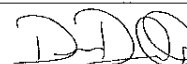
Appendix A1. Administration

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Dealing with all routine correspondence and emails relating to the case.
- Maintaining and managing the office holder's estate bank account.
- Maintaining and managing the office holder's cashbook.
- Undertaking regular bank reconciliations of the bank account containing estate funds.
- 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 annual progress reports to creditors and members.
- Filing returns at Companies House.
- Preparing and filing VAT returns.
- Preparing and filing Corporation Tax returns.

PEAK (2007) LIMITED
(In Liquidation)

Joint Liquidators' Summary of Receipts and Payments

| RECEIPTS | Statement of Affairs (£) | From 01/05/2012 To 30/04/2017 (£) | From 01/05/2017 To 30/04/2018 (£) | Total (£) |
|---------------------------------|---|--|--|----------------------|
| Book Debts | | 30,044.65 | 0.00 | 30,044.65 |
| Administration VAT Refund | | 13,066.99 | 0.00 | 13,066.99 |
| Insurance Claim | | 500.00 | 0.00 | 500.00 |
| Surplus from Administration | | 70,064.43 | 0.00 | 70,064.43 |
| Bank Interest Gross | | 417.25 | 51.20 | 468.45 |
| | | 114,093.32 | 51.20 | 114,144.52 |
| PAYMENTS | | | | |
| Specific Bond | | 400.00 | 0.00 | 400.00 |
| Former Administrators Fees | | 577.09 | 0.00 | 577.09 |
| Joint Liquidators' remuneration | | 54,500.00 | 0.00 | 54,500.00 |
| Office Holders Expenses | | 75.05 | 0.00 | 75.05 |
| Travel | | 1,564.78 | 0.00 | 1,564.78 |
| Agents/Valuers Fees (1) | | 700.00 | 0.00 | 700.00 |
| Legal Fees (1) | | 15,000.00 | 5,000.00 | 20,000.00 |
| Legal Disbursements | | 687.50 | 10,035.58 | 10,723.08 |
| Corporation Tax | | 174.71 | 0.00 | 174.71 |
| Stationery & Postage | | 109.34 | 0.00 | 109.34 |
| Storage Costs | | 731.10 | 129.60 | 860.70 |
| Statutory Advertising | | 153.00 | 0.00 | 153.00 |
| Land Registry fees | | 190.00 | 0.00 | 190.00 |
| Trade and Expense Creditors | (2,217,853.13) | 0.00 | 0.00 | 0.00 |
| Ordinary Shareholders | (10,000.00) | 0.00 | 0.00 | 0.00 |
| | | 74,862.57 | 15,165.18 | 90,027.75 |
| Net Receipts/(Payments) | | 39,230.75 | (15,113.98) | 24,116.77 |
| MADE UP AS FOLLOWS | | | | |
| Barclays Bank plc | | 38,885.18 | (14,794.33) | 24,090.85 |
| VAT Receivable / (Payable) | | 345.57 | (319.65) | 25.92 |
| | | 39,230.75 | (15,113.98) | 24,116.77 |



Dominic Dumville
Joint Liquidator

HASLERS

insolvency & recovery services

Peak (2007) Limited

Analysis of time costs from 01/05/12 to 30/04/18

| Categories | Time recorded (Hours) | | | | | | | Total Time | Total Sum of Charge | Average Hourly Rate |
|---|-----------------------|---------|----------------------|---------------|--------|--------|--------|------------|---------------------|---------------------|
| | Partner | Manager | Senior Administrator | Administrator | Junior | Junior | Junior | | | |
| Case Planning | 13.10 | 25.93 | 5.30 | 52.78 | 4.00 | | | 101.12 | 21,609.75 | 213.71 |
| Administrative Set-up | | | 1.00 | 1.20 | | | | 2.20 | 339.00 | 154.09 |
| Appointment Notification | | | 1.30 | | | | | 3.32 | 435.00 | 131.16 |
| Maintenance of Records | 10.60 | 18.90 | 8.70 | 11.50 | 1.20 | | | 50.90 | 13,251.92 | 260.35 |
| Statutory Reporting | 4.90 | 24.40 | 0.90 | 15.95 | 5.40 | | | 51.55 | 12,265.00 | 237.92 |
| SIP 2 Review | | | | 2.50 | | | | 2.50 | 300.00 | 120.00 |
| CDDA Reports | | 12.00 | | 15.80 | | | | 27.80 | 5,443.50 | 195.81 |
| Investigating Antecedent Transactions | 321.55 | 497.05 | 0.70 | 6.90 | 38.30 | | | 864.50 | 305,143.50 | 352.97 |
| Identifying, Securing, Insuring Assets | 4.30 | | 0.30 | 0.85 | | | | 5.45 | 2,075.00 | 380.73 |
| Debt Collection | | 68.55 | 0.30 | | | | | 68.85 | 20,980.50 | 304.73 |
| Property, Business and Asset Sales | | 2.55 | 1.70 | | | | | 4.25 | 1,122.00 | 264.00 |
| Communications With Creditors | | 0.85 | 3.70 | 1.20 | | | | 5.75 | 1,101.50 | 191.57 |
| Creditors' Claims (inc. Employees and Preferential) | | 2.00 | 3.90 | 0.35 | | | | 6.35 | 1,421.00 | 223.78 |
| Case Specific Matters | 1.90 | 0.90 | | 0.60 | | | | 3.40 | 1,032.00 | 303.53 |
| Non-formal app Work | | | | | 1.30 | | | 1.30 | 39.00 | 30.00 |
| INS Cashiering | | | 1.85 | 18.50 | | | | 20.35 | 2,093.75 | 102.89 |
| | 356.35 | 653.13 | 29.65 | 128.13 | 52.32 | | | 1,219.58 | 388,652.42 | 318.68 |

Peak (2007) Limited

Analysis of time costs from 01/05/17 to 30/04/18

| Categories | Time recorded (Hours) | | | | | | Total Time | Total Sum of Charge | Average Hourly Rate |
|---------------------------------------|-----------------------|---------|----------------------|---------------|--------|--|------------|---------------------|---------------------|
| | Partner | Manager | Senior Administrator | Administrator | Junior | | | | |
| Case Planning | 2.80 | 1.70 | | 2.10 | 0.85 | | 7.45 | 1,999.00 | 268.32 |
| Maintenance of Records | | 1.00 | | 0.40 | | | 1.40 | 363.50 | 259.64 |
| Statutory Reporting | 2.00 | 1.80 | | 4.90 | | | 8.70 | 2,181.00 | 250.69 |
| Investigating Antecedent Transactions | 81.75 | 99.50 | | | | | 181.25 | 72,515.00 | 400.08 |
| Case Specific Matters | 1.00 | | | 0.60 | | | 1.60 | 432.00 | 270.00 |
| INS Cashiering | | 104.00 | | 2.60 | | | 2.60 | 262.00 | 100.77 |
| | 87.55 | | | 10.60 | 0.85 | | 203.00 | 77,752.50 | 383.02 |

PROVISION OF SERVICES REGULATIONS SUMMARY SHEET FOR HASLERS

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

Licensing Body

Nicholas Nicholson, Stratford Hamilton and Dominic Dumville are licensed to act as Insolvency Practitioners in the United Kingdom by the Institute of Chartered Accountants in England and Wales.

Nicholas Nicholson and Stratford Hamilton are Members of the Insolvency Practitioners Association. Dominic Dumville is a Member of the Association of Chartered Certified Accountants.

Haslers is also a member of the ICAEW, Institute of Chartered Accountants in England and Wales.

Rules Governing Actions

All IPs are bound by the rules of their professional body, including any that relate specifically to insolvency. The rules of the professional body that licences Haslers can be found at <http://www.icaew.com/en/membership/regulations-standards-and-guidance/insolvency/insolvency-regulations-and-guidance>. In addition, IPs are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at <https://www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice>.

Ethics

All IPs are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at <http://www.icaew.com/en/technical/insolvency/insolvency-regulations-and-standards>.

Complaints

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

If you consider that the IP has not dealt with your comments or complaint appropriately you should then put details of your concerns in writing to our complaints officer Jon O'Shea, Haslers, Old Station Road, Loughton, Essex IG10 4PL. This will then formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior partner unconnected with the appointment.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency

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

Professional Indemnity Insurance

Haslers' Professional Indemnity Insurance is provided by Axis Speciality SE, of Willis Limited, 51 Lime Street, London EC3M 7DQ. This professional indemnity insurance provides worldwide coverage.

VAT

Haslers is registered for VAT under registration no. 978 0506 90.

PRACTICE FEE RECOVERY POLICY FOR HASLERS

Introduction

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

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. Details about how an office holder's fees may be approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at <http://www.haslers.com/services/insolvency/>. Alternatively a hard copy may be requested from Haslers, Old Station Road, Loughton, Essex IG10 4PL . 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.

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

| Grade of staff | Current charge-out rate per hour, effective from 1 January 2018 £ | Previous charge-out rate per hour, effective from 1 January 2017 £ |
|-----------------------------|--|---|
| Partner – appointment taker | 375-510 | 375-510 |
| Manager | 285-320 | 285-320 |
| Senior Administrator | 195-250 | 195-250 |
| Case Administrator | 95-165 | 95-165 |
| Cashier | 100 | 100 |

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 1 January each year 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.
- Maintenance of records
- Investigations.
- Realisation of Assets.
- Creditors.
- Case specific matters.
- Statutory reporting.

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 seek time costs for all categories of work

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.

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 Haslers; 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. It is not Haslers' policy to charge for such costs.