

# 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 0 5 8 5 2 9 7

Company name in full Arthur Brook (Dewsbury) Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Andrew

Surname McTear

### 3 Liquidator's address

Building name/number Prospect House

Street Rouen Road

Post town Norwich

County/Region

Postcode N R 1 1 R E

Country

### 4 Liquidator's name ①

Full forename(s) Anthony

Surname Davidson

#### ① Other liquidator

Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number Prospect House

Street Rouen Road

Post town Norwich

County/Region

Postcode N R 1 1 R E

Country

#### ② Other liquidator

Use this section to tell us about  
another liquidator.

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**6** Period of progress report

From date	<sup>d</sup> 1	<sup>d</sup> 5	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2	
To date	<sup>d</sup> 1	<sup>d</sup> 4	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 3	

**7** Progress report

<input checked="" type="checkbox"/> The progress report is attached	
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**8** Sign and date

Liquidator's signature	Signature X		X						
Signature date	<sup>d</sup> 0	<sup>d</sup> 9	<sup>m</sup> 0	<sup>m</sup> 5	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 3	

**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	Sarah Townshend
Company name	McTear Williams & Wood Limited
Address	Prospect House
	Rouen Road
Post town	Norwich
County/Region	
Postcode	N R 1 1 R E
Country	
DX	
Telephone	01603 877540

**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)**

Contact Sarah Townshend  
Direct dial 01603 877644  
Email sarahtownshend@mw-w.com

Your ref  
My ref arth1704/514

**26 Bedford Square**  
**London**  
**WC1B 3HP**  
**Office 0203 405 5450**  
**Fax 0207 580 5487**



## **To all known creditors/members**

9 May 2023

Dear Sirs

### **Arthur Brook (Dewsbury) Limited (in compulsory liquidation) (“the Company”) In the County Court at Manchester No 2035 of 2016**

I refer to my appointment as joint liquidator of the Company on 15 March 2016. This is my seventh annual progress report to creditors and covers the work done during the 12 months to 14 March 2023. This report should be read in conjunction with my previous progress reports.

#### **1 Receipts and payments**

Attached as Appendix 1 is a copy of my receipts and payments for the period 15 March 2016 to 14 March 2023 which has been reconciled to the account held by the Secretary of State. These are shown net of VAT.

#### **2 Overview**

The Official Receiver's report to creditors, which was drawn up without making an allowance for the cost of the liquidation, showed that there would be no funds available for creditors.

I still anticipate that there will be sufficient funds to enable a dividend to be paid to unsecured creditors however the timing and quantum of payment is uncertain at present.

#### **3 Assets**

##### **3.1 Investigations/settlement of claims**

As previously reported I investigated various transactions which the Company entered into prior to my appointment. I instructed my solicitors Isadore Goldman (“IG”) to assist with my investigations and claims of £1,900,000 were identified.

Settlement was reached with all parties involved and terms have now been finalised. Whilst the terms of the settlement agreement are confidential I can confirm that

settlement was reached at £1,635,000 to be paid by way of instalments ending November 2027. IG have received the first instalment which is currently being used to meet legal expenses and is therefore not shown on the receipts and payments account attached as Appendix 1.

#### **4 Creditors' claims**

There are currently no funds available for preferential or unsecured creditors and therefore no formal adjudication of claims has taken place.

There are provisions of the insolvency legislation that require a liquidator to set aside a percentage of a company's assets for the benefit of the unsecured creditors in cases where the company gave a "floating charge" over its assets. This is known as the "prescribed part of the net property" ("prescribed part"). If the charge is dated on or after 15 September 2003 the prescribed part is calculated as 50% of the first £10,000 of the net property and 20% of the remaining net property up to a maximum of £600,000 unless dated on or after 6 April 2020 in which case it is subject to a maximum of £800,000. Although the Company granted a fixed and floating charge to Barclays Bank Plc on 14 September 2011 the prescribed part provisions will not apply due to the nature of the funds to be received from the settlement agreement.

#### **5 Statutory matters**

In accordance with Rule 18.3 of the Insolvency (England and Wales) Rules 2016 I confirm the following:

- Court name and reference: County Court at Manchester No 2035 of 2016
- Company name: Arthur Brook (Dewsbury) Limited
- Registered office: Prospect House, Rouen Road, Norwich, NR1 1RE
- Registered number: 00585297
- Liquidators: Andrew McTear and Anthony Davidson
- Liquidators' address: 26 Bedford Square, London, WC1B 3HP
- Liquidators' contact number: 0203 405 5450
- Date of appointment: 15 March 2016

#### **6 Remuneration and expenses**

##### **6.1 Remuneration and expenses**

My remuneration as joint liquidator was authorised by creditors on 1 June 2020 by a resolution by correspondence as set out in my revised fee estimate consisting of time costs capped at £308,561 (as previously approved by creditors on 30 April 2018), plus an additional fee of 50% of asset realisations achieved above £308,561 subject to an overall cap of 125% of time costs. That estimate acts as a cap and I cannot draw remuneration in excess of that without first seeking approval from creditors. In addition, creditors resolved that I be permitted to recover category 2 expenses.

My total time costs from the date of my appointment to 14 March 2023 amount to £792,595 representing 2,315 hours of work at a blended rate of £342 per hour of which £37,932 representing 85 hours of work was done and charged (pursuant to Rule 1.2(4) of the Insolvency (England and Wales) Rules 2016) in the period covered by this report at a blended rate of £448 per hour. However, I have not yet been able to draw any remuneration in this matter.

Attached as Appendix 2 is a summary of my firm's time costs for the period covered by this report and attached as Appendix 3 is a summary of my firm's total time costs from the commencement of the liquidation to 14 March 2023. Also attached as Appendix 4 is a comparison of the actual time spent with my fee estimate.

As at 14 March 2023 my total time costs have exceeded the fee estimate set out in my revised fee estimate due to more time being spent completing my investigations in the Company's affairs, pursuing the subsequent claims identified and finalising the settlement. However, I do not propose to seek an increased fee.

## 6.2 *Future work*

Future work still required is as follows:

**Admin and planning** – the future routine administrative work required to be carried out includes dealing with general correspondence and queries, case management and case progression reviews, compliance with regulatory requirements and dealing with closure matters. All of this work is required by statute or best practice.

**Creditors** – the future work required will include statutory reporting, general correspondence with creditors and shareholders, agreeing creditors' claims and paying dividends. Most of this work is required by statute and any dividends paid will be of financial benefit to creditors.

**Realisation of assets** – the future work required will include receiving funds under the settlement agreement detailed in Section 3.1.

The relevant creditors' guide to liquidators' fees in a liquidation which came into force in April 2021 and a copy of our trade body R3s 'Insolvency fees and the costs of regulation' guide together with this firm's charging and expenses recovery policy can be found on our website [www.mw-w.com](http://www.mw-w.com) by clicking on information hub and then fees and costs or copies can be requested from this office. Our current charge out rates are director £690, associate director/licensed insolvency practitioner £640, associate £580, senior manager/manager £490-£520, assistant manager/senior professional £410-£440, administrator £310, assistant £180, assistant administrator £165 and trainee £85. Our charge out rates are reviewed annually and since 1 January 2003 have increased as detailed in our policy document.

## 6.3 *Liquidation expenses*

Details of the liquidation expenses incurred in the period of this report are attached as Appendix 6.

## 6.4 *Further information*

Within 21 days from receipt of this report creditors may request further information about the remuneration and expenses set out in the report. The request must be made in

writing and made either by a secured creditor or an unsecured creditor or creditors that total at least 5% in value of unsecured creditors or the permission of the Court. Other than in specific circumstances, which if applicable we would explain, we will provide this within 14 days.

In addition, within eight weeks of receipt of the report creditors may apply to Court to challenge the amount and/or basis of the liquidator's fees and the amount of any proposed expenses or expenses already incurred. The application may be made by a secured creditor, or by unsecured creditor(s) that total at least 10% in value of the creditors or with the permission of the Court.

I am required to inform you that I am bound by the Insolvency Code of Ethics and further information on this, complaints procedures, our data protection/privacy statement, provision of services regulations and other statutory regulatory information can also be found on our website by clicking on information hub and then key information for creditors.

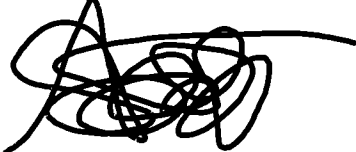
## **7 Closure**

The following matters are outstanding:

- Collect settlement monies as and when they fall due.
- Declare and pay a dividend to unsecured creditors.
- Commence closing procedures.

If you require any further information please do not hesitate to contact Sarah Townshend at the above address.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Andrew McTear', with a long horizontal line extending to the right.

Andrew McTear  
*Joint Liquidator*

Enclosures

Arthur Brook (Dewsbury) Limited  
(In Liquidation)  
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 15/03/2022 To 14/03/2023 £	From 15/03/2016 To 14/03/2023 £
	ASSET REALISATIONS		
NIL	Bank Interest Gross	NIL	0.49
NIL	Refund of bank charges	NIL	447.67
		NIL	448.16
	COST OF REALISATIONS		
	BIS Fees	88.00	616.00
	Corporation Tax	NIL	0.10
	OR debit balance	NIL	1,270.00
		(88.00)	(1,886.10)
		(88.00)	(1,437.94)
	REPRESENTED BY		
	ISA - interest bearing		(1,437.94)
			(1,437.94)



Time Entry - SIP9 Time & Cost Summary

ARTH1704 - Arthur Brook (Dewsbury) Limited  
Project Code: POST  
From: 15/03/2022 To: 14/03/2023

Classification of Work Function	Directors	Associates & Managers	Assistant Mgrs & Snr professionals	Case Administrators	Assistants & Trainees	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	1.70	9.10	1.20	4.70	3.40	20.10	7,892.00	392.64
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	6.15	0.20	5.70	2.30	14.35	4,871.50	339.48
Investigations	0.00	3.10	0.30	0.00	0.20	3.60	1,917.00	532.50
Realisation of Assets	13.90	25.00	0.40	6.80	0.50	46.60	23,251.50	498.96
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	15.60	43.35	2.10	17.20	6.40	84.65	37,932.00	448.10
Total Fees Claimed							0.00	
Total Disbursements Claimed							0.00	

## Time Entry - Detailed SIP9 Time & Cost Summary

ARTH1704 - Arthur Brook (Dewsbury) Limited  
 From: 15/03/2016 To: 14/03/2023  
 Project Code: POST

Classification of Work Function	Directors	Associates & Managers	Assistant Mgrs & Snr professionals	Case Administrators	Assistants & Trainees	Total Hours	Time Cost (£)	Average Hourly Rate (£)
100 : Statutory filing and reporting	1.60	0.80	1.20	6.20	3.80	13.60	2,433.50	178.93
101 : Case Set-up	2.80	0.10	10.70	5.50	0.10	19.20	4,613.00	240.26
103 : Post appointment bank account	0.00	2.90	2.60	2.50	8.50	16.50	3,221.00	195.21
105 : Secretarial	0.00	0.00	0.10	0.20	18.05	18.35	2,285.50	124.55
107 : Travelling	0.00	13.40	0.00	0.00	0.00	13.40	4,668.00	348.36
108 : VAT and tax	0.00	0.00	0.90	3.40	0.40	4.70	734.50	156.28
112 : Company's books & records-collection, listing et	0.50	0.30	2.80	3.40	4.00	11.00	1,697.50	154.32
113 : Appointment formalities	2.50	1.00	0.00	1.80	4.10	9.40	2,398.50	255.16
114 : Checklists & IPS diary	0.00	8.20	4.20	3.40	0.90	16.70	5,657.50	338.77
115 : Case strategy & reviews	6.80	44.50	13.80	8.40	5.20	78.70	29,096.00	369.71
116 : Prioritising & agreeing next steps	0.40	0.00	0.00	0.20	0.50	0.50	180.00	300.00
117 : Case progression meetings	20.10	53.65	12.80	4.60	5.60	96.75	37,006.50	382.50
118 : Fees & billing	2.90	4.40	3.60	2.50	7.00	20.40	6,031.00	295.64
120 : Bonding and pre appt insurance	0.00	0.90	8.00	1.40	2.30	12.60	2,819.00	223.73
<b>Admin &amp; Planning</b>	<b>37.60</b>	<b>130.15</b>	<b>60.70</b>	<b>43.50</b>	<b>59.95</b>	<b>331.90</b>	<b>102,841.50</b>	<b>309.86</b>
501 : Creditors - RPS claims	0.00	0.10	0.00	0.00	0.00	0.10	33.00	330.00
506 : Unsecured - general correspondence	0.70	3.90	7.20	0.90	8.45	21.15	4,894.00	231.39
508 : Employees & RPS	0.00	0.00	0.00	0.80	0.10	0.90	100.50	111.67
510 : Unsecured - adjudicate, declare & pay	3.00	0.00	0.00	0.00	0.00	3.00	1,526.00	508.67
513 : Pension	0.00	0.10	0.00	1.80	0.00	1.90	249.00	131.05
514 : Reporting to creditors	9.10	19.85	18.60	7.50	26.20	81.25	24,809.00	305.34
515 : VAT / Tax	0.00	17.60	0.30	0.20	0.00	18.10	8,167.50	451.24
<b>Creditors</b>	<b>12.80</b>	<b>41.55</b>	<b>26.10</b>	<b>11.20</b>	<b>34.75</b>	<b>126.40</b>	<b>39,779.00</b>	<b>314.71</b>
200 : Investigations	45.00	97.00	337.60	0.30	17.80	497.70	132,757.00	266.74
202 : SIP2 / CDDA	0.00	1.70	0.00	0.00	0.00	1.70	1,003.00	590.00
203 : Directors' correspondence/questionnaire	0.00	0.00	0.70	0.30	0.00	1.00	239.00	239.00
204 : Books and records	0.00	3.90	14.20	0.20	13.70	32.00	8,273.50	258.55
205 : Investigating potential claims	10.80	132.05	143.70	2.20	152.50	441.25	125,678.75	284.82
<b>Investigations</b>	<b>55.80</b>	<b>234.65</b>	<b>496.20</b>	<b>3.00</b>	<b>184.00</b>	<b>973.65</b>	<b>267,951.25</b>	<b>275.20</b>
302 : Assets - other debts	1.50	6.75	3.80	0.00	0.00	12.05	3,926.00	325.81
306 : Insurance	0.00	0.00	0.10	2.50	0.00	2.60	357.50	137.50
307 : Chattel	0.00	1.50	9.10	3.60	2.80	17.00	3,551.00	208.88
308 : Property	0.10	15.30	10.20	28.20	21.10	74.90	18,456.00	246.41
310 : Civil recovery action & litigation	275.90	404.10	34.10	12.90	18.90	745.90	347,955.50	466.49
311 : Pre appointment bank account	0.10	0.40	5.20	3.30	8.20	17.20	3,238.00	188.26
312 : Director's loan account	0.00	1.50	0.00	0.00	0.00	1.50	665.00	443.33
320 : VAT / Tax	4.60	0.80	1.50	0.70	4.00	11.60	3,874.00	333.97
<b>Realisation of Assets</b>	<b>282.20</b>	<b>430.35</b>	<b>64.00</b>	<b>51.20</b>	<b>55.00</b>	<b>882.75</b>	<b>382,023.00</b>	<b>432.76</b>
<b>Total Hours</b>	<b>388.40</b>	<b>836.70</b>	<b>647.00</b>	<b>108.90</b>	<b>333.70</b>	<b>2,314.70</b>	<b>792,594.75</b>	<b>342.42</b>
<b>Total Fees Claimed</b>							<b>0.00</b>	

# Time Entry - Detailed SIP9 Time & Cost Summary

ARTH1704 - Arthur Brook (Dewsbury) Limited  
From: 15/03/2016 To: 14/03/2023  
Project Code: POST

Classification of Work Function	Directors	Associates & Managers	Assistant Mgrs & Snr professionals	Case Administrators	Assistants & Trainees	Total Hours	Time Cost (£)	Average Hourly Rate (£)
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# Time Entry - SIP9 Time & Cost Summary

## Category 2 Disbursements

ARTH1704 - Arthur Brook (Dewsbury) Limited  
Project Code: POST  
From: 15/03/2016 To: 14/03/2023

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest.

Transaction Date	Type and Purpose	Amount
11/05/2017	Photocopying	0.20
01/02/2020	Quarterly Bulk Photocopying - 01.11.19 - 31.01.20	10.50
	Total	10.70

## Appendix 4

### Arthur Brook (Dewsbury) Limited (in compulsory liquidation)

#### Comparison of actual time spent to the anniversary with the fee estimate

Insolvency practitioner fee estimate	Note	Estimated hours	Estimated average rate £	Estimated cost £	Actual hours	Actual average rate £	Actual cost £
Admin and planning	1	256	271	69,434	332	310	102,842
Creditors	2	29	180	5,218	126	315	39,779
Investigations	3	532	270	143,540	974	275	267,951
Realisations of assets	4	245	369	90,369	883	433	382,023
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
		1,062	290	308,561	2,315	342	792,595
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

#### Notes

The work undertaken on this case includes routine administrative functions, statutory and compliance work required by statute, professional regulatory guidance or is otherwise necessary for the orderly conduct of the proceedings. Whilst this may not produce any direct benefit for creditors it still has to be carried out.

The appendix above details work under the following classifications:

#### 1 Admin & planning

This encompasses work required by statute and necessary for case progression.

I have exceeded the cost detailed in my initial estimate as the case has remained open longer than anticipated in order to complete my investigations into the Company's affairs. As a result of this I have incurred further time costs in relation to maintaining the day to day running of the case. The actual average rate is also higher than originally anticipated due to the work being carried out by more senior members of staff.

A schedule of routine work typically undertaken is attached as Appendix 5. In the period covered by the report I have dealt with the ticked items.

## **2 Creditors**

This includes statutory reporting, corresponding with creditors, reviewing completed creditor claim forms and maintaining claim records. Following the receipt of funds under the settlement agreement this will also involve agreeing creditors' claims and declaring and paying a dividend.

I have exceeded the cost detailed in my initial estimate due to the case remaining open longer than anticipated to progress and complete my investigations and resulting settlement and as a result I have spent more time preparing statutory reports to creditors. The average rate is also higher than the original estimate due to work being completed by more senior members of staff.

A schedule of routine work typically undertaken is attached as Appendix 5. In the period covered by the report I have dealt with the ticked items.

## **3 Investigations**

As reported previously the Official Receiver has a statutory obligation to investigate the conduct of the director and will have filed their report with the Department for Business Energy & Industrial Strategy. Non-statutory work required includes reviewing the Company's accounting records to identify any potential assets and claims to be pursued for the benefit of creditors.

I have exceeded the cost detailed in my initial estimate due to the high level of in-depth investigations carried out into the Company's affairs and the work involved with issuing proceedings. Although the actual costs and hours are higher than estimated this work has been necessary in order to reach the agreed settlement which will be of financial benefit to creditors.

A schedule of routine work typically undertaken is attached as Appendix 5. In the period covered by the report I have dealt with the ticked items.

## **4 Realisation of assets**

To discharge my duty to realise the assets of the Company this includes identifying and realising assets, instructing and liaising with solicitors and pursuing any antecedent transactions claims identified.

I have significantly exceeded the cost detailed in my initial estimate as a result of the investigation work detailed above and the subsequent proceedings issued as a result of the amended claims identified. The actual average rate is also higher than anticipated as the required work has been completed by more senior members of staff. The funds recovered by way of the agreed settlement will be of financial benefit to creditors.

A schedule of routine work typically undertaken is attached as Appendix 5. In the period covered by the report I have dealt with the ticked items.

## Routine work undertaken

Time spent on casework is recorded in 6 minute units under the following categories:

### Admin and planning

#### Appointment formalities

Carried out in  
period of report

- Collating initial information to enable us to carry out our statutory duties including creditor information, details of assets and other information. ┐
- Providing initial statutory notifications of our appointment to the Registrar of Companies, clients, creditors, other stakeholders and advertising our appointment. ┐
- Submitting initial notifications to HM Revenue & Customs. ┐
- Ensuring compliance with statutory obligations arising from the Insolvency Act 1986 within the relevant timescales. ┐
- Arranging for the redirection of the Company's mail. ┐

#### Post appointment bank account

- Preparing and processing vouchers for the receipt of funds received. ┐
- Preparing and processing vouchers for the payment of post appointment invoices. ┐
- Requesting remittances from the Insolvency Services Account and sending payments to settle post appointment invoices. ┐
- Reconciling Insolvency Services Account. ✓

#### Checklists & IPS diary

- Use of multiple checklists and standard and modified diaries on our case management software. ✓

#### Case strategy & reviews

- Use of case review templates and internal review meetings. ✓

#### Case progression meetings

- Formulating, monitoring and reviewing case strategy and meetings with internal and external parties to agree the same. ┐
- Briefing staff on the case strategy and matters in relation to various work streams. ┐
- Regular reviews of progress and case management including team update meetings and calls. ✓
- Reviews, routine correspondence and other work. ✓
- Allocating and managing staff/case resourcing and reviews. ✓
- Documenting strategy decisions. ✓

#### Fees & Billing

- Seeking a decision from creditors to fix the basis of remuneration. ┐
- Reviewing time costs data and producing analysis of time incurred which is compliant with Statement of Insolvency Practice 9. ✓

#### Bonding

- Arranging bonding and, if necessary, reviewing the adequacy of the bond on a quarterly basis. ┐

Note: Insolvency practitioners when appointed to act must have in place a bond which contains provisions whereby a surety or cautioner undertakes to be jointly or severally liable for losses in relation to the insolvent.

#### **Closing formalities**

- Obtaining closure clearance from Government departments. ┐
- Preparing and issuing a final account to members and creditors. ┐
- Preparing and sending final account to Companies House/the Court/Official Receiver. ┐

### **Creditors**

#### **Shareholders**

- Providing notification of appointment and reports to shareholders. ┐
- Responding to enquiries from shareholders. ┐

#### **Secured**

- Agreeing secured creditors claims including checking the validity of security ┐

#### **Preferential – adjudicate, declare & pay**

- Agreeing preferential creditors' claims ┐
- Issuing notice of intended dividend, declaring dividend and making payment. ┐

#### **Unsecured – general correspondence**

- Seeking to pass resolutions by correspondence and convening and preparing for meetings of creditors if requested. ┐
- Creating and updating the list of unsecured creditors. ┐
- Responding to enquiries from creditors regarding submission of their claims. ┐
- Reviewing completed forms submitted by creditors, recording claim amounts and maintaining claim records. ┐

#### **Committee**

- Forming a creditors' committee, reporting and liaising as necessary ┐

#### **Employees & RPS**

- Dealing with queries from employees regarding various matters relating to their employment if applicable. ┐
- Dealing with statutory employment related matters including obtaining information from Company records, statutory notices to employees and making statutory submissions to the relevant government departments if applicable. ┐
- Administering the Company's payroll including associated taxation and other deductions and preparing PAYE and NIC returns where applicable. ┐
- Preparing payroll payments for retained staff, dealing with salary related queries and confirming payments with the employee's banks. ┐
- Communicating and corresponding with HM Revenue & Customs. ┐
- Dealing with issues arising from employee redundancies including statutory notifications and liaising with the Redundancy Payments Service if applicable. ┐
- Managing claims from employees if applicable. ┐



- Processing and agreeing Redundancy Payments Service claims



#### **Landlords**

- Dealing with landlord's claims for arrears of rent, loss of future rent and dilapidations.



#### **Unsecured – adjudicate, declare & pay**

- Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.
- Agreeing unsecured claims.
- Issuing a notice of intended dividend and placing an appropriate gazette notice.
- Calculating, declaring and paying a dividend to creditors.



#### **Pension**

- Requesting information from pension company and establishing if any claims.
- Collating information and reviewing the Company's pension schemes where applicable.
- Calculating employee pension contributions and review of pre-appointment unpaid contributions if applicable.
- Communicating with employees' representatives concerning the effect of the insolvency on pensions



#### **Reporting to creditors**

- Preparing statutory receipts and payment accounts.
- Preparing progress reports to members and creditors and filing with Court/Registrar as appropriate.



### **Investigations**

#### **Books & records**

- Locating relevant Company books and records, arranging for their collection, listing records and dealing with ongoing storage.
- Collating information from the Company's records regarding assets and /or investigations.



#### **Investigating potential claims**

- Continuing with ongoing investigations into the Company's affairs.
- Reviewing the questionnaire and statements submitted by the individual to the Official Receiver.



### **Realisation of assets**

#### **Debtors**

- Reviewing outstanding debtors and agreeing debt collection strategy.
- Considering the debtor recoveries position reached and appropriateness of debt collection strategy.
- Liaising with Company credit control staff.
- Communicating with debtors.
- Seeking legal advice in relation to book debt collections if applicable.
- Reviewing the inter-company debtor position between the Company and other group companies if applicable.



- Identifying and realising debts that are not trade debts or director loan accounts, if shown on the statement of affairs/Official Receiver's report to creditors.



#### **Business sale**

- Planning the strategy for the sale of the business and assets including instruction and liaison with professional advisers.
- Collating relevant information and drafting information memorandum in relation to the sale of the Company's business and assets and advertising the business for sale if applicable.
- Dealing with queries from interested parties and managing the information flow to potential purchasers if applicable.
- Managing site visits with interested parties, fielding due diligence queries and maintaining a record of interested parties if applicable.
- Carrying out sale negotiations with interested parties if applicable.
- Issuing press releases and posting information on our website as appropriate.



#### **Insurance**

- Arranging ongoing insurance for the Company's business and assets.
- Liaising with post appointment insurance brokers to provide information, assess risks and ensure appropriate cover in place.
- Reviewing whether any insurance premiums due.
- Assessing the level of insurance premiums.



#### **Chattel**

- Liaising with agents regarding the sale of assets.



#### **Property**

- Reviewing the Company's leasehold properties including review of leases if applicable.
- Communicating with landlords regarding rent, property occupation and other issues if applicable.
- Performing land registry searches if applicable.



#### **ROT claims**

- Receiving and responding to claims from creditors that claim to have retained title to goods supplied.



#### **Pre appointment bank account**

- Liaising with the bank regarding transfer of funds and the closure of pre appointment bank accounts.
- Dealing with the Company's pre appointment account.



#### **Directors' loan account**

- Quantifying, agreeing and collecting monies owed by directors, if shown on the directors' statement of affairs/ Official Receivers' report to creditors.



#### **Assets not on statement of affairs**

- Dealing with assets identified following appointment which were not detailed on the Statement of affairs.



#### **VAT & tax**

- Calculating and claiming VAT bad debt relief.
- Calculating and claiming corporation tax terminal loss relief.



- Reviewing the Company's pre-appointment corporation tax and VAT position. ┐
- Analysing and considering the tax effects of various sale options, tax planning for efficient use of tax assets and to maximise realisations. ┐
- Analysing post appointment VAT related transactions. ┐
- Dealing with post appointment tax returns and compliance. ☑

## Trading

### Strategy and management

- Monitoring and controlling the day to day trading of the business. ┐
- Preparing cash flow statements to monitor the cash position. ┐
- Securing petty cash on site and monitoring spend. ┐
- Dealing with issues in relation to stock and other assets required for trading. ┐
- Monitoring ongoing trading including attending site. ┐
- Dealing with hauliers to ensure ongoing services. ┐
- Ensuring ongoing provision of emergency and other essential services to site. ┐
- Dealing with landlord and property issues. ┐
- General management and supervision of trading carried out by our staff based on site. ┐
- Compliance with legal and licensing obligations and ongoing monitoring. ┐
- To do all such other things as may be necessary for dealing with the winding up of the Company's affairs. ┐

### Employees

- Liaising with staff and trade unions. ┐
- Setting up a new RTI registration for the business with HMRC and submitting relevant information in respect of wages and salaries paid. ┐

### Utilities/purchases

- Attending to supplier and customer queries and correspondence. ┐
- Raising, approving and monitoring purchase orders and setting up control systems for trading. ┐
- Negotiating and making direct contact with various suppliers as necessary to provide additional information and undertakings, including agreeing terms and conditions in order to ensure continued support. ┐

### Sales/contracts

- Communicating and negotiating with customers regarding ongoing supplies including agreeing terms and conditions. ┐

## **Arthur Brook (Dewsbury) Limited (in compulsory liquidation)**

### **Liquidation expenses**

I have incurred expenses in the period covered by the report of £100,090 which brings total expenses since my appointment to £692,919.

The major areas of expenditure incurred in the period of this report and the reasons why these were incurred were:

- IG were instructed on a conditional fee agreement ("CFA") to assist with my investigations into the Company's affairs and pursue the claims identified. The CFA is subject to a success fee of 80% on the basic charges.

In the period covered by this report IG have incurred time costs of £22,000 plus VAT and disbursements of £552 plus VAT and £70,026 without VAT. This brings their total costs and disbursements incurred since my appointment to £396,431 and £261,602 respectively.

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 consider their expertise and reputation are sufficient for me to rely on their judgement. I also consider their fees represented value for money and am satisfied that they are reasonable in the circumstances of this case.

Detailed below is a schedule of the expenses incurred in the liquidation during the period covered by this report together with a comparison of my estimated expenses as shown in my revised fee and expenses estimate dated 11 May 2020 and total expenses incurred from the commencement of the liquidation to 14 March 2023.

As at 14 March 2023 I have exceeded the total expenses estimated in my fee proposal primarily due to the level of legal fees incurred by IG for assisting with my investigations, pursuing the recovery of claims and the settlement agreement reached.

I anticipate that the further work required will incur additional expenses however I am currently unable to advise on the quantum of these.

## Schedule of expenses incurred

Nature of expense	Details	Estimated expenses	Expenses brought forward	Expenses incurred in period	Total expenses incurred	Expenses paid in period	Expenses carried forward
		£	£	£	£	£	£
<b>Professional fees</b>							
Legal fees	Isadore Goldman	nil	374,431	22,000	396,431	nil	396,431
Legal disbursements	Isadore Goldman	nil	191,024*	70,578	261,602	nil	261,602
		<u>nil</u>	<u>565,455</u>	<u>92,578</u>	<u>658,033</u>	<u>nil</u>	<u>658,033</u>
<b>Sundry expenses</b>							
Stationery & postage	McTear Williams & Wood Limited	12	6	nil	6	nil	6
Storage costs	McTear Williams & Wood Limited	nil	10	nil	10	nil	10
Statutory advertising	McTear Williams & Wood Limited	163	73	nil	73	nil	73
Bordereau insurance	McTear Williams & Wood Limited	1,020	20	nil	20	nil	20
Company searches:							
- Land Registry	McTear Williams & Wood Limited	317	336	12	348	nil	348
SAGE	McTear Williams & Wood Limited	473	473	nil	473	nil	473
Courier costs	McTear Williams & Wood Limited	nil	198	nil	198	nil	198
Travel	McTear Williams & Wood Limited	394	1,097	nil	1,097	nil	1,097
Agents fees	McTear Williams & Wood Limited	nil	1,500	nil	1,500	nil	1,500
Legal disbursements	McTear Williams & Wood Limited	nil	23,150*	7,500	30,650	nil	30,650
Photocopying	McTear Williams & Wood Limited	nil	500	nil	500	nil	500
		<u>2,379</u>	<u>27,363</u>	<u>7,512</u>	<u>34,875</u>	<u>nil</u>	<u>34,875</u>
<b>Category 2 expenses</b>							
Photocopying	McTear Williams & Wood Limited	22	11	nil	11	nil	11
Storage & archiving	McTear Williams & Wood Limited	135	nil	nil	nil	nil	nil

	<u>157</u>	<u>11</u>	<u>nil</u>	<u>11</u>	<u>nil</u>	<u>11</u>
	<u>2,536</u>	<u>592,829</u>	<u>100,090</u>	<u>692,919</u>	<u>nil</u>	<u>692,919</u>

\* Previous report detailed an incorrect carried forward figure of £354.

\*\*Previous report detailed an incorrect carried forward figure of £30,650.