



SATURDAY



A37 *A6LVG7DT* 23/12/2017 #117
COMPANIES HOUSE

1 Company details

Company number	0 9 0 8 7 8 2 4
Company name in full	O Point Eight Limited

→ Filling in this form
Please complete in typescript or in bold black capitals.

2 Administrator's name

Full forename(s)	Darren Terence
Surname	Brookes

3 Administrator's address

Building name/number	The Old Bank
Street	187a Ashley Road
Post town	Hale
County/Region	Cheshire
Postcode	W A 1 5 9 S Q
Country	

4 Administrator's name ¹

Full forename(s)	Molly
Surname	Monks

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

5 Administrator's address ²

Building name/number	The Old Bank
Street	187a Ashley Road
Post town	Hale
County/Region	Cheshire
Postcode	W A 1 5 9 S Q
Country	

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

AM10

Notice of administrator's progress report

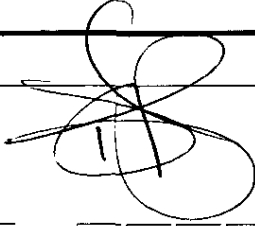
6 Period of progress report

From date	^d 1	^d 6	^m 0	^m 6	^y 2	^y 0	^y 1	^y 7	
To date	^d 1	^d 5	^m 1	^m 2	^y 2	^y 0	^y 1	^y 7	

7 Progress report

<input checked="" type="checkbox"/> I attach a copy of the progress report	
----------------------------------------------------------------------------	--

8 Sign and date

Administrator's signature	Signature X 	X							
Signature date	^d 2	^d 0	^m 1	^m 2	^y 2	^y 0	^y 1	^y 7	

AM10

Notice of administrator's progress report

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	Darren Brookes
Company name	Milner Boardman & Partners
Address	The Old Bank 187a Ashley Road
Post town	Hale
County/Region	Cheshire
Postcode	WA1 5 9 SQ
Country	
DX	
Telephone	0161 927 7788

Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

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

Important information

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

Where to send

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

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

Further information

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

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

O Point Eight Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £	From 16/06/2017 To 15/12/2017 £	From 01/02/2016 To 15/12/2017 £
	SECURED ASSETS	
1.00	Goodwill, IPR	NIL
	Book Debt Surplus	1.00
		<u>303.41</u>
		304.41
	COSTS OF REALISATION	
	Debt Collection Fees	NIL
		<u>28,380.79</u>
		(28,380.79)
	SECURED CREDITORS	
(92,196.00)	Mr G Trim	NIL
		<u>NIL</u>
		NIL
	HIRE PURCHASE	
151,160.00	Book Debts	NIL
(138,405.00)	Bibby Financial Services	173,332.34
		<u>(139,416.69)</u>
		33,915.65
	ASSET REALISATIONS	
58,996.00	Plant & Machinery, Equipment	NIL
1,000.00	Stock	NIL
1 00	Records	NIL
1 00	Business name & Rights	NIL
1 00	Cstmrs contracts, deposits, prepayme	NIL
	Bank Interest Gross	0.68
		<u>0 68</u>
		60,002.07
	COST OF REALISATIONS	
	Specific Bond	16.00
	Pre appointment Admin fee	NIL
	Office Holders Fees	2,000.00
	Pre appointment agents' fees	NIL
	Agents/Valuers Fees	NIL
	Agents/Valuers disbursements	NIL
	Legal Fees	82.56
	Legal disbursements	NIL
	Pre appointment legal fees	NIL
	ERA Work	NIL
	Statutory Advertising	NIL
	Insurance of Assets	NIL
		<u>(2,098.56)</u>
		(43,166.29)
	PREFERENTIAL CREDITORS	
(21,319.00)	Employees - Wage Arrears	NIL
		<u>NIL</u>
		19,214.87
		(19,214.87)
	UNSECURED CREDITORS	
(125,556.00)	Trade & Expense	NIL
(31,552.00)	Employees wage arrears/notice pay	NIL
(41,615.00)	Landlord	NIL
(16,446.00)	HM Revenue & Customs - PAYE/NIC	NIL
(47,883.00)	HM Revenue & Customs VAT	NIL

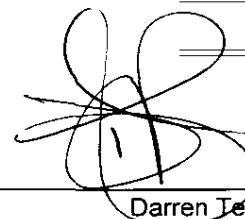
**O Point Eight Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments**

Statement of Affairs £		From 16/06/2017 To 15/12/2017 £	From 01/02/2016 To 15/12/2017 £
(32,000.00)	Shareholder Loans	NIL NIL	NIL NIL
	DISTRIBUTIONS		
(80.00)	Ordinary Shareholders	NIL NIL	NIL NIL
(335,892.00)		(2,097.88)	3,460.18

REPRESENTED BY
VAT Receivable
Current Account

416.51
3,043.67

3,460.18



Darren Terence Brookes
Joint Administrator



MILNER BOARDMAN
& PARTNERS
Corporate Recovery

**O POINT EIGHT LIMITED
IN ADMINISTRATION**

**Joint Administrators'
Progress Report**

Covering the Period
16 June 2017 to 15 December 2017

20 December 2017

Milner Boardman & Partners
The Old Bank
187a Ashley Road
Hale
Cheshire
WA15 9SQ

High Court of Justice Chancery Division, Manchester District Registry
No 2056 of 2016
Our Ref: DTB/AJ/2460/8

Joint Administrators'
Progress Report



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8. Pre-Administration Costs
9. Joint Administrators' Remuneration
10. Joint Administrators' Expenses
11. Further Information
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1. Receipts and Payments Account
2. Milner Boardman and Partners' Time Analysis regarding Investigations, Breakdown of Statutory work undertaken, Practice Fee Recovery Policy and Provision of Service Regulation Summary
3. AM10



1. Statutory Information

Company Name: O Point Eight Limited

Formerly known as: GLT444 Limited

Court name and reference: High Court of Justice, Chancery Division, Manchester District Registry, number 2056 of 2016.

Registered Office: c/o Milner Boardman & Partners ("MBP"), The Old Bank, 187A Ashley Road, Hale, Cheshire, WA15 9SQ

Former Registered Office: Rutland House, 148 Edmund Street, Birmingham B3 2FD

Former Trading Address: 10, Washington Centre, Washington Street, Netherton, Dudley, DY2 9RE

Registered number: 09087824

Joint Administrators' names: Darren Brookes and Molly Monks

Joint Administrators' address: MBP, situated at The Old Bank, 187A Ashley Road, Hale, Cheshire, WA15 9SQ.

Joint Administrators' date of Appointment: 1 February 2016

Actions of Administrators: The functions of the Joint Administrators may be exercised by either or both, acting jointly or alone.

- 1.1 As you are aware, Darren Brookes and Gary Corbett were initially appointed Joint Administrators of the Company on 1 February 2016. Gary Corbett has now retired and therefore it has been necessary to make an application to Court to transfer all of his appointments. On 25 September 2017, a Court Order was made removing Gary Corbett as Joint Administrator of the Company and appointing Molly Monks of MBP as Joint Liquidator along with Darren Brookes.
- 1.2 It is considered that the EC Regulation in Insolvency Proceedings applies to these proceedings which are main proceeding as defined in Article 3 of the EC Regulations.
- 1.3 At a meeting of creditors held by correspondence pursuant to paragraph 58 of Schedule B1 of the Insolvency Act 1986 and Rule 2.48 of the Insolvency Rules 1986, the closing date being 24 January 2017, the creditors extended the Administration of the Company for a period of 12 months until 31 January 2018.

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- 4.2 **Book debt:** As previously advised, the Joint Administrators are continuing to pursue one outstanding retention of approximately £6,500, and are hopeful that this will be paid in the next few days.

5. Liabilities

5.1 Secured Claims

- 5.1.1 According to Companies House, the Company granted a fixed and floating charge to Bibby on 8 July 2014, which was registered on 10 July 2014. Bibby have recovered their lending in full, together with debt collection fees totalling £28,380.79.
- 5.1.2 According to Companies House, the Company granted a fixed and floating charge to the director, Mr Gary Trim, dated 2 October 2014, which was registered on 11 October 2014. At the date of appointment, Mr Trim was owed £92,196. No funds have been paid to Mr Trim as yet.

5.2 Preferential Creditors

- 5.2.1 The Company employed 29 members of staff, who had been laid off prior to appointment and submitted preferential claims to the Redundancy Payments Office ("RPO") in respect of *unpaid wages and holiday pay due*. The statement of affairs estimated that preferential claims would total approximately £21,319.
- 5.2.2 The Joint Administrators received a preferential claim totalling £19,214.87 from the RPO. We can confirm that no residual preferential claims were due.

5.3 Unsecured Creditors

- 5.3.1 The statement of affairs included a total amount of £64,329 owed to HM Revenue & Customs ("HMRC") in respect of VAT (£47,883) and PAYE/NIC (£16,446) which was based on estimates. A final claim of £126,155.17 has been received from HMRC relating to VAT of £94,203.15 and PAYE/NIC of £31,952, which includes interest charges, surcharges and assessments raised.
- 5.3.2 Other unsecured non preferential creditors were estimated on the statement of affairs to be approximately £272,338 including trade and expense suppliers, employee claims relating to notice pay and redundancy, landlord and shareholder loans. Claims received to date total £248,197, however not all creditors have proved their debt in this matter.

6. Dividend Prospects

6.1 Secured Creditors

- 6.1.1 Bibby have recovered their lending in full plus closing debt collection fees from book debt realisations.



6.1.2 There are currently sufficient funds to make a distribution to Mr Trim under the terms of his security. It is anticipated that upon receipt of the outstanding book debt and following payment of the remaining costs of the Administration, this amount will increase. The amount available to distribute to Mr Trim is dependent on the realisation of the outstanding book debt.

6.2 Prescribed Part

6.2.1 In accordance with Paragraph 176 (A) of the Insolvency Act 1986, the Joint Administrators are required to set aside a prescribed part of the Company's net property for the benefit of unsecured creditors that would otherwise be available to the secured floating charge holder.

6.2.2 Both floating charges registered against the Company were created after 15 September 2003 and therefore the prescribed part is relevant in this case in relation to Mr Trim's charge, as Bibby have been repaid under their fixed charge on book debts.

6.2.3 On the basis of realisations and costs to date, together with an estimate of future realisations and costs, we anticipate that the Company's net property will be less than £10,000 in this case. The insolvency legislation does not require us to distribute the prescribed part of the net property to creditors if the net property is less than the prescribed part minimum, being £10,000, and if we think that the costs of distributing the prescribed part would be disproportionate to the benefits to creditors. The net property is less than the prescribed part minimum and we are of the view that the costs of distribution would be disproportionate and so we will not be making a distribution of the prescribed part of the net property to unsecured creditors.

6.3 Preferential Creditors

6.3.1 As previously advised, a distribution of 100p in the £, totalling £19,214.87 was paid to preferential creditors on 8 September 2016.

6.4 Unsecured Creditors

6.4.1 It is not anticipated that there will be sufficient funds to enable a dividend to be paid to unsecured creditors in this case.

7. Investigations into the Affairs of the Company

7.1 We 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.

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



- 7.3 Within six months of our appointment as Joint Administrators, we were required to submit a confidential report to the Secretary of State to include any matters which have come to our attention during the course of our 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. We would confirm that our report has been submitted.

8. Pre- Administration Costs

- 8.1 As previously reported, on 7 June 2016 the pre-appointment costs were approved by the secured, preferential and unsecured creditors as follows:
- 8.2 Pre-administration fees charged by MBP: £2,500
- 8.3 Pre-administration expenses incurred: £2,300
- 8.4 The agreed costs have been paid in full as detailed in the attached receipts and payments account, none of which have been paid during the period of this report.

9. Joint Administrators' Remuneration

- 9.1 On 7 June 2016 the secured creditors, preferential creditors and unsecured creditors approved that the Joint Administrators' remuneration be agreed on a mixture of a time cost basis, fixed fee and a % of realisations and distributions.
- 9.2 On 24 January 2017, the unsecured creditors approved that the Joint Administrators' fixed fee could be increased by a further £8,000 to be drawn when funds are available.
- 9.3 The Joint Administrators were authorised to draw time costs for our work in respect of investigations, which included time spent on investigating Company assets and directors' conduct, including reviewing books and records and preparing a return pursuant to Company Directors Disqualification Act. This approval was based on our fee estimate of £2,197.50. The fee estimate acts as a cap and we cannot draw remuneration in excess of that estimate without first seeking approval from the creditors. Our total time costs for such work to date amounts to £2,210.50 representing 11.4 hours work at an average charge out rate of £193.90 per hour, which compares to the estimated average charge out rate in our fee estimate of £209.29 per hour. No time has been spent on investigations during the period of this report. A breakdown is attached at appendix 2. We have drawn £2,197.50 to date in respect of work done for which our fees were approved on a time cost basis.
- 9.4 The Joint Administrators were initially authorised to draw a fixed fee of £10,000 for our work in respect of administration and planning and dealing with creditors. As previously reported, further work was necessary in relation to administration and dealing with creditors in this case. It became apparent that the time spent on dealing with these tasks had exceeded the estimated fixed fee of £10,000 agreed, therefore, the Joint Administrators obtained approval from creditors to an increase to the fixed fee by £8,000. This was agreed on 24 January 2017, and we can report that we have drawn £18,000 in



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- respect of work done for which our fees were approved as a fixed fee, of which £2,000 was drawn during the period of this report.
- 9.5 Finally, the Joint Administrators were also authorised to draw 10% of realisations for our work in respect of the realisation of assets, relating to the sale of the business and collection of the book debt surplus and reassigned debtors and 5% of any distributions made. Based on realisations to date, we are entitled to draw £6,584.18. We have been able to draw £6,553.60 to date in respect of work done for which our fees were approved as a % of realisations, none of which has been drawn during the period of this report. £30.54 remains outstanding. We are entitled to draw £960.74 based on distributions to date and we have drawn £960.74 to date in respect of work done for which our fees were approved as a % of distributions, none of which has been drawn during the period of this report.
- 9.6 Details of the current charge out rates of Milner Boardman & Partners are included within the Practice Fee Recovery Policy which is also attached at appendix 2.
- 9.7 Further information about creditors' rights can be found by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at www.r3.org.uk/what-we-do/publications/professional/fees. A copy of a Creditors' Guide to Liquidators' fees can also be found here. Alternatively, please go to www.milnerboardman.com and click on "Useful Links" and then "Creditor's Guide to Liquidators fees" then 'Guide to Administrators' fees' and refer to version 2 issued in October 2015.. Alternatively, a hard copy may be requested from this office. Please note that we have also provided further details in the Practice Fee Recovery Sheet. Please be advised that the charge out rates of Milner Boardman & Partners changed on 1 June 2017 as included in the Practice Fee Recovery Sheet. The only change relates to the introduction of an 'appointment taker' rate of £295 which is included in the 'manager' category.
- 9.8 Please note that Milner Boardman & Partners record time in 6 minute units.
- 9.9 As we have had to undertake a large amount of additional work in relation to the one remaining book debt, which was not envisaged when the initial basis of the Joint Administrators' remuneration was fixed, and which should result in an increased dividend to the secured creditor, we are proposing to increase the percentage basis for the one outstanding debtor from 10% to 50% of realisations. We think the increased percentage for which we are seeking approval reflects the nature of the asset involved and the complexity and effort of the work involved. We have also compared the proposed percentage for which approval is sought with similar cases where debtor recovery is protracted and have also compared with agent recovery percentages and taken this into account when calculating a fair and reasonable percentage.
- 9.10 Whilst we have provided you with information about our request for a fee increase, it falls to the secured creditor to approve or reject our request.
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10. Joint Administrators' Expenses

10.1 Where disbursements are covered in respect of precise sums expended to third parties, there is no requirement for these costs to be authorised. These are known as Category 1 disbursements.

10.2 We therefore report that Category 1 disbursements totalling £10,854.45 have been incurred since appointment, of which £98.56 has been incurred during the period of this report. We have drawn £10,854.45, of which £98.56 was drawn in this period.

10.3

Type of expense	Amount incurred in reporting period (£)	Amount drawn in reporting period (£)
Specific bond	16.00	16.00
Legal fees (block transfer)	82.56	82.56

10.4 Expenditure incidental to the administration of the insolvent's estate, which by its nature includes an element of shared or allocated costs, are recoverable with creditors' approval. Payments in respect of this type of expense are referred to as "Category 2 disbursements". Category 2 disbursements require creditor authorisation before they can be drawn. Category 2 disbursements include staff mileage costs. MBP have not charged Category 2 disbursements.

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

Agent/Professional Advisor	Nature of work	Basis of fees
NJ Goodman & Co ("NJG")	Court application in relation to block transfer	Time costs split between all appropriate cases

10.6 NJG were instructed in relation to the application made to Court in respect of the block transfer of cases from Gary Corbett to Molly Monks, which is detailed in paragraph 1.1. The Court Order stated that the costs in relation to the application were to be apportioned equally between the insolvency proceedings and paid as an expense of the case, provided that the cost did not exceed 10% of the value of assets realised in that case.

10.7 The professional advisors were selected on a basis of our perception of their experience and ability to perform this type of work and nature and complexity and nature of the assignment. We also considered that the basis of our fee arrangement with them represented value for money. The fees charged have been reviewed and we are satisfied they are reasonable in the circumstances.



11. Further information

- 11.1 An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Administrator's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.
- 11.2 An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the unsecured creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Administrator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.
- 11.3 To comply with the Provision of Services Regulations, some general information about MBP can be found in the attached Provision of Service Regulation Summary.

12. Conclusion

- 12.1 This concludes the Joint Administrators' progress report for the six-month period to 15 December 2017. The Administration will remain open until all assets have been realised in this matter, specifically the outstanding retention due the Company.
- 12.2 I estimate that it will take approximately one month to resolve the outstanding matters and, once these matters have been finalised, we anticipate that the Administration will cease, and our files will be closed.
- 12.3 If creditors have any queries regarding the conduct of the Administration, or if they want hard copies of any of the documents made available online, they should contact Antonia Pettener on 0191 927 7788 or by email at antoniap@milnerboardman.co.uk.
- 12.4 The affairs, business and property of the Company are being managed by the Joint Administrators, Darren Brookes and Molly Monks. The Joint Administrators act as agents of the Company and contract without personal liability.

Yours faithfully
for and on behalf of
O Point Eight Limited


Darren Brookes
Joint Administrator



APPENDIX 2

1. Administration

Dealing with all routine correspondence and emails relating to the case.
Maintaining and managing the office holders' estate bank account.
Maintaining and managing the office holders' cash book.
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.
Filing returns at Companies House.
Preparing and filing VAT returns.
Preparing and filing Corporation Tax returns.

2. Creditors

Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
Maintaining up to date creditor information on the case management system.
Preparation of a progress report to creditors



Appendix 1

Receipts and Payments Account

**O Point Eight Limited
(In Administration)**

Summary of Receipts & Payments

RECEIPTS	Statement of Affairs (£)	From 01/02/2016 To 15/06/2017 (£)	From 16/06/2017 To 15/12/2017 (£)	Total (£)
Goodwill, IPR	1.00	1.00	0.00	1.00
Book Debt Surplus		303.41	0.00	303.41
Book Debts	151,160.00	173,332.34	0.00	173,332.34
Plant & Machinery, Equipment	58,996.00	58,996.00	0.00	58,996.00
Stock	1,000.00	1,000.00	0.00	1,000.00
Records	1.00	1.00	0.00	1.00
Business name & Rights	1.00	1.00	0.00	1.00
Cstmr contracts, deposits, prepayments	1.00	1.00	0.00	1.00
Bank Interest Gross		2.39	0.68	3.07
		233,638.14	0.68	233,638.82
PAYMENTS				
Debt Collection Fees		28,380.79	0.00	28,380.79
Bibby Financial Services	(138,405.00)	139,416.69	0.00	139,416.69
Specific Bond		250.00	16.00	266.00
Pre appointment Admin fee		2,500.00	0.00	2,500.00
Office Holders Fees		25,711.84	2,000.00	27,711.84
Pre appointment agents' fees		1,750.00	0.00	1,750.00
Agents/Valuers Fees		2,050.00	0.00	2,050.00
Agents/Valuers disbursements		120.00	0.00	120.00
Legal Fees		4,710.00	82.56	4,792.56
Legal disbursements		50.00	0.00	50.00
Pre appointment legal fees		550.00	0.00	550.00
ERA Work		2,870.00	0.00	2,870.00
Statutory Advertising		216.00	0.00	216.00
Insurance of Assets		289.89	0.00	289.89
Employees - Wage Arrears	(21,319.00)	19,214.87	0.00	19,214.87
		228,080.08	2,098.56	230,178.64
Net Receipts/(Payments)		5,558.06	(2,097.88)	3,460.18
MADE UP AS FOLLOWS				
VAT Receivable		1,214.39	(797.88)	416.51
Current Account		4,343.67	(1,300.00)	3,043.67
		5,558.06	(2,097.88)	3,460.18



Appendix 2
Milner Boardman & Partners'
Time Analysis re Investigations, Schedule of
Routine Work Undertaken, Practice Fee
Recovery Policy and Provision of Service
Regulation Summary

Milner Boardman & Partners

TIME & CHARGEOUT SUMMARIES
INVESTIGATION TIME COSTS

O Point Eight Limited

0 HOURS	TOTAL £0	BLENDED RATE £0
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16 June 2017 to 15 December 2017

Classification of work function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Time cost £
Investigations	0	0	0	0	0
Total Fees Claimed £	0	0	0	0	

Milner Boardman & Partners

TIME & CHARGEOUT SUMMARIES
INVESTIGATION TIME COSTS

O Point Eight Limited

11.4 HOURS TOTAL £2,210.50 BLENDED RATE £193.90

1 February 2016 to 15 June 2017

Classification of work function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Time cost £
Investigations	0.9	1	0	9.5	2,210.50
Total Fees Claimed £	333	215	0	1,662.50	



APPENDIX 2

1. Administration

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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.
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Preparing and filing VAT returns.
Preparing and filing Corporation Tax returns.

2. Creditors

Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
Maintaining up to date creditor information on the case management system.
Preparation of a progress report to creditors

PRACTICE FEE RECOVERY POLICY FOR MILNER BOARDMAN & PARTNERS

Introduction

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

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. Details about how an office holder's fees may be approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at www.insolvency-practitioners.org.uk. Alternatively a hard copy may be requested from Milner Boardman & Partners.

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

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

Time cost basis

When charging fees on a time costs basis we use charge out rates appropriate to the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6 minute units with supporting narrative to explain the work undertaken.

Charge Out Rates

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

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

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

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

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.

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In accordance with SIP 9 the basis of disbursement allocation in respect of disbursements incurred by the Office Holder in connection with the administration of the estate must be fully disclosed to creditors. Disbursements are categorised as either Category 1 or Category 2.

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

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

Milner Boardman & Partners do not seek to recover Category 2 disbursements.

PROVISION OF SERVICES REGULATIONS SUMMARY SHEET FOR MILNER BOARDMAN & PARTNERS

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

Licensing Body

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

Rules Governing Actions

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

Ethics

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

Complaints

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

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

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

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at www.gov.uk/complain-about-insolvency-practitioner; or you can email insolvency.enquiryline@insolvency.gsi.gov.uk; or you may phone 0300 678 0015 - calls are charged at up to 10p per minute from a land line, or for mobiles, between 3p and 55p per minute if you're calling from the UK.

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

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

Milner Boardman & Partners do not seek to recover Category 2 disbursements.