

In accordance with  
Rule 3.61(1) of the  
Insolvency (England  
& Wales) Rules 2016  
& Paragraph 84(8) of  
Schedule B1 of the  
Insolvency Act 1986.

# AM23

## Notice of move from administration to dissolution



Companies House

FRIDAY




A16 \*A7FX7Z03\* 05/10/2018 #55  
COMPANIES HOUSE

<b>1</b>	<b>Company details</b>
Company number	0 1 9 7 1 0 5 3
Company name in full	Broad Oak Toiletries Limited
<b>→ Filling in this form</b> Please complete in typescript or in bold black capitals.	
<b>2</b>	<b>Court details</b>
Court name	Bristol District Registry
Court number	3 9 2 0 1 6
<b>3</b>	<b>Administrator's name</b>
Full forename(s)	Simon
Surname	Girling
<b>4</b>	<b>Administrator's address</b>
Building name/number	Bridgewater House
Street	Counterslip
Post town	Bristol
County/Region	
Postcode	B S 1 6 B X
Country	

04/17 Version 1.0

AM23

Notice of move from administration to dissolution

<b>5</b>	<b>Administrator's name •</b>	
Full forename(s)	Danny	<b>• Other administrator</b> Use this section to tell us about another administrator.
Surname	Dartnaill	
<b>6</b>	<b>Administrator's address •</b>	
Building name/number	Thames Tower, Level 12	<b>• Other administrator</b> Use this section to tell us about another administrator.
Street	Station Road	
Post town	Reading	
County/Region	Berkshire	
Postcode	R G 1 1 L X	
Country		
<b>7</b>	<b>Final progress report</b>	
<input checked="" type="checkbox"/> I have attached a copy of the final progress report		
<b>8</b>	<b>Sign and date</b>	
Administrator's signature	Signature 	
Signature date	d 03 m 10 y 2018	

## AM23

### Notice of move from administration to dissolution



#### 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	Jonathan Dunn
Company name	BDO LLP
Address	Bridgewater House Counterslip
Post town	Bristol
County/Region	
Postcode	B S 1 6 B X
Country	
DX	
Telephone	01512 374 500



#### 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)

**Broad Oak Toiletries Limited**  
**(In Administration)**  
**Administrators' Summary of Receipts & Payments**

Statement of Affairs £	From 26/05/2018 To 02/10/2018 £	From 05/02/2016 To 02/10/2018 £
<b>ASSET REALISATIONS</b>		
	NIL	22,685.20
540,000.00	NIL	540,000.00
10,000.00	NIL	10,000.00
50,000.00	NIL	77,942.35
	NIL	17,513.62
	NIL	110,000.00
1.00	NIL	1.00
1.00	NIL	1.00
	NIL	52,481.33
	NIL	34,930.94
	NIL	27,504.40
	NIL	2,193.12
	NIL	1,142.80
1,639,000.00	NIL	NIL
	NIL	513.67
	NIL	29,474.76
	NIL	3,850.00
	1,962.39	6,172.52
	1,962.39	936,406.71
<b>COST OF REALISATIONS</b>		
	NIL	1,121.28
	NIL	159.84
	NIL	100.00
	NIL	5,272.50
	NIL	21,141.85
	NIL	28,897.85
	55,129.89	270,129.89
	NIL	9,278.70
	NIL	38,160.67
	5.13	3,853.48
	NIL	989.88
	NIL	240.00
	NIL	283.12
	NIL	274.95
	NIL	64,625.00
	NIL	12,879.79
	NIL	1,477.89
	NIL	1,060.21
	NIL	12,264.70
	NIL	947.59
	1,430.75	1,563.25
	NIL	5,480.41
	NIL	855.46
	(56,565.77)	(481,058.31)
<b>PREFERENTIAL CREDITORS</b>		
	NIL	180,090.48
	NIL	23,474.17
	NIL	(203,564.65)
<b>FLOATING CHARGE CREDITS</b>		
	1,953.62	134,605.88
	(1,953.62)	(134,605.88)

**Broad Oak Toiletries Limited**  
**(In Administration)**  
**Administrators' Summary of Receipts & Payments**

Statement of Affairs £	From 26/05/2018 To 02/10/2018 £	From 05/02/2016 To 02/10/2018 £
UNSECURED CREDITORS		
Trade & Expense Creditors	NIL	61,041.43
Unsecured Employees	NIL	1,712.99
Unsecured RPS	NIL	20,020.47
Unsecured HMRC	NIL	34,402.98
	NIL	(117,177.87)
<b>2,239,002.00</b>	<b>(56,557.00)</b>	<b>0.00</b>
REPRESENTED BY		
Trade Creditors		(16,025.98)
Vat Control Account		16,025.98
		NIL

**Note:**

A first and final dividend of 100 pence in the pound was declared to the preferential creditors on 10 August 2017 which totalled £203,627.15.

A first and final unsecured dividend of 2.61 pence in the pound was declared on 8 February 2018 which totalled £117,177.87.



Tel: +44 (0)151 237 4500  
Fax: +44 (0)151 237 4545  
www.bdo.co.uk

5 Temple Square  
Temple Street  
Liverpool  
L2 5RH

**TO ALL CREDITORS**

**03 October 2018**

Our Ref      SEG/AD/00257921/A6

Please ask for  
Alice Denmark  
0151 237 4497  
BRCMT@bdo.co.uk

Dear Sirs

**Broad Oak Toiletries Limited - In Administration**  
**Registered number: 01971053**  
**Bristol District Registry No 39 of 2016**

I now supply my final report in respect of this Administration.

I enclose, for your information, a summary of my receipts and payments to date showing a balance in hand of nil, together with a copy of my receipts and payments account covering the period 26 May 2018 to 2 October ('the Final Period'), and report as follows:

**1      Statutory Information**

The Joint Administrators are currently Simon Edward Jex Girling (officeholder number: 9283) of BDO LLP, Bridgewater House, Counterslip, Bristol, BS1 6BX and Danny Nicolaas William Dartnaill (officeholder number: 10110) of BDO LLP, Thames Tower, Level 12, Station Road, Reading, RG1 1LX and the Administration commenced on 5 February 2016. Under the provisions of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 the Administrators carry out their functions jointly and severally meaning any action can be done by one Administrator or by both of them.

The Joint Administrators were appointed by Barclays Bank Plc. being a Qualifying Floating Chargeholder, pursuant to Paragraph 14 of Schedule B1 to the Insolvency Act 1986. The Administration proceedings are dealt with in the Bristol District Registry and the Court case number is 39 of 2016.

The Company's registered office is situated at c/o BDO LLP, Bridgewater House, Counterslip, Bristol, BS1 6BX and the registered number is 01971053.

**2      Receipts**

The receipts in the Final Period relate to refunds of £1,962 received from the Pensions Regulator and Barclays Bank.

**3      Costs in the Administration**

Payments in the period relate primarily to the Joint Administrators' remuneration as approved by creditors and as discussed in more detail in section 7 below.



Other payments include final corporation tax of £5.13, bank charges of £1,431 (arising upon the cancellation of unbanked dividend cheques) and a final distribution to Floris Estates Limited as a discussed in section 6 below of £1,954.

#### **4 Summary of the Joint Administrators Proposals**

Please see below a summary of the Joint Administrators' Proposals presented to creditors on 18 March 2016

##### **Formal Proposals - the Joint Administrators propose that:**

- (a) they continue to realise assets in accordance with objective 3 of the statutory purpose of the Administration, and
- (b) they make payments to the secured and preferential creditors and distribution to the unsecured creditors from the Prescribed Part, and
- (c) they exit the administration by way of dissolving the company under paragraph 84 of Schedule B1 to the Insolvency Act 1986, and
- (d) they be at liberty to destroy the books and records of the Company one year after dissolution, and
- (e) creditors consider and if thought fit appoint a creditors' committee to assist the Joint Administrators (such committee must comprise of between 3 and 5 creditors)

*The following additional resolutions are put to the creditors in the absence of a creditors' committee:-*

- (f) creditors approve payment of pre-administration costs of £55,316.10 plus VAT, as described in section 9, as an expense of the administration. (NB. In the absence of a creditors' meeting the pre-administration costs will be approved by the secured and/or preferential creditors), and
- (g) creditors approve the remuneration of the Joint Administrators on a time costs basis as set out in the fees estimate (NB. In the absence of a creditors' meeting the remuneration will be approved by the secured and/or preferential creditors as set out by Rule 2.106(5A)(a)/(b) of the Insolvency Rules 1986.), and
- (h) creditors approve the Joint Administrators be authorised to draw category 2 disbursements in respect of postage, stationery, photocopying charges, telephone, fax and other electronic communications on the basis of £12.50 per creditor in the first year of the Administration and £6.25 per creditor in respect of each subsequent year as set out in the fees estimate. (NB. In the absence of a creditors' meeting the category 2 disbursements will be approved by the secured and/or preferential creditors as set out by Rule 2.106 2.106(5A)(a)/(b) of the Insolvency Rules 1986.), and
- (i) creditors approve that the Joint Administrators be discharged from liability under the Administration per Paragraph 98 of Schedule B1 to the Insolvency Act 1986, 28 days after the Joint Administrators' filing their final report and sending it to

creditors. (NB. Where the Administrators have made a statement under Paragraph 52(1)(b) of Schedule B1 to the Insolvency Act 1986, in accordance with Paragraph 98(2)(ba) of Schedule B1 to the Insolvency Act 1986, as amended by the Deregulation Act 2015 the Joint Administrators discharge from liability will be approved by the secured and/or preferential creditors).

I can confirm that proposal (a) was achieved as all of the Company's assets have been realised.

Distributions were made to the Company's secured creditors, preferential and unsecured creditors in accordance with proposal (b).

Steps will now be taken to move the Company from Administration to Dissolution in accordance with proposal (c). The books and records of the Company will be destroyed one year following dissolution in accordance with proposal (d).

Creditors did not seek to form a creditors' committee, consequently proposals (e) was not deemed necessary.

Proposals (f), (g), (h) are referred to in sections 7 and 8 of this report.

I will now seek approval for the Joint Administrators to be discharged from liability 28 days after they file this final report in accordance with proposal (i) by deemed consent. The Notice of Deemed Consent Procedure is referred to section 9 of this report for the attention of secured and preferential creditors.

## **5 Investigations**

The Joint Administrators have a duty to investigate the affairs of the Company and also the conduct of the directors and in respect of the latter, to submit a confidential statutory report to the Secretary of State. I confirm that a report has been submitted.

I have completed my review of the Company's affairs and assets to establish whether there are any actions that can be investigated for the benefit of the creditors and concluded there are no causes of action to be pursued. I have concluded that no further investigation is needed.

## **6 Prospects for Creditors**

### **Secured Creditors**

As stated in my previous report, Barclays Bank Plc ('the Bank') had a secured claim in excess of £3.8m in respect of an overdraft facility. The Bank's debt was guaranteed by group company, Floris Estates Limited, who has repaid the Bank in full.

Floris Estates Limited therefore has subrogated rights to the Bank's secured claim in the Administration. A total of £134,606 has been distributed to Floris Estates Limited in this respect including the final balance of £1,954 paid in this Final Period.





### **Preferential Creditors**

Preferential claims relate to employee claims for arrears of wages and unpaid holiday pay at the date of appointment. A first and final dividend of 100p in the £ was declared to the preferential creditors on 10 August 2017.

### **Unsecured Creditors**

Under Section 176A of the Insolvency Act 1986 where after 15 September 2003 a company has granted to a creditor a floating charge a proportion of the net property of that company must be made available purely for the unsecured creditors. As the Company granted a floating charge to the Bank, the prescribed part will apply in this matter.

After payment of preferential claims, the Joint Administrators were able to make a total distribution of £117,178 to unsecured creditors by way of prescribed part that resulted in a first and final dividend of 2.61 pence in the pound on agreed claims of £, as shown on the enclosed Receipts and Payments account.

Unsecured creditors should note that any unbanked cheques in respect of dividends have now been cancelled and the funds paid over to the unclaimed dividends account at the Insolvency Services.

## **7 Joint Administrators' Remuneration**

The Joint Administrators were obliged to fix their remuneration in accordance with Rule 18.16. This permits remuneration to be fixed either:

- (1) as a percentage of the assets realised and distributed; and/or
- (2) by reference to the time the Joint Administrators and the staff have spent attending to matters in the Administration; and/or
- (3) as a set amount; and/or
- (4) as a combination of the above.

The Joint Administrators' remuneration has previously been approved on the basis of time properly spent in dealing with issues in the Administration as set out in the revised Fees Estimate dated 9 December 2016.

To date, the Joint Administrators have drawn £270,130 in respect of remuneration and disbursements (being remuneration of £269,621 in accordance with the approved revised fees estimate and £509 of disbursements as discussed below) of which £55,130 was drawn in this Final Period as shown on the enclosed Receipts and Payments account.

I attach two schedules detailing the time costs incurred to 14 September 2018. The first schedule covers this Final Period. This records time costs of £9,010, which represents 59 hours spent at an average charge out rate of £153 per hour, the majority of which relating to the claim of unsecured creditors and employees and the processing of the dividend.

The second schedule covers the whole period of appointment and records time costs of £371,059, which represents 1,826 hours spent at an average charge out rate of £203 per hour.

Below is the approved revised fees estimate annotated with a column showing the time costs accrued in respect of each activity.

**Approved Revised Fees Estimate as at 9 December 2016 compared to accrued fees to 14 September 2018**

<b>Appointment title's Fees</b>	<b>Total Hours</b>	<b>Blended Rate £</b>	<b>Estimated Fee £</b>	<b>Accrued Fee £</b>
B. Steps on Appointment	59.00	220	12,980.00	21,649.00
C. Planning and Strategy	0.00	220	0.00	180.60
D. General Administration	52.10	220	33,462.00	48,115.40
E. Assets Realisation/Dealing	313.35	220	68,937.00	88,403.60
F. Trading Related Matters	0.00	220	0.00	54.30
G. Employee Matters	193.75	220	42,625.00	53,496.60
H. Creditor Claims	392.85	220	86,427.00	100,595.80
I. Reporting	65.40	220	14,388.00	34,077.00
J. Distribution & Closure	49.10	220	10,802.00	24,487.00
<b>TOTAL</b>			<b>269,621.00</b>	<b>371,059.30</b>

As stated in my previous report, time costs incurred have exceeded those set out within the approved revised fees estimate. This is primarily due to unforeseen complications that arose in the adjudication of employee claims. I will not be seeking any variation to the agreed remuneration and the firm will write off the time costs incurred in excess of the approved revised fees estimate.

For guidance, I enclose a document that outlines the policy of BDO LLP in respect of fees and disbursements.

## **8 Disbursements**

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements. Since my last report, category 1 disbursements of £23 have been incurred in respect of Company record storage and Statutory Bonding.

Some Administrators recharge expenses, for example printing, photocopying and telephone costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors before they can be drawn, and these are known as category 2 disbursements. Whilst approval was obtained at the outset of this Administration for the recovery of such costs based upon a charge per creditor per year, I can confirm that I will not be drawing any



such disbursements in this case. The policy of BDO LLP in respect of this appointment is now not to charge any category 2 disbursements with the exception of mileage on the basis of the mileage scale approved by HMRC, being 45p per mile unless otherwise disclosed to the creditors. No category 2 disbursements have accrued during the Period.

Total disbursements of £741 have been incurred in this Administration as detailed below. Category 1, disbursements totalling £509 have been drawn representing all but £13 of Company Record Storage charges as set out below. No Category 2 disbursements have been drawn.

Narrative	Cat. 1 (£)	Cat. 2 (£)	Total (£)
Statutory Bonding	110.00	0.00	110.00
Company Record Storage	169.00	0.00	169.00
Courier	108.09	0.00	108.09
Travel	134.80	0.00	134.80
Refreshment	0.00	13.24	13.24
Mileage	0.00	205.85	205.85
	<b>521.89</b>	<b>219.09</b>	<b>740.98</b>

## 9 Notice of Deemed Consent Procedure

The Administration will now be concluded and the Company will move to dissolution. As stated in the Joint Administrators' Proposals dated 18 March 2016, the following resolution is subject to the approval of the secured and preferential creditors.

- i) That the Joint Administrators be discharged from liability under the Administration per Paragraph 98 of Schedule B1 of the Insolvency Act 1986, 28 days after the filing of the final progress report and sending it to creditors.

In accordance with Paragraph 98 of Schedule B1 to the Insolvency Act 1986, I would like to request that the Joint Administrators be discharged from liability and, therefore, I invite the secured and preferential creditors consider approving the above resolution via deemed consent. Please find attached a Notice of Deemed Consent Procedure.

Creditors having 10% or more of the total debts of the Company may object to the resolution and request a physical meeting if we receive their objections by 15 October 2018 otherwise the decision will be treated as having been made on the decision date. Creditors including creditors claiming a small debt (£1,000 or less) who wish to object must send us a proof of debt form with a written notice of their objection. Creditors who have a small debt of £1,000 or less must send us a proof of debt in order to object even though they may receive dividends without sending a proof of debt.

## 10 Creditors' Rights and Enquiries

The Insolvency Service has established a central gateway for considering complaints in respect of insolvency practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit



<https://www.gov.uk/complain-about-insolvency-practitioner> where you will find further information on how you may pursue the complaint.

Creditors with the concurrence of at least 5% in value of the unsecured creditors may within 21 days of this report request in writing further information regarding the remuneration and expenses set out in this report. In accordance with Rule 18.9(3) of the Rules within 14 days of a request we will provide further information or explain why further information is not being provided. Creditors may access information setting out creditors' rights in respect of the approval of Administrator's remuneration at <https://www.r3.org.uk/what-we-do/publications/professional/fees>.

A creditor (who need not be the creditor who asked for the information) may, with the concurrence of at least 5% or more in value of the creditors (including the creditor in question), apply to the court within 21 days of our response or the expiry for the period of my response and the court may make such order as it thinks fit (Rule 18.9(6)&(7) of the Rules). Creditors with the concurrence of at least 10% of the creditors may apply to the court if they consider that the remuneration of the administrators, or the basis fixed for the remuneration of the administrator or expenses charged by the administrator are excessive (Rule 18.34 of the Rules). Such an application must be made within 8 weeks of receiving this report. The text of Rules 18.9 and 18.34 are set out at the end of this report.

The Joint Administrators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code is at: <http://www.icaew.com/en/members/regulations-standards-and-guidance/ethics/code-of-ethics-d>

Please contact me or my colleague Alice Denmark at [BRCMT@bdo.co.uk](mailto:BRCMT@bdo.co.uk) if you require further information.

Yours faithfully  
for and on behalf of  
Broad Oak Toiletries Limited

Simon Girling  
Joint Administrator  
Authorised by the Insolvency Practitioners Association in the UK

Enclosures  
Receipts and Payments Account  
SIP 9 Time Cost Report for the Period of Report  
SIP 9 Time Cost Report for the Period of Liquidation/Administration  
Fees Estimate to Accrued Time Comparison  
BDO LLP Policy in Respect of Fees and Disbursements  
Notice of Deemed Consent Procedure  
Proof of Debt Form  
Statement of Creditors' Rights in respect of Fees and Disbursements

**Broad Oak Toiletries Limited**  
**(In Administration)**  
**Administrators' Summary of Receipts & Payments**

Statement of Affairs £	From 26/05/2018 To 02/10/2018 £	From 05/02/2016 To 02/10/2018 £
<b>ASSET REALISATIONS</b>		
	NIL	22,685.20
540,000.00	NIL	540,000.00
10,000.00	NIL	10,000.00
50,000.00	NIL	77,942.35
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	NIL	29,474.76
	NIL	3,850.00
	1,962.39	6,172.52
	1,962.39	936,406.71
<b>COST OF REALISATIONS</b>		
	NIL	1,121.28
	NIL	159.84
	NIL	100.00
	NIL	5,272.50
	NIL	21,141.85
	NIL	28,897.85
	55,129.89	270,129.89
	NIL	9,278.70
	NIL	38,160.67
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	NIL	855.46
	(56,565.77)	(481,058.31)
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	NIL	23,474.17
	NIL	(203,564.65)
<b>FLOATING CHARGE CREDTS</b>		
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	(1,953.62)	(134,605.88)

**Broad Oak Toiletries Limited**  
**(In Administration)**  
**Administrators' Summary of Receipts & Payments**

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Unsecured Employees	NIL	1,712.99
Unsecured RPS	NIL	20,020.47
Unsecured HMRC	NIL	34,402.98
	NIL	(117,177.87)
<b>2,239,002.00</b>	<b>(56,557.00)</b>	<b>0.00</b>
REPRESENTED BY		
Trade Creditors		(16,025.98)
Vat Control Account		16,025.98
		<b>NIL</b>

**Note:**

A first and final dividend of 100 pence in the pound was declared to the preferential creditors on 10 August 2017 which totalled £203,627.15.

A first and final unsecured dividend of 2.61 pence in the pound was declared on 8 February 2018 which totalled £117,177.87.

Name of Assignment

Broad Oak Toiletries Ltd - ADM

00259328

## Summary of Time Charged and Rates Applicable for the Period From 26/05/2018 to 14/09/2018

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL		AV RT
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	
D. General Administration	0.10	52.00	3.50	1,016.50	0.80	101.00	0.40	48.40	23.30	2,513.10	1.55	105.45	29.65	3,836.45	129.3
E. Assets Realisation/Dealing			0.50	166.50									0.50	166.50	333.0
G. Employee Matters			1.75	316.75					0.80	53.60	1.00	67.00	2.75	383.75	139.5
H. Creditor Claims													0.80	53.60	67.0
I. Reporting			2.95	822.75	0.25	31.75	1.25	145.00	12.75	857.75			17.20	1,857.25	107.9
J. Distribution and Closure			3.85	1,299.25					1.50	103.50	2.50	1,309.75	7.85	2,712.50	345.5
	0.10	52.00	12.55	3,621.75	1.05	132.75	1.65	193.40	38.35	3,527.95	5.05	1,482.20			

Net Total	58.75	9,010.05
Secretarial Expense		0.00
Other Disbursements		0.00
Billed		0.00
Grand Total		9,010.05

## Detail of Time Charged and Rates Applicable for the Period From 05/02/2016 to 14/09/2018

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
<b>B. Steps on Appointment</b>														
02. Statutory Documentation			5.25	1,118.25					1.55	290.55			6.80	1,398.80
06. Third Party Discussions			9.85	3,299.75					7.25	1,312.25	2.50	1,210.00	9.85	3,299.75
07. Attendance at Premises			37.75	11,180.75					1.25	226.25			47.50	13,703.00
09. Preparation of Proposals			7.00	1,995.00									8.25	2,221.25
12. Setting up Internal Files			0.20	42.60					3.70	627.35			0.20	42.60
99. Other Matters			1.25	356.25									4.95	983.60
sub total -			61.30	17,992.60					13.75	2,446.40	2.50	1,210.00	77.55	21,649.00
<b>B. Steps on Appointment</b>														
<b>C. Planning and Strategy</b>														
99. Other Matters			0.60	180.60									0.60	180.60
sub total -			0.60	180.60									0.60	180.60
<b>C. Planning and Strategy</b>														
<b>D. General Administration</b>														
01. Insurance Matters									5.30	969.55			5.30	969.55
02. VAT			7.80	2,835.75					9.00	1,373.15			16.80	4,208.90
03. Taxation			4.75	1,451.50					24.95	6,000.20			29.70	7,451.70
05. Investigations									5.95	892.55			5.95	892.55



## Detail of Time Charged and Rates Applicable for the Period From 05/02/2016 to 14/09/2018

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
06. Conduct Reports			3.25	967.50			7.50	1,221.20	32.70	3,466.80			35.95	4,434.30
07. Receipts/Payments Accounts			15.00	3,494.45	2.25	279.45		1,221.20	65.80	6,510.40	8.15	570.95	98.70	12,076.45
08. Remuneration Issues			19.50	5,703.75					3.70	706.70			23.20	6,410.45
09. Statutory Matters			5.75	1,729.50	0.20	25.40			1.15	77.05			7.10	1,831.95
11. Court Hearings			1.25	416.25									1.25	416.25
15. Gen. Admin Correspondence	0.40	206.90	14.80	4,346.00			0.60	70.50	26.35	3,018.30	2.00	208.00	44.15	7,849.70
16. Maintain Internal Files			0.75	255.75			0.20	23.20	6.90	1,262.90			7.85	1,541.85
99. Other Matters					0.25	31.75							0.25	31.75
sub total -	0.40	206.90	72.85	21,200.45	2.70	336.60	8.30	1,314.90	181.80	24,277.60	10.15	778.95	276.20	48,115.40
D. General Administration														
E. Assets Realisation/Dealing														
06. Property Related Matters			13.50	3,855.00					7.35	1,350.85			20.85	5,205.85
07. Debt Collection			90.75	26,092.50					9.00	1,629.00			99.75	27,721.50
08. Dealing with Chattel Assets			2.25	675.00					0.50	90.50	12.75	6,227.25	15.50	6,992.75
09. Dealing with other Assets			2.00	616.50									2.00	616.50
10. IIP/Leasing Matters			1.25	356.25					6.25	1,147.25			7.50	1,503.50

## Detail of Time Charged and Rates Applicable for the Period From 05/02/2016 to 14/09/2018

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
12. Retention of Title			54.15	15,411.15					72.70	13,161.70			126.85	28,572.85
14. Sale of Business/Assets			47.00	13,395.00					0.40	72.40			47.40	13,467.40
99. Other Matters			12.25	3,592.50					4.15	730.75			16.40	4,323.25
sub total -			223.15	63,993.90					100.35	18,182.45	12.75	6,227.35	336.25	88,403.60
E. Assets Realisation/Dealing														
F. Trading Related Matters														
99. Other Matters			0.30	54.30									0.30	54.30
sub total -			0.30	54.30									0.30	54.30
F. Trading Related Matters														
G. Employee Matters														
02. Dealing with Employees			44.55	13,824.30					32.70	4,487.35	46.75	4,599.30	124.00	22,910.95
03. EPA Matters			7.10	1,512.30					1.35	76.95	19.40	1,635.15	27.85	3,224.40
04. Pension Issues			49.05	15,898.85					21.30	3,338.90	3.45	288.50	73.80	19,526.25
99. Other Matters			29.50	6,307.55					9.85	1,511.85	0.15	15.60	39.50	7,835.00
sub total -			130.20	37,543.00					65.20	9,415.05	69.75	6,538.55	265.15	53,496.60
G. Employee Matters														
H. Creditor Claims														
02. Secured Creditors			11.00	3,177.00					0.35	38.50			11.35	3,215.50

Name of Assignment

Broad Oak Toiletries Ltd - ADM

00259328

## Detail of Time Charged and Rates Applicable for the Period From 05/02/2016 to 14/09/2018

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
03. Preferential Creditors			65.45	15,928.95			10.05	1,165.80	106.10	15,179.30	22.65	2,308.90	194.20	33,417.15
04. Non-Preferential Creditors			59.50	16,027.15				1,165.80	321.90	39,138.45	5.35	358.45	396.80	56,689.85
06. Other Creditors									1.30	135.20	13.00	6,613.00	14.30	6,748.20
99. Other Matters					0.25	31.00			6.05	494.10			6.30	525.10
sub total -			135.95	35,133.10	0.25	31.00	10.05	1,165.80	435.70	54,985.55	41.00	9,280.35	622.95	100,595.80
H. Creditor Claims														
I. Reporting														
01. Statutory Reporting			10.90	2,775.00			5.25	609.00	25.65	1,759.30			41.80	5,113.30
02. Reporting to Appointor			27.75	8,115.00									27.75	8,115.00
04. Reporting to Creditors			19.50	5,990.25					21.00	3,037.55	23.25	11,679.00	63.75	20,706.80
06. Reporting to other bodies					0.25	31.75			0.35	63.35			0.35	63.35
99. Other Matters									0.45	46.80			0.70	78.55
sub total -			58.15	16,880.25	0.25	31.75	5.25	609.00	47.45	4,877.00	23.25	11,679.00	134.35	34,077.00
I. Reporting														
J. Distribution and Closure														
01. Closure Planning			3.85	1,299.25									3.85	1,299.25
02. Distributions	0.20	104.00	52.50	15,030.00					47.00	3,329.50	9.00	4,689.75	108.70	23,153.25

Detail of Time Charged and Rates Applicable for the Period From 05/02/2016 to 14/09/2018

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
04, Closure Documentation									0.50	34.50			0.50	34.50
sub total -	0.20	104.00	56.35	16,329.25					47.50	3,364.00	9.00	4,689.75	113.05	24,487.00
J. Distribution and Closure														
Net Total														371,059.30
Secretarial Expense														0.00
Other Disbursements														0.00
Billed														0.00
Grand Total														371,059.30

**Broad Oak Toiletries Limited****Fees Estimate to Accrued Time Comparison**

Below is the original Fees Estimate annotated with a column showing the time costs accrued in respect of each activity.

**Fees Estimate as at 9 December 2016 compared to accrued time to 14 September 2017**

<b>Joint Administrator's Fees</b>	<b>Total Hours</b>	<b>Blended Rate £</b>	<b>Estimated Fee £</b>	<b>Accrued Time £</b>
<b>Summary Activity</b>				
B. Steps on Appointment	59.00	220	12,980.00	21,649.00
C. Planning and Strategy	0.00	220	0.00	180.60
D. General Administration	52.10	220	33,462.00	48,115.40
E. Assets Realisation/Dealing	313.35	220	68,937.00	88,403.60
F. Trading Related Matters	0.00	220	0.00	54.30
G. Employee Matters	193.75	220	42,625.00	53,496.60
H. Creditor Claims	392.85	220	86,427.00	100,595.80
I. Reporting	65.40	220	14,388.00	34,077.00
J. Distribution & Closure	49.10	220	10,802.00	24,487.00
<b>TOTAL</b>			<b>269,621.00</b>	<b>371,059.30</b>

The fees that have accrued are within the level of the approved fees estimate and you will note that I have unfortunately exceeded the original Fees Estimate.

The original Fees Estimate has been exceeded because due to unforeseen complications that arose in the adjudication of employee claims. The firm will write off the time costs incurred in excess of the agreed Fees Estimate.

## **Broad Oak Toiletries Limited - In Administration**

In accordance with best practice I provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within my firm who may be involved in working on the insolvency, follows:

### **GRADE £**

Partner	533-636
Manager	235-411
Assistant Manager	212
Senior Administrator	200-212
Administrator	71-180
Other Staff	75

This in no way implies that staff at all such grades will work on the case. The rates charged by BDO LLP are reviewed in December and July 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. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

Pre Appointment  
Steps upon Appointment  
Planning and Strategy  
General Administration  
Asset Realisation/Management  
Trading Related Matters  
Employee Matters  
Creditor Claims  
Reporting  
Distribution and Closure  
Other Issues.

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

### **Other Costs**

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories.

#### **(1) Category 1**

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as

advertising, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents etc. In each case the recharge will be reimbursement of a specific expense incurred.

(2) Category 2

We propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff. Where costs are incurred in respect of mileage, approval will be sought in accordance with the Insolvency (England and Wales) Rules 2016 to recover this disbursement.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

BDO LLP  
03 October 2018

**Rule 15.7**  
Insolvency  
(England  
and Wales)  
Rules 2016

**The Insolvency Act 1986 - NOTICE OF DEEMED CONSENT PROCEDURE**

**To resolve that the Joint Administrators may be discharged from liability under the Administration**

Name of Company

**Broad Oak Toiletries Limited**

Company number

**01971053**

In the  
**Bristol District Registry**

[full name of court]

Court case number  
**39 of 2016**

The Joint Administrators are Simon Girling (Officeholder No: 9283) of BDO LLP, Bridgewater House, Counterslip, Bristol, BS1 6BX, and Danny Dartnaill (officeholder No: 10110) of BDO LLP, Thames Tower, Level 12, Station Road, Reading, RG1 1LX, who were appointed on 5 February 2016. The Joint Administrators may also be contacted by via Alice Denmark at [BRCMT@bdo.co.uk](mailto:BRCMT@bdo.co.uk).

**NOTICE IS GIVEN**, pursuant to Paragraph 51 of Schedule B1 to the Insolvency Act 1986 that the release of the Joint Administrator's liability as stated in the Joint Administrators Proposals will be dealt with by deemed consent by the Decision date: 17 October 2018. The resolution is:

- i) The Joint Administrators be discharged from liability under the Administration per Paragraph 98 of Schedule B1 of the Insolvency Act 1986, 28 days after the filing of the final progress report and sending it to creditors.

In order to object to the resolution a creditor must deliver, to me at the address below, by no later than 17 October 2018 a written notice stating that the creditor objects to the resolution. The objection must be accompanied by a proof of debt (form attached) otherwise the creditor's objection will be disregarded. A creditor with a 'small debt' £1,000 or less must still submit a proof of debt if submitting a notice of objection. The threshold is 10% in value of the creditors who are entitled to vote.

It is the convenor's responsibility to aggregate the objections to see if the threshold is met. If the threshold is met the deemed consent procedure will terminate. It will then be necessary for the convenor to arrange for a meeting of creditors. If less than 10% in value of creditors object, the creditors are treated as having approved the resolution as detailed above.

Appeals against decisions (Rule.15.35): Creditors may appeal to the court in respect of the convenor's decision. Any appeal must be made within 21 days of the Decision date stated above.

**Date: 03 October 2018**



**Simon Girling**  
Joint Administrator and Convenor of the decision process

Objections to the Joint Administrators' release, together with proof of claim must be forwarded to Simon Girling c/o Business Restructuring, BDO LLP, 5 Temple Square, Temple Street, Liverpool, L2 5RH, by no later than 17 October 2018.

Reference: 00257921/C4/SEG/AD



**Proof of Debt/Claim Form**  
**Broad Oak Toiletries Limited - In Administration**  
**Company No: 01971053**

Debt as at the date of the appointment of Administrators: 5 February 2016

1 Name of creditor (If a company please also give company registration number and where registered).		
2 Address of creditor including email address for correspondence.		
3 Total amount of claim, including any Value Added Tax at the above date.		
4 If amount in 3 above includes outstanding uncapitalised interest please state amount.	£	
5 Particulars of how and when debt incurred. (If you need more space append a continuation sheet to this form).		
6 Particulars of any security held, the value of the security, and the date it was given.		
7 Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates.		
8 Provide details of any documents by reference to which the debt can be substantiated.  (Note: There is no need to attach them now but the Administrator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convener of any meeting).		
9 Signature of creditor or person authorised to act on his behalf	Dated	
_____	_____	
Name in BLOCK LETTERS		
_____		
Position with or in relation to creditor		
_____		
Address of person signing (if different from 2 above)		
_____		

Deliver to the Joint Administrator, Simon Girling, Business Restructuring, BDO LLP, 5 Temple Square, Temple Street, Liverpool, L2 5RH.

## **Statement from the Insolvency (England and Wales) Rules 2016 regarding the rights of creditors in respect of the Joint Administrators' fees and expenses:**

### **Creditors' and members' requests for further information in administration, winding up and bankruptcy**

**18.9.—**(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
  - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
  - (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
  - (d) any unsecured creditor with the permission of the court; or
  - (e) any member of the company in a members' voluntary winding up with the permission of the court.
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.
- (3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—
- (a) providing all of the information requested;
  - (b) providing some of the information requested; or
  - (c) declining to provide the information requested.
- (4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—
- (a) the time or cost of preparation of the information would be excessive; or
  - (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
  - (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
  - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—
- (a) the office-holder giving reasons for not providing all of the information requested; or
  - (b) the expiry of the 14 days within which an office-holder must respond to a request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

### **Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive**

**18.34.—**(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
  - (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
  - (c) the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—
- (a) a secured creditor,
  - (b) an unsecured creditor with either—
    - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
    - (ii) the permission of the court, or
  - (c) in a members' voluntary winding up—
    - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
    - (ii) a member of the company with the permission of the court.
- (3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question (the relevant report).

### **Applications under rules 18.34 and 18.35 where the court has given permission for the application**

**18.36.**—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.

- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
  - (b) an order reducing any fixed rate or amount;
  - (c) an order changing the basis of remuneration;
  - (d) an order that some or all of the remuneration or expenses in question is not to be treated as expenses of the administration, winding up or bankruptcy;
  - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
    - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
    - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
  - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration, winding up or bankruptcy.

**Applications under rule 18.34 where the court's permission is not required for the application**

**18.37.**—(1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
  - (b) an order reducing any fixed rate or amount;
  - (c) an order changing the basis of remuneration;
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration or winding up or bankruptcy;
  - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
    - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
    - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
  - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration or as winding up or bankruptcy.