

In accordance with Rule 6.28 of the Insolvency (England & Wales) Rules 2016 and Section 106(3) of the Insolvency Act 1986.

# LIQ14

## Notice of final account prior to dissolution in CVL



Companies House

TUESDAY



A14 \*A7GPADC3\* #153  
16/10/2018  
COMPANIES HOUSE

### 1 Company details

Company number 0 2 7 6 1 8 2 0

Company name in full Bernshaw Limited

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

### 2 Liquidator's name

Full forename(s) N A

Surname Bennett

### 3 Liquidator's address

Building name/number Leonard Curtis

Street 5th Floor

Grove House

Post town 248a Marylebone Road

County/Region London

Postcode N W 1 6 B B

Country

### 4 Liquidator's name ●

Full forename(s) A D

Surname Cadwallader

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

### 5 Liquidator's address ●

Building name/number Leonard Curtis

Street 5th Floor

Grove House

Post town 248a Marylebone Road

County/Region London

Postcode N W 1 6 B B

Country

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

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**6** Liquidator's release

Tick if one or more creditors objected to liquidator's release.

:

**7** Final account

I attach a copy of the final account.

**8** Sign and date

Liquidator's signature

Signature

X

*Benno*

X

Signature date

15 7 0 2 0 1 8

# LIQ14

Notice of final account prior to dissolution in CVL

## 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 **Samuel Wood**

Company name **Leonard Curtis**

Address **5th Floor**

**Grove House**

**248a Marylebone Road**

Post town **London**

County/Region

Postcode **N W 1 6 B B**

Country

DX

Telephone **020 7535 7000**

## 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)**



**LEONARD CURTIS**  
BUSINESS RESCUE & RECOVERY

**Bernshaw Limited**  
**(In Creditors' Voluntary Liquidation)**

**Company Number: 02761820**

**Former Registered Office: 58-60 Berners Street, London W1T 3JS**

**Trading Address: 27 Margaret Street, London W1W 8RY**

**Joint Liquidators' Final Account**  
**pursuant to Section 106(1) of the Insolvency Act 1986 (as amended)**  
**and Rule 18.14 of the Insolvency (England and Wales) Rules 2016**

**15 August 2018**

**Leonard Curtis**  
**5th Floor, Grove House, 248a Marylebone Road**  
**London NW1 6BB**

**Tel: 020 7535 7000 Fax: 020 7723 6059**  
**recovery@leonardcurtis.co.uk**

**Ref: L/18/SVW/BER12/1010**

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**TO ALL MEMBERS, CREDITORS AND THE REGISTRAR OF COMPANIES**

**1 INTRODUCTION**

- 1.1 N A Bennett and A D Cadwallader were appointed Joint Liquidators of Bernshaw Limited ("the Company") on 1 September 2015.
- 1.2 N A Bennett is authorised to act as an insolvency practitioner in the UK by the Insolvency Practitioners Association and A D Cadwallader is authorised to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales.
- 1.3 There has been no change in office holder since the date of liquidation.
- 1.4 Pursuant to Section 106(1) of the Insolvency Act 1986 (as amended) ("the Act") and Rule 18.14 of the Insolvency (England and Wales) Rules 2016 (the Rules"), as the Company's affairs have been fully wound up, the Joint Liquidators now present an account of the winding up, showing how the liquidation has been conducted and the Company's property disposed of, the outcome for creditors and other information that the Joint Liquidators are required to disclose.

**2 CONDUCT OF THE LIQUIDATION**

- 2.1 The Company's registered office was changed from 58-60 Berners Street, London W1T 3JS to One Great Cumberland Place, Marble Arch, London W1H 7LW and thereafter to 5th Floor, Grove House, 248a Marylebone Road, London NW1 6BB following our appointment. The registered number is 02761820.

**Assets Realised**

**2.2 Trade Debtors**

- 2.2.1 As previously reported, the Company operated a factoring facility with HSBC Invoice Finance (UK) Limited ("HSBCIF"). The statement of affairs showed debtors with a book value of £121,709 and an estimated to realise value of £97,367. HSBCIF were owed £64,444.
- 2.2.2 HSBCIF wrote to us in November 2015 confirming that they had collected debts sufficient to repay the amount due to them and re-assigned the ledger back to the Company. We subsequently instructed DAL Commercial Consultants Limited ("DAL") to assist us in collecting the remaining debts.
- 2.2.3 £37,131.96 was realised for the benefit of the liquidation estate. DAL confirmed that all remaining debts should be written off as uncollectable. In addition to debtor realisations we received a VAT refund of £2,737.13 on bad debts that we were unable to recover.

**2.3 Balance at Bank**

£25,340.39 has been received.

**2.4 Stock**

- 2.4.1 Following appointment we received a number of returned garments from former customers. We subsequently instructed independent agents, ITC Valuers ("ITC"), to deal with the sale of these items.
- 2.4.2 ITC advised that the items were all old season stock and their value was negligible. £400 was realised from their sale to non-connected parties.

2.5 **Unrealisable Assets**

No assets proved to be unrealisable.

3 **RECEIPTS AND PAYMENTS ACCOUNT**

3.1 A summary of the Joint Liquidators' final receipts and payments for the entire liquidation, including details of all receipts and payments for the period from 1 September 2017 to 15 August 2018, is attached at Appendix A.

3.2 All figures are stated net of VAT.

4 **OUTCOME FOR CREDITORS**

**Secured Creditors**

4.1 Bernshaw Limited Pension Scheme ("BLPS") hold a debenture incorporating fixed and floating charges dated 22 October 2009. At the date of liquidation BLPS were owed £31,450. A distribution of £13,400 was made to BLPS pursuant to their floating charge.

**Preferential Creditors**

4.2 As at the date of liquidation, there were preferential creditors, with estimated claims totalling £6,818.

4.3 Claims totalling £4,079.48 have been received. These claims were paid in full on 6 October 2016.

**Prescribed Part**

4.4 The Act provides that, where a company has created a floating charge after 15 September 2003, we must make a prescribed part of the company's net property available to the unsecured creditors if the net property is greater than £10,000. We can confirm that a prescribed part of £7,100 was set aside for unsecured creditors.

**Ordinary Unsecured Creditors**

4.5 As at the date of liquidation, there were ordinary unsecured creditors, with estimated claims totalling £136,193.

4.6 The table below illustrates the position regarding the claims of the ordinary unsecured creditors:

	As at Date of Liquidation	Claims Admitted
	£	£
Trade and Expense	7,458	15,285
HMRC	13,193	14,493
Employee Claims	35,542	47,043
Directors Loan Accounts	80,000	80,000
	<u>136,193</u>	<u>156,821</u>

4.7 A first and final dividend of 4.572 pence in the pound was declared on 18 January 2018 in favour of ordinary unsecured creditors with admitted claims. No further dividend will be paid as all funds realised have been distributed or used or allocated for paying the expenses of the liquidation.

**5 INVESTIGATIONS**

As previously reported, following the initial assessment, no detailed investigations were considered to be required by the Joint Liquidators. Nothing further has been brought to the attention of the Joint Liquidators during the period of this report.

**6 JOINT LIQUIDATORS’ REMUNERATION, EXPENSES AND DISBURSEMENTS, AND CREDITORS’ RIGHTS**

**Remuneration**

- 6.1 A fee of £8,000 in respect of the preparation of the statement of affairs was approved by creditors on 1 September 2045. This has been drawn in full.
- 6.2 On 1 September 2015, at a meeting of creditors, it was resolved that the Joint Liquidators’ remuneration be payable by reference to time properly given by them and their staff in attending to matters arising in the liquidation. The Joint Liquidators’ time costs from 1 September 2017 to 15 August 2018 are £4,174, which represents 15.9 hours at an average hourly rate of £262.52. Attached at Appendix B is a time analysis which provides details of the activity costs incurred by staff grade during the period from 1 September 2015 to 15 August 2018. Total time costs from the commencement of the liquidation amount to £28,623.
- 6.3 At Appendix C is a detailed description of work undertaken attributable to each category of time costs and an explanation of why it was necessary for that work to be performed.
- 6.4 Fees totalling £22,417.94 have been drawn, £2,059.94 of which has been drawn during the period 1 September 2017 to 15 August 2018. The balance of our time costs will be written off.

**Expenses and Disbursements**

- 6.5 Creditors also approved the basis for recharging disbursements that include an element of allocated cost or payments to outside parties in which Leonard Curtis or the Joint Liquidators have an interest. In this case, the following costs falling into the above categories have been incurred and, where indicated, reimbursed to our company:

Type	Incurred This Period £	Incurred to Date £	Paid £	Unpaid £
Internal photocopying @ 10p per copy	-	42.00	42.00	-
<b>Total</b>	-	<b>42.00</b>	<b>42.00</b>	-

- 6.6 Attached at Appendix D is additional information in relation to the firm’s policy on staffing, the use of subcontractors, disbursements and details of current charge-out rates by staff grade.
- 6.7 During the liquidation, the following professional advisors and / or subcontractors have been used:

Name of Professional Advisor	Service Provided	Basis of Fees
DAL Commercial Consultants Limited	Debt Collection	Percentage of Realisations
ITC Valuers	Asset Disposal	Time Costs
Clumber Consultancy Limited	Pension Advice	Agreed Fee
Insol Group (HR) Limited	Employee Claims	Agreed Fee

### Creditors' Rights

- 6.8 Under Rule 18.9 of the Rules, within 21 days of receipt of this report, a secured creditor, or an unsecured creditor with either the concurrence of at least five per cent in value of the unsecured creditors (including the creditor in question), or with the permission of the court, may request in writing that the Joint Liquidators provide further information about their remuneration or expenses which have been itemised in this report.
- 6.9 Under Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10 per cent in value of the unsecured creditors (including that creditor) or the permission of the court, may within eight weeks of receipt of the progress report that first reports the fee basis, the charging of the remuneration or the incurring of the expenses in question, make an application to court on the grounds that, in all the circumstances, the basis fixed for the Joint Liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Joint Liquidators, as set out in the progress report, are excessive.
- 6.10 Unless the court orders otherwise, the costs of the application shall be paid by the applicant and are not payable as an expense of the liquidation.

## 7 OTHER MATTERS

### Release from Office

- 7.1 The Joint Liquidators will have their release from office when they have sent to the Registrar of Companies a copy of the final account and a statement of whether any of the Company's creditors objected to the Joint Liquidators' release. Such an objection to the Joint Liquidators' release must be received within eight weeks from the date of receipt of the notice attached at Appendix E. Please note, all objections should be made in writing and sent to Samuel Wood at Leonard Curtis, 5th Floor, Grove House, 248a Marylebone Road, London, NW1 6BB.
- 7.2 In the event that such an objection is received, the Joint Liquidators will apply to the Secretary of State for their release and their release date will be as determined by the Secretary of State.
- 7.3 For your information, a creditor's guide to liquidators' fees, which sets out the rights of creditors and other interested parties under the insolvency legislation, may be accessed via the following link:  
<https://www.r3.org.uk/what-we-do/publications/professional/fees>
- 7.4 If you would prefer this to be sent to you in hard copy form, please contact Samuel Wood of this office on 020 7535 7000.
- 7.5 Creditors are also encouraged to visit the following website, which provides a step by step guide designed to help creditors navigate through an insolvency process:  
<http://www.creditorinsolvencyguide.co.uk>
- 7.6 The Joint Liquidators are bound by the Insolvency Code of Ethics, which can be found at:  
<https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>

### Data Protection

- 7.7 Finally, when submitting details of your claim in the liquidation, you may disclose personal data to the Joint Liquidators. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679 as supplemented by the Data Protection Act 2018, together with other laws which relate to privacy and electronic communications. The Joint Liquidators act as Data Controllers in respect of personal data they obtain in relation to this liquidation and are therefore responsible for complying with Data Protection Law in respect

**Bernshaw Limited – In Creditors' Voluntary Liquidation**

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of any personal data they process. The Joint Liquidators' privacy notice, which is attached to this report at Appendix F, explains how they process your personal data. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

Yours faithfully



**N A BENNETT  
JOINT LIQUIDATOR**

N A Bennett is authorised to act as an insolvency practitioner in the UK by the Insolvency Practitioners Association under office holder number 9083 and A D Cadwallader is authorised to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales under office holder number 9501

**Summary of Joint Liquidators' Receipts and Payments  
from 1 September 2015 to 15 August 2018**

	Statement of Affairs £	Previously Reported £	This Period 01/09/2017 to 15/08/2018 £	Total £
<b>RECEIPTS</b>				
Balance at Bank	30,000	25,340.39	-	25,340.39
Book Debts - Trade	32,923	37,131.96	-	37,131.96
	<hr/>			
	62,923	62,472.35	-	62,472.35
	<hr/>			
Deposit Interest Gross		34.87	3.24	38.11
Stock		400.00	-	400.00
Bad Debt Relief Claim		2,737.13	-	2,737.13
		<hr/>		
		65,644.35	3.24	65,647.59
<b>PAYMENTS</b>				
Agents' Commission and Expenses		400.00	-	400.00
Debt Collection Expenses		7,672.75	-	7,672.75
Statutory Advertising		236.25	-	236.25
Bordereau Fee		135.00	-	135.00
IT Licence Fee		87.00	-	87.00
Other Professional Fees		565.00	150.00	715.00
Storage Charges		895.31	256.37	1,151.68
Sundry Expenses/Disbursements		105.28	7.00	112.28
Tax on Deposit Interest		-	6.95	6.95
Cost of Creditors' Meeting		8,000.00	-	8,000.00
Joint Liquidators' Remuneration - on account		20,358.00	2,059.94	22,417.94
Irrecoverable VAT		-	133.26	133.26
		<hr/>		
		38,454.59	2,613.52	41,068.11
<b>DISTRIBUTIONS</b>				
Preferential Creditors		4,079.48	-	4,079.48
Secured Creditor - pursuant to floating charge		-	13,400.00	13,400.00
First and final distribution to Unsecured Creditors of 4.572 p in the £ dated 18 January 2018		-	7,100.00	7,100.00
		<hr/>		
Balance in Hand		23,110.28	(23,110.28)	Nil
		<hr/>		

Bernshaw Limited  
(In Creditors' Voluntary Liquidation)

Summary of Joint Liquidators' Time Costs from 1 September 2015 to 15 August 2018

	Director		Senior Manager		Manager 2		Administrator 1		Administrator 2		Administrator 4		Total		Average Hourly Rate £
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	
Statutory & Review	14	630.00	32	1,312.00	-	-	47	1,222.00	4	92.00	42	630.00	139	3,886.00	279.57
Receipts & Payments	1	45.00	1	41.00	1	32.00	153	3,978.00	2	46.00	27	405.00	185	4,547.00	245.78
Insurance	-	-	-	-	-	-	8	208.00	6	138.00	20	300.00	34	646.00	190.00
Assets	16	720.00	3	123.00	-	-	246	6,396.00	32	736.00	159	2,385.00	456	10,360.00	227.19
Liabilities	4	180.00	10	410.00	-	-	97	2,522.00	-	-	26	390.00	137	3,502.00	255.62
General Administration	-	-	3	123.00	-	-	37	962.00	17	391.00	28	420.00	85	1,896.00	223.06
Appointment	-	-	-	-	-	-	-	-	-	-	24	360.00	24	360.00	150.00
Post Appointment Creditor Reporting	21	945.00	6	246.00	-	-	45	1,170.00	-	-	51	765.00	123	3,126.00	254.15
Investigations	-	-	-	-	-	-	-	-	-	-	20	300.00	20	300.00	150.00
<b>Total</b>	<b>56</b>	<b>2,520.00</b>	<b>55</b>	<b>2,255.00</b>	<b>1</b>	<b>32.00</b>	<b>633</b>	<b>16,458.00</b>	<b>61</b>	<b>1,403.00</b>	<b>397</b>	<b>5,955.00</b>	<b>1,203</b>	<b>28,623.00</b>	
<b>Average Hourly Rate (£)</b>		<b>450.00</b>		<b>410.00</b>		<b>320.00</b>		<b>260.00</b>		<b>230.00</b>		<b>150.00</b>		<b>237.93</b>	

All Units are 6 minutes

Summary of Joint Liquidators' Time Costs from 1 September 2017 to 15 August 2018

	Director		Senior Manager		Administrator 1		Administrator 4		Total		Average Hourly Rate £
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	
Statutory & Review	-	-	2	82.00	15	390.00	4	60.00	21	532.00	253.33
Receipts & Payments	1	45.00	-	-	16	416.00	-	-	17	461.00	271.18
Liabilities	4	180.00	4	164.00	46	1,196.00	-	-	54	1,540.00	285.19
General Administration	-	-	-	-	9	234.00	-	-	9	234.00	260.00
Post Appointment Creditor Reporting	5	225.00	6	246.00	21	546.00	26	390.00	58	1,407.00	242.59
<b>Total</b>	<b>10</b>	<b>450.00</b>	<b>12</b>	<b>492.00</b>	<b>107</b>	<b>2,782.00</b>	<b>30</b>	<b>450.00</b>	<b>159</b>	<b>4,174.00</b>	
<b>Average Hourly Rate (£)</b>		<b>450.00</b>		<b>410.00</b>		<b>260.00</b>		<b>150.00</b>		<b>262.52</b>	

All Units are 6 minutes

## DETAILED NARRATIVE OF WORK PERFORMED BY THE JOINT LIQUIDATORS AND THEIR STAFF

### Statutory and Review

This category of activity encompasses work undertaken for both statutory and case-management purposes. Whilst this work will not directly result in any monetary value for creditors, it will ensure that the case is managed efficiently and resourced appropriately, which will be of benefit to all creditors. The work carried out under this category comprised the following:

- Case-management reviews. These were carried out periodically throughout the life of the case. A month one review was undertaken by the firm's compliance team to ensure that all statutory and best practice matters had been dealt with appropriately. As the case progressed, further quarterly reviews were undertaken to ensure that the case was progressing as planned.
- Allocation of staff, management of staff, case resourcing and budgeting.
- Review of time costs data to ensure accurate posting of time and to ensure compliance with Statement of Insolvency Practice 9.
- Review of work carried out by more junior members of staff to ensure quality of work and adherence to standards, legislation and best practice.
- The team is required under the Company Directors Disqualification Act 1986 ("CDDA") to review the Company's records and consider information provided by creditors on the conduct of the all directors involved with the Company during the three years leading up to the insolvency. This was completed and resulted in the preparation and submission of a statutory report on all directors to the Insolvency Service. Evidence of unfit conduct can result in directors being disqualified for periods of up to 15 years.
- Review of directors' statement of affairs and filing of document at Companies House in accordance with statutory requirements.
- Completion of closing procedures at the end of the case.

### Receipts and Payments

This category of work will not result in a direct financial benefit for creditors; however, close monitoring of case bank accounts is essential to ensure that bank interest is maximised where possible, estate expenses are properly managed and kept to a minimum and amounts payable to creditors are identified and distributed promptly.

- Opening of case bank account.
- Management of case bank account to ensure compliance with relevant risk management procedures.
- Preparation of periodic receipts and payments accounts for inclusion in statutory reports.
- Timely completion of all post-appointment tax and VAT returns.
- Managing estate expenses.

### Insurance, Bonding and Pensions

Insolvency Practitioners are obliged to comply with certain statutory requirements when conducting their cases. Some of these requirements are in place to protect Company assets (see insurance and bonding matters below), whilst requirements in respect of Company pension schemes are there to protect the pension funds of Company employees. Whilst there is no direct financial benefit to Company creditors in dealing with these, close control of case expenditure is crucial to delivering maximum returns to the appropriate class of creditor.

- Calculation and request of Joint Liquidators' bond in accordance with the Insolvency Practitioners' Regulations 2005. A bond is a legal requirement on all liquidations and is essentially an insurance policy to protect creditors against the fraud or dishonesty of the Insolvency Practitioner. The bond is calculated by reference to the value of assets which are estimated before costs, to be available to unsecured creditors.
- Periodic review of bonding requirements to ensure that creditors are appropriately protected. The bond is reviewed upon each large receipt of monies into the case and also at three month intervals in accordance with best practice.
- Conducting online checks to identify whether the Company operated a registered pension scheme.
- Review of financial records to identify whether any payments were made by the Company into a pension scheme.
- Instructing agents to assist in the review of the pension scheme which was identified.

#### **Assets**

- Agreeing strategy for realisation of Company assets – The main assets that were expected to be realised were the Company's book debts and the balance at bank. Time was spent liaising with our agents, DAL, with regards to the collection of the book debts.
- Time was spent handling the VAT bad debt relief claim and liaising with HM Revenue & Customs
- Liaising with Company's bankers re pre-appointment bank accounts.

#### **Liabilities**

This category of time includes both statutory and non-statutory matters.

##### *Statutory*

- Processing of claims from the Company's creditors – All claims received from the Company's creditors were logged. Additional time was incurred in reviewing creditors' claims and dealing with the distributions to secured, preferential and unsecured creditors.

##### *Non statutory*

- Dealing with enquiries from the Company's creditors – This included dealing with creditors' general queries by post, telephone and email. Time was also incurred providing updates to the secured creditors on the progress of the liquidation.

#### **General Administration**

- General planning matters.
- Setting up and maintaining the Joint Liquidators' records.
- Arranging collection and storage of Company records.
- Dealing with general correspondence and communicating with directors and shareholders.

**Appointment**

- Statutory notifications to creditors and other interested parties following the Joint Liquidators' appointment.
- Preparation of case plan.

**Post-Appointment Creditor Reporting**

- Preparation and submission of periodic progress reports including the drafting of the final account to creditors.

**Investigations**

- Collecting and reviewing the Company's records.
- Conducting initial investigations into the Company's affairs/records to identify the possibility of further realisations and enable the submission of returns due under the CDDA. Any investigations completed to enable the submission of returns under the CDDA is a statutory requirement and is unlikely to result in any benefit for creditors.

## LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS

The following Leonard Curtis policy information is considered to be relevant to creditors:

### Staff Allocation and Charge Out Rates

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is not charged.

Where it has been agreed by resolution that the office holders' remuneration will be calculated by reference to the time properly given by the office holders and their staff in attending to matters as set out in a fees estimate, then such remuneration will be calculated in units of 6 minutes at the standard hourly rates given below. In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to obtain authority from the appropriate body of creditors that their remuneration on such time shall be charged at the higher complex rate given below.

The following hourly charge out rates apply to all assignments undertaken by Leonard Curtis:

	Standard £	Complex £
Director	450	562
Senior Manager	410	512
Manager 1	365	456
Manager 2	320	400
Administrator 1	260	325
Administrator 2	230	287
Administrator 3	210	262
Administrator 4	150	187
Support	0	0

Office holders' remuneration may include costs incurred by the firm's in-house legal team, who may be used for non-contentious matters pertaining to the insolvency appointment.

### Subcontractors

Where we subcontract out work that could otherwise be carried out by the office holder or his/her staff, this will be drawn to the attention of creditors in any report which incorporates a request for approval of the basis upon which remuneration may be charged. An explanation of why the work has been subcontracted out will also be provided.

### Professional Advisors

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements.

The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.

### Expenses

We are required to provide creditors with an estimate of the expenses we expect to be incurred in respect of an assignment and report back to them on actual expenses incurred and paid in our periodic progress reports. There are two broad categories of expenses: standard expenses and case specific expenses. These are explained in more detail below:

- a) Standard Expenses – this category includes expenses which are payable in order to comply with legal or regulatory requirements and therefore will generally be incurred on every case. They will include:

Type	Description	Amount
AML checks	Electronic client verification in compliance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017	£5.00 plus VAT per individual

## Bernshaw Limited – In Creditors' Voluntary Liquidation

Bond / Bordereau fee	Insurance bond to protect the insolvent entity against and losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to £1,200.00 dependent on value of assets within case																								
Company searches	Extraction of company information from Companies House	£1.00 per document unless document can be accessed via the free service																								
Document hosting	Hosting of documents for creditors/shareholders	<table border="1"> <thead> <tr> <th>Type</th> <th>First 100</th> <th>Every addtl 10</th> </tr> </thead> <tbody> <tr> <td>ADM</td> <td>£14.00</td> <td>£1.40</td> </tr> <tr> <td>CVL</td> <td>£7.00</td> <td>£0.70</td> </tr> <tr> <td>MVL</td> <td>£7.00</td> <td>£0.70</td> </tr> <tr> <td>CPL</td> <td>£7.00</td> <td>£0.70</td> </tr> <tr> <td>CVA</td> <td>£10.00</td> <td>£1.00</td> </tr> <tr> <td>BKY</td> <td>£10.00</td> <td>£1.00</td> </tr> <tr> <td>IVA</td> <td colspan="2">£10 p.a. or £25 for life of case</td> </tr> </tbody> </table>	Type	First 100	Every addtl 10	ADM	£14.00	£1.40	CVL	£7.00	£0.70	MVL	£7.00	£0.70	CPL	£7.00	£0.70	CVA	£10.00	£1.00	BKY	£10.00	£1.00	IVA	£10 p.a. or £25 for life of case	
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Post re-direction	Redirection of post from Company's premises to office-holders' address	0-3 months £204.00 3-6 months £303.00 6-12 months £490.00																								
Software Licence fee	Payable to software provider for use of case management system	£87.00 plus VAT per case																								
Statutory advertising	Advertising of appointment, notice of meetings etc. - London Gazette - Other	£83.02 plus VAT per advert Dependent upon advert and publication																								
Storage costs	Costs of storage of case books and records	£5.07 plus VAT per box per annum plus handling charges																								

- b) Case-specific expenses – this category includes expenses (other than office-holders' fees) which are likely to be payable on every case but which will vary depending upon the nature and complexity of the case and the assets to be realised. They will include:

Type	Description	Amount
Agents' fees	Costs of appointed agents in valuing and realising assets	Time costs plus disbursements plus VAT
Debt Collection fees	Costs of appointed debt collectors in realising debts	Generally agreed as a % of realisations plus disbursements plus VAT
Legal fees	Costs of externally appointed solicitors. Will generally comprise advice on validity of appointment, drafting of sale contracts, advice on retention of title issues and advice on any reviewable transactions.	Time costs plus disbursements plus VAT
Other disbursements	See <b>disbursements</b> section below	See <b>disbursements</b> section below

### Disbursements

Included within both of the above categories of expenses are disbursements, being amounts paid firstly by Leonard Curtis on behalf of the insolvent entity and then recovered from the entity at a later stage. These are described as Category 1 and Category 2 disbursements.

- a) Category 1 disbursements: These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses (excl. mileage), and equivalent costs reimbursed to the office holder or his or her staff. Category 1 disbursements may be drawn without prior approval.
- b) Category 2 disbursements: These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage. In the event of charging for category 2 disbursements the following items of expenditure are recharged on this basis and are believed to be in line with the cost of external provision:

Internal photocopying	10p per copy
General stationery, postage, telephone etc	£100 per 100 creditors/ members or part thereof
Storage of office files (6 years)	£81.25 per box
Business mileage	45p per mile

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration.

106(1) INSOLVENCY ACT 1986  
R6.28 INSOLVENCY (ENGLAND AND WALES) RULES 2016

**NOTICE OF FINAL ACCOUNT PRIOR TO DISSOLUTION**

**BERNSHAW LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION ("THE COMPANY")**  
**COMPANY NUMBER: 02761820**

**NOTICE IS HEREBY GIVEN THAT**

It appears to N A Bennett (IP Number 9083) and A D Cadwallader (IP Number 9501) of Leonard Curtis, 5th Floor, Grove House, 248a Marylebone Road, London NW1 6BB ("the Joint Liquidators") that the Company's affairs are fully wound up.

Prescribed Period:	Is the period ending at the later of eight weeks after delivery of this notice or, if any request for information is made by the creditors or any application to the court is made with regard to remuneration and expenses, when that request or application is finally determined.
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Any creditor may object to the release of the Joint Liquidators by giving notice, in writing, to the Joint Liquidators before the end of the Prescribed Period as detailed above. In the event that such an objection is received, the Joint Liquidators will apply to the Secretary of State for their release and their release date will be as determined by the Secretary of State.

Under Rule 18.9 of the Insolvency (England and Wales) Rules 2016 ("the Rules"), within 21 days of receipt of the Joint Liquidators' Final Account, a secured creditor, or an unsecured creditor with either the concurrence of at least five per cent in value of the unsecured creditors (including the creditor in question), or with the permission of the court, may request, in writing, that the Joint Liquidators provide further information about their remuneration or expenses which have been itemised in their report.

Under Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10 per cent in value of the unsecured creditors (including that creditor) or the permission of the court, may within eight weeks of receipt of the progress report that first reports the fee basis, the charging of the remuneration or the incurring of the expenses in question, make an application to court on the grounds that, in all the circumstances, the basis fixed for the Joint Liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Joint Liquidators, as set out in the progress report, are excessive

The Joint Liquidators will vacate office and be released under Sections 171(7) and 173(2)(e) of the Insolvency Act 1986 (as amended) respectively on delivering a copy of the final account to the Registrar of Companies unless any of the Company's creditors object to their release.

Signed:  \_\_\_\_\_

Dated: 15 August 2018

**N A BENNETT**  
**JOINT LIQUIDATOR**

Leonard Curtis, 5th Floor, Grove House, 248a Marylebone Road, London NW1 6BB  
020 7535 7000

**LEONARD CURTIS  
PRIVACY NOTICE FOR CREDITORS**

**Information we collect and hold about you**

By requesting details of your claim in this insolvency, we may collect Personal Data from you, particularly if you are a consumer creditor, a sole trader or are lodging a claim in your personal capacity.

Personal Data is information relating to a living individual. Whenever Personal Data is processed, collected, recorded, stored or disposed of it must be done within the terms of the General Data Protection Regulation ("the GDPR"). Examples of Personal Data include but may not be limited to your name, address, telephone number and email contact details.

If you do not provide us with the information we require, this may adversely affect our ability to deal with your claim, but we would ask you not to submit more Personal Data than we request from you.

**Legal justification for processing your Personal Data**

The processing of your Personal Data by us is necessary to enable us to comply with legal obligations under the Insolvency Act 1986 and associated legislation which we are subject to as Insolvency Practitioners.

**How we use your information**

All information you supply to us is required to enable us to comply with our duties under the Insolvency Act 1986 and associated legislation. It will be used to enable us to assess the extent of the insolvent entity's liabilities, to allow you to vote on any decision procedures, to enable us to communicate with you, to process your claim and to pay any dividends which may be due to you from the insolvent estate.

**Who we share your information with**

We may be required to share some of your Personal Data with other creditors. The data which will be shared with other creditors will be limited to that specifically required to be disclosed under insolvency legislation.

We may share some of your information with our Data Processors. Data Processors include solicitors, accountants and employment law specialists who assist us with our duties where required. We will only share your information with our Data Processors if we require their specialist advice. All of our Data Processors are subject to written contracts with us to ensure that your Personal Data is processed only in accordance with the GDPR.

**How long will we hold your Personal Data for?**

We will need to hold your Personal Data for a period of time after the insolvency has been concluded. This is to enable us to deal with any queries which might arise. Our Records Management Policy requires us to destroy our physical files 6 years after closure of the case. Electronic data files will be removed from our Case Management System 6 years after conclusion of the case but may be held on our server for a longer period of time but with restricted access.

**Your rights in respect of your Personal Data**

You have the right to request access to your Personal Data and to require it to be corrected or erased. You also have the right to request a restriction in the way we process your Personal Data or to object to its processing. You should be aware however that we may not be able to comply with your request if this would affect our ability to comply with our legal obligations.

You have the right to Data Portability. This is a right to have the Personal Data we hold about you to be provided to you in a commonly used and machine-readable format so that you can transfer that Data to another organisation in a way that is not too onerous to upload the Data.

## **Bernshaw Limited – In Creditors' Voluntary Liquidation**

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### **Your right to complain**

You have the right to be confident that we are handling your Personal Data responsibly and in line with good practice. If you have a concern about the way we are handling your Personal Data you should contact our Privacy Manager in the first instance.

If you are unable to resolve your concerns with us, you have the right to complain to the Information Commissioners' Office. The Information Commissioner can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK6 5AF or on 0303 123 1113.

### **Contacting us**

If you have any questions relating to the processing of your Personal Data, please write to our Privacy Manager at Leonard Curtis, Level 5, The Grove, 248A Marylebone Road, London NW1 6BB Alternatively our Privacy Manager can be contacted by telephone on 0207 535 7000 or by email: [privacy@leonardcurtis.co.uk](mailto:privacy@leonardcurtis.co.uk).

**Data Controller: LEONARD CURTIS**