In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

# LIQ03 Notice of progress report in voluntary winding up



For further information, please refer to our guidance at www.gov.uk/companieshouse

| 1                    | Company details        |  |
|----------------------|------------------------|--|
| Company number       | 0 2 8 4 2 3 1 0        | → Filling in this form                                   |
| Company name in full | <u> </u>               | Please complete in typescript or ir bold black capitals. |
| company name in rui  | Aps-Select Limited     |  |
| 2                    | Liquidator's name      |  |
|                      | ·                      |  |
| Full forename(s)     | Mark                   |  |
| Surname              | Supperstone            |  |
| 3                    | Liquidator's address   |  |
| Building name/number | 22 York Buildings      |  |
| Street               |                        |  |
|                      |                        |  |
| Post town            | London                 |  |
| County/Region        |                        |  |
| Postcode             | WC2N6JU                |  |
| Country              |                        |  |
| 4                    | Liquidator's name •    |  |
| Full forename(s)     | Simon                  | Other liquidator Use this section to tell us about       |
| Surname              | Jagger                 | another liquidator.                                      |
| 5                    | Liquidator's address ❷ |  |
| Building name/number | 22 York Buildings      | <b>⊘</b> Other liquidator                                |
| Street               |                        | Use this section to tell us about another liquidator.    |
|                      |                        |  |
| Post town            | London                 |  |
| County/Region        |                        |  |
| Postcode             | WC2N6JU                |  |
| Country              |                        |  |

LIQ03 Notice of progress report in voluntary winding up

| 6                      | Period of progress report                              |  |
|------------------------|--|--|
| From date              | $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ |  |
| To date                | $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ |  |
| 7                      | Progress report  |  |
|                        | ☑ The progress report is attached                      |  |
|                        |  |  |
| 8                      | Sign and date  |  |
| Liquidator's signature | Signature X  |  |
| Signature date         |  |  |

#### **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  | Hamish Drummond          |
|---------------|--------------------------|
| Company name  | ReSolve Advisory Limited |
|               |                          |
| Address       | 22 York Buildings        |
|               |                          |
|               |                          |
| Post town     | London                   |
| County/Region |                          |
| Postcode      | W C 2 N 6 J U            |
| Country       |                          |
| DX            |                          |
| Telephone     | 020 7702 9775            |

#### ✓ 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.

### *t* 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

APS-Select Limited - In Liquidation ("The Company")

Joint Liquidators' First Annual Progress Report to Members and Creditors

#### **CONTENTS**

- 1. Introduction
- 2. Liquidators' actions during the Reporting Period
- 3. Receipts and payments account
- 4. Assets and future realisations
- 5. Outcome to creditors
- 6. Investigations
- 7. Liquidators' remuneration
- 8. Liquidators' expenses
- 9. Further information
- 10. Summary

#### **APPENDICES**

- I. Statutory information
- II. Receipts and payments account
- III. Liquidators' remuneration policy, expenses policy, charge out rates and narrative
- IV. Liquidators' time cost summary

#### 1. INTRODUCTION

I refer to my appointment as Joint Liquidator of the Company along with Simon Jagger, on 15 November 2022 and write to members and creditors of the Company to provide my first progress report on the Liquidation.

This report covers the period from 15 November 2022 to 14 November 2023 ("the Reporting Period") and should be read in conjunction with previous reports issued in the Administration period.

Statutory information relating to the Company is included at *Appendix I*.

#### 2. LIQUIDATORS' ACTIONS DURING THE REPORTING PERIOD

Since my appointment as Liquidator, I have:

- Collected distributions from the liquidations of the French and Austrian subsidiaries, APS Avoriaz and APS GmBH;
- Instructed Indemnity Legal Services Limited (Indemnity Legal") to provide legal advice and assess the Company's pre appointment insurance and business interruption claims;
- Reviewed the Company's business interruption and pre appointment insurance policies, and arranged for the necessary translation of policy documentation;
- Instructed Evolve IS Limited ("Evolve") to review the employee claims and contacted the Redundancy Payments Service ("RPS") for details of employee claims;
- Issued a Notice of Intention to Declare a Dividend ("NOID") to the preferential creditors;
- Reviewed and adjudicated the preferential creditor claims;
- Declared and paid a dividend to the preferential creditors;
- Issued a NOID to the non-preferential unsecured creditors and issued a letter to the non-preferential unsecured creditors postponing the dividend;
- Reviewed and adjudicated the non-preferential unsecured creditor claims and made enquiries with creditors for documentation to substantiate claims;
- Finalised investigations as a follow on from the CDDA submission in the Administration period;
- Instructed Elman Wall Limited ("Elman Wall") to review pre and post appointment corporation tax matters;
   and
- Addressed the administrative and statutory duties associated with this Liquidation.

#### 3. RECEIPTS AND PAYMENTS ACCOUNT

Attached at Appendix II is the receipts and payments account for the Reporting Period.

#### Receipts

- £225.530 was transferred to the Liquidation estate account from the Administration estate:
- £123,161 was received from APS Avoriaz and APS GmBH; and
- £3,315 bank interest has accrued on funds held in the Liquidation estate bank account.

#### **Payments**

- £27,204 was paid to the RPS in regard to the preferential distribution;
- £22,415 Administrators' fees have been drawn pursuant to Paragraph 99 of the Insolvency Act 1986;
- £22,382 Liquidators' fees have been drawn;
- £4,219 was paid to the former employees in regard to the preferential distribution;
- £2,281 PAYE/NIC was paid to HMRC in regard to the preferential distribution;
- £1,539 was paid to Business Storage Solutions Ltd to cover company records storage costs;
- £1,000 was paid to Indemnity Legal to assist with reviewing the pre appointment insurance claims;
- £192 was paid to Courts Advertising Limited to advertise notices in the London Gazette; and
- £150 was paid to Evolve for assistance with reviewing employee claims.

#### 4. ASSETS AND FUTURE REALISATIONS

#### Balance transfer from Administration

£225,530 was transferred to the Liquidation estate bank account from the Administration estate.

#### Investment in Subsidiaries (APS Avoriaz and APS GmBH)

The Company held a 98% shareholding in the French subsidiary, APS Avoriaz and 100% shareholding in the Austrian subsidiaries APS GmBH.

Both subsidiaries were put into liquidation whilst the Company was in Administration proceedings, and funds totalling £123,658 and £50,025 were paid to the Company from APS Avoriaz and APS GmBH respectively during that period.

During the Reporting Period, a further sum of £98,584 was paid from APS Avoriaz and a total of £24,577 has been paid from APS GmBH. I can confirm that the liquidations of both of these entities have now been finalised.

Please note that all funds paid by APS GmBH were for the repayment of a pre-appointment loan, however the funds paid by APS Avoriaz were for the part payment of a pre-appointment loan and also a distribution of the reserves. Tax advice is being sort from Elman Wall on whether the distribution of the APS Avoriaz reserves has accrued any corporation tax deemed payable from the Liquidation estate.

No further realisations are to be paid from this source.

#### Pre- Appointment Insurance Claim and Pre-Appointment Business Interruption Claim

Prior to the Administration, the Company made an insurance claim with AXA for fire damage to a property located in France. A mediator was previously engaged to assist with the claim which is estimated at €313k (based on lost booking income), of which pre appointment, the Company purportedly received an initial payment from AXA of c.€100k.

In addition, the Company has a potential business interruption claim resulting from the Covid-19 pandemic and the maximum claim value is £400k.

Indemnity Legal, specialist insurance solicitors, have been instructed to assist with determining whether there is any prospect of making any recoveries, and this has included arranging for the translation of the insurance documentation, as it is currently drafted in French.

No further information can be disclosed at this stage and an update will be provided in the next report.

#### **Banking Interest Gross**

A total of £3,315 interest has accrued on the funds held in the Liquidation estate bank account.

#### 5. OUTCOME TO CREDITORS

#### **Preferential creditors**

The Statement of Affairs anticipated employee preferential claims totalling £49,706.

A total of £33,704 preferential claims has been received and a distribution of 100p in the £ was paid to the preferential creditors on 7 August 2023.

#### Non-preferential unsecured creditors

The Statement of Affairs indicates non-preferential unsecured creditors with an estimated total liability of £6,321,667. To date, I have received claims from creditors totalling £4,306,157.

On 22 September 2023, a NOID was issued to the non-preferential unsecured creditors, giving a deadline of 25 October 2023 for the last date of proving claims, with the dividend to be paid by the 24 December 2023.

Due to the unforeseen complexity of a significant number of claims, i.e. dealing with claims from international creditors, the dividend has now been delayed. Creditors have been notified, and the dividend is due to be paid by 29 February 2024.

#### 6. INVESTIGATIONS

During the Reporting Period I have continued the 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.

The investigations have now been finalised.

#### 7. LIQUIDATORS' REMUNERATION

The basis for my remuneration was previously authorised by creditors on 26 January 2021, during the Administration period, on a time cost basis based on a fee estimate of £290,628. Subsequently, on 15 July 2022, the creditors approved an increase to the level of my remuneration to £339,473.

During the Administration period, total time costs of £317,091 were incurred and fees totalling £294,676 were drawn during the Administration period. A further sum of £22,415 has been paid from the Liquidation estate in respect of the unpaid Administration time costs and expenses.

(Please note that the Administrators' final report incorrectly stated that total time costs of £297,359 had been incurred, however this did not include time costs which needed to be allocated due to a system error).

My time costs during the Reporting Period amount to £62,949 (which covers the full period of the liquidation), representing 182 hours work at an average charge out rate of £345.87 per hour.

I have drawn Liquidation fees of £22,382 during the Reporting Period.

As at the date of this report the remuneration anticipated to be charged by the Joint Liquidators has exceeded the previous fees estimate provided to creditors in the Administration period. This is due to additional time

having to be spent adjudicating the complex creditor claims and to review the pre appointment insurance matters.

Below is a comparison of my revised fee estimate and the current time costs position:

| Category                               | Revised fee estimate | Current time costs position | The difference<br>(Revised vs |
|--|----------------------|-----------------------------|-------------------------------|
|  | estimate             | (Administration             | Current Position)             |
|  |                      | and Liquidation)            | Í                             |
|  | (£)                  | (£)                         | (£)                           |
| Administration, Planning and Statutory | 126,768              | 159,465                     | 32,697                        |
| Creditors                              | 48,720               | 61,049                      | 12,329                        |
| Investigations                         | 24,195               | 38,976                      | 14,781                        |
| Realisations of assets                 | 132,245              | 113,005                     | (19,240)                      |
| Trading                                | 7,545                | 7,545                       | -                             |
| Total                                  | 339,473              | 380,040                     | 40,567                        |

#### Administration, Planning and Statutory (£32,697 underestimated)

Due to a system error, there was unallocated time costs in this category which were not included in the revised fee estimate.

In addition, further time has had to be spent to ensure adequate case progression, including regular updates with the Officeholders as well as numerous discussions with staff to consult on the best approach to overcome any hurdles faced. As a result, I anticipate that the Liquidation will remain open longer than originally envisioned and some of this additional work does not give direct financial benefit to the creditors, but I have had to undertake to meet my requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that I must follow.

#### Creditors (£12,329 underestimated)

Additional unforeseen costs have been incurred dealing with the dividend distribution process, due to various complex issues encountered with agreeing the non-preferential unsecured creditor claims.

As stated above, the Liquidators intend to pay a distribution by 29 February 2024, and further costs will be incurred in this category doing so.

#### Investigations (£14,781 underestimated)

Due to the complexity of the Company's trading pre administration the investigations required far more input than estimated to ensure that all matters were thoroughly reviewed and any reasonable avenues for potential recoveries were explored.

The investigations have now been finalised and it is anticipated that minimal further time will be incurred in this category.

Because my previous estimates have been exceeded, I am required to seek approval to the above additional estimate of further costs and work from the Company's creditors, however I am not seeking an increase to my fees at this stage and may consider doing so at a later date.

#### 8. LIQUIDATORS' EXPENSES

My expenses to 14 November 2023 amount to £1,896, of the total, £10 was incurred in respect to category 2 disbursements (now known as category 2 expenses). I confirm the basis of charging category 2 disbursements was approved by creditors during the Administration period.

My expenses to 14 November 2023 amount to £1,896.

| Post-appointment      | Category 1<br>£ | Category 2<br>£ | Incurred in period £ | Paid to date £ | Estimated future £ |
|-----------------------|-----------------|-----------------|----------------------|----------------|--------------------|
| Land Registry         | 15              | -               | 15                   | -              | -                  |
| Postage               | 140             | -               | 140                  | -              | 140                |
| Printing              | -               | 10              | 10                   | -              | 10                 |
| Statutory Advertising | 192             | -               | 192                  | 192            | 100                |
| Storage Costs         | 1,539           | -               | 1,539                | 1,539          | -                  |
| Total                 | 1,886           | 10              | 1,896                | 1,731          | 250                |

I have not drawn any expenses in this matter and intend to do so shortly.

The following professional advisors have been used in this matter:

| Professional<br>Advisors | Nature of<br>Work | Fee<br>Arrangement | Incurred<br>in period<br>£ | Paid to<br>date<br>£ | Estimated future £ |
|--------------------------|-------------------|--------------------|----------------------------|----------------------|--------------------|
| Elman Wall               | Tax               | Fixed              | -                          | -                    | TBC                |
| Evolve                   | ERA               | Fixed              | 150                        | 150                  | -                  |
| Indemnity Legal          | Legal             | Fixed              | 6,830                      | 1,000                | TBC                |
| Total                    |                   |                    | 6,980                      | 1,150                | TBC                |

#### Elman Wall

Elman have been instructed to provide tax advice. The estimated costs are not yet determined.

#### Evolve IS

Evolve was instructed to assist with the adjudication of employee claims.

#### Indemnity Legal Services Limited

Indemnity Legal have been instructed to review the pre appointment insurance and business interruption claims/policies.

The choice of professionals was based on my perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my arrangement with them. The fees charged have been reviewed and I am satisfised that they are reasonable in the circumstances of the case.

#### 9. FURTHER INFORMATION

An unsecured creditor may, with the permission of the court or with the concurrence of five per cent in value of the unsecured creditors (including the creditor in question) request further details of the Liquidators' remuneration and disbursements, within 21 days of receipt of this report.

An unsecured creditor may, with the permission of the court or with the concurrence of ten per cent in value of the unsecured creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidators' fees and the amount of any proposed expenses or expenses already incurred, within eight weeks of receipt of this report.

At ReSolve we always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of this case then in the first instance you should contact one of the Joint Liquidators at the address given in this letter.

If you consider that your comments or complaint have not been dealt with appropriately you should then put details of your concerns in writing to our complaints officer at complaints@resolvegroupuk.com who will then formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a partner unconnected with the appointment.

If you still feel that you have not received a satisfactory response, then you may be able to make a complaint to the Complaints Gateway operated by the Insolvency Service. Any such complaints should be completed online using the form here: www.gov.uk/complain-about-insolvency-practitioner. If you have difficulty accessing the online complaints form, you can also make your complaint through the Insolvency Service Enquiry Line at insolvency.enquiryline@insolvency.gov.uk or telephone: 0300 678 0015.

The Complaints Gateway will in turn determine if such complaint should be addressed by Mr Supperstone and Mr Jagger's regulatory body.

Further details of the relevant policies applicable to you can be found here http://www.resolvegroupuk.com/policies2/.

#### 10. SUMMARY

The Liquidation will remain open until the following matters have been finalised:

- Distribution to the non-preferential unsecured creditors;
- Completion of the review of the pre-appointment insurance and business interruption claims; and
- Obtaining tax clearance from HMRC.

I estimate this will take 12 months to conclude and once resolved the Liquidation will be ended and my final report and will be filed at Companies House.

Should you have any queries regarding the conduct of the Liquidation or any other queries, please do not hesitate to contact Hamish Drummond of this office.

Yours faithfully

Mark Supperstone Joint Liquidator

For enquiries regarding this correspondence please contact:

Contact name: Hamish Drummond Phone number: 020 8066 3863

Email: hamish.drummond@resolvegroupuk.com

Cameron Gunn, Mark Supperstone, Chris Farrington, Lee Manning, Ben Woodthorpe, Russel Payne and Simon Jagger are licensed to act as Insolvency Practitioners in the United Kingdom by the Institute of Chartered Accountants in England and Wales and act without personal liability at all times. Please refer to the firm's privacy notice setting out your rights and explaining how your data will be used. The notice can be found on our website here www.resolvegroupuk.com/policies2/

#### APS-Select Limited - In Liquidation First Annual Progress Report 11 January 2024

Andrew David Sturt and Sarah Elizabeth Sturt

#### **APPENDIX I**

| STATUTORY INFORMATION                       |  |
|---|--|
| Company name:                               | APS-Select Limited – In Liquidation  |
| Registered number:                          | 02842310   |
| Trading Address:                            | 57 Putney Bridge Road, London, England, SW18 1NP   |
| Registered office:                          | c/o Resolve Advisory Limited<br>22 York Buildings<br>London<br>WC2N 6JU  |
| Trading activity:                           | Tour operator activities   |
| Joint Liquidators' names:                   | Mark Supperstone and Simon Jagger  |
| Joint Liquidators' address:                 | 22 York Buildings, London, WC2N 6JU  |
| Date of appointment:                        | 15 November 2022   |
| Appointed by:                               | Pursuant to Paragraph 83 of Schedule B1 of the Insolvency Act 1986   |
| Former Administrators:                      | Mark Supperstone and Simon Jagger  |
|   | Appointed between 17 November 2020 to 15 November 2022   |
| EC Regulations of Insolvency Practitioners: | The EC Regulations apply to the proceedings, which are categorised as main proceedings with the meaning of the Regulation. |

**Directors:** 

#### **APPENDIX II**

#### **RECEIPTS AND PAYMENTS ACCOUNT**

## LIQUIDATORS' RECEIPTS AND PAYMENTS FROM 15 NOVEMBER 2022 TO 14 NOVEMBER 2023

For the period to 15 November 2022 to 14 November 2023 £

| Receipts                               |         |
|--|---------|
| Transfer from Administration           | 225,530 |
| Investment in Subsidiaries             | 123,161 |
| Bank Interest Gross                    | 3,315   |
|  | 352,006 |
| Payments                               |         |
| Admin para 99 office holder fees       | 22.415  |
| Office Holders Fees                    | 22.382  |
| Professional Fees                      | 150     |
| Legal Fees                             | 1.000   |
| Storage Costs                          | 1.539   |
| Statutory Advertising                  | 192     |
| Preferential Distribution to RPS       | 27,204  |
| Preferential Distribution to Employees | 4,219   |
| PAYE/NIC deductions on Dividends       | 2,281   |
|  | 81,382  |
| Total (receipts less payments)         | 270,624 |

| Represented by                                    |         |
|---|---------|
| Current account - reconciled and interest bearing | 261.271 |
| Uncashed dividend payment                         | (182)   |
| VAT Receivable                                    | 9.536   |
|   | 270,624 |

### LIQUIDATORS' REMUNERATION POLICY, EXPENSE POLICY, CHARGE OUT RATES AND NARRATIVE

#### Joint Liquidators' charge out rates

The Joint Liquidators are remunerated on a time cost basis. Charge out rates used are appropriate to the skills and experience of a member of staff and the work that they perform. Time is recorded in six-minute units. Narrative is recorded to explain the work undertaken and the time spent is analysed into various categories of work. The hourly charge out rates to be used on this case are as follows:

| Staff grade       | Rate per hour<br>from 20<br>November 2023<br>(£) | Rate per hour<br>from 1 August<br>2022<br>(£) | Rate per hour<br>from 1 May<br>2021<br>(£) | Rate per hour<br>from 1<br>January 2020<br>(£) |
|-------------------|--|---|--|--|
| Partner           | 750 - 795  | 705-795                                       | 625 - 755                                  | 625 - 755                                      |
| Director          | 665 - 695  | 615   | 515 - 535                                  | 515  |
| Senior Manager    | 550  | 500   | 435  | 435  |
| Manager           | 470  | 420   | 375  | 375  |
| Assistant Manager | 425  | 375   | 305  | 305  |
| Senior Associate  | 350  | 300   | 255  | 255  |
| Associate         | 245  | 245   | 220  | 220  |
| Junior Associate  | 195  | 175   | 175  | 175  |

Secretarial and support staff are not charged to the cases concerned, being accounted for as an overhead of ReSolve Advisory Limited. Our cashier is charged at the Senior Administrator rate. The charge out rate for Mark Supperstone, the lead office holder in this case, is £795 per hour.

#### **Expense policy**

In accordance with Statement of Insolvency Practice 9, the basis of expense allocation must be fully disclosed to creditors. Expenses are categorised as either Category 1 or Category 2 expenses:

#### Category 1

These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. Category 1 expenses can be paid without creditor approval. Examples of Category 1 expenses are statutory advertising, external meeting room hire, external storage, specific bond insurance, external information hosting charges, and Company search fees.

#### Category 2

These are payments to associates or which have an element of shared costs. Before being paid, Category 2 expenses require approval in the same manner as an office holder's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement. Category 2 expenses that are likely to be incurred, and require specific approval include:

Mileage 45 pence per mile paid to staff working on the insolvency appointment

Photocopying 20 pence per sheet of paper for reporting purposes (correspondence will be digital

where at all possible to minimise this expense)

Category 1 and Category 2 expenses are subject to the rights of creditors to seek further information about them or challenge them.

#### APS-Select Limited - In Liquidation First Annual Progress Report 11 January 2024

Professional advisors may be instructed to assist the office holder on the case where they consider that such assistance is necessary to enable them to appropriately administer the case. The fees charged by any professional advisors used will be recharged at cost to the case. Where the professional advisor is not an associate of the office holder it will be for the office holder to agree the basis of their fees. Where the professional advisor is an associate of the office holder it will be for those responsible for fixing the basis of the office holder's remuneration to approve payments to them. The fees of any professional advisors are subject to the rights of creditors to seek further information about them or challenge them. Professional advisors that may be instructed on a case include:

- Solicitors/Legal Advisors,
- Auctioneers/Valuers,
- Accountants,
- Quantity Surveyors,
- Estate Agents,
- · Pension specialists,
- Employment Claims specialists, and
- · GDPR/Cyber Security specialists.

#### Narrative of work carried out:

#### **Administration and Planning**

This represents the routine administrative work that is required of the office holders and their staff, together with the control and supervision of the work done on the case by the office holders and their staff. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holders to meet their requirements under the insolvency legislation and the SIP, which set out required practices that office holders must follow:

#### Case planning

- Review and storage of company records.
- Case planning and administration.

#### Cashiering

- Dealing with the day-to-day management of the internal cash book.
- Making payments and dealing with receipts.
- · Reconciling the Company's bank account.

#### General administration

- Case bordereau reviews.
- Dealing with all routine correspondence.

#### **Creditors**

Work involved in dealing with all classes of creditors.

The office holders need maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors. The office holders will also have to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holders are required to undertake this work as part of their statutory obligations.

- Dealing with creditor correspondence, emails, and telephone conversations.
- Maintaining up to date creditor information on the case management system.
- Review and adjudication of creditor claims and requests to creditors for further information.
- Issuing NOIDs to the preferential and non-preferential unsecured creditors.
- Declaration of dividend and payment to preferential creditors.

#### Investigations

Insolvency legislation gives the office holders powers to take recovery action in respect of what are known as antecedent transactions, where assets have been disposed of prior to the commencement of the insolvency procedure and also in respect of matters such as misfeasance and wrongful trading. The office holders are required by the SIP to undertake an initial investigation to determine whether there are potential recovery actions for the benefit of creditors and any time costs recorded represent the costs of undertaking such an initial investigation. If potential recoveries or matters for further investigation are identified then the office holders will need to incur additional time costs to investigate them in detail and to bring recovery actions where necessary, and further information will be provided to creditors. Any approval for an increase in fees will be sought, as necessary. Such recovery actions will be for the benefit of the creditors and the office holders will provide an estimate of that benefit if an increase in fees is necessary.

General investigation into the Company's affairs.

#### **Realisation of Assets**

This is the work that needs to be undertaken to protect and then realise the known assets, which should directly benefit creditors:

- Collection of the loan repayments and distributions from the liquidations of the French and Austrian subsidiaries, APS Avoriaz and APS GmBH
- Review of the pre appointment insurance and business interruption claim documentation and instruction of solicitors.

#### **Statutory**

These activities involve complying with legislation including but not limited to; The IA86, The IR16, The Companies Act 2006, The Bribery Act 2010, the Money Laundering Regulations 2017, SIPs, and Pension Regulations. These activities do not add any direct benefit to creditors, and they form part of the statutory obligations of the Liquidation.

- Preparation and delivery of all statutory documentation.
- Dealing with statutory issues required under IA86, IR 2016 and the Statements of Insolvency Practice.

#### **APPENDIX IV**

#### LIQUIDATORS' TIME COSTS SUMMARY

Liquidators' time costs for the Reporting Period

| Classification of Work Function                      | Partner/Director | Managers | Associates | Assistants &  | Total Hours | Time Cost (£ )                          | Average Hourly |
|--|------------------|----------|------------|---------------|-------------|---|----------------|
|  |                  |          |            | Support Staff |             |   | Rate (£)       |
| Administration & Planning                            |                  |          |            |               |             |   |                |
| N/A  | 0.00             | 3.50     | 0.00       | 0.00          | 3.50        | 1,312.50                                | 375.00         |
| Firms Administration - Feeing etc                    | 0.00             | 3.50     | 0.00       | 0.00          | 3.50        | 1,447.50                                | 413.57         |
| Cashiering   | 2.40             | 2.10     | 15.20      | 0.00          | 19.70       | 7,041.50                                | 357.44         |
| Capital gains tax - post appointment                 | 0.00             | 0.50     | 0.00       | 0.00          | 0.50        | 210.00                                  | 420.00         |
| Post appointment VAT                                 | 0.00             | 0.20     | 0.10       | 0.00          | 0.30        | 108.50                                  | 361.67         |
| Filing   | 0.00             | 0.00     | 0.60       | 0.00          | 0.60        | 147.00                                  | 245.00         |
| Case Closure   | 0.00             | 0.00     | 3.50       | 0.00          | 3.50        | 857.50                                  | 245.00         |
| Banking  | 0.00             | 0.00     | 5.30       | 0.00          | 5.30        | 1,298.50                                | 245.00         |
| Liaising with agents                                 | 0.00             | 0.10     | 0.00       | 0.00          | 0.10        | 42.00                                   | 420.00         |
| Corporation tax                                      | 0.00             | 0.10     | 0.00       | 0.00          | 0.10        | 42.00                                   | 420.00         |
| General correspondence                               | 0.00             | 1.50     | 3.00       | 0.00          | 4.50        | 1,398.00                                | 310.67         |
| VAT returns  | 0.00             | 0.10     | 0.00       | 0.00          | 0.10        | 37.50                                   | 375.00         |
| Bonding  | 0.00             | 0.00     | 0.60       | 0.00          | 0.60        | 147.00                                  | 245.00         |
| Correspondence with Joint Office Holder              | 0.00             | 0.00     | 0.30       | 0.00          | 0.30        | 90.00                                   | 300.00         |
| Case Planning  | 0.20             | 8.80     | 2.90       | 0.00          | 11.90       | 4,686.50                                | 393.82         |
| Case Reviews including MR1s/MR2s                     | 0.00             | 2.80     | 8.90       | 0.00          | 11.70       | 3,347.50                                | 286.1          |
| Maintenance of Records                               | 0.00             | 0.20     | 2.40       | 0.00          | 2.60        | 667.50                                  | 256.73         |
| Admin & Planning                                     | 2.60             | 23.40    | 42.80      | 0.00          | 68.80       | 22,881.00                               | 332.57         |
|  | ··               |          |            |               |             | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |                |
| Creditors  |                  |          |            |               |             |   |                |
| N/A  | 0.00             | 3.20     | 0.00       | 0.00          | 3.20        | 1,200.00                                | 375.00         |
| Preferential creditors                               | 0.00             | 2.20     | 1.30       | 0.00          | 3.50        | 1,314.00                                | 375.43         |
| Ordinary creditors                                   | 0.00             | 12.80    | 22.30      | 0.00          | 35.10       | 12,090.00                               | 344.44         |
| Employee claims                                      | 0.00             | 7.80     | 2.20       | 0.00          | 10.00       | 3,936.00                                | 393.60         |
| Adjudication on claims                               | 0.00             | 1.10     | 0.00       | 0.00          | 1.10        | 462.00                                  | 420.00         |
| Pension  | 0.00             | 0.80     | 0.00       | 0.00          | 0.80        | 336.00                                  | 420.00         |
| Employees  | 0.00             | 0.10     | 0.90       | 0.00          | 1.00        | 312.00                                  | 312.00         |
| Correspondence and telephone calls                   | 0.00             | 0.10     | 0.80       | 0.00          | 0.90        | 238.00                                  | 264.44         |
| Distributions  | 0.00             | 0.10     | 19.80      | 0.00          | 19.90       | 5,982.00                                | 300.60         |
| Communication with creditors                         | 0.00             | 1.30     | 0.30       | 0.00          | 1.60        | 619.50                                  | 387.19         |
| Creditors  | 0.00             | 29.50    | 47.60      | 0.00          | 77.10       | 26,489.50                               | 343.57         |
| Creditors  | 0.00             | 29.50    | 47.60      | 0.00          | 77.10       | 26,469.50                               | 343.57         |
| Investigations                                       |                  |          |            |               |             |   |                |
|  | 0.00             | 0.00     | 2.00       | 0.00          | 2.00        | 400.00                                  | 245.00         |
| Legal Correspondence                                 | 0.00             | 0.00     | 2.00       | 0.00          | 2.00        | 490.00                                  | 245.00         |
| Correspondence with directors regarding investigatio | 0.00             | 0.50     | 0.00       | 0.00          | 0.50        | 210.00                                  | 420.00         |
| Antecedent transactions                              | 0.20             | 13.00    | 0.00       | 0.00          | 13.20       | 5,605.50                                | 424.66         |
| Review of company records                            | 0.00             | 0.00     | 3.50       | 0.00          | 3.50        | 857.50                                  | 245.00         |
| Investigations                                       | 0.20             | 13.50    | 5.50       | 0.00          | 19.20       | 7,163.00                                | 373.07         |
|  |                  |          |            |               |             |   |                |
| Realisation of Assets                                | 0.00             | 2.40     | 0.00       | 0.00          | 2.40        | 4200.00                                 | 100.00         |
| Pensions, policies and investments                   | 0.00             | 3.10     | 0.00       | 0.00          | 3.10        | 1,302.00                                | 420.00         |
| Otherassets  | 0.00             | 6.00     | 0.00       | 0.00          | 6.00        | 2,520.00                                | 420.00         |
| Realisation of Assets                                | 0.00             | 9.10     | 0.00       | 0.00          | 9.10        | 3,822.00                                | 420.00         |
| Statutani  |                  |          |            |               |             |   |                |
| Statutory  | A 64             |          | 0.55       | 2.55          | <u></u>     | 040                                     | 045 ***        |
| Reporting to creditors and employees                 | 0.00             | 0.00     | 2.50       | 0.00          | 2.50        | 612.50                                  | 245.00         |
| Statutory paperwork and form preparation             | 0.00             | 3.90     | 1.40       | 0.00          | 5.30        | 1,981.00                                | 373.77         |
| Statutory  | 0.00             | 3.90     | 3.90       | 0.00          | 7.80        | 2,593.50                                | 332.50         |
|  |                  |          |            |               |             |   |                |
| Total Hours  | 2.80             | 79.40    | 99.80      | 0.00          | 182.00      | 62,949.00                               | 345.87         |