

# Joint liquidators' progress report from 25 August 2020 to 24 August 2021

19 October 2021

**Excel (Portam) Limited in creditors' voluntary  
liquidation**

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# Abbreviations and definitions

The following table shows the abbreviations and insolvency terms that may be used in this report

Abbreviation or definition	Meaning
<b>Company</b>	Excel (Portam) Limited
<b>CIS Tax</b>	Construction Industry Scheme Tax
<b>CVL</b>	Creditors' Voluntary Liquidation
<b>Clydesdale</b>	Clydesdale Bank Plc
<b>EBT</b>	Employee Benefit Trust
<b>Firm/PWC</b>	PricewaterhouseCoopers LLP
<b>IR16</b>	Insolvency (England and Wales) Rules 2016
<b>IA86</b>	Insolvency Act 1986
<b>Liquidators/we/us/our</b>	Zelf Hussain and David Robert Baxendale
<b>HMRC</b>	HM Revenue and Customs
<b>Naismiths</b>	Naismiths Limited
<b>Prescribed part</b>	The amount set aside for unsecured creditors from floating charge funds in accordance with Section 176A IA86 and the Insolvency Act 1986 (Prescribed Part) Order 2003
<b>Secured creditors</b>	Creditors with security in respect of their debt, in accordance with Section 248 IA86
<b>Preferential creditors</b>	Generally, claims for unpaid wages earned in the four months before the insolvency up to £800, holiday pay and unpaid pension contributions in certain circumstances
<b>Pythagoras</b>	Pythagoras Capital Limited
<b>SHL</b>	Spiralite Holdings Limited
<b>Unsecured creditors</b>	Creditors who are neither secured nor preferential

This report has been prepared by Zelf Hussain and David Robert Baxendale as Joint Liquidators of the Company, solely to comply with the Joint Liquidators' statutory duty to report to creditors under IR16 on the progress of the liquidation, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.

This report has not been prepared in contemplation of it being used, and it is not suitable to be used, to inform any investment decision in relation to the debt of or any financial investment in the Company.

Any estimated outcomes for creditors included in this report are illustrative only and cannot be relied upon as guidance as to the actual outcome for creditors.

Any persons choosing to rely on this report for any purpose or in any context other than under IR16 do so at their own risk. To the fullest extent permitted by law, the Joint Liquidators do not assume any liability in respect of this report to any such person.

Please note you should read this report in conjunction with the Joint Liquidators' previous reports issued to the Company's creditors. If you require a copy of the previous report please email James Crowther at [crowther.james@pwc.com](mailto:crowther.james@pwc.com). Unless stated otherwise, all amounts in this report and appendices are stated net of VAT.

Zelf Hussain and David Robert Baxendale have been appointed as Joint Liquidators of the Company. Both are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales. 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>

The Joint Liquidators may act as controllers of personal data as defined by UK data protection law depending upon the specific processing activities undertaken. PricewaterhouseCoopers LLP may act as a processor on the instructions of the Joint Liquidators. Personal data will be kept secure and processed only for matters relating to the Joint Liquidators' appointment. Further details are available in the privacy statement on the PwC.co.uk website or by contacting the Joint Liquidators.

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# Key messages

## Why we've sent you this report

We're writing to update you on the progress of the liquidation of the Company in the 12 months since our last report dated 15 October 2020.

If you require a copy of our previous reports please get in touch with James Crowther at [crowther.james@pwc.com](mailto:crowther.james@pwc.com).

## How much creditors have received

The following table summarises the possible outcome for creditors, based on what we currently know.

Class of creditor	Current estimate (p in £)	Previous estimate (p in £)
Secured creditor(s)	N/A	N/A
Preferential creditors	100 (paid)	100
Unsecured creditors	2.7 - 3	1.4

The estimated outcome for creditors remains largely the same as our previous estimate, but may improve slightly to the higher end of the range once the adjudication of claims is completed. You may wish to refer to our previous reports for further details.

## What you need to do

We've previously asked for outstanding claims from unsecured creditors so that we can agree them for dividend purposes. If you haven't already done so, please send your claim to us as soon as possible. You can get a claim form by telephoning James Crowther on 0113 289 4076 or by downloading it from the case website - [www.pwc.co.uk/excelportam](http://www.pwc.co.uk/excelportam).

If you have already submitted a claim, then this report is for your information and you don't need to do anything.

We may decide that some or all creditors who are owed £1,000 or less by the Company won't be required to submit a proof of debt in order to receive the anticipated dividend payment.

A creditor who we decide is not required to submit a proof of debt will be notified when we deliver notice of our intention to pay a dividend of the amount we'll treat as their admitted debt for the purpose of the dividend, unless the creditor advises us that the amount is incorrect (in which case a proof of debt will be required) or not owed.

Please note that should you wish to vote in relation to any decision procedure during the liquidation or object to a decision sought by deemed consent, you'll need to submit a proof of debt, even if one is not required for dividend purposes.

# Overview of what we've done to date

This is our fourth progress report to members and creditors. You may wish to read this report in conjunction with our previous report, a copy of which can be obtained by telephoning James Crowther on 0113 289 4076. As explained in our previous report, we:

- Appointed and monitored debt collection agents (Naismiths and Pythagoras) to pursue recovery of debts due on the Company's contracts (the Company had a contract debtor ledger of £2,940,252, with an estimated to realise value in the statement of affairs of £518,000). The final value of book debts recovered amounted to £585k;
- Completed sales of the Company's vehicles and plant and machinery;
- Complied with our initial and ongoing statutory obligations as joint liquidators of the Company;
- Began dealing with the Company's Employee Benefit Trust (EBT) and sought advice on the potential reduction in HMRC's unsecured claim;
- Agreed the basis of the liquidators' remuneration with the Company's creditors;
- Dealt with the Company's post appointment tax / VAT affairs and pre-appointment insurance claims;
- Completed a surrender of the lease of the Company's trading property back to the landlord;
- Resolved a number of retention of title claims received;
- Corresponded with the Company's creditors following our appointment and dealt with numerous queries from unsecured creditors in relation to the Company, the reasons for the Company's insolvency and transactions involving the Company and its directors; and
- Discharged our duties under the Company Directors' Disqualification Act 1986 and Statement of Insolvency Practice No.2.

When we last reported to creditors, the key outstanding matters in the liquidation were as follows:

- Complete the adjudication of unsecured creditor claims (including the HMRC claim and EBT matter) and distribute funds to unsecured creditors;
- Finalise any issues relating to the director's pension scheme;
- Conclude the Company's VAT and tax positions;
- Draw our final fees (subject to approval); and
- Deal with closure matters including drafting and issuing our final report, closure of our internal systems, obtaining clearances from third parties and removal of the Liquidators' bond.

We remain in office because we need to finalise the tax and VAT issues and receive refunds due, finalise the adjudication of unsecured creditors claims and then distribute the available funds.

# Outcome for creditors

## Secured creditors

The Company does not have any secured creditors.

Clydesdale Bank Plc held a floating charge against the Company, however this debt was discharged by SHL following the sale of that company's intellectual property, immediately following the appointment of its administrators. There was no direct secured lending to the Company.

## Preferential creditors (mainly employees)

In their statement of affairs, the directors thought that preferential claims would total around £89,200.00. We paid preferential creditors an amount of £48,585.92 at a rate of 100p/£1 on 21 January 2019.

## Unsecured creditors

Dividends become available for unsecured creditors when there are sufficient funds (after costs of the liquidation) to pay the secured and preferential creditors in full, with an amount left over. In certain circumstances, part of the amount available for secured creditors may be ring-fenced for the benefit of unsecured creditors. This prescribed part is paid out of 'net property', which is floating charge realisations after costs, and after paying – or setting aside enough to pay – preferential creditors in full. But it only has to be made available where the floating charge was created on or after 15 September 2003.

The amount of the prescribed part is:

- 50% of net property up to £10,000
- 20% of net property above £10,000
- Subject to a maximum of £600,000

The prescribed part provisions apply in this case as there is a floating charge created after 15 September 2003, however there is no longer any debt due to Clydesdale as this was paid in full by SHL. Therefore all funds remaining after the payment of costs, expenses and preferential creditors will be available for unsecured creditors.

At the moment we estimate available funds of £180k, which would allow a dividend in the region of 2.7 - 3 pence in the pound. This estimate depends on future realisations, final costs of the liquidation and on the final level of claims admitted and is therefore only an indication. You shouldn't use it as the main basis for any bad debt provisions.

At the time of the last report we'd received claims of £11,681,115 against a statement of affairs value of £7,833,216. We'd admitted £2,832,630 of the claims received.

One creditor had submitted a claim of £6m which had not been listed on the SoA. After correspondence with the creditor the claim was subsequently revised to £385,180. After further investigation the claim is to be rejected in full and we confirm that the rejection letter was issued after the period end of this report.

The total value of claims received currently stands at £5,992,501 against which £2,891,345 has been admitted. After accounting for the claim mentioned above, a large part of the amount left to adjudicate relates to two claims which we are currently reviewing.

The estimate above is based on the amount of awaited claims per the statement of affairs, the admitted claims and the claims received which are in the process of being adjudicated.

# Progress since we last reported

## Realisation of assets

The debt collection work concluded in the previous period and we do not expect to receive any further contract debt realisations. The total amount recovered (before costs) was £585k, exceeding the amount estimated by the Company's directors. As noted later in this report, we are still waiting a CIS tax refund of £26,814 from HMRC, in relation to some of the contract debts previously recovered. A proportion of this will be due to Pythagoras as it relates to contract debts that they recovered for the Company.

## Connected party transactions

There have been no connected party transactions during the current period and none are anticipated.

## Other issues

### **Employee Benefit Trust (EBT)**

We have been in contact with HMRC to confirm and finalise the full and final amount of their claim. As previously reported HMRC was in contact with the EBT beneficiaries in respect of the benefits received by them. We are still awaiting confirmation from HMRC as to the final level of its unsecured claim and this will be followed up as part of our work to finalise creditor claims.

### **Directors Pension Scheme**

During the period we liaised with an ex director's pension provider and completed the necessary forms to allow the final benefit to be drawn and the scheme to be wound up. The pension provider has confirmed the scheme has now been wound up.

## Statutory and compliance

### **Tax matters**

There has been no tax liability payable to HMRC during the liquidation.

Whilst HMRC had given tax clearance (confirming that we have discharged all our obligations in respect of the Company's tax affairs) some time ago, we had to make a further submission to HMRC in respect of the CIS tax referred to above that had been deducted from some of the contract debt recoveries. We are still waiting for the refund and also for confirmation from HMRC that the tax matters are complete and that clearance has been granted once more.

### **VAT matters**

During the period, we submitted a VAT deregistration form to HMRC. However, the deregistration has yet to be processed by HMRC and after much chasing of HMRC, we discovered that this was due to complications arising from the Company belonging to a VAT group. As such the Company has remained registered for VAT and we have continued to submit VAT returns. Following the period end, the appropriate forms have been submitted in order for the Company to be deregistered for VAT.

## Investigations and actions

Nothing has come to our attention during the period under review to suggest that we need to do any more work in line with our duties under the Company Directors' Disqualification Act 1986 and Statement of Insolvency Practice No.2.

## Our receipts and payments account

We set out in Appendix A an account of our receipts and payments in the liquidation from 25 August 2020 to 24 August 2021.

## Our expenses

We set out in Appendix B a statement of the expenses we've incurred to the date covered by this report and an estimate of our future expenses.

## Our fees

We set out in Appendix C an update on our fees, expenses and other related matters.

## Creditors' rights

Creditors have the right to ask for more information within 21 days of receiving this report as set out in Rule 18.9 IR16. Any request must be in writing. Creditors can also challenge our fees and expenses within eight weeks of receiving this report as set out in Rule 18.34 IR16. This information can also be found in the guide to fees at:

<https://www.icaew.com/-/media/corporate/files/technical/insolvency/creditors-guides/2021/liquidations-creditor-fee-guide-1-april-2021.ashx?la=en>

You can also get a copy free of charge by telephoning James Crowther on 0113 289 4076.

## What we still need to do

The key areas of our ongoing work in order to bring the liquidation to a close, are as follows:

- Complete the adjudication of unsecured creditor claims (including the HMRC claim and EBT matter), calculate and distribute funds to unsecured creditors;
- Obtain confirmation from HMRC that the Company has been deregistered for VAT;
- Receive the CIS tax refund and make payment to the contract collection agents for their share of the refund;
- Receive/chase tax and VAT clearance from HMRC that there are no outstanding corporation tax or VAT matters;
- Raise and pay our final invoice for the balance of fees up to the approved amount;
- Complete and submit the final VAT 426 for deregistered companies;
- Pay any uncashed dividend cheques to the Insolvency Services' Unclaimed Dividend Account;
- Complete the closure checklist and issue the final progress report once all matters are complete; and
- Complete the final case filing and close the systems.

## Next report

We expect to send our next report to creditors at the end of the liquidation or in about 12 months, whichever is the sooner. If you've got any questions, please get in touch with James Crowther, on 0113 289 4076 or by email at [crowther.james@pwc.com](mailto:crowther.james@pwc.com).

Yours faithfully,



**Zelf Hussain**  
**Joint liquidator**



# Appendices

# Appendix A: Receipts and payments

Excel (Portam) Limited				
Receipts and payments for the period 25 August 2020 to 24 August 2021				
Directors' statement of affairs		25 August 2017 to 24 August 2020	25 August 2020 to 24 August 2021	25 August 2017 to 24 August 2021
£	Receipts	£	£	£
158,000.00	Pre appointment cash at bank	198,326.62	-	198,326.62
-	Vehicles	7,000.00	-	7,000.00
23,829.00	Plant & machinery	8,000.00	-	8,000.00
517,940.00	Book debts	607,651.41	-	607,651.41
-	Pre appointment insurance refund	1,340.90	-	1,340.90
-	Sundry debts and refunds	57.70	-	57.70
-	Bank interest	6,046.51	-	6,046.51
<b>699,769.00</b>		<b>828,423.14</b>	<b>-</b>	<b>828,423.14</b>
	<b>Payments</b>			
-	Agents' fees	(3,343.75)	-	(3,343.75)
-	Agents' fees - sale of assets	(2,908.91)	-	(2,908.91)
-	Agents' fees and disbursements - contract debts	(279,390.28)	-	(279,390.28)
-	Legal fees and expenses	(3,000.00)	-	(3,000.00)
-	Storage costs	(167.92)	(316.48)	(484.40)
-	Insurance	(974.40)	-	(974.40)
-	Sundry Expenses	(1.00)	-	(1.00)
-	Bank charges	(2.78)	(15.00)	(17.78)
-	Preferential Dividend*	(48,585.92)	-	(48,585.92)
-	Liquidators fee - time cost basis	(148,365.25)	(133,560.75)	(281,926.00)
-	CIS Tax	(26,814.25)	-	(26,814.25)
<b>-</b>		<b>(513,554.46)</b>	<b>(133,892.23)</b>	<b>(647,446.69)</b>
	VAT control account	23,581.87	(45,887.50)	(22,305.63)
	<b>Funds available</b>	<b>338,450.55</b>	<b>(179,779.73)</b>	<b>158,670.82</b>
	Uncashed dividend cheques	753.12	(227.40)	525.72
	Reissued dividend cheques	(249.26)	249.26	-
	<b>Balance at Bank</b>	<b>338,954.41</b>		<b>159,196.54</b>

Please note all amounts are stated net of VAT.  
Funds currently held may include monies due to HMRC or other members of a VAT group, or exclude monies which will be received in due course from these parties  
The funds are held in a non-interest bearing Barclays account.  
\*Paid on 21 January 2019 at a rate of 100p in the £

# Appendix B: Expenses

The following table provides details of our expenses. Expenses are amounts properly payable by us as liquidators from the estate, but excludes our fees and distributions to creditors. The table also excludes any potential tax liabilities that we may need to pay as a liquidation expense because amounts becoming due will depend on the position at the end of the tax accounting period.

The table should be read in conjunction with the receipts and payments account at Appendix A, which shows expenses actually paid during the period and the total paid to date.

	Brought forward from preceding period	Incurred in the period under review	Cumulative	Estimated future	Anticipated total	Initial estimate	Variance	Notes
	£	£	£	£	£	£	£	
Agents' fees	3,343.75	-	3,343.75	-	3,343.75	250.00	3,093.75	1
Agents' fees - sale of assets	2,908.91	-	2,908.91	-	2,908.91	1,600.00	1,308.91	2
Agents' fees - contract debt related	294,679.28	-	294,679.28	-	294,679.28	1,000.00	293,679.28	3
Legal fees and expenses	3,000.00	-	3,000.00	-	3,000.00	3,000.00	-	
Storage costs	167.92	316.48	484.40	4,500.00	4,984.40	5,082.27	- 97.87	
Bank charges	2.78	15.00	17.78	35.00	52.78	60.00	- 7.22	
Insurance	974.40	-	974.40	-	974.40	1,000.00	- 25.60	
Sundry Expenses	1.00	-	1.00	-	1.00	-	1.00	
CIS Tax	26,814.25	-	26,814.25	-	26,814.25	-	26,814.25	4
Liquidators Disbursements (category 1)	3,783.24	1,512.15	5,295.39	-	5,295.39	-	5,295.39	
<b>Total</b>	<b>335,675.53</b>	<b>1,843.63</b>	<b>337,519.16</b>	<b>4,535.00</b>	<b>342,054.16</b>	<b>11,992.27</b>	<b>330,061.89</b>	

Our expenses have exceeded the estimate provided to all creditors before the basis of our fees was fixed. This is due to the following:

1. Extra work we requested from former Company staff.
2. Extra work involved in relation to wiping data from the Company's systems following the sale of assets.
3. Additional work involved in collecting book debts which were originally deemed irrecoverable.
4. CIS tax being deducted from certain contract debts that were collected. This will be reclaimed in due course.

Disbursements are expenses met by and reimbursed to an office holder in connection with an insolvency appointment and fall into two categories:

Expense	SIP9 definition
<b>Category 1</b>	Payments to persons providing the service to which the expense relates who are not an associate of the office holder.
<b>Category 2</b>	Payments to our firm or our associates or which have an element of shared costs (for example, photocopying and mileage disbursements, or costs shared between different insolvent estates).

We don't need approval from creditors to draw Category 1 expenses as these have all been provided by third parties but we do need approval to draw Category 2 expenses. The body of creditors who approve our fees (in this case the unsecured creditors) also has the responsibility for agreeing the policies for payment of Category 2 expenses.

The following table provides a breakdown of the Category 2 expenses have been incurred by us as liquidators or our associates, together with details of the Category 1 expenses that have been incurred by PwC and will be recharged to the case:

The following disbursements arose in the period of this report.

Category	Policy	Costs incurred (£)
2	<b>Photocopying</b> – at 5 pence per sheet copied, only charged for circulars to creditors and other bulk copying.	-
2	<b>Mileage</b> – At a maximum of 71 pence per mile (up to 2,000cc) or 93 pence per mile (over 2,000cc)	-
1	<b>Analyse all other disbursements reimbursed at cost</b>	
	Postage	1,263.79
	Storage / archiving costs	248.36
<b>Total this period</b>		<b>1,512.15</b>
Brought forward from previous periods		3,783.24
<b>Total</b>		<b>5,295.39</b>

# Appendix C: Remuneration update

## Our hours and average rates

The table below shows our time costs incurred in the period from 25 August 2020 to 24 August 2021

Work Type Group	Hours					Grand Total	Total Cost (£)	Average Hourly Rate (£)
	Partner	Senior Manager	Manager	Senior Associate	Associate/Other			
Accounting & Treasury		0.05	0.25	6.35	2.15	8.80	3,149	357.84
Assets			2.20			2.20	1,045	475.00
Creditors		4.60	10.55	44.30		59.45	25,043	421.25
Employees & Pensions	0.50	4.95	0.10	0.50		6.05	5,167	854.05
Statutory & Compliance	2.25	2.20	17.45	37.75		59.65	26,528	444.73
Strategy & Planning		0.85	0.85	6.00		7.70	3,241	420.91
Tax & VAT		4.75	14.90	19.25		38.90	25,167	646.97
Grand Total	2.75	17.40	46.30	114.15	2.15	182.75	89,341	488.87

The table below shows our cumulative time costs incurred from 24 August 2017 until 25 August 2021

Work Type Group	Hours						Grand Total	Total Cost (£)	Average Hourly Rate (£)
	Partner	Director	Senior Manager	Manager	Senior Associate	Associate/Other			
Accounting & Treasury			0.05	1.35	57.00	19.55	77.95	17,283	221.72
Assets	0.50		14.50	67.85	52.95	5.55	141.35	47,668	337.24
Creditors			7.80	24.30	106.45	14.90	153.45	48,951	319.00
Employees & Pensions	0.50		6.65	13.05	65.05	15.85	101.10	30,102	297.75
Investigations	1.00		0.60	8.90	45.45	5.75	61.70	14,209	230.29
Statutory & Compliance	14.95	0.50	7.25	72.35	151.60	21.10	267.75	91,418	341.43
Strategy & Planning	5.00		6.00	6.75	25.30	4.90	47.95	18,061	376.65
Tax & VAT		6.50	10.15	35.55	51.55	9.40	113.15	61,628	544.65
Grand Total	21.95	7.00	53.00	230.10	555.35	97.00	964.40	329,320	341.48

In our remuneration report dated 19 September 2019, we initially estimated our fees for the liquidation would be £148k. However, in our last progress report we sought approval of further fees based on a new fee estimate of £294k for the liquidation. This request was approved by creditors and we drew a further £134k of fees in this period, leaving a further £12k to be drawn in due course. We have commented below on the key reasons why our previous estimate has been exceeded and the additional work we have done:

**Creditors** – Additional work has been carried out in relation to certain claims submitted in the liquidation. One claim in particular has taken a significant amount of time to deal with, given the value and complexity of the claim.

**Employees and pensions** – Additional work has been required to finalise the director's pension scheme issue.

**Tax and VAT** - It came to light during the period that CIS tax was deducted from two contract book debts that had been collected. As such we instructed our tax team to re-open the tax affairs to enable us to reclaim the CIS tax from HMRC. This additional work has resulted in an increase in time costs.

During the period, we submitted a VAT deregistration form to HMRC. However, the deregistration has yet to be processed by HMRC and after much chasing we discovered that this was due to complications arising from the Company belonging to a VAT group. As such, the Company has remained registered for VAT and we have continued to submit VAT returns, incurring additional time costs which weren't originally anticipated.

**Statutory and Compliance / Strategy and Planning / Tax & VAT** – Due to the prolonged period of the liquidation, we have had to complete more statutory reports, compliance work and VAT returns than first anticipated. Dealing with the EBT issue has taken significantly longer than first anticipated and the matter remains outstanding.

**Accounting and Treasury** - Also due to the extended period of the liquidation and the additional book debt receipts, there have been more accounting transactions to deal with, together with additional bank reconciliations and general bank account management.

The table below shows our previous estimate compared to actual time costs incurred and our future estimated costs.

Work Type	Previous Estimate	Total cost to date	Estimated future costs	Total Costs	Variance
Accounting & Treasury	16,134.05	17,283.00	2,500.00	19,783.00	(3,649)
Assets	48,123.35	47,668.00	-	47,668.00	455
Creditors	40,089.00	48,951.00	6,000.00	54,951.00	(14,862)
Employees & Pensions	24,935.20	30,102.00	-	30,102.00	(5,167)
Investigations	14,208.95	14,208.95	-	14,208.95	-
Statutory & Compliance	74,890.10	91,418.00	7,500.00	98,918.00	(24,028)
Strategy & Planning	19,820.00	18,061.00	3,000.00	21,061.00	(1,241)
Tax & VAT	51,460.50	61,628.00	5,000.00	66,628.00	(15,168)
Closure Procedures	4,195.00	-	4,195.00	4,195.00	-
Grand Total	293,856.15	329,319.95	28,195.00	357,514.95	(63,659)

## Our time charging policy and hourly rates

We and our team charge our time for the work we need to do in the liquidation. We delegate tasks to suitable grades of staff, taking into account their experience and any specialist knowledge that is needed and we supervise them properly to maximise the cost effectiveness of the work done. Anything complex or important matters of exceptional responsibility are handled by our senior staff or us.

All of our staff who work on the liquidation (including our cashiers, support and secretarial staff) charge time directly to the case and are included in any analysis of time charged. Each grade of staff has an hourly charge out rate which is reviewed from time to time. For the avoidance of doubt, work carried out by our cashiers, support and secretarial staff is charged on a time costs basis and is included in the analysis of hourly rates charged by partners or other staff members. Time is charged in three minute units (i.e. 0.05 units). We don't charge general or overhead costs.

We set out below the maximum charge-out rates per hour for the grades of our staff who already or who are likely to work on the liquidation.

Grade	From 1 July 2020 to 30 June 2021 (£)	From 1 July 2021 (£)
Partner	955	980
Director	840	865
Senior Manager	665	685
Manager	575	595
Senior Associate	465	480
Associate	297	350
Support staff	155	160
Offshore professional	210	280

We call on colleagues in our Tax, VAT, Real Estate and Pensions departments where we need their expert advice. Their specialist charge-out rates vary but the following are the maximum rates by grade per hour.

Grade	From 25 August 2020 to 31 August 2020	From 1 September 2020 to 30 June 2021 (£)	From 1 July 2021 (£)
Partner	1,385	1,600	1,680
Director	1,275	1,465	1,540
Senior Manager	1,290	1,355	1,425
Manager	775	815	860
Senior Associate – Consultant	575	605	640
Associate – Assistant consultant	285	325	345
Support staff	140	180*	190
Offshore professionals	-	180*	190

*\* These figures were reported incorrectly in our previous report. The specialist rates for support staff and offshore professionals from 1 September 2020 to 30 June 2021 are now correct*

In common with many professional firms, our scale rates may rise to cover annual inflationary cost increases.

## Payments to associates

No payments have been made to associates or any party who could reasonably be perceived as an associate during the period of this report.



## Our work in the period

Earlier in this section we have included an analysis of the time spent by the various grades of staff. Whilst this is not an exhaustive list, in the following table we provide more detail on the key areas of work.

Area of work	Work undertaken	Why the work was necessary and what, if any, financial benefit the work provided to creditors OR whether it was required by statute
Accounting & treasury	<ul style="list-style-type: none"> <li>Dealing with payments and journals.</li> <li>Carrying out bank reconciliations and managing investment of funds.</li> <li>Bank account management.</li> </ul>	<ul style="list-style-type: none"> <li>Statutory duty to keep proper records to demonstrate transactions, assets and liabilities.</li> </ul>
Creditors	<ul style="list-style-type: none"> <li>Dealing with general creditor correspondence via telephone, email and post.</li> <li>Filing proofs of debt.</li> <li>Adjudication of unsecured creditor claims.</li> <li>Updating and maintaining an estimated outcome statement.</li> </ul>	<ul style="list-style-type: none"> <li>Benefit to creditors due to distribution.</li> </ul>
Employees and pensions	<ul style="list-style-type: none"> <li>Dealing with the unsecured element of employees' claims.</li> </ul>	<ul style="list-style-type: none"> <li>Benefit to creditors due to distribution.</li> </ul>
Statutory & compliance	<ul style="list-style-type: none"> <li>Preparing and delivering liquidators' third annual report to creditors.</li> <li>Filing report at Companies House.</li> <li>Periodic case and file reviews.</li> <li>Case file maintenance and filing.</li> </ul>	<ul style="list-style-type: none"> <li>Required by statute and to ensure records are kept in good order..</li> </ul>
Strategy and planning	<ul style="list-style-type: none"> <li>Case progression meetings.</li> <li>Monitoring costs.</li> </ul>	<ul style="list-style-type: none"> <li>Statutory duty to progress the liquidation efficiently and effectively.</li> </ul>
Tax & VAT	<ul style="list-style-type: none"> <li>Preparing and filing quarterly VAT returns.</li> <li>Correspondence with HMRC in regards to the CIS tax refund and the VAT group issue.</li> </ul>	<ul style="list-style-type: none"> <li>No direct benefit to creditors. In compliance with duties as proper officers for tax and VAT.</li> </ul>

## Our future work

We still need to do the following work in the liquidation.

Area of work	Work we need to do	Estimated cost (£)	Why the work was necessary and what, if any, financial benefit the work provided to creditors OR whether it was required by statute
Accounting & treasury	<ul style="list-style-type: none"> <li>Deal with receipts, payments and journals.</li> <li>Carry out bank reconciliations and managing investment of funds.</li> <li>Closure of bank account and payment of any uncashed dividend cheques to the Insolvency Services Account.</li> </ul>	<ul style="list-style-type: none"> <li>2,500</li> </ul>	<ul style="list-style-type: none"> <li>Statutory duty to keep proper records to demonstrate transactions, assets and liabilities.</li> </ul>
Creditors	<ul style="list-style-type: none"> <li>Review creditors' claims and prepare for distribution.</li> <li>Adjudicate upon claims received.</li> <li>Issue notice of intended dividend to all creditors where claims not received.</li> <li>Advertise for claims.</li> <li>Prepare dividend checklist and calculate the dividend rate.</li> <li>Declare dividend to creditors.</li> <li>Issue dividend cheques to creditors.</li> <li>Deal with uncashed dividend cheques.</li> <li>Deal with general creditor correspondence.</li> </ul>	<ul style="list-style-type: none"> <li>6,000</li> </ul>	<ul style="list-style-type: none"> <li>Benefit to creditors due to distribution.</li> </ul>
Statutory & compliance	<ul style="list-style-type: none"> <li>Prepare and deliver liquidators' fourth annual report to creditors.</li> <li>Monitoring case diary system.</li> <li>Drafting and delivering liquidators' final report.</li> <li>Periodic case compliance reviews.</li> <li>File correspondence</li> </ul>	<ul style="list-style-type: none"> <li>7,500</li> </ul>	<ul style="list-style-type: none"> <li>Required by statute.</li> </ul>
Strategy and planning	<ul style="list-style-type: none"> <li>Case progression meetings.</li> <li>Update estimated outcome statement.</li> <li>Record decisions / strategy considerations.</li> </ul>	<ul style="list-style-type: none"> <li>3,000</li> </ul>	<ul style="list-style-type: none"> <li>Statutory duty to keep proper records and progress the liquidation.</li> </ul>
Tax & VAT	<ul style="list-style-type: none"> <li>General correspondence with HMRC and obtain clearances.</li> <li>Reconciliation of final VAT account.</li> <li>Claim any final VAT post-deregistration.</li> </ul>	<ul style="list-style-type: none"> <li>5,000</li> </ul>	<ul style="list-style-type: none"> <li>No direct benefit to creditors. In compliance with duties as proper officers for tax and VAT.</li> </ul>
Closure	<ul style="list-style-type: none"> <li>Release of liquidators' bond.</li> <li>Request clearances from third parties.</li> <li>Final filing and review of case file by manager and liquidator.</li> <li>Closure of internal systems.</li> </ul>	<ul style="list-style-type: none"> <li>4,195</li> </ul>	<ul style="list-style-type: none"> <li>No direct benefit to creditors. Statutory duty to end insolvency proceedings in a proper manner.</li> </ul>

## Our relationships

We have no business or personal relationships with the parties who approve our fees or who provide services to the liquidation where the relationship could give rise to a conflict of interest.

## Legal and other professional firms

We instructed the following professionals on this case:

Service provided	Name of firm / organisation	Reason selected	Basis of fees
Legal services, including drafting the Sale and Purchase Agreement	• Gateley LLP	• Legal expertise	• Time costs and disbursements
Review of Company contracts by quantity surveyors and collection of debts.	• Naismiths	• Industry knowledge and expertise	• Combination of fixed fee and % of realisations
Property agents, including valuation of the assets of the Company.	• Hilco Global	• Industry knowledge	• Fixed fee
Review of Company contracts by quantity surveyors and collect contract book debts	• Pythagoras	• Industry knowledge and expertise	• % of realisations

We require all third party professionals to submit time cost analyses and narrative; or alternatively a schedule of realisations achieved in support of invoices rendered. We undertake the following steps to review professional firms' costs:

- Review invoices to the terms agreed at the outset; and
- Where fees are charged on a time cost basis, a breakdown of such costs is requested and reviewed before payment.

# Appendix D: Other information

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**Company's registered name:** Excel (Portam) Limited

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**Trading name:** Excel (Portam) Limited

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**Registered number:** 02232405

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**Registered address:** Central Square, 29 Wellington Street, Leeds, LS1 4DL

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**Date of the Liquidators' appointment:** 25 August 2017

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**Liquidators' names, addresses and contact details:** Zelf Hussain and David Robert Baxendale of PwC, 7 More London, Riverside, London, SE1 2RT

Email: [crowther.james@pwc.com](mailto:crowther.james@pwc.com)

Telephone: 0113 289 4076

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