

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	<input type="text"/>
Company name in full	<input type="text"/>

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

2 Liquidator's name

Full forename(s)	<input type="text"/>
Surname	<input type="text"/>

3 Liquidator's address

Building name/number	<input type="text"/>
Street	<input type="text"/>
Post town	<input type="text"/>
County/Region	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

4 Liquidator's name ①

Full forename(s)	<input type="text"/>
Surname	<input type="text"/>

① **Other liquidator**
Use this section to tell us about another liquidator.

5 Liquidator's address ②

Building name/number	<input type="text"/>
Street	<input type="text"/>
Post town	<input type="text"/>
County/Region	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

② **Other liquidator**
Use this section to tell us about another liquidator.

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6 Period of progress report

From date	d	d	m	m	y	y	y	y
To date	d	d	m	m	y	y	y	y

7 Progress report

The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X

C. King

X

Signature date

d	d	m	m	y	y	y	y
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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

Company name

Address

Post town

County/Region

Postcode

Country

DX

Telephone



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

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



Important information

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



Where to send

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

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



Further information

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

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

TO ALL MEMBERS AND ALL CREDITORS
WHO ARE NOT OPTED OUT

8 July 2024

Ref: SW/ CGJK/ BL/ AP
Email:
spicersadministration@uk.ey.com

Dear Sir or Madam

Spicers Limited (in Creditors' Voluntary Liquidation) ("the Company")

As you may be aware, on 16 May 2023 the Company moved from Administration into Creditors' Voluntary Liquidation pursuant to paragraph 83 of Schedule B1 to the Insolvency Act 1986 and S J Woodward and C G J King were appointed as Joint Liquidators.

The Liquidators' appointment was advertised in the London Gazette on 24 May 2023.

I now write to provide you with our report on the progress of the Liquidation for the period from 16 May 2023 to 15 May 2024.

At Appendix A of this report we provide information about the Company and the Liquidators. A copy of our receipts and payments account for the period from 16 May 2023 to 15 May 2024 is provided at Appendix B.

Progress during the period of the report

Receipt of Administration Surplus

Shortly following the appointment of the Liquidators, funds of £4,924,589 were transferred from the Company's Administration bank accounts to the Liquidation bank account.

This balance reflects the Administrators' surplus detailed in the Joint Administrators' final progress report dated 4 May 2023 (£4,913,778), as well as a quantum of interest (£10,811), which accrued in the Administrators' bank account during the interim period between the final progress report and the transfer.

Distribution exercise

During the preceding Administration, the Company made distributions and payments in respect of a secured debt owing to BECAP12 GP Limited ("BECAP12"), which totalled £9,365,435. This debt was cross guaranteed by certain entities within the Company's group including the Company.

Additionally, OfficeTeam Limited (in Creditors Voluntary Liquidation) ("OfficeTeam") settled the £2,335,695 debt owed by the Company to Lloyds Bank plc ("LBG") in respect of its Invoice Discounting Facility ("IDF") account.

Accordingly, a detailed and complex exercise (the "Distribution Exercise") was required to be undertaken to determine the quantum of the subrogated claims the Company had against the other guarantors of the

BECAP and LBG indebtedness and that other guarantors may have against it in relation to these payments.

We have now reached a conclusion in respect of the Distribution Exercise, based on detailed legal advice, and note that the other guarantor companies are each indebted to the Company due to its overcontribution under the guarantee, resulting in subrogated claims.

Additionally, it has been concluded that the Company was required to repay OfficeTeam the balance which OfficeTeam had settled on its behalf in respect of the LBG IDF debt. Accordingly, during the period of this report a payment has been made to OfficeTeam of £2,335,695.

Creditor distribution

Since reaching a conclusion in respect of the Distribution Exercise, the Liquidators have been working to assess the effect of this on distributions to the Company's unsecured creditors and have subsequently begun preparations to formally invite the unsecured creditors of the Company to submit claims to the extent they have not already done so.

As part of this process, the Liquidators have recently started adjudicating the creditor claims that have been received by the Company to ascertain whether or not further information is required in respect of these claims.

Once this initial adjudication exercise has been completed, the Liquidators will be seeking to write to all known unsecured creditors of the Company to either:

- i) confirm that a claim has been accepted, as well as the quantum of the accepted claim;
- ii) request further information is provided in support of submitted claims which the liquidators have been unable to accept based on the evidence submitted to date; or
- iii) request that unsecured claims are formally submitted, along with the relevant supporting documents, in instances where no claim has been formally submitted.

We anticipate writing to all known creditors in respect of the above by the end of September 2024.

Other work which remains to be done

As noted at the time of the Administrators' final progress report, during the period of the Administration debtor collections totalled c.£10.7m. However, there remains a large debtor balance which we consider to be contractually due and which we will continue to pursue.

Due to the Distribution Exercise, and specifically seeking to understand the impact the outcome of this exercise would have on the funds available to the Company's unsecured creditors, we considered it appropriate to pause the pursuit of the debtor balance, which may involve committing to legal process costs, until this exercise had been concluded.

However, now that the distribution exercise has been concluded, the Liquidators are in a position to re-open discussions with the debtor to pursue the balance that we consider due to the Company.

We will provide further updates regarding this matter in the Joint Liquidators' future progress reports.

Joint Administrators' and Liquidators' remuneration

During the preceding Administration, the Joint Administrators' remuneration was fixed on a time costs basis by a resolution of the creditors passed on 8 June 2020 and a further resolution regarding the Joint Administrators remuneration was also passed by a resolution of the creditors on 24 March 2023.

Accordingly, during the Administration, the Administrators drew fees of £1,737,684 in the Administration and will draw the remaining balance of £1,591,461 in the Liquidation as noted in the Administrators final progress report dated 17 May 2023.

During the period of this report, £550,000 has been drawn in respect of the Administrators' remuneration.

The Joint Liquidators do not anticipate seeking to fix or draw any additional remuneration during the Liquidation over and above that already approved in the Administration and as such, the remuneration drawn will be limited to the outstanding and previously agreed Administrators' fees.

Whilst we do not anticipate seeking to draw these costs, it is noted that during the period covered by this report, the Liquidators have incurred time costs of £147,662.

At Appendix C to this report there is an analysis of the time spent and an explanation of the work done.

Joint Liquidators' statement of expenses incurred

During the period covered by this report, we have incurred expenses totalling £43,420 plus VAT. The expenses can be summarised as follows:

Type of expense	Paid in period to 15	
	May 2024	Total
Payments made from the estate which are not disbursements		
Legal fees	6,217	6,217
Storage charges	4,501	4,501
Public notices	91	91
Insurance	571	571
Bank charges	16	16
Professional fees in respect of Group Insolvency	32,024	32,024
	43,420	43,420
Category 1 disbursements		
n/a	-	-
Category 2 disbursements		
n/a	-	-
Total	43,420	43,420

The Statement of Insolvency Practice No.9 defines expenses as any payments from the insolvency estate which are neither an office holder's remuneration or a distribution to a creditor or member.

Expenses are divided into those that do not need approval before they are charged to the estate (Category 1) and those that do require prior approval (Category 2):

- **Category 1** expenses are payments to persons providing the service to which the expense relates who are not an associate of the office holder
- **Category 2** expenses are payments to associates or which have an element of shared costs.

Expenses also include disbursements. Disbursements are payments which are first met by the office holder and then reimbursed to the office holder from the estate. Disbursements fall into either Category 1 or Category 2.

The Joint Liquidators do not anticipate seeking to fix or draw any Category 2 disbursements during the Liquidation.

Creditors' rights to further information about, and to challenge, remuneration and expenses

The statutory provisions relating to remuneration are set out in Chapter 4 of Part 18 of the Insolvency (England and Wales) Rules 2016. Further information is given in the Association of Business Recovery Professionals' publication 'A Creditors' Guide to Liquidators' Fees', a copy of which may be accessed from the web site of the Institute of Chartered Accountants in England and Wales at <https://www.icaew.com/en/technical/insolvency/creditors-guides> or is available in hard copy upon written request to the Joint Liquidators.

In certain circumstances, creditors are entitled to request further information about our remuneration or expenses, or to apply to court if they consider the costs to be excessive (Rules 18.9 and 18.34 of the Insolvency (England and Wales) Rules 2016). Further information is provided in 'A Creditors' Guide to Liquidators' Fees' referred to above.

Investigations

During the preceding Administration, the Administrators had undertaken an investigation into the Company's affairs prior to our appointment pursuant to Statement of Insolvency Practice Number 2 (Investigations by Office Holders) and the Company Directors Disqualification Act 1986, with the necessary confidential returns made to the Insolvency Service.

As no new matters have come to the Liquidators' attention since the Administration that would warrant further amendments to these previous CDDA report and SIP2 investigations, no further investigations have been carried out and not further returns have been submitted during the period of the Liquidation. No third-party funding has been provided.

Other matters

We expect to send our next report to creditors in 12 months or at the conclusion of the Liquidation, whichever is sooner.

Yours faithfully
for the Company



C G J King
Joint Liquidator



C G J King and S J Woodward are licensed in the United Kingdom to act as an insolvency practitioner by The Institute of Chartered Accountants in England and Wales. As Insolvency Practitioners, they are bound by the Insolvency Code of Ethics in carrying out all professional work relating to the appointment.

The Joint Liquidators may act as data controllers of personal data as defined by the UK General Data Protection Regulation (as incorporated in the Data Protection Act 2018), depending upon the specific processing activities undertaken. Ernst & Young LLP and/or the Company may act as a data processor on the instructions of the Joint Liquidators. Personal data will be kept secure and processed only for matters relating to the Joint Liquidator's appointment. The Office Holder Data Privacy Notice can be found at www.ey.com/uk/officeholderprivacy.

Spicers Limited (in Creditors' Voluntary Liquidation) ("the Company")

Information about the Company and the Liquidators

Registered office address of the company: c/o Ernst & Young LLP, 1 Bridgewater Place,
Water Lane, Leeds, LS11 5Q

Registered number: 00425809

Date of appointment of the joint Liquidators: 16 May 2023

Details of any changes of liquidator: None

Full names of the Liquidators: Charles Graham John King and Samuel James
Woodward

Office holder number(s): 8985 and 12030

Liquidators' address(es): Ernst & Young LLP, 1 Bridgewater Place,
Water Lane, Leeds, LS11 5Q

Telephone number: 0113 298 2224

Name of alternative person to contact with enquiries about the case: Ben Leach

Spicers Limited (in Creditors' Voluntary Liquidation) ("the Company")

Joint Liquidators' receipts and payments account for the period from 16 May 2023 to 15 May 2024

	Period from 16 May 2023 to 15 May 2024 (£)
Receipts	
Funds brought forwards from the preceding Administration	4,924,589
Bank interest	78,541
Sundry income	39
Total Receipts	5,003,169
Payments	
Re-payment to OfficeTeam Limited in settlement of IDF debt balance	2,335,695
Administrators' remuneration	550,000
Legal fees	6,217
Storage charges	4,501
Public notices	91
Insurance	571
Bank charges	16
Professional fees in respect of Group Insolvency	32,024
Total Payments	2,929,115
Net realisations	2,074,054
Represented by:	
Bank account (Current)	104,068
Bank account (Deposit)	1,860,365
Unclaimed preferential dividends	(2,233)
VAT Receivable	111,855
Total	2,074,054

Notes

1. Receipts and payments are stated net of VAT.
2. The receipts and payments account has been prepared on a cash basis and does not reflect future estimated receipts and payments
3. All funds are held in interest bearing bank accounts.
4. There have been no payments made to the Liquidators or EY other than from the insolvent estate as shown in the receipts and payments account provided above (i.e by a third party).
5. A balance of preferential creditor dividends remains unclaimed totalling £2,233. Should this balance remain unclaimed, these funds will be transferred to the insolvency service at the end of the Liquidation.

Spicers Limited (in Creditors' Voluntary Liquidation) ("the Company")

Joint Liquidators' time costs for the period from 16 May 2023 to 15 May 2024

	Actual in this report period 16 May 2023 to 15 May 2024			Total actual to 15 May 2024		
	Total hours	Total costs (£)	Average rate (£)	Total hours	Total costs (£)	Average rate (£)
Administration & Planning	64.0	37,240	582	64.0	37,240	582
Creditors	131.5	87,461	665	131.5	87,461	665
Debtors	3.8	4,458	1,173	3.8	4,458	1,173
Employees	0.6	759	1,265	0.6	759	1,265
General	2.0	800	400	2.0	800	400
Immediate Tasks	5.0	3,775	755	5.0	3,775	755
Other Matters	0.4	380	950	0.4	380	950
Reporting	3.0	2,215	738	3.0	2,215	738
Retention of Title	0.5	158	315	0.5	158	315
Statutory Duties	2.7	1,996	739	2.7	1,996	739
VAT & Taxation	9.4	8,423	896	9.4	8,423	896
Total	222.9	147,662	662	222.9	147,662	662

Summary of work

The Joint Liquidators have incurred time costs in dealing with, inter alia, the following matters:

- ▶ **Accounting and Administration** – includes general administrative duties and overall management of the case, including maintaining the Joint Liquidators treasury and accounting functions, statutory compliance diaries and time costs reporting.
- ▶ **Creditors** – Relates to time spent on creditor correspondence, answering specific creditor queries, and preparing for the unsecured creditors distribution. Additionally, time spent dealing with matters arising out of the Company's secured creditor debts, which was cross guaranteed by certain entities within the Company's group including the Company, as well as distributions which have been made by the Company and OfficeTeam Limited.

- ▶ **Debtors** – time spent understanding and dealing with a potential intra-group debtor position.
- ▶ **Employees** – time spent answering queries, filing forms and liaising with the Redundancy Payments Service.
- ▶ **General** – carrying out general case administration including internal set-up actions.
- ▶ **Immediate tasks** – relates to carrying out immediate tasks on appointment including internal firm processes and system set-up, as well as dealing with statutory duties.
- ▶ **Other Matters** – relates to time spent in relation to managing ad-hoc matters including dealing with the storage of the Company's physical books and records.
- ▶ **Reporting** – includes statutory and other reporting to all classes of creditors. Reports include notification of appointment, progress reports.
- ▶ **Retention of Title** - time spent dealing with claims for retention of title from the Company's suppliers.
- ▶ **Statutory duties** – time spent in complying with statutory matters including statutory filing with Companies House and the Court, notification of the Joint Liquidators' appointment to creditors and members, advertising of the appointment.
- ▶ **VAT and taxation** - preparation of VAT and corporation tax returns for the post appointment period and communicating with HMRC in respect of these matters.