



**LEONARD CURTIS**  
BUSINESS RESCUE & RECOVERY

**FORTHPLUS PENSIONS LIMITED  
(IN ADMINISTRATION)**

Registered Number: 07990504

Court Ref: CR-2021-MAN-000600

High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List  
(CHD)

**Joint Administrators' Report and Statement of Proposals in accordance  
with Paragraph 49 of Schedule B1 to the Insolvency Act 1986 (as  
amended) and Rule 3.35 of the Insolvency (England and Wales) Rules  
2016 (as amended)**

**Report date: 20 December 2021**

**Date report deemed to be delivered to creditors: 20 December 2021**

**Decision date: 12 January 2022**

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**IMPORTANT NOTICE**

These Proposals have been prepared by Andrew Poxon on behalf of the Joint Administrators solely to comply with the Joint Administrators' statutory duty under paragraph 49 of Schedule B1 to the Act to lay before the creditors a statement of the Proposals, and for no other purpose. It should not be relied upon by any other person, or for any other purpose, or in any other context.

Any estimated outcomes for creditors or customers included in these Proposals are provided for illustrative purposes only and cannot be relied upon as guidance as to the actual outcomes for creditors.

Any person who chooses to rely on these proposals for any purpose or in any context other than under paragraph 49 of Schedule B1 to the Act does so at their own risk. To the fullest extent permitted by law, the Joint Administrators do not assume any responsibility and will not accept any liability in respect of these Proposals.

The Joint Administrators are authorised to act as insolvency practitioners in the UK by The Institute of Chartered Accountants in England and Wales.

The Joint Administrators act as agents of the Company and contract without personal liability. The Joint Administrators' appointments are personal to them and, to the fullest extent permitted by law, Leonard Curtis Business Solutions Group (including any of its group companies) does not assume any responsibility and will not accept any liability to any person in respect of these proposals or the conduct of the Administration.

TO: THE REGISTRAR OF COMPANIES  
ALL CREDITORS  
ALL EMPLOYEES  
ALL MEMBERS

## 1. INTRODUCTION TO THE PROPOSALS

### Definitions etc.

- 1.1 For clarity and simplicity, in these Proposals we use various definitions and abbreviations that are listed in Appendix A. Unless otherwise stated, all amounts in these Proposals are stated net of VAT.

### The appointment of the Joint Administrators

- 1.2 Andrew Poxon, Alex Cadwallader and Barry Stewart of Leonard Curtis were appointed as the Joint Administrators of Forthplus Pensions Limited by the Directors of the Company on 19 October 2021.

### What is this document?

- 1.3 This document sets out the Joint Administrators' proposals for achieving the statutory objectives of the Company's Administration. The Proposals are set out at Appendix B.

### Why am I receiving this document?

- 1.4 You are receiving these Proposals because the Company's records indicate that you are a creditor of the Company. Creditors are entitled to participate in a vote on, amongst other things, the Joint Administrators' remuneration and certain disbursements. In this matter, creditors are also required to approve the Proposals as part of the voting process. This document will set out how creditors may participate in that vote.
- 1.5 The Joint Administrators are seeking a decision from the Company's general body of creditors to determine, amongst other things, the approval of the contents of the Proposals, and the basis upon which the Joint Administrators will draw their remuneration and certain disbursements. These decisions are being sought by correspondence. Creditors should complete and return a Voting Form (Appendix K) together with a completed Proof of Debt form (Appendix L) to this office by 23:59 on the Decision Date, being 12 January 2022, or your vote will be disregarded.
- 1.6 Further information is set out within this document on how creditors may participate in that vote.

### Forthplus customers with a complaint or claim against the Company – what do should they do?

- 1.7 If you are a customer of Forthplus and believe that you may have a claim against the Company and should be regarded as a creditor, you should register your claim with the Administrators at the earliest opportunity by completing the Proof of Debt form (Appendix L). Submitting a claim against the Company to the Administrators will entitle you to participate in the vote outlined in these Proposals. This is irrespective of whether you have submitted a claim to the Financial Ombudsman Service ("FOS") or the Financial Services Compensation Scheme ("FSCS") to date, or intend to submit a claim to the FSCS.
- 1.8 Irrespective of the transfer to iPensions Group Limited customers with a complaint against Forthplus as a SIPP operator can still make a claim against Forthplus to the FSCS.
- 1.9 Forthplus is covered by the FSCS. The FSCS protect consumers when authorised firms fail and can pay compensation of up to £85,000. If you are a client of Forthplus and have a complaint against Forthplus you should now make a claim to the FSCS. Making a claim to the FSCS is **free of charge**. The FSCS will investigate whether there are any claims that meet the qualifying conditions for compensation. Guidance on the availability of FSCS protection is available on [www.fscs.org.uk](http://www.fscs.org.uk) or by calling the FSCS on 0800 678 1100.

- 1.10 If you have already referred a complaint to the FOS, you do not need to take any action. As the firm is in Administration, the FOS will contact you to ask for permission to refer the case to the FSCS.
- 1.11 At this stage, the Administrators are unable to estimate the extent of any compensation which may be available. The FSCS, however, will be entitled to subrogate and claim as an unsecured creditor in the Administration in respect of any compensation payments made and will advise customers in due course in this respect.
- 1.12 Until the FSCS has determined if you meet the qualifying criteria for an eligible claim and a compensatory award is paid to you by the FSCS, customers will be entitled to make a claim against the Company as an unsecured creditor. If you choose not to make a claim to the FSCS or the FSCS rejects your claim or does not pay the award in full, you will remain entitled to make a claim directly against the Company in Administration as an unsecured creditor.
- 1.13 Customers with a claim against the Company can choose not to participate in the vote on the Proposals. If you choose not to do so, it will not affect any claim you make to the FSCS.

**What has happened so far?**

- 1.14 Prior to the Administration a marketing process was undertaken to identify an alternative FCA regulated SIPP Administrator possessing the relevant experience and regulatory permissions to manage customers' SIPP's. The opportunity was marketed to over 1,500 potential bidders including a shortlist of over 100 known operators within the pension industry. Company information was made available to those parties that expressed an interest in participating in the transfer.
- 1.15 A total of five offers were received by the Administrators for the Forthplus business. Four parties submitted final offers with one party withdrawing from the bidding process. Having reviewed the offers and undertaken initial due diligence on the proposed bidders, it was determined that iPensions Group Limited was the preferred bidder and a short period of exclusivity was entered into.
- 1.16 The Administrators completed a transfer of customers' SIPP's on 13 December 2021 (the "Transfer Date") to iPensions Group Limited ("iPG"). More information on this is set out in Section 6 below.

**What will happen next?**

- 1.17 Customers' SIPP's were transferred on the Transfer Date to iPG automatically without any action required by them.
- 1.18 Customers who were members of the Forthplus SIPP became part of the iPG range of self-invested personal pensions on the Transfer Date. In addition to iPG's experienced administration and technical support team, based in Manchester, iPG have retained the Forthplus Edinburgh administration team. This means that customers will have some consistency going forward. The team join the highly experienced management team of iPG.
- 1.19 On a day-to-day basis, it is business as usual. iPG will be the new operator and administrator of customers' SIPP's with iPensions Group Trustees Limited becoming the new trustee of the Forthplus SIPP. iPG has access to all relevant data and details associated with customers' SIPP's.
- 1.20 Customers can continue to login to their accounts and can access online valuations using existing details. Customers currently receiving pension or other benefit payments from their SIPP will continue to be paid by iPG, provided sufficient liquid funds are available within the pension fund. Similarly, ongoing fees will remain the same and will now be payable to iPG.
- 1.21 Customers may wish to seek the advice of an independent financial adviser if they are uncertain what action, if any, they should take in respect of this change of pension administrators.

## 2 GENERAL INFORMATION

- 2.1 The Administrators now write to present the Joint Administrators' proposals (the "**Proposals**") (Appendix B) for the Company pursuant to the Insolvency Act 1986 (the "**Act**").
- 2.2 Paragraph 3 of Schedule B1 to the Act requires administrators to perform their functions with the objective of:
- a) Rescuing the company as a going concern; or
  - b) Achieving a better result for the company's creditors as a whole than would be likely if the company were wound up (without first being in administration); or
  - c) Realising property in order to make a distribution to one or more secured or preferential creditors.
- 2.3 I can confirm that in this case the Joint Administrators are of the opinion that the Company has sufficient property to enable a distribution to be made to unsecured creditors. The quantum and timing of a dividend is at present uncertain. It is anticipated that the FSCS will have a large unsecured claim in the Administration as a result of compensatory payments it makes to customers with eligible claims. Accordingly, the Administrators are required to seek a decision from the Company's creditors as to whether they approve these Proposals. The Joint Administrators are also required to ask the creditors to determine, amongst other things, the basis upon which the Joint Administrators will draw their remuneration and Category 2 disbursements. It is our intention to seek these decisions by correspondence as provided for by the Act and the Insolvency (England and Wales) Rules 2016 ("**Rules**"). Formal Notice of this Decision Procedure is attached at Appendix J. A voting form is attached at Appendix K. This form should be completed and returned to this office by 23:59 on the Decision Date, being 12 January 2022, with a completed proof of debt form (attached at Appendix L) or your vote will be disregarded, as will any forms returned after the decision date.
- 2.4 Creditors meeting the following minimum criteria may request in writing that the decisions be made at a creditors' meeting, rather than by correspondence:
- a) 10% in value of the creditors; or
  - b) 10% in number of the creditors; or
  - c) 10 creditors
- 2.5 Such a request must be made not later than five business days after the date on which these Proposals were delivered. The deemed date of delivery of this report is given on the front page. Requests should ideally be made to [forthplus@leonardcurtis.co.uk](mailto:forthplus@leonardcurtis.co.uk).
- 2.6 In the event that no such request is received, the Joint Administrators will, as soon as reasonably practicable after the Decision Date specified on 2.3 above, report to creditors on the decisions taken.

### **Notice of an Invitation to Creditors to Form a Creditors' Committee**

- 2.7 Creditors are entitled to decide whether a creditors' committee should be established if sufficient creditors are willing to be members of that committee.
- 2.8 Attached at Appendix M is Notice of an Invitation to Form a Creditors' Committee. Any nominations must be delivered to the Joint Administrators by the Decision Date shown on the front of this report and can only be accepted if the Administrators are satisfied as to the creditors' eligibility under Rule 17.4 of the Rules.
- 2.9 In order to assist creditors in making an informed decision on whether they wish to be nominated to serve on a committee, creditors are encouraged to access the document below, which provides information on the rights, duties and functions of creditors' committees.

<https://www.r3.org.uk/technical-library/england-wales/technical-guidance/creditor-guides/more/29111/page/1/liquidation-creditors-committees-and-commissioners/>

**3 STATUTORY INFORMATION**

- 3.1 The Administration proceedings are under the jurisdiction of the High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD) under Court reference CR-2021-MAN-000600.
- 3.2 During the period of Administration, any act or function required or authorised to be done by the Joint Administrators may be exercised by all or either of them.
- 3.3 The Company's registered office was changed from Elma House, Beaconsfield Close, Hatfield, Hertfordshire AL10 8YG to Riverside House, Irwell Street, Manchester M3 5EN on 4 November 2021. The registered number is 07990504. The Company traded as its registered name.
- 3.4 At the date of the Administration, the Company operated from serviced offices located at 80 George Street, Edinburgh EH2 3BU. The Company previously traded from leasehold premises at Clarendon House, 114-116 George Street, Edinburgh EH2 4LH.
- 3.5 The Company's directors within the last three years are as follows:

<b>Name</b>	<b>Role</b>	<b>Date Appointed</b>	<b>Date Resigned</b>
Christopher Holyoak	Managing Director	10 September 2014	-
Robert Parker	Compliance Director	8 November 2017	-
Simon King	Operations Director	17 February 2021	-
Simon Ashton	Non-Executive Director	10 June 2014	-
Jonathan King	Director	7 November 2018	12 February 2020
Lynette Mapp	Director	10 December 2015	8 May 2019

- 3.6 The Company's authorised share capital is £1,126,441. The issued share capital comprises 1,126,035 Ordinary A Shares and 406 Ordinary B Shares, the shares being owned as follows:

<b>Name</b>	<b>Class of Share</b>	<b>No. of Shares</b>	<b>% of Total Owned</b>
Clare Hughes	Ordinary A	1,126,035	99%
Chris Holyoak	Ordinary B	108	>1%
James Igoe	Ordinary B	36	>1%
Simon Ashton	Ordinary B	92	>1%
John Ball	Ordinary B	45	>1%
Robert Parker	Ordinary B	18	>1%
Stephen Graham	Ordinary B	17	>1%
Clare Hughes	Ordinary B	90	>1%
		<b>1,126,441</b>	<b>100%</b>

- 3.7 According to the information registered at Companies House, the Company has no registered charges.
- 3.8 The insolvency proceedings are COMI proceedings.

**4 HISTORICAL BACKGROUND AND EVENTS LEADING UP TO ADMINISTRATION**

- 4.1 The Company was incorporated on 14 March 2012 and commenced to trade shortly following incorporation. The Company operated as a pension provider and administrator regulated by the FCA. It provided a Self-Invested Personal Pension (SIPP) scheme to approximately 2,500 customers. Most customers were UK expatriates.

- 4.2 The Company primarily traded from rented premises located at 80 George Street, Edinburgh EH2 3BU.
- 4.3 The demise of the Company was due to its inability to meet its regulatory Capital Adequacy requirements and its ability to continue to operate in the future, which was caused by a number of factors:
- A number of complaints were made to the FOS relating to a small number of financial advisors, and the investments they advised on. The FOS had issued several representative provisional assessments which found that Forthplus had failed in their oversight in preventing advice firms from acting outside of their permission levels, and therefore had not treated its customers fairly and reasonably. As Forthplus did not agree with these provisional assessments, submissions were made by return and the Financial Ombudsman was preparing to issue a number of Final Decisions. Although these Final Decisions have not been issued, if the complaints had ultimately been upheld it could lead to a number of further claims against Forthplus.
  - Following the Company's inability to renew or extend professional indemnity insurance on 1 September 2021, the firm announced that it would put a hold on accepting new applications whilst it made arrangements regarding professional indemnity insurance. However, after consultation with the FCA, it was also deemed appropriate to cancel all policies which had not received their first transfer, and subsequently, to cease all in-flight transfers. The cancellation of policies and transfers resulted in a significant fall in revenue, and the losses incurred placed the Company in breach of its regulatory requirements.
  - The reputational damage caused by ceasing to accept new applications and cancelling in-flight transfers made it unlikely that the Company would be able to maintain its position in the market and would be unable to meet its fiscal targets in an appropriate time frame, going forward.
- 4.4 Having explored all options available, the Board ultimately concluded that there was nothing that could be done in the short term given the current circumstances to rectify the position and the Company was no longer able to meet the threshold conditions to remain as a compliant business. Accordingly, the Board resolved that the Company was not able to continue operating and therefore steps should be taken to protect the interests of customers, creditors and stakeholders.
- 4.5 The Company was subsequently placed into administration on 19 October 2021 by its directors with the consent of the FCA to the appointment of the Joint Administrators.



**5 RECENT TRADING RESULTS AND CURRENT FINANCIAL POSITION**

5.1 The Company's trading results for the financial years ending 28 February 2021, 29 February 2020 and 28 February 2019 respectively are detailed below:

	Draft financial statements for the year ended 28 February 2021 £	Financial Statements for the year ended 29 February 2020 £	Financial Statements for the year ended 28 February 2019 £
Turnover	992,502	965,516	788,859
Cost of sales	(539,550)	(500,354)	(396,136)
<b>Gross profit</b>	<b>452,952</b>	<b>465,162</b>	<b>392,723</b>
Administrative expenses	(738,894)	(554,364)	(379,652)
<b>Operating (loss)/profit</b>	<b>(285,942)</b>	<b>(89,202)</b>	<b>13,071</b>
Interest payable	(39,784)	(39,150)	(39,150)
(Loss)/profit before tax	(325,726)	(128,352)	(26,079)
Taxation	-	-	27,000
<b>(Loss)/Profit for the year</b>	<b>(325,726)</b>	<b>(128,352)</b>	<b>921</b>

- 5.2 The balance sheets for the financial years ending 28 February 2021, 29 February 2020 and 28 February 2019 respectively are detailed below:

	<b>Draft financial Statements as at 28 February 2021</b>	<b>Financial Statements as at 29 February 2020</b>	<b>Financial Statements as at 28 February 2019</b>
	<b>£</b>	<b>£</b>	<b>£</b>
<b>Fixed assets</b>			
	26,897	28,708	31,631
	<u>26,897</u>	<u>28,708</u>	<u>31,631</u>
<b>Current assets</b>			
Debtors	312,236	687,191	437,049
Cash at bank and in hand	1,039,352	78,639	113,303
	<u>1,351,588</u>	<u>765,830</u>	<u>550,352</u>
Creditors: amounts falling due within one year	(1,331,586)	(1,547,083)	(1,206,176)
Net current liabilities	<u>20,002</u>	<u>(781,253)</u>	<u>(655,824)</u>
<b>Net liabilities</b>	<u><b>46,899</b></u>	<u><b>(752,545)</b></u>	<u><b>(624,193)</b></u>
<b>Capital and reserves</b>			
Called up share capital	1,126,441	1,271	1,271
Share premium account	69,991	69,991	69,991
Profit and loss account	(1,149,533)	(823,807)	(695,455)
<b>Shareholders' deficit</b>	<u><b>46,899</b></u>	<u><b>(752,545)</b></u>	<u><b>(624,193)</b></u>

### **Statement of Affairs**

- 5.3 A statement of affairs of the Company as at 19 October 2021 has been submitted by Simon King, the operations director, and this has been filed with the Registrar of Companies together with statements of concurrence from each of the remaining current directors. A copy is enclosed at Appendix C.
- 5.4 Please note that no provision has been made for costs and expenses of realisation, costs of the Administration and any corporation tax which may be payable. The following comments are considered to be relevant and should be borne in mind when reading the figures:

### **Secured Creditor**

- 5.5 The Joint Administrators are not aware of any secured creditors in this matter, and there are no fixed or floating charges registered against the Company at Companies House.

### **Prescribed Part**

- 5.6 As the Company has no unsatisfied post-Enterprise Act charges as per the information available to the Joint Administrators, it is anticipated that there will be no requirement to set aside a prescribed part in this case.

**Preferential Claims**

- 5.7 The only categories of claims which have preferential status are those of employees in respect of wages and accrued holiday pay and certain pension contributions.
- 5.8 No preferential claims are anticipated in this matter as a result of the transfer of certain employees under the Transfer of Undertakings (Protection of Employment) Regulations 2006 to iPG, and the compromise of other employees following the receipt of letters of objection to the transfer to iPG.

**Secondary Preferential Creditors**

- 5.9 With respect to insolvencies commencing on or after 1 December 2020, HMRC will rank ahead of floating charge holders and unsecured creditors in respect of certain unpaid taxes that the relevant company collects on behalf of HMRC. These taxes are known as Priority Taxes and include:
- VAT;
  - PAYE (including student loan repayments);
  - Construction Industry Scheme deductions; and
  - Employees' NI contributions.
- 5.10 It is understood that there is likely to be a secondary preferential claim from HMRC in respect of unpaid PAYE and VAT for the period prior to the Joint Administrators' appointment. The directors estimate that a refund of £42,000 is due to the Company from a Corporation Tax refund. It is the Joint Administrators intention to instruct an independent accountant to assist with submitting a terminal loss relief claim in due course to offset the amount owed by the Company to HMRC. This may result in a small refund to the Company. In the event that any amount is owed by the Company to secondary preferential creditors, we anticipate that this will be paid in full.

**Unsecured Claims**

- 5.11 Based upon the information currently available, it is anticipated that there will be sufficient funds available to allow a dividend to be paid to unsecured creditors. This may be paid in the Administration with the consent of the court or by a subsequently appointed Liquidator, should liquidation be the appropriate exit route from the Administration process. Creditors are asked to forward full details of their claims using the proof of debt form attached at Appendix L.
- 5.12 If you are a customer of Forthplus and believe that you may have a claim against the Company and should be regarded as a creditor, you should register your claim with the Administrators at the earliest opportunity by completing the Proof of Debt form (Appendix L). Further details on how customers can submit a claim to the FSCS are outlined at sections 1.7 to 1.13 above.

**Receipts and Payments**

- 5.13 A receipts and payments account for the period of the Administration to date is enclosed at Appendix D.

## 6 EVENTS FOLLOWING THE JOINT ADMINISTRATORS' APPOINTMENT

### Transfer of the business

6.1 Prior to appointment, it was concluded that a transfer of the business to an alternative FCA regulated SIPP Administrator would result in the best outcome for customers and creditors. It was considered that such a transfer would allow:

- Customers' assets to continue to be managed in the same and/or similar way to the Company;
- The least disruption to customers;
- Would achieve a better result for the Company's creditors as a whole; and
- Avoid potentially significant charges being borne by customers to transfer their assets and avoid charges.

6.2 As such, the Company, in conjunction with Leonard Curtis, conducted a marketing process prior to the Administration to identify an alternative FCA regulated SIPP Administrator possessing the relevant experience and permissions to manage customers' SIPPs.

### Marketing

6.3 Marketing a business is an important element in ensuring that the best available consideration is obtained for it in the interests of a company's creditors as a whole, and is a key factor in providing reassurance to creditors that the insolvency practitioner has acted with due regard for their interests. The particular nature of an insolvency practitioner's position in these circumstances renders transparency in all dealings of primary importance.

6.4 Leonard Curtis commenced an accelerated marketing campaign on 15 September 2021. The marketing campaign aimed to broadcast the opportunity to acquire the Company's business and assets. A further marketing flyer was distributed on 21 October 2021 following the Administrators appointment to generate additional interest.

6.5 The opportunity was marketed directly to over 1,500 potential bidders including a shortlist of over 100 known operators within the pension industry. Company information was made available to those parties that expressed an interest in participating in the transfer.

6.6 The marketing resulted in 37 unconnected parties expressing an interest.

### Rationale for Marketing Strategy

6.7 When determining the strategy for marketing the business and assets of the Company for sale the following was considered:

- Leonard Curtis is a leading national business solutions practice which has an established history of providing business acquisition opportunities to the open market.
- Acquire is a division of the Leonard Curtis group. It has a proven track record of identifying buyers for business and assets only disposals as well as share sales. Acquire effectively acts as a broker by identifying potentially interested buyers. The Acquire network consists of a large network of prospective purchasers to call upon. These comprise of high net worth individuals, private equity houses and industrial groups, many of which have the ability to complete transactions very quickly.

- Leonard Curtis frequently market business and asset sales through their websites. In addition, the interested party database maintained by Leonard Curtis has been compiled over the course of many years carrying out similar transactions and, consequently, contains a wide range of interested parties and intermediaries with a history of pursuing and completing similar acquisitions.
- The regulated nature of the business and consideration of the parties would be in a position to carry on the business of the Company. This resulted in the acquisition opportunity being marketed to a shortlist of over 100 industry specific parties.

6.8 By advertising the business and assets in the manner set out above, the Joint Administrators anticipated the greatest level of exposure to potential interested parties in the time available without incurring costs that would be disproportionate to the estimated value of assets involved.

#### **Length of Marketing Period**

6.9 Marketing commenced on 15 September 2021 and indicative offers were requested by 27 October 2021. The length of the marketing period was determined by the following factors:

- Alternative funding was not available to the business;
- Cash reserves would not support prolonged trading of the business in Administration;
- The regulated nature of the business, its complexity and the associated risks of a prolonged period of trading and the potential detriment to customers as a result of certain restrictions on normal activities; and
- The Company was in breach of its regulatory obligations related to its capital adequacy requirement.

6.10 The period over which the business was marketed for sale was proportionate to the Company's position having due regard to the interests of customers and creditors.

#### **Outcome of Marketing**

6.11 On receipt of a confidentiality undertaking, 30 interested parties were provided with access to a dedicated data room containing relevant information related to the Company. A total of five offers were received by the Administrators for the Forthplus business. Four parties submitted final offers with one party withdrawing from the bidding process.

#### **Negotiations and selection of iPG**

6.12 Negotiations were undertaken with each of the four parties on the terms of their offers. Having reviewed the offers and undertaken initial due diligence on the proposed bidders, the Administrators selected iPG as the preferred bidder and entered into a short period of exclusivity with iPG.

6.13 In selecting iPG as the preferred bidder, the Administrators took the following into consideration:

- iPG are an established SIPP Administrator with experience in the UK and international market and can provide the same and/or similar services to customers as the Company.
- iPG are regulated in the UK by the FCA and hold the relevant regulatory permissions to enable them to administer customers' SIPPs.
- iPG were financially capable of completing the transaction as well as meeting ongoing financial and regulatory requirements.
- Assessing iPG's post transfer plan which included:
  - Securing as a priority the existing team and staff to ensure continuity of service for customers.
  - Retaining Edinburgh as an office location as existing staff are key to servicing members and advisers.

- Providing immediate support to customers who hold illiquid funds or funds close to being illiquid.
- Plans to update investment guidelines and governance to enhance compliance.
- Implementing a new management and support structure using iPG's existing infrastructure and staff.
- Maintaining existing IT infrastructure whilst simultaneously transferring data on to its own systems to mitigate as much as possible disruption to customers and to maintain service levels.
- iPG's offer included completion of the transaction within 14 days of acceptance of their offer. Completing a transfer within this timeframe was advantageous to the Administrators and to customers to mitigate the cost of ongoing trading, provide certainty of outcome for staff and creditors and would result in the resumption of full services to customers.
- The FCA did not object to the Administrators proceeding with the proposed transaction with iPG.

#### **Offer**

- 6.14 The monetary consideration for the sale and purchase of the Company's assets is £355,000 and has been apportioned as follows:

<b>Asset</b>	<b>Consideration (£)</b>
Goodwill	1
Business name	1,250
Business rights	1,250
Equipment	2,500
Intellectual Property	9,999
Transferred records	10,000
Services in relation to the operating software licence	30,000
Customer contracts	300,000
<b>TOTAL</b>	<b>355,000</b>

- 6.15 The offer from iPG was accepted by the Administrators on the following basis:
- A payment in full on completion provided certainty of outcome for creditors.
  - iPG were in a position to facilitate a quick transaction.
  - The FCA did not object to the transfer to iPG.
  - iPG met the regulatory requirements to complete a transfer.
  - Consideration of the post-transfer plan which resulted in the least disruption to customers.
  - A transfer to iPG would allow the business to be managed in the same and/or similar way to the Company.

#### **Completion and post-transfer to iPG**

- 6.16 The transaction to iPG completed on 13 December 2021, and the consideration for the sale totalling £355,000 was received in full on that date. The following items were required in order complete the transaction:
- A separate entity not owned by the Company, Forthplus Trustees Limited (CRN: 09459216) ("FTL") held customer assets. It was necessary as part of the transfer to retire the existing trust in place with FTL and transfer customer assets to iPG. The Joint Administrators agreed to cover the reasonable legal costs of FTL to facilitate the transfer. FTL used independent solicitors, Hill Dickinson LLP for the transaction and FTL's legal costs payable as an expense of the Administration total £13,504 plus VAT.
  - In addition to covering the FTL's legal costs associated with the transaction, the Joint Administrators have also committed to provide further costs cover to FTL of up to a maximum of £10,000 if additional costs are

incurred in arranging the transfer of customer assets. We will update creditors in due course should any payments be made under this cost cover.

- The Company operated a bespoke customer management system which was developed and provided by a connected company, Qiqi Limited ("Qiqi"). Qiqi is connected to the company by virtue of the directorship and shareholding of Simon Ashton, the directorship of Christopher Holyoak and the shareholding of Clare Hughes. The system provided by Qiqi was bespoke to the Company and was integrated into the Company's payments and banking facilities. Qiqi cost approximately £10,875 plus VAT per month. To ensure the smoothest transition for customers, the Joint Administrators agreed to sub-licence the software, with the agreement of Qiqi, to iPG as part of the transaction. In doing this, the Joint Administrators were required to commit to a minimum term of 6 months, with a 3 month notice period for termination of the Qiqi system. A contribution of £30,000 was negotiated with iPG as part of the sale to meet some of the ongoing Qiqi costs.
- The majority of the Company's staff were transferred to iPG as part of the transaction. As part of the transaction, four senior members of staff were not transferred to iPG and individual settlements were agreed with each of these employees. The cumulative cost of the settlement with these employees totals £45,204.73 and will be paid as an expense of the Administration.
- The Company operated a mostly paperless system of maintaining its records. Following the Joint Administrators appointment, independent IT experts, Ardentia Consulting Limited were instructed to obtain a backup of all Company data and this process has been completed. All relevant physical records have been collected and placed into secure storage. The Joint Administrators have agreed to provide assistance to iPG for a period of 9 months with regard to relevant historic customer records that may be required by iPG.
- The directors statement of affairs as at 19 October 2021 lists 'deferred income – various customers' as a creditor for the value of £459,054. This relates to management fees drawn by the Company from customers on an annual basis. The Company's accounting records treated these fees as an accrual over a twelve month period. The Company will retain the management fees incurred and received to the date of the transaction with iPG. In turn, iPG has agreed to provide continuity of service until the next anniversary date without additional charge to customers. As such, it is anticipated that that the creditor position will be mitigated as a result.

### Valuation

- 6.17 A valuation of the business was not obtained prior to accepting the offer from iPG. Operation of the SIPP requires an authorised and regulated pension provider. Given this requirement there was only a limited number of parties that would have been in a position to conduct the transfer. The Administrators therefore considered that the market should be allowed to determine the value of the business after a period of marketing had been conducted. The marketing undertaken in this matter is detailed above and resulted in 37 unconnected parties expressing an interest in completing a transfer which resulted in five competing offers. The marketing strategy adopted ensured the greatest level of exposure to potentially interested parties whilst maintaining costs at a level consistent with the estimated realisable value of the assets on offer. This strategy also ensured that the identity of the Company remained confidential. This was important in order to preserve any potential value held in the business and goodwill and protect the interests of customers.

### Trading

- 6.18 In order to maximise value in the business and minimise the disruption to the Company's 2,500 customers, the Administrators traded the business whilst undertaking the process to identify a suitable purchaser.
- 6.19 Trading involved the Joint Administrators liaising with the directors of the Company and staff to obtain all required information to maintain continuous trade of the business and operations as close to normal as possible. To help achieve this, all directors and staff were retained by the Joint Administrators to perform their existing roles within the business.

- 6.20 To maintain the support of staff during the trading period, to preserve the value in the business and to mitigate disruption to customers, the Administrators offered a retention bonus to staff if they stayed with the Company until 31 January 2022, or the completion of a sale of the business, if sooner. Payments totalling £46,809.60 will be paid to eligible staff by the Administrators in due course.
- 6.21 The Joint Administrators liaised with key suppliers of the Company to ensure they were agreeable to continuing to trade with the Company in Administration. The Joint Administrators were also in contact with the Company's pre-appointment bankers to ensure access to cash in the Company's accounts was available as this was required to fund the period of trading.
- 6.22 The Joint Administrators traded the business for approximately two months and up to the point of completion of the transfer to iPG, as detailed above. A receipts and payments account for the trading period is attached at Appendix D. There is currently a forecast trading loss of £85,364.48, with a further increased loss anticipated on finalisation of December payroll. A final trading receipts and payments account will be provided in subsequent reports by the Joint Administrators.

#### **Debtors**

- 6.23 According to the directors' statement of affairs, as at 19 October 2021 the Company had outstanding debtors totalling £154,000. These debts related to amounts owed by customers for services provided to them by Forthplus. The directors estimated that £44,000 was collectable with recovery of the remaining £109,000 being uncertain due to small values and customers holding non-standard assets. As part of the transaction to iPG, it has been agreed that iPG will take steps to collect the debts from customers and will pay the Administrators 35p/£ for every £1 collected. This arrangement excludes certain debtors incurred during the trading period with a value of £43,351.28. The Administrators will update creditors on collection of the debtors in due course.
- 6.24 In addition to trade debts, the directors advised that there was other debtors with an estimated book value of £30,000 and an estimated to realise value of £19,000. Other debtors mainly consisted of refunds on pre-payments made by the Company. Prepayments are amounts paid for by a business in advance of the goods or services being received later. The Administrators will take steps during to review the pre-payments and assess if any refunds are available to the Company. An update on the progress made in this regard will be provided in the Administrators' next report.

#### **Cash at Bank**

- 6.25 The Company operated bank facilities with National Westminster Bank PLC. As at the date of appointment, the Company's main trading account was in credit to the amount of £881,262 which was transferred to the Administrators' bank account on 3 November 2021. Further credits have been received into the bank account during the Administration trading period and will be received in due course.

#### **Chattel assets**

- 6.26 The Company was in possession of a number of chattel assets at its trading premises, primarily consisting of office furniture and computer equipment. The directors' statement of affairs estimates these assets to have a value of £21,000. The Joint Administrators instructed Hilco Global Ltd ("**Hilco**") to provide a valuation of these assets, which were estimated at an ex-situ value of £2,500. These assets were included within the sale of iPG.

#### **Corporation Tax Refund**

- 6.27 The directors estimate that a refund of £42,000 is due to the Company from a Corporation Tax refund. It is the Joint Administrators intention to instruct an independent accountant to assist with submitting a terminal loss relief claim in due course to offset the amount owed by the Company to HMRC. This may result in a small refund to the Company. Further detail on the progress of this claim will be provided in future reports.



**Interest Receivable**

- 6.28 The Directors statement of affairs as at 19 October 2021 estimated interest of £23,109 was due to the Company. The Joint Administrators have realised £23,924.37 to date in respect of bank interest.

**Leasehold Trading Premises**

- 6.29 As the Joint Administrators continued to trade the business whilst a purchaser was sought, the Company occupied the trading premises with rent payments made as an ongoing expense of the Administration. iPG has subsequently been granted a short licence to occupy the premises until 31 January 2021. All rent payments to date have been paid. A licence fee totalling £5,975 plus VAT has been paid by iPG as part of the transaction.

**Retention of Title Claims**

- 6.30 Due to the nature of the Company's trading, no retention of title claims are anticipated to be received.

**Professional Advisors ("PA") and / or Subcontractors ("S") used**

- 6.31 On this assignment the Joint Administrators have or are proposing to use the advisors detailed below.

Name of Party	PA / S	Service Provided	Basis of Fees
Hilco Global Ltd	PA	Asset valuation and sale advice	Time costs and disbursements
Evolve IS Ltd	S	Pension advice and assistance in calculating employee claims	Set fee to be agreed
Ardenta Consulting Ltd	S	Data control and backup	Time costs and disbursements
Champion Group Ltd	S	Employee payroll services and tax advice	Time costs and disbursements
Addleshaw Goddard LLP	PA	Legal advice	Time costs and disbursements
Saffery Champness LLP	S	Assistance with financial and regulatory due diligence into preferred bidder	Time costs and disbursements

- 6.32 Hilco is a firm of independent valuation agents, specialising in the valuation and sale of assets of insolvent companies. Hilco has been instructed to carry out a valuation and sales process for the Company's chattel assets currently held at its trading premises, primarily consisting of office furniture and equipment. Hilco has been instructed due to their expertise and familiarity in dealing with sales of this nature. Hilco has provided a desktop valuation of the physical equipment.
- 6.33 Evolve IS Ltd ("**Evolve**") is a firm of agents specialising in dealing with the employees and pensions of insolvent companies and have been instructed to assist in liaising with the employees and handling any claims they may have against the Company through the Redundancy Payments Service. As the employees have all been retained by the Joint Administrators in order to facilitate the trading period, minimal work has been undertaken by Evolve to date. Further details of work undertaken and the costs incurred will be provided to creditors in future progress reports.
- 6.34 Ardenta Consulting Ltd ("**Ardenta**") is a firm of data protection specialists and have been instructed to assist the Joint Administrators in ensuring all Company data is stored and maintained securely during the trading period, and to provide a data backup service to the Joint Administrators as part of their requirements to collate the books and records of the Company. Ardenta are IT specialists and the Administrators do not have the expertise to conduct this work themselves.
- 6.35 Champion Group Ltd ("**Champion**") is a firm of payroll advisors, previously contracted by the Company to deal with their payroll requirements. Champion's services have been retained by the Joint Administrators in order to assist in facilitating the wage payments for the employees retained as part of the trading period. As this work is

still ongoing, the Joint Administrators are yet to be provided with details of Champion's full costs in this matter, and creditors will be updated in future progress reports in this matter.

- 6.36 Addleshaw Goddard ("**AG**") is an independent law firm who provide both private and corporate legal advice to businesses of all sectors. The Administrators instructed AG because of their expertise and experience in dealing with insolvency matters related to regulated businesses. It was necessary for the Administrators to obtain specialist legal advice from AG given the complexity of the transfer which required a number of legal documents to be prepared.
- 6.37 Saffery Champness ("**Saffery**") are a firm of Chartered Accountants who provided assistance to the Administrators in conducting financial and regulatory due diligence into the preferred bidder, iPG. The Administrators instructed Saffery owing to their expertise in this area and previous experience with Company's operating in the SIPP market.
- 6.38 Details of this firm's policy regarding the choice of advisors and the basis for their fees are given in Appendix I.

## **7 ACHIEVING THE PURPOSE OF ADMINISTRATION**

- 7.1 The Joint Administrators must perform their functions with the purpose of achieving one of the following objectives:
- (a) rescuing the Company as a going concern, or (if this cannot be achieved);
  - (b) achieving a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in administration), or (if (a) and (b) cannot be achieved);
  - (c) realising property in order to make a distribution to one or more secured or preferential creditors.
- 7.2 The first objective is not considered to be capable of being achieved given the extent of historic liabilities.
- 7.3 The second objective is to achieve a better result for the Company's creditors as a whole than would be likely if the Company were to be wound up (without first being in administration). In the opinion of the Joint Administrators, this objective is likely to be achieved as there is a reasonable prospect of a dividend being available to unsecured creditors, which would not have been the case if the Company had been wound up without first being in administration.
- 7.4 The third objective is to realise property in order to make a distribution to secured or preferential creditors. In the event that the second objective cannot be achieved, the third purpose will be achieved as whilst the Company has no secured creditors, it is anticipated there will be sufficient funds to enable a distribution to any preferential or secondary preferential creditors.
- 7.5 The Administration has been, and will continue to be, financed by monies received from asset realisations.

## **8 JOINT ADMINISTRATORS' PROPOSALS AND EXIT ROUTE**

- 8.1 The Joint Administrators' Proposals for achieving the objective of administration are attached at Appendix B.
- 8.2 The Joint Administrators have considered the various options available to the Company. As previously stated, based on information currently available, the Joint Administrators consider that realisations may be sufficient to enable a dividend to be paid to unsecured creditors. In this situation, the Joint Administrators may apply to court for permission to make such a distribution in the administration. Alternatively, if considered preferable, on completion of the administration, the Joint Administrators will file a notice with the Registrar of Companies in order that the administration will cease and the Company will move automatically into Creditors' Voluntary Liquidation ("CVL").
- 8.3 In the event that the Joint Administrators choose to place the Company into CVL, the Proposals provide that the Joint Administrators in office at the date of conversion to CVL will become the (Joint) Liquidator(s) in the

CVL. Creditors may nominate a different person to be Liquidator provided that the nomination is made after receipt of the Proposals and before they are approved.

## **9 EXTENSION OF ADMINISTRATION**

- 9.1 The appointment of administrators ordinarily ceases to have effect at the end of the period of one year from the date of their appointment.
- 9.2 In certain circumstances it may be necessary to extend the Joint Administrators' term of office. In the circumstances of this case, this may be done for a specified period not exceeding twelve months with the consent of the unsecured creditors of the Company.
- 9.3 It is not known at this stage if an extension will be required in this matter. The appropriate body of creditors will be contacted in due course should an extension be required.

## **10 PRE-ADMINISTRATION COSTS**

- 10.1 Pre-administration costs are defined as:

- Fees charged; and
- Expenses incurred

by the Administrator, or another person qualified to act as an insolvency practitioner before the Company entered administration (but with a view to its doing so). "Unpaid pre-administration costs" are pre-administration costs which had not been paid when the Company entered administration.

- 10.2 Time charged and expenses incurred by the Joint Administrators and their agents and solicitors in the period prior to their appointment are summarised below:

Charged by	Services provided	Total amount charged £	Amount paid £	Amount unpaid £
Leonard Curtis	Marketing of the company & negotiation of the sale to Newco Ltd	91,893.60	-	91,893.60
Addleshaw Goddard	Dealing with appointment formalities, preparing all required notices and Court filings	6,431.00	-	6,431.00
Hilco	Valuation of chattel assets	250.00	-	250.00
<b>TOTAL</b>		<b>98,574.60</b>	<b>-</b>	<b>98,574.60</b>

### **Work undertaken by Leonard Curtis**

- 10.3 The strategy in order to achieve the statutory objective of the Administration was to conclude a transfer of the business to an alternative FCA regulated pension provider. It was considered that a transfer would result in the best outcome for creditors and customers as a whole, mitigate contingent creditor claims and enable realisations to be paid to the preferential and secondary preferential creditors.
- 10.4 Certain work was required to be conducted by Leonard Curtis prior to the Administration in order to allow the Administrators to be appointed and to achieve the statutory objective following their appointment. The work undertaken by Leonard Curtis prior to the appointment included, but was not limited to:
- Attending an initial meeting via video-conference with the Directors to discuss the Company's financial position;

- Reviewing the options available to the Company in the circumstances and the preparation of advice to the Company on those options;
- Taking legal advice on the Company's regulated position and the requirement to use a special administration regime;
- Formulating an administration strategy and undertaking an accelerated marketing process;
- Engagement with the FCA in relation to the Administration and the proposed strategy;
- Liaising with the Directors on various matters including the strategy for the Administration, obtaining company information, providing company data to interested parties, matters relating to the Company's employees and the formalities of the Administrators' appointment;
- Engagement with lawyers at AG regarding planning matters in terms of filing the Notice of Appointment, discussions in terms of the options available and ancillary matters leading up to the appointment;
- Review of the minutes of the board meeting resolving that the Company was insolvent;
- Collating information and documentation;
- Preparation and distribution of a marketing flyer and advert, monitoring responses, recording expressions of interest, preparation of a confidentiality undertaking, facilitating access to a dedicated data room, various calls and correspondence with interested parties and providing additional information on request and liaising with management to obtain the additional information.
- Consideration of the offers received and negotiations with each party;
- Conducting a suitability assessment of iPG and liaising with the FCA as regards the selection of the preferred candidate to progress the transfer;
- Attending regular internal meetings to discuss the planning and strategy of the proposed administration;
- Setting up the Administrators' records to ensure that all statutory requirements were adhered too;
- Preparation and distribution of instruction letters;
- Correspondence with the Directors to obtain the information required to assist with the Administration appointment;
- Conducting anti-money laundering assessments on each Director and the beneficial owners, obtaining a company search, assessing the Company's asset and liability position, assessing the Company's data protection policies and undertaking an assessment of any vulnerable persons;
- The preparation of specific communications to customers and creditors regarding the appointment of the Administrators which included a schedule of Frequently Asked Questions;
- Contingency planning in the event that no transfer could be achieved;
- Periodic discussions with the Directors and senior staff to discuss all aspects of the proposed administration.

10.5 Enclosed at Appendix E is an analysis of the Joint Administrators' pre-administration costs. The analysis shows that total pre-administration time costs of £91,893.60 have been incurred which represents 195.9 hours at a rate of £469.08.

- 10.6 Details of the proposed Joint Administrators' chargeout rates and fee basis were provided to the directors of the Company in the engagement letter dated 28 September 2021.
- 10.7 Full details of the work carried out prior to the Joint Administrators' appointment is included at Appendix E.

**Work undertaken by AG**

- 10.8 In order to deliver the strategy and achieve the statutory objective of the Administration, it was necessary to instruct AG prior to the Administrators' appointment. The work conducted by AG in facilitating the appointment of the Administrators and assisting with the transfer to AG prior to the appointment included, but was not limited to:
- Preparing and filing the Notice of Appointment, and serving the same on the relevant parties;
  - Consideration of the Company's regulated activities and permissions;
  - Advising on the risks associated with the proposed Administrators' strategy to conduct a transfer of the business;
  - Advising the proposed Administrators in relation to the sale of the business and assets of the Company to iPG;
  - Conducting a review of data room and the information available to interested parties;
  - Providing advice in relation to the negotiation and completion of the various documents required to complete the transfer;
  - Providing general legal advice in respect of the Administrators' appointment, appointment practicalities, timing of appointment and advice in respect of the interest received; and
  - Providing ad hoc advice on various matters in the period leading up to the appointment.
- 10.9 The payment of unpaid pre-administration costs (set out above) as an expense of the administration is subject to the approval of the appropriate class of creditors, separately to the approval of the Administrators' Proposals. This approval will be the responsibility of the Creditors' Committee if one is appointed or alternatively will be by a decision of the general body of creditors.

**11 JOINT ADMINISTRATORS' REMUNERATION AND EXPENSES**

**General**

- 11.1 The basis of the Joint Administrators' remuneration may be fixed either as a percentage of the value with which they have to deal ('a percentage basis'), as a set amount, or by reference to the time properly given by the Joint Administrators and their staff in attending to matters as set out in a Fees Estimate. A combination of these bases may be fixed, with different bases being fixed in respect of different things done by the Joint Administrators. Additionally, where a percentage basis is fixed, different percentages may be fixed in respect of different things done by the Joint Administrators.

**Approval by appropriate body**

- 11.2 The Joint Administrators think that the Company will have sufficient property to enable a distribution to be made to unsecured creditors. In such circumstances, it is for the Creditors' Committee to determine the basis of remuneration. If there is no Committee, or if the Committee fail to make the requisite determination then the basis of remuneration must be fixed by a decision of the creditors.
- 11.3 The outcome of this decision will be reported to all creditors in due course.

**Information to be given to creditors**

- 11.4 The Joint Administrators wish, in this case, to seek the creditors' agreement to their remuneration being fixed by reference to the time properly given by them and their staff in attending to matters as set out in a Fees Estimate. Prior to seeking approval of this basis, the Joint Administrators are required to provide all known creditors with their Fees Estimate and details of the expenses that they consider will be, or are likely to be, incurred during the administration ("Statement of Likely Expenses").
- 11.5 Due to the regulated nature of the business, the associated risks during the trading period and the complexity of the transfer, the Administrators propose that they are entitled to draw fees on a complex scale of rates. Details on this scale are set out at Appendix I.

**The Fees Estimate**

- 11.6 The Joint Administrators' Fees Estimate for the whole of the Administration is set out at Appendix F. It includes the following:
- Details of the work that the Joint Administrators and their staff propose to undertake;
  - The hourly rate or rates that Joint Administrators and their staff propose to use; and
  - The time that the Joint Administrators anticipate that each part of the work will take.
- 11.7 Details of the Joint Administrators' time costs to 5 December 2021 have also been included for comparison purposes. In summary, time costs of £254,726.70 have been incurred to 5 December 2021 which represents 546.5 hours at a rate of £466.11 per hour.
- 11.8 The total amount of time costs as set out in the Fees Estimate is £497,016.50. Once approved by the appropriate body of creditors, the remuneration drawn by the Joint Administrators must not exceed this total amount without prior approval. It should be noted that in some instances payment of these costs will be limited to the amount of realisations available in the administration.
- 11.9 The Fees Estimate is based upon information currently available to the Joint Administrators. Based upon this information, the Joint Administrators do not anticipate that the Fees Estimate will be exceeded. However, should information come to light during the course of the Administration which means that the Joint Administrators will be required to undertake work not envisaged at the time that the Fees Estimate was provided, it may be necessary for the Joint Administrators to revert to creditors for further approval.
- 11.10 Details of Leonard Curtis' charge-out rates and policy regarding the recharge of disbursements, staff allocation, support staff and the use of subcontractors are attached at Appendix I. Please be aware that Leonard Curtis' charge out rates have been amended with effect from 1 March 2021. As detailed above at 11.5, the Administrators propose that they are entitled to draw their remuneration on complex rates in this matter due to the regulated nature and complexity of the business and the associated risks with trading a regulated business.
- 11.11 Further guidance may be found in "Administration: A Guide for Creditors on Insolvency Practitioner Fees" which may be downloaded using the following link:

<https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/>

If you would prefer this to be sent to you in hard copy please email [forthplus@leonardcurtis.co.uk](mailto:forthplus@leonardcurtis.co.uk) or contact Lucy Abbott of this office on 0161 831 9999.

**Statement of Likely Expenses**

- 11.12 The Joint Administrators' Statement of Likely Expenses is set out for creditor information at Appendix G. To assist creditors' understanding of this information of this information, it has been separated into the following categories:
- (i) Standard Expenses: this category includes expenses payable by virtue of the nature of the Administration process and / or payable in order to comply with legal or regulatory requirements.

- (ii) **Case Specific Expenses:** this category includes expenses likely to be payable by the Joint Administrators in carrying out their duties in dealing with issues arising in this particular case. Also included within this category are costs that are directly referable to the administration but are not paid to an independent third party (and which may include an element of allocated costs). These are known as "Category 2 expenses" and they may not be drawn without the approval of the creditors in the same way as fees and creditors will be contacted directly in this respect. The basis of the calculation of their recharge is detailed in Appendix I.

- 11.13 The Joint Administrators are also required to disclose to those responsible for approving our remuneration whether any payments we intend to make from an insolvency estate are to associates of Leonard Curtis. Payments to associates are subject to the same level of approval as the office holder's fees and category 2 expenses. Details of this firm's policy regarding the use of associates and the level of their fees is given in Appendix I.

#### **Further Updates**

- 11.14 The Joint Administrators will provide creditors with an indication of whether the remuneration anticipated to be charged by them is likely to exceed the Fees Estimate, and if so the reasons for this, in their subsequent reports. Information will also be provided in subsequent reports on whether the expenditure detailed in the Statement of Likely Expenses has been or is likely to be exceeded and the reasons why.

## **12 ESTIMATED OUTCOME FOR CREDITORS**

- 12.1 In order to assist the various classes of creditors in assessing the quantum of any dividend which may or may not be payable to them, we have produced an Estimated Outcome Statement. This is attached at Appendix H.

- 12.2 The Estimated Outcome Statement assumes the following:

- a) That asset realisations are in line with those estimated at Appendix C;
- b) That the Joint Administrators' fees estimate (as detailed at Appendix F) is approved and is not exceeded; and
- c) That the expenses of the Administration are as set out in the Statement of Likely Expenses at Appendix G and are not exceeded.

- 12.3 In summary:

- Secured creditors – Based on current information, there are no secured creditors in this matter.
- Preferential creditors – Based on current information, there are no preferential creditors.
- Secondary Preferential creditors – Based on current figures and the level of anticipated claims, it is anticipated that all secondary preferential creditors will be paid in full.
- Unsecured creditors – Based on current figures, it is anticipated there will be sufficient funds to enable a distribution to the unsecured creditors. The timing and quantum of this distribution is not yet known, and creditors will be updated in future progress reports.

## **13 RELEASE OF ADMINISTRATORS FROM LIABILITY**

- 13.1 As soon as all outstanding matters in the Administration have been attended to it is anticipated that we will file a notice with the Registrar of Companies in order that the Administration will cease and the Company will move automatically to Creditors' Voluntary Liquidation. It is proposed that the Joint Administrators, Andrew Poxon, Alex Cadwallader and Barry Stewart of Leonard Curtis will become Joint Liquidators.

- 13.2 On the registration of the relevant notice with the Registrar of Companies, the Administration and the appointment of the Joint Administrators will automatically cease.

- 13.3 It is for the creditors to fix the date upon which the Joint Administrators are discharged from liability in respect of any action of theirs during the Administration. The Voting Form at Appendix K includes a decision that the Joint Administrators be discharged from liability immediately upon their appointment ceasing to have effect.

#### **14 VOTING PROCEDURE AND CONCLUSION**

- 14.1 It is important that you give careful attention to this report and its Appendices.
- 14.2 Details of all decisions to be made by creditors are included on Appendix J – Notice of a Decision Procedure by Correspondence. In order for your vote to count, you should ensure that your completed voting form (see Appendix K) has been delivered to the Joint Administrators on or before the Decision Date given on the front of this report and in Appendix J. Your vote should be accompanied by a proof of debt, unless one has previously been provided, failing which your vote may be disregarded.
- 14.3 Creditors' attention is drawn to Chapter 9 of Part 1 of the Rules, which detail the rules for delivery of documents.
- 14.4 Creditors will be notified of the outcome of the decision procedure in due course.

Should you have any queries or require any further clarification please contact Lucy Abbott at my office, in writing. Electronic communications should also include a full postal address.

Yours faithfully  
for and on behalf of  
**FORTHPLUS PENSIONS LIMITED**



**ANDREW POXON**  
**JOINT ADMINISTRATOR**

Andrew Poxon is authorised to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales under office holder number 8620, Alex Cadwallader is authorised to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales under office holder number 9501 and Barry Stewart is authorised to act as an insolvency practitioner in the UK by The Institute of Chartered Accountants in Scotland under office holder number 9450

The affairs, business and property of the Company are being managed by the Joint Administrators, who act as agents of the Company without personal liability.



## GLOSSARY OF TERMS AND ABBREVIATIONS

### Creditor and investors definitions

- "Customer"** an individual for whom the Company has undertaken to act as pension provider
- "Creditor"** includes: (i) a customer with a claim against the Company or who is owed an amount of money by the Company; (ii) any other creditor who is owed an amount from the Company, and may include secured, preferential, secondary preferential or ordinary unsecured creditors

NB: All of the above are subject to adjudication by the Joint Administrators

### Other abbreviations and definitions

- "Act"** the Insolvency Act 1986 (as amended).
- "AG"** Addleshaw Goddard, an independent law firm advising the Company acting by its Administrators.
- "Administrators"** the Administrators of the Company being Andrew Poxon, Alex Cadwallader and Barry Stewart of Leonard Curtis.
- "Ardenta"** Ardenta Consultants Limited, IT consultants.
- "AUA"** AUA Insolvency Risk Services Limited, provider of insurance.
- "Champion"** The Company's payroll accountants retained by the Administrators during the trading period to process payroll
- "COMI"** Centre of main interest
- "Company"** Forthplus Pensions Limited (registered number: 07990504).
- "Creditors' Committee"** the committee proposed to be established in order to take certain decisions on behalf of the Creditors as a whole.
- "CVL"** Creditors' Voluntary Liquidation
- "Directors"** the registered directors of the Company.
- "Evolve"** Evolve IS Limited, agents instructed to assist with winding up the Company's two pension schemes.
- "FCA"** the Financial Conduct Authority.
- "FSCS"** the Financial Services Compensation Scheme, the UK's statutory investors' compensation scheme for customers of authorised financial services firms.
- "FOS"** the Financial Ombudsman Service.
- "FTL"** A separate entity not owned by the Company, Forthplus Trustees Limited (CRN: 09459216) that held customer assets prior to the transfer to iPG.
- "HMRC"** Her Majesty's Revenue & Customs.

<b>"Hilco"</b>	Hilco Global Ltd – independent agents and asset valuers.
<b>"iPG"</b>	iPensions Group Limited, being the purchaser of the business and to whom customers' SPPs have been transferred.
<b>"Leonard Curtis"</b>	Leonard Curtis Recovery Limited.
<b>"Proof of Debt Form"</b>	the form to be completed and returned to the Administrators by any Creditor or Investor who wishes to vote on the decision by correspondence, in the form set out in Appendix L.
<b>"Proposals"</b>	the Administrators' proposals for achieving the statutory objectives of the administration.
<b>"Qiga"</b>	Qiga Limited – a connected company who provide the Company's bespoke customer management system.
<b>"Rules"</b>	the Insolvency (England & Wales) Rules 2016.
<b>"Saffrey"</b>	Saffrey Champness - accountants and corporate finance advisors engaged to assist the Administrators in conducting financial and regulatory due diligence on the purchaser, iPG.
<b>"SIPP"</b>	Self Invested Personal Pension.
<b>"Transfer"</b>	the transfer of customers' SPPs to alternative FCA regulated SIPP administrator.
<b>"Transfer Date"</b>	the date on which the transfer of customers' SPPs took place with iPensions Group Limited.

APPENDIX B

**JOINT ADMINISTRATORS' STATEMENT OF PROPOSALS**

It is proposed that:

1. The Joint Administrators continue to manage the business, affairs and property of the Company in such a manner as they consider expedient with a view to achieving the statutory purposes of the Administration.
2. If appropriate, the Joint Administrators take any action they consider necessary with a view to the approval of a Company Voluntary Arrangement ("CVA") or Scheme of Arrangement in relation to the Company.
3. If appropriate, the Joint Administrators file a notice with the Registrar of Companies in order that the Administration will cease and the Company will move automatically into Creditors' Voluntary Liquidation ("CVL"). It is further proposed that the Joint Administrators in office at the date of conversion to CVL will become the Joint Liquidators of the Company, and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them. NB. Creditors may nominate a different person as the proposed Liquidator, provided that the nomination is made after receipt of these proposals and before the proposals are approved.
4. Alternatively, if appropriate, the Joint Administrators apply to Court under Para 65(3) of Schedule B1 to the Insolvency Act 1986 (as amended) for permission to make a distribution to the unsecured creditors within the administration.
5. In the event that there are no monies remaining to be distributed to creditors and as soon as all matters relating to the administration have been completed, the Joint Administrators file a Notice with the Registrar of Companies that the Company should be dissolved.
6. The Joint Administrators investigate and, if appropriate, pursue any claims that they or the Company may have against any directors or former directors, other third parties, officers or former officers, advisers or former advisers of the Company.
7. The Company may be placed into compulsory liquidation in circumstances where assets are still to be realised or investigations concluded yet there will be no return to unsecured creditors. In these circumstances it is further proposed that the Joint Administrators in office at the date of conversion to compulsory liquidation be appointed (Joint) Liquidator(s) of the Company and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them.
8. The Joint Administrators shall do all such other things and generally exercise all of his powers as contained in Schedule 1 of the Insolvency Act 1986, as he considers desirable or expedient to achieve the statutory purpose of the administration.

**DIRECTORS' STATEMENT OF AFFAIRS AS AT 19 OCTOBER 2021**

## Statement of affairs

Name of Company <b>FORTHPLUS PENSIONS LIMITED</b>	Company number <b>07990504</b>
In the High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD) <small>[full name of court]</small>	Court case number <b>CR-2021-MAN-000600</b>

(a) insert name and address of  
registered office of the  
company

Statement as to the affairs of (a) Forthplus Pensions Limited, Riverside House, Irwell Street, Manchester M3 5EN

(b) Insert date

On the (b) 19 October 2021 being the date that the company entered administration

### Statement of Truth

I believe that the facts stated in this Statement of Affairs are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Full name SIMON KING

Signed 

Dated 3RD DECEMBER 2021

**A - Summary of Assets**

<b>Assets</b>	<b>Book Value £</b>	<b>Estimated to realise £</b>
<b>Assets specifically pledged</b>		
	-	-
<b>Uncharged assets</b>		
Fixed assets	21,000	2,500
Trade debtors	154,000	44,000
Other debtors	30,000	19,000
Cash at bank	881,000	881,000
Corporation tax refund	42,000	Uncertain
Interest receivable	23,109	23,109
<b>Estimated total assets available for preferential creditors</b>	<b><u>1,151,109.00</u></b>	<b><u>969,609.00</u></b>

Signature SK

Date 3RD DECEMBER 2021

# A1 - Summary of Liabilities

	Book Value £	Estimated to realise £
Estimated total assets available for preferential creditors (carried forward from page A)		969,609.00
<b>Liabilities</b>		
Preferential Creditors	-	-
Estimated deficiency/surplus as regards preferential creditors		969,609.00
Secondary preferential creditors		(17,876.84)
Estimated prescribed part of net property where applicable (if)		-
Estimated total assets available for floating charge holders		951,732.19
Amount due to floating charge holder (if/when)		-
Deficiency as regards floating charge creditor		-
Estimated prescribed part of net property where applicable (if/when)		-
Total assets available to unsecured creditors		951,732.19
Trade and expense creditors	(56,362.79)	(56,362.79)
Other creditors	(477,094.90)	(477,094.90)
Shareholder loans	(601,753.80)	(601,753.80)
Contingent liabilities and insurance	Uncertain	Uncertain
Total unsecured creditors		(1,135,211.48)
(Deficiency) as regards floating charge creditors (if/when)		-
Total estimated deficiency as regards creditors		(183,479.29)
Issued and called up capital		1,126,441.50
Estimated total deficiency/surplus as regards members		(1,309,920.29)

Signature Sam K

Date 20th DECEMBER 2021

# B - Company Creditors

Name	Type	Address				Per Statement of affairs
HM Revenue & Customs	Secondary preferential creditor	Benton Park View	Longbenton	Newcastle	NE98 1ZZ	17,876.81
Addleshaw Goddard	Unsecured	Finance Department	3 Sovereign Square	Sovereign Street	LS1 4ER	36,498.62
City of Edinburgh Council	Unsecured	The City of Edinburgh Council	PO Box 463	Edinburgh	EH7 9DJ	67.93
KPMG	Unsecured	KPMG LLP	1 Sovereign Square	Sovereign Street	LS1 4DA	10,330.80
Scottish Water Business Stream Limited	Unsecured	Business Stream	7 Lochside View	Edinburgh	EH12 9DH	55.00
TransUnion International UK Limited	Unsecured	1 Park Lane	Leeds		LS3 1EP	240.00
Financial Conduct Authority	Unsecured	12 Endeavour Square	London		E20 1JN	10,170.43
Mrs Webster	Unsecured	36 Leverington Road	Wisbech	Cambridgeshire	PE13 1TL	16,341.26
Deferred Income - various customers	Unsecured					459,053.64
Armstrong Watson	Unsecured	Number 3, Acorn Business Park	Airedale Business Centre	Skipton	BD23 2UE	1,700.00
Clare Hughes	Unsecured	The Woodlands	Knutsford Road	Chelford	SK11 9AS	601,753.80
Total						1,153,088.29

Signature



Date 320 DECEMBER 2021



**C - Company Shareholders**

Name	Address					Per Statement of affairs	
Clare Hughes	The Woodlands	Knutsford Road	Chelford	Macclesfield	SK11 9AS	1,126,035	A shares
Clare Hughes	The Woodlands	Knutsford Road	Chelford	Macclesfield	SK11 9AS	90	B shares
Chris Holyoak	33 Club Street	Singapore	069415			108	B shares
James Igoe	30 South Downs	Hale	WA14 3HW			36	B shares
Simon Ashton	3 Wharfedale Avenue	Menston	Ilkley	LS29 6RP		92	B shares
John Ball	16 Edgecombe Crescent	Gosport	Hampshire	PO13 9RD		45	B shares
Robert Parker	P1125 Bulevar De Los Naranjos	Murcia	Espana	30840		18	B shares
Stephen Graham	22 Blackford Hill Grove	Edinburgh	EH9 3HA			17	B shares
Total						1,126,441	

Signature  Date 3RD DECEMBER 2021

## The Insolvency Act 1986

### Statement of Concurrence

Insert title

**Forthplus Pensions Limited In Administration**

**In the High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD) Case No CR-2021-MAN-000600**

Registered number:

(a) 07990504

(a) Insert name and address of registered office of the company

With regards the Statement of Affairs of (a) Forthplus Pensions Limited ("the Company")

(b) Insert date

made on (b) 3<sup>rd</sup> December 2021

(c) Insert full name of person who made the statement of truth on the statement of affairs being concurred with

by (c) Simon Nicholas King

#### Statement of Truth

(d) Insert full name and address of person making statement

I (d) concur with the Statement of Affairs of the above company and I believe that the facts stated in this Statement of Affairs are true as at the date that it entered Administration. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

(e) Please list matters in the statement of affairs which you are not in agreement with, or which you consider to be erroneous or misleading, or matters to which you have no direct knowledge and indicate reason for listing them

(e) N/A

and I believe that the facts stated in this Statement of Affairs are true as at the date the company entered Administration. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Full name Robert Parker

Signed



Dated 3<sup>rd</sup> December 2021

## The Insolvency Act 1986

### Statement of Concurrence

Insert title

**Forthplus Pensions Limited In Administration**

**In the High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD) Case No CR-2021-MAN-000600**

Registered number:

(a) 07990504

(a) Insert name and address of registered office of the company

With regards the Statement of Affairs of (a) Forthplus Pensions Limited ("the Company")

(b) Insert date

made on 3<sup>rd</sup> December 2021

(c) Insert full name of person who made the statement of truth on the statement of affairs being concurred with

by Simon King

#### Statement of Truth

(d) Insert full name and address of person making statement

I Simon Mark Ashton

concur with the Statement of Affairs of the above company and I believe that the facts stated in this Statement of Affairs are true as at the date that it entered Administration. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

\*Delete as applicable

OR

~~\*concur with the Statement of Affairs of the above company, subject to the following qualifications:~~

(e) Please list matters in the statement of affairs which you are not in agreement with, or which you consider to be erroneous or misleading, or matters to which you have no direct knowledge and indicate reason for listing them

~~(e)~~

and I believe that the facts stated in this Statement of Affairs are true as at the date the company entered Administration. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Full name Simon Mark Ashton

Signed



Dated 3<sup>rd</sup> December 2021

## The Insolvency Act 1986

### Statement of Concurrence

Insert title

**Forthplus Pensions Limited In Administration**

**In the High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD) Case No CR-2021-MAN-000600**

Registered number:

(a) 07990504

(a) Insert name and address of registered office of the company

With regards the Statement of Affairs of (a) Forthplus Pensions Limited ("the Company")

(b) Insert date

made on (b) 03/12/2021

(c) Insert full name of person who made the statement of truth on the statement of affairs being concurred with

by (c) Simon Nicholas King

#### Statement of Truth

(d) Insert full name and address of person making statement

I (d)

\* concur with the Statement of Affairs of the above company and I believe that the facts stated in this Statement of Affairs are true as at the date that it entered Administration. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

\*Delete as applicable

OR

~~\*concur with the Statement of Affairs of the above company, subject to the following qualifications:~~

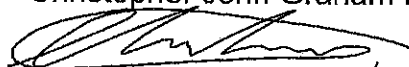
(e) Please list matters in the statement of affairs which you are not in agreement with, or which you consider to be erroneous or misleading, or matters to which you have no direct knowledge and indicate reason for listing them

(e)

and I believe that the facts stated in this Statement of Affairs are true as at the date the company entered Administration. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Full name Christopher John Graham Holyoak

Signed



Dated

03/12/2021

## APPENDIX D

SUMMARY OF JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS FROM  
19 OCTOBER 2021 TO 20 DECEMBER 2021

	Statement of Affairs	Received/Paid by the Joint Administrators	Held by AG	Cumulative
	£	£	£	£
<b>RECEIPTS</b>				
Goodwill	-	-	1.00	1.00
Business Name	-	-	1,250.00	1,250.00
Business Rights	-	-	1,250.00	1,250.00
Equipment	21,000	-	2,500.00	2,500.00
Intellectual property	-	-	9,999.00	9,999.00
Transferred records	-	-	10,000.00	10,000.00
Services in relation to the operating software licence	-	-	30,000.00	30,000.00
Customer contracts	-	-	300,000.00	300,000.00
Licence to occupy	-	-	5,975.00	5,975.00
Trade Debtors	154,000	-	-	-
Other Debtors	30,000	-	-	-
Cash at Bank	881,000	881,262.24	-	881,262.24
Corporation Tax Refund	42,000	-	-	-
Interest Receivable	23,109	23,924.37	-	23,924.37
	<u>1,151,109</u>	<u>905,186.61</u>	<u>360,975.00</u>	<u>1,266,161.61</u>
<b>PAYMENTS</b>				
<b>Pre-Appointment Costs</b>				
None		-	-	-
<b>Post-Appointment Costs</b>				
Professional Fees – Ardentia		(3,950.00)	-	(3,950.00)
Professional Fees – Evolve		(150.00)	-	(150.00)
Administrators' Category 1 disbursements		(10,580.78)	-	(10,580.78)
Trading Loss		(90,581.30)	-	(90,581.30)
<b>TOTAL COSTS</b>		<u>(105,262.08)</u>	<u>-</u>	<u>(105,262.08)</u>
<b>DISTRIBUTIONS</b>				
Unsecured Creditors		-	-	-
<b>BALANCE IN HAND</b>		<u>799,924.53</u>	<u>360,975.00</u>	<u>1,160,899.53</u>

## APPENDIX D (Continued)

**SUMMARY OF JOINT ADMINISTRATORS' TRADING RECEIPTS AND PAYMENTS FROM  
19 OCTOBER 2021 TO 20 DECEMBER 2021**

	Estimated to realise	Held in Company bank account	Received/Paid by the Joint Administrators	Cumulative
	£	£	£	£
<b>RECEIPTS</b>				
Trading income – fees	82,830.14	5,216.82	77,613.32	82,830.14
Debtors	43,351.28	-	-	-
<b>TOTAL TRADING RECEIPTS</b>	126,181.42	5,216.82	77,613.32	82,830.14
<b>PAYMENTS</b>				
Wages & Salaries (including pension contributions, PAYE/NIC etc.)	(131,473.23)	-	(131,473.23)	(131,473.23)
Staff retention bonus	(46,809.60)	-	-	-
Rent	(7,560.00)	-	(7,560.00)	(7,560.00)
Employee costs	(381.09)	-	(381.09)	(381.09)
IT Suppliers	(27,101.48)	-	(27,101.48)	(27,101.48)
Bank Charges	(8.05)	-	(8.05)	(8.05)
General overheads	(1,682.77)	-	(1,670.77)	(1,670.77)
<b>TOTAL TRADING PAYMENTS</b>	(215,016.22)	-	(168,194.62)	(168,194.62)
<b>TRADING PROFIT/(LOSS)</b>	(88,834.80)	5,216.82	(90,581.30)	(85,364.48)

Please note that whilst the Administrators ceased to trade the business following the completion of a transfer to iPG, there are still a number of trading payments to be made and a final trading receipts and payments account will be included in future reports.

APPENDIX E

SUMMARY OF JOINT ADMINISTRATORS' PRE-ADMINISTRATION COSTS

	Director		Senior Manager		Manager 2		Administrator 1		Administrator 4		Total Units	Cost £	Average Hourly Rate £
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £			
Statutory and Review	-	-	10	581.00	-	-	-	-	-	-	10	581.00	581.00
Financial assessment	-	-	67	3,660.70	5	182.50	-	-	-	-	72	3,843.20	533.78
Strategy & purpose evaluation	249	13,695.00	914	48,243.00	137	5,000.50	-	-	20	350.00	1,320	67,288.50	509.76
Preparation of documents	-	-	103	4,859.10	199	7,263.50	3	88.50	66	1,155.00	371	13,366.10	360.27
Administrative set up	-	-	19	929.90	126	4,599.00	-	-	27	472.50	172	6,001.40	348.92
Court related issues	-	-	14	813.40	-	-	-	-	-	-	14	813.40	581.00
<b>Total</b>	<b>249</b>	<b>13,695.00</b>	<b>1,127</b>	<b>59,087.10</b>	<b>467</b>	<b>17,045.50</b>	<b>3</b>	<b>88.50</b>	<b>113</b>	<b>1,977.50</b>	<b>1,959</b>	<b>91,893.60</b>	
<b>Average Hourly Rate (£)</b>		<u><u>550.00</u></u>		<u><u>524.29</u></u>		<u><u>365.00</u></u>		<u><u>295.00</u></u>		<u><u>175.00</u></u>		<u><u>469.08</u></u>	
All Units are 6 minutes													

**DETAILED ANALYSIS OF PRE-ADMINISTRATION COSTS**

**Strategy & Review**

The time recorded relates to:

- Preparation, consideration and implementation of the strategy prior to the appointment in order to achieve the statutory objective of Administration.
- Attending a virtual meeting with the Directors regarding the appointment of Administrators.
- Various correspondence and calls delivering the strategy to the case administration team and delegating responsibilities. This includes time spent liaising with AG and providing instructions to them on the scope of work required.
- Review of the correspondence to the FCA regarding the plan for the Administration.

**Financial Assessment**

Members of the case management team recorded time to this category which included:

- Liaising with the Directors and obtaining information from the Company's cloud facility relevant to the appointment of the Administrators and delivery of the case strategy.
- Correspondence with AG and providing information to them in order to assess the position regarding the appointment.
- Correspondence with the FCA regarding queries raised by them and liaising with management as regards information required.
- Attendance at virtual meetings with the FCA.
- Internal correspondence regarding the response to the FCA.
- Requesting FCA consent to the appointment.
- Reviewing the Company's management information include the cash flow forecast.
- Consideration of the Company's financial position.
- Preparation of an estimated outcome statement to record asset, cost and liability positions in order to assess the ability of the Administrators to achieve the statutory purpose.

**Strategy & Purpose Evaluation**

Time has been recorded to this category by all members of the case administration team, including the Administrators. This category includes time spent planning the strategy of the administration, which included but is not limited to:



- Attending an initial meeting via video-conference with the Directors to discuss the Company's financial position.
- Reviewing the options available to the Company in the circumstances and the preparation of advice to the Company on those options.
- Formulating an administration strategy and undertaking an accelerated marketing process.
- Engagement with the FCA in relation to the proposed Administration and seeking the FCA's consent to the appointment of the Administrators.
- Liaising with the Directors on various matters including the strategy for the Administration, obtaining company information, providing company data to interested parties, matters relating to the Company's employees and the formalities of the Administrators' appointment.
- Engagement with AG regarding planning matters in terms of filing the Notice of Appointment, discussions in terms of the options available and ancillary matters leading up to the appointment.
- Review of the minutes of the board meeting resolving that the Company was insolvent.
- Collating information and documentation.
- Preparation and distribution of a marketing flyer and advert, monitoring responses, recording expressions of interest, preparation of a confidentiality undertaking, facilitating access to a dedicated data room, various calls and correspondence with interested parties and providing additional information on request and liaising with management to obtain the additional information.
- Preparation of an interested party control schedule and ongoing population of the schedule with relevant information.
- Liaising with interested parties and ongoing correspondence with during the marketing period.
- Consideration of the offers received and negotiations with each party.
- Attendance at internal management meetings to discuss the offers received and to assess the merits of each offer.
- Conducting a suitability assessment of iPG and liaising with the FCA as regards the selection of the preferred candidate to progress the transfer.
- Attending regular internal meetings to discuss the planning and strategy of the proposed administration.
- Setting up the Administrators' records to ensure that all statutory requirements were adhered too.
- Correspondence with the Directors to obtain the information required to assist with the administration appointment.
- The preparation of specific communications to customers and creditors regarding the appointment of the Administrators which included a schedule of Frequently Asked Questions.
- Liaising with the FCA as regards the communications to customers.
- Contingency planning in the event that no transfer could be achieved.

- Periodic discussions with the Directors and senior staff to discuss all aspects of the proposed administration.

### **Preparation of Documents**

Time was spent by all members of the case administration team prior to the appointment in relation to this category of time. This included time spent dealing with the formalities of the administration appointment, including but not limited to:

- Setting up the Administrators' records to ensure that all statutory requirements were adhered too.
- Preparation and distribution of instruction letters.
- Correspondence with the Directors to obtain the information required to assist with the administration appointment.
- Conducting anti-money laundering assessments on each Director and the beneficial owners, obtaining a company search, assessing the Company's asset and liability position, assessing the Company's data protection policies and undertaking an assessment of any vulnerable persons.
- The preparation of specific communications to customers and creditors regarding the appointment of the Administrators which included a schedule of Frequently Asked Questions.
- Liaising with the FCA as regards communications to customers.
- Creation of a dedicated website for the Administration and working with back office staff on the website.
- Periodic discussions with the Directors and senior staff to discuss all aspects of the proposed administration.
- Conducting an ethical review and circulating a conflict of interest email to all staff of Leonard Curtis.
- Liaising with the IT Director as regards the creation of a dedicated email address for customers and creditors.

### **Court related issues**

- Liaising with AG as regards the appointment documentation. Discussing the requirements for the appointment documentation with the Directors.

APPENDIX F

JOINT ADMINISTRATORS' FEES ESTIMATE INCORPORATING TIME INCURRED TO 5 DECEMBER 2021

	FEES ESTIMATE			INCURRED TO 5 DECEMBER 2021		
	Total		Average Hourly Rate £	Total		Average Hourly Rate £
	Units No	Cost £		Units No	Cost £	
Statutory and Review	245	8,815.00	359.80	135	6,543.60	484.71
Receipts and Payments	250	8,962.50	358.50	103	4,158.00	403.69
Insurance	198	6,998.50	353.46	46	1,633.60	355.13
Assets	761	28,217.50	370.80	694	38,882.00	560.26
Liabilities	3,985	132,660.00	332.90	1,115	43,145.50	386.96
Landlords	80	3,305.00	413.13	10	475.00	475.00
Trading	2,750	108,675.00	395.18	2,477	120,018.10	484.53
General Administration	213	7,471.50	350.77	109	5,055.90	463.84
Appointment	291	10,241.50	351.94	319	11,838.10	371.10
Planning and Strategy	350	15,275.00	436.43	132	6,530.70	494.75
Post Appointment Creds Mtngs	835	29,300.00	350.90	147	5,617.30	382.13
Investigations	1,930	61,700.00	319.69	-	-	-
Case Specific	100	4,650.00	465.00	-	-	-
FCA / FSCS	1,400	70,745.00	505.32	178	10,828.90	608.37
<b>Total</b>	<b>13,388</b>	<b>497,016.50</b>		<b>546.5</b>	<b>254,726.70</b>	
<b>Average Hourly Rate (£)</b>		<b>371.24</b>			<b>466.11</b>	
<b>All Units are 6 minutes</b>						

**APPENDIX F (CONTINUED)**

**JOINT ADMINISTRATORS' FEES ESTIMATE**

**DETAILS OF WORK PROPOSED TO BE UNDERTAKEN**

**Statutory and Review**

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

- Case management reviews. These will be carried out periodically throughout the life of the case. In the early stages of the case this will involve weekly team meetings to discuss and agree case strategy and a month 1 review by the firm's Compliance team to ensure that all statutory and best practice matters have been dealt with appropriately. As the case progresses we will as a minimum carry out three monthly and six monthly reviews to ensure that the case is progressing as planned.
- Allocation of staff, management of staff, case resourcing and budgeting.
- Review of time costs data to ensure accurate posting of time and to ensure compliance with Statement of Insolvency Practice 9.
- Review of work carried out by more junior members of staff to ensure quality of work and adherence to standards, legislation and best practice.
- The team is required under the Company Directors' Disqualification Act 1986 to review the Company's records and consider information provided by creditors on the conduct of the all directors involved in the Company during the three years leading up to the insolvency. This will result in the preparation and submission of statutory returns or reports on all directors to the Insolvency Service. Evidence of unfit conduct can result in directors being disqualified for periods of up to 15 years.
- Review of directors' sworn statement of affairs and filing of document at Companies House in accordance with statutory requirements.
- Completion of case closing procedures at the end of the case.

The following work has been undertaken to date, and/or will be ongoing throughout the life of the case:

- Allocation of staff, management of staff, case resourcing and budgeting. This has been particularly important throughout the trading period to ensure adequate resourcing was available to maintain operations of the business as close to normal as possible.
- Review of time costs data to ensure accurate posting of time and to ensure compliance with Statement of Insolvency Practice 9.
- Review of work carried out by more junior members of staff to ensure quality of work and adherence to standards, legislation and best practice.
- Initial review of the Company's books and records with a view to preparing the statutory report to the Insolvency Service.

- Review of statement of affairs, accompanying statements of concurrence and submission to Companies House.

### **Receipts and Payments**

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

- Opening of the case bank account.
- Contacting and liaising with the Company's existing bankers.
- Management of the case bank account to ensure compliance with relevant risk management procedures.
- Regular review of the case bank account by senior members of staff.
- Preparation of periodic receipts and payments accounts for inclusion in statutory reports. A statutory progress report enclosing a periodic receipts and payments account will be circulated to all known creditors following each six month anniversary of the Administration.
- Preparation of a specific trading receipts and payments account, including regular meetings with the Company's Operations Director and Financial Controller to monitor income and expenditure required to maintain operations of the business.
- Liaising with Management to obtain information in order to submit the final VAT return up to the date of the Administration.
- Reviewing the Company's financial information and statutory accounts and assessing the merits of submitting a terminal loss relief claim to mitigate the HMRC liability as a secondary preferential creditor.
- Discussions and correspondence with the various professional advisors and subcontractors used to agree the basis of fees.
- Timely completion of all post appointment tax and VAT returns.
- Managing estate expenses, including supplier payments as part of the trading of the business.

The following work has been undertaken to date:

- Opening of the case bank account.
- Liaising with the Company's bankers and arranging for credit balances to be periodically transferred.
- Reconciliation of trading income and expenditure and preparation of a receipts and trading account.
- Management of the case bank account to ensure compliance with relevant risk management procedures.
- Regular review of the case bank account by senior members of staff.
- Liaising with Management to obtain information in order to submit the final VAT return up to the date of the Administration.

- Attending meetings with the Operations Director and Financial Controller to assess trading income and expenditure.
- Meeting with the Technical Team to understand customer debtors and mechanisms by which to extract fees, including providing dealing instructions where relevant in accordance with the Company's normal policy and procedures.
- Liaising with management as regards a reconciliation of customer monies.
- Liaising with existing suppliers to ensure continuity of supply post-Administration and confirming bank details to be able to make payments.

### **Insurance, Bonding and Pensions**

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

- Periodic review of insurance requirements over physical assets, to minimise costs to the estate.
- Calculation and request of the Joint Administrators' bond in accordance with the Insolvency Practitioners' Regulations 2005. A Bond is a legal requirement on all administrations and is essentially an insurance policy to protect creditors against the fraud or dishonesty of the Insolvency Practitioner. The bond is calculated by reference to the value of assets which are estimated before costs to be available to unsecured creditors.
- Periodic review of bonding requirements to ensure that creditors are appropriately protected. The bond is reviewed upon each large receipt of monies into the case and also at three month intervals in accordance with best practice.
- Completion and submission of statutory notifications under the Pensions Act 2004. This includes liaising with the Company directors to establish the existence of Company pension schemes, making the statutory notifications under s22 and s120 of the pensions legislation; liaising with pensions providers to understand the nature of the scheme, and submitting claims to the Redundancy Payments Service for reimbursement of unpaid contributions to the scheme.
- Liaising with pension companies to arrange for prompt wind up of schemes.

The following work has been undertaken to date:

- Calculating and requesting the Joint Administrators' bond.
- Completion and submission of statutory notifications under the Pensions Act 2004.
- Instructing Evolve to assist with investigating the Company's pension scheme and taking advice from Evolve on the next steps required by the Administrators.
- Arranging for open cover insurance on commencement of the trading period and cancellation of the same following completion of the transfer to iPG.

## **Assets**

The work set out in this category may bring a financial benefit for creditors, and subject to the level of realisations and costs of the Administration, it is anticipated this will result in a distribution to the preferential and unsecured creditors.

- Preparing a data room for the sale of the SIPP scheme and liaising with interested parties regarding required information.
- Reviewing offers received from interested parties and conducting necessary due diligence.
- Confirming the offer to be accepted and negotiating terms of sale.
- Assisting wherever necessary in facilitating the handover of the SIPP schemes to the new Purchaser.
- Collecting debtor ledger information and liaising with customers with regards to fees payable.
- Liaising with Hilco with regards to the valuation and sale of the Company's chattel assets.
- Liaising with the Company's pre-appointment bank regarding the transfer of funds to the administration bank account.
- Attendance at the Company's premises in Edinburgh to meet with staff and to obtain information required in order to conclude the transfer.
- Negotiations with iPG regarding the terms and conditions of the sale, review of several versions of the sales and purchase agreement and taking legal advice from AG regarding the sale. Liaising with iPG in respect of the transfer, including any queries raised and referring any queries to the Directors as required.
- Preparing and collating all information required by iPG on completion.

## **Liabilities**

This category of time includes both statutory and non-statutory matters and will not necessarily bring any financial benefit to creditors generally. The more employees and creditors a company has, the more time and cost will be involved in dealing with those claims.

### *Statutory*

- Processing of claims from the Company's creditors. To date, the Joint Administrators are aware of 16 creditors, however, this amount may be significantly higher subject to any contingent claims and claims from investors that may be received. All claims received will be logged on the Joint Administrators' systems, and as there is an anticipated unsecured distribution in this matter, all claims will be reviewed and adjudicated on when appropriate.
- Processing of claims from the Company's employees. The Company employed 19 members of staff, who were retained by the Joint Administrators as part of the ongoing trading of the Company. The retained employees were paid as normal during the trading period as an expense of the administration. The majority of staff were transferred under TUPE to the Purchaser and it is not anticipated there will be any significant employee claims from those employees that were transferred. As part of the transaction, four members of staff were not transferred and settlements have been reached with them as part of the Administration. However, the Joint Administrators have instructed Evolve to assist the Company's employees should any claims arise, and the Joint Administrators will assist wherever necessary.

- Preparation, review and submission of pre-appointment tax and VAT returns. As it is anticipated there will be sufficient funds available for a distribution to secondary preferential creditors, the Joint Administrators will consider the benefits of undertaking a review into the Company's pre-appointment tax returns to consider any refunds which may be due from HMRC.
- Preparation and submission of periodic progress reports to creditors. A progress report will be prepared following every 6 month anniversary of the Administration.

### *Non-statutory*

- Dealing with enquiries from the Company's creditors and investors. Due to the significant amount of customers and the size of the Company, it is anticipated that there will be a large amount of creditor correspondence and queries to be dealt with in this matter. The Joint Administrators have responded to queries received to date via telephone, post and email, and will continue to deal with all correspondence received throughout this matter as appropriate.
- Dealing with enquiries from the Company's employees. As above, the Joint Administrators have instructed Evolve to liaise with the Company's employees and will assist wherever necessary.

### **Trading**

This category of time may not bring any financial benefit to creditors generally but is required to support the overall strategy of the Joint Administrators in achieving their stated objective.

- The Joint Administrators have liaised with the Company's staff and directors with regards to identifying necessary suppliers for the trading period and have subsequently entered correspondence with all essential suppliers regarding future invoicing and payments.
- Daily meetings with all staff each morning due to remote working.
- Daily meetings with senior management and the technical team to run through trading activities and customer requests for pension contribution lump sum payments, ad hoc income payments, transfers out and similar requests.
- Regular cashflow and receipts and payments accounts have been prepared to monitor the trading process and the funds available.
- The Joint Administrators have liaised with the Company's pre-appointment bank regarding critical payments required to be made prior to the cash at bank funds being transferred to the administration bank account.
- The Joint Administrators will continue to liaise with all necessary parties to ensure trading continues whilst the handover of the SIPP schemes are completed.

### **General Administration**

This category of work does not result in a direct financial benefit for creditors; however it is necessary for these tasks to be completed in order to ensure the smooth and efficient progression of the administration:

- General planning matters.
- Setting up and maintaining the Joint Administrators' records.
- Arranging collection and storage of company records. This is likely to be completed following the end of the trading period.



- Dealing with general correspondence and communicating with directors and shareholders.

### **Appointment**

There are certain tasks which the Joint Administrators have a statutory obligation to undertake during the Administration process. Other tasks are completed in order to ensure the Administration is progressed to the benefit of all creditors and stakeholders. Actions completed to date are both statutory and non-statutory and include the following; they will not result in a direct financial benefit for creditors:

- Statutory notifications to creditors and other interested parties following the Joint Administrators' appointment.
- Preparation of case plan.
- Formulation of case strategy, including recording of any strategic decisions.

All the above have been completed to date.

### **Planning and Strategy**

Time has been and will continue to be incurred by all members of the case administration team in relation to the delivery of the strategy in order to achieve the statutory objective. The time anticipated to be incurred in relation to this category involves:

- Preparation of case plan.
- Formulation of case strategy, including recording of any strategic decisions.
- Attending meetings with senior members of staff to discuss the strategy and progression of the administration.
- Regular review of case strategy to ensure that the case is being progressed as efficiently and as quickly as possible.

### **Post Appointment Creditors' Decisions**

This category of activity encompasses work undertaken for statutory reasons. This work will not directly result in any financial benefit for creditors.

- Preparation of Joint Administrators' Proposals for achieving a statutory purpose of the Administration;
- Preparation of Fees Estimate and Statement of Expenses in accordance with the Insolvency (England and Wales) Rules 2016.
- Convening a decision by correspondence to agree Fees Estimate and the Joint Administrators' Proposals with appropriate body of creditors.
- Reporting on outcome of voting.

Much of the work in relation to the above has been undertaken in reference to the preparation of this report. The outcome of the decision procedure will be reported to creditors in due course.

### **Investigations**

Some of the work administrators are required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 ("CDDA") and Statement of Insolvency Practice 2 – Investigations by Office

Holders in Administration and Insolvent Liquidations. It may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Administrator can pursue for the benefit of creditors.

- Collecting and reviewing the Company's records. This is ongoing and will be concluded following the end of the trading period.
- Conducting initial investigations into the Company's affairs/records to identify the possibility of further realisations and enable the submission of returns due under the Company Directors Disqualification Act 1986.
- Due to the size and scope of the Company's trading, it is anticipated that significant time will be spent as part of the Joint Administrators' investigations. Creditors will be updated in this regard in due course.

### **Case Specific**

Time has been allocated in the Fees Estimate to dealing with case specific queries. Given the regulated nature of the business and the number of contingent claims which may be received in the Administration, time is anticipated to be resolving these and taking advice on how to deal with these in the Administration.

### **FCA / FSCS**

- Regular updates provided to the FCA:
  - Dialogue with the FCA has continued following the Administrators' appointment and regular updates have been provided.
  - The Administrators will continue to liaise closely with the FCA.
- Liaising with the FSCS in relation to compensation for investors:
  - The FSCS is a compensation fund for retail customers of authorised financial services firms.
  - Shortly following their appointment, the Administrators contacted the FSCS with regard to customers ability to claim for compensation and the related process which surrounds this.
  - The Administrators continue to work closely with the FSCS.

## JOINT ADMINISTRATORS' STATEMENT OF LIKELY EXPENSES

## Standard Expenses

Type	Description	Amount £
AML Checks	Electronic client verification	20.00
Bond Fee	Insurance bond	550.00
Company Searches	Extraction of company information from Companies House	50.00
Document Hosting	Hosting of documents for creditors. Payment to Associate requiring specific creditor / committee approval	52.00
Software Licence Fee	Case management system licence fee. Payment to Associate requiring specific creditor / committee approval	87.00
Statutory Advertising	Advertising	190.80
Storage Costs	Storage of books and records	1,000.00
Postage Costs	Costs of postage	10,500.00
	<b>Total standard expenses</b>	<b>12,449.80</b>

## Case Specific Expenses

Type	Description	Amount £
Agents' Fees	Costs of valuing and realising assets	3,000.00
Legal Fees	Costs of appointed solicitors	75,000.00
Staff Mileage	Category 2 expenses requiring specific creditor / committee approval	300.00
Trading expenses	General costs of trading	100,000.00
IT software	Costs of IT licences during trading	35,000.00
Bank charges	Bank charges	50.00
Employee wages	Costs of employees retained through trading	150,000.00
	<b>Total case specific expenses</b>	<b>363,350.00</b>

## ESTIMATED OUTCOME STATEMENT

	Secured	Preferential	Secondary Preferential	Unsecured
	£'000	£'000	£'000	£'000
Amount estimated to be available to class of creditor	n/a	n/a	88,781	70,905
Amount due to creditor per Appendix C	n/a	n/a	(17,876)	(1,135,211)
Estimated dividend rate (as a %)	n/a	n/a	100%	0.06%

**LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS**

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

**Staff Allocation and Charge Out Rates**

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

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

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

	<b>1 March 2021 onwards</b>	
	Standard	Complex
	£	£
Director	550	688
Senior Manager	465	581
Manager 1	415	518
Manager 2	365	456
Administrator 1	295	369
Administrator 2	265	331
Administrator 3	245	306
Administrator 4	175	219
Support	0	0

Due to the regulated nature of the business, the associated risks during the trading period and the complexity of the transfer, the Administrators propose that they are entitled to draw fees on a complex scale of rates.

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

**Use of Associates**

We are required to disclose to those responsible for approving our remuneration whether any payments we intend to make from an insolvency estate are to Associates of Leonard Curtis. The term "Associate" is defined in s435 of the Insolvency Act 1986 but we are also required to consider the substance or likely perception of any association between the appointed insolvency practitioner, their firm (LC) or an individual within the firm and the recipient of a payment. Payments to Associates are subject to the same level of approval as the office holder's fees and category 2 expenses (see table below).

Whilst we are not aware of any third parties who meet the legal definition of "Associate" we are aware that there is a perceived association between LC and Pelstar Limited. Pelstar Limited provides insolvency case management software and document hosting facilities to LC. LC employs an individual who is married to a director of Pelstar Limited. Pelstar Limited's costs are set out in the tables below.

**Use of Professional Advisors**

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

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

### Use of Subcontractors

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

### Categorisation of Expenses

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

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

Type	Description	Amount																								
AML checks via Smartsearch	Electronic client verification in compliance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017	£5.00 plus VAT per search																								
Bond / Bordereau fee via AUA Insolvency Services	Insurance bond to protect the insolvent entity against any losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to £1,200.00 dependent on value of assets within case																								
Company searches via Companies House	Extraction of company information from Companies House	£1.00 per document unless document can be accessed via the free service																								
Document hosting via Pelstar Limited (see Use of Associates and Category 2 expenses)	Hosting of documents via a secure portal for access by creditors/shareholders. Costs are charged per upload plus VAT and are generally dependent upon the number of creditors. The costs are commensurate with those charged by other providers of comparable services.	<table><tr><th>Type</th><th>First 100</th><th>Every addtl 10</th></tr><tr><td>ADM</td><td>£14.00</td><td>£1.40</td></tr><tr><td>CVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>MVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CPL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CVA</td><td>£10.00</td><td>£1.00</td></tr><tr><td>BKY</td><td>£10.00</td><td>£1.00</td></tr><tr><td>IVA</td><td colspan="2">£10 p.a. or £25 for life of case</td></tr></table>	Type	First 100	Every addtl 10	ADM	£14.00	£1.40	CVL	£7.00	£0.70	MVL	£7.00	£0.70	CPL	£7.00	£0.70	CVA	£10.00	£1.00	BKY	£10.00	£1.00	IVA	£10 p.a. or £25 for life of case	
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BKY	£10.00	£1.00																								
IVA	£10 p.a. or £25 for life of case																									
Software Licence fee hosting via Pelstar Limited (see Use of Associates and Category 2 expenses)	Payable to software provider for use of case management system. The costs are commensurate with those charged by other providers of comparable services.	£87.00 plus VAT per case																								
Postage via Royal Mail or Postworks	Cost of posting documents which are directly attributable to a case to external recipients	Calculated in accordance with applicable supplier rates and dependent on the number of pages and whether the document is sent by international, first or second class post.																								
Post re-direction via Royal Mail	Redirection of post from Company's premises to office-holders' address	0-3 months £216.00 3-6 months £321.00 6-12 months £519.00																								
Statutory advertising via	Advertising of appointment, notice of meetings etc.	£91.80 - £102.00 plus VAT per advert Dependent upon advert and																								

**Forthplus Pensions Limited - In Administration**

advertising agents	<ul style="list-style-type: none"> <li>- London Gazette</li> <li>- Other</li> </ul>	publication
Storage costs	Costs of storage of case books and records	£5.07 plus VAT per box per annum plus handling charges

- b) Case-specific expenses – this category includes expenses (other than office-holders' fees) which are likely to be payable on every case but which will vary depending upon the nature and complexity of the case and the assets to be realised. They will include but may not be restricted to:

Type	Description	Amount
Agents' fees	Costs of appointed agents in valuing and realising assets	Time costs plus disbursements plus VAT
Debt Collection fees	Costs of appointed debt collectors in realising debts	Generally agreed as a % of realisations plus disbursements plus VAT
Legal fees	Costs of externally appointed solicitors. Will generally comprise advice on validity of appointment, drafting of sale contracts, advice on retention of title issues and advice on any reviewable transactions	Time costs plus disbursements plus VAT
Other expenses	See Category 1 and 2 expenses notes below	See Category 1 and 2 expenses notes below

Please note that expenses are generally categorised as Category 1 or Category 2:

- a) **Category 1 expenses:** These are payments to independent third parties providing the service to which the expense relate. These may include, for example, advertising, external room hire, storage costs, postage costs, telephone charges, travel expenses (excl. mileage), and equivalent costs reimbursed to the office holder or his or her staff. Category 1 expenses may be paid without prior approval.
- b) **Category 2 expenses:** These are costs that are directly referable to the appointment in question, but not paid to an independent third party. They may include costs which have an element of shared cost. The following items of expenditure are recharged on this basis and are charged at HMRC approved rates:

Business mileage 45p per mile

Payments to Associates (as defined above) are categorised by LC in the same way as Category 2 expenses. Category 2 expenses and payments to Associates may only be drawn if they have been approved in the same manner as an office holder's remuneration.

**NOTICE OF A DECISION PROCEDURE BY CORRESPONDENCE**

**Re: FORTHPLUS PENSIONS LIMITED (IN ADMINISTRATION) ("the Company")**

**Previously known as: ATHENA PENSIONS LIMITED**

**Registered number: 07990504**

**Court details: High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD) Court Ref:: CR-2021-MAN-000600**

**NOTICE TO CREDITORS OF A DECISION PROCEDURE TO BE CONSIDERED BY CORRESPONDENCE  
IN ACCORDANCE WITH PARA 51(1) OF SCHEDULE B1 TO THE INSOLVENCY ACT 1986 AND RULES 15.8  
AND 18.18 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016**

We, Andrew Poxon, Alex Cadwallader and Barry Stewart of Leonard Curtis, Riverside House, Irwell Street, Manchester M3 5EN, were appointed Joint Administrators of the Company on 19 October 2021.

NOTICE IS HEREBY GIVEN pursuant to Para 51(1) of Schedule B1 to the Insolvency Act 1986 and Rules 15.8 and 18.18 of the Insolvency (England and Wales) Rules 2016 that the creditors are being asked to make a decision as to whether they approve the Joint Administrators proposals set out at Appendix B, agree the basis of the Joint Administrators' remuneration and approve three other decisions by way of correspondence.

To participate in the vote creditors will need to have delivered a completed voting form to my office at Riverside House, Irwell Street, Manchester, M3 5EN or via email to [forthplus@leonardcurtis.co.uk](mailto:forthplus@leonardcurtis.co.uk) by 23:59pm on 12 January 2022 (the Decision Date) together with a proof of debt form if one has not previously been lodged. Failure to deliver a proof of debt will result in your vote being disregarded.

NB. Creditors' attention is drawn to Chapter 9 of Part 1 of the Rules, which detail the rules for delivery of documents.

The resolutions to be considered are:

1. That the Joint Administrators' Proposals are approved.
2. In the absence of a creditors' committee, that the remuneration of the Joint Administrators be fixed by reference to time properly spent by them and their staff in attending to matters as set out in the Fees Estimate (for an amount not exceeding £497,016.50).
3. That the unpaid pre-administration costs totalling £98,574.60 as detailed in the Joint Administrators' Statement of Proposals and be approved for payment as an expense of the administration.
4. That the basis of the recharge of the Joint Administrators' category 2 expenses and payments to associates be fixed by reference to the rates set out in the Joint Administrators' Statement of Proposals and that they be authorised to pay or be reimbursed such expenses as and when funds permit.
5. That the Joint Administrators be discharged from liability in respect of any action(s) of theirs as Administrators pursuant to the provisions of paragraph 98(2)(b) of Schedule B1 to the Insolvency Act 1986, immediately upon their appointment ceasing to have effect.



**Statutory Information and Creditors' Entitlement To Vote**

In accordance with Rule 15.8 of the Insolvency (England and Wales) Rules 2016 please be aware of the following information:

- Creditors are only entitled to vote if they have delivered a proof of debt prior to the decision date and the claim has been accepted in whole or in part, together with a voting form. A copy of the proof of debt form is attached at Appendix L. Whilst I am permitted to agree claims below £1,000 without a proof of debt, a creditor whose claim is less than £1,000 is not able to vote without having lodged a proof of debt. Creditors who have opted out from receiving notices may, nevertheless, vote if a proof of debt has been lodged.
- Creditors must deliver their voting form no later than 23:59pm on 12 January 2022 (the Decision Date). Forms should be posted to Forthplus Pensions Limited at Leonard Curtis, Riverside House, Irwell Street, Manchester, M3 5EN. Alternatively voting forms can be faxed to 0161 831 9090 or submitted by email to [forthplus@leonardcurtis.co.uk](mailto:forthplus@leonardcurtis.co.uk).
- I am obliged to advise creditors that applications to have any decision reviewed must be made to High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD) under reference CR-2021-MAN-000600. Any such application should be made within 21 days of the decision date.
- If creditors are not satisfied with the decision procedure being used, they may request a physical meeting be convened providing their claim is 10% of the value of the creditors or 10% of the number of creditors request the same or 10 individual creditors request that a meeting be convened. All requests to hold a physical meeting should be made in writing but can be made by email to [forthplus@leonardcurtis.co.uk](mailto:forthplus@leonardcurtis.co.uk). Requests for a physical meeting should be made within five business days of delivery of this notice.

Dated 20 December 2021



Signed \_\_\_\_\_

**ANDREW POXON  
JOINT ADMINISTRATOR**

**Contact details**

Andrew Poxon, Alex Cadwallader and Barry Stewart  
Leonard Curtis  
Riverside House  
Irwell Street  
Manchester  
M3 5EN  
Tel: 0161 831 9999

**VOTING FORM FOR CREDITORS**

**Re: FORTHPLUS PENSIONS LIMITED (IN ADMINISTRATION) ("the Company")**  
**Previously known as: ATHENA PENSIONS LIMITED**  
**Registered number: 07990504**  
**Court details: HIGH COURT OF JUSTICE BUSINESS AND PROPERTY COURTS IN MANCHESTER -**  
**COMPANY & INSOLVENCY LIST (CHD) REF: CR-2021-MAN-000600**

Please indicate whether you are in favour or against each of the decisions set out below.

Please note that this form should be returned prior to 23:59pm on 12 January 2022 to my offices at Riverside House, Irwell Street, Manchester M3 5EN. Alternatively the form can be faxed to Leonard Curtis on 0161 831 9999 or submitted by email to [forthplus@leonardcurtis.co.uk](mailto:forthplus@leonardcurtis.co.uk). In order for your vote to be valid a proof of debt should also have been lodged.

**RESOLUTIONS TO BE CONSIDERED**

**Decision 1**

That the Joint Administrators' Proposals are approved.

**I am \*in Favour / Against**

**Decision 2**

In the absence of a creditors' committee, the remuneration of the Joint Administrators be fixed by reference to time properly spent by them and their staff in attending to matters as set out in the Fees Estimate (for an amount not exceeding £497,016.50).

**I am \*in Favour / Against**

**Decision 3**

That the unpaid pre-administration costs totalling £98,574.60 as detailed in the Joint Administrators' Statement of Proposals be approved for payment as an expense of the Administration.

**I am \*in Favour / Against**

**Decision 4**

That the basis of the recharge of the Joint Administrators' category 2 expenses and payments to associates be fixed by reference to the rates set out in the Joint Administrators' Statement of Proposals and that they be authorised to pay or be reimbursed such expenses as and when funds permit.

**I am \*in Favour / Against**

**Decision 5**

That the Joint Administrators be discharged from liability in respect of any action(s) of theirs as Administrators pursuant to the provisions of paragraph 98(2)(b) of Schedule B1 to the Insolvency Act 1986, immediately upon their appointment ceasing to have effect.

**I am \*in Favour / Against**

***\*delete as appropriate***

**TO BE COMPLETED BY CREDITOR:**

Dated: \_\_\_\_\_

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

Name of creditor: \_\_\_\_\_

Position: \_\_\_\_\_

**Proof of Debt – General Form**  
**Relevant date: 19 October 2021**

forthplus@leonardcurtis.co.uk quoting ref: F900C/LA/PROOF

Name of Company in Administration:

Forthplus Pensions Limited

Company registered number:

07990504

1. Name of creditor (if a company, provide registration number)

2. Correspondence address of creditor (including email address)

3. Total amount of claim (£) at relevant date (include any Value Added Tax)

4. If amount in 3 above includes outstanding uncapitalised interest, state amount (£)

5. Details of how and when the debt was incurred (if you need more space attach a continuation sheet to this form)

6. Details of any security held, the value of the security and the date it was given

**Forthplus Pensions Limited - In Administration**

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7. Details of any reservation of title claimed in respect of goods supplied to which the debt relates

8. Details of any document by reference to which the debt relates

9. Signature of creditor (or person authorised to act on the creditor's behalf)

10. Date of signing:

11. Address of person signing (if different from 2 above)

12. Name in BLOCK LETTERS

13. Position with, or relation to, creditor

**Notes:**

1. There is no need to attach them now but the office-holder may ask you to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the chairman or convenor of any qualifying decision procedure.
2. This form can be authenticated for submission by email by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office-holder. If completing on behalf of the company, please state your relationship to the company.
3. **Please e-mail completed form to [forthplus@leonardcurtis.co.uk](mailto:forthplus@leonardcurtis.co.uk) quoting ref: F900C/LA/PROOF**

NOTICE OF AN INVITATION TO CREDITORS TO FORM A CREDITORS' COMMITTEE

In the:	HIGH COURT OF JUSTICE BUSINESS AND PROPERTY COURTS IN MANCHESTER - COMPANY & INSOLVENCY LIST (CHD)	No:	CR-2021-MAN-000600
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Re:	FORTHPLUS PENSIONS LIMITED (IN ADMINISTRATION)
Previous Name:	ATHENA PENSIONS LIMITED
Registered No:	07990504

Address of Company	80 GEORGE STREET, EDINBURGH, EH2 3BU
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NOTICE IS HEREBY GIVEN, IN ACCORDANCE WITH PARAGRAPH 57 OF SCHEDULE B1 TO THE INSOLVENCY ACT 1986, RULE 3.39 AND PART 17 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016, THAT creditors are invited to decide whether a creditors' committee should be established if sufficient creditors are willing to be members of that committee. Andrew Poxon, Alex Cadwallader and Barry Stewart invite creditors to put forward their nominations for membership of the committee. Such nominations must be received by the date specified in this notice. The Joint Administrators can only accept nominations if they are satisfied as to the creditors' eligibility under Rule 17.4 of the Insolvency (England and Wales) Rules 2016.

Nominations must be received by:  
and should be delivered to:

**12 January 2022**  
**Andrew Poxon, Alex Cadwallader and Barry Stewart**  
Riverside House  
Irwell Street  
Manchester  
M3 5EN  
Tel: 0161 831 9999  
Email: [forthplus@leonardcurtis.co.uk](mailto:forthplus@leonardcurtis.co.uk)

Signed:		Dated:	20 December 2021
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Creditors are referred to section 1.8 of this report for a link to guidance for creditors as to the roles, duties and responsibilities of members of creditors' committees.

Under Rule 17.4, a creditor is eligible to be a member of such a committee if they have proved for a debt, which is not fully secured, and the proof has not been wholly disallowed for voting purposes or rejected for the purposes of distribution or dividend. A body corporate may be a member of a committee, but it cannot act otherwise than by a duly appointed representative. No person can be a member as both a creditor and a contributory.