

17 DECEMBER 2020



JOINT LIQUIDATORS' PROGRESS REPORT
FOR THE PERIOD
23 OCTOBER 2019 TO 22 OCTOBER 2020

AVIATOR MAN LIMITED (COMPANY NUMBER: 09422546) ("THE COMPANY")

EXPERTS WITH **IMPACT**TM

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Glossary

Abbreviation / Term	Meaning / Definition
The Act	Insolvency Act 1986 (as amended)
The Company	Aviator MAN Limited
c.	Circa
CVL	Creditors' Voluntary Liquidation
Directors	Tomas Hedstrom, Jo Alex Tanem and Andreas Vassilaros
FTI	FTI Consulting LLP
HMRC	HM Revenue and Customs
Liquidators/ Joint Liquidators	Simon Kirkhope and Andrew Johnson
The Period	23 October 2019 to 22 October 2020
RPO	Redundancy Payments Office
The Rules	Insolvency (England & Wales) Rules 2016
SIP	Statement of Insolvency Practice
TUPE	Transfer of Undertakings (Protection of Employment) Regulations
WIP	Work in progress

1. Introduction

- 1.1 Andrew Johnson and Simon Kirkhope were appointed Joint Liquidators of the Company on 23 October 2019.
- 1.2 As insolvency practitioners, the Joint Liquidators are bound by the Insolvency Code of Ethics. Prior to our appointments we considered potential ethical threats in undertaking the liquidation in accordance with the Code, and we did not consider that there were any matters preventing us from taking this appointment.
- 1.3 Creditors are advised that explanatory information, including Statements of Affairs for the Company, was sent to all known creditors in my previous circular dated 24 October 2019. Any creditor requiring a copy of this correspondence can access it at <https://www.fticonsulting-emea.com/cip/aviator-man-limited>, or can request a hard copy from my office.
- 1.4 This report, together with appendices, contains information in relation to the activities undertaken during the period 23 October 2019 to 22 October 2020 (“the Period”), receipts and payments into the insolvency estates (Appendix B) and the Liquidators’ time costs in accordance with Statement of Insolvency Practice 9 (“SIP9”) (Appendices C and D).
- 1.5 The return to creditors is set out in Section 4 of this report.

Meeting of creditors and liquidators fee basis

- 1.6 Creditors were invited to determine whether to form a Liquidation Committee by 13 December 2019, which would, amongst other matters, consider the basis on which the Liquidators are remunerated.
- 1.7 No liquidation committee was established in respect of the Company.
- 1.8 A resolution was also put to creditors in respect of the Liquidators’ fees, to which votes were to be received by 13 December 2019. The resolution was in respect of the Liquidators’ fees being determined by time properly spent in dealing with the liquidation pursuant to Rule 18.16 of the Rules and approval of the Liquidators’ Fee Estimate provided to the creditors. Creditors voted in favour of this resolution.
- 1.9 Creditors resolved that the Liquidators’ fees would be charged with reference to the time properly spent by them and their staff in dealing with the matters relating to the Liquidation.
- 1.10 A creditors’ guide to liquidators’ fees setting out creditors’ rights to further information and how fees are approved can be found here:
<http://www.fticonsulting-emea.com/~media/Files/emea--files/creditors-portal/cip-emea-forms-info/guide-to-liquidators-fees-oct-2015-ew.pdf>
- 1.11 If creditors wish to be supplied with a hard copy of this guidance they should contact us at the details set out below.
- 1.12 A guide to insolvency in general can be found here:
<http://www.creditorinsolvencyguide.co.uk/>
- 1.13 Additional information in relation to our staffing policies can be found in Appendix E.

Creditors’ right to challenge remuneration and/or expenses

- 1.14 Any secured creditor or unsecured creditor with the support of at least 10% in value of the unsecured creditors or with leave of the Court, may apply to the Court for one or more orders (in accordance with Rule 18.34 of the Rules), challenging the amount or the basis of the remuneration which the Liquidators are entitled to charge or otherwise challenging some or all of the expenses incurred. Such applications must be made within eight weeks of receipt by the applicant(s) of the report detailing the remuneration and/or expenses being complained of, in accordance with Rule 18.34(3) of the Rules.

Creditors’ right to request information

- 1.15 Any secured creditor or unsecured creditor with the support of at least 5% in value of the unsecured creditors or, with leave of the Court, may, in writing, request the Liquidators to provide additional information regarding remuneration

or expenses to that already supplied with this document. Such requests must be made within 21 days of receipt of this report, in accordance with Rule 18.9(2) of the Rules.

1.16 I enclose further information in relation to creditors' rights at Appendix G.

Liquidator's remuneration and Liquidators' request to increase remuneration

1.17 During the period 23 October 2019 to 22 October 2020, the Joint Liquidators and their staff incurred time costs of £208,304.50, which are detailed in Appendix D.

1.18 Time incurred has exceeded the estimate previously provided to creditors for a number of reasons:

- Additional work required to collect the debtors;
- The significant number of employee reference requests received to confirm dates of employment;
- Additional work undertaken in respect of the pre-appointment tax returns to achieve a refund of tax paid pre-appointment; and
- The work undertaken to defend action brought against the Company by the former employees' union.

1.19 Pursuant to Rule 18.24 of the Rules, the Liquidators will request that creditors approve an increase in the Liquidators' fee estimate in recognition of the additional time costs incurred.

1.20 The Liquidators will request that creditors approve this increase at the time when the dividends are declared.

Further information

1.21 For further information on the Liquidators' initial assessment on the affairs of the Company please see the Report to creditors for fee approval, submitted in the creditors portal dated 26 November 2019.

1.22 Pursuant to Rule 1.50(a) of the Rules all further information in respect of the liquidation of the Company (except for dividend notices, which will be mailed to creditors) will be placed on the website below. Please note, no notice will be provided to creditors of updates placed on the website:

<https://www.fticonsulting-emea.com/cip/aviator-man-limited>

1.23 Information about our collection, use and protection of personal data can be found here:

<https://www.fticonsulting-emea.com/~media/Files/emea--files/creditors-portal/cip-emea-forms-info/cip-data-privacy.pdf>

1.24 If you have any queries in relation to this report or the Liquidation in general, please contact a member of the liquidation staff at aviatormancreditors@fticonsulting.com or on 020 3727 1301. Creditors can also use these contact details to request a hard copy of this report if required.

2. Background and Liquidation Approach

2.1 In 2016, the Company was part of a wider group of companies ("the Group") providing ground handling services at airports across the United Kingdom ("UK"), with operations at London Gatwick, Newcastle, Birmingham and Manchester airports.

2.2 On 17 September 2016 and as a result of the Group's principal lender withdrawing their support of the Group's UK operations plans were developed to support a managed wind down and exit from ground handling markets in London Gatwick, Newcastle, and Birmingham Airports.

2.3 At the time of the Group's exit from the UK market in 2016, operations at Manchester were maintained at Thomas Cook's request and with the agreement from the Group's principal lender that it would be on a standalone basis. The Company was highly dependent in a competitive market on this one customer, which accounted for c.70% of the Company's revenue.

- 2.4 As such, when Thomas Cook went into liquidation on 23 September 2019, the remaining operations became immediately and significantly loss making. In response to this the Company considered reducing its footprint to continue servicing the remaining customers at Manchester Airport. However, fixed operating costs made such an extensive scaling down impossible to achieve.
- 2.5 On 3 October 2019 the Company concluded that it was unable to operate as a viable business and implemented an orderly wind down of its operations at Manchester Airport in order to enable customers to seek alternative service providers and minimise passenger disruption.
- 2.6 FTI were engaged to support the Company in this regard. Further details are provided in the Explanatory Information for Creditors for the Appointment of Liquidators on the Creditors Portal.
- 2.7 During the wind down period, the Company transferred all service contracts to alternative providers. Through successful Transfer of Undertakings (Protection of Employment) Regulations (“TUPE”) these transfers preserved the jobs of c.80 employees out of a total workforce of c.350.
- 2.8 On 23 October 2019 the directors of the Company convened a board meeting where the chairman noted that the orderly transition of the Company’s operations was complete and that the Company was no longer trading. Accordingly, in light of this, and the Company’s financial position, the directors resolved that the best course of action was to arrange for the Company to be placed into a creditors’ voluntary liquidation.

3. Progress of the Liquidation

Receipts and payments during the period

- 3.1 A full account of the receipts and payments for the Company is provided at Appendix B.
- 3.2 Receipts in the Period largely relates to collection of book debts due. We have been unable to confirm the sources of certain receipts received during the Period. These are shown in the suspense account but are believed to consist of book debts. Contact has been made to the assumed related parties but replies are yet to be received.
- 3.3 Payments made during the Period include (net of VAT);
 - Liquidators’ fees and expenses of £101k as approved by creditors on 13 December 2019;
 - Legal fees and expenses totaling £40k have been driven by defending a claim brought against the Company by the former employees’ union (further information is provided below), with a further £7k invoice paid after the reporting period;
 - Employee related costs of £8k regarding professional fees from ERA Solutions, an employee advisory firm who aided former employees with their liquidation claims and questions;
 - Statutory advertising, bank charges and specific bond for the Company.
- 3.4 In addition, the amount of £8.2k (net of VAT) has been incurred for the services provided by JP Associates.
- 3.5 Expenses have exceeded the previous estimate provided to creditors due to the need to defend the claim brought by the former employees’ union, and because the Liquidators engaged a specialist debt collection company to collect the balance of the book debts.

Book debts

- 3.6 During the Period, debtor collections of £199k were made. A further £83k has been received which is assumed to be book debts. Contact has been made with the related parties to confirm that the monies are book debts.
- 3.7 The collection of trade debtors has been a key focus of the Liquidators. After a cost-benefit analysis, it was decided to outsource the collection of debts to JP Associates, a specialist debt collection company.
- 3.8 Responses received from debtors that were included in the Company’s records included:

- Payments having already been received by the Company but not accounted for prior to appointment;
- Disputes on fees used in invoices, resulting in lower than expected realisations; and
- Debtors applying credit amounts against the Company's outstanding invoices, which we were previously unaware of.

3.9 The climate caused by the Covid-19 pandemic has resulted in there being limited contact from debtors since March 2020. Despite numerous efforts and the following of different leads, it is proving difficult to engage with the remaining debtors (excluding Thomas Cook). JP Associates are continuing to reach out to the companies involved, however, it is likely that no further book debts will be realised.

Claim by the former employees' union

3.10 The Liquidators received a claim from the former employee's union in respect to the redundancy process undertaken by the Company.

3.11 The Liquidators' sought legal advice about the claim and were advised that parts of the claim could not be accepted, including that a number of the employees included in the claim did not qualify for the relief sought.

3.12 Accordingly, the Liquidators' defended part of the claim to ensure that only those former employees who qualified for the relief sought were included in the claim.

3.13 A decision is expected from the Employment Tribunal in the first quarter of 2021, with the process having been delayed due to a Covid-19 related backlog with the Tribunal.

Taxation

3.14 The Liquidators have submitted the Corporation Tax and VAT returns for the pre-appointment periods.

3.15 We are expecting a refund from HMRC of £108k regarding pre-appointment Corporation Tax recoveries. This is in relation to the Company having made a loss for the period ended 22 October 2019 being carried back to the period ended 31 December 2018.

3.16 The Liquidators will submit any further Corporation Tax returns required during the course of the liquidation.

3.17 The Company has been deregistered for VAT purposes. All future recoverable VAT will be requested using a VAT 427 form.

Statutory investigations

3.18 We have reviewed the conduct of all directors who served in respect of the Company in the 3 year period prior to the date of the Liquidation and made the necessary filings pursuant to the Company Directors Disqualification Act 1986.

3.19 The contents of the filings made are confidential.

Future work to be concluded in the liquidation

3.20 An analysis of our time in accordance with the provisions of SIP9, which provides details of the activity costs incurred by staff grade to the above date is shown in Appendix D.

3.21 The main areas of our work to be completed and future work streams have been set out in the body of the report but are summarised in Appendix C.

4. Estimated Outcomes

Secured creditors

4.1 There are no secured creditors in the liquidation.

Preferential creditors

- 4.2 Under the Act the main classes of preferential creditor are employees in respect of certain claims in relation to arrears of wages, holiday and pensions contributions. All employees were paid arrears of wages prior to the date of liquidation and were paid their salaries to the date of their redundancy.
- 4.3 The Company had employed c.350 staff, and c.80 employees were preserved with the transfer of contracts through the successful Transfer of Undertakings (Protection of Employment) Regulations. The remaining workforce were made redundant shortly before our appointment.
- 4.4 The employees' trade union had brought forward an employee tribunal claim against the Company in relation to a protective award. The claimant alleged that the Company had failed to collectively inform and consult the employees dismissed on the grounds of redundancy. Based on legal advice received and acting in the best interest of creditors in order to minimise the costs incurred in relation to the claim, we have proposed a settlement with the claimant, which is due to be confirmed by the Employment Tribunal in the first quarter of 2021, which has resulted in an additional preferential claim of £203k, and an unsecured claim amount of £734k.
- 4.5 For those employees who were made redundant, monies will be owed to them in respect of outstanding holiday pay which, subject to statutory limits, is a preferential claim in the Liquidation.
- 4.6 Based on current known information about assets and liabilities it is likely that preferential creditors will be paid in full.

Non-preferential unsecured creditors

- 4.7 The Statement of Affairs included 53 non-preferential unsecured creditors with an estimated total liability of £1,657k. We have currently received 17 claims totaling £1,477k.
- 4.8 As discussed above, the known unsecured employee claims of £328k is likely to be increased by the protective award sought by the former employees' union.
- 4.9 A proof of debt is enclosed in Appendix F, and if you have not already lodged one you should now complete and return it to me, together with evidence in support of your claim.
- 4.10 Based on current known information about assets and liabilities it is likely that a dividend will be paid to unsecured creditors. Further updates in this respect will be provided in due course.

5. Next Report and Further Questions

- 5.1 We are required to provide a progress report to all creditors within two months of the next anniversary of the Liquidation, or when the Liquidation comes to an end, whichever is sooner.
- 5.2 Should you have any queries in the meantime, or wish to be sent a hard copy of this report please contact a member of the Liquidators staff by email at aviatormancreditors@fticonsulting.com or on 020 3727 1301.

Yours faithfully

For and on behalf of the Company



Simon Kirkhope

Joint Liquidator

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

Simon Kirkhope and Andrew Johnson are licensed in the United Kingdom to act as an insolvency practitioner by the Institute of Chartered Accountants in England and Wales, under Section 390A(2)(a) of the Insolvency Act 1986.

The Joint Administrators are bound by the Insolvency Code of Ethics which can be found at: <https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>.

FTI Consulting LLP ("FTI") uses personal information in order to fulfil the legal obligations of our Insolvency Practitioners under the Insolvency Act and other relevant legislation, and also to fulfil the legitimate interests of keeping creditors and others informed about the insolvency proceedings. You can find more information on how FTI uses your personal information on our website at <https://www.fticonsulting-emea.com/~media/Files/emea--files/creditors-portal/cip-emea-forms-info/cip-data-privacy.pdf>.

Appendix A - Statutory Information

Company Information

Aviator MAN Limited

Trading names	Aviator MAN Limited
Registered number	09422546
Registered office	C/O FTI Consulting LLP, 200 Aldersgate Street, London EC1A 4HD
Director(s)	Jo Alex Tanem Andreas Vasilaros Jo Alex Tanem
Company secretary	Cornhill Secretaries Limited
Directors' shareholdings	Nil
Appointment date	23 October 2019
Appointer	Company Creditors

Liquidators' Information

	Liquidator 1	Liquidator 2
Name	Simon Kirkhope	Andrew Johnson
Address	200 Aldersgate Street, London EC1A 4HD	200 Aldersgate Street, London EC1A 4HD
Authorising body	ICAEW	ICAEW

The centre of main interest of the Company is England. Therefore, the EC Regulations on Insolvency Proceedings 2000 apply to the Liquidation. The proceedings are main proceedings as defined by Article 3 of those regulations.

Appendix B - Liquidators' Receipts and Payments Account

Aviator MAN Limited Joint Liquidators' Account of Receipts and Payments

GBP	Notes	Estimated to Realise	23 Oct 2019 - 22 Oct 2020	Total
Floating Charge Receipts				
Cash at Bank		690,773	690,773	690,773
Pre-Appointment Debtors		402,787	198,831	198,831
Prepayments		2,119	-	-
Suspense Account	1	-	82,896	82,896
Bank Interest		-	166	166
Subtotal		1,095,679	972,666	972,666
Floating Charge Payments				
Bank Charges		-	(341)	(341)
Specific Bond		-	(775)	(775)
Office Holders Fees		-	(100,000)	(100,000)
Office Holders Expenses		-	(1,482)	(1,482)
Employee Related Costs	2	-	(8,090)	(8,090)
Legal Fees		-	(38,318)	(38,318)
Legal Expenses		-	(1,250)	(1,250)
Statutory Advertising		-	(243)	(243)
Subtotal		-	(150,499)	(150,499)
Floating Charge Surplus/ (Deficit)		1,095,679	822,167	822,167
Net Realisations		1,095,679	822,167	822,167
Made Up As Follows				
Vat Receivable		12,764	29,877	29,877
Floating Charge Account	3	-	792,291	792,291
Total		12,764	822,167	822,167

Notes

All values are exclusive of VAT.

1. Consists of payments received without clarification of its sources, expected to be book debts.
2. Employee related costs are regarding professional fee payments to an employee advisory firm.
3. Interest bearing accounts.

Appendix C - Liquidators' Time Costs and Expenses

Pre-liquidation fees

FTI Consulting were engaged by the Company on 7 October 2019 to advise and assist management in the orderly wind down of operations to minimise the disruption to Manchester Airport. The specific workstreams of this engagement included:

- The review of the Company's short term funding requirement to develop and plan for a managed wind down;
- Provision of insolvency advice to the Board of Directors;
- Support in discussions and negotiations with key stakeholders, where required;
- Support in respect of the communication strategy; and
- Preparation for a post managed wind down liquidation process.

As part of this engagement, FTI Consulting also assisted the Board of Directors with the preparation of the Directors' Statement of Affairs and seeking a decision from creditors on the appointment of the Liquidators.

FTI Consulting LLP were paid £25,000 plus VAT and disbursements for these services.

Liquidators' fees and expenses

Pursuant to Rule 18.16 of the Rules, the remuneration of the liquidators can be fixed on the basis of one of the following:

- As a percentage of the value of assets which are realised, distributed, or both released and distributed by the Liquidator;
- By reference to time properly given by the Liquidator and their staff attending to matters arising in the liquidation; or
- A set amount.

No creditors committee was established by the creditors of the Company. A resolution was also put to creditors in respect of the Liquidators' fees, to which votes were to be received by 13 December 2019. The resolution was in respect of the Liquidators' fees being determined by time properly spent in dealing with the liquidation pursuant to Rule 18.16 of the Rules and approval of the Liquidators' Fee Estimate provided to the creditors. Creditors voted in favour of this resolution.

For reference, a breakdown of the Liquidators' fee estimate provided to the creditors on the 26 November 2019 in the Report to creditors for fee approval, submitted in the creditors portal, is provided below.

Aviator MAN Limited - Joint Liquidators' Fee Estimate			
	Estimated Hours	Estimated average cost (£)	Estimated total cost (£)
Administration and planning	60	300	18,000
Investigations	40	463	18,500
Realisation of assets	30	383	11,500
Creditors	85	388	33,000
Reporting	36	528	19,000
Total fee estimate	251	398	100,000

Further information in relation to Liquidators' fees, including charge out rates by grade, can be found at Appendix E.

Revised Liquidators' fee estimate for creditors approval

Pursuant to Rule 18.24 of the Rules the Liquidators will seek approval from creditors to increase their fee estimate when the preferential and unsecured dividends are declared.

The uplift in the Liquidators' fee estimate principally relates to the higher than expected time spent on administration work, such as reconciling payments received to the pre-appointment bank account, greater time needed for tax and in dealing with greater than anticipated employee issues.

A summary of the additional work undertaken by the Liquidators and the rationale behind why an increase in the Liquidators fee estimate will be sought is detailed below.

Administration and Planning

The liquidators have incurred additional time costs across most of the administration and planning work streams. More specifically, a greater amount of work was needed to reconcile payments received in the Company's pre-appointment account based on the Company records we attained. This was required in order to ensure good practice with aligning amounts received against anticipated book debts and chasing of those receipts which had no recognisable description. This also benefits in ensuring the amounts showing as outstanding book debts are correct.

Creditors

The liquidators have incurred significantly greater time costs in dealing with creditors in relation to employee matters. This has largely been caused by the following:

- Former employees' union tribunal claim

During the period the employees' trade union had brought forward an employee tribunal claim against the Company in relation to protective award. The claimant alleged that the Company had failed to collectively inform and consult the employees dismissed on the grounds of redundancy. Time was spent in understanding the claim brought and corresponding with the various stakeholders involved. Upon the legal advice given, additional time was then spent in setting up and reaching a settlement with the claimant.

- Employee reference requests

Additional time required to check and reconcile employee data for the purposes of providing up to date employee reference information. During the Period we have received and processed 135 reference requests.

Tax

The additional time costs incurred in relation to tax can be mainly attributed to the preparation and filing of the Company's pre-appointment Corporation Tax return. This is due to there being a considerable amount of time required to collate all the relevant information required to submit a sufficient tax return. The Liquidators saw this as necessary due to the Corporation Tax recovery the Company is now expected to gain being £108k.

An analysis of the Liquidators' time in accordance with the provisions of SIP9, which provides details of the activity costs incurred by staff grade to date, is enclosed at Appendix D.

The main areas of our work in the liquidation of the Company during the period and future work streams are as follows:

Category	Description (O – Ongoing, C – Complete, F – Future)	Rationale
Administration & Planning	<ul style="list-style-type: none"> • Appointment and related formalities – C • Preparing and filing VAT and Corporation Tax returns for pre-appointment periods – C 	Statutory / compliance requirement; to ensure efficient project management

	<ul style="list-style-type: none"> • Preparing and filing VAT and Corporation Tax returns for post appointment periods when necessary – O • Cashiering and reconciliation of bank accounts – O • Complying with statutory formalities include relevant filings and statutory communications – O • Maintaining the Liquidation record – O 	
Realisation of Assets	<ul style="list-style-type: none"> • Arranging suitable insurance over assets - C • Regularly monitoring the suitability and appropriateness of the insurance cover in place - O • Corresponding with debtors and attempting to collect outstanding book debts - O • Liaising with the bank regarding the closure of the account - O 	Identify, assess and seek to realise potential value
Creditors & Shareholders	<ul style="list-style-type: none"> • Responding to creditor queries – O • Updating creditors on case progression – O • Providing employee references, confirming dates of employment, as requested – O • Understand level of realisations and if possible prepare for and complete preferential creditor distribution – F • Understand level of realisations and if possible prepare for and complete unsecured creditor distribution – F 	Statutory requirements; required for orderly case management
Reporting & other matters	<ul style="list-style-type: none"> • Recovering the books and records for the case – C • Submitting an online return on the conduct of the Directors as required by the Company Directors Disqualification Act – C • Preparing, reviewing and issuing annual progress reports to creditors and members and Companies House – O • Preparing, reviewing and issuing a final progress report to creditors, members and Companies House – F 	Required by statute and to inform creditors; required in order to seek approval as required for administration strategy including disposal of assets subject to security

Appendix D - Time Cost Analysis

Time cost analysis in compliance with SIP9 for the Company for the reporting period:

Aviator MAN Limited - Analysis of Time Costs In Accordance with SIP9 for the period 23 October 2019 to 22 October 2020

Task	Senior Managing Director	Managing Director/ Sr Director / Director	Senior Consultant/ Consultant	Associate/ Intern	Total Time	Total Cost	Average Cost	
Administration and Planning								
Strategy and planning	A1	-	8.0	1.9	3.5	13.4	7,442.0	555.4
Initial actions	A2	2.5	16.0	0.3	18.5	37.3	17,716.5	475.0
Appointment and related formalities	A3	-	8.0	-	25.1	33.1	11,247.5	339.8
Receipts and payments accounts	A4	-	-	2.1	7.3	9.4	2,708.0	288.1
Checklist and reviews	A5	-	8.0	14.6	14.0	36.6	15,741.0	430.1
Cashiering and reconciliations	A6	-	-	5.6	44.5	50.1	12,728.5	254.1
Bonding and IPS maintenance	A7	-	-	0.2	12.6	12.8	2,946.0	230.2
Case Admin	A8	-	-	-	4.9	4.9	1,102.5	225.0
Subtotal		2.5	40.0	24.7	130.4	197.6	71,632.0	
Investigations								
Correspondence with directors	B1	-	-	0.1	-	0.1	55.5	555.0
Directors questionnaire/checklists	B2	1.2	-	1.0	2.5	4.7	2,167.5	461.2
Reports of Directors' conduct	B4	-	-	1.8	16.9	18.7	4,801.5	256.8
Other investigations	B7	-	-	-	2.4	2.4	540.0	225.0
Subtotal		1.2	0.0	2.9	21.8	25.9	7,564.5	
Realisation of assets								
Book debts	C4	-	-	5.2	43.8	49.0	12,741.0	260.0
Stock and WIP	C5	-	-	-	3.8	3.8	855.0	225.0
Other assets	C7	-	-	0.1	-	0.1	55.5	555.0
Health & Safety/Insurance	C8	-	-	0.2	5.1	5.3	1,258.5	237.5
Subtotal		0.0	0.0	5.5	52.7	58.2	14,910.0	
Creditors (correspondence and claims)								
Unsecured creditors	E1	-	-	3.8	38.2	42.0	10,528.0	250.7
Employees	E4	18.4	1.0	40.3	111.2	170.9	63,257.5	370.1
Lease creditors	E7	-	-	-	1.3	1.3	292.5	225.0
Subtotal		18.4	1.0	44.1	150.7	214.2	74,078.0	
Tax								
Initial reviews CT and VAT	F1	-	-	0.8	-	0.8	444.0	555.0
Pre-appointment CT	F2	2.6	17.1	0.2	11.4	31.3	15,638.5	499.6
Pre-appointment VAT	F3	-	-	2.5	0.6	3.1	1,322.5	426.6
Post appointment CT	F4	1.8	-	-	8.2	10.0	3,420.0	342.0
Post appointment VAT	F5	-	-	4.5	2.1	6.6	2,690.0	407.6
Tax advice on transactions	F6	-	-	-	1.0	1.0	225.0	225.0
Other post appointment tax	F7	-	-	3.1	-	3.1	1,480.5	477.6
Subtotal		4.4	17.1	11.1	23.3	55.9	25,220.5	
Reporting								
Other statutory reports/meetings	G3	-	-	18.9	19.6	38.5	14,899.5	387.0
Subtotal		0.0	0.0	18.9	19.6	38.5	14,899.5	
Total Time by Grade		26.5	58.1	107.2	398.5	590.3		
Total Cost by Grade		23,187.5	39,442.5	56,112.0	89,562.5	208,304.5		
Average by Grade		875.0	678.9	523.4	224.7	352.9		
		Time Costs	Category 1	Category 2	Total			
Total Costs to Date		208,304.5	2,455.0	-	210,759.5			
Amount Billed		100,000.0	1,482.0	-	101,482.0			
WIP		108,304.5	973.0	-	109,277.5			

Appendix E - Additional Information in Relation to Liquidators' Fees Pursuant to SIP9

Detailed below is FTI's policy in relation to:

- staff allocation and the use of sub-contractors;
- professional advisors; and
- disbursements.

Staff allocation and the use of subcontractors

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The constitution of the case team will usually consist of a Senior Managing Director, Managing Director, Director, Senior Consultant and Consultant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment.

With regard to support staff, I would advise that time spent by cashiers in relation to specific tasks on an assignment is charged. Only if there is a large block of time incurred by a member of the secretarial team, e.g., report compilation and distribution, do we seek to charge and recover our time in this regard.

Professional advisors

On this assignment I have used the professional advisors listed below. I have also indicated alongside the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of professional advisor	Basis of fee arrangement	Work Stream	Initial Fees Estimate (£) (Net of VAT)	Fees paid to date (£) (Net of VAT)	Total fees expected (£) (Net of VAT)
ERA Solutions	Fee based on number of employee claims	Employee Specialist	8,000.0	8,090	8,090
DLA Piper UK LLP	Hourly rate and disbursements	Legal advisors (Employment Tribunal claim)	-	39,567	45,983
JP Associates	Percentage fee based on realisations	Book debt collection	-	-	8,273

Our choice was based on our view of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

Disbursements

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 disbursements do require approval from creditors. These disbursements can include costs incurred which relate to payments due to associated companies for the provision of services to the office holder.

On this assignment I do not anticipate incurring any category 2 disbursements.

Charge-out rates

A schedule of FTI's charge-out rates for this assignment is as follows:

Please note our minimum time unit is six minutes.

Grade	(£ per hour)
Senior Managing Director	875
Managing Director	755
Senior Director	700
Director	625
Senior Consultant	555
Consultant	475
Associate	225 - 315
Executive Assistant	170

Appendix F - Proof of Debt form

Rule 14.4 The Insolvency (England and Wales) Rules 2016

Proof of Debt – General Form

Name of Company in Liquidation:	Aviator MAN Limited
Company Registration Number:	09422546
Date of Liquidation:	23 October 2019
<p>1 Name of creditor</p> <p>(If a company, please also provide the company registration number).</p>	
<p>2 Correspondence address of creditor (including any email address)</p>	
<p>3 Total amount of claim (£)</p> <p>(include any Value Added Tax)</p>	
<p>4 If amount in 3 above includes (£) outstanding uncapitalised interest, state amount.</p>	
<p>5 Details of how and when the debt was incurred. (If you need more space, attach a continuation sheet to this form)</p>	
<p>6 Details of any security held, the value of the security and the date it was given.</p>	
<p>7 Details of any reservation of title claimed in respect of goods supplied to which the debt relates.</p>	
<p>8 Details of any document by reference to which the debt can be substantiated</p>	

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

10 Address of person signing if different from 2 above

--

11 Name in BLOCK LETTERS:

--

12 Position with, or relation to, creditor

--

13 Date of signature

Admitted to vote for

Amount (£)

--

Date

--

Admitted for dividend for

Amount (£)

--

Date

--

--

Simon Kirkhope
JOINT LIQUIDATOR

--

Andrew Johnson
JOINT LIQUIDATOR

Notes:

1. 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 a company, please state your relationship to the company.

Appendix G - Extracts from the Rules

Creditors' and members' requests for further information in administration, winding up and bankruptcy

18.9 — (1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under Rule 18.4(1) (b), (c) or (d) or a final report under Rule 18.14—

- a) a secured creditor;
- b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
- c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
- d) any unsecured creditor with the permission of the court; or
- e) any member of the company in a members' voluntary winding up with the permission of the court.

(2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.

(3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—

- a) providing all of the information requested;
- b) providing some of the information requested; or
- c) declining to provide the information requested.

(4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—

- a) the time or cost of preparation of the information would be excessive; or
- b) disclosure of the information would be prejudicial to the conduct of the proceedings;
- c) disclosure of the information might reasonably be expected to lead to violence against any person; or
- d) the office-holder is subject to an obligation of confidentiality in relation to the information.

(5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.

(6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—

- e) the office-holder giving reasons for not providing all of the information requested; or
- f) the expiry of the 14 days within which an office-holder must respond to a request.

(7) The court may make such order as it thinks just on an application under paragraph (6).

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34 — (1) This Rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- a) the remuneration charged by the office-holder is in all the circumstances excessive;

- b) the basis fixed for the office-holder's remuneration under Rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
- c) the expenses incurred by the office-holder are in all the circumstances excessive.

(2) The following may make such an application for one or more of the orders set out in Rule 18.36 or 18.37 as applicable—

- a) a secured creditor,
- b) an unsecured creditor with either—
 - i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - ii) the permission of the court, or
- c) in a members' voluntary winding up—
 - i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
 - ii) a member of the company with the permission of the court.

(3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under Rule 18.3, or final report or account under Rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").