

# Joint Administrators' progress report from 28 November 2023 to 27 May 2024

*Palmer & Harvey McLane Limited*  
CR-2017-008976

*Palmer & Harvey (Holdings) Plc*  
CR-2017-008977

24 June 2024

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# Abbreviations and definitions

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

Abbreviation or definition	Meaning
ABLs	Asset Based Lenders, namely Barclays Bank Plc, HSBC Invoice Finance (UK) Limited, PNC Business Credit (a trading name of PNC Financial Services UK Limited), RBS Invoice Finance Limited and Santander UK Plc
Administrators / we / us / our	Zelf Hussain and Mark James Tobias Banfield from 19 December 2019 Ian David Green and Zelf Hussain from 10 May 2019 to 19 December 2019 Matthew Boyd Callaghan, Ian David Green and Zelf Hussain to 10 May 2019
Companies	Palmer & Harvey (Holdings) Plc "Plc" Palmer & Harvey McLane Limited "PHML"
P&H / Palmer & Harvey Group	P&H Direct Limited, Palmer & Harvey McLane (Holdings) Limited, P&H (1925) Limited "1925", P&H Snacksdirect Limited, P&H Sweetdirect Limited, P & H Direct Van Sales Limited (all formerly in administration) and the Companies
Group	The Companies, P&H (1925) Limited, P&H Direct Limited, Palmer & Harvey McLane (Holdings) Limited, P&H Snacksdirect Limited, P&H Sweetdirect Limited, P & H Direct Van Sales Limited, WS Retail Limited and all other companies in the wider group
2008	P&H (2008) Limited
CAT	Competition Appeal Tribunal
DBT	Department for Business and Trade
Excluded work	Work done in connection with investigatory work detailed in section 2.5 of the Administrators remuneration report dated 15 June 2018
HMRC	HM Revenue & Customs
IA86	Insolvency Act 1986
IR16	Insolvency (England and Wales) Rules 2016
Preferential Creditors	Primarily employee claims for unpaid wages earned in the four months before the insolvency up to £800, holiday pay and unpaid pension contributions in certain circumstances
Prescribed Part	The amount set aside for unsecured creditors from floating charge funds in accordance with Section 176A IA86 and the Insolvency Act 1986 (Prescribed Part) Order 2003
PwC / firm	PricewaterhouseCoopers LLP
RHA	Road Haulage Association
RPS	Redundancy Payments Service, part of the Insolvency Service, which is an executive agency sponsored by DBT, and which authorises and pays the statutory claims of employees of insolvent companies under the Employment Rights Act 1996
Sch B1 IA86	Schedule B1 to the Insolvency Act 1986
Secured Creditor	A creditor with security in respect of their debt, in accordance with Section 248 IA86
SIP	Statement of Insolvency Practice. SIPs are issued to insolvency practitioners under procedures agreed between the insolvency regulatory authorities. SIPs set out principles and key compliance standards with which insolvency practitioners are required to comply
SIP 9	Statement of Insolvency Practice 9: Payments to insolvency office holders and their associates
Tobacco Companies / TCs	Imperial Brands Finance Plc and Gallaher Limited

UKTC	UK Trucks Claim Limited
Unsecured Creditors	Creditors who are neither secured nor preferential

This report has been prepared by Zelf Hussain and Mark James Tobias Banfield as Administrators of the Companies, solely to comply with the Administrators' statutory duty to report to creditors under IR16 on the progress of the administration, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.

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

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

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

Please note you should read this report in conjunction with the Administrators' previous reports issued to the Companies' creditors, which can be found at [www.pwc.co.uk/palmerandharvey](http://www.pwc.co.uk/palmerandharvey). Unless stated otherwise, all amounts in this report and appendices are stated net of VAT.

Zelf Hussain and Mark James Tobias Banfield have been appointed as Administrators of the Companies to manage their affairs, business and property as its agents and act without personal liability. Both are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales. The 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>

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# Key messages

## Why we've sent you this report

We're writing to update you on the progress of the administration of the Companies in the six months since our last report dated 18 December 2023.

You can still view our earlier reports on our website at [www.pwc.co.uk/palmerandharvey](http://www.pwc.co.uk/palmerandharvey). Please email Adam Thompson at [uk\\_palmerharvey\\_creditors@pwc.com](mailto:uk_palmerharvey_creditors@pwc.com) if you wish to request a hard copy of any report.

## How much creditors may receive

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

Company	Secured Creditors (p in the £)	Preferential Creditors (p in the £)	Unsecured Creditors (p in the £)
<b>PHML</b>			
This report:	ABLs 100p (paid) TCs 80-100p	100p (paid)	0.0978p (paid)
Last report:	ABLs 100p (paid) TCs 80-100p	100p (paid)	0.0978p (paid)
<b>Plc</b>			
This report:	ABLs 100p (paid) TCs 80-100p	N/A	Less than 1p in the £
Last report:	ABLs 100p (paid) TCs 80-100p	N/A	Less than 1p in the £

## Secured Creditors

It is uncertain whether all the Secured Creditors will fully be repaid their lending and accrued interest out of their security over the Group's assets. On appointment, the total value of the secured lending across the Group was £253.5m (prior to post appointment interest accruals).

As previously reported, on appointment the debt due to the ABLs was c.£187.4m (this included £9m funding provided to the administration on appointment which has since been repaid), secured by way of fixed and floating charges over the Group's assets. The ABLs held first ranking security (except in 1925) and their debt has been repaid in full.

The amount owing across the Group to the Tobacco Companies continues to increase as a result of the ongoing interest accrual. The Tobacco Companies held second ranking security over the Group's assets and were owed (prior to post appointment interest accruals) c.£66.1m.

As the ABLs' debt has been discharged in full, funds were made available for distribution to the Tobacco Companies. To date, distributions totalling c.£67.9m have been made by PHML (both through realisations in the administration account and outside of it) and other companies within the Group to the Tobacco Companies under the terms of their security.

In line with previous reports, we anticipate a total return of 80-100% will be achieved to the Tobacco Companies, however, the timing of future distributions to the Tobacco Companies is currently 3 - 6 months and dependent on the outcome of the remaining matters discussed in a later section of this report.

## Preferential Creditors

The dividends paid to Preferential Creditors in each company are as follows:

- PHML - Dividend of 100p in the £ was paid on 21 July 2020.
- Plc - Nil as there are no known preferential creditors.

## **Unsecured creditors**

A prescribed part distribution of £600,000 was paid to the Unsecured Creditors of PHML on 10 February 2022, providing a return to creditors of 0.0978p in the £. We do not currently expect to pay a further dividend to the Unsecured Creditors of PHML.

As previously reported, following the settlement of the litigation detailed in a later section of this report, a prescribed part dividend of less than 1p in the £ will be payable to the Unsecured Creditors of Plc.

Following on from approval from the Secured and Preferential (PHML) creditors of the shared costs in respect of the litigation, we are now in a position to issue our notice of intention to declare a distribution to unsecured creditors. This will be issued within the next few weeks. Once our notice of intention to declare a distribution has been issued, we will expect to pay the distribution to unsecured creditors within 2-3 months.

## **What you need to do**

If you are a creditor of PHML, then this report is for your information and you don't need to do anything.

If you are a creditor of Plc and If you haven't already done so, please send your claim to us so that we can adjudicate it.

A claim form can be downloaded from our website at [www.pwc.co.uk/palmerandharvey](http://www.pwc.co.uk/palmerandharvey) or you can get one by telephoning Adam Thompson on 0113 289 4000.

# Overview of what we've done to date

As explained in our earlier reports, our initial strategy was principally to mitigate the losses to the various classes of creditors, by:

- Securing and safeguarding large volumes of stock and facilitating its return to suppliers based on a commercial assessment of retention of title claims;
- Securing the various sites and instructing agents to begin valuing and marketing the freehold properties;
- Supporting redundant employees with processing claims against the RPS and engaging with JobCentre Plus and alternative employers looking to hire former employees;
- Locating, securing and arranging for the return of leased vehicles and other third-party assets to their owners;
- Collecting debts owed by customers;
- Quickly assessing the likelihood of any premium value in the leasehold estate and returning leasehold properties to their landlords as soon as possible where no premium value was expected; and
- Selling any assets that were identified to be owned by the Companies, the proceeds of which would firstly be used to discharge the expenses of the administrations, with any amounts remaining being available to the creditors of the Companies in accordance with the statutory order of priority.

Please note that our previous reports which cover the realisations and progress to 27 November 2023 provide more detail and are available to view and download on our case website: [www.pwc.co.uk/palmerandharvey](http://www.pwc.co.uk/palmerandharvey)

We remain in office to deal with any final asset realisations and to make final distributions to the Secured Creditors of the Companies and the Unsecured Creditors of Plc.

When we last reported, the key outstanding matters in the administrations were as follows:

- Pursue the remaining debtor balances owed in PHML;
- Obtain approval for our remuneration for work in connection with the litigation settlement and allocation of shared costs in the insolvent estates;
- Realise potential value from the remaining contingent asset (possible truck cartel claims) within the PHML administration; and
- Make further distributions to the Secured Creditors of both of the companies and the Unsecured creditors of Plc via the prescribed part.

We provide an update of the progress made in the period in the next section of this report.

# Progress since we last reported

## Realisation of assets

### Debtors (PHML)

Debtor realisations achieved during the period total £28,296. The remaining debtor balances are being collected by our legal advisors, as we are now approaching the conclusion of the administration and will be looking to conclude remaining matters over the coming months, we'll take a view on the remaining debtor balances and look to deal with any remaining interest here in the most efficient way for the administration estate.

### Litigation settlement agreement (PHML & Plc)

As stated in our last report the litigation in respect of potential claims was settled. During the period of this report, a 5% allocation of the proceeds of settlement has been paid from PHML to Plc and a 5% allocation of proceeds of the settlement has been paid by PHML to 2008, in line with the approval given by the Secured and Preferential creditors.

The Secured and Preferential creditors have also approved the allocation of shared legal costs in relation to the settlement these are as set out below:

Legal costs	PHML (90%)	Plc (5%)	2008 (5%)	Total
(£)	352,168.06	19,564.89	19,564.89	391,297.84

An exercise will be completed in the coming days to allocate the legal costs paid in each company in line with the above allocation and as such is not yet shown on the attached receipts and payments account.

Note that Plc was provided with funding by the Tobacco Companies of £278,681 and following the settlement of the above shared costs, these funds are repayable to the TCs under the funding agreement prior to any return to creditors or the office holders fees.

### Cartel Claim (PHML)

As previously reported, prior to our appointment PHML was involved in a group action in relation to a truck cartel claim. Our previous reports outline the circumstances leading to the CAT's decision that the RHA's application for an opt-in collective proceedings order was preferable to that of UKTC's, so consequently UKTC's application was unsuccessful.

However, the CAT had granted permission for UKTC to appeal its judgement and the appeal was heard at the start of May 2023, with the Court of Appeal's decision published on 25 July 2023 confirming that UKTC's appeal was unsuccessful.

The Court of Appeal also identified some issues with the RHA's application regarding representation of new and used trucks, so it has decided to send the matter back to the CAT to attempt to sort out the problems identified in the RHA's application.

UKTC additionally sought permission from the Supreme Court to appeal against certain aspects of the Court of Appeal's judgement, but we have now heard that that permission has been refused, as the appeal process has now been exhausted, it is unlikely that UKTC's application will proceed and the UKTC application has been put on hold.

The CAT will reconsider the RHA's application in June of this year, if the CAT has been able to resolve the RHA's problems then the Administrators will therefore explore whether our claim may fall within the RHA's class and look out for any directions which the CAT may make as to how to join the RHA's claim. The Administrators will continue to monitor the outcome of the hearing in June and look out for any directions about how to join the RHA's claim.

### Bank Interest (PHML)

During the period, bank interest of £63,162.32 has been received into the PHML administration bank account.



## Connected party transactions

There have been no connected party transactions in the period covered by this report.

## Statutory & compliance

During the period, we submitted the quarterly VAT returns for the Companies and in respect of PHML we prepared the corporation tax return for the relevant period. Tax clearance was previously obtained for Plc. HMRC no longer provides clearance but our tax team will look to finalise the tax position of PHML ahead of closure. The Administrators' also prepared their remuneration report in respect of the Excluded work in the period, this was issued on 2 May 2024.

## Investigations and actions

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

## Our receipts and payments account

We set out at Appendix A an account of our receipts and payments in the administration from 28 November 2023 to 27 May 2024.

## Our expenses

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

The statement for PHML excludes any potential tax liabilities that we may need to pay as an administration expense in due course because amounts due will depend on the position at the end of the tax accounting period.

## Our fees

We set out at Appendix C an update on our remuneration which covers our fees, disbursements and other related matters in this case.

## Creditors' rights

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

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

You can also get a copy free of charge by telephoning Adam Thompson on 0113 289 4000.

## What we still need to do

Before we can finalise our work in the administrations of the Companies, we still need to deal with the following outstanding tasks:

- Pursue the remaining debtor balances owed in PHML;
- Realise potential value from the remaining contingent asset (possible cartel claims) within the PHML administration; and
- Make further distributions to the Secured Creditors of the Companies and the Unsecured creditors of Plc via the prescribed part.

## Future dividends for creditors (Plc)

We have provided an estimate of the amount and likely timing of the payment of dividends to unsecured creditors in the Key Messages section at the beginning of this report. Any creditor who has not yet submitted an unsecured claim is encouraged to do so as our notice for the first and final prescribed part dividend will be sent shortly.

## Next steps

We expect to send our next report to creditors at the end of the administrations or in about six months, whichever is the sooner.

If you've got any questions, please get in touch with Adam Thompson at [uk\\_palmerharvey\\_creditors@pwc.com](mailto:uk_palmerharvey_creditors@pwc.com).

Yours faithfully  
For and on behalf of the Companies

A handwritten signature in black ink, appearing to read 'Zelf Hussain', with a stylized flourish at the end.

Zelf Hussain  
Joint Administrator

# Appendix A: Receipts and payments

## PHML

### Statement of affairs

	28 November 2017 to 27 November 2023	28 November 2023 to 27 May 2024	28 November 2017 to 27 May 2024
<b>Fixed charge realisations</b>			
1,945,000 Freehold property	3,400,000.00	-	3,400,000.00
Bank interest	618.30	-	618.30
	<b>3,400,618.30</b>	-	<b>3,400,618.30</b>
<b>Fixed charge cost of realisations</b>			
	-	-	-
	-	-	-
<b>Fixed charge balance</b>			
	<b>3,400,618.30</b>	-	<b>3,400,618.30</b>
<b>Floating charge realisations</b>			
1,989,000 Fixtures & Fittings, Office Equipment & Computers	245,831.99	-	245,831.99
237,099,000 Debtors	213,458,339.82	28,296.38	213,486,636.20
Plant & Machinery	257,884.00	-	257,884.00
190,000 Motor Vehicles	1,157,275.68	-	1,157,275.68
Pre-appointment cash balance	870,442.74	-	870,442.74
Stock	857,921.72	-	857,921.72
Settlement	5,500,000.00	(550,000.00)	4,950,000.00
Intellectual property	131,013.80	-	131,013.80
593,000 Refunds	830,720.84	-	830,720.84
359,000 Prepayments	-	-	-
Bank Interest	212,184.72	63,162.32	275,347.04
Suspense Account	29,069.63	-	29,069.63
	<b>223,550,684.94</b>	<b>(458,541.30)</b>	<b>223,092,143.64</b>
<b>Floating charge cost of realisations</b>			
Sub Contractors	(137,014.40)	-	(137,014.40)
Motor & travel expenses	(1,856.26)	-	(1,856.26)
Professional Fees	(60,544.12)	-	(60,544.12)
Leased equipment / hire purchase	(192,712.74)	-	(192,712.74)
Site clearance	(191,106.10)	-	(191,106.10)
Repairs & Maintenance	(108,010.21)	-	(108,010.21)
Agents' fees & disbursements	(512,795.50)	-	(512,795.50)
Duress Payments	(291,271.93)	-	(291,271.93)
Security	(260,265.32)	-	(260,265.32)
Software licences, trademarks & IT	(598,884.82)	-	(598,884.82)

Office costs, Stationery & Postage	(14,847.82)	-	(14,847.82)
Legal Fees & disbursements	(2,666,194.56)	(2,789.80)	(2,668,984.36)
Employee deductions from earnings	(1,701.97)	-	(1,701.97)
Irrecoverable VAT	(13.00)	-	(13.00)
Storage Costs	(35,204.14)	-	(35,204.14)
Statutory advertising	(531.00)	-	(531.00)
Corporation tax	(14,061.37)	-	(14,061.37)
Office holders' fees	(5,900,000.00)	-	(5,900,000.00)
Rent	(615,481.60)	-	(615,481.60)
Utilities & Rates	(497,721.01)	-	(497,721.01)
Insurance	(295,697.02)	-	(295,697.02)
Wages & Salaries	(2,241,473.29)	-	(2,241,473.29)
PAYE/NIC and Pension Deductions	(1,156,122.56)	-	(1,156,122.56)
Employee expenses & related costs	(167,282.24)	-	(167,282.24)
Bank charges	(750.00)	-	(750.00)
ISA unclaimed dividend fee	(25.75)	-	(25.75)
Head office expenses	(3,822.50)	-	(3,822.50)
Intercompany transactions	-	-	-
	<b>(15,965,391.23)</b>	<b>(2,789.80)</b>	<b>(15,968,181.03)</b>
<b>Distributions</b>			
Secured Creditors - TCs*	(27,403,680.62)	-	(27,403,680.62)
Secured Creditors - ABLs	(178,300,793.68)	-	(178,300,793.68)
Preferential creditors (100p in the £ - paid 21 July 2020)	(1,447,517.55)	-	(1,447,517.55)
Prescribed part - unsecured creditors (0.0987p in £ - paid 10 February 2022)	(573,216.89)	-	(573,216.89)
Payment to Insolvency Service - unclaimed dividends	(26,783.11)	-	(26,783.11)
	<b>(207,751,991.85)</b>	<b>-</b>	<b>(207,751,991.85)</b>
<b>Floating charge balance</b>	<b>(166,698.14)</b>	<b>(461,331.10)</b>	<b>(628,029.24)</b>
VAT control account	28,882.35	20,093.35	48,975.70
<b>Funds held in interest bearing Barclays account</b>	<b>3,262,802.51</b>	<b>(441,237.75)</b>	<b>2,821,564.76</b>

\*Please note that as advised in the previous report, distributions made to the Tobacco Companies include fixed charge distributions of £3,400,618.30.

**Statement  
of affairs Plc**

**28 November 2017  
to 27 November 2023**      **28 November 2023  
to 27 May 2024**      **28 November 2017  
to 27 May 2024**

**Fixed Charge realisations**

-      -      -

**Fixed Charge cost of realisations**

-      -      -

**Fixed balance**

-      -      -

**Floating Charge realisations**

Refunds	86,535.03	-	86,535.03
Sundry realisations	5,633.03	-	5,633.03
Funding from Chargeholders	278,680.62	-	278,680.62
Settlement	-	275,000.00	275,000.00
Bank Interest	1,469.07	-	1,469.07
	<b>372,317.75</b>	<b>275,000.00</b>	<b>647,317.75</b>

**Floating Charge cost of realisations**

Insurance	(14,000.00)	-	(14,000.00)
Legal fees	(289,842.48)	(101,455.36)	(391,297.84)
	<b>(303,842.48)</b>	<b>(101,455.36)</b>	<b>(405,297.84)</b>

**Floating charge balance excluding ABL funding**

**68,475.27**      **173,544.64**      **242,019.91**

VAT control account	(13,227.63)	(20,291.07)	(33,518.70)
Funding from ABLs	89,797.55	-	89,797.55
<b>Funds held in non interest bearing Barclays account</b>	<b>145,045.19</b>	<b>(20,291.07)</b>	<b>298,298.76</b>

**Notes to the R&Ps**

1. Amounts shown exclude VAT. Funds currently held may include monies due to HMRC or other members of a VAT group, or exclude monies which will be received in due course from these parties.
2. As explained further in Appendix C, our fees are based on a fixed fee basis. The receipts and payment account for PHML shows the amount paid to date, to date no fees have been drawn for Plc.
3. There have been no payments made to us, our firm or our associates other than from the insolvent estate as shown in the receipts and payments account provided above.
4. On 21 July 2020, we paid a dividend to the Preferential Creditors at the rate of 100 pence in the £ from PHML.
5. On 10 February 2022, we paid a maximum prescribed dividend to the Unsecured Creditors at the rate of 0.0987 pence in the £ from PHML.
6. Funds are held in an interest bearing account for PHML and, following tax clearance, a non interest bearing account for Plc. Interest received previously in Plc is shown above.

# Appendix B: Expenses

Expenses are amounts properly payable by us as administrators from the estate, but excludes our fees and distributions to creditors.

These include disbursements which are expenses met by and reimbursed to an office holder in connection with an insolvency appointment.

Expenses fall into two categories:

Expense	SIP 9 definition
Category 1	Payments to persons providing the service to which the expense relates who are not an associate of the office holder.
Category 2	Payments to our firm or our associates or which have an element of shared costs (for example, photocopying and mileage disbursements, or costs shared between different insolvent estates).

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

The rate for services provided by the Administrators' own firm (Category 2 expenses) may periodically rise (for example to cover annual inflationary cost increases) over the period of the administration. All other disbursements to be charged at cost.

The following table provides a breakdown of the Category 2 expenses incurred in the period, together with details of the Category 1 expenses that have been incurred as disbursements by PwC and will be recharged to the case.

## PHML

Category	Provided by	Basis of cost	Costs incurred (£)
2	PwC	Photocopying - up to 10 pence per side copied, only charged for circulars to creditors and other bulk copying.	-
2	PwC	For petrol/diesel/hybrid: At a maximum of 64 pence per mile (up to 2,000cc) or 80 pence per mile (over 2,000cc) <b>For fully electric</b> at a maximum of 72 pence per mile <b>For a bicycle</b> at a maximum of 12 pence per mile	-
1	PwC	<b>Storage</b>	10,686.02
<b>Total</b>			<b>10,686.02</b>

There have been no disbursements incurred in the administration of Plc in the period covered by this report.

The expense policy set out above has been approved by the Secured and Preferential creditors of PHML and Secured creditors of Plc.

The table below provides details of all the expenses incurred in the administration:

	Brought forward from 27 November 2023	Incurred in the period under review	Cumulative	Estimated future	Anticipated total	Initial estimate	Variance
	(£)	(£)	(£)	(£)	(£)	(£)	(£)
Bank charges	775.75	-	775.75	90.00	865.75	600.00	265.75
Office holders fees	5,900,000.00	-	5,900,000.00	264,406.00	6,164,406.00	5,989,406.00	175,000.00
Office holders expenses	130,964.05	10,686.02	141,650.07	12,000.00	153,650.07	49,515.48	104,134.59
Legals	2,716,194.51	352,168.06	3,068,362.57	10,000.00	3,078,362.57	2,230,370.00	847,992.57
Agents - asset realisations	512,795.50	-	512,795.50	-	512,795.50	421,930.38	90,865.12
Rent	615,481.60	-	615,481.60	-	615,481.60	582,637.69	32,843.91
Gross salaries	3,397,544.38	-	3,397,544.38	-	3,397,544.38	3,452,987.03	(55,442.65)
Employee expenses	167,282.24	-	167,282.24	-	167,282.24	53,154.33	114,127.91
Subcontractors	137,014.40	-	137,014.40	-	137,014.40	148,253.80	(11,239.40)
Petty cash	3,822.50	-	3,822.50	-	3,822.50	1,250.00	2,572.50
Motor and travel expenses	1,856.26	-	1,856.26	-	1,856.26	3,028.58	(1,172.32)
Lease/Hire payments	192,712.74	-	192,712.74	-	192,712.74	160,619.58	32,093.16
IT costs	598,737.82	-	598,737.82	-	598,737.82	221,829.76	376,908.06
Utilities and rates	495,005.99	-	495,005.99	-	495,005.99	735,447.58	(240,441.59)
Insurance	299,197.02	3,561.60	302,758.62	3,561.60	306,320.22	305,551.19	769.03
Repairs and maintenance	108,010.21	-	108,010.21	-	108,010.21	129,046.82	(21,036.61)
Site clearance	191,106.10	-	191,106.10	-	191,106.10	212,759.69	(21,653.59)
Duress payments	291,271.93	-	291,271.93	-	291,271.93	222,048.00	69,223.93
Postage and stationary	14,847.82	-	14,847.82	-	14,847.82	14,076.28	771.54
Advertising	531.00	-	531.00	-	531.00	444.00	87.00
Storage costs	35,204.14	-	35,204.14	-	35,204.14	27,353.14	7,851.00
Security	260,265.32	-	260,265.32	-	260,265.32	319,415.58	(59,150.26)
Professional fees	60,544.12	-	60,544.12	-	60,544.12	49,431.18	11,112.94
TV licence	147.00	-	147.00	-	147.00	147.00	-
Pre administration costs	93,018.75	-	93,018.75	-	93,018.75	93,018.75	-
Corporation tax	13,291.16	-	13,291.16	-	13,291.16	-	13,291.16
<b>Total (excl VAT)</b>	<b>16,237,622.31</b>	<b>366,415.68</b>	<b>16,604,037.99</b>	<b>290,057.60</b>	<b>16,894,095.59</b>	<b>15,424,321.84</b>	<b>1,469,773.75</b>

Plc	Brought forward from 27 November 2023	Incurred in the period under review	Cumulative	Estimated future	Anticipated total	Initial estimate	Variance
	(£)	(£)	(£)	(£)	(£)	(£)	(£)
Bank charges	-	-	-	40.75	40.75	203.00	(162.25)
Office holders fees	-	-	-	38,429.00	38,429.00	28,679.00	9,750.00
Office holders expenses	820.65	-	820.65	200.00	1,020.65	744.38	276.27
Legals	348,484.93	42,812.91	391,297.84	5,000.00	396,297.84	23,000.00	373,297.84
Insurance	14,000.00	-	14,000.00	-	14,000.00	14,000.00	-
Pre administration costs	4,464.90	-	4,464.90	-	4,464.90	4,464.90	-
<b>Total (excl VAT)</b>	<b>367,770.48</b>	<b>42,812.91</b>	<b>410,583.39</b>	<b>43,669.75</b>	<b>454,253.14</b>	<b>71,091.28</b>	<b>383,161.86</b>

The tables also exclude any potential tax liabilities that we may need to pay as an administration expense because amounts becoming due will depend on the position at the end of the tax accounting period.

Please note that we have exceeded our original expenses estimates in respect of the Companies, this is in part down to the extended duration of the administrations which has enabled us to realise additional assets in the administration. We had also not factored in the costs of the Excluded work within our original estimates, which is included in the above tables. As such an additional £175,000 has been approved for PHML and £9,750 has been approved for Plc.

Please also note that the legal costs in Plc will be reduced in accordance with the shared costs approved by creditors detailed earlier in this report. PHML will make a contribution to the legal costs of Plc of £352,168.06 and 2008 will make a contribution to the legal costs of Plc of £19,564.89.

Finally, please note that as documented in our June 2023 report, Plc was provided with £278,680.62 from the Tobacco Companies in their capacity as secured creditors, this is repayable from the proceeds of the settlement funds and will be repaid under the terms of the funding agreement.

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



# Appendix C: Remuneration update

Our fees in respect of the Companies were previously approved on a fixed fee basis as set out in our remuneration reports dated 15 June 2018, for each company (which can be located on the website [www.pwc.co.uk/palmerandharvey](http://www.pwc.co.uk/palmerandharvey)) by the Secured and (where applicable) the Preferential Creditors.

The approved fixed fees and amount drawn in line with the approval given in June 2018 is as follows:

<b>Company name</b>	<b>Fees approved (£)</b>	<b>Fees Drawn (£)</b>
Palmer & Harvey McLane Limited	5,989,406	5,900,000
Palmer & Harvey (Holdings) Plc	28,679	-

## Excluded work

As stated above we previously issued a remuneration report in respect of each company on 15 June 2018. In those reports, we set out the notes and assumptions around the proposed fees and at section 2.5 we set out the work which was not included in the original fees estimate 'the Excluded work'.

The Excluded work centred around any potential future investigatory work and any related work in connection with these investigations.

As confirmed in our progress report issued in December 2023, the Administrators resolved the potential claims they were investigating against certain former professional advisors in respect of the Companies without admission of liability.

The settlement agreement and its terms are confidential. As a result of the settlement, £5.5m was received as detailed in the receipts and payments account, of which 95% was due to the Companies (90% to PHML and 5% to Plc), with the remaining 5% due to another connected party (2008).

Our allocation of settlement proceeds is based on the pre appointment cash position, trading and revenue positions.

During the period covered by this report, the Secured creditors of Plc and the Secured and Preferential creditors of PHML approved our proposed fees in connection with this work as follows:

<b>Company</b>	<b>Fixed fee (£)</b>
PHML	175,000.00
Plc	9,750.00

We set out later in this Appendix details of our work to date, anticipated future work, subcontracted work and payments to associates.

## Payments to associates

No payments have been made to associates or any party who could reasonably be perceived as an associate during the period of this report. Relevant parties have been chosen due to their specific area of expertise or technical knowledge and payments to those parties based on standard commercial terms.

## Our work in the period

Whilst this is not an exhaustive list, in the following table we provide more detail on the key areas of work undertaken in the period covered by this report.

Area of work Both Companies unless stated otherwise	Work undertaken	Why the work was necessary	What, if any, financial benefit the work provided to creditors OR whether it was required by statute
Strategy & planning	<ul style="list-style-type: none"> <li>Six monthly manager and appointee case progression reviews</li> <li>Internal meetings and updates</li> </ul>	To ensure case progression and monitoring costs	Ensures orderly progression of case and cost management
Creditors	<ul style="list-style-type: none"> <li>Liaising with creditors to provide updates</li> <li>Responding to queries</li> <li>Reviewing claims received to date into Plc</li> </ul>	To keep the creditors informed	Work done in anticipation of returning funds to creditors
Assets	<ul style="list-style-type: none"> <li>Collecting remaining book debts (PHML)</li> <li>Receiving dividends from the Insolvency Service (PHML)</li> <li>Identifying and implementing the optimal legal strategy to enhance realisations for creditors</li> <li>Monitoring truck cartel claim and requesting updates from lawyers (PHML)</li> </ul>	To ensure returns to the creditors are maximised	Realises funds for the benefit of creditors
Asset investigations in connection with Excluded work	<ul style="list-style-type: none"> <li>Working closely with legal advisors, counsel, experts and factual witnesses to progress the Companies' claim against third parties</li> <li>Identifying and implementing the optimal legal strategy to enhance realisations for creditors</li> <li>Monitoring litigation claims and potential windfalls</li> <li>Recovering refunds into the administration</li> <li>Preparing updates to the TCs in connection with investigations progress</li> <li>Responding to the TC's queries</li> <li>Providing updated outcome estimates to the TCs</li> <li>Discussing litigation outcomes and next steps with the TCs</li> </ul>	To ensure returns to the creditors are maximised	Realises funds for the benefit of creditors
Accounting & treasury	<ul style="list-style-type: none"> <li>Accounting for payments and receipts from the administrations' accounts</li> <li>Bank reconciliations</li> </ul>	To manage the bank accounts	Ensures proper management of the funds held

Statutory & compliance	<ul style="list-style-type: none"> <li>Filing documents</li> <li>Preparing and circulating the thirteenth progress report to creditors</li> <li>Preparing and circulating the Administrators' remuneration report and decision notice in respect of the Excluded work</li> <li>Liaising with the approving creditors to obtain approval of fees and shared costs in connection with the Excluded work</li> </ul>	To comply with statutory obligations	Required by statute / regulation
Employees & pensions	<ul style="list-style-type: none"> <li>Responding to queries from employees (PHML)</li> <li>Reviewing pensions queries in connection with former employees (PHML)</li> </ul>	To keep employees informed	Required by statute
Tax & VAT	<ul style="list-style-type: none"> <li>Preparing the tax returns (PHML)</li> <li>Preparing and submitting quarterly VAT returns</li> </ul>	To comply with statutory obligations, pay tax and recover VAT which maximises realisations to creditors	Required by statute and ensures tax & VAT compliance

## Our future work

We still need to do the following work to achieve the purpose of each administration.

Area of work Both Companies unless stated	Work we need to do	Whether or not the work will provide a financial benefit to creditors
Strategy & planning	<ul style="list-style-type: none"> <li>Six monthly manager and appointee case progression reviews</li> </ul>	Incidental to proper management of the administrations
Creditors	<ul style="list-style-type: none"> <li>Liaising with creditors</li> <li>Responding to queries from creditors</li> <li>Issuing our notice of intention to distribute funds to Unsecured Creditors of Plc</li> <li>Reviewing claims received into the administration of Plc</li> <li>Distributing prescribed part funds to creditors of Plc</li> <li>Paying over any unclaimed dividends to the Insolvency Service</li> </ul>	Ensuring orderly return of funds to creditors
Assets	<ul style="list-style-type: none"> <li>Collecting remaining book debts (PHML)</li> <li>Recovering any potential funds due into the administrations</li> <li>Monitoring cartel claim (PHML)</li> </ul>	Realises funds for the benefit of creditors
Accounting & treasury	<ul style="list-style-type: none"> <li>Bank reconciliations</li> <li>Accounting for payments and receipts into the bank accounts</li> <li>Payment of final distributions to the TCs</li> <li>Closure of bank accounts</li> </ul>	Ensures proper management of the funds held
Statutory & compliance	<ul style="list-style-type: none"> <li>Preparing and submitting six monthly progress reports to creditors</li> <li>Complying with statutory filing requirements</li> </ul>	Required by statute

	<ul style="list-style-type: none"> <li>• Requesting a further extension of the administrations of PHML and Plc if required</li> <li>• Preparing and circulating final reports</li> </ul>	
Employees & pensions	<ul style="list-style-type: none"> <li>• Responding to queries from former employees (PHML)</li> </ul>	Required by statute
Tax & VAT	<ul style="list-style-type: none"> <li>• Submitting VAT reclaims</li> <li>• Completing VAT deregistration</li> <li>• Completing tax returns in respect of PHML</li> </ul>	Required by statute and ensures the maximum recovery of input VAT, for the benefit of creditors
Closure	<ul style="list-style-type: none"> <li>• Obtaining clearances for closure</li> <li>• Closure procedures</li> </ul>	Required by statute, ensures all administration matters have been dealt with

## Our relationships

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

## Details of subcontracted work

We have not subcontracted any work in the period covered by this report.

## Legal and other professional firms

We've instructed the following professionals on these cases:

<b>Service provided For PHML unless stated</b>	<b>Name of firm / organisation</b>	<b>Reason selected</b>	<b>Basis of fees</b>
<b>Legal services including:</b> <ul style="list-style-type: none"><li>Contract renewal and debtor dispute assistance</li><li>Advice on retention of title claims</li><li>Investigation matters (also instructed by Plc)</li></ul>	<ul style="list-style-type: none"><li>Dentons UK and Middle East LLP</li><li>DLA Piper UK LLP</li><li>Ashurst LLP</li><li>Hogan Lovells LLP (also instructed by Plc)</li><li>Quinn Emmanuel Urqhart &amp; Sullivan UK LLP (also instructed by Plc)</li></ul>	Industry knowledge and expertise; and Previous company knowledge	Time costs and disbursements
<b>Chattel agents and valuers</b>	<ul style="list-style-type: none"><li>Hilco Valuation Services</li><li>The Fleet Auction Group</li></ul>	Industry knowledge	% of realisations
<b>Property agents, services including:</b> <ul style="list-style-type: none"><li>Security</li><li>Waste collection / skip hire</li></ul>	<ul style="list-style-type: none"><li>Moorcroft Vacant Property Management</li><li>ACM Environmental Plc</li><li>Triton Securities and Facilities Management Limited</li></ul>	Appropriateness of services and cost	Time costs and disbursements; and % realisations
<b>Agents, services including:</b> <ul style="list-style-type: none"><li>Debt collection</li><li>Rates refunds</li></ul>	<ul style="list-style-type: none"><li>Hilton-Baird Collection Services Limited</li><li>CAPA UK</li></ul>	Expertise and cost	% realisations
<b>Subcontractors and others</b> <ul style="list-style-type: none"><li>Assisting with the collection of debtors</li></ul>	<ul style="list-style-type: none"><li>PG &amp; JE Limited</li><li>JRC Consultancy Services</li></ul>	Expertise and cost	Time costs and disbursements

We require all third party professionals to submit time costs analyses and narrative or a schedule of realisations achieved, dependent on their fee basis, in support of invoices rendered. All invoices are reviewed before being approved for payment. We are satisfied that the level of legal and professional costs is appropriate.

# Appendix D: Other information

<b>Court details for the administrations:</b>	In the High Court of Justice, Business and Property Courts of England and Wales, Insolvency and Companies List (ChD)
<b>Trading name:</b>	Palmer & Harvey, P&H
<b>Registered address:</b>	Current: Central Square, 8 <sup>th</sup> Floor, 29 Wellington Street, Leeds, LS1 4DL Former: P&H House, Davigdor Road, Hove, East Sussex, BN3 1RE
<b>Date of the Administrators' appointment:</b>	28 November 2017
<b>Administrators' names, addresses and contact details:</b>	Zelf Hussain and Mark James Tobias Banfield, 7 More London Riverside, London, SE1 2RT Contact: Adam Thompson - Tel 0113 289 4983 email <a href="mailto:uk_palmerharvey_creditors@pwc.com">uk_palmerharvey_creditors@pwc.com</a>
<b>Extensions to the administrations:</b>	The administrations of Plc and PHML have been extended by 12 months to 27 November 2025 Previous extension requests in respect of Plc and PHML: Extended by 12 months to 27 November 2024 Extended by 12 months to 27 November 2023 Extended by 24 months to 27 November 2021 Extended by 12 months to 27 November 2020 Extended by 12 months to 27 November 2019
<b>Appointor's/applicant's name and address:</b>	The directors of the Companies P&H House, Davigdor Road, Hove, East Sussex, BN3 1RE
<b>Objective being pursued by the Administrators:</b>	Objective (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 failing that, objective (c) realising the company's assets to pay a dividend to secured or preferential creditors
<b>Division of the joint Administrators' responsibilities:</b>	The joint Administrators may exercise any of the powers conferred on them by IA 1986 jointly or individually
<b>Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on Insolvency Proceedings (recast) :</b>	The Regulation applies to these administrations and the proceedings are main proceedings

## Company specific information

	PHML	Plc
<b>Court references:</b>	CR-2017-008976	CR-2017-008977
<b>Registered number:</b>	01874153	06470058