

In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

LIQ03

Notice of progress report in voluntary winding up



Companies House

THURSDAY



A29 *A719ZVUY* #162
08/03/2018
COMPANIES HOUSE

1 Company details

Company number	6	4	9	1	8	4	8
Company name in full	A F W Consultants Limited ✓						

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

2 Liquidator's name

Full forename(s)	Kevin J
Surname	Hellard

3 Liquidator's address

Building name/number	30 Finsbury Square
Street	
Post town	London
County/Region	
Postcode	E C 2 P 2 Y U
Country	

4 Liquidator's name ①

Full forename(s)	
Surname	

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

5 Liquidator's address ②

Building name/number	
Street	
Post town	
County/Region	
Postcode	
Country	

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

LIQ03

Notice of progress report in voluntary winding up

6		Period of progress report							
From date	^d 1	^d 0	^m 0	^m 1	^y 2	^y 0	^y 1	^y 7	
To date	^d 0	^d 9	^m 0	^m 1	^y 2	^y 0	^y 1	^y 8	

7		Progress report							
		<input type="checkbox"/> The progress report is attached							

8		Sign and date							
Liquidator's signature	Signature							X	
Signature date	^d 0	^d 5	^m 0	^m 3	^y 2	^y 0	^y 1	^y 8	

LIQ03

Notice of progress report in voluntary winding up

Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Emily T Pooley**

Company name **Grant Thornton UK LLP**

Address **30 Finsbury Square**

Post town **London**

County/Region

Postcode **E C 2 P 2 Y U**

Country

DX

Telephone **Tel/Fax**

Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

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

Important information

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

Where to send

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

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

Further information

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

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

Our ref KJH/RDP/JMS/LKG/A00958//7

To the creditors and members

Grant Thornton UK LLP
No 1 Whitehall Riverside
Leeds
LS1 4BN
T +44 (0)113 245 5514
F +44 (0)113 246 5055

6 March 2018

Dear Sirs

A F W Consultants Limited - In Liquidation

A progress report in respect of this case is now available for you to view or download at:

grantthornton.co.uk/portal

The credentials required to access this case are as follows:


LOGIN: A00958

PASSWORD: 43962501

You may request a paper copy of this report by contacting Emily T Pooley at the address above or by telephone on +44 (113) 2001582, or by email - Emily.T.Pooley@uk.gt.com.

Yours faithfully

for and on behalf of A F W Consultants Limited



Kevin J Hellard
Liquidator

Our Ref KJH/RDP/JMS/LKG/A00958/7

To the creditors and members

Recovery and Reorganisation

Grant Thornton UK LLP
No 1 Whitehall Riverside
Leeds LS1 4BN

T +44 (0)113 245 5514
F +44 (0)113 246 5055
www.grant-thornton.co.uk

6 March 2018

Dear Sirs

A F W Consultants Limited - In Liquidation

1 Introduction

- 1.1 Following my appointment as liquidator of the above company with on 8 October 2014, in accordance with section 104A of the Insolvency Act 1986 I now report on the progress of the liquidation for the year ended 9 January 2018 and attach:
- Appendix A, an account of our receipts and payments for the year ended 9 January 2018, and a cumulative account to that date
 - Appendix B, a statement of the remuneration charged by the liquidator in the period 10 January 2017 to 9 January 2018 and a statement of expenses incurred in the period
 - Appendix C, an analysis of time costs as required by Statement of Insolvency Practice 9 (SIP 9) for the period 10 January 2017 to 9 January 2018 and for the cumulative period to 9 January 2018
 - Appendix D, an extract from the Insolvency (England and Wales) Rules 2016 relating to creditors' rights to request additional information from the liquidator (rule 18.9)
 - Appendix E, an extract from the Insolvency (England and Wales) Rules 2016 relating to creditors' rights to challenge the liquidator's remuneration or expenses if excessive (rule 18.34).
- 1.2 I am authorised by the Insolvency Practitioners Association to act as an insolvency practitioner. I am bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

2 Statutory information

- 2.1 The company's statutory details are as follows:

Registered number	06491848
Registered office	30 Finsbury Square London EC2P 2YU

Chartered Accountants

Grant Thornton UK LLP is a limited liability partnership registered in England and Wales. No OC307742. Registered office: Grant Thornton UK LLP, 30 Finsbury Square, London EC2P 2YU. A list of members is available from our registered office. Grant Thornton UK LLP is authorised and regulated by the Financial Conduct Authority. Grant Thornton UK LLP is a member firm of Grant Thornton International Ltd (GTIL). GTIL and the member firms are not a worldwide partnership. Services are delivered by the member firms. GTIL and its member firms are not agents of, and do not obligate, one another and are not liable for one another's acts or omissions. A list of personnel permitted by Grant Thornton to accept appointments as insolvency practitioners and of their respective authorising bodies may be inspected at the above address. Please see www.grant-thornton.co.uk for further details.

3 Progress report

- 3.1 In my previous report, I advised that claims had been issued against the directors, Mr Armstrong and Mrs Armstrong, in respect of their outstanding directors' loan accounts, totalling approximately £59,000 and £45,000 respectively, and also seeking recovery of illegal dividends totalling £15,000. An order was also sought requiring an explanation of a number of other payments made from the Company totalling approximately £85,000.
- 3.2 The court gave judgment in early March 2017 for £119,649.69 plus interest, in respect of the director's loan accounts and illegal dividends. The court also directed that evidence relating to the other payments should be filed by the directors by 3 April 2017. However, no further information was filed and accordingly judgment was also given for those amounts in May 2017.
- 3.3 I have subsequently sought repayment of the amounts due from the directors, for which they are jointly and severally liable, but have not received any sums, nor any proposals to settle the judgment debts. I therefore proceeded to obtain a charging order over the directors' house and a final charging order was granted on 18 January 2018.
- 3.4 I am considering my next steps in conjunction with my solicitors and will update creditors with any progress in due course.

4 Creditors

- 4.1 There are no preferential creditors in this matter.
- 4.2 The Director's Statement of Affairs listed five creditors with debts totalling £79,581. To date I received unsecured claims totalling £179,312.17 from three creditors.

Dividend Prospects

- 4.3 Dividend prospects are contingent upon realisations from the claims detailed in section 3.

5 Liquidator's remuneration and expenses

- 5.1 On 10 January 2014 the creditors resolved that the liquidator draw remuneration by reference to time costs. In accordance with SIP 9, I attach at Appendix C a summary of the time costs incurred in the year to 9 January 2018 totalling £10,799.45 represented by 54.38 hours at an average hourly rate of £198.59 per hour. You will note that the total time costs are £32,870.40 represented by 145.57 hours at an average hourly rate of £225.80 per hour. Details of former liquidator's time costs have been previously provided and are shown in Appendix B.

5.2 Details of Grant Thornton UK LLP's hourly charge out rates for the current and prior periods are provided below:

	From 1/7/14	From 1/7/17
	£ Per Hour	Per Hour
Partner/Director	470 - 615	485 - 650
Associate Director/Manager	330 - 470	300 - 495
Executives/Administrators	160 - 330	165 - 325
Assistants and support staff	150 - 175	155 - 180

5.3 Time is charged in units of 6 minutes.

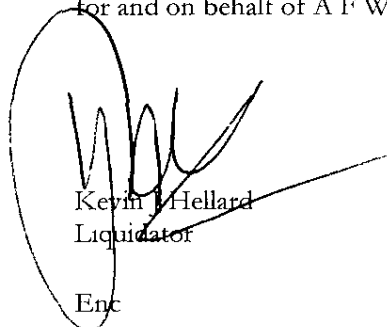
5.4 Background information regarding the fees of liquidators can be found at [https://www.r3.org.uk/media/documents/publications/professional/Guide to Liquidators Fees - April 2017.pdf](https://www.r3.org.uk/media/documents/publications/professional/Guide%20to%20Liquidators%20Fees%20-%20April%202017.pdf). Alternatively, I will supply this information by post on request.

5.5 To date I have incurred expenses totalling £129 in respect of bonding, land registry searches, travel expenses and company and other searches, which have been paid by Grant Thornton UK LLP and recharged to the estate. I can confirm that I have not drawn any amounts in respect of such expenses to date.

5.6 I have instructed Hillyer McKeown LLP (**Hillyer McKeown**) on a conditional fee basis to assist with my investigations and recovery action. Hillyer McKeown's current work in progress stands at £23,991.50 plus VAT, they also have outstanding disbursements of £365.00.

Should you have any queries regarding this report, please contact Emily Pooley on the details provided below.

Yours faithfully
for and on behalf of A F W Consultants Limited



Kevin J. Hellard
Liquidator
Enc

T 0113 200 1582
F 0113 246 5055
E emily.t.pooley@uk.gt.com

A Abstract of the joint liquidators' receipts and payments

	From 10 January 2017 to 9 January 2018 £	Cumulative from 8 October 2014 to 9 January 2018 £
Receipts		
VAT Refund – on previous liquidator	-	166.67
Bank Interest	-	0.03
	<u>0.00</u>	<u>166.70</u>
Payments		
Professional Fees	40.00	40.00
Legal Disbursements	1,455.00	1,455.00
	<u>1,495.00</u>	<u>1,495.00</u>
Balance		<u>(1,328.30)</u>
Made up as follows:		
VAT Recoverable		243.00
GT Loan Account		(1,571.30)
		<u>(1,328.30)</u>

B Remuneration charged and expenses incurred by the joint liquidators in the period

	Charged/incurred in period 10 January 2017 to 9 January 2018 £	Cumulative charged/incurred to 9 January 2018 £	Of which paid to 9 January 2018
Liquidators fees:			
Time costs – Grant Thornton UK LLP	10,799.45	32,870.40	-
Time costs – Michelle Chatterton	-	3,040.00	-
Expenses – Grant Thornton UK LLP:			
Bond	-	10.00	-
Land registry searches	12.00	49.00	-
Company and other searches	70.00	100.00	-
Travel expenses	-	10.00	-
Expenses – Michelle Chatterton:			
Bond	-	30.00	-
Statutory advertising	-	101.52	-
Petitioning creditor costs	-	830.00	-
Other Expenses:			
Legal fees (Hillyer McKeown)*	7,193.50	23,991.50	-
Legal disbursements (Hillyer McKeown)*	1,820.00	1,820.00	1,455.00
	<u>9,095.50</u>	<u>26,942.02</u>	<u>-</u>
	<u>19,894.95</u>	<u>62,852.42</u>	<u>1,455.00</u>

C SIP 9 information

Transaction period 10 January 2017 to 9 January 2018

Standard	Partner			Manager			Executive			Administrator			Total			
	Hrs	£	Avg. Hrly Rate	Hrs	£	Avg. Hrly Rate	Hrs	£	Avg. Hrly Rate	Hrs	£	Avg. Hrly Rate	Hrs	£	Avg. Hrly Rate	
Administration and Planning	0.25	138.75	555.00	4.55	1,536.50	337.69	1.80	389.25	216.25	22.43	3,619.70	161.38	29.03	5,684.20	195.80	
Creditors	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Investigations	-	-	-	2.25	742.50	330.00	-	-	-	-	7.55	884.00	117.09	9.80	1,626.50	165.97
Legal	-	-	-	4.80	1,584.00	330.00	1.45	355.25	245.00	6.90	1,104.00	160.00	13.15	3,043.25	231.43	
Taxation	-	-	-	0.30	145.00	483.33	0.10	24.50	245.00	2.00	276.00	138.00	2.40	445.50	185.63	
Total	0.25	138.75	555.00	11.90	4,008.00	336.81	3.35	769.00	229.55	38.88	5,883.70	151.33	54.38	10,799.45	198.59	

Cumulative period 8 October 2014 to 9 January 2018

Standard	Partner			Manager			Executive			Administrator			Total			
	Hrs	£	Avg. Hrly Rate	Hrs	£	Avg. Hrly Rate	Hrs	£	Avg. Hrly Rate	Hrs	£	Avg. Hrly Rate	Hrs	£	Avg. Hrly Rate	
Administration and Planning	0.78	426.70	547.05	11.62	4,113.60	354.01	8.50	2,168.95	255.17	61.08	10,553.10	172.78	81.98	17,262.35	210.57	
Creditors	-	-	-	-	-	-	-	-	-	-	0.60	106.50	177.50	0.60	106.50	177.50
Investigations	-	-	-	3.95	1,303.50	330.00	6.00	1,722.00	287.00	11.55	1,650.00	142.86	21.50	4,675.50	217.47	
Legal	-	-	-	21.30	7,023.00	329.72	2.35	616.25	262.23	6.90	1,104.00	160.00	30.55	8,743.25	286.19	
Taxation	-	-	-	1.45	610.50	421.03	0.35	96.50	275.71	9.14	1,375.80	150.53	10.94	2,082.80	190.38	
Total	0.78	426.70	547.05	38.32	13,050.60	340.57	17.20	4,603.70	267.66	89.27	14,789.40	165.67	145.57	32,870.40	225.80	

Activity

Examples of work

Administration and planning
Case planning; Administrative set-up; Appointment notification; Maintenance of records; Case review; Statutory matters including bond notification and calculation and preparation; Reports; Reviewing handover papers; Cashiers duties; Statutory Pensions review.

Creditors
Correspondence with creditors; Receiving and Scheduling claims; Liaising with creditors.

Investigations
Director enquiries; Making enquiries of other third parties; Reviewing company records; Reconciling company accounts to Director's loan position; Reviewing numerous transactions to third parties; Reviewing investments and loans to third parties.

Legal
Liaising with and instructing solicitors regarding claims identified; Preparing witness statements to support claims in conjunction with solicitors; Liaising with solicitors regarding charging order.

Taxation
Dealing with the Company's pre and post appointment tax affairs.

D An extract from the Insolvency (England and Wales) Rules 2016 relating to creditors' rights to request additional information from the liquidator

Rule 18.9

- (1) The following may make a written request to the office-holder for further information about remuneration (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 or account 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 or account 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;
 - (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 -
 - (a) the office holder giving reasons for not providing all of the information requested; or
 - (b) the expiry of the 14 days within which an office-holder must respond to the request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

E An extract from the Insolvency (England and Wales) Rules 2016 relating to creditors' rights to challenge the liquidator's remuneration or expenses if excessive

Rule 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 remuneration or the incurring of the expenses in question ("the relevant report").