

The Insolvency Act 1986

Liquidator's Progress Report

S. 192

Pursuant to Sections 92A, 104A and 192 of the Insolvency Act 1986

To the Registrar of Companies

Company Number

05490936

Name of Company

(a) Insert full name of company

(a) Ashflame Cromer Limited

(b) Insert full names and addresses

I, (b) George H W Griffith  
Century House  
31 Gate Lane  
Boldmere  
Sutton Coldfield  
West Midlands  
B73 5TR

the Liquidator of the company, attach a copy of my statement of receipts and payments under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 17 February 2012 to 16 February 2013

Signed 

George H W Griffith

Dated 16 February 2013

MONDAY



A17 \*A22Z1PHS\* 25/02/2013 #51  
COMPANIES HOUSE

Presenters name, address and reference, if any

George H W Griffith Ltd  
Century House, 31 Gate Lane, Boldmere, Sutton Coldfield, West Midlands, B73 5TR  
Ref GHWGMMMMMM

**ASHFLAME CROMER LIMITED - IN LIQUIDATION**

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**LIQUIDATOR'S PROGRESS REPORT**

**FOR THE PERIOD 17 FEBRUARY 2012 TO 16 FEBRUARY 2013**

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**GEORGE H W GRIFFITH  
LIQUIDATOR**

**APPOINTED 17 FEBRUARY 2011**

**GEORGE H W GRIFFITH LTD  
CENTURY HOUSE  
31 GATE LANE  
BOLDMERE  
SUTTON COLDFIELD  
WEST MIDLANDS  
B73 5TR**

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## **1. PURPOSE OF REPORT**

This report has been prepared in accordance with insolvency legislation to provide creditors, members and the registrar of companies with information relating to the progress of the liquidation in the period from 17 February 2011 to 16 February 2013.

This report has been prepared solely to comply with the statutory requirements of Section 104A of the Insolvency Act 1986, as amended ("the Act") and Rule 4.49C of the Insolvency Rules 1986, as amended ("the Rules"). It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the company. Any estimated outcomes for creditors are illustrative and may be subject to significant change. Neither the Liquidator nor George H W Griffith Ltd accepts any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in this report.

## **2. PROGRESS OF THE LIQUIDATION**

### **2.1. Realisation of Assets**

Debtor funds in the sum of £2650.67 have now been collected  
A sum of £3.92 has also been received in respect of the current account balance for Ashflame Cromer at the date of liquidation.  
Net interest of .16 p has also been received by the liquidator.

### **2.2. Connected Party Transactions.**

The Directors have confirmed that there were no transactions to connected parties.

### **2.3. Trading Where Necessary for the Company's Beneficial Winding Up.**

Not applicable to this case.

### **2.4. Investigations**

In accordance with my statutory obligations, I have filed the appropriate documentation with the Insolvency Service Compliance Unit in relation to the conduct of the directors.

### **2.5. Case Specific Matters**

There are no further case specific matters that require attention.

### **2.6. Administration and Planning**

The company is one of several companies, under the control of common directors, which were placed into Liquidation over a period of months. It was necessary, initially; to establish the relationship between the companies and investigate any intercompany transactions, loans and tax implications.

During the last twelve months I have maintained the case file on the Liquidator's insolvency system. Statutory records have been filed with Companies house, and the liquidators dedicated bank account for the case has been maintained and reconciled.

There were no employee's claims to deal with in this case.

During the second year of his appointment, the Liquidator and his staff have carried out periodic file reviews to ensure the smooth progression of work and compliance with insolvency legislation

The Liquidation has now concluded his investigations and is in a position to close the Liquidation. My Final report will follow shortly.

### **3. ASSETS REMAINING TO BE REALISED**

There are no remaining assets to be realised

### **4. CREDITORS' CLAIMS AND DIVIDEND PROSPECTS**

#### **4.1 Secured Creditors**

There are no secured creditors.

#### **4.2 Preferential Creditors**

There are no preferential creditors.

#### **4.3. Unsecured Creditors.**

There was a joint and several claim from H M Revenue & Customs in respect of the group VAT registration liability for £9,214.00, this had now been paid in full by another company within the group, therefore HM Revenue & Customs are no longer a creditor in this case.

There were no other creditors in this case.

#### **4.4 Prescribed Part**

There are no creditors secured by charges over the assets and undertakings of the Company. There is therefore no requirement to estimate the amount of the prescribed part of the assets under Section 176A of the Act.

### **5 RECEIPTS AND PAYMENTS SUMMARY**

I attach as Appendix B a summary of my receipts and payments for the period from 17 February 2012 to 16 February 2013.

#### **5.1 VAT Basis**

Receipts and payments are shown net of VAT, with any amount due to or from HM Revenue and Customs shown separately.

### **6. COSTS AND LIQUIDATORS REMUNERATION**

#### **6.1 Liquidator's Remuneration and Disbursements**

At the section 98 meeting held on 17 February 2011 the members approved the Liquidators Statement of Affairs fee at £3,500.00 plus VAT. This has now been paid

Since my appointment we have incurred remuneration of £8,260.00 plus VAT, of this £641.11 has been paid and £7,618.89 remains unpaid.

An analysis of time incurred in the period is attached at Appendix G.

Category 2 disbursements incurred in the period are detailed in Appendix E.

A copy of "A Creditors' Guide to Liquidator's Fees", issued by the Association of Business Recovery Professionals, which sets out the basis of fixing the Liquidator's Remuneration, is available at:

[http://www.r3.org.uk/media/documents/publications/professional/Guide\\_to\\_Liquidators\\_Fees\\_Nov2011.pdf](http://www.r3.org.uk/media/documents/publications/professional/Guide_to_Liquidators_Fees_Nov2011.pdf).

## **7 LIQUIDATOR'S STATEMENT OF EXPENSES**

A statement of the expenses incurred during the period, is attached at Appendix F. This includes all expenses incurred by the Liquidator in the period of the report irrespective of whether they have been paid or not and may include estimated amounts where actual invoices have not been received. The receipts and payments abstract at Appendix B sets out the expenses actually paid in the period.

### **7.1 Detailed cost breakdown**

Attached to this report are three Appendices relating to my costs on this assignment:

- Appendix C: A copy of George H W Griffith Ltd.'s charging, expenses and disbursements policy statement;
- Appendix D: Liquidators' charge out and disbursement rates; and
- Appendix G: Liquidators' time cost analysis.

The work that I do as Liquidator is derived from the responsibilities placed upon me by the underlying legal and regulatory framework for work of this nature in general. The actual matters with which I have been dealing with are set out briefly in both this report and in my earlier reports to creditors.

I believe this case generally to be of average complexity, and no extraordinary responsibility has to date fallen upon me as Liquidator. The underlying basis of charging proposed to and approved by the creditors has been George H W Griffith Ltd standard charge out rates. George H W Griffith Ltd charge out rates are reviewed annually.

### **7.2 Other professional costs**

No other professional costs have been incurred in this case.

## **8 CREDITORS' RIGHT TO INFORMATION AND ABILITY TO CHALLENGE REMUNERATION AND EXPENSES**

**Ashflame Cromer Limited - In Liquidation**  
**Progress report**

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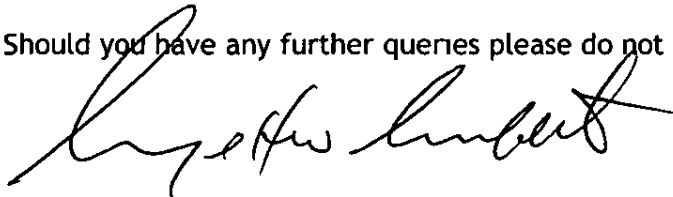
In accordance with the provisions of Rules 4.49E and 4.131 of the Rules, creditors have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses.

A request for further information must be made in writing within 21 days of receipt of this report.

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court that the remuneration charged, the basis fixed or expenses incurred by the liquidator are in all the circumstances excessive.

Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question.

Should you have any further queries please do not hesitate to contact me.



**GEORGE H W GRIFFITH**  
**GEORGE H W GRIFFITH LTD**  
**LIQUIDATOR**

George H W Griffith is licensed to act as an Insolvency Practitioner in the UK by the Association of Chartered Certified Accountants.

## COMPANY INFORMATION

Company Name:	Ashflame Cromer Limited
Company Number:	05490936
Date of Incorporation:	24/06/2005
Previous Company Names:	none
Trading Name:	Ashflame Cromer Limited
Trading Address	Gallagher House, Gallagher Way, Gallagher Business Park, Warwick
Principal Activity:	Real Estate Activities
Registered Office:	Century House, 31 Gate Lane, Boldmere, Sutton Coldfield, West Midlands, B73 5TR
Previous Registered Office:	15 Hockley Court, Hockley Heath, Solihull B94 6NW
Date Registered Office changed:	26 January 2011
Functions:	The Liquidator's appointment was as sole liquidator.



APPENDIX B

**Receipts and Payments Abstract: Ash Cromer - Ashflame Cromer Limited In Liquidation**  
 Bank, Cash and Cash Investment Accounts. From 17/02/2012 To 16/02/2013

SOA Value £	17/02/2012 to 16/02/2013		Total to 16/02/2013	
	£	£	£	£
<b>ASSET REALISATIONS</b>				
0 00	Contributions	2,582 40		2,582 40
0 00	Debtors (Pre-Appointment)	2,650 67		2,650 67
0 00	George H W Griffith Liquidator	0 00		3 92
0 00	Net Interest	0 16		0 16
			5,233 23	5,237 15
<b>COST OF REALISATIONS</b>				
0 00	Appointee Fees	(641 44)		(641 44)
0.00	Preparation of Statement of Affairs	(3,500 00)		(3,500 00)
0 00	Specific Bond	(60 00)		(60 00)
0 00	Statutory Advertising	(385 31)		(385 31)
			(4,586 75)	(4,586 75)
<b>EQUITY</b>				
(2 00)	Ordinary	0 00		0 00
			0 00	0 00
(2 00)			646 48	650 40
<b>REPRESENTED BY</b>				
	George H W Griffith Liquidator		522 12	
	VAT Receivable (Payable)		128 28	
				650 40
				650 40

**GEORGE H W GRIFFITH LTD**

**CHARGING, EXPENSES AND DISBURSEMENTS POLICY STATEMENT**

**Charging policy**

- The director, managers, administrators, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time.
- Work undertaken by secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by the director, managers and administrators.
- Time spent by the director and all staff in relation to the insolvency estate is charged to the estate.
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done
- The current charge rates for George H W Griffith Ltd are attached
- Time billed is subject to Value Added Tax at the applicable rate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it.
- George H W Griffith Ltd.'s charge out rates are reviewed annually.

**Expenses and disbursements policy**

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate.
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to creditors, but do not require creditors approval prior to being drawn from the insolvency estate. These are known as "Category 1" disbursements
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest in, require the approval of creditors prior to being drawn from the insolvency estate. These are known as "Category 2" disbursements.
- A resolution to consider approving "Category 2" disbursements at the rates prevailing at the time the cost is incurred to George H W Griffith Ltd will be proposed to creditors in general meeting
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of creditors.
- Where applicable, expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate.

## GEORGE H W GRIFFITH LTD

## LIQUIDATOR'S CHARGE OUT AND DISBURSEMENT RATES

CHARGE OUT RATES		
	Rate at commencement £	Current rate £
Director	£300.00	£375.00
Insolvency Manager	£200.00	£240.00
Senior Administrator	£175.00	£185.00
Support staff	£70.00 to £90.00	£75.00 to £95.00

"CATEGORY 2" DISBURSEMENT RATES (TABLE A)	
<b>Travel &amp; Subsistence</b>	
Motor travel	40p per mile (from 1 April 2010) 45p per mile (from 1 April 2011)
Internal Room Hire for Meetings	£100.00 per meeting
<b>Circulars to Members \ Creditors</b>	
Labels	No charge
Headed paper	£.18 p per sheet
Plain paper	£.12 p per sheet
Large envelopes	£.17p each
Small envelopes	£.10 p each
Photocopying charge	£.12 p per sheet
<b>Stationery</b>	
Lever arch files	£5.00 per file
A-Z dividers	£ 6.50 per set
1-31 dividers	£ 6.50 per set
Coloured dividers (10 part)	£1.50 per set
Storage boxes	£ 7.50 per box
<b>Sundry</b>	
Faxes	£.12 p per sheet
Company Search	£35.00 per search from 2011 £50.00 per search from 2012

Appendix E

GEORGE H W GRIFFITH LTD

LIQUIDATOR'S CATEGORY 2 DISBURSEMENTS

Amounts paid or payable to the Office Holder's firm or to any party in which the office holder or his firm or any associate has an interest			
Recipient, Type and Purpose	Category	Paid	Unpaid
		£	£
Company Search			35.00
Travel Expenses			14.80
Storage to date			104.00
Storage for statutory period after release			312.00
Room Hire			100 00
Total			565 80

APPENDIX F

STATEMENT OF EXPENSES PAID BY THE LIQUIDATOR'S IN THE PERIOD FROM 17 FEBRUARY 2012 TO 16 FEBRUARY 2013

Type and Purpose	Incurred in Period
	£
Statutory Advertising	385.31
Specific Bond	60.00
<b>Total</b>	<b>445.31</b>

## LIQUIDATOR'S TOTAL TIME COST ANALYSIS

FOR THE PERIOD FROM 17 FEBRUARY 2012 TO 16 FEBRUARY 2013

	Hours Spent					Time Costs £
	Director	Senior Manager	Administrator	Assistants & Support Staff	Total	
Administration and planning	.30	13.00			13.30	2,900.00
Investigations						
Realisation of assets		1.42			1.42	369.00
Trading						
Creditors		.42			.42	156 00
Case specific Matters		1.30			1.30	315.00
<b>Total hours</b>	<b>.30</b>	<b>16.54</b>			<b>17.24</b>	
<b>Total time costs</b>						<b>3,740.00</b>

**NOTE:** Please see the attached notes to the time analysis for an explanation of the type of work that is commonly undertaken in respect of each of the categories above.

## **NOTES TO APPENDIX G**

### **LIQUIDATOR'S TIME COST ANALYSIS**

#### **Administration and Planning**

This includes dealing with the commencement of the case administration, together with day-to-day case administration duties, maintenance of records and on-going statutory obligations. These include but are not limited to: handling receipts and payments; VAT and Income tax issues; pension queries and general correspondence. Other matters which are required to be dealt with as part of the appointment and which will fall under this heading include case planning and strategy, case reviews, bonding, maintenance and obtaining books and records, general meetings \ correspondence, statutory and other advertising, insurance, re-directed mail, and statutory reports.

#### **Investigations**

Where appropriate this will include such matters as investigation of pre-appointment transactions in accordance with the relevant Statement of Insolvency Practice (SIP 2), and the investigation of any potential antecedent transactions such as transactions at under value and preferences which may result in legal action resulting in a recoverable asset.

#### **Realisation of Assets**

This includes dealing with all aspects of the realisation of assets including identifying, securing and insuring assets, and (where applicable), property, business and asset sales, retention of title claims and debt collection. Other matters dealt with during the case administration which will relate to asset realisation may commonly include effecting disclaimers, dealing with landlords, liaising with agents, undertaking inventories, meetings with purchasers \ directors, arranging collection of leased assets, obtaining insurance, pursuing antecedent claims identified as part of the investigation work set out above. Details of the specific asset realisation work undertaken on this case are set out in the main body of the report. Asset realisation is considered to be a key aspect of the case administration.

#### **Trading**

Where the business of the company has been traded (by the liquidator(s)) following the appointment our staff will have had to set up accounts with suppliers in order to trade on an on-going basis. Payments to suppliers and general correspondence with these have been undertaken. Where trading has ceased, accounts will have been closed and final bills paid. Other matters will also have been dealt with in accordance with the usual trading obligations such as dealing with employees and payroll.

#### **Creditors**

Queries from and correspondence with creditors and employees have been necessary aspects of the case administration process. Reports to creditors are also an important part of on-going matters relating to this aspect of the case.

#### **Case Specific Matters**

Any case specific matters will generally be set out in the body of the report but will commonly include meetings, correspondence and telephone calls relating to specific issues in the case which do not fall into any the categories set out above and are specific to the case in question. This may include work done in relation to litigation, general advice or other major issues.

## EXTRACTS FROM THE INSOLVENCY RULES 1986, AS AMENDED

### 4.49E Creditors' and members' request for further information

- (1) If—
  - (a) within the period mentioned in paragraph (2)—
    - (i) a secured creditor, or
    - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
    - (iii) 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, or
  - (b) with the permission of the court upon an application made within the period mentioned in paragraph (2)—
    - (i) any unsecured creditor, or
    - (ii) any member of the company in a members' voluntary winding up, makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4.49B(1)(e) or (f) (including by virtue of Rule 4.49C(5)) or in a draft report under Rule 4.49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 4.49D or a progress report required by Rule 4.108 which (in either case) was previously included in a progress report not required by Rule 4.108.
- (2) The period referred to in paragraph (1)(a) and (b) is—
  - (a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4.108, and
  - (b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case.
- (3) The liquidator complies with this paragraph by either—
  - (a) providing all of the information asked for, or
  - (b) so far as the liquidator considers that—
    - (i) the time or cost of preparation of the information would be excessive, or
    - (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or
    - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information,giving reasons for not providing all of the information.
- (4) Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of—
  - (a) the giving by the liquidator of reasons for not providing all of the information asked for, or
  - (b) the expiry of the 14 days provided for in paragraph (1),and the court may make such order as it thinks just.

- (5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 4.131(1B) or 4.148C(2) by such further period as the court thinks just.
- (6) This Rule does not apply where the liquidator is the official receiver.

**4.131.— Creditors' claim that remuneration is or other expenses are excessive**

- (1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4).
- (1A) Application may be made on the grounds that—
  - (a) the remuneration charged by the liquidator,
  - (b) the basis fixed for the liquidator's remuneration under Rule 4.127, or
  - (c) expenses incurred by the liquidator,is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate.
- (1B) The application must, subject to any order of the court under Rule 4.49E(5), be made no later than 8 weeks (or, in a case falling within Rule 4.108, 4 weeks) after receipt by the applicant of the progress report, or the draft report under Rule 4.49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").
- (2) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application; but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice but which is without notice to any other party.

If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly.

- (3) The applicant shall, at least 14 days before the hearing, send to the liquidator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the liquidator was entitled to charge;
  - (b) an order fixing the basis of remuneration at a reduced rate or amount,
  - (c) an order changing the basis of remuneration;
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation;
  - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify;and may make any other order that it thinks just; but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report.
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the liquidation.