

# Liquidator's Progress Report

# S.192

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

To the Registrar of Companies

Company Number

05225198

Name of Company

A & C Ventures Limited

I / We

Steven Philip Ross  
Tenon House  
Ferryboat Lane  
Sunderland  
Tyne and Wear  
SR5 3JN

Ian William Kings  
Tenon House  
Ferryboat Lane  
Sunderland  
Tyne and Wear  
SR5 3JN

the liquidator(s) of the company attach a copy of my/our Progress Report under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 31/10/2012 to 30/10/2013

Signed



Date

15/11/2013

Baker Tilly Business Services Limited  
Tenon House  
Ferryboat Lane  
Sunderland  
Tyne and Wear  
SR5 3JN

Ref 5525061/SPR/IWK/SJB/PMK/LSF

FRIDAY



\*A2M57521\*

A22

29/11/2013

#84

COMPANIES HOUSE

**A & C Ventures Limited (“the Company”) – In Members’  
Voluntary Liquidation**

**Joint Liquidators’ First Progress Report  
for the year from appointment on 31 October 2012 to 30  
October 2013**

**Issued on: 15 November 2013**

**A & C Ventures Limited ("the Company") – In Members' Voluntary Liquidation**

**JOINT LIQUIDATORS' FIRST PROGRESS REPORT AS AT 30 OCTOBER 2013**

Steven Philip Ross and Ian William Kings are the Joint Liquidators of the Company and this is their first progress report, to the members of the Company, showing how the liquidation has been conducted. The report covers the period from 31 October 2012 to 30 October 2013.

**1. Statutory information**

Statutory information relating to the Company is attached at **Appendix I**.

**2. Joint Liquidators' receipts and payments account**

A summary of the Joint Liquidators' receipts and payments account relating to the Company from commencement to date is attached at **Appendix II**.

**3. Action taken by the Joint Liquidators' since appointment**

*Book debts*

Book debts, valued at £346,448.00 in the Declaration of Solvency, have realised £185,792.13. This figure does not include certain of the book debts which were paid directly into the Company's business current account.

The collection process is now complete.

*Cash at bank*

There was a balance of £641,173.00, which included certain of the Company's book debts, on the Company's business current account.

*Cash at bank (sales proceeds)*

The Company's two pharmacies were sold prior to my appointment as Joint Liquidator. The net sales proceeds of £2,485,000.00 were banked in a deposit account pending the appointment of a Liquidator.

**4 Joint Liquidators' remuneration, disbursements and expenses**

*Basis of remuneration and disbursements*

At the initial meeting of the Company on 31 October 2012 it was resolved that the Joint Liquidators would be remunerated by reference to the time properly spent in dealing with this matter capped at £1,750.00, and that their Category 2 disbursements would be drawn in accordance with the tariff outlined in **Appendix III**.

*Remuneration and disbursements charged and drawn in the period*

The Joint Liquidators' time costs were charged (exc VAT) as follows:

	Incurred	Paid
For this period from appointment – 31 October 2012 to 30 October 2013	£4,290.75	£1,750.00

In accordance with Statement of Insolvency Practice 9 I have attached at **Appendix III** a breakdown of these time costs.

*Disbursements charged and drawn in the period*

The Joint Liquidators' disbursements incurred and reimbursed are summarised below. Details are in the attached **Appendix III**.

	Incurred	Paid
Category 1 disbursements for this period from appointment – 31 October 2012 to 30 October 2013	£568 20	£568 20
Category 2 disbursements for this period from appointment – 31 October 2012 to 30 October 2013	£0 00	£0 00
<b>Total</b>	<b>£568.00</b>	<b>£568.00</b>

*Expenses (professional advisors) charged and drawn in the period*

The following professional advisors have been instructed in this matter

<i>Professional Advisor</i>	<i>Nature of Work</i>	<i>Fee Arrangement</i>
Baker Tilly Business Services Limited	Accountants preparation of accounts	Fixed fee

The choice of professionals and the Joint Liquidators' fee arrangement with them was based on perception of their experience and ability to perform this type of work, together with the complexity and nature of the assignment

Details of the costs incurred and paid by the Liquidators in relation to liquidation expenses for the period are also attached at **Appendix III**

*Pre appointment costs*

At the initial meeting of the Company held on 31 October 2012 it was also resolved that the fees of Baker Tilly Business Services Limited for assisting the directors in convening the statutory meeting to place the Company into liquidation, and for assistance in preparing the Declaration of Solvency, would be a set fee of £1,750 00, to be paid out of the assets of the Company

These fees have been paid as an expense of the liquidation

*Statement of Members' Rights*

If you would like more information about any aspect of the remuneration, disbursements or expenses as Liquidator you are entitled to request this information, and if you are not satisfied by my explanations you are, in certain circumstances, entitled to challenge them

A full statement of your rights is attached to this report as **Appendix IV**

**5. Distributions made and anticipated**

> Creditors

All unsecured creditors have been repaid in full

> Members – cash

The members of the Company received dividends at a rate of £1,197,500 00 in the £ as per their ordinary shareholding

VAT of £10,245 42 is due to be refunded to the Company On the closure of the case the sales proceeds will be adjusted such that the distribution to shareholders will remain at £2,395,000 00

## 6. Conclusion of the liquidation

The liquidation will be concluded once the VAT refund has been received from HM Revenue & Customs



**Steven Philip Ross**  
**Baker Tilly Business Services Limited**  
**Joint Liquidator**

*Licensed in the United Kingdom to act as an insolvency practitioner by the Institute of Chartered Accountants in England and Wales*

## Statutory Information

## Appendix I

### Company Information

Company Name	A & C Ventures Limited
Previous Name	Not Applicable
Company Number	05225198
Date of Incorporation	8 September 2004
Trading Address	11 West Park Road, Cleadon Village, Sunderland, SR6 7RR
Current Registered Office	Tenon House, Ferryboat Lane, Sunderland, SR5 3JN
Former Registered Office	11 West Park Road, Cleadon Village, Sunderland, SR6 7RR
Principal Trading Activity	Pharmacy

### Appointment details

Joint Liquidators' name and address	Steven Philip Ross of Baker Tilly Business Services Limited, Tenon House, Ferryboat Lane, Sunderland, SR5 3JN and Ian William Kings of Baker Tilly Business Services Limited, Tenon House, Ferryboat Lane, Sunderland, SR5 3JN
Commencement of liquidation	31 October 2012
Date of appointment	31 October 2012
Appointment made by	Members
The Joint Liquidators act jointly and severally	

**A & C Ventures Limited  
(In Liquidation)**

**JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT**

	Declaration of Solvency £	From 31/10/2012 To 30/10/2013 £	From 31/10/2012 To 30/10/2013 £
<b>RECEIPTS</b>			
Book debts	346,448 00	185,792 13	185,792 13
Tax Refund		78 38	78 38
Cash at bank	583,242 00	641,173 00	641,173 00
Bank interest (gross)		200 37	200 37
Cash at bank (sales proceeds)	2,645,000 00	2,485,000 00	2,485,000 00
PAYE and social security	NIL	0 00	0 00
		<u>3,312,243 88</u>	<u>3,312,243 88</u>
<b>PAYMENTS</b>			
Specific Bond		555 00	555 00
Preparation of Declaration of Solvency, Liquidators Fees		1,750 00	1,750 00
Legal Fees		1,750 00	1,750 00
Legal Fees		15 90	15 90
Accountants' fees		3,130 00	3,130 00
Postage		13 20	13 20
Statutory advertising		229 50	229 50
Bank charges		90 00	90 00
Bank loan	(697,290 00)	645,000 00	645,000 00
Trade and expense creditors	(402,504 00)	130,351 47	130,351 47
Corporation Tax	(95,561 00)	128,994 28	128,994 28
Ordinary shareholders	(2 00)	2,395,000 00	2,395,000 00
		<u>3,306,879 35</u>	<u>3,306,879 35</u>
Net Receipts/(Payments)		<u>5,364 53</u>	<u>5,364 53</u>
<b>MADE UP AS FOLLOWS</b>			
VAT receivable		1,488 72	1,488 72
Interest Bearing Current Account		3,875 81	3,875 81
		<u>5,364 53</u>	<u>5,364 53</u>

**Appendix III - Information relating to Joint Liquidators'  
Fees and Expenses**



**A & C Ventures Limited****Information relating to the Joint Liquidators' Fees and Expenses****1. Explanation of Joint Liquidators' charging and disbursement recovery policies****1.1. Time recording**

Work undertaken on cases is recorded in 6 minute units in an electronic time recording system. Time properly incurred on cases is charged at the hourly rate of the grade of staff undertaking the work that applies at the time the work is done. The current hourly charge-out rates are

	£
Partner and licensed Insolvency Practitioner	320
Manager	220-300
Administrator	120-185
Cashier	130

**1 2. Disbursement recovery**

Disbursements are categorised as either Category 1 or Category 2

**Category 1 disbursements**

These include external supplies of incidental services specifically identifiable to the case. Where these have initially been paid by Baker Tilly Business Services Limited and then recharged to the estate, approval from creditors is not required.

Examples of category 1 disbursements include postage, case advertising, specific bond insurance, company search fees, external room hire, storage, case management software system, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case (including business mileage up to HMRC approved rate for cases commenced before 1 November 2011).

**Category 2 disbursements**

These include elements of shared or allocated costs incurred by Baker Tilly Business Services Limited and recharged to the estate, they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full, subject to the basis of the disbursement charge being approved by creditors in advance.

Category 2 disbursements charged by Baker Tilly Business Services Limited are as follows

<b>Disbursement charge</b>	<b>Rate</b>
Company searches (RSM Tenon Tracker)	£10 per case
File set up	£7 per file
Mileage	45p per mile

**2. Description of work carried out**

Section 4 of this Appendix outlines the time costs to date in relation to activities undertaken. These can be summarised as follows

**2.1. Administration and planning**

This includes the following activities which have been undertaken

- > Statutory duties associated with the appointment including the filing of relevant notices,
- > Notification of the appointment to creditors, members, employees and other interested parties,

- > Setting up case files,
- > Reviewing available information to determine appropriate strategy,
- > Setting up and maintaining bank accounts,
- > 6 monthly progress review of the case

Staff of different levels were involved in the above activities depending upon the experience required

## 2.2. Creditors, members and distributions

The time spent includes the following matters

- > Recording and maintaining the list of creditors/members,
- > Recording claims
- > Reporting to members,
- > Meetings of members,
- > Dealing with creditor/member queries,
- > Reviewing and evaluating creditor/member claims,

Staff of different levels were involved in the above activities depending upon the experience required

## 2.3. Realisation of assets

Please refer to the main body of the report but in summary the time spent includes

- > Liaison with agents and solicitors,
- > Correspondence and meetings with interested parties,
- > Monitoring and chasing of deposits,
- > Identifying, securing and insuring of assets,
- > Debt collection,
- > Agreement of contracts

Staff were chosen depending upon the appropriate level of experience required for the activity they were required to undertake

## 3. Time and charge out summary

For the period of this report from appointment on 31 October 2012 to 30 October 2013, a total of 23 05 hours have been spent at an average charge out rate of £186 15 bringing the total cost to £4,290 75

The attached table shows details of the time costs charged (exc VAT) in the current period

## 4. Disbursements

Disbursements incurred and reimbursed from commencement of the liquidation to 30 October 2013 are detailed below

Disbursements	Incurred £	Paid £
<i>Category 1</i>		
Bond premium	555 00	555 00
Postage	13 20	13 20
<b>Total</b>	<b>568.20</b>	<b>568.20</b>

The above costs exclude VAT

No category 2 disbursements have been charged to this matter

## 5 Professional advisors and expenses

The Joint Liquidators have incurred liquidation expenses in connection with the instruction of the following parties, covering the current period,

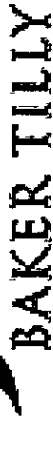
Name & Activity	This period	
	Incurred	Paid
	£	£
<i>Baker Tilly Business Services Limited</i> Preparation of accounts	3,130 00	3,130 00
<b>Total</b>	<b>3,130.00</b>	<b>3,130 00</b>

The above costs exclude VAT

# SIP9 Summary

5525061 A & C Ventures Limited

Members' Voluntary Liquidation - Post Appt



31/10/2012 to 30/10/2013

SIP9 SubCategory	Partner and Director	Manager	Other Senior Professional	Assistant and Support Staff	Total Hours	Charge £	AvgRate
Administration and planning	0.00	3.85	5.00	4.20	13.05	2,156.75	165.27
Creditors	0.00	6.70	0.20	1.30	8.20	1,759.00	214.51
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	NaN
Realisation of assets	0.00	1.20	0.00	0.60	1.80	375.00	208.33
Trading	0.00	0.00	0.00	0.00	0.00	0.00	NaN
<b>Hours</b>	<b>0.00</b>	<b>11.75</b>	<b>5.20</b>	<b>6.10</b>	<b>23.05</b>		
<b>Charge</b>	<b>0.00</b>	<b>2,643.75</b>	<b>624.00</b>	<b>1,023.00</b>		<b>4,290.75</b>	

**MEMBERS' VOLUNTARY LIQUIDATION  
FURTHER INFORMATION FOR MEMBERS AND MEMBERS' RIGHTS  
(where company goes into liquidation on a winding up resolution passed on or after 6 April 2010)**

**Progress reports and requests for further information**

The liquidator is required to send annual and final progress reports to members. The reports must include

- > details of the basis fixed for the remuneration of the liquidator (or if not fixed at the date of the report, the steps taken during the period of the report to fix it),
- > if the basis has been fixed, the remuneration charged during the period of the report, irrespective of whether it was actually paid during that period (except where it is fixed as a set amount, in which case it may be shown as that amount without any apportionment for the period of the report),
- > if the report is the first to be made after the basis has been fixed, the remuneration charged during the periods covered by the previous reports, together with a description of the work done during those periods, irrespective of whether payment was actually made during the period of the report,
- > a statement of the expenses incurred by the liquidator during the period of the report, irrespective of whether payment was actually made during that period,
- > a statement of the members' rights to request further information, and their right to challenge the liquidator's remuneration and expenses, as explained below

**Members' rights to request further information**

Within 21 days of receipt of a progress report (or 7 business days where the report has been prepared for the purposes of a meeting to receive the liquidator's resignation) a member may request the liquidator to provide further information about the remuneration and expenses set out in the report

A request must be in writing, and may be made by member(s) 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 by any member with the permission of the court

The liquidator must provide the requested information within 14 days, unless he considers that

- > the time and cost involved in preparing the information would be excessive, or
- > disclosure would be prejudicial to the conduct of the liquidation or might be expected to lead to violence against any person, or
- > the liquidator is subject to an obligation of confidentiality in relation to the information requested,

in which case he must give the reasons for not providing the information

Any member may apply to the court within 21 days of the liquidator's refusal to provide the requested information, or the expiry of the 14 days time limit for the provision of the information, and the court may make such order as it thinks just

**Additional requirements**

The liquidator must provide certain information about the time spent on the case, free of charge, upon request by any member of the company

The information which must be provided is –

- > the total number of hours spent on the case by the liquidator or staff assigned to the case,
- > for each grade of staff, the average hourly rate at which they are charged out,
- > the number of hours spent by each grade of staff in the relevant period

The period for which the information must be provided is the period from appointment to the end of the most recent period of six months reckoned from the date of the liquidator's appointment, or where he has vacated office, the date that he vacated office

The information must be provided within 28 days of receipt of the request by the liquidator, and requests must be made within two years from vacation of office

#### **What if a member is dissatisfied?**

It is the members as a body who have authority to approve the liquidator's fees

#### General meeting

To enable them to carry out this function they may require the liquidator to call a general meeting of the company. In order to do this members with at least ten per cent of the total voting rights of all the members having the right to vote at general meetings of the company must concur with the request, which must be made to the liquidator in writing

#### Application to Court

If a member believes that the liquidator's remuneration is too high, the basis is inappropriate, or the expenses incurred by the liquidator are in all the circumstances excessive he may, provided certain conditions are met, apply to the court

Application may be made to the court by member(s) with at least 10% of the total voting rights of all of the members having the right to vote at general meetings of the company, or by any member with the permission of the court

Any such application must be made within 8 weeks of the applicant receiving the liquidator's progress report in which the charging of the remuneration or incurring of the expenses in question is first reported. If the court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give the liquidator a copy of the application and supporting evidence at least 14 days before the hearing

If the court considers the application well founded, it may order that the remuneration be reduced, the basis be changed, or the expenses be disallowed or repaid

Unless the court orders otherwise, the costs of the application must be paid by the applicant and not out of the assets of the insolvent company