

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

01235023

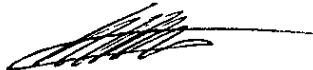
Name of Company

Key Catering Plc

We Simon Harris, Cameron Gunn and Mark Supperstone of ReSolve Partners LLP, One America Square, Crosswall, London, EC3N 2LB the liquidators of the company attach a copy of our Progress Report under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 06 March 2013 to 21 March 2014

Signed



Date 24 03-14

Presenter's name,
address and reference
(if any)

Simon Harris
ReSolve Partners LLP
One America Square
Crosswall
London
EC3N 2LB

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COMPANIES HOUSE

KEY CATERING PLC

In Creditors' Voluntary Liquidation

Liquidators' Final Report to Members and Creditors

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1. INTRODUCTION

Cameron Gunn, Mark Supperstone and Simon Harris were appointed as Joint Liquidators of Key Catering PLC (the Company) on 6 March 2013

The Liquidation has now been concluded and I have held final meetings of the members and creditors, pursuant to section 106 of the Insolvency Act 1986 (the Act), to present my draft final report in respect of the Liquidation and obtain approval for my release

This report cover the period from 6 March 2013 to 21 March 2014 and should be read in conjunction with my previous reports

2. BACKGROUND

Statutory information of the Company is included at *Appendix I*

A full background of the Company was detailed in the former Administration report dated, 6 March 2013. Accordingly, the Joint Liquidators do not propose to provide any further details on the background of the Company or the events leading up to our appointment

3. RECEIPTS AND PAYMENTS ACCOUNT

Attached at *Appendix II* is the receipts and payments account for the period 6 March 2013 to 21 March 2014

3.1 Receipts

Transfer from Administration

A total of £756,469 02 was transferred from the Administration account

Sundry Refund

The amount of £282 54 has been received from Natwest Bank Plc in respect of a refund of bank charges

Rates Refund

A total of £1,199 56 has been received from agents Evans & Payne regarding a rates refund in respect of the Company's former trading premises

Book Debts

As at the date of Administration, the debts of the Company vested in Cable Finance Limited (Cable) in accordance with an invoice discounting facility secured by a debenture dated 12 November 2010

During the course of the Administration, Cable was repaid in full and the debtor ledger was assigned to the Company. The Joint Administrators subsequently wrote to all remaining debtors, requesting immediate repayment of all debts due, and passed certain debtors to their solicitors for further action

As at the end of the Administration, a total of £1,387,533 12 had been collected, including amounts realised by Cable

A further £29,050 80 has been realised in the Liquidation and the balance of the debtor ledger, being £51,881 20, has been written off

3.2 Payments

Please see **Sections 4 and 6** of this report for details in respect of distributions to creditors and the Joint Liquidators' remuneration

Storage Costs

To date, a total of £1,264 65 has been paid to Imagestor in respect of storage of the Company's books and records

Advertising

Since the Company entered Liquidation, a total of £244 20 has been paid to Courts Advertising in relation to statutory advertising of the Joint Liquidators' appointment and notice of intended distributions, and notice of the final meeting of creditors

Insurance Refund

Blackheath Group Limited has received a total of £5,089 58 in full and final settlement in respect of a refund of the insurance premium paid in the Administration pursuant to the sale of the freehold property at Unit 1 Fairfield Park

Stationary and Postage

A total of £52 00 has been paid in relation to the upload of the Joint Administrators' final Administration report to the Creditor Gateway

4. OUTCOME TO CREDITORS

4.1 Secured creditors

AIB Group (UK) Plc

AIB Group (UK) Plc (AIB) was granted a debenture containing fixed and floating charges over the assets of the Company, including specific charges over each of the Company's premises

AIB has been repaid in full from the proceeds of property sales (please see the Joint Administrators' final report in the Administration of the Company for more information)

Cable Finance Limited

Centric SPV 1 Limited (Centric) was granted a debenture containing fixed and floating charges which were created and registered at Companies House on 12 November 2010 and 17 November 2010 respectively

Prior to the Joint Administrators' appointment, Cable took an assignment of Centric's Debt

Cable has been repaid in full from realisations in the Administration of the Company (please see the Joint Administrators' final report in the Administration of the Company for more information)

4.2 Preferential creditors

A distribution of 100 pence in the pound was declared to the preferential creditors of the Company who's agreed claims totalled £50,302 38

After a period of six months following the declaration of the dividend, unclaimed dividends totalling £108 07 were paid to the unclaimed dividend account

4.3 **Unsecured creditors**

A distribution of 12.35 pence in the pound was declared to the unsecured creditors of the Company whose agreed claims totalled £4,385,127.09

After a period of six months following the declaration of the dividends unclaimed dividends totalling £4,815.46 were paid to the unclaimed dividend account

4.4 **Prescribed Part**

Pursuant to Section 176A of the Act, where a floating charge is created after 15 September 2003 a "Prescribed Part" of the Company's net property shall be made available to unsecured creditors. The Prescribed Part is calculated at 50 per cent of net realisations up to £10,000 and 20 per cent of the property that exceeds this amount up to a limit of £600,000.

As the secured creditors of the Company have been paid in full and final settlement out of fixed charge realisations and their respective charges have been satisfied, there is no longer a requirement to set aside a prescribed part of the floating charge realisations.

5. **INVESTIGATIONS**

Within six months of their appointment as Liquidator of the Company, the Joint Liquidators are required to submit a confidential report to the Secretary of State to include any matters which have come to their attention during the course of their work which may indicate that the conduct of any past or present Director would make him unfit to be concerned with the management of the Company. The Joint Liquidators confirm that their report has been submitted.

6. **REMUNERATION**

6.1 **Post Appointment**

It was agreed by creditors in the previous Administration that the basis upon which the Joint Liquidators' remuneration should be fixed would be by reference to the time properly spent by the Joint Liquidators and their staff in attending to matters arising in the Liquidation.

The time costs and disbursements of ReSolve Partners LLP are as analysed at **Appendix III** and total £183,168.00 and £1,096.82 respectively. The Joint Liquidators have drawn £175,931.93 time costs and £793.34 disbursements and the balance has been written off.

6.2 **Rights of creditors**

An unsecured creditor may, with the permission of the court or with the concurrence of 5 per cent in value of the unsecured creditors (including the creditor in question) request further details of the Liquidators' remuneration and disbursements, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10 per cent in value of the unsecured creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidators' fees and the amount of any proposed expenses or expenses already incurred, within eight weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

A Creditors' Guide to Liquidator's Fees was circulated with the directors' report and statement of affairs, however should you require a further copy one can be made available on request or copies are also available at www.resolvegroupuk.com/liquidators.pdf

6.3 **Other professional costs**

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

basis of the Joint Liquidators fee arrangement with them. The fees charged have been reviewed and the Joint Liquidators are satisfied that they are reasonable in the circumstances of this case.

Solicitors

SGH Martineau LLP was instructed as legal advisors to assist with the collection of the debtor ledger. Its costs have been agreed on the basis of its standard hourly charge out rates, plus disbursements and VAT. The solicitors' total time costs and disbursements from the date of appointment amount to £5,750 and £1,155 respectively, which have been paid in full.

Agents

Evans & Payne was instructed as agents in relation to the collection of rates refunds. Its costs have been agreed on the basis of its standard sales commission rate, plus disbursements and VAT. As per the agreed rate of 25 per cent, Evans & Payne was paid the amount of £299.89 in full and final settlement for the work carried out.

Other professionals

LAS Partnership was instructed to prepare the Company's Corporation Tax returns. Its costs were agreed on a time cost basis plus disbursements and VAT. LAS Partnership has been paid a total of £2,000 in full and final settlement for the work carried out.

Robert Pearce Associates was instructed in the adjudication of creditor claims. Its costs have been agreed on a time cost basis, plus disbursements and VAT. As agreed, Robert Pearce Associates has been paid a total of £2,500 in full and final settlement for the work carried out.

7. FINAL MEETINGS

The final meetings of the members and creditors of the Company were held at 12 noon and 12.30pm respectively on 21 March 2014 at the offices of ReSolve Partners LLP, One America Square, Crosswall, London, EC3N 2LB.

8. FURTHER INFORMATION

Should you have any queries in respect of the Liquidation, please do not hesitate to contact James Thompson of this office.

Yours faithfully



Simon Harris
Joint Liquidator

For enquiries regarding this correspondence please contact

Contact name	James Thompson
Phone number	020 372 2899
Email	james.thompson@resolvegroupuk.com

Cameron Gunn, Mark Supperstone and Simon Harris are licensed to act as Insolvency Practitioners in the United Kingdom by the Institute of Chartered Accountants in England & Wales.

APPENDIX I

STATUTORY INFORMATION

Company name:	Key Catering Plc
Registered number:	01235023
Date of incorporation:	25 November 1975
Former trading address:	Thames House, Eastbury Road London Industrial Estate Beckton London E6 6GP Unit 1, Fairfield Park Industrial Estate Fairfield Road Halesowen West Midlands B62 8JL 4 Manson Place Kelvin Industrial Estate East Kilbride South Lanarkshire G75 0QW Phoenix Park Green Lane Heywood Lancashire OL10 2LG Unit L1, Hazleton Interchange Lakesmere Road Horndean Hampshire PO8 6JU
Registered office:	C/o ReSolve Partners LLP One America Square Crosswall London EC3N 2LB
Date of Liquidators' appointment:	6 March 2013
Appointed by:	Pursuant to Paragraph 83 of Schedule B1 of the Insolvency Act 1986
Joint Liquidators:	Cameron Gunn, Mark Supperstone and Simon Harris of ReSolve Partners LLP One America Square Crosswall London EC3N 2LB

EC Regulations of Insolvency Practitioners: The EC Regulation applies to the proceedings, which are categorised or main proceedings with the meaning of the Regulation

APPENDIX II

SUMMARY OF LIQUIDATORS' RECEIPTS AND PAYMENTS
FROM 6 MARCH 2013 (DATE OF APPOINTMENT) TO 21 MARCH 2014

	Directors' statement of affairs (£)	Total (£)
RECEIPTS		
Book Debts	-	29,050 80
Rates Refund	-	1,199 56
Sundry Refund	-	282 54
Transfer from Administration	-	756,469 02
		<u>787,001.92</u>
PAYMENTS		
BIS Bank Charges		(25 75)
Office Holders Fees		(175,931 93)
Office Holders Expenses		(793 34)
Legal Fees		(5,750 00)
Storage Costs		(1,264 65)
Statutory Advertising		(244 20)
Bank Charges		(30 00)
BIS Unclaimed Dividends		(4,923 53)
Professional Fees		(4,799 89)
Legal Disbursements		(1,155 00)
Stationary and Postage		(52 00)
Insurance Refund		(5,089 58)
		<u>(200,059.87)</u>
Preferential Creditors		(50,194.31)
Unsecured Creditors		(536,747.74)
Balance (receipts less payments)		<u><u>-</u></u>

Simon Harris
Joint Liquidator
21 March 2014

APPENDIX III

JOINT LIQUIDATORS' TIME COST SUMMARY

Company name	Key Catering Plc
Office holders	Cameron Gunn IP Number 9362
	Mark Supperstone IP Number 9734
	Simon Harris IP Number 11372
Licensed by	Regulated by the Institute of Chartered Accountants in England and Wales
Firm	ReSolve Partners LLP
Address	C/o ReSolve Partners LLP One America Square Crosswall London EC3N 2LB
Type of appointment	Creditors' Voluntary Liquidation
Date of appointment	6 March 2013

1 Overview of case

1.1 Appointment

Cameron Gunn, Mark Supperstone, Simon Harris were duly appointed Joint Liquidators of the Company on 6 March 2013 following a move from Administration

1.2 Strategy

Please see main body of the report

1.3 Staffing

Staff have been used on the assignment based upon previous knowledge and experience

1.4 Existing fee arrangements

The Joint Liquidators' fees were approved on a time costs basis in the previous Administration of the Company

2 Explanation of office-holders' charging and disbursement recovery policies

2.1 Time recording

Time properly incurred on cases are charged to the assignment at the hourly rate prevailing at the time. The current charge out rates are shown below

	£
Partner	490
Director	400
Senior Manager	385
Manager	325
Assistant Manager	295
Senior Administrator	245
Administrator	185
Junior Administrator	125

Secretarial and support staff are not charged to the cases concerned, being accounted for as an overhead of ReSolve Partners LLP

2.2 Disbursements recovery

Separate charges are made in respect of directly attributable expenses (Category 1 disbursements) such as travelling, postage, photocopying, statutory advertising and other expenses made on behalf of the assignment. Details of such disbursements are included later in this report

Indirect charges (Category 2 disbursements) are charged as follows

- Photocopying 20p per sheet
- Faxes/telephone/room hire £150 per annum
- Mileage 40 pence per mile
- Postage Typical first/second class postage rates at the date of postage

3 Description of work carried out

Section four of this appendix outlines the time costs to date in relation to activities undertaken during this matter. These matters can be summarised as follows

3.1 Administration and planning

The following activities have been undertaken

- Preparing the documentation and dealing with the formalities of appointment
- Statutory notifications and advertising
- Set up case files and prepare documentation
- Case bordereau, planning and administration
- Setting up and maintaining bank accounts and other cashier activities
- Initial reporting to members and creditors, and
- Convening and holding meetings of members and creditors

3.2 Creditors

The time spent includes the following matters

- Recording and maintaining the lists of creditors
- Dealing with employee related matters

- Recording creditor claims
- Dealing with creditor queries, and
- Reviewing and evaluating creditor claims

3.3 Investigations

- Review and storage of books and records
- Preparing a return pursuant to the Company Directors Disqualification Act, and
- Review books and records to identify any transactions or actions a Liquidator may take against a third party in order to recover funds for the benefit of creditors

3.4 Realisation of assets

Please see the main body of the report and previous Administration reports for details of the assets realised

3.5 Statutory duties

Dealing with statutory issues required under the Insolvency Act 1986 and the Statements of Insolvency Practice, including statutory reporting to members and creditors and filing documents with the Registrar of Companies

4 Time and charge out summary

A total of 665 50 hours have been spent for the period 6 March 2013 to 21 March 2014 at an average charge out rate of £275 23 bringing the total cost since the Joint Liquidators appointment £183,168 00

A summary table is shown below

	PARTNER / DIRECTOR		MANAGER		OTHER SENIOR PROFESSIONAL		TOTAL		AVERAGE RATE
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
Administration & Planning									
Case planning / monitoring			42.50	16,362.50	17.20	3,332.00	59.70	19,694.50	329.89
Cashiering					18.10	3,306.50	18.10	3,306.50	182.68
Reporting									
Compliance / technical									
General administration	1.10	539.00	47.00	18,095.00	62.00	13,210.00	110.10	31,844.00	289.23
	1.10	539.00	89.50	34,457.50	97.30	19,848.50	187.90	54,845.00	291.88
Creditors									
Secured	1.00	490.00					1.00	490.00	490.00
Preferential	1.20	588.00			12.40	2,294.00	13.60	2,882.00	211.91
Unsecured	14.70	7,203.00	154.60	59,521.00	241.30	43,668.50	410.60	110,392.50	268.86
Employees					2.30	563.50	2.30	563.50	245.00
Creditors committee									
	18.90	8,281.00	154.60	59,521.00	256.00	46,526.00	427.50	114,328.00	287.43
Investigations									
General investigation					1.80	225.00	1.80	225.00	125.00
D returns					10.30	2,295.50	10.30	2,295.50	222.86
Other investigation									
Preparing / submitting D Report									
Legal action									
					12.10	2,520.50	12.10	2,520.50	208.31
Realisation of Assets									
Book debts	2.20	1,078.00	12.70	4,889.50	6.20	1,321.00	21.10	7,288.50	345.43
Sale of business / assets					0.80	196.00	0.80	196.00	245.00
Property freehold and leasehold									
Retention of title	0.30	147.00	3.50	1,137.50			3.80	1,284.50	338.03
Other assets	2.50	1,225.00	16.20	6,027.00	7.00	1,517.00	25.70	8,769.00	341.21
Statutory									
Statutory paperwork / form completion					9.10	1,137.50	9.10	1,137.50	125.00
Filing documents with CH / Court									
Reporting to creditors	2.20	1,078.00					2.20	1,078.00	490.00
	2.20	1,078.00			9.10	1,137.50	11.30	2,215.50	196.06
Trading									
Day one matters									
Ongoing trading administration	1.00	490.00					1.00	490.00	490.00
Close down									
	1.00	490.00					1.00	490.00	490.00
Total hours and cost	23.70	11,613.00	260.30	100,005.50	381.50	71,549.50	665.50	183,168.00	275.23

The above costs exclude VAT

5 Disbursements

Details of the Category 1 and 2 disbursements are as follows

	CATEGORY 1	CATEGORY 2	TOTAL
	Cost (£)	Cost (£)	Cost (£)
Insolv Technologies		110 00	110 00
Postage	836 82	-	836 82
Management Fee		150 00	150 00
	836 82	260 00	1,096 82

The above costs exclude VAT