

## 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

01386030

Name of Company

Bedsons Limited

I/ We


Sandra Lillian Mundy, Latimer House, 5 Cumberland Place, Southampton, SO15 2BH

Alan Peter Whalley, Latimer House, 5 Cumberland Place, Southampton, SO15 2BH

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 05/02/2014 to 04/02/2015

Signed



Date

16. February 2015

James Cowper Kreston  
Latimer House  
5 Cumberland Place  
Southampton  
SO15 2BH

Ref JBED036L/SM/PW/TR/IR/JM

WEDNESDAY



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COMPANIES HOUSE

**Bedsons Limited**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**

Statement of Affairs	From 05/02/2014 To 04/02/2015
<b>ASSET REALISATIONS</b>	
Stock/WIP	26,250 00
Book Debts	3,550 94
Tax Losses	13,000 00
Council Tax Refund	1,530 40
Bank Interest Net of Tax	63 57
Transfer from Administration	91,657 10
Metro Bank Refund	6 00
	136,058 01
<b>COST OF REALISATIONS</b>	
Liquidators' Expenses	535 66
Stationery & Postage	14 00
Statutory Advertising	151 64
	(701 30)
<b>UNSECURED CREDITORS</b>	
Trade & Expense Creditors	135,248 07
	(135,248 07)
	108 64
<b>REPRESENTED BY</b>	
Current Account	97 51
Irrecoverable VAT	11 13
	108.64

**Bedsons Limited (In Liquidation)**

First annual progress report to members and creditors pursuant to Section 104A of  
the Insolvency Act 1986

Sandra Lillian Mundy & Alan Peter Whalley  
James Cowper Kreston  
Latimer House  
5 Cumberland Place  
Southampton  
SO15 2BH

**SUMMARY INFORMATION**

<b>The Company</b>	Bedsons Limited ('the Company')
<b>Registered Number</b>	01386030
<b>Registered Address</b>	C/o James Cowper LLP Latimer House 5 Cumberland Place Southampton SO15 2BH
<b>Trading Address</b>	Unit 1A Abbey Industrial Estate Bodmin Road Coventry CV2 5DB
<b>Activity of the Company</b>	Design and Manufacture of inspection lighting
<b>Date of the Liquidation</b>	05 February 2014
<b>Liquidator Details</b>	Sandra Lillian Mundy & Alan Peter Whalley James Cowper Kreston Latimer House 5 Cumberland Place Southampton SO15 2BH
<b>Changes to Office Holders</b>	N/A
<b>Dividend Prospect</b>	<p>On 25 July 2014 a first and final distribution of £135,248 was declared and paid to the Company's unsecured creditors - being approximately 13 46 pence in the £1</p> <p>No further distributions have been made and there will be no additional distributions prior to the conclusion of the liquidation</p>

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## **Introduction**

This progress report has been prepared in accordance with Rule 4 49C of the Insolvency Rules 1986 to provide creditors with an update on the work undertaken by me as joint liquidator during the first year of the liquidation

The following attachments accompany this report

- |            |   |
|------------|---|
| Appendix A | – Receipts and payments account for the period of the liquidation                               |
| Appendix B | – Statement of remuneration and expenses  |
| Appendix C | – Analysis of the administrators' and liquidators' disbursements                                |
| Appendix D | – Creditor rights to request information and challenge the liquidators' remuneration & expenses |

## **Assets**

### **Stock/WIP**

A sale to Elwis Lighting A/S ('Elwis') of various of the Company's business assets was completed during the preceding administration. A final payment of £26,250 was due to be paid in March 2014 - being six months after the sale completion. As anticipated, the deferred consideration was received during the liquidation.

### **Book Debts**

Part of the sale agreement provided that Elwis would co-ordinate the collection of book debts. At the date of liquidation approximately £6,000 remained outstanding, some of which had been disputed. During the first year of the liquidation £3,551 has been received in relation to these debtors. No further receipts are expected.

### **Tax Losses**

During the year, the liquidators reached an agreement whereby the Company's pre-administration trading losses be used for group relief by the Company's former group. In consideration of this arrangement the Company was paid £13,000.

### **Other**

£91,657 was transferred from the preceding administration to the liquidation. During the liquidation £1,530 was received in relation to a pre-appointment Council Tax prepayment, additionally, bank interest of £64 and a bank refund of £6 has been received.

## **Liquidators' Remuneration**

The meeting of creditors held on 16 September 2013 approved the joint administrators' pre-appointment costs of £37,746.30 and agreed that the joint administrators' post appointment remuneration be set on the basis provided by Rule 2 106(c) as a set amount of £14,753.70. These fees were drawn in the administration.

Pursuant to Rule 4 127(5A)(a) as the Company has moved from administration to winding-up under paragraph 83 of Schedule B1 to the Act and Sandra Mundy and Peter Whalley, as the preceding administrators have become the liquidators, the basis of the remuneration fixed under Rule 2 106 is treated as having been fixed under this Rule.

Therefore, pursuant to Rule 4 127(2)(c) of the Insolvency Rules 1986, Sandra Mundy and Peter Whalley's remuneration remained fixed as a set amount of £14,753.70 - which was drawn in the administration. Consequently the liquidators have not drawn any remuneration in the liquidation.

In the course of the liquidation the liquidators have drawn disbursements of £535.66, of which £284.06 were incurred in the administration. Appendix C provides details of the disbursements incurred and drawn over both the administration and the liquidation.

The joint liquidators' have reviewed the work undertaken and reported here and consider this level of costs to be appropriate bearing in mind the nature and complexity of the case

### **Charging Policy**

The firm's policy is to recharge the following

- a Cash disbursements such as company searches, legal notices, postage, external photocopying and subsistence where appropriate at cost
- b Mileage in relation to the assignment at rates comparable with those advised by motoring organisations for the vehicles used by firm and its staff
- c No charge is made for office overheads, the use of rooms in house, or for incidental expenses

### **Statutory Rights**

Creditors have certain rights to request information and challenge the liquidators' remuneration and expenses. Details of these rights can be found at Appendix D

### **Creditors**

#### **Prescribed Part**

No funds are to be set aside under the provisions of Section 176A of the Insolvency Act 1986, as no charges have been registered after the relevant date

#### **Preferential creditors**

It was not anticipated that there would be any preferential claimants in the liquidation and no such preferential claims have been received. Employees were paid up to the date of the administration, however, in any event, any liability would transfer to the purchaser under TUPE

#### **Secured creditors**

There are no secured creditors

#### **Unsecured creditors**

The Company moved to creditors voluntary liquidation on 5 February 2014 in order to allow a distribution to be made to unsecured creditors. The Company's records indicated that £926,443 of unsecured claims existed at the date of administration, during the administration claims were received totalling £927,523. Following the notice of intended dividend being issued on 19 February 2014, additional creditor claims were received, bringing the total claims received and admitted to £1,005,029, from eleven creditors.

#### **Dividends**

On 25 July 2014 a first and final distribution of £135,248 was declared and paid to the Company's unsecured creditors - being approximately 13.46 pence in the £1.

No further distributions have been made and there will be no additional distributions prior to the conclusion of the liquidation.

### **Investigation**

The joint liquidators have a statutory duty to consider and report to the Insolvency Service on the conduct of any person who had been a director of the Company in the three years preceding their appointment. They also had to consider whether any civil proceedings should be taken against the directors or others for the recovery of company assets or contributions to its estate.

**Bedsons Limited in Liquidation**  
**Progress Report dated 13 February 2015**

The joint liquidators can report that they have complied with their obligations under the Company Directors Disqualification Act 1986. To enable them to do this they have undertaken a review of the Company's records.

**Conclusion**

The liquidation will be concluded shortly and a draft final report is being issued at the same time as this annual report.

Should any creditor have any queries regarding this report, please do not hesitate to contact my assistant, Ian Robinson, or me.



**Peter Whalley**  
**Joint Liquidator**

16 February 2015

**Appendix A**

**Joint Liquidators' Abstract Of Receipts And Payments**  
**5 February 2014 To 4 February 2015**

<b>RECEIPTS</b>	<b>Estimated to Realise (£)</b>	<b>Total (£)</b>
Stock/WIP	26,250 00	26,250 00
Book Debts	6,000 00	3,550 94
Tax Losses	-	13,000 00
Council Tax Refund	-	1,530 40
Bank Interest Net of Tax	-	63 57
Transfer from Administration	91,657 10	91,657 10
Metro Bank Refund	-	6 00
	<u>123,907 10</u>	<u>136,058 01</u>
<b>PAYMENTS</b>		
Liquidators' Expenses		535 66
Stationery & Postage		14 00
Statutory Advertising		151 64
Trade & Expense Creditors		135,248 07
		<u>135,949 37</u>
Net Receipts/(Payments)		<u>108 64</u>
		<u>136,058 01</u>
<b>MADE UP AS FOLLOWS</b>		
Current Account		97 51
Irrecoverable VAT		11 13
		<u>108 64</u>

*\* Funds in hand will be used to defray the final closure costs of the liquidation*



## Appendix B

### Statement of Remuneration / Expenses For period 05/02/2014 to 04/02/2015

Account	Accrued In Prior Period (£)	Incurred In Period (£)	Accrued In Period (£)	Total In Period (£)
Administrators'/Liquidators' Expenses	284 06	251 60	0 00	535 66
Stationery & Postage	0 00	14 00	5 45	19 45
Statutory Advertising	0 00	151 64	92 06	243 70
	<u>284 06</u>	<u>417 24</u>	<u>97 51</u>	<u>798 81</u>

## Appendix C

From 19/09/2013

To 04/02/2015

### Disbursements

Transaction Date	Type and Purpose	Amount
		£
03/10/2013	Telephony	34 66
16/10/2013	Postage	9 40
24/10/2013	Specific bond	120 00
24/10/2013	Specific bond	120 00
08/02/2014	Postage	11 60
10/05/2014	Insurance	240 00
	<b>Total £</b>	<b>535.66</b>

## **Appendix D**

### **Creditor rights to request information under Rule 4.49E and their right to challenge the liquidator's remuneration & expenses under Rule 4.131**

#### **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 of 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 liquidators' 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 liquidators' 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