

## The Insolvency Act 1986

**Administrator's progress report**


Name of Company <b>Centerpac Limited</b>	Company number <b>01658989</b>
In the <b>Leeds District Registry</b> [full name of court]	Court case number <b>46 of 2012</b>

(a) Insert full name(s) and address(es) of administrator(s)

I/We (a) Paul James Bates and Francis Graham Newton of BDO LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU

administrator(s) of the above company attach a progress report for the period

(b) Insert date	From	to
	(b) 4 July 2012	(b) 20 December 2012

Signed   
Joint/administrator(s)

Dated 11.2.14

**Contact details:**

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

BDO LLP, 1 Bridgewater Place, Water Lane,	
Leeds, LS11 5RU	
Our Ref 014829/DB/00175448/A6	Tel 0113 244 3839
DX Number	DX Exchange

When you have completed and signed this form please send it to the Registrar of Companies at Companies House, Crown Way, Cardiff, CF14 3UZ DX 33050 Cardiff



A23 13/02/2014 #280  
COMPANIES HOUSE

**Centerpac Limited  
(In Administration)**

**JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT**

	Statement of affairs £	From 04/01/2012 To 21/12/2012 £	From 04/01/2012 To 21/12/2012 £
<b>RECEIPTS</b>			
Book Debts	893,070 00	16.12	16.12
Goodwill	250,000 00	25,000.00	25,000.00
Sellers Records	40,000 00	40,000 00	40,000.00
Equipment	30,000.00	70,000.00	70,000 00
Motor Vehicles	10,000.00	10,000.00	10,000.00
Stock	700,829.00	55,000 00	55,000.00
Book debts		2,245.32	2,245.32
Insurance Refund		54.27	54.27
Interest Gross		181.93	181 93
Rates Refund		1,961.52	1,961.52
Sundry Refunds		11.52	11 52
		<u>204,470.68</u>	<u>204,470.68</u>
<b>PAYMENTS</b>			
Legal Fees & Disbs		6,023.20	6,023.20
Agents' Fees & Disbs		5,700.00	5,700 00
Secured Creditor		53,292.92	53,292 92
Book debts		2,245.32	2,245.32
Administrators' Fees		50,000.00	50,000.00
Administrators' Disbursements		1,723.88	1,723.88
Agents' Fees & Disbs		5,690.75	5,690.75
Legal Fees & Disbs		2,000 00	2,000.00
Rates		350.23	350 23
Sundry Expenses		393.53	393.53
Insurance		439.82	439.82
Bank Charges		20.00	20.00
Floating Charge		36,707.08	36,707.08
VAT Receivable		14,306.28	14,306.28
		<u>178,893.01</u>	<u>178,893.01</u>
<b>BALANCE - 21 December 2012</b>			<u><u>25,577.67</u></u>



Tel +44 (0)113 244 3839  
Fax +44 (0)113 204 1200  
www.bdo.co.uk

1 Bridgewater Place  
Water Lane  
Leeds LS11 5RU

TO ALL CREDITORS

7 January 2013

Our Ref: 00175973/KB/DC/A6

Please ask for Steph Budby  
Direct line: 0113 290 6129  
Email: steph.budby@bdo.co.uk

Dear Sirs

**Centerpac Limited - Creditors' Voluntary Liquidation ("CVL")**  
**Formerly in Administration ("the Company")**

Our final report in respect of the Administration following conversion to CVL on 21 December 2012 is provided below.

**1 Statutory Information**

Francis Graham Newton and Paul Bates of BDO LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU, were appointed Joint Administrators on 4 January 2012.

Under the provisions of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 the Administrators carry out their functions jointly and severally and either Administrator has exclusive power to exercise any function.

The Administrators were appointed by Close Invoice Finance Limited, being a qualifying floating charge holder, pursuant to Paragraph 14 of Schedule B1 to the Insolvency Act 1986. The Administration proceedings were dealt with in the High Court of Justice, Leeds District Registry and the court case number is 0046 of 2012.

The Company's registered office is situated at BDO LLP, 1 Bridgewater Place, Water Lane, Leeds LS11 5RU and the registered number is 01658989.

We enclose a summary of our receipts and payments to 21 December 2012 showing a balance in hand of £25,578, together with a copy of our abstract receipts and payments account covering the final period. The funds held will be transferred to the subsequent CVL.

**2 Receipts**

Completion of the sale of the Company's business and assets to Samuel Grant Group Limited ("Samuel") took place on 11 January 2012, for total consideration of £200,000. The apportionment of this consideration was detailed in our previous report.

Close Invoice Finance Limited ("Close") provided an invoice discounting facility to the Company. Following appointment, Close continued to collect outstanding debtors directly. Collections have now been completed, totalling £850,743.

Collections have been insufficient to repay Close's debt in full.





### **3 Payments**

Charterfields Limited ("Charterfields") was appointed as our agent. Charterfields has been paid £5,700 plus VAT in respect of preparing a valuation report of assets and liaising with all parties who expressed an interest in purchasing the Company's business and assets.

Squire Sanders UK LLP ("Squire") has provided legal advice during the Administration, including drafting the sale and purchase agreement. Squire has been paid £8,023 plus VAT.

### **4 Conversion to Creditors Voluntary Liquidation**

The Insolvency Act 1986 and Insolvency Rules 1986 provide a variety of options regarding the possible exit routes for the Company from the Administration. Our proposals stated that we would exit the Administration via CVL or dissolution.

The Company moved from Administration to CVL on 21 December 2012, this being the date on which Form 2.34B (copy attached) was filed at Companies House.

The surplus funds held in the Administration will be transferred to the CVL in due course. A dividend will be distributed to unsecured creditors as detailed below.

### **5 Prospects for Creditors**

#### **5.1 Secured Creditors**

The return to the Bank under its fixed and floating charge security is forecast to be £103,000.

As previously detailed, debtor realisations have been insufficient to repay Close's lending.

#### **5.2 Preferential Creditors**

The Company employed 16 staff, of which six (including the Director and Company Secretary) were made redundant immediately following appointment. The remaining employees were retained in order to assist our colleagues.

Given that a sale of the Company's business and assets was achieved, retained employees transferred to Samuel under the Transfer of Undertakings (Protection of Employment) Regulations 2006.

We await details of the Redundancy Payments Office's final preferential claim in respect of those staff made redundant.

#### **5.3 Prescribed Part and Unsecured Creditors**

Under the provisions of Section 176A of the Insolvency Act 1986 the Joint Administrators must state the amount of funds available to unsecured creditors in respect of the Prescribed Part. This provision only applies where the Company has granted a floating charge to a creditor after 15 September 2003. The Company granted a floating charge to Close on 11 September 2010, the Prescribed Part will therefore apply

The Statement of Affairs shows that the amount due to non-preferential creditors totals £1,058,110 (not incorporating non-preferential employee claims).



It is estimated that the Prescribed Part will total £13,000. There will be no distribution to unsecured creditors other than via the Prescribed Part.

A proof of debt form is attached which should be completed and returned to our office, with supporting documentation, if you have not already done so.

## 6 Administrators' Remuneration and Disbursements

As detailed in the Joint Administrators' proposals, our remuneration has been approved by the secured and preferential creditors as set out in Rule 2.106(5A)(a)(b) of the Insolvency Rules 1986.

We have drawn Joint Administrators' fees to date of £50,000 and disbursements of £1,724 plus VAT. Additional fees of £20,000 have been paid by Close directly from debtor realisations.

We attach a schedule that summarises the time costs incurred to date and indicates the work undertaken in that regard. This shows a total of 478.05 hours at an average charge out rate of £223 per hour.

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for those costs to be authorised. These are known as category 1 disbursements. We have incurred and drawn disbursements of £1,724 plus VAT in respect of the Administration.

Some administrators recharge expenses for example postage, stationery, photocopying charges, telephone and fax costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors before they can be drawn, and these are known as category 2 disbursements. The policy of BDO LLP is not to charge any category 2 disbursements.

We provide at the end of this report an extract from the Insolvency Rules 1986 setting out the rights of creditors to request further information and/or challenge the remuneration or fees within the Administration.

Should you have any queries please do not hesitate to contact our colleague Steph Budby on 0113 290 6129.

Yours faithfully  
For and on behalf of  
Centerpac Limited

F G Newton  
Joint Liquidator

F G Newton & P J Bates are authorised by the Insolvency Practitioners Association

**Statement from the Insolvency Rules 1986 (as amended) regarding the rights of creditors in respect of the Joint Administrators' fees and expenses:-**

**Rule 2.48A Creditors' request for further information**

**(1) If—**

- (a) within 21 days of receipt of a progress report under Rule 2.47—
  - (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
- (b) with the permission of the court upon an application made within that period of 21 days, any unsecured creditor, makes a request in writing to the administrator for further information about remuneration or expenses (other than pre-administration costs) set out in a statement required by Rule 2.47(1)(db) or (dc), the administrator must, within 14 days of receipt of the request, comply with paragraph (2)

**(2) The administrator complies with this paragraph by either—**

- (a) providing all of the information asked for, or
- (b) so far as the administrator 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 administration or might reasonably be expected to lead to violence against any person, or
  - (iii) the administrator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information

**(3) Any creditor, who need not be the same as the creditor who requested further information under paragraph (1), may apply to the court within 21 days of—**

- (a) the giving by the administrator 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.

**(4) Without prejudice to the generality of paragraph (3), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 2.109(1B) by such further period as the court thinks just**

**Rule 2.109 Creditors' claim that remuneration 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 unsecured 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 administrator,
  - (b) the basis fixed for the administrator's remuneration under Rule 2.106, or
  - (c) expenses incurred by the administrator,
- 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 2.48A(4), be made no later than 8 weeks after receipt by the applicant of the progress report 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 it without a hearing but it shall not do so without giving the applicant at least 5 business days' notice, upon receipt of which the applicant may**



require the court to list the application for a without notice hearing. If the application is not dismissed, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly

**Statement from the Insolvency Rules 1986 (as amended) regarding the rights of creditors in respect of the Joint Administrators' fees and expenses.(continued):-**

**Rule 2.109 (continued)**

(3) The applicant shall, at least 14 days before the hearing, send to the administrator 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 administrator 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 administration,
- (e) an order that the administrator or the administrator'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 administration

**Centerpac Limited  
(In Administration)**

**JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT**

	Statement of affairs £	From 04/07/2012 To 21/12/2012 £	From 04/01/2012 To 21/12/2012 £
<b>RECEIPTS</b>			
Book Debts	893,070.00	16.12	16.12
Goodwill	250,000.00	0 00	25,000 00
Sellers Records	40,000 00	0.00	40,000.00
Equipment	30,000.00	0 00	70,000.00
Motor Vehicles	10,000 00	0 00	10,000.00
Stock	700,829.00	0.00	55,000.00
Book debts		0.00	2,245.32
Insurance Refund		0.00	54.27
Interest Gross		55 75	181.93
Rates Refund		0.00	1,961.52
Sundry Refunds		0.00	11 52
		<u>71.87</u>	<u>204,470.68</u>
<b>PAYMENTS</b>			
Legal Fees & Disbs		0.00	6,023.20
Agents' Fees & Disbs		0.00	5,700.00
Secured Creditor		53,292.92	53,292.92
Book debts		0.00	2,245.32
Administrators' Fees		10,000.00	50,000.00
Administrators' Disbursements		0.00	1,723.88
Agents' Fees & Disbs		0.00	5,690.75
Legal Fees & Disbs		0.00	2,000.00
Rates		0.00	350.23
Sundry Expenses		0.00	393.53
Insurance		0.00	439.82
Bank Charges		20.00	20.00
Floating Charge		36,707.08	36,707.08
VAT Receivable		2,000.00	14,306.28
		<u>102,020 00</u>	<u>178,893.01</u>
<b>BALANCE - 21 December 2012</b>			<u><u>25,577.67</u></u>



The Insolvency Act 1986

**Notice of move from administration  
to creditors' voluntary liquidation**

Name of Company <b>Centerpac Limited</b>	Company number <b>01658989</b>
In the <b>High Court of Justice, Leeds District Registry</b> <small>[full name of court]</small>	Court case number <b>0046 of 2012</b>

(a) Insert name(s) and  
address(es) of  
administrator(s)We (a) Francis Graham Newton and Paul James Bates of BDO LLP, 1 Bridgewater Place,  
Water Lane, Leeds, LS11 5RU(b) Insert name and address  
of registered office of  
companyhaving been appointed administrator(s) of Centerpac Limited whose registered office is  
situated at BDO LLP, 1 Bridgewater Place, Water Lane, Leeds LS11 5RU(c) Insert date of  
appointment

On (c) 4 January 2012 by (d) Close Invoice Finance Limited

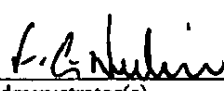
(d) Insert name of applicant /  
appointor

hereby give notice that

(e) Insert name(s) and address(es)  
of liquidator(s)the provisions of paragraph 83(1) of Schedule B1 to the Insolvency Act 1986 apply,  
and it is proposed that (e) Francis Graham Newton and Paul James Bates of BDO LLP, 1  
Bridgewater Place, Water Lane, Leeds, LS11 5RU

will be the liquidator(s) of the company (IP No(s) 9310 and 9790)

Signed

  
Joint/administrator(s)

Dated

14 DECEMBER 2012**Contact Details**

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

BDO LLP, 1 Bridgewater Place, Water Lane,	
Leeds, LS11 5RU	
Our Ref ADM979/00175973/KB/DC/C15	Tel 0113 244 3839
DX Number	DX Exchange

Completed and signed this form please send it to the Registrar of Companies at

Companies House, Crown Way, Cardiff, CF14 3UZ

DX 33050 Cardiff

COMPANIES HOUSE

PROOF OF DEBT

In The High Court of Justice  
Chancery Division  
Companies Court

No 0046 of 2012

Centerpac Limited  
- Creditors' Voluntary Liquidation

Date of Liquidation 21 December 2012

- 1a Name of creditor
- 1b If Company - registered number
- 2 Address of creditor
- 3 Total claim including VAT and interest as at the date of the appointment of administrators £  
(see overleaf)
- 4 Details of documents by which debt can be substantiated (please attach copy documents)
- 5 Amount of any interest included in claim £
- 6 Is the whole or part of the debt preferential? Yes / No  
If so, state amount, and details £  
See notes overleaf
- 7 Particulars of how and when debt incurred
- 8 Particulars and value of any security held and the date it was given
- 9 Details of any reservation of title in respect of goods to which the debt refer
- 10 Signature of creditor or other authorised person .....  
Name in BLOCK LETTERS .....  
Creditor's reference: .....
- 11 Position or Relationship with Creditor .....
- 12 Address (if person signing is not the Creditor)

**For Use of Administrator Only**

13    Admitted to vote for £

      Date

      Joint Administrator

14    Admitted preferentially  
      for £

      Date

      Joint Administrator

Admitted non-preferentially  
for £

      Date

      Joint Administrator

**Guidance Notes re Preferential Debts:**

The categories of preferential debts under S.386(1) of the Insolvency Act 1986 are as follows:

- pension scheme contributions
- remuneration etc of employees
- Levies on Coal & Steel Productions

**VAT Bad Debt Relief**

The provisions of the Finance Act, 1990, came into effect on 26 July, 1990, and introduced changes in the way that VAT on Bad Debts is recovered.

Your claim overleaf must be quoted inclusive of VAT. You may claim relief on your VAT return when the debt is at least six months old and has been written off. Any dividend you receive in respect of this claim will include payment in respect of the VAT element of your debt and you will be responsible for declaring such VAT to HM Revenue & Customs.

Centerpac Limited - In Administration

Summary of Time Charged and Rates Applicable for the Period to 31 December 2011 to 21 December 2012

Description	PARTNER		MANAGER		ASSISTANT MANAGER		ADMINISTRATOR		GRAND TOTALS		AV RT
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	£
A. Pre Appointment Matters											
01 Appointment Matter											
02 Appointment Matter											
03 Other Matters											
A. Pre Appointment Matters Total											
B. Steps on Appointment											
01 Appointment Matter											
02 Appointment Matter											
03 Appointment Matter											
B. Steps on Appointment Total											
C. Planning and Strategy											
01 Appointment Matter											
02 Appointment Matter											
C. Planning and Strategy Total											
D. General Administration											
01 Appointment Matter											
02 Appointment Matter											
03 Appointment Matter											
04 Appointment Matter											
05 Appointment Matter											
06 Appointment Matter											
07 Appointment Matter											
08 Appointment Matter											
09 Appointment Matter											
10 Appointment Matter											
11 Appointment Matter											
12 Appointment Matter											
13 Appointment Matter											
D. General Administration Total											
E. Assets Realisation/Disposal											
01 Appointment Matter											
02 Appointment Matter											
03 Appointment Matter											
04 Appointment Matter											
05 Appointment Matter											
06 Appointment Matter											
07 Appointment Matter											
08 Appointment Matter											
09 Appointment Matter											
10 Appointment Matter											
11 Appointment Matter											
12 Appointment Matter											
13 Appointment Matter											
E. Assets Realisation/Disposal Total											
F. Trading Related Matters											
01 Appointment Matter											
02 Appointment Matter											
03 Appointment Matter											
04 Appointment Matter											
05 Appointment Matter											
06 Appointment Matter											
07 Appointment Matter											
08 Appointment Matter											
09 Appointment Matter											
10 Appointment Matter											
11 Appointment Matter											
12 Appointment Matter											
13 Appointment Matter											
F. Trading Related Matters Total											
G. Employee Matters											
01 Appointment Matter											
02 Appointment Matter											
03 Appointment Matter											
04 Appointment Matter											
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06 Appointment Matter											
07 Appointment Matter											
08 Appointment Matter											
09 Appointment Matter											
10 Appointment Matter											
11 Appointment Matter											
12 Appointment Matter											
13 Appointment Matter											
G. Employee Matters Total											
H. Creditor Claims											
01 Appointment Matter											
02 Appointment Matter											
03 Appointment Matter											
04 Appointment Matter											
H. Creditor Claims Total											
I. Reporting											
01 Appointment Matter											
02 Appointment Matter											
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11 Appointment Matter											
12 Appointment Matter											
13 Appointment Matter											
I. Reporting Total											
J. Disposition and Closure											
01 Appointment Matter											
02 Appointment Matter											
03 Appointment Matter											
04 Appointment Matter											
J. Disposition and Closure Total											
L. Reporting Total											
Grand Total											

Disbursements  
Billed  
Grand Total